

-OFFICIAL PUBLICATION OF-

# THE COALITION

THE NATIONAL NARCOTIC OFFICERS ASSOCIATIONS COALITION

**Press  
the Fight  
Means  
All of Us  
Pg. 10**

**The Paladin  
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**Int'l Narcotic Enforcement  
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FALL, 2019 VOL. 21, NO. 2

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# 2019 NNOAC EXECUTIVE BOARD



# The Coalition

Volume 21, No. 2 - Fall, 2019

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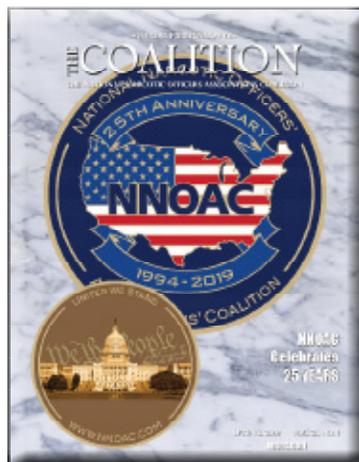
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in the  
dialog.*

*The Coalition* is published twice per year. Submit articles, photos, region reports, kudos, busts and other items of interest to: wbutka@nnoac.com

## ARCHIVES

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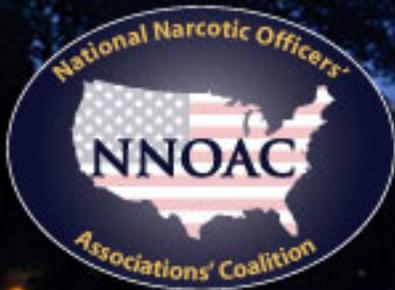


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# President's Report

By Bob Bushman



## Is Anyone Listening?

Though the current political environment in Washington, DC, is difficult at best, the NNOAC and some of our partners have enjoyed success in the legislative arena this year. A majority of members of Congress supported continued Byrne/JAG funding, and both RISS and HIDTA are poised for budget increases. It was especially gratifying to see a recommendation for an increase to the RISS budget following the Congressional Briefing that NNOAC sponsored for RISS in May. These programs are NNOAC priorities, and we are always working to encourage support for them and other good law enforcement legislation.

As the NNOAC predicted, the facts about the real consequences of the FIRST STEP Act are finally emerging. While FIRST STEP and criminal justice reform supporters sold the legislation

by convincing people that it was designed to provide relief to those “low level, non-violent” offenders who were unjustly incarcerated, the NNOAC and some of our partners pushed back, expressing our belief that violent criminals and major drug traffickers would be the main beneficiaries. No one wanted to listen to us.

Recently, DOJ began the release process for 3,100 prisoners from federal correctional institutions as required by the new FIRST STEP legislation. While about 960 drug offenders were released, the rest of them were persons convicted of crimes that included weapons/explosives, sex offenses, robbery, fraud, and even aggravated assault and homicide. Of those released, hundreds are deportable aliens with ICE detainers, forcing ICE officials to deal with them while also trying to address the flood of illegal immigrants coming across our borders into a system that is already exceeding capacity.

As news of the FIRST STEP releases spread through the media and to talk show hosts and their contributors, many people are beginning to question the real intent and wisdom of the FIRST STEP Act. Some even seem surprised that the FIRST STEP legislation allows for so many people convicted of violent crimes to be released. I find myself wondering where those people were when the NNOAC and some of our partners were warning them of these very concerns. As we told lawmakers,

staffers, and media folks, public safety concerns were being ignored; FIRST STEP was going to reward dangerous and violent criminals by releasing them back onto our streets. When they re-offend, it will, again, be up to law enforcement and prosecutors to protect our communities. I wonder if anyone is listening now.

One of the positive aspects of the FIRST STEP process was that it solidified relationships between the NNOAC and some of our law enforcement partners, who, like the NNOAC, are committed to protecting our citizens and our communities. We regularly share our views and ideas with our partners in attempts to identify strategies that will improve drug enforcement, help to curb violent crime, and increase public safety. We have also identified some members of Congress who share our concerns and who are willing to work with us to seek more effective drug enforcement and public safety initiatives.

Another issue affecting drug enforcement is the legalization of hemp in the 2018 Farm Bill. While that legislation allows states to permit hemp production, it fails to provide enough regulation and oversight of the hemp production business.

Again, as we predicted, reports from our members provide evidence of abuses of the law, and indications are that most of the hemp is being used for CBD products, which are also being sold in violation of many existing state



President Bob Bushman



## 25th Year cont.

and federal laws – and there has been little to no enforcement. In May, I met with USDA officials to discuss the upcoming comment period for the rule-making process regarding hemp regulations. When that process is opened for comment, the NNOAC and your State Associations are prepared to weigh in.

Working together – That is what makes the NNOAC effective. And your State Associations, along with our Associate Members, are critical to our continued success. At our 2019 NNOAC DC Delegates Conference, we welcomed some new State Associations and Associate members. Some inactive associations have returned to active status, and we are working with some other states to help them start new Associations. Our 2019 NNOAC DC Conference was the largest, ever. Our membership is growing, and as it increases, so does our influence.

We continue to work with our Federal partners, too. I have had an opportunity to meet with Attorney General Barr to discuss drug enforcement issues, and I have also had regular opportunities to meet with Administrators and staff from several of the federal agencies. Most agree that the political climate in Washington, DC, is unlike anything seen before. And, with the 2020 election looming, the

chances of passing meaningful legislation will diminish as the election gets closer. Marijuana policy issues, including rescheduling and relaxing of banking regulations, along with discussions about law enforcement’s use of facial recognition technology, have been getting attention on the Hill. Although few initiatives have been introduced, we expect to see some legislative proposals come out before Congress returns from the August recess.

Yes, even though the politics have been difficult, we still look for opportunities to build support for good legislation that helps you keep our communities safe. Rest assured that the NNOAC continues to work and cooperate with our partners and elected officials to find solutions to reduce crime, and we speak up vigorously on all of the issues that affect you and our profession. I hope that all of you share the pride that I have in the NNOAC, an organization that is so deeply committed to protecting people from drug abuse, addiction, and violent crime. As the NNOAC President, it is my honor to serve you.

If you have any questions or concerns, please feel free to contact me. Work smart. Stay Safe! ☆

***The 2020 NNOAC DC Delegates Conference is scheduled for Sunday, February 2, through Wednesday, February 5, 2020, at the Washington Court Hotel in Washington, DC. We will make our Hill visits on Tuesday, February 4th. Please submit your registrations and make your hotel reservations early.***

*We have increased the conference room block at the Washington Court in an effort to house everyone at one location. By registering early, it allows us and the hotel to make adjustments for rooms and meals. The registration form can be found in this publication or on the NNOAC website at [www.nnoac.com](http://www.nnoac.com). Please plan to join us!*

## ***Just a few of the many outstanding NNOAC Member Organizations***





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The NNOAC has been busy the first half of 2019 advocating for important priorities of state narcotic officer associations, their members, and NNOAC partners. We saw some significant wins on key matters, we held off some serious threats, and we continue to see cause for concern. With a divided Congress, gridlock on most issues has been the general constant with no end in sight. Despite the gridlock, the NNOAC is ready to focus on drug enforcement priorities.

Funding priorities for key programs such as the Byrne JAG program, RISS, and HIDTA continues to be an important focus for NNOAC. A budget agreement for fiscal year 2020 remained illusive, however, an agreement was reached before Congress adjourned for its annual August recess. The agreement sets the top-line budget numbers for two years, staves off sequestration (which would have slashed key law enforcement grant funding), and extends the debt ceiling. Additionally, there was agreement to avoid poison pill policy riders when Congress considers the underlying appropriations bills in September. With this agreement, it paves the way forward for the annual appropriations process, however continued disagreements on items such as border security could hold up passage of the CJS Appropriations

bill.

Once the appropriations bills finally move through Congress, the Byrne JAG program will likely be funded at roughly the same level as FY 2019. The NNOAC has continued to work with our law enforcement partners to advocate in Congress for the reauthorization of Byrne JAG, increased funding for the program, and increased focus on drug law enforcement priorities within Byrne JAG. Bipartisan support for Byrne JAG continues to remain strong with more than 50 bipartisan senators signing-on to a JAG support letter to the appropriators. The House letter received 185 bipartisan member signatures.

RISS could see a funding increase after strong support for the program during the House consideration of its CJS Appropriations bill. The most important factor in that increase - and the most important factor in improvements going forward - is active education efforts by local and state law enforcement officials whose agencies and communities benefit from the information sharing and case support that the RISS program provides nationwide. NNOAC President Bob Bushman moderated a congressional staff briefing in May to educate staffers on the important work of RISS and the need for sustained resources. The well attended event led



to additional efforts to secure strong RISS funding on the House side.

For HIDTA, through the advocacy of NNOAC, the HIDTA Directors Association, HIDTA board members, and other law enforcement partners around the nation, we were able to actively educate policy makers about the unique benefits of an independent HIDTA program. Because of this, HIDTA will continue to remain under the Office of National Drug Control Policy, and increased funding HIDTA saw last year will likely continue.

Marijuana policy has been a hot topic on the hill, gaining more and more bipartisan interest for changes to current laws. Hearings in both the House and Senate have occurred focusing on all aspects including industry access to banking services, states rights to set their own policies, full decriminalization, rescheduling away from Schedule I, and more research into its health effects and benefits. We have been able to stave off some of the most egregious policy rider amendments to appropriations bills in the House, however, the banking and states rights legislative efforts are gaining more and more attention.

Law enforcement use of investigative technologies, particularly facial recognition, has been gaining greater attention by Congress. There have been multiple hearings on

the law enforcement use of facial recognition technology, with some calls for increased restrictions on its use, moratoriums, and outright bans on the use of the technology. We anticipate interest and action heating up on this topic when Congress returns in September.

At the close of the 115th Congress, we saw passage of a bipartisan criminal justice reform proposal that reduced federal mandatory minimum prison sentences for “nonviolent” drug offenders and expanded programs to curb recidivism. We are now seeing the initial effects of that legislation with nearly 3,100 federal inmates recently released from prison under the reforms. NNOAC continues to remain concerned with the side effects of these efforts and has pushed back against calls for further reforms that would be detrimental to public safety.

While 2019 has been challenging for Congress given the divided control, we expect attention on several key issues for the NNOAC. The FY 2020 appropriations bills, marijuana reform, access to digital evidence, and privacy issues will continue to be on the minds of congressional committees. It will be critical for NNOAC members to be actively engaged with members of Congress in Washington, DC and back at home as often as possible to make sure drug law enforcement programs and policies get the attention they deserve so that you and your colleagues can protect your communities. ☆

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# Municipal Liability For Failure to Train, Supervise & Discipline

By John M. "Mike" Callahan, Jr.

In April, 2019, Looseleaf Law Publications<sup>1</sup> published my new book titled “Supervisory and Municipal Liability in Law Enforcement.” The book contains a series of case studies for law enforcement leaders and supervisors that demonstrate how law enforcement supervisors and their municipalities can be found liable for failure to properly train, supervise, and discipline subordinate officers.<sup>2</sup> This article contains a summary of some of the basic principles examined in the book pertaining to municipal liability for failure to train, supervise and discipline subordinate law enforcement personnel.

## Municipal Liability For Unconstitutional Policy or Custom

In 1978 the Supreme Court decided Monell v. New York City Department of Social Services, a seminal case on the issue of municipal liability for civil rights violations.<sup>3</sup> In Monell, the Court reversed its earlier opinion in Monroe v. Pape<sup>4</sup> and ruled for the first time that municipal corporations are “persons” within the meaning of the federal civil rights statute, 42 U.S.C. § 1983. Moreover, the Court ruled that a municipality may be found liable for money damages under § 1983 when through its official policymakers, it implements or executes a formal policy statement, ordinance, regulation, or decision which causes a constitutional deprivation.<sup>5</sup>

For example, suppose that a Police Chief issued a formal written policy permitting officers to enter a third-party residence without a search warrant to search for the subject of an arrest warrant who did not live there, this formal written policy would be unconstitutional per se.<sup>6</sup> One execution of

1 Looseleaf Law Publications, Inc. 43-08 162<sup>nd</sup> Street, Flushing N.Y. 11358; [www.LooseleafLaw.com](http://www.LooseleafLaw.com); 800-647-5547.

2 Case studies include matters involving excessive force; deadly force; withholding exculpatory evidence; affidavit and testimonial perjury; improper handling and operation of informants; stop and frisk abuse; friendly fire situations; handling of mentally ill and emotionally disturbed persons; crisis intervention training; accidental shootings and much more. The book also contains an in depth examination of personal constitutional liability of police supervisory personnel for constitutional hiring shortcomings and the failure to train, supervise and discipline line officers.

3 Monell v. New York City Department of Social Services 436 U.S. 658 (1978).

4 365 U.S. 167 (1961).

5 Monell, at 690.

6 Steagald v. United States, 451 U.S. 204 (1981).

this formal policy would render the municipality liable.

Likewise, the Monell Court ruled that municipal corporations could also be liable pursuant to § 1983 for constitutional deprivations caused by governmental “custom,” even though such custom or informal policy never received formal approval from the municipality’s official policy-makers.<sup>7</sup> For example, if a police department’s detectives engaged in a widespread unofficial practice of beating suspects to obtain confessions, this unconstitutional practice becomes a “custom” or informal policy of the department.

The Municipality may be found liable for this unofficial custom or informal policy under a theory that the practice was so widespread that the Police Chief either knew or should have known about it and taken corrective action. His failure to do so is likely to be determined by a court to be the tacit adoption of the informal policy or custom. The Chief’s failure to take remedial action is likely to be viewed by a court as the cause of the underlying unconstitutional conduct by subordinate officers through failure to properly train/discipline and supervise them.<sup>8</sup>

## Respondeat Superior Liability Rejected

The Monell Court made it abundantly clear that liability for municipal corporations is predicated solely upon the unconstitutional conduct of the municipality itself through formal policies or informal customs, promulgated or adopted by its official policymakers, which subject persons (or cause them to be subjected) to constitutional deprivations. The Court specifically rejected the idea that liability could be visited upon a municipality through the legal concept of Respondeat Superior.

Respondeat Superior imposes liability upon an employer for the wrongful actions of its employee, regardless of the absence of any fault on the part of the employer. Simply put, under this theory, the employer becomes responsible for the bad actions of its employee, even though the employer did nothing wrong.<sup>9</sup>

The bottom line here is quite clear. Municipalities will

7 Monell, at 694.

8 See for example, Bordanaro v. Mcleod, 871 F.2d 1151 (1<sup>st</sup> Cir. 1989), cert. denied, 110 S.Ct. 75.

9 See, Michael Callahan, Municipal Liability For Inadequate Training and Supervision ..., FBI Law Enforcement Bulletin, Page 24, (March 1989).

## Municipal Liability, cont.

not be liable pursuant to § 1983 simply because a non-policy-making official, i.e., a subordinate police officer, commits an unconstitutional act against another person. Liability for municipal corporations pursuant to § 1983 is strictly limited to situations in which a deprivation of a constitutional right is caused by a formal policy or informal custom promulgated by or unofficially sanctioned by an appropriate municipal policymaker, e.g. Police Chiefs, Sheriffs etc.<sup>10</sup>

## Failure to Train--History and Development

The case law at the Supreme Court level regarding the informal custom of “Failure to Train” developed over a five-year span beginning in 1985. The first two cases that came within the high court’s purview disclosed a significant divergence of opinion among the justices.<sup>11</sup> The more conservative justices appeared to favor limiting liability for municipalities by requiring a pattern of similar misconduct on the part of subordinate officers before finding municipal liability for failure to train. Conversely, the more liberal justices were willing to find liability for municipal corporations upon a single incident of officer misconduct as long as there was some evidence of failure to train. In the end, this disagreement between the conservative and liberal wings of the Court was resolved through a compromise reached by the justices in the landmark case of City of Canton, Ohio v. Harris.<sup>12</sup>

## City of Canton v. Harris

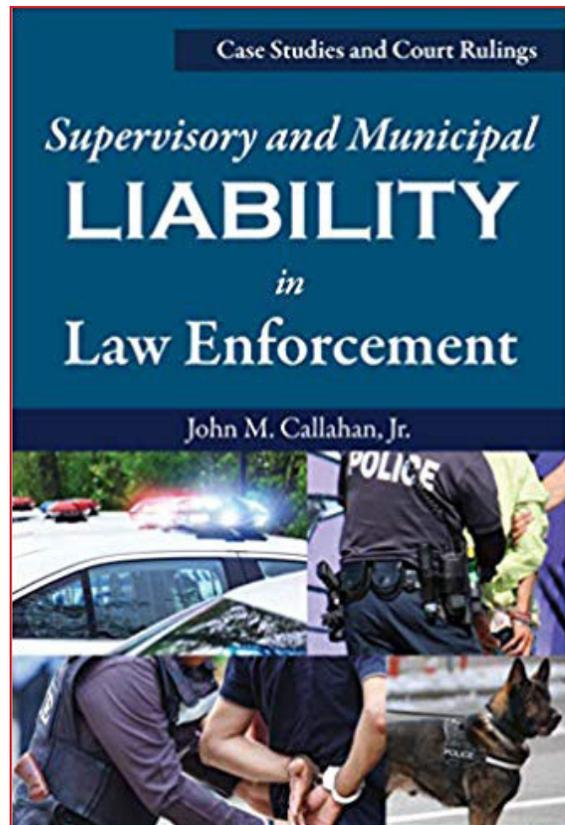
In City of Canton, the plaintiff sued the City pursuant to the federal civil rights statute (42 U.S.C. § 1983), alleging deprivation of her constitutional right to medical care caused by failure of the City to adequately train officers at detention facilities regarding the medical needs of detainees.

Trial evidence revealed that City policy gave shift commanders sole discretion to decide prisoner medical care needs. Further, shift commanders were provided no special medical training to assist them in making these decisions. The jury returned a verdict of \$200,000 against the City and the Court of Appeals affirmed.

10 In City of St. Louis v. Praprotnick, 485 U.S. 112 (1988), the Supreme Court ruled that the determination of whether a particular municipal official has sufficient authority to bind a municipality for liability pursuant to §1983 is a matter of state or local law.

11 See, City of Oklahoma City v. Tuttle, 471 U.S. 808 (1985) and Kibbe v. City of Springfield, 480 U.S. 257 (1987).

12 489 U.S. 378 (1989).



In a 9-0 decision, the Supreme Court reversed the lower courts and ruled that inadequate police training can serve as the basis for municipal liability only where the failure to train amounts to deliberate indifference by municipal policymakers to the constitutional rights of persons interacting with law enforcement. The Court explained that inadequate training meets the deliberate indifference standard only when the need for more or different training is obvious and the failure to implement it is likely to result in constitutional violations.

This decision made it significantly harder for municipalities to be successfully sued on failure to train grounds. The stringent “deliberate indifference” standard requires, at its foundation, an objective review of municipal policymakers’ conduct and an analysis of whether they knew or should have known of an obvious need for more or better training and failed to require it. Proof that municipal policymakers were negligent or even grossly negligent in failing to train subordinate police officers is now clearly insufficient to establish municipal fault.

The Court offered two examples of deliberate indifference to an obvious need for training. The first involved failure to train police officers regarding the use of deadly force. Here

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the Court noted that municipal policymakers (e.g. local police chiefs) know that officers are required to apprehend fleeing felons and likewise know that officers are equipped with firearms to assist them in accomplishing that goal. The Court observed that in this situation, the need to provide training on the constitutional limitations regarding the use of deadly force is so obvious that the failure to do so would amount to deliberate indifference. In other words, in some cases the need for particular training is so obvious that a single incident of unconstitutional conduct by a line officer may trigger liability for the municipality.

The second example provided by the Court involved a pattern of officer misconduct that placed municipal policymakers on notice that a certain type of training is required. Suppose for example, that specific officers of a particular jurisdiction have been involved in a series of complaints alleging excessive physical abuse of suspects while attempting to arrest them. This kind of pattern of past use of excessive force puts municipal policymakers on notice of an informal custom of abuse and mandates that they train officers on the constitutional limits of physical force. In this situation, municipal liability would also exist due to a failure to supervise and discipline the offending officers. Failure to train, supervise and discipline regarding excessive force when the need for training, supervision and proper discipline is so obvious, amounts to deliberate indifference.

The bottom line here is clear. Failure to train, supervise or discipline cases in the municipal liability context will fail unless the plaintiff can establish that municipal policymakers knew or reasonably should have known of an obvious need for more or better training, supervision and discipline and failed to require it, thereby causing unconstitutional injury to the plaintiff.

## Single Incident Misconduct and a Pattern of Unconstitutional Misconduct; One or Both Can Trigger Liability

After City of Canton, in some limited situations, the need for more, better or new training will be so obvious that when it is not furnished, a single incident involving an unconstitutional action by a lower level police officer will trigger liability for the municipality. Plaintiffs' will be able to establish that a municipal policymaker caused the unconstitutional action of his subordinate by failing to train him in such an obviously necessary area of police work. For example, failure to train line narcotics detectives regarding a new Supreme Court ruling that searching the cell phone of an arrestee without a warrant will violate the Fourth

Amendment.<sup>13</sup> One warrantless search of an arrestee's cell phone is likely to trigger liability.

Even more likely to trigger municipal liability, is a pattern of similar past unconstitutional misconduct by subordinate officers that was not properly addressed by the Chief of Police through more or better training (and supervision). For example, suppose that there was an informal practice by a police department's narcotics unit of repeated successful attempts to obtain historical cell site location information (CSLI) regarding suspected drug traffickers by means of a subpoena in 2019. In this regard, in Carpenter v United States,<sup>14</sup> the Supreme Court ruled for the first time in 2018 that law enforcement's effort to obtain historical CSLI from a cell phone carrier is a "search" under the Fourth Amendment. The Court further ruled that a search warrant was normally required for this kind of personal information.

Now, suppose further that the Police Chief either knew or reasonably should have known about this widespread practice. Moreover, suppose that the Chief failed to require appropriate training for the narcotics unit that warrants are required for this information. The Chief's failure can fairly be said to be the direct cause of Fourth Amendment violations that will inevitably follow. Although both can trigger municipal liability, a widespread pattern of abuse is a much stronger case for liability than a single incident of inappropriate conduct.

## Conclusion

Police chiefs, sheriffs and other law enforcement leaders must be constantly vigilant to ensure that officers under their command are trained regularly on changes and additions to the constitutional laws that affect their daily duties. Failure to train sworn law enforcement officers on changes and additions to the constitutional laws that they have taken an oath to uphold is unreasonable and unacceptable. Judges and juries will be quick to attribute fault in this regard and consequences of a monetary nature against municipal corporations will surely follow. Moreover, failure to train, supervise and discipline subordinate officers who go on to violate constitutional rights can trigger personal liability consequences of police supervisors as well.<sup>15</sup>☆

<sup>13</sup> See, Riley v. California, 134 S.Ct. 2473 (2014).

<sup>14</sup> 138 S. Ct. 2206 (2018).

<sup>15</sup> My new book contains a comprehensive examination of personal supervisory liability for training, supervision, and disciplinary failures.

# ‘PRESS THE FIGHT’ MEANS ALL OF US!

*By Timothy Rutledge*

*Director of Training, RCTA*

The Regional Counterdrug Training Academy, RCTA is one of five counterdrug schools across the nation (Washington, Iowa, Florida, and Pennsylvania) The motto of RCTA is “Perseverate in Pugna,” Latin for ‘Press the Fight’.



*If you are reading this,  
you are likely in the fight.*

Many of us have been in this fight for multiple decades. We have endured the daily threat of death for the sake of safety of others. Sometimes, we pondered what that meant, particularly when a fellow officer was killed in the line of duty. Most days, however, we didn’t think of a physical fight or our own loss of life. We thought of how we could seize more drugs from the street, arrests for drug dealers, and make our small corner of the world just a bit safer. We did this aggressively, having a ‘make it happen’ attitude; working many uncompensated hours because we loved the job and we knew of what our world would be without us.

Most of us did this with little training. BNDD/DEA offered some excellent courses, but they were scarce and our agencies could not even afford the meals and lodging for us to attend. We went to a course here and there, but we discovered there were far too few experts out there.

