

## **Statement of Eric E. Sterling to the Subcommittee on Treasury, Postal Service and General Government of the Committee on Appropriations, U.S. House of Representatives**

March 23, 2000

Chairman Kolbe, Mr. Hoyer, members of the Subcommittee, the National Drug Control Strategy, presented to you today, attempts to sweep monumental failure under a rug. General McCaffrey insists that 'we are winning' our fight against drug abuse, but his scoreboard must be broken – deaths are up, high school kids can get drugs more easily than ever, drug use by junior high kids has tripled, drug prices are at historic lows, drug purity is as high as ever, and we are still not treating most of the millions of addicts desperate for help.

I have been following closely our national anti-drug strategy since 1979 when I became the counsel to the House Judiciary Committee principally responsible for anti-drug matters. I set up for the Committee dozens of hearings on every aspect of our anti-drug effort, and accompanied the House Select Committee on Narcotics Abuse and Control to Colombia, Peru, Bolivia, Mexico and Jamaica in 1983. I have heard almost every top Federal anti-drug official testify since Peter Bensinger headed the DEA. In 1986 and 1988, I was a principal aide in developing the Anti-Drug Abuse Acts of 1986 and 1988 which created the source country certification requirement, the mandatory minimum sentences, the Federal crime of money laundering, and the drug czar's office, among hundreds of provisions. In 1989, I left the committee, and have continued to work extensively on narcotics control matters as President of The Criminal Justice Policy Foundation.

Mr. Chairman, sadly, I don't believe that General McCaffrey can be trusted to give you an accurate appraisal of our drug situation. Gen. McCaffrey is claiming progress with declines in coca production in Peru and Bolivia, just as he did when he unveiled the 1999 strategy a year ago. But when he testified before a House subcommittee on August 6, 1999 he confessed, "In Peru, the drug control situation is deteriorating . . . Peruvian coca prices have been rising since March 1998." (Clifford Krauss, "Peru's Drug Successes Erode as Traffickers Adapt," The New York Times, Aug. 19, 1999).

I suggest, Mr. Chairman, that the indices that Gen. McCaffrey are most proud of are the least important – the declines in casual use of cocaine and marijuana by adults. Casual drug users are not the cancer at the core of America's drug crisis.

What is most important for our anti-drug policy to achieve? Saving lives, keeping drugs out of the hands of kids, and keeping as many people as healthy as possible. What are the facts? Deaths from drugs have more than doubled since 1979, from 7,101 in 1979 to 15,973 in 1997 as reported in the latest strategy. Why aren't we more effective in saving lives? How can we be winning when more people die each year than the year before?

Our policy is not keeping drugs out of the hands of kids. High school seniors report

that heroin and marijuana are more available now than at almost any point since 1975. Marijuana was "fairly easy" or "very easy" to get for 90.4% of seniors in 1998, the highest point in history. Heroin was "fairly easy" or "very easy" to get for 35.6% of seniors, compared to 24.2% in 1975, and 18.9% in 1979, at the height of the modern drug epidemic. Availability of heroin to high school students has increased by 1/3 since the Anti-Drug Abuse Act of 1986 was passed, when it was 22.0%.

Ecstasy availability has almost doubled since 1989 from 21.7%, to 38.2% in 1998. LSD availability is greater than at any point in the 1970s or 80s, and at 48.8%, is easily available by half our high school seniors. PCP availability is near record highs, at 30.7%.

More kids in 8th grade -- junior high school -- report that they are using illegal drugs according to the Monitoring the Future Survey. Use in the past 30 days of marijuana among 8th graders tripled from 1991 to 1997, from 3.2% to 10.2%. Cocaine use almost tripled from 0.5% in 1991 to 1.4% in 1998. Use of LSD by 8th graders almost tripled from 0.6% in 1991 to 1.5% in 1997.

How can General McCaffrey, with a straight face, tell you and the American people that we are winning?

In the streets, our policy is a failure. As best we can reckon, the street prices of heroin and cocaine are near historic lows. A pure gram of cocaine was \$44 in 1998, down from \$191 in 1981. Heroin prices have fallen from \$1200 per gram to \$318 per gram over the same period. This means traffickers are discounting the risks they face. This means the traffickers are finding it easier to get drugs to our streets, not harder.

Purity of cocaine, even for the smallest quantities, has increased on average from 40% in 1981 to 71% in 1998. Heroin street purity has increased from 4.7% in 1981 to 24.5% in 1998. How can the "drug czar" tell the American public that "we are winning" when there has been a 500% increase in heroin purity?

This high purity is sending more people to hospital emergency rooms -- the 1998 number of drug-related ER admissions was the greatest recorded.

Despite repeated promises, we are failing to help the people who are most hurt by drugs -- the addicts. The crudely estimated number of persons needing drug abuse treatment has grown from 8.9 million in 1991 to 9.3 million in 1996. The number of hard core addicts needing treatment has grown from 4.7 million in 1992 to 5.3 million in 1996. There are still 3 million untreated hard core addicts, more than in most of the 1990s. And it is the untreated drug addicts who are the core of our drug abuse problem. Their tragedies rip American families apart. Their desperation drives them to crime. Their demand finances the Mexican and Colombian cartels, and pays the farmers of coca and opium around the world.

Treating the addicts is not only the most humane thing we can do, it is the most effective. Our failure to adequately treat the drug addicts, independently of the

criminal justice system, is a national disgrace.

Gen. McCaffrey will tell you his strategy is based on hard data and he has promised measurable results described in so-called "Performance Measures of Effectiveness." Several years ago he announced 12 Key Drug Strategy Impact Targets. He promised, for example, to:

Reduce the number of chronic drug users by 20% by 2002, and by 50% by 2007. Reduce the availability of illicit drugs in the U.S. by 25% by 2002, and by 50% by 2007. Reduce the rate of shipment of illicit drugs from source zones by 15% by 2002, and by 30% by 2007. Reduce the domestic cultivation and production of illicit drugs by 20% by 2002, and by 50% by 2007. His documents reveal that for each of those important objectives, there is no actual U.S. government estimate for the base.

Regarding the number of chronic drug users, "At this point [February 1999], no official, survey-based government estimate of the size of this drug-using population exists." (National Drug Control Strategy 1999, Performance Measures of Effectiveness: Implementation and Findings, p.15, hereafter PME:IF).

Regarding the availability of illicit drugs in the United States, "The problem is that there are no official government estimates of the available supply of drugs in the United States." (PME:IF, p. 16).

Regarding the rate of shipment of illicit drugs from source zones, "There is no official U.S. government estimate for the outflow of drugs from source zones." (PME:IF, p. 17).

Regarding the domestic cultivation and production of illicit drugs, "Currently there are no estimates of drugs of U.S. venue available in the U.S. for distribution." (PME:IF, p. 18).

Mr. Chairman, how can a cabinet-level official look a Member of Congress in the eye and say that he has a strategy to reduce a complex problem by a precise percentage by a certain year, when he does not know -- with any precision -- the size of the problem he is promising to address?

These are all worthwhile objectives, but as presented to you and the nation, they are fraudulent. This is a Potemkin Village anti-drug strategy, Mr. Chairman.

Mr. Chairman, I urge you to hold a follow up hearing on this "strategy" to look at it in detail, and to invite a broad range of experts to testify.

Americans can no longer tolerate a strategy that brazenly insists that our "National Anti-Drug Policy is Working" because the trend of anti-drug spending is up. (1999 National Anti-Drug Strategy, p. 9). It is time for a completely different emphasis.