

**INTERIM REPORT OF THE  
VIRGINIA STATE CRIME COMMISSION**

**Task Force Study  
of Drug Trafficking,  
Abuse and Related Crime**

**TO THE GOVERNOR AND  
THE GENERAL ASSEMBLY OF VIRGINIA**



**SENATE DOCUMENT NO. 30**

**COMMONWEALTH OF VIRGINIA  
RICHMOND  
1990**

**MEMBERS OF THE VIRGINIA STATE CRIME COMMISSION**

**From the Senate of Virginia:**

Elmon T. Gray, Chairman  
Howard P. Anderson  
Elmo G. Cross, Jr.

**From the House of Delegates:**

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**Appointments by the Governor:**

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Robert F. Horan, Jr.  
George F. Ricketts, Sr.

**Attorney General's Office:**

H. Lane Kneedler



# COMMONWEALTH of VIRGINIA

## VIRGINIA STATE CRIME COMMISSION

General Assembly Building

IN RESPONSE TO  
THIS LETTER TELEPHONE  
(804) 225-4534

ROBERT E. COLVIN  
EXECUTIVE DIRECTOR

MEMBERS  
FROM THE SENATE OF VIRGINIA:  
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ELMO G. CROSS, JR.

FROM THE HOUSE OF DELEGATES:  
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January 16, 1990

APPOINTMENTS BY THE GOVERNOR:  
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ROBERT F. HORAN, JR.  
GEORGE F. RICKETTS, SR.

ATTORNEY GENERAL'S OFFICE  
H. LANE KNEEDLER

**TO: The Honorable L. Douglas Wilder, Governor of Virginia,  
and Members of the General Assembly:**

Senate Joint Resolution 144, adopted by the 1989 General Assembly, directed the Virginia State Crime Commission to conduct a "comprehensive legislative study of combatting drug trafficking, abuse and related crime in Virginia, including needed changes in legislation with a primary focus on law enforcement efforts, consumption reduction and correctional/rehabilitative issues." In addition, Senate Joint Resolution 144 directed the Commission to designate a select Task Force of twenty-one individuals to assist with the study and submit an interim report by December 1, 1989, and a final report and recommendations by December 1, 1990. In fulfilling this directive, an interim report of findings and recommendations, including a schedule of activities for 1990, has been prepared by the Drug Study Task Force of the Virginia State Crime Commission. On December 19, 1989, the Drug Task Force met and approved the interim report and requested that the report be printed. On December 19, 1989, the Virginia State Crime Commission adopted the Drug Study Task Force report, approved it for publication and requests that the Governor and General Assembly adopt the recommendations therein. I have the honor of submitting herewith the interim report of the Drug Study Task Force.

Respectfully submitted,

Elmon T. Gray  
Chairman

ETG/dgs

Enclosure

**TWENTY-ONE MEMBER DRUG STUDY TASK FORCE**  
**SJR 144**

**Thirteen Members of the Commission:**

Senator Elmon T. Gray, of Sussex, Chairman  
Delegate Robert B. Ball, Sr., of Henrico, Vice Chairman  
Senator Howard P. Anderson, of Halifax  
Mr. Robert C. Bobb, of Richmond  
Senator Elmo G. Cross, Jr., of Hanover  
Delegate V. Thomas Forehand, Jr., of Chesapeake  
Delegate Raymond R. Guest, Jr., of Front Royal  
The Honorable Robert F. Horan, Jr., of Fairfax  
Mr. H. Lane Kneedler, Attorney General's Office  
Speaker A. L. Philpott, of Henry  
Rev. George F. Ricketts, Sr., of Richmond  
Delegate Warren G. Stambaugh, of Arlington  
Delegate Clifton A. Woodrum, of Roanoke

**Two Legislators Appointed by the Senate:**

Senator Edward M. Holland, of Arlington  
Senator Johnny S. Joannou, of Portsmouth

**Two Legislators Appointed by the House:**

Delegate Thomas M. Jackson, Jr., of Hillsville  
Delegate Clinton Miller, of Woodstock

**Four Citizens Appointed by the Commission:**

Col. J. C. Herbert Bryant, Jr., of Sterling  
The Honorable W. M. Faulconer, of Orange  
The Honorable Christopher W. Hutton, of Hampton  
Chief Richard W. Presgrave, of Harrisonburg

Virginia State Crime Commission Staff

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With invaluable assistance from:

B. S. Allsbrook	Virginia State Police
Ken Batten	Department of Mental Health, Mental Retardation and Substance Abuse Services
R. L. Berryman	Virginia State Police
Marla Coleman	Department of Education
Lisa Claiborne	Virginia Commonwealth University (Intern)
Paul Henick	Department of Corrections
Dean Jennings	Department of Criminal Justice Services
James Kouten	Department of Criminal Justice Services
Andrew Molloy	Department of Corrections
Dorothy Papciak	Virginia Commonwealth University (Intern)
Forrest Powell	Department of Corrections
Carole Roper	Virginia Commonwealth Alliance for Drug Rehabilitation and Education (CADRE)
Hope Seward	Department of Mental Health, Mental Retardation and Substance Abuse Services
John Warner	Department of Criminal Justice Services

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## I. MESSAGE FROM THE CHAIRMAN

**Senator Elmon T. Gray, Chairman  
Virginia State Crime Commission**

Senate Joint Resolution 144 directs this task force, with the assistance of the Governor's Council on Alcohol and Drug Abuse Problems and the Office of the Attorney General, to conduct a two-year comprehensive study of drug trafficking, abuse and related crime in Virginia. Three subcommittees have been assigned the task of finding ways to improve drug law enforcement efforts, provide rehabilitation and treatment to drug users, provide punishment for drug dealers and reduce the demand for drugs through education programs.

During the past six months, concerned citizens, police officers, educators, sheriffs, treatment providers and others have testified at our meetings and public hearings. We have heard repeated requests for additional drug enforcement personnel, training and equipment, adequate treatment programs for offenders and more drug awareness education for children and adults. In this regard, the Commission and the General Assembly are keenly aware of the need for a comprehensive drug strategy for Virginia that coordinates law enforcement, corrections, treatment and education efforts. Developing this strategy is the charge of this legislative study.

We have much to be proud of: Virginia has some of the toughest drug laws in the country. Efforts are underway to make more treatment programs available to drug offenders. Our drug awareness education programs are among the best in the country, but our efforts still fall short of meeting the needs of the workers on the forefront of the drug battle. Drug abuse and drug-oriented crime affect almost every aspect of our society, and the need for coordination of efforts has become acute.

The drug crisis was not born overnight, and it will not be solved quickly or easily. Knee-jerk solutions are not the answer. The key to success is in well-thought-out long-term solutions. These solutions will require the public and especially parents to get "up in arms" if we are to be successful. Drug abuse has so permeated our society that it may take years to effect changes in the public's attitudes about drugs. Virginia can promote health-oriented intolerant attitudes about drug abuse through dedicated drug awareness education programs. Providing drug treatment for offenders can help reduce substance abuse relapse and decrease criminal recidivism. More sophisticated law enforcement efforts can deter widespread drug law violations.

The interim report before you lays the groundwork for the work of this task force in 1990. The three subcommittees have come forward with well-conceived recommendations. The subcommittees have not been quick to the trigger with massive budget requests or lock-them-all-up legislation. We are building on the mass of information we have collected thus far. Most of the

suggested recommendations seek to ensure that we will have complete information for our final deliberations next year. Others provide immediate action on certain pressing issues. The research projects and administrative recommendations will be carried out in the coming year to further the objectives of the drug study. Next December, this task force will produce its final report of recommendations to the Governor and General Assembly for changes in the law, creation of programs and development of a drug strategy for the State. The success of our efforts plays a critical part in defeating the drug trade in Virginia. I commend the efforts of this task force. We look forward to working with Governor Wilder, Lt. Governor Beyer and Attorney General Terry on this most important drug trafficking study in 1990.

## II. EXECUTIVE SUMMARY OF RECOMMENDATIONS

The Drug Study Task Force met in full and in subcommittee meetings 17 times during 1989. Fifteen findings, 48 recommendations and 65 activities, developed by the subcommittees, were adopted by the full task force and are included in the interim report as a plan of action for the task force in 1990. The 65 activities and their subparts are the catalyst for the five legislative bills, three budget amendments, one formal resolution, 25 administrative recommendations and support resolutions and 36 studies. A brief description and index of the aforementioned activities follows.

### A. Legislation:

- Include all Schedule I and II drugs in the enhanced penalty for a second drug conviction (Code of Virginia § 18.2-248)
- Revoke driver's license when driver is convicted of a drug distribution scheme involving a vehicle (Code of Virginia § 18.2-248)
- Extend the penalty for distribution of drugs to a minor to persons convicted of involving a minor in drug distribution (Code of Virginia § 18.2-255)
- Extend the Safe School Zone law to include areas open to the public, and to cover after-school programs (Code of Virginia § 18.2-255.2)
- Allow joinder of trial of drug co-conspirators when certain conditions are met (Code of Virginia § 18.2-256)

### B. Budget Amendments:

- Provide funds to purchase eight surveillance vans for local law enforcement drug investigations, totaling \$440,000 in the first year and \$40,000 in the second year of the FY90-92 biennium (Law Enforcement Activity #7)



- Provide funds for the Department of Corrections to acquire four handlers, four drug detection dogs and the requisite training and supplies, not to exceed \$300,000 for the FY90-92 biennium (Corrections/Treatment Activity #1)
- Provide funds for four full-time equivalent (FTE) positions in the Department of Education Office of Youth Risk Prevention to facilitate school substance abuse education programs, totaling \$167,657 in the first year and \$174,779 in the second year of the FY90-92 biennium (Education Activity #6)
- Provide funds for 48 FTE deputy sheriff positions to ensure that Drug Abuse Awareness Education (DARE) is available in every school district statewide, totaling \$1,058,729 in the first year and \$1,080,638 in the second year of the FY90-92 biennium. (Education Activity #9)

**C. Formal Resolution:**

- Request that the Board of Education amend general teacher certification regulations to require a substance abuse education course (Education Activity #15)

**D. Administrative Recommendations and Proposed Studies:**

**Law Enforcement Subcommittee:**

<u>Description</u>	<u>Target Date</u>	<u>See Page</u>
State task force support committee.	1 Jun 90	23
Encouragement of multi-jurisdictional cooperation.	1 May 90	24
Availability of federal grant funds to appoint multi-jurisdictional grand juries and special drug prosecutors.	1 May 90	24
Enhanced training for law enforcement personnel.	ASAP*	24
Program model for training in undercover operations.	1 Jun 90	25
Survey of local law enforcement agencies' resources.	1 May 90	25
Support request for change in formula for determining the number of law enforcement deputies.	'90 Session	25

\*The "As Soon As Possible" target dates are assigned to those activities in continuing development that could not be given specific reporting dates.

Training for subsidized housing personnel.	1 Jun 90	25
Proposal for enhanced intelligence/information sharing.	1 Jun 90	26
Plan for anonymous reporting of drug-related health data.	1 Jun 90	26
Recommendation to adopt and promote SJR 36 (1989) which relates to asset seizure and forfeiture.	'90 Session	26
Problem of money laundering.	1 Jun 90	27
Effectiveness of the federal drug kingpin statute.	1 May 90	27
Whether controlling drug-using dangerous offenders could reduce crime.	1 May 90	27
a. arrest		
b. identification		
c. diversion		
d. evaluation		
Degree and nature of gang violence.	1 May 90	28
Capability of state forensic labs.	1 May 90	28
Expansion of subpoena duces tecum power in drug investigations.	1 May 90	28
Law enforcement agencies to enact strong drug policies to set an example.	ASAP*	28
Continuation of efforts to update Interagency Substance Abuse Plan.	ASAP*	28
Problem of diverted pharmaceuticals.	1 Jun 90	28

**Corrections/Treatment Subcommittee:**

<u>Description</u>	<u>Target Date</u>	<u>See Page</u>
Coordination of drug dog training.	1 Jun 90	30
Feasibility of drug testing of criminal justice system employees.	1 Jun 90	30

Drug testing of offenders policy.	ASAP	30
Alternatives to limit inmate access to drugs.	1 Jun 90	30
Support recommendation by COPJO that treatment space be incorporated in prison space.	'90 Session	31
Support request of DOC to establish permanent treatment programs.	'90 Session	31
Support recommendation by COPJO for improvement of inmate education programs.	'90 Session	31
Review improvement of inmate education programs.	1 Jun 90	31
Assessment of inmate education and treatment programs.	1 Jun 90	31
Evaluation and improvement of minimum qualifications standards for substance abuse specialists.	ASAP*	32
Coordination of pre-discharge planning.	1 Jun 90	32
Support efforts of DOC to administer substance abuse program for probationers and parolees.	ASAP*	32
Formula for forecasting community-based program needs for offenders.	1 Jun 90	32
Survey and evaluation of community-based programs.	1 Jun 90	32
DAWN and DUFFS reporting systems.	1 Jun 90	33
Incentives to enter treatment field.	1 Jun 90	33
Conditions of parole.	1 May 90	33
Staffing of Community Service Boards.	1 Jun 90	33
DYS study of treatment and education programs for juveniles.	1 Jun 90	34
Survey of available programs for youth.	1 Jun 90	34

Drug screening program in learning centers.	1 Jun 90	34
Monitoring of Interagency Comprehensive Substance Abuse Plan.	ASAP*	35
Program availability in the jails, prisons and communities.	1 Jun 90	35
Development of planning network.	1 May 90	35

**Education Subcommittee:**

<u>Description</u>	<u>Target Date</u>	<u>See Page</u>
Survey to identify populations served and not served by education programs.	1 May 90	37
Strategy development process.	1 Jun 90	37
Development of curricula for comprehensive substance abuse programs.	1 Oct 90	38
Development of self-report adolescent usage survey.	1 Jun 90	38
Preparation of funding resources report.	15 Dec 89	38
Commission to assist concerned agencies in developing legislative proposals.	ASAP*	39
Interested state agencies to continue to work as coordinating committee.	1 Jun 90	40
Support for request for funding of 48 full-time deputy sheriff's positions.	'90 Session	40
Staffing requirements to implement DARE program in all fifth grade classrooms.	1 May 90	40
Development of drug awareness education curricula.	1 Jun 90	40
Monitoring of the progress of HJR 336 Study of School Dropouts.	1 Jun 90	40
Letter requesting that DOE integrate substance abuse education into the basic general curricula.	ASAP*	41

Monitoring of the progress of the Task Force studying violence on school property.	1 Apr 90	41
Availability of funding for programs in public housing projects and communities.	1 Jun 90	41
Evaluation of efforts to curb drug and alcohol abuse on college campuses.	1 Jun 90	42
State government policies regarding drug usage.	ASAP*	42
Feasibility of initiation of statewide media campaign.	1 Jul 90	42

### III. AUTHORITY AND PURPOSE FOR THE STUDY

Senate Joint Resolution 144, whose chief patron was Senator Elmon T. Gray, was adopted by the 1989 General Assembly and directs the Virginia State Crime Commission, with the assistance of the Governor's Council on Alcohol and Drug Abuse Problems and the Office of the Attorney General, to conduct a comprehensive study of combatting drug trafficking, abuse and related crime.

The legislative-based Commission's charge is to develop a statewide comprehensive coordinated strategy and agenda, in cooperation with the executive and judicial branches of government, to address the drug trafficking and drug-related crime problem. In this context, the study will develop legislative and other proposals with its focus on law enforcement efforts, consumption reduction and correctional treatment issues.

SJR 144 resolves that "the Crime Commission shall designate a select Task Force of twenty-one individuals to assist with the study, and such Task Force shall report directly to the Commission. This Task Force will consist of all thirteen members of the Crime Commission and eight other members as follows: two members of the House of Delegates appointed by the Speaker, two members of the Senate appointed by the Senate Privileges and Elections Committee and four individuals from criminal justice fields, business or community leaders or other individuals as the Commission may so select."

To strengthen Virginia's criminal justice system, the General Assembly created the Virginia State Crime Commission in 1966. The primary purpose and legislative mandate of the Commission is to study, report, and make recommendations to the Governor and the General Assembly on all areas of public safety and protection. The Commission develops legislation and assists in coordinating proposals of various agencies and organizations as to legislation affecting crime, crime prevention and control and criminal procedures.

In meeting its responsibility, the Crime Commission acts as a sounding board for agencies, organizations and individuals in the Commonwealth to report legislative concerns regarding criminal justice to the General Assembly and serves as a locus for analyzing and dealing with the multitude of difficult and diverse issues in our criminal justice system. The Commission also regularly develops and evaluates law and administrative procedures which affect judges, prosecutors, law enforcement officials, jails and prisons, forensic laboratories, community diversion programs, crime prevention programs, probation and parole, criminal procedure and evidence, victims and witnesses of crime and private security.

§9-125 of the Code of Virginia establishes and directs the Virginia State Crime Commission "to study, report and make recommendations on all areas of public safety and protection." §9-127 of the Code of Virginia provides that "the Commission shall have duty and power to make such studies and gather information in order to accomplish its purposes, as set forth in §9-125, and to formulate its recommendations to the Governor and the General Assembly." §9-134 of the Code of Virginia authorizes the Commission to "conduct private and public hearings, and to designate a member of the Commission to preside over such hearings." The Virginia State Crime Commission, in fulfilling its legislative mandate, hereby undertakes the Drug Task Force Study as directed by Senate Joint Resolution 144.

#### IV. MEMBERS APPOINTED TO SERVE

During the August 1, 1989 meeting of the Virginia State Crime Commission, its Chairman, Senator Elmon T. Gray of Sussex, introduced the twenty-one member Drug Study Task Force, and selected the chairmen for the three study subcommittees.

Speaker A. L. Philpott of Bassett was selected to serve as chairman of the Law Enforcement Subcommittee. Members of the Drug Study Task Force who serve on the Law Enforcement subcommittee are:

Speaker A. L. Philpott of Bassett, Chairman  
Col. J. C. Herbert Bryant, Jr., of Sterling  
Sheriff W. M. Faulconer of Orange  
Mr. Robert F. Horan, Jr., of Fairfax  
Senator Johnny S. Joannou of Portsmouth  
Mr. H. Lane Kneedler of Richmond  
Delegate Warren G. Stambaugh of Arlington

Delegate Robert B. Ball, Sr., of Henrico was selected to serve as chairman of the Corrections/Treatment Subcommittee. Members of the Drug Study Task Force who serve on the Corrections/Treatment subcommittee are:

Delegate Robert B. Ball, Sr., of Henrico, Chairman  
Senator Elmo G. Cross, Jr., of Hanover  
Senator Edward M. Holland of Arlington  
Mr. Christopher W. Hutton of Hampton  
Delegate Clinton Miller of Woodstock  
Rev. George F. Ricketts, Sr. of Richmond  
Delegate Clifton A. Woodrum of Roanoke

Senator Howard P. Anderson of Halifax was selected to serve as chairman of the Education Subcommittee. Members of the Drug Study Task Force who serve on the Education subcommittee are:

Senator Howard P. Anderson of Halifax, Chairman  
Mr. Robert C. Bobb of Richmond  
Delegate V. Thomas Forehand, Jr., of Chesapeake  
Senator Elmon T. Gray of Sussex  
Delegate Raymond R. Guest, Jr., of Front Royal  
Delegate Thomas M. Jackson of Hillsville  
Chief Richard W. Presgrave of Harrisonburg

**DRUG TASK FORCE STEERING SUBCOMMITTEE:**

Senator Elmon T. Gray, Chairman  
Speaker A. L. Philpott, Chairman, Law Enforcement  
Delegate Robert B. Ball, Sr., Chairman, Corrections/Treatment  
Senator Howard P. Anderson, Chairman, Education  
Mr. H. Lane Kneeder, Attorney General's Office

**V. STUDY DESIGN**

Pursuant to SJR 144, the Secretary of Transportation and Public Safety, the Secretary of Human Resources and the Secretary of Education designated the Department of Criminal Justice Services, the Department of Mental Health, Mental Retardation and Substance Abuse Services, and the Department of Education, respectively, to provide staffing support for the Commission staff. Dean Jennings, Ken Batten, and Marla Coleman were designated as the primary contacts within the respective agencies for the study.

During the month of September, each subcommittee held a unique meeting. During a closed meeting, the Law Enforcement Subcommittee received confidential information relating to law enforcement issues from across the

state. The Corrections/Treatment Subcommittee visited Hegira House, a therapeutic community in Roanoke, and heard from substance abuse treatment providers to community-based corrections and rehabilitation programs. The Education Subcommittee attended a fifth grade DARE class at G. W. Carver Elementary School in Salem and heard from members of the local PTA. In all, each subcommittee held four public meetings in 1989 to gather information and develop findings, recommendations and activities for 1990.

At its two public hearings and initial meeting, the 21-member Drug Study Task Force heard testimony and received reference materials from representatives of the law enforcement, treatment, corrections, education and citizen communities. The task force met for the final time in 1989 on December 19 to consider the proposed reports of the three subcommittees. The task force approved the subcommittee reports, and voted to publish the combined subcommittee reports and supporting documentation in an interim study report. On December 19, 1989, the Virginia State Crime Commission adopted the Drug Study Task Force report, approved it for publication and requested that the Governor and General Assembly adopt the findings, recommendations and activities therein. The Commission further recommended at its January 16, 1990 meeting, that the requests for study reports by executive branch agencies be introduced to the General Assembly as language in the 1990 Appropriations Act.

MEETINGS

Drug Study Kickoff	August 1, 1989
Education Subcommittee	August 15, 1989
Law Enforcement Subcommittee	August 25, 1989
Corrections/Treatment Subcommittee	August 29, 1989
Full Task Force Public Hearing - Richmond	September 19, 1989
Law Enforcement Subcommittee	September 20, 1989
Education Subcommittee	September 29, 1989
Corrections/Treatment Subcommittee	September 29, 1989
Full Task Force Public Hearing - Roanoke	September 29, 1989
Education Subcommittee	October 17, 1989
Law Enforcement Subcommittee	October 17, 1989
Corrections/Treatment Subcommittee	October 18, 1989
Law Enforcement Subcommittee	November 14, 1989
Education Subcommittee	November 15, 1989
Corrections/Treatment Subcommittee	November 15, 1989



Law Enforcement Subcommittee

December 19, 1989

Full Drug Task Force

December 19, 1989

See Appendix B for the proposed schedule for 1990.

#### VI. INFORMATION FROM PUBLIC HEARINGS AND MEETINGS

During the course of its work, the Drug Study Task Force has received information about the extent of the drug problem in Virginia from concerned citizens as well as members of the law enforcement, corrections and education communities. Not only are the metropolitan areas affected, but now rural areas are suffering from the negative effects of drugs and drug-related crime. Out-of-state drug dealers are increasingly being discovered and arrested in Virginia. Many of them use the profits from their drug deals to purchase weapons from Virginia retailers. Additionally, the drug-abusing population is changing significantly. Drug users are younger, and a greater percentage than ever before are female. Furthermore, many are polydrug users and dealers. Some elementary school children now are using drugs. Children from dysfunctional families such as those whose parents abuse drugs frequently become drug users at an early age. The state Departments of Education, Mental Health, Mental Retardation and Substance Abuse Services, Criminal Justice Services, Youth Services and Social Services need support from the General Assembly for joint initiatives to address problems that cross bureaucratic boundaries, such as criminal behavior and problems of addiction.

#### Law Enforcement Issues

Three major needs in the area of law enforcement were presented at the initial meeting of the Drug Task Force. First, the Virginia State Police expressed a need for a centralized reporting network that profiles abusers. Secondly, the U.S. Marshal's Service is in need of support for its crucial role in combatting drug trafficking. Similarly, the international agency of INTERPOL needs support to develop a subdivision to evaluate and disseminate information about international drug-related crimes. The Maricopa County Plan, the Miami Coalition and the Oregon Regional Drug Initiative are three noteworthy programs established in other states to address the drug problem.

Suggestions offered regarding the punishment of drug-related offenders include stiffer fines and sentences for both users and dealers; mandatory sentences for selling drugs to a minor; uniform sentencing; death penalty for drug kingpins; establishment of a shock incarceration program for youthful offenders and drug users; mandatory revocation of driver's license if an offender is found to be in illegal possession of any drug while driving; and stricter paraphernalia laws.

A Virginia constitutional amendment is needed to direct all profits from the seizure of drug assets towards law enforcement efforts, particularly toward interdiction and local efforts, equipment and manpower. According to testimony, additional funding is necessary to enhance resources for local law enforcement agencies.

Juvenile concerns include the need to address the problems of gang turf wars, drug-related crime by juveniles and the use of minors in all facets of the drug trade. Prosecutorial concerns include the backlog of the state crime laboratories, the case overload experienced by the court system, and the need for multi-jurisdictional task forces in many regions of the state.

Because of the direct relationship between drugs and crime, especially in low-income housing projects, problems are surfacing such as non-leaseholders selling drugs out of public housing projects and juveniles being used as runners and lookouts. Several suggestions have been made to help alleviate these problems, including the cancellation of a lease upon arrest for a drug crime; employment of security guards in the projects; rewards for tips from informants; and enforcement of vagrancy and curfew laws.

Other general law enforcement concerns include money laundering, open air drug markets, crack houses, access to firearms, possession of weapons by minors, and the use of juveniles as drug mules. Furthermore, the Commonwealth needs a comprehensive law enforcement strategy, a grass roots approach to the problem of user accountability and a means for better surveillance of rural airports.

#### Corrections/Treatment Issues

The state is involved in several treatment programs. The role of the Department of Mental Health, Mental Retardation and Substance Abuse Services continues to be crucial in the prevention of drug abuse, the treatment of addictive behaviors, and the implementation of programs to assist families affected by substance abuse and mental health problems.

Suggested corrections issues include random drug testing for all inmates, probationers and parolees; drug monitoring, treatment and rehabilitation of offenders; the problems caused by overcrowded conditions of correctional facilities; elimination of the waiting period for parolees and probationers seeking treatment; and the special treatment needs of offenders.

Treatment concerns include mandatory rehabilitation; school-based personnel for substance abuse counseling; integration of peer-led counseling groups and treatment; correlation between high risk youth and substance abuse; funding for emergency program planning for agencies with successful records; and problems related to alcohol on university campuses. Most treatment programs now are operating at or above capacity and need resources to expand staff in substance abuse programs and in the Community Services Board system.

## Education and Prevention

One of the most important issues surrounding the drug problem is the need to promote change in society's permissive attitude towards drug use. It is possible that this goal can be achieved through educational means. In Virginia, the DARE program is a major contributing factor to the incorporation of drug education programs in the school systems. The program needs to be expanded to successfully reach every school in Virginia; however, some divisions are not able to implement the DARE program due to a lack of manpower and/or funds. Forty-eight DARE positions are needed statewide, and additional local funding is needed to alleviate the problem.

The drug problems in public housing projects extend to the education system because children are being influenced by parents who use drugs. Applications to live in public housing should be prioritized to accept first those applicants with drug-free records. In addition, a list should be maintained of persons barred from residing in or visiting public housing property as the result of a drug offense.

Drug education programs in general need more financial support. Direct funding could be used to create alternative programs to increase drug awareness, to provide motivation, education and training to welfare recipients, and to initiate peer-led programs to counsel on education and prevention. The role of education programs should be expanded to teach values, conflict resolution, mutual respect and the work ethic.

The following individuals provided the information described above at the Full Drug Task Force's initial meeting and public hearings (listed in order of appearance):

### August 1, 1989 Initial Meeting:

Mr. Alan Albert	Governor's Office
Mr. William Alden	Drug Enforcement Agency
Mr. John Twomey	U.S. Marshals Service
Mr. Richard Stiener	International Criminal Police Organization
Mr. Richard Harris	Department of Criminal Justice Services
Mr. Robert Berryman	Virginia State Police
Mr. Wayne Thacker	Office of Substance Abuse Services
Ms. Jeanne Bentley	Department of Education

September 19, 1989 Richmond Public Hearing:

Senator Eddy Dalton	County of Henrico
Chief Larry Daniel	Town of Front Royal Police
Chief Richard Engels	Henrico County Police
Lt. John Karinshak	Arlington County Police
Ms. Gloria Hall	Virginia PTA
Mr. Arthur Johnson	Richmond City Schools
Dr. David Saunders	VCU School of Social Work
Ms. Susan Grossman	UVA Substance Abuse Project
Sheriff C.W. Jackson	Westmoreland County Sheriff's Office
Chief Larry Nowery	City of Petersburg Police
Mr. Thompkins	Petersburg Housing Authority
Major Chuck Bennet	City of Richmond Police
Ms. Anne Brackett	Alexandria Probation and Parole
Ms. Kay Sears	Henrico County School Board
Mr. Hylan Carter	Richmond City Mental Health
Mr. Bill Luchie	Center for Creative Development
Mr. Arthur Whitener	Portsmouth Housing Authority
Mr. Tom McGrath	Mothers Against Drunk Drivers

September 29, 1989 Roanoke Public Hearing

Judge Philip Trompeter	23rd Judicial District
Deputy Martha Spencer	Montgomery County Sheriff's Office
Commander Rick Pillar	City of Lynchburg Police
Ms. Lois Hinkle	Montgomery County Schools
Mr. John Jones	Virginia State Sheriffs' Association
Sheriff C.H. Wells	Bedford County Sheriff's Office
Sheriff R.D. Carrico	Carroll County Sheriff's Office
Deputy Randy Mosby	Carroll County Sheriff's Office
Sheriff M.E. Honaker	City of Bristol Sheriff's Office
Mr. Jim Snyder	City of Harrisonburg Schools
Ms. Margo Kiley	Roanoke Valley Substance Abuse Services
Mr. Herbert McBride	Roanoke Housing Authority
Chief Fred Russell	City of Bedford Police
Mr. Robert Whythal	City of Pulaski Schools
Chief Harry Haskins	City of Salem Police
Ms. Janet McKinney	Substance Abuse Treatment Facility
Mr. Mark Cowell	Mt. Regis
Mr. Ned Snead	Central Virginia Community Services
Ms. B.J. Patsell	City of Roanoke Schools
Mr. Shaheed Omar	Citizen
Ms. Lynn Atkins	Virginia Cares
Ms. Roseanna Anderson	Roanoke Valley Virginia Cares

## VII. OVERVIEW

### BACKGROUND

Drug trafficking, abuse and related crime result in economic costs to the Commonwealth of Virginia of more than four billion dollars each year. More than one-third of all arrests in Virginia in 1987 were related to substance abuse, and the Department of Corrections estimates that 60 to 80 percent of the prison population has a history of substance abuse. Drug abuse and related crime have become issues that affect the whole of society, and more comprehensive coordinated strategies for enforcement, consumption reduction and rehabilitation now are required.

The drug problem is growing in the Commonwealth. That is no surprise either to public officials or to the public at large. Unfortunately, while growth has been at a steady rate, recently we have seen a large burst in illegal drug activity in some of our communities.

During 1988, the Virginia State Crime Commission conducted a thorough study of drug crime-related asset seizure and forfeiture. Several significant legislative measures were enacted as a result of the Commission's work. These included re-writing of the state's forfeiture law, enhancing of procedures for receiving federal returned assets, and most importantly Senate Joint Resolution 36, which calls for a referendum to change the Constitution of Virginia to allow drug-related seized assets to be diverted solely to law enforcement purposes. Currently, Virginia law requires these resources to be deposited in the state's literary fund.

During the course of the 1988 study, members of the General Assembly and the Virginia State Crime Commission, as a legislative-based Commission, heard increasing outcry from citizens and law-enforcement officials across the Commonwealth for a comprehensive state level strategy and plan of attack in terms of enforcement efforts, consumption reduction efforts and rehabilitation efforts.

The state has been busy cooperating with local police in investigative and enforcement activities. The General Assembly has authorized the creation of new positions for drug law enforcement within the Department of State Police. The General Assembly also has toughened the anti-drug criminal laws.

The Virginia Supreme Court has observed in its continuing study of sentencing patterns that, within the past two years, judges have been lengthening sentences for drug dealing. The result is and will be a strain on our Department of Corrections, even after completion of two new major facilities within the next two years, and the addition of 800 beds funded in 1989 for the field units.

It also is apparent to most that law enforcement alone cannot manage this problem. Drug Abuse Resistance Education (DARE) is a program of law enforcement involvement in the education of our young people that has been recognized professionally for its potential impact in assisting our young people to resist the temptations of a drug-abusing lifestyle. The Department of Mental Health, Mental Retardation and Substance Abuse Services has directed major new anti-drug funding through its local Community Services Boards.

All these efforts take resources, people and time. But we are aware more than ever before that it will take a major cooperative effort to manage this problem and make us safe on our streets and in our homes.

We also are keenly aware that the solutions to the drug problem are not simple or easily found. It is for this reason, and in responding to many concerns voiced to the legislature and to the Crime Commission by the public and law enforcement officials across Virginia, that Senate Joint Resolution 144, whose Chief Patron was Senator Elmon T. Gray, Crime Commission chairman, was introduced in the 1989 Session of the General Assembly. Senate Joint Resolution 144 was adopted by the General Assembly and directs the Crime Commission to undertake a major two-year task force study of drug trafficking, abuse and related crime. The Commission will seek to develop a comprehensive strategy and plan of attack at the state level to combat more effectively the drug problem in Virginia. This will include coordinating our efforts with all state, local and federal authorities and agencies. The Crime Commission will focus on enforcement, consumption reduction and correctional-rehabilitative issues.

The task force consists of all thirteen members of the Crime Commission, two additional members of the Senate, two additional members of the House of Delegates, and four citizen members appointed by the Crime Commission. The twenty-one member task force has been divided into three subcommittees of seven members each. One subcommittee is focusing on enforcement efforts; the second subcommittee is focusing on corrections and treatment efforts; the third subcommittee is focusing on education and consumption reduction efforts. In addition, the chairman of the Crime Commission has named a steering committee of approximately five members from the task force. The three subcommittees reported recommendations to the full task force on December 19, 1989. The full task force then reported to the Commission, which conveys formal interim recommendations to the Governor and the 1990 General Assembly. A final report will be made to the Governor and the 1991 General Assembly.

Senator Howard P. Anderson and Delegate Robert B. Ball, Sr., both Crime Commission members, successfully introduced amendments to the budget in their respective Houses to provide \$22,825 in FY89-90 in general funds to enable the Crime Commission to undertake this major initiative. Additionally, a federal grant of \$93,793 for FY89-90 has been approved and a like amount the second year is anticipated. Thus, a total amount of \$116,618 for the first year is required to initiate this study. The total study budget for the second year, FY90-91, is projected to be of a similar amount.

Objectives of the drug study:

1. Examine current drug-related efforts in law enforcement, consumption reduction and corrections/rehabilitation.
2. Examine the structure within which these efforts are carried out, and the resources allocated to support them.
3. Assess the effectiveness of the state's anti-drug efforts, the adequacy of the current structure for implementing them and the resources available to support them.
4. Develop legislative, budgetary and programmatic proposals for strengthening and improving the state's anti-drug efforts.

LAW ENFORCEMENT

Drug trafficking is a sophisticated business in which accountants keep meticulous records and cash-flow problems are solved by the purchase of legitimate businesses, including small-town banks and urban shopping centers. At present the drug trade is better financed, better equipped and, in many instances, better coordinated than narcotics law enforcement efforts. In addition, successful law enforcement efforts to control drug trafficking and related crime naturally result in increased arrests; however, jails and prisons operating at full capacity cannot accommodate the growing inmate population.

Additional equipment, training and personnel are needed if law enforcement agencies are to strengthen efforts against drug trafficking and related crime. With each day the drug trade becomes more experienced and widespread. In a U.S. Department of Justice report presented in the fall of 1989 to President Bush, federal officials observed what they called the "gradual maturing of the drug trade," and the increasingly international flavor of the drug trade, even in rural localities. That international flavor already is apparent in Virginia, where drug gangs from the Caribbean attempt to utilize Interstate 95 to traffic narcotics between Miami and New York City and to points in-between. Wars between drug gangs are the cause of an increasing number of violent drug-related deaths, many of which involve teenagers.

The number of juveniles involved in drug crimes and drug-related crimes is growing at an alarming rate. Law enforcement statistics parallel the growth in the number of juvenile killers with the number of juveniles involved in the drug trade. Juvenile justice specialists attribute the drug trade and easy access to handguns with compounding the problems of young people who grow up in an atmosphere of violence at home and in the communities.

Virginia law enforcement agencies have been able to supplement their narcotics enforcement budgets as a result of the seized assets program. The additional funds allow officers and agencies to buy drugs, pay informants and purchase sophisticated equipment that the agencies otherwise would not have been able to afford.

However, on October 1, 1989, Virginia's law enforcement agencies became ineligible to participate in the federal equity sharing process to receive money from drug dealers' forfeited assets. At the request of the Virginia State Crime Commission, Senator John W. Warner and Congressman Rick Boucher successfully introduced several pieces of legislation in the U. S. Senate and House of Representatives to permit law enforcement agencies to continue benefitting from the federal adoptive forfeiture and equity sharing system. This system allows federal agencies to return to local and state law enforcement agencies up to 90 percent of the proceeds gained from the sale of drug dealers' forfeited property. President Bush has signed into law measures introduced by Warner and Boucher. The Boucher bill guaranteed continued use of the federal system for an additional two years, which is the time period needed for Virginia to change its constitution and be eligible for continued participation in equity sharing. In further action, the Armed Forces Appropriations bill, amended by Senator Warner, was signed November 29, 1989 at the White House. The Warner amendment provides for a total repeal of the current restrictive prohibition on equity sharing.

The best efforts of state and local law enforcement agencies to combat drug trafficking and drug-related crime are destined to fail without adequate funding, training and personnel. Coordination and interagency planning among law enforcement agencies of drug investigations is the exception rather than the rule of practice. The focus of drug law enforcement efforts shifts frequently, as law enforcement strategies focus first on traffickers and kingpins, then on small-time dealers and abusers. Finally, successful drug law enforcement efforts have resulted in crowded jails and prisons, which present an additional set of problems for the Commonwealth.

The drug problem is immense. To battle it successfully requires a coordinated, comprehensive enforcement strategy, supported with sufficient funding and trained personnel. The drug problem cannot be solved as long as it grows at a faster rate than the law enforcement efforts designed to eradicate the problem.

#### CORRECTIONS AND TREATMENT

While the number of casual users of illegal drugs is dropping, the number of crack addicts is increasing dramatically, according to a report by the U.S. Department of Health and Human Services. These results support what specialists already suspected: that cocaine is an extremely addictive drug, and that crack in particular can entrap its victims after just one usage. Among this group of crack addicts is a growing number of teenagers and young adults.

Crack addiction does not pose just a health problem; it has become a public safety problem. Addicts can become paranoid, which can lead to violent criminal behavior. Statistics indicate that crack addicts are responsible for most of the drug-related violence in urban centers. The National Institute of Justice reports that a large majority of persons arrested for felony offenses other than sale or possession of drugs test positive for at least one of ten illegal drugs. Female arrestees now test positive for drug use at about the same rate as male arrestees.



Arrests and convictions for drug crimes have increased to record levels; however, drug abuse and drug-related crime continues on the rise. Law enforcement alone cannot win the drug war. Prevention, intervention and treatment must be utilized more efficiently to help solve the drug crisis. The most recent National Institute of Justice survey reports that only about 25 percent of persons arrested for using drugs indicated a need for substance abuse treatment. This suggests an increased need for improved supervision, monitoring or court-mandated requirements for arrestees to be treated and rehabilitated.

Approximately 50,000 cocaine users nationwide will try to kick the habit this year. The battle is fierce, especially for crack addicts who find the addiction particularly difficult to shake. However, treatment programs are overburdened, and private centers charging \$15,000 or more a month are full. Public and non-profit treatment centers are even more crowded, and many addicts must wait months for available treatment. The Federal Office for Substance Abuse Prevention reports that many treatment centers for the poor cannot provide the level, type or length of treatment best indicated for an abuser's needs. As a result, many programs offer substance abuse treatment that fails to meet the needs of the client. Studies indicate that treatment for cocaine addiction is difficult to administer successfully. Many hard-core addicts will be in treatment for the rest of their lives. Addicts report that it is easier to quit using drugs initially than it is to remain drug-free; thus the need for long-term treatment, supervision and evaluation. Treatment providers report that, while it is difficult to profile the typical abuser, the average patient is getting younger and becoming addicted in a shorter period of time.

Abuse and addiction are reaching epidemic proportions. The National Cocaine Hotline estimates that 5,000 people are introduced to some form of cocaine every day. The broad economic effects are overwhelming: a U.S. Congressional report estimates that, in 1988, drug abuse cost Americans more than \$100 billion in drug purchases, treatment costs and lost employee productivity.

The best way to combat drug abuse is to prevent drug abuse, and an effective means is identification of high risk personalities. Scientists are attempting to determine whether a personality trait or a chemical predisposition primarily contributes to an addictive character, or whether upbringing and environment are controlling factors. For prevention and intervention to be effective, service providers must be better able to identify a particular substance abuser's needs and structure an effective rehabilitation and treatment program.

Substance abuse goes hand-in-hand with criminal activity, and the result has been an increasing number of inmates in correctional facilities with alcohol and drug dependencies. Incoming inmates must be assessed to determine the nature and degree of their chemical dependencies in order for correctional treatment programs to be successful. In addition, parolees who have been treated for substance abuse in jail or prison usually need aftercare programs and monitoring upon release to ensure against criminal recidivism and substance abuse relapse.

The overcrowded conditions of Virginia's jails and prisons have been well documented, but any solutions must take into consideration the 60 to 80 percent of the inmate population that has a substance abuse history. As programs are proposed that would increase probation and parole populations to answer prison and jail overcrowding problems, an effort must be made to ensure that these high-risk populations receive appropriate substance abuse treatment. Criminal recidivism rates among probation and parole populations may be affected by whether an inmate has received proper treatment for a chemical dependency.

A significant proportion of the criminal justice population has a drug or alcohol problem. In many instances, and especially with cocaine or crack addictions, the effects of and need for drugs are key factors in the criminal activity that leads to incarceration. Effective and efficient treatment programs are of vital importance in our correctional facilities. Likewise, recidivism rates among substance abusers indicate the critical need for ongoing treatment and close supervision of parolees in aftercare programs. Treatment programs are now insufficient in number, with many of them operating above capacity. To properly assess and treat a substance abuser, programs must operate at a manageable capacity, and with adequate resources to assess substance abusers. Proper substance abuse treatment for our criminal population is a key factor in prevention and intervention efforts in Virginia's war against drug abuse and related crime.

#### EDUCATION

The focus of drug education programs has been on risk prevention through age-appropriate education, both in the schools and in the communities. Successful educational efforts must involve all segments of society, particularly educators, the medical community, law enforcement agencies, business and community leaders and private individuals. The problems of drug trafficking and abuse are tied directly to the growth of violence and crime in the schools and in the communities.

The number of at-risk youth is growing, and the population becomes younger every year. More than one-half of America's teenagers will use drugs at least once before they finish high school, according to the most recent national survey of high school seniors by the University of Michigan's Institute for Social Research. Drug abuse now tops the list as the number one discipline problem in America's schools, based on a study by the National School Safety Center. However, research indicates that less than one-half, about 48 percent, of the nation's high school seniors see great risk in experimenting with cocaine.

The abusers are getting younger: the National Institute on Drug Abuse reported in a 1985 survey that approximately 5.1 million (23.7 percent) of the nation's young people, ages 12-17, have used marijuana at some time during their lives. A study by the National Council on Alcohol and Drug Abuse reveals that the average age for a boy to begin experimenting with drugs is 11; the average age for girls is 13.

Not only is substance abuse the major problem presently facing our youth, drugs now are the number one contributing factor to crime. The April 1983 issue of Alcohol and Drug Report cites several studies that demonstrate a "relationship between adolescent alcohol and drug use and juvenile delinquency ranging from 84 to 90 percent." Further research ties drug abuse to growing school dropout rates. The National School Safety Center reports a direct relationship between the numbers of suspended or expelled students and dropouts and the incidence of daytime burglaries.

The Drug-Free Schools and Communities Act was signed into law by President Reagan in October, 1986. The Act has been funded for the 1989 fiscal year as Title V of the Elementary and Secondary Education Act of 1965. Under the guidelines of the federal act, the Virginia Department of Education Youth Risk Prevention Project oversees the funding and development of youth substance abuse prevention programs in the local education agencies. A variety of risk prevention programs have been implemented in the schools, including the Drug Abuse Resistance Education program, known as DARE.

For drug awareness education to be successful, it must be implemented not only in the schools but in the communities. The Governor's Council on Alcohol and Drug Abuse Problems coordinates the Commonwealth's public and private efforts to control alcohol and drug abuse by reviewing proposals and providing grant funds for community drug prevention programs. The Virginia Commonwealth Alliance for Drug Rehabilitation and Education, known as CADRE, was created by the Attorney General after the CADRE program first was announced at the White House Conference on Drugs in 1988. Virginia CADRE provides coordination of state efforts to promote drug-free youth programs. At least 15 states, including Virginia, now utilize the CADRE media campaign to educate the public about drug abuse.

As schools are a reflection of our society, so are the problems of drug abuse and related crime and violence in the schools mirrored in our communities. Youth education and community education are the keys to drug abuse prevention and crime prevention.

#### CONCLUSION

Virginia already has launched a number of successful efforts aimed at combatting drug abuse, drug trafficking and drug-related crime. Law enforcement, treatment and education programs are in place at the state and local levels in a variety of stages of development. Some jurisdictions have well-funded, highly-coordinated drug law enforcement efforts. Other jurisdictions are struggling to supply the trained manpower needed to deal with the fast-moving, violent drug trade. High-quality drug treatment programs can make a positive impact on drug offenders, but the availability of such programs is limited in some areas of the state. A few counties and cities are blessed with sophisticated drug awareness education programs in the schools and communities that reach children at several grade levels. In sharp contrast are the jurisdictions still attempting to start DARE education programs in fifth grade classrooms.

What is needed most in Virginia is a strategy for comprehensive coordination of the Commonwealth's efforts to win the war on drugs. Drug awareness education programs are enhanced by the participation of law enforcement agencies. Substance abuse treatment providers in the communities can plan more efficiently for the provision of services to drug offenders when there is coordination with the courts and correctional facilities. Effective community education efforts should complement programs offered in the schools. Law enforcement agencies can work with the schools and communities to identify drug problems in their areas and plan successful enforcement strategies.

The primary goals of the Drug Study Task Force are to identify and study ways to improve coordination of Virginia's efforts, and to develop strategies to better enable law enforcement agencies, educators, treatment providers and the criminal justice system to work together efficiently and effectively in combatting drug abuse, drug trafficking and drug-related crime.

#### VIII. FINDINGS AND RECOMMENDATIONS

This section is divided into findings, recommendations, and activities for each of the three subcommittees. The full task force met on December 19, 1989 and considered each finding, recommendation and activity proposed by the three subcommittees. Presented below are those items from each subcommittee as approved by the full task force. For the purposes of this report, a finding is a general, widely-accepted statement of fact. A recommendation describes a particular problem or situation and suggests a possible solution or remedy, and an activity further explains the specific course of action to be taken.

##### **LAW ENFORCEMENT SUBCOMMITTEE**

House Speaker A. L. Philpott, Chairman

##### Comments from the Subcommittee Chairman

The members of the Law Enforcement subcommittee met four times this year, including a closed meeting with a number of law enforcement officials. I would like to thank my fellow subcommittee members for their hard work. They are:

Col. J. C. Herbert Bryant, Jr.  
Sheriff W. M. Faulconer  
The Honorable Robert F. Horan, Jr.  
Senator Johnny S. Joannou  
Mr. H. Lane Kneeder  
Delegate Warren G. Stambaugh

Drug trafficking and drug-related crime have become the most difficult problems facing Virginia law enforcement agencies. The drug trade is well equipped with arsenals of sophisticated weapons, communications equipment and vehicles. In addition, drug gangs employ young children as lookouts and mules to protect and serve the trafficking activities of the organization. The drug trade is highly mobile and can become established in neighborhoods practically overnight. Selling drugs is easy, fast work that offers tremendous financial benefits to the dealers. But the cost to Virginia exceeds \$4 billion each year, and the price paid in human suffering and lives brought on by the violence inherent in the drug trade is immeasurable.

The law enforcement subcommittee is considering ways to enhance law enforcement and related efforts in order to curb drug trafficking and drug-related crime. Over the course of our meetings and public hearings since August, the members of this subcommittee have heard increasingly that law enforcement needs help to deal with drug crime. Special training, better equipment, more personnel and improved access to investigative information have been suggested to us repeatedly as urgent needs of law enforcement agencies.

The most successful drug law enforcement efforts involve community participation. Successful community involvement programs require dedicated manhours from law enforcement agencies and community leaders, and should be encouraged and supported. In many areas, multijurisdictional efforts that allow adjacent cities and counties to work together to investigate and arrest drug offenders have had a major impact on the drug trade.

Law enforcement officials are emphasizing the need for a coordinated and comprehensive statewide strategy for combatting the drug trade. Police and sheriffs want better access to investigative information and specialized equipment, and improved working relationships among local, state and federal enforcement agencies. Virginia already has some of the toughest drug laws in the country; however, there may be room to improve those laws constructively to support law enforcement. We hope the findings, recommendations and activities proposed by the Law Enforcement subcommittee represent steps towards improved drug law enforcement and prosecution, and better coordinated efforts on a statewide basis.

#### Findings and Recommendations - Law Enforcement

##### FINDING I

The continuation and encouragement of multi-jurisdictional cooperation to investigate and arrest suspected drug offenders is an essential step in combatting drug abuse and trafficking and drug-related crime.

##### RECOMMENDATIONS AND ACTIVITIES

- *Establishment of Support Committee.* A state-level support committee

should be established to provide a vehicle for the voluntary exchange of information and to lend technical support to the multi-jurisdictional task forces. The membership should consist of the chairpersons, or their designees, and representatives from each of the multijurisdictional cooperative efforts.

**Activity 1:** The Bureau of Criminal Investigations of the Virginia State Police should develop a strategy for organizing and facilitating such a support committee. The planning unit should present findings and recommendations on a proposed strategy to the Law Enforcement Subcommittee by May 1, 1990.

- **Encouragement of Multi-Jurisdictional Cooperation.** Multi-jurisdictional cooperation should be encouraged where appropriate statewide to enhance investigation and prosecution of drug law violations and drug-related crimes.

**Activity 2:** The Commission staff will monitor multi-jurisdictional efforts and work with the Department of Criminal Justice Services (DCJS) and Virginia State Police to continue evaluation of federal funding resources, and present findings and recommendations to the Law Enforcement Subcommittee by June 1, 1990.

- **Appointment of Multi-Jurisdictional Grand Juries and Special Drug Prosecutors.** The appointment of multi-jurisdictional grand juries to issue indictments for drug law violations should be encouraged where appropriate. The number of special drug prosecutors should be increased and made available where needed in the Commonwealth.

**Activity 3:** The Commission staff and DCJS will monitor and evaluate the availability of federal grant funds, and present findings and recommendations to the Law Enforcement Subcommittee by May 1, 1990.

## FINDING II

Adequate training, equipment and manpower for law enforcement are essential to enhance drug intervention efforts.

## RECOMMENDATIONS AND ACTIVITIES

- **Enhanced Training of Law Enforcement Personnel.** Law enforcement officers and deputies should be provided enhanced training in drug identification and drug law enforcement through basic and in-service and specialized training.

**Activity 4:** The Department of Criminal Justice Services (DCJS), with the assistance of the Virginia State Police, should increase the emphasis on drug identification and drug law enforcement in basic, performance-based law enforcement training, specialized training and biennial in-service training.

- ***Undercover Operations Training.*** A state-level law enforcement training program in undercover operations should be developed.

**Activity 5:** The Virginia State Police and DCJS, with the assistance of the Virginia Forensics Science Academy, should develop a program model for drug law enforcement training in undercover operations and present findings and recommendations to the Law Enforcement Subcommittee by June 1, 1990.

- ***Resources for Law Enforcement Equipment.*** Additional resources should be made available to localities for law enforcement equipment when appropriate to support drug law enforcement efforts.

**Activity 6:** The Commission staff will survey local law enforcement agencies for manpower, funding and equipment resource information to assess needs, and present findings and recommendations to the Law Enforcement Subcommittee by May 1, 1990. Additionally, the survey should seek to identify resources that are available for sharing among localities. The Crime Commission will study the feasibility of publishing a resource-sharing directory for law enforcement officials.

**Activity 7:** Recommend a budget amendment to appropriate \$440,000 in FY 91 for the Virginia State Police to purchase and maintain eight surveillance vans for use primarily by local law enforcement agencies. The vans would be assigned to Virginia State Police headquarters and to the seven divisional headquarters and loaned to local law enforcement agencies for drug law enforcement on a first-come, first-served basis.

- ***Need for Sufficient Deputies.*** The number of law enforcement sheriff's deputies in localities needs to be sufficient to provide effective drug law enforcement.

**Activity 8:** Support the request of the Virginia Compensation Board to the Governor that the formula for determining the number of law enforcement sheriff's deputies be based on a ratio of 1 deputy per 1,500 population.

- ***Training for Subsidized Housing Personnel.*** Managers and directors of public and subsidized housing projects need to be provided with training about the proper response to substance abuse-related problems in housing communities.

**Activity 9:** The Crime Prevention Resource Center of DCJS should work with the Virginia Authority of Housing and Community Development Officials to study the development and implementation of training programs for housing project directors and managers, and present findings and recommendations to the Law Enforcement Subcommittee by June 1, 1990.

### FINDING III

Access by law enforcement agencies to drug investigation information is essential to effective drug law enforcement efforts.

#### RECOMMENDATIONS AND ACTIVITIES

- **Intelligence/Information Sharing.** Intelligence/information sharing among law enforcement agencies should be enhanced.

**Activity 10:** The Virginia State Police, Virginia Association of Chiefs of Police, Virginia State Sheriffs' Association and the Department of Criminal Justice Services, in collaboration, should develop a proposal for enhanced intelligence sharing among state and local law enforcement agencies and present findings and recommendations to the Law Enforcement Subcommittee by June 1, 1990.

- **Centralized Reporting of Drug-Related Health Data.** Uniform reporting of drug-related health data to a central data bank should be implemented to identify trends in drug abuse and drugs of choice.

**Activity 11:** The Commission staff will work with the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services, Virginia Board of Medicine and the Virginia Hospital Association to develop a plan for anonymous statistical reporting of emergency room admissions of drug overdose patients to track trends in drug abuse and identify drugs of choice, and present findings and recommendations to the Law Enforcement Subcommittee by June 1, 1990.

### FINDING IV

Certain state laws governing substance abuse, drug trafficking and drug-related crime need to be amended to better facilitate drug law enforcement and prosecution.

#### RECOMMENDATIONS AND ACTIVITIES

- **Asset Seizure and Forfeiture.** The Commission will continue its efforts to ensure that assets seized from drug offenders can be forfeited and directed towards drug law enforcement.

**Activity 12:** Recommend that the 1990 session of the General Assembly adopt Senate Joint Resolution 36 (1989), providing that assets seized from convicted drug offenders be earmarked for drug law enforcement efforts. Upon adoption by the 1990 General Assembly, the Commission will help to promote public awareness of the importance of passing a referendum in support of the resolution.



**Activity 13:** The Commission staff, the Virginia Bankers' Association and the Virginia State Police will study the problem of money laundering and recommend ways for law enforcement agencies to track and investigate suspected profiteering from illegal drug trade, and present findings and recommendations to the Law Enforcement Subcommittee by June 1, 1990.

- **Federal Kingpin Statute and Virginia Conspiracy Laws.** The Commission should study the federal drug kingpin statute and assess the adequacy of Virginia conspiracy laws relating to drug offenses.

**Activity 14:** The Commission staff will study the effectiveness of the federal drug kingpin statute and present findings and recommendations to the Law Enforcement Subcommittee by May 1, 1990.

**Activity 15:** Introduce legislation in the 1990 General Assembly session to allow defendants in a drug conspiracy to be tried jointly, upon a showing by the Commonwealth that such joinder would not be unfairly prejudicial to the accused parties.

**Activity 16:** Introduce legislation in the 1990 General Assembly session to amend the Code of Virginia § 18.2-256 to disallow separate juries for defendants indicted and tried together in drug conspiracy cases.

**NOTE:** There were dissenting positions on Activities 15 and 16. Activities 15 and 16 are addressed in one bill to amend Code of Virginia § 18.2-256.

- **Commission's Role in Combating Drugs.** The Commission should propose changes in Virginia law to advance solutions to the drug problem, and should be a clearinghouse for drug trafficking and drug-related crime legislation for the Commonwealth and its agencies.

**Activity 17:** The Commission staff will study and report to the Law Enforcement Subcommittee by May 1, 1990 on the following issues:

(a) Whether the criminal justice system could reduce crime effectively by identifying and controlling drug-using offenders. Staff should develop a pilot plan which integrates (i) the arrest of drug-using criminals for either drug or street crimes, (ii) the systematic identification of those with serious drug problems, (iii) diversion to alternative compulsory drug treatment with regular urine screening, and (iv) measurement of the effectiveness of the program in reducing crime.

(b) The degree and nature of gang violence in Virginia and approaches and tactics that could be implemented to destroy the capabilities of these criminal organizations.

(c) The capability of the state forensic laboratories to analyze criminal evidence and distribute evidence reports to the criminal justice system in a timely manner.

(d) Whether a judge, clerk or Commonwealth's Attorney should be granted subpoena duces tecum power under the Code of Virginia § 19.2-277 for the purpose of expediting the gathering of physical and documentary evidence in drug investigations, with consideration given to uniform reciprocal agreements with other states.

**Activity 18: The Commission recommends that:**

(a) Law enforcement agencies, including local law enforcement agencies, develop and adopt strong drug policies that include screening and strict employment standards as an example of responsive leadership for other government agencies and the private sector.

(b) The interagency substance abuse work group and its efforts to periodically update the Interagency Substance Abuse Plan be continued.

(c) The Department of Health Professions and the Virginia State Police study the problem of diverted pharmaceuticals, especially those in Schedule II of the Drug Control Act, and present findings and recommendations to the Law Enforcement subcommittee by June 1, 1990.

**Activity 19: In addition to the legislation identified in Activities 7, 15, and 16, the Commission will support or introduce:**

(a) Legislation to amend Code of Virginia § 18.2-248 to allow for revocation of a driver's license upon conviction of an offense involving the use of a motor vehicle by the driver for the transportation, distribution or possession with intent to distribute drugs.

**NOTE:** There were dissenting positions on Activity 19(a).

(b) Section 18.2-255 of the Code establishes a penalty of 10-50 years and up to \$50,000 in fines for distributing certain drugs to minors. It is recommended that this section be amended to provide that any person over the age of 18 who uses or involves a minor in the illegal distribution of drugs be subject to the same penalty.

**CORRECTIONS/TREATMENT SUBCOMMITTEE**  
Delegate Robert B. Ball, Sr., Chairman

Comments from the Subcommittee Chairman

The members of the Corrections/Treatment subcommittee met four times this year, including a special visit to Hegira House, a therapeutic community for drug offenders in Roanoke. I would like to thank my fellow members of the subcommittee for their participation and support:

Senator Elmo G. Cross, Jr.  
Senator Edward M. Holland  
The Honorable Christopher W. Hutton  
Delegate Clinton Miller  
Rev. George F. Ricketts, Sr.  
Delegate Clifton A. Woodrum

Sixty to 80 percent of the inmate population has a history of substance abuse. Statistics show that crack addicts are responsible for most of the drug-related violence in urban areas. Arrests and convictions for drug crimes have increased to record levels, but drug abuse and drug-related crime continue to rise. Law enforcement alone cannot win the drug war. Prevention, intervention and treatment must be used more efficiently to help solve the drug crisis.

Effective and efficient treatment programs are of vital importance in our correctional facilities. Likewise, recidivism rates among substance abusers indicate the critical need for ongoing treatment and close supervision of parolees in aftercare programs.

The Corrections/Treatment Subcommittee began its work by focusing on three major issues. First, we considered the problem of drug abuse and trafficking in correctional facilities. As a result, we are recommending that the Department of Corrections' drug dog detection program be expanded and that the drug testing of criminal justice system employees be studied.

Secondly, we looked at substance abuse education and treatment programs in correctional facilities. Consequently, we are recommending that existing inmate education and treatment programs be assessed, improved and formally instituted in correctional facilities.

Next, we considered community-based prevention and intervention programs for adults and juveniles to reduce drug abuse and drug-related crime. As a result, we are recommending that community-based treatment, education and "aftercare" programs be assessed and expanded. We found that providing treatment at the jail level is important to catch drug users early and turn them around if possible.

We believe proper substance abuse treatment for our criminal population is a key factor in prevention and intervention efforts in Virginia's war against drugs and drug-related crime.

## Findings and Recommendations - Corrections/Treatment

### FINDING I

The illegal use and distribution of drugs in correctional facilities should be monitored and controlled.

### RECOMMENDATIONS AND ACTIVITIES

- **Expansion of Drug Detection Dog Program.** The drug dog program should be expanded to enhance drug detection capabilities in correctional facilities.

Activity 1: Support funding, not to exceed \$300,000, to Department of Corrections (DOC) for four full-time dog handlers and four additional drug detection dogs for the 1990-92 biennium. The program should be evaluated to make any necessary modifications or adjustments before the second fiscal year.

Activity 2: The Virginia State Police and DOC should study the coordination of drug dog training to maximize the utilization of federal grant and state funds and present findings and recommendations to the Corrections/Treatment Subcommittee by June 1, 1990.

- **Testing of Criminal Justice System Employees.** Drug testing of criminal justice system employees should be studied for possible implementation.

Activity 3: The Secretary of Administration should study the feasibility of drug testing of state employees in public safety-related positions and present findings and recommendations to the Corrections/Treatment Subcommittee by June 1, 1990.

- **Drug Testing of Offenders.** Procedures and standards for drug screening and testing of offenders should be updated in response to the growing population of substance abusers in the criminal justice system.

Activity 4: DOC and the Virginia Parole Board should initiate and request funding for (1) random testing of inmates just prior to release on parole, (2) increased drug testing while on parole, and (3) increased placement in treatment programs when appropriate on parole.

- **Inmate Access to Drugs.** Additional measures to detect and limit the transfer of drugs between inmates and visitors should be developed and implemented.

Activity 5: DOC should study alternatives to tighten security concerning visitors and the distribution of pharmaceuticals to inmates and present findings and recommendations to the Corrections/Treatment Subcommittee by June 1, 1990.

- ***Drug Treatment in Prisons.*** Appropriate treatment and support service space should be provided in prisons.

**Activity 6:** Support the recommendation of the Commission on Prison and Jail Overcrowding that treatment and support service space be incorporated into prison space planning and construction.

## FINDING II

Substance abuse education and treatment for incarcerated offenders is essential to reduce substance abuse relapse and criminal recidivism.

### RECOMMENDATIONS AND ACTIVITIES

- ***Institutionalization of Treatment and Education Services.*** Drug treatment and education programs should be formally instituted in correctional facilities.

**Activity 7:** Support the request of DOC to establish permanent treatment programs in correctional facilities based on existing pilot programs.

- ***Inmate Programs to Enhance Employment Opportunities.*** Academic and vocational programs to provide self-supporting employment skills should be upgraded and expanded in correctional facilities.

**Activity 8:** Support the recommendation of the Commission on Prison and Jail Overcrowding for improvement of academic and skills development programs within correctional facilities.

**Activity 9:** The Department of Correctional Education (DOCE) should review the improvement and coordination of academic and vocational training programs for offenders, and work with DOC in classifying offenders for placement in education, treatment and jobs skill training programs. DOCE and DOC should present findings and recommendations to the Corrections/Treatment Subcommittee by June 1, 1990.

- ***Assessment of Inmate Education and Treatment Programs.*** A longitudinal tracking system should be created to assess the impact of substance abuse education and treatment programs on incarcerated offenders.

**Activity 10:** DOC should develop such an evaluation method for continuing and improving its programs, and present findings and recommendations to the Corrections/Treatment Subcommittee by June 1, 1990.

- **Acquisition of Specialized Correctional Personnel.** Substance abuse education and treatment specialists should be acquired to provide services in correctional facilities.

**Activity 11:** DOC and the Department of Personnel and Training should evaluate and improve minimum qualifications standards for case managers, substance abuse therapists and substance abuse clinical supervisors, and correctional officers.

### FINDING III

Community-based prevention, intervention and treatment programs for the criminal justice population are essential to reduce drug abuse and drug-related crime.

### RECOMMENDATIONS AND ACTIVITIES

- **Coordination of Pre-Discharge Planning.** Pre-discharge planning coordination should be developed between DOC and public, non-profit and private substance abuse treatment providers for "aftercare" services to offenders.

**Activity 12:** The Virginia Parole Board, the Parole Release Unit, the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS) and the Community Service Boards should develop a pre-discharge planning strategy to establish conditions of parole that reflect the offender's need for treatment services. Findings and recommendations should be presented to the Corrections/Treatment Subcommittee by June 1, 1990.

**Activity 13:** Support the DOC Division of Adult Community Corrections in its efforts to develop and administer a comprehensive substance abuse program for probationers and parolees.

- **Education/Treatment Services for Probationers and Parolees.** The availability of substance abuse education and treatment services for offenders under probation and parole supervision should be ensured.

**Activity 14:** DMHMRSAS and DOC should develop a formula for forecasting specific community-based program needs for the criminal justice population and present findings and recommendations to the Corrections/Treatment Subcommittee by June 1, 1990.

- **Survey and Evaluation of Community-Based Programs.** Community-based prevention, intervention and treatment programs for the criminal justice population should be surveyed and evaluated to identify gaps and inadequacies in services.

**Activity 15:** DMHMRSAS should survey and evaluate program availability and present findings and recommendations to the Corrections/Treatment Subcommittee by June 1, 1990.

- ***Incentives for Hospital Participation in DAWN.*** Financial and other incentives to increase the number of hospitals participating in the Drug Abuse Warning Network (DAWN) should be provided to facilitate treatment planning.
- ***Program for Treatment Facilitation.*** Funding for participation in, or development of a program similar to the federal Drug Use Forecasting System (DUFS) should be considered to facilitate treatment planning.

**Activity 16:** DOC and the Commission staff will study the DAWN and DUFS reporting systems and present findings and recommendations to the Corrections/Treatment Subcommittee by June 1, 1990.

- ***Incentives to Enter Treatment Field.*** Incentives should be developed to encourage individuals to enter the substance abuse treatment field to increase the number of treatment providers.

**Activity 17:** The Department of Personnel and Training should study ways to increase the availability of treatment providers and present findings and recommendations to the Corrections/Treatment Subcommittee by June 1, 1990.

- ***Conditions of Release or Parole.*** Parolees should be required to secure employment and suitable housing and participate in substance abuse treatment and education programs when appropriate as conditions of release on parole.

**Activity 18:** The Commission staff will review the new parole conditions to be released by the Virginia Parole Board in 1990, and present findings and recommendations to the Corrections/Treatment Subcommittee by May 1, 1990.

- ***Staffing of Community Service Boards.*** The Community Service Boards should be staffed sufficiently to enable them to provide alcohol, drug abuse and mental health services in local and regional jails.

**Activity 19:** DMHMRSAS should prioritize the allocation of any new federal grant funds to provide for substance abuse treatment services to the jails through the Community Services Boards. DMHMRSAS should report on the progress of such efforts to the Corrections/Treatment Subcommittee by June 1, 1990.

#### FINDING IV

Prevention, intervention and treatment programs for juveniles in the criminal justice system are essential to curb drug abuse, trafficking and drug-related crime among our youth.

#### RECOMMENDATIONS AND ACTIVITIES

- **Training for Juvenile Correctional Personnel.** Training programs should be developed for court service units and learning center employees to assist in substance abuse identification and referral of youth to treatment and education services.
- **Program Development for Juvenile Offenders.** DMHMRSAS and the Department of Youth Services should work cooperatively in the development of treatment and education programs for juvenile offenders.

**Activity 20:** DYS should report on its study of treatment and education programs in the learning centers to the Corrections/Treatment Subcommittee by June 1, 1990, with recommendations for improvement and enhancement.

- **Expansion of Community-Based Programs for Juveniles.** Community-based treatment and education programs for juvenile offenders should be expanded to provide adequate residential and out-patient services.

**Activity 21:** DYS and DMHMRSAS should survey available programs for youth and present findings and recommendations to the Corrections/Treatment Subcommittee by June 1, 1990.

- **Screening, Testing and Assessment of Juveniles.** A program for uniform drug screening, testing and assessment of juveniles in the criminal justice system should be implemented.

**Activity 22:** DYS and DMHMRSAS should develop a plan for implementing a drug screening program in the learning centers and present findings and recommendations to the Corrections/Treatment Subcommittee by June 1, 1990.

#### FINDING V

A state-level interagency planning process for identifying short- and long-term goals is essential to efficiently and effectively provide substance abuse treatment to the criminal justice population.



## RECOMMENDATIONS AND ACTIVITIES

- **Interagency Substance Abuse Plan.** The 1989 Interagency Comprehensive Substance Abuse Plan should be supported and endorsed.

**Activity 23:** The Commission endorses the Interagency Comprehensive Substance Abuse Plan. Commission staff will monitor the interagency planning effort to ensure that substance abuse services are available to the criminal justice population, and that a long-term process for monitoring and evaluating such programs is instituted.

- **Inmate Population Demand Survey.** A demand survey should be conducted of the inmate population in jails, prisons and community programs to determine what is needed to provide adequate treatment and education to substance abusers in the criminal justice system.

**Activity 24:** A joint report on program availability in the jails, prisons and the communities shall be compiled by DCJS, DOC and DMHMRSAS and presented to the Corrections/Treatment Subcommittee by June 1, 1990.

- **Development of Planning Network.** A planning network should be developed to provide adequate prevention, intervention and treatment programs in the communities to service the criminal justice population.

**Activity 25:** The Commission staff will study the working relationship between the court service units, probation and parole, Community Diversion Incentive, Community Service Boards and state mental facilities and present findings and recommendations to the Corrections/Treatment Subcommittee by May 1, 1990.

## EDUCATION SUBCOMMITTEE

Senator Howard P. Anderson, Chairman

### Comments from the Subcommittee Chairman

The members of the Education subcommittee have met four times over the past year, including a visit to a DARE class in Salem. I would like to thank my fellow subcommittee members for their hard work:

Mr. Robert C. Bobb  
Delegate V. Thomas Forehand, Jr.  
Senator Elmon T. Gray  
Delegate Raymond R. Guest, Jr.  
Delegate Thomas M. Jackson  
Chief Richard W. Presgrave

The drug trade has become so prevalent in our society that young children who used to sell lemonade at sidewalk stands now serve as lookouts for drug dealers. Children who saw police officers and teachers as role models now look up to big brothers and sisters who buy fancy clothes and cars with drug money. The number of dysfunctional families is increasing in these single parent families, low income families, families in which a parent or a sibling is drug or alcohol dependent. Dysfunctional families lead to dysfunctional children, who in turn become dysfunctional adults. Instead of becoming contributors to society, they become dependent on government and drain the public coffers with their special needs.

Not all of our social problems can be blamed on drugs. However, a significant number of high school dropouts have drug problems or are involved in the drug trade. Look to where the drug trade operates, and you will find violent and fearful neighborhoods. Much of the increasing violence in our schools can be attributed in one way or another to drugs. Public housing projects have become prime operating centers for the drug trade, creating a dangerous atmosphere for the children who live there.

The objective of the Education Subcommittee is crime prevention through drug awareness education. Law enforcement alone cannot win the war on drugs, and corrections and treatment solutions deal with the drug problem after the fact. Our best efforts to curtail the trafficking of drugs may be to make drug use unpopular, and to do this, we must educate the children and the adults of this state. Drug abuse is a law enforcement problem and a health problem, but in many ways it also represents a failure to educate. Many young people have misconceptions about the dangers of drugs, and are unaware of how severely drug abuse can damage their health. Some parents are apathetic and even tolerant of drug abuse, and many do not recognize the symptoms of drug abuse in their children, their spouses or in themselves. To raise a generation free of the debilitating effects of drug abuse, we have to do more than just teach our children to say "no." They need to understand why they're saying "no."

The findings, recommendations and proposed activities of the Education Subcommittee are designed to broaden and enhance Virginia's drug education efforts to reach as many children and adults as possible. Our proactive efforts are best spent in crime prevention and drug awareness. Education is our best plan of attack.

#### Findings and Recommendations - Education

Substance abuse prevention and education have been and will continue to be one of the Commonwealth's top priorities. Governor Wilder has designated substance abuse as a major priority. The Governor's Council on Alcohol and Drug Abuse Problems is a policy board which advises and makes recommendations to the Governor and coordinates the Commonwealth's public and private efforts to control alcohol and drug abuse. Additionally, the following eight state agencies coordinate substance abuse services at the state level through the Commonwealth Alliance for Drug Rehabilitation and Education ("CADRE"), a

public-private partnership for drug-free youth launched in 1986 by the Attorney General: the Department of Mental Health, Mental Retardation and Substance Abuse Services, the Department of Education, the Department of Social Services, the Virginia State Police, the Department of Alcohol Beverage Control, the Department of Motor Vehicles, the Department of Criminal Justice Services and the Office of the Attorney General. For further reference within this document, these eight agencies will be referred to as the "interested state agencies."

#### FINDING I

Identification of the existing school and community substance abuse education, prevention and early intervention programs in Virginia is an essential step in furthering the effective development of such programs.

#### RECOMMENDATIONS AND ACTIVITIES

- **Collection and Compilation of Data and Statistics.** Data should be collected on existing substance abuse education, prevention and early intervention programs in Virginia's schools and communities for the purpose of identifying gaps in services.

**Activity 1:** The Department of Education (DOE), the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS), and other interested state agencies and the Commission staff should work on a survey to identify populations served by specific education, prevention and early intervention programs, and to identify populations that presently are not served, with findings and recommendations reported to the Education Subcommittee by May 1, 1990.

- **Strategy Development Process.** Substance abuse education, prevention and early intervention programs in other states should be studied to develop a statewide strategy for Virginia.

**Activity 2:** The DOE, in consultation with the DMHMRSAS, and the Departments of Social Services and Health, will collect data on education, prevention and early intervention programs in other states through surveys and information-gathering from the 1989 National Assessment Evaluation and the five regional centers for Drug-Free Schools and Communities to produce a profile of typical programs in other states for comparison with Virginia's programs, and present findings and recommendations to the Education Subcommittee by June 1, 1990.

#### FINDING II

Evaluation of the effectiveness of substance abuse education, prevention and early intervention programs in Virginia schools and communities is necessary to ensure the provision of efficient and effective programs.

### RECOMMENDATIONS AND ACTIVITIES

- **Development of Comprehensive Programs.** The development of comprehensive school and community substance abuse education, prevention and early intervention programs should be instituted.

**Activity 3:** The DOE and DMHRSAS should develop the curricula for such programs, and develop standards of quality for their respective programs. Where such standards must be approved by an agency's board, the agencies should submit their proposed program standards to their respective boards for approval by October 1, 1990, to be implemented by June 1, 1991.

**Activity 4:** The DOE should develop a cost-effective biennial self-reported adolescent usage survey for grades 6, 8, 10, 12, and present findings and recommendations to the Education Subcommittee by June 1, 1990.

### FINDING III

A comprehensive funding strategy is essential to ensure the stability and reliability of substance abuse education, prevention and early intervention programs in Virginia's schools and communities.

### RECOMMENDATION AND ACTIVITIES

- **Preparation of Funding Resources Report.** A composite report of funding resources for school and community substance abuse education and prevention programs in order to plan for general fund expenditures should be prepared.

**Activity 5:** The interested state agencies should prepare and submit a report of existing funding resources to the Education Subcommittee by December 15, 1989.

- **Classification of Key Professional Positions.** Key professional positions within the Department of Education should be full-time classified positions to attract and retain qualified personnel in the areas of substance abuse education, prevention and early intervention. Currently, certain key positions are federally-funded temporary positions and part-time wage positions.

**Activity 6:** Currently, all 5 positions in the DOE Office of Youth Risk Prevention are federally-funded grant positions, and only one is permanent full-time. The workload has outgrown the existing staffing level, and it is difficult to retain qualified professionals in P-14 positions. Therefore, a budget amendment will be introduced to add 4

FTE positions and \$167,657 to provide a supervisor, two professionals and a secretary to institutionalize the efforts of this office. Figures given include a 26% fringe benefit calculation. Additionally, one or more restricted federally-funded positions could be retained to handle the increased workload, but only as needed and subject to surplus funds.

Supervisor	\$55,004
Assistant Supervisor	\$46,011
Assistant Supervisor	\$46,011
Secretary	\$20,631

DOE should redirect the salary savings from the current federally-funded grant positions to devote \$139,000 to implement **School/Community Team Approach Training Levels I and II** as needed statewide. **School/Community Team Training Level I** would allow the remaining fifty school divisions to be offered training during 1990-91. **Level I** training assists schools and communities to identify needs, develop action plans and implement comprehensive community-wide substance abuse prevention programs. Implementation of **Level II** training would make it possible to teach previously-trained divisions how to replicate innovative programs like the Henrico County "Insight" program and the Staunton City "Pulsar" program. At this time, there are several highly promising innovative programs worthy of replication, but funds have not been available for this level of training. On-going technical assistance and training must be available to all communities as they complete training and implement programs.

#### FINDING IV

A strategy for coordinating substance abuse education, prevention and early intervention programs in Virginia should be developed and implemented.

#### RECOMMENDATIONS AND ACTIVITIES

- **Designation of Lead Agency for Policy Development.** A lead legislative branch agency should be designated for substance abuse policy development. The lead agency should provide policy direction for developing legislative proposals on substance abuse education, prevention and early intervention programs.

**Activity 7:** The Commission will be proactive in its work with the Governor's Council on Alcohol and Drug Abuse Problems to assist agencies responsible for law enforcement, corrections, and education and treatment programs and services in developing legislative proposals.

**Activity 8:** The interested state agencies should continue their work as a coordinating committee to exchange information and provide technical support in the program planning, implementation and evaluation process, and should present a progress report to the Commission by June 1, 1990.

#### FINDING V

The implementation of valid substance abuse education, prevention and early intervention programs in Virginia's schools and communities is essential to the successful reduction in the demand for drugs and in curbing drug trafficking, substance abuse and related crime.

#### RECOMMENDATIONS AND ACTIVITIES

- **Availability of DARE Program.** Drug Abuse Resistance Education (DARE) should be available for fifth graders in every public and private school in Virginia.

**Activity 9:** The request of the State Compensation Board for the funding of 48 full-time deputy sheriff's positions is supported by the Commission to facilitate coverage of 473 elementary schools in 88 localities across Virginia.

**Activity 10:** Commission staff will present findings and recommendations to the Education Subcommittee by May 1, 1990 on staffing requirements for cities and counties with police departments to implement the DARE program in all fifth grade classrooms.

- **Expansion of DARE Program.** Additional drug awareness education curricula and programs should be developed and implemented in grades K-12 in public and private schools through the use of visitation by DARE instructors, formal DARE classes, DARE follow-up programs, and other instructional methods for upper grades.

**Activity 11:** The Virginia State Police, DOE and DMHMRSAS should study the development of drug awareness education curricula and present findings and recommendations to the Education Subcommittee by June 1, 1990.

- **Educational Programs to Promote Drug-Resistant Attitude.** Educational programs to promote self-esteem, crisis management, development of morals and values, and resistance to peer pressure should be mandated to prevent drug abuse among youth.

**Activity 12:** The Commission staff will monitor the progress of the HJR 336 study of School Dropouts and Ways to Promote Self Esteem in Youth and Adults and request a report from the staff of the HJR 336 study by June 1, 1990.

- ***Inclusion of Substance Abuse Education in School Curriculum.*** Educational programs to identify substance abuse as a health concern should be developed and integrated in the science, health, social studies, physical education and family life curricula.

**Activity 13:** Request that the Secretary of Education direct the DOE to integrate substance abuse education into the basic general curricula. DOE should present a progress report on such efforts to the Education Subcommittee by June 1, 1990.

- ***Programs for High-Risk Youth.*** Educational programs targeted to identify and assist high-risk youth should be developed and implemented to prevent substance abuse and curb drug-related crime.

**Activity 14:** The Commission staff will monitor the progress of the Task Force on Emergencies Related to Weapons, Violence and Medical Emergencies on School Property study, which reports to the Joint Legislative Subcommittee Studying Acts of Crime and Violence by Students on School Property, and monitor related state agency efforts, and present a progress report to the Education Subcommittee by April 1, 1990.

- ***Substance Abuse Training for Educators.*** Substance abuse identification and prevention education should be a required component of training for educators of grades K-12.

**Activity 15:** Introduce a resolution in the 1990 Session of the General Assembly calling on the Board of Education, in consultation with the State Council of Higher Education, to amend its regulations to require completion of a state-approved substance abuse education program for initial teacher certification.

- ***Aid to Housing Projects and Communities.*** Communities and subsidized housing projects should be provided with funding and technical assistance to implement prevention and intervention programs.

**Activity 16:** The DMHRSAS, and the Departments of Social Services and Housing and Community Development, should prepare a report on the availability of funding for programs in communities and public housing projects and present findings and recommendations to the Education Subcommittee by June 1, 1990.

#### FINDING VI

The enactment of laws to protect youth from the drug culture and discourage drug abuse is essential to affect behaviors and attitudes about substance abuse.

## RECOMMENDATIONS AND ACTIVITIES

- **Expansion of Safe School Zone.** Virginia laws should provide protection to children and students from exposure to drug abuse, drug trafficking and drug-related crime.

**Activity 17:** Propose legislation in the 1990 session of the General Assembly to amend the Code of Virginia § 18.2-255.2 to expand the definition of "safe school zone" in Virginia law to include any areas open to the public within the boundaries of the safe school zone.

**Activity 18:** Propose legislation in the 1990 session of the General Assembly to amend the Code of Virginia § 18.2-255.2 to expand the "safe school zone" law in Virginia to include any public or private school facilities used for education, recreation and after-school programs.

Activities 17 and 18 are addressed in one bill to amend Code of Virginia § 18.2-255.2.

**Activity 19:** The Commission staff, the Department of Alcoholic Beverage Control and the Virginia Association of Campus Law Enforcement Executives should evaluate current efforts toward curbing alcohol and drug abuse on college campuses and present findings and recommendations to the Education Subcommittee by June 1, 1990.

- **State Government Policies Regarding Drug Usage.** The Commonwealth of Virginia should set an example for private industry in establishing state government policies that discourage drug abuse, drug trafficking and drug-related crime.

**Activity 20:** The Governor should ensure that informational programs are developed to educate state employees in recognition and prevention of substance abuse. The objective of such education would be to increase employees' awareness of substance abuse in the workplace and in their homes, and to provide information about drug addiction, treatment and counseling services. A state employee drug education program should serve as a model program to be emulated and implemented by private industries.

- **Initiation of Statewide Media Campaign.** The Commission should provide leadership in working with the Governor, the Governor's Council on Alcohol and Drug Abuse Problems, CADRE, the Attorney General, churches, broadcasters and media organizations, and civic organizations in developing a comprehensive plan for initiating a statewide media campaign to focus on changing the attitudes of Virginians toward drug abuse.



**Activity 21:** The interested state agencies and the staff of the Commission should conduct a feasibility study on development and implementation of a media campaign and report findings and recommendations to the Commission by July 1, 1990. A major component of the study would be to find ways to draw upon businesses, religious and civic organizations and the media to coordinate planning and solicit financial support and commitment through a public/private cooperative effort. The objective of the campaign would be to educate the public on the detrimental health effects of drug abuse, the harshness of federal and state penalties for illegal drug activities and on the positive alternatives to drug abuse.

#### IX. ACKNOWLEDGEMENTS

The members extend thanks to the following agencies and individuals for their cooperation and valuable assistance to this study effort:

City of Roanoke Sheriff's Office  
Sheriff W. A. Hudson

City of Salem Police Department  
Chief Harry Haskins  
Officer Rosemary McElvein

City of Salem Schools  
Wayne Tripp, Superintendent  
Diane Washenberger, Principal, G. W. Carver Elementary School

Commonwealth Alliance for Drug Rehabilitation and Education (CADRE)  
Office of the Virginia Attorney General  
Carole R. Roper, CADRE Program Director

Commonwealth Attorneys Services and Training Council  
Walter S. Felton, Jr., Administrative Coordinator

Drug Enforcement Administration (DEA)  
John C. Lawn, Administrator  
William Alden, Congressional Liaison

Hegira House, Roanoke  
Henry Altice, Director

Virginia Department of Planning and Budget  
Lin Corbin-Howerton, Staff Director  
Commission on Prison and Jail Overcrowding

Senate Finance Committee  
Richard E. Hickman, Deputy Staff Director

House Appropriations Committee Staff  
James Roberts, Senior Legislative Fiscal Analyst

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Sheriff John Isom

Virginia Commonwealth University  
Department of Justice and Risk Administration  
Dr. David J. Farmer, Chairman  
Dr. James L. Hague, Professor  
Dr. Richard M. McDonald, Assistant Professor  
Dr. Donna B. Towberman, Assistant Professor

Virginia Department of Corrections  
Division of Adult Institutions  
Edward C. Morris, Deputy Director  
R. Forrest Powell, Chief of Operators, Programs  
Donald Zimmerman, Inspector General  
Wade McGinley, Management Analyst  
Paul Henick, Substance Abuse Project Coordinator  
H. Scott Richeson, Statewide Program Coordinator  
P. Michael Leininger, Legislative Liaison  
Division of Adult Community Corrections  
Gene M. Johnson, Deputy Director  
Walter M. Pulliam, Jr., Manager, Probation and Parole Support Services  
Andrew Molloy, Intensive Supervision Officer, Henrico County

Virginia Department of Criminal Justice Services  
Division of State and Local Services  
James Kouten, Director  
Dan Catley, Corrections Specialist  
J. Dean Jennings, Law Enforcement Chief  
Richard Kern, Systems Analyst  
Jay Malcan, Evaluation Specialist  
John Warner, Drug Enforcement Coordinator  
School-Based Crime/Delinquency Prevention Program  
Marianne Paulus, Coordinator  
Patrick Harris, Crime Prevention Specialist

Armored Response Group United States (ARGUS)  
Col. J. C. Herbert Bryant, Commander  
Sgt. Colleen Broderick, Director of Administration

Virginia Department of Education  
Division of Health, Physical Education and Driver Education  
Youth Risk Prevention Project  
    Jeanne L. Bentley, Associate Director, Curriculum and Instruction  
    Marla M. Coleman, Supervisor, Youth Risk Prevention Project  
    Rayna L. Turner, Staff Assistant, Youth Risk Prevention Project  
Pupil Personnel Services  
    Dr. Patricia White, Director

Virginia Department of Mental Health, Mental Retardation and Substance Abuse  
Services  
Office of Substance Abuse Services  
    Wayne Thacker, Director  
    Ken Batten, Substance Abuse Consultant  
    Mellie Randall, Substance Abuse Consultant  
Office of Prevention Promotion and Library Services  
    Hope Seward, Assistant Director

Virginia Department of Youth Services  
    Charles Kehoe, Director

Virginia Parent/Teacher Association  
    Barbara Keller, Juvenile Protection Chairman  
    Gloria Hall, Substance Abuse Chairman

Virginia State Police  
    Colonel R. L. Suthard, Superintendent  
    Lt. Col. W.F. Corvello, Deputy Superintendent  
Bureau of Criminal Investigations  
    R. L. Berryman, Director  
    B. S. Allsbrook, Assistant Director

Virginia State Sheriffs' Association  
    John W. Jones, Executive Director

Virginia Association of Chiefs of Police  
    Col. John Pearson, Executive Director

Virginia State Lodge, Fraternal Order of Police  
    Robert Walker, Executive Director

Federal Bureau of Investigation  
    Terry T. O'Conner, Special Agent in Charge, Richmond

## X. RESOURCES

Demand Reduction Program for Maricopa County  
City of Phoenix Police Department  
Phoenix, Arizona

The Miami Coalition for a Drug-Free Community  
University of Miami/James L. Knight International Center  
Miami, Florida

Narcotics Control Technical Assistance Program  
Bureau of Justice Assistance  
Washington, D.C.

Institute for Law and Justice, Inc.  
Alexandria, Virginia

National Institute of Justice  
Office of Justice Programs  
U.S. Department of Justice

National Parents Resource Institute for Drug Education, Inc. (PRIDE)  
Dr. Thomas J. Gleaton, Executive Director  
Atlanta, Georgia

National School Safety Center  
Pepperdine University  
Malibu, California  
Ronald W. Garrison, Field Services Director

Office of Juvenile Justice and Delinquency Prevention  
Verne L. Speirs, Administrator  
U.S. Department of Justice

Regional Drug Initiative for the State of Oregon  
Portland, Oregon  
Carol N. Stone, Administrator

The Report to Congress and the White House on the Nature and Effectiveness of  
Federal, State and Local Drug Prevention/Education Programs  
October, 1987

**APPENDIX A**

1989 SESSION  
ENGROSSED

SP9045325

SENATE JOINT RESOLUTION NO. 144

Senate Amendments in [ ] - February 6, 1989

*Directing the Virginia State Crime Commission to conduct a comprehensive study  
combatting drug trafficking, abuse and related crime.*

Patrons—Gray, Dalton, Benedetti, Anderson and Cross; Delegates: Jones, R. B., Ball, Guest,  
Philpott, Stambaugh, Woodrum, Clement, Marks, DeBoer, Dicks and Thomas

Referred to the Committee on Rules

WHEREAS, drug trafficking and abuse cause society extensive damage in human  
suffering and crime, and Virginia suffers an annual economic cost exceeding \$4 billion; and

WHEREAS, evidence of a close relationship between drug abuse and crime continues to  
mount, and drug abuse is one of the best indications of a serious criminal career; and

WHEREAS, a dramatic increase in cocaine and crack use across all age groups has  
raised great concern, and in 1987 over one-third of all arrests in Virginia were related to  
substance abuse; and

WHEREAS, the Department of Mental Health, Mental Retardation and Substance Abuse  
Services, with assistance from the Department of Criminal Justice Services, is publishing  
the 1989 Interagency Comprehensive Substance Abuse Plan which summarizes both current  
and projected research, prevention, education, treatment, rehabilitation and law-enforcement  
activities related to substance abuse, at the request of a joint subcommittee established by  
Senate Joint Resolution 65 at the 1988 session of the General Assembly; and

WHEREAS, the Department of Criminal Justice Services is developing a strategy for the  
expenditure of federal funds pursuant to the Anti Drug Abuse Act; and

WHEREAS, the Attorney General has evidenced her concern by chairing the Govern  
Council on Alcohol and Drug Abuse Problems and by creating the Commonwealth Allia  
for Drug Rehabilitation and Education, and the General Assembly has evidenced its support  
by creating sixty-five additional positions for drug investigation purposes within the  
Department of State Police; and

WHEREAS, members of the General Assembly and the Virginia State Crime  
Commission, as a legislative-based Commission, have heard increasing outcry from citizens  
and law-enforcement officials across the Commonwealth for a comprehensive state level  
strategy and plan of attack in terms of enforcement efforts, consumption reduction efforts  
and rehabilitation efforts; and

WHEREAS, the General Assembly recognizes the need for a comprehensive coordinated  
strategy and agenda developed in a cooperative effort with the executive and judicial  
branches of government, to address the drug trafficking and related crime problem; now,  
therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Virginia State  
Crime Commission, with the cooperation of the Governor's Council on Alcohol and Drug  
Abuse Problems and the Office of the Attorney General, is directed to conduct a  
comprehensive study of combatting drug trafficking, abuse and related crime in Virginia,  
including needed changes in legislation with a primary focus on enforcement efforts,  
consumption reduction and correctional/rehabilitative issues. The Commission may employ  
whatever methods of inquiry it deems necessary, including public hearings across the  
Commonwealth. The Secretary of Transportation and Public Safety, the Secretary of Human  
Resources and the Secretary of Education shall each designate one staff person from his  
secretariat to assist the Commission with staffing the study. All state agencies and  
institutions shall, if requested, endeavor to assist the Commission in completing this st  
and, be it

RESOLVED FURTHER, That the Crime Commission shall designate a select Task Force  
of [ ~~twenty-five~~ twenty-one ] individuals to assist with the study, and such Task Force shall  
report directly to the Commission. This Task Force will consist of all thirteen members of

1 the Crime Commission, and [ ~~twelve~~ eight ] other [members as follows: two members of the  
 2 House of Delegates appointed by the Speaker, two members of the Senate appointed by the  
 3 Senate Privileges and Elections Committee and four ] individuals from criminal justice  
 4 fields, business or community leaders or other individuals as the Commission may so select.  
 5 The Commission shall make an interim report by December 1, 1989, and its final report  
 6 and recommendations by December 1, 1990.

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Official Use By Clerks	
<p style="text-align: center;"><b>Agreed to By The Senate</b></p> <p>without amendment <input type="checkbox"/></p> <p>with amendment <input type="checkbox"/></p> <p>substitute <input type="checkbox"/></p> <p>substitute w/amdt <input type="checkbox"/></p>	<p style="text-align: center;"><b>Agreed to By The House of Delegates</b></p> <p>without amendment <input type="checkbox"/></p> <p>with amendment <input type="checkbox"/></p> <p>substitute <input type="checkbox"/></p> <p>substitute w/amdt <input type="checkbox"/></p>
Date: _____	Date: _____
Clerk of the Senate	Clerk of the House of Delegates

**APPENDIX B**



VIRGINIA STATE CRIME COMMISSION

**\*\*DRUG TRAFFICKING STUDY - SJR 144\*\***

**\*\*1990 - TASK FORCE MEETINGS\*\***

**- Proposed Schedule of Meetings and Work Plan -**

LWNF = Law Enforcement  
EDUC = Education and Prevention  
CORR = Corrections and Treatment

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APRIL MEETINGS - TO BE ANNOUNCED

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NO MAY MEETINGS

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Date

Time

Subcommittee

**Work Session: Receive and Discuss Staff Studies**

- Tuesday, June 19 10:00 - 4:30 p.m. LWNF Subcommittee
  - Wednesday, June 20 10:00 - 4:30 p.m. EDUC Subcommittee
  - Thursday, June 21 10:00 - 4:30 p.m. CORR Subcommittee
- =====

**Work Session: Receive and Discuss Staff Studies**

- Tuesday, July 17 10:00 - 4:30 p.m. LWNF Subcommittee
- Wednesday, July 18 10:00 - 4:30 p.m. EDUC Subcommittee
- Thursday, July 19 10:00 - 4:30 p.m. CORR Subcommittee

**DRUG TRAFFICKING STUDY - SJR 144  
1990 MEETINGS**

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<u>Date</u>	<u>Time</u>	<u>Subcommittee</u>
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**(A.M.) Work Session: Receive and Discuss Staff Studies  
(P.M.) Discuss and Agree to Final Subcommittee Recommendations**

- Tuesday, Aug. 21      10:00 a.m. - 4:30 p.m.      LWNF Subcommittee
- Wednesday, Aug. 22      10:00 a.m. - 4:30 p.m.      EDUC Subcommittee
- Wednesday, Aug. 22      10:00 p.m. - 4:30 p.m.      CORR Subcommittee

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**Receive Recommendations from the Subcommittees:  
Agree to Preliminary Study Recommendations**

- Tuesday, Sept. 18      10:00 a.m. - 4:30 p.m.      Full Task Force

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**Receive Public and Agency Reaction to  
Proposed Preliminary Study Recommendations**

- Tuesday, October 16      2:00 p.m. - 4:00 p.m.      Full Task Force

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**Discuss and Agree to Final Study Recommendations:**

- Tuesday, Nov. 13      10:00 a.m. - 4:30 p.m.      Full Task Force

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**Concluding Meeting to Approve Final Study Report**

- Tuesday, Dec. 18      1:00 p.m. - 2:00 p.m.      Full Task Force