Enter the Counterdrug Schools in the early 90’s. The military is either at war or training for war; they knew how to administrate training. They had empty barracks, chow halls and classrooms. Why not use them to train law enforcement? They began to seek out the absolute experts in drug enforcement, those drug agents and interdiction officers who were in the field, doing it every day who could also teach. This was the perfect combination. To date, about a million officers have been trained by the schools and the schools continue to provide the best instruction available on the cutting edge of current issues.



When bureaucrats in DC tried to close the schools in 2010, NNOAC fought to keep the schools alive. When smaller issues that would have changed the schools significantly appeared, NNOAC ran to help us. We at the schools, and the tens of thousands of officers trained each year are forever grateful, and will try to repay you with the training congress tells us to provide.

Now, we face another major challenge. In 2017, an amendment to the NDAA caused a change in the law that gave review of the curriculum of the schools to the Department of Defense, and not to the Boards of Advisors for each school. This has not been an issue until now. A draft proposed policy from the Deputy Assistant Secretary of Defense obtained by the schools in April that will go into effect October 1, 2019 forces the schools to use National Guard instructors for 80% of their courses.

While we have great respect for our National Guard, they simply are not drug enforcement experts in general. We currently use the National Guard for their expertise in maneuvering in rural terrain, and for tactical casualty care. Other schools use members for tactical instruction that is excellent. These military led courses have saved law enforcement lives and the lives of countless civilians.

However, we use the absolute most experienced experts to teach younger generation drug enforcement officers the basics, and the older generation new techniques. If non-expert instructors attempt to teach

our officers, the results will be non-attendance by the officers, a waste of tax payer dollars, and potential risks to the safety of the officers and civilians. NNOAC and many state associations have been in the fight with us on this issue, and I thank you for it. From the president, to every regional director, you have been awesome.

These photos are from some of our success stories for this year. This training works. This training is free. This training is proven each day an officer goes to work. The budget for all five schools is \$25 Million. In 2018, the schools trained over 60,000 officers, making the cost per student \$418! In many cases, meals and lodging were also provided at no cost. This is a program that works, and works effectively and efficiently. ☆

### Some success stories for this year:

We could never thank the NNOAC enough. Many state associations have also gotten involved in major ways and our debt to you is not repayable. That being said, we will certainly try. The 5 schools are open to train you and your guys. The training is free, it is the best available, and we have the light on for you. Come see us!

To learn more, visit us at [www.rcta.org](http://www.rcta.org) or email me: [tim@rcta.org](mailto:tim@rcta.org)

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*The Cover of this issue of The Coalition is dedicated to the men, women, and K9's in law enforcement for their commitment to the safety and health of the American people, and to those who continue to train them with up-to-date legal standards and enforcement methods.*

***In 2018, FIVE schools trained over 60,000 officers @ a cost of \$418/student within a budget of \$25 million***

***This is a program that works, effectively efficiently***  
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# THE FEBRUARY NNOAC DELEGATE MEETING CELEBRATED 25 YEARS

By William Butka

## NNOAC 2019 Executive Board Elections; Regional Director Appointments

**E**lections for Vice President, Secretary, and Treasurer were held during the February 2019 NNOAC meeting in Washington, D.C.

The NNOAC's new Vice President is Eric Brown from OHIO HIDTA. Phil Little from the North Carolina NEOA was reelected Treasurer. Tony Kestner, President of the Illinois Drug Enforcement Officers Association, is our new NNOAC Secretary.

Rich Wiley, President of the Washington State Narcotic Investigators Association, is our new Northwest Regional Director. All current Regional Directors were re-appointed; they are: T. Gene Donegan, Southwest Regional Director; Gary Ashenfelter, Great Lakes Regional Director; William Butka, Jr., Northeast Regional Director; Leland Sykes, South Central Regional Director; Bob Cooke, Southwest Regional Director; Tommy Loving, East Central Regional Director; and Brian Marquart, Midwest Regional Director.

The NNOAC delegate meeting in February celebrated 25 years. There were more than 220 attendees to the delegate meeting and attempted to meet with every congressional office on the hill.



*Senator Cotton was presented with the NNOAC congressional "2018 member of Senate Award" by President Bushman with the Arkansas delegation.*



*Above: Kevin Sabet, Ph.D. – President, Smart Approaches to Marijuana (SAM) spoke at the meeting regarding the issues of legalization of marijuana and the importance to continue the fight to keep marijuana illegal.*



*Senator Tom Cotton gave a congressional policy update to the delegates.*

*Right: General Barrye Price (ret.) Ph.D., executive Vice President and Chief Operating Officer of CADCA spoke to the delegates on Combatting the Drug Problem*



continued on page 24



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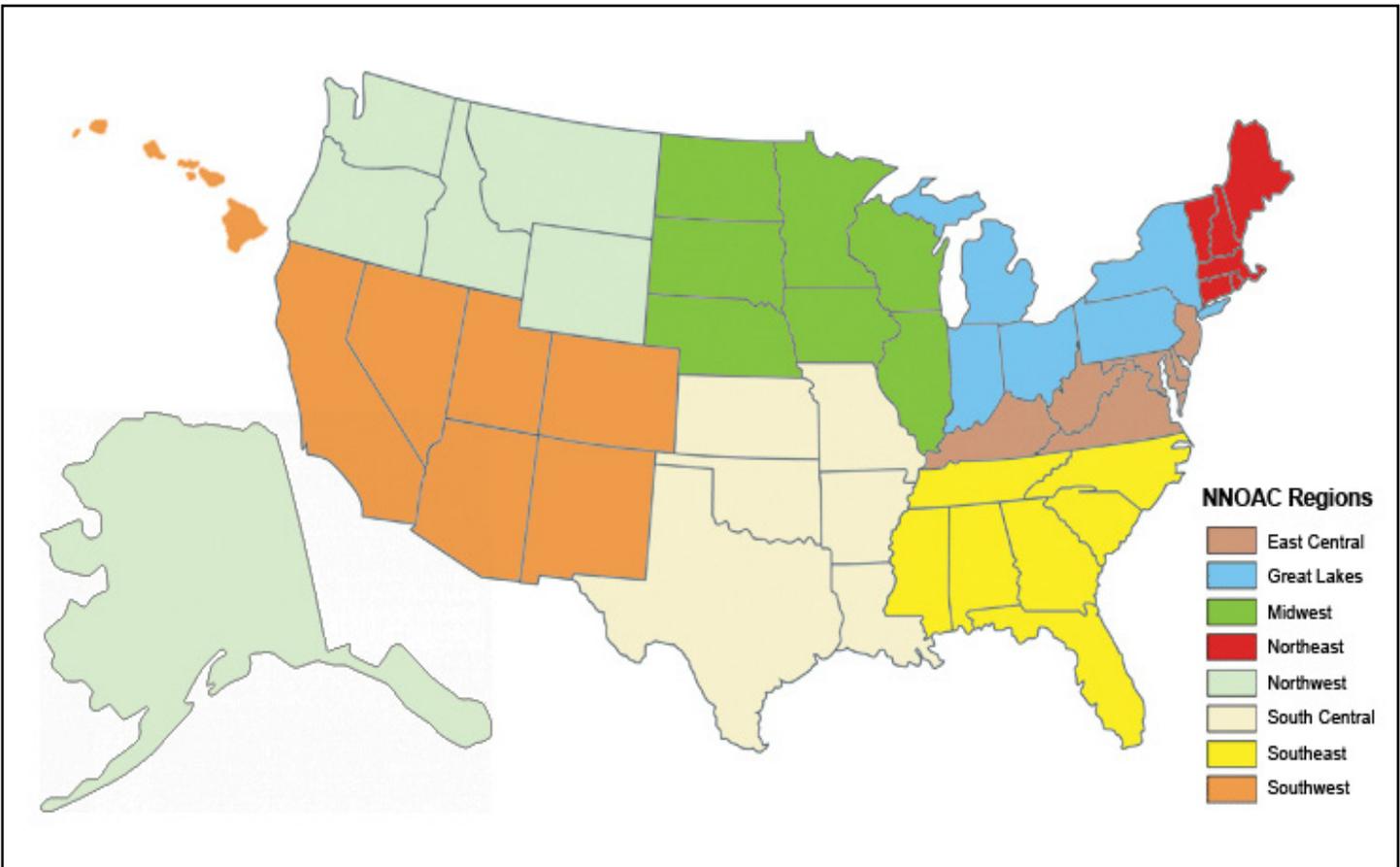


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# NATIONAL NARCOTIC OFFICERS' ASSOCIATIONS' COALITION

## REGIONAL DIRECTOR'S REPORTS

### Southeast Region - T. Gene Donegan

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The Southeast region is made up of North Carolina, South Carolina, Florida, Georgia, Alabama, Mississippi and Tennessee.

The majority of the areas are being plagued with the same drug issues, although some areas are being hit harder with specific drug problems than other areas. We are seeing a large increase in methamphetamine in rural areas of the Southeast and a steady increase in heroin in larger cities.

The Southeastern region continues to see a steady drop in the homegrown/one-pot methamphetamine labs that have previously plagued the area. This drop has continued for several years and, at first glance, one would believe that methamphetamine use is down. But that is hardly the truth of the matter. The Southeast region, as well as the rest of the United States, continues to see an increase in crystal methamphetamine being smuggled in through our southern border. Law enforcement has dealt with methamphetamine labs for many years, and we were hoping that the recent decrease was a step in the right direction. Unfortunately, however, that is not the case; instead of the one-pot meth labs from the past, we are seeing an increase in methamphetamine conversion labs. These are large labs that are designed, not for production, but for converting liquefied methamphetamine back to crystal methamphetamine. This form of smuggling by the cartels across the southern border is growing and will continue to grow, necessitating these conversion labs. Crystal methamphetamine can be mixed with many different liquids, and this form will convert 10 gallons into approximately 65 pounds of methamphetamine. Law enforcement has seized these conversion labs in several states in the southeastern region. Due to the nature of flammable agents involved, these labs will continue to create a serious threat to the public and to law enforcement.

The price of methamphetamine is lower than ever before – as low as \$3,500 for a pound of finished product.

This region continues to see an increase in heroin, as well as fentanyl-laced heroin, coming into this area. The overdose deaths continue to rise as a result of heroin or fentanyl-laced heroin, and many users are unaware of the fentanyl additive. In the southeast region, I believe we are on track to exceed last year's overdose deaths. As many of you know, last year's overdose deaths reached an all-time high in the United States; unfortunately, we will see that increase again this year. This area also continues to see heroin- and fentanyl-laced counterfeit pills being distributed. Many areas have had overdose deaths due to the counterfeit pills, because many of the victims are unaware of the chemical makeup of the pills. A high percentage of the victims overdose because they think that they are taking Xanax or Oxycodone tablets.

Cocaine seizures are staying steady in this area; we have seen a slight drop over the past couple of years. I believe the strong supply and push of crystal methamphetamine is causing the drop in use of cocaine. This is especially true in the very rural areas of the state.

The Southeastern region is also continuing to see large amounts of marijuana being shipped in from states that have legalized marijuana. Unfortunately, we are seeing UPS, FedEx, and USPS being the biggest distributors and transporters of these illegal drugs. We are also seeing organized groups flying into area airports with 100-200 pounds of marijuana in checked baggage. Once in the larger cities, these groups will stay at area hotels for 7-10 days, selling the marijuana. As the marijuana runs out, more couriers will fly in and deliver more marijuana. The dealer will stay embedded in the hotel and distribute as much as 400 to 500 pounds of marijuana. The marijuana is being purchased in Oregon and flown into small airports that do not have as many law enforcement officers working. It's not unusual to recover as many as 15 empty clothing bags that have been used for transportation. One subject who was arrested boasted about having sold \$1.3 million dollars of marijuana in nine days. Victimless crime???



Southeast Region Continued



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**CRISIS MEETS  
CRISIS MEETS CRISIS**

**O**ur western states are saturated with the availability of dangerous and illegal drugs. Legalizing unsafe drug use isn't working, and our streets are crowded with drug addicts and untreated mental health patients.

The Opioid Crisis: According to the U.S. Customs and Border Protection, seizure statistics indicate that the shift in importation has slowed from China and increased from Mexico. The Drug Enforcement Administration has reported some success in U.S.-Chinese joint efforts to control fentanyl. How do we control this flow when we can't control the entire border? Most of the drug seizures are occurring at our border points of entry. The US Customs and Border Protection has already seized more than 2,000 pounds of Fentanyl in 2019. That is enough to poison the entire population of this country.

The shift from China to Mexico is very recent and largely the result of successful drug control strategies implemented in the past two years. Specifically, following U.S. pressure, China's decision to criminalize all fentanyl-related substances led to a decline in the number of Chinese vendors willing to export fentanyl products.

The U.S. Department of Justice imposed an emergency scheduling of all fentanyl products and analogs in February 2018. That emergency scheduling has had "a significant positive impact" and slowed the distribution of illicit opioids, according to the DEA. The emergency scheduling will expire in February 2020 unless Congress votes to make it permanent.

Now we are seeing a resurgence of cocaine and methamphetamine. Our southern border is so porous that only a small percentage of motor vehicles and commercial trucks can be scanned and searched. Recently we saw Panga boats filled with cocaine, heroin, and marijuana being seized by the US Coast Guard on the California coast. These Panga boats are cruising along 100 miles off our west coast until they make a sharp right turn and head for the beach. The US Coast Guard is doing a great job capturing a number of these vessels.

**The Homeless Crisis:** Does anyone not believe that our nation's homeless population is in crisis mode? One only needs to drive through any town and wonder where all these people came from. There are many homeless people who genuinely need and deserve our assistance. Some of these folks have mental illness that is not being treated. Families have fallen on hard times for a variety of reasons that deserve our assistance and compassion. There are many who have alcohol and drug issues. How many times a day do you see someone stumbling around, not knowing if they are drunk or high on drugs? We see addicts openly injecting in major US cities. Some cities have tried to move these unlawful, unsafe addicts out of public view and give them a free injection site to inject their illegal drugs. It has been tried in cities including Vancouver, Canada, and Seattle, Washington. Miserable failures. How does that help the addicts? These "shooting galleries" simply hide the addicts injecting illegal drugs and prevents their arrests – and possible sentences of rehabilitation by Drug Courts. I don't know of anyone who wants a shooting gallery in their neighborhood. We all know that an addict's 4-6 hour "cure" (the time they are under the influence) will wear off and the user will need to get money for more drugs. I don't know of anyone who wants to loan a drug user money to buy more poison.

**Lack of Consequences:** All this illegal and dangerous drug use leads to more crimes. Where do drug users look for financial backing for drug purchases? They look to your parked vehicle, your purse, your home, and your laptop as you sip your coffee in a coffee shop. And if they get caught for breaking into your car? They get a notice to appear in court – much like a traffic ticket. And we all know they will fail to appear.

I like the tradition of shopping at my local huge store that has everything from groceries to furniture. But when I tried to buy deodorant, I found it padlocked behind a clear covered door. I had to find a store employee to unlock the huge cabinet and pull out my desired items. But he wouldn't give them to me to out in my cart. I had to stand in line to pay separately and take them through the check stand when I paid for my milk and bananas. Why? This is due to teams of thieves coming into these stores and pulling hundreds of items off the shelves and walking out the door. Store security guards are present, but they aren't allowed to put their hands on suspected thieves.

The same types of crimes have been dominating the news with regards to cellphone thieves. These coordinated crime teams run through a cell phone store, gathering every device

**REGIONAL DIRECTOR'S REPORTS**

*continued on next page*



(including phones and laptops) and taking as much as \$30,000 in a swoop. Again, trained professional security officers are present. Many of the security officers are retired or off-duty law enforcement officers. These security personnel are ordered NOT to intervene – just be good witnesses.

I don't know about you, but I'm sure that if there were consequences for bad acts, we'd see our own quality of life improve. We elect people into local, state, and federal positions to make our homes and neighborhoods safe. I don't see enough elected officials leading. Bashing the "other side" needs to end and working together needs to start – that will get things done.

In California, we – a coalition of law enforcement organizations, faith-based organizations, and informed people and leaders – opposed a bill that would allow party buses to cruise our neighborhoods while passengers are smoking or ingesting marijuana products. These buses would have been allowed to have marketing signs on them while driving by schools, day care centers, and parks. This bill is winding its way through the state senate with further amendments to increase the standards for regulations of

these buses. We are always looking for more likeminded, concerned people to prevent this idiocy from spreading.

What can we do? Speak up. Don't be afraid to tell your friends the consequences of bad public safety policies and practices. I feel sick when I see how disrespectful people can be towards law enforcement. I saw the total lack of respect in New York by the water attacks on our brothers in blue. But last week, I saw the total opposite when three members of the Gilroy (CA) Police Department engaged a mass shooting suspect within a minute of the shooting and dropped him, allowing the shooter one last shot – a self-inflicted headshot. Sadly, three young people lost their lives and many more were injured. I applaud my Gilroy Police Department and all the other fine lawmen and lawwomen who run towards violence to protect others.

We in law enforcement do our part. We speak at public forums, at city council meetings, at state assembly and senate committee hearings, and at our schools and churches about good and bad consequences. We will continue to be a positive image and role model. We can't help it – it is our calling and our duty.

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#### KENTUCKY:

For the first time in five years, the number of overdose deaths in Kentucky decreased, according to an annual report released by the Kentucky Office of Drug Control Policy. The 2018 Overdose Fatality Report, released in July, shows that 1,247 Kentuckians died from overdoses last year, a 15-percent decrease from the 1,477 deaths reported in 2017. Overdoses involving heroin, oxycodone, or gabapentin all decreased last year. Here's a link to the report:

<https://odcp.ky.gov/Reports/2018%20Kentucky%20Overdose%20Fatality%20Report.pdf>

While deaths went down overall, the number of fatal overdoses involving either methamphetamine or fentanyl and fentanyl analogues increased from 2017. The Western and South-Central parts of Kentucky are inundated with crystal meth of high purity imported from Mexico.

Overdose deaths had been steadily increasing since 2013 as the state dealt with the opioid crisis and the increasing

prevalence of heroin, fentanyl, and fentanyl analogues. The Office of Drug Control Policy attributed the decrease in fatal overdoses to a number of factors, including the statewide use of prescription drug monitoring programs, expanded availability of naloxone – commonly known as Narcan – to reverse the effects of heroin overdoses, and the enactment of laws addressing the availability of prescription medications. One of those laws limits opioid prescriptions for acute pain to a three-day supply, with some exceptions.

Another factor that has helped address addiction is the law mandating physicians to run each patient in the Kentucky All Schedule Prescription Electronic Reporting (KASPER) database before prescribing a controlled substance. The database (PDMP) monitors controlled substance prescriptions in Kentucky.

The continuing education provided to medical professionals about the addictive qualities of pain medications has also been very important in not creating new addicts. Many physicians were lied to by the drug companies and "Big Pharma" over that issue, and as we can see, it didn't work out well. We didn't get into this mess overnight, and we're not going to get out of it overnight, but these numbers do make me think there's light at the end of the tunnel in Kentucky.

The Kentucky Narcotic Officers' Association Training Conference will be held in Louisville at the Hyatt Regency Hotel on September 4, 5 and 6, 2019. The opening ceremony on Wednesday will include agency heads, Welcome to



Louisville, and awards for Narcotic Officer of the Year (Western District and Eastern District of Kentucky).

We are very pleased to announce that our keynote speaker, following the opening, will be Alex Berenson, the author of "Tell Your Children: The Truth About Marijuana, Mental Illness and Violence". An eye-opening report from an award-winning author and former New York Times reporter reveals the link between teenage marijuana use and mental illness, and a hidden epidemic of violence caused by the drug—facts the media have ignored as the United States rushes to legalize cannabis.

Following Alex Berenson, we will once again have an intelligence-sharing meeting, facilitated by Mike Brackett (JCSO), Matt Gelhausen (LMPD), and Steve Wright, (ROCIC). We encourage you to share intel that may be helpful to your case and others present (LE Only).

The second day of the conference will be an 8-hour block of training, presented Trooper Robby Robertson. Trooper Robertson has been in law-enforcement for 21 years, 14 of those with the North Carolina State Highway Patrol, where he has worked as a patrol trooper assigned to three different Troops throughout the state of North Carolina. He has been a member of multiple task forces. He was the 2017 SPPADS International Instructor of the Year and is currently assigned to the Training Academy with the officer survival, defense tactics, and Taser section.

Surviving the first three seconds is a class designed to take the reactionary gap off the officer and place it back onto the suspect. This is done through a six step system:

1. Body language for concealed weapons
2. Vehicle indicators of pre-assault
3. Clothing indicators to concealed weapons
4. Pre-attack verbal and nonverbal indicators
5. Street level interview skills
6. Street level lie detection and overcoming skills

This system is heavy in the study and disciplines of psychology, criminal psychology, kinesthetic, speech pathology, body mechanics, adult learning, human behavioral pattern studies, statistical use of force study, and physiological responses of the body. The class uses a lot of class participation, table-top exercises, street practicals, and human behavior studies.



NEW JERSEY:

The June 2019 Annual Conference in Atlantic City, under the leadership of President Wayne Canastra and Conference Chairmen Al Camisa and Bob Mazur, had a wide variety of speakers; they came from California, Florida, Georgia, Oklahoma and New Jersey. Their presentations included: Criminal Interdiction, Undercover Operations, Strict Liability for Drug-Induced Deaths, Human Trafficking, Mexican Drug Cartels, Cell Phone Support in Investigations, and Amtrak Interdiction and Support.

The Awards Luncheon, with 604 attendees, was once again sold out. Awards were presented for Narcotic Officer of the Year, Intelligence Analyst of the Year, Trainer of the Year, and Community Award of the Year, along with some other unit and individual awards.

Upcoming trainings are our six-day Basic Tactical Narcotics Training; one-day Synthetic Drugs workshop; one-day Preparing Undercover Operations; two five-hour classes on How Law Enforcement Looks At Addiction; and a three-day, hands-on Video Surveillance class. The NJNEOA stands "Against Marijuana Legalization" – and will continue to do so. We have been going out and holding public education on the dangers of drugs, including marijuana and prescription drugs.

WEST VIRGINIA:

The West Virginia Narcotics Officers' Association will hold its Annual Conference on September 23-25, 2019, at the Bridgeport Conference Center, 300 Conference Center Way, Bridgeport, WV.

The agenda for the training conference will cover the following topics:

- "Police Ethics", presented by Sergeant K.G. Murray, West Virginia State Police
- "Mental Health in Policing", presented by Rachael Hatfield
- "Gangs and Drugs", presented by Tony Avendorph, Retired, Prince Georges County Police
- "Social Media and Drug Investigations/Current Drug Trends", presented by Sergeant Gene Donegan, Major Case Task Force, Metropolitan Police Department of Nashville and Davidson County

The WVNOA President, WV State Trooper Mike Lemon, is focusing on increasing the members of the association. The association is well represented by members from the southern part of the state, but lacking in the northern districts.

REGIONAL DIRECTOR'S REPORTS

# REGIONAL DIRECTOR'S REPORTS

**Midwest Region - Brian Marquart**  
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contains fentanyl. Some states in the region that had seen little to no heroin or fentanyl are now seeing dramatic increases. Much of the fentanyl seen in our region is produced in China and is ordered over the “dark web”. Law enforcement is continuing to encounter these “dark web” overseas purchases, which are time-consuming and require additional law enforcement resources and expertise to investigate.

## Methamphetamine

The Midwest region continues to see record increases in methamphetamine seizures, arrests, and admissions to treatment. Methamphetamine’s availability in the Midwest Region mirrors the seizures seen on the southwest border, where seizures have more than doubled since 2012. We are seizing larger loads – in excess of 75 pounds at a time – and some that have involved methamphetamine mixed in liquid solution in order to conceal it. Meth is often transported in passenger vehicles; however, there has been an increasing use of packages shipped in parcels via mail service. We continue to see only a handful of small methamphetamine labs – which are capable of producing small amounts in “one pot” containers – in contrast to the hundreds of such labs discovered in the early 2000’s. Mexican DTO’s control a majority of the delivery and distribution of meth that arrives in the region, and wholesale methamphetamine is readily available at very cheap prices and at very high quality. Partnerships and cross-state investigations by federal, state, and local law enforcement continue to identify and investigate mid- to upper-level dealers and importers of methamphetamine coming into the region.

## Heroin, Fentanyl and Prescription Opioids

We have seen a small decrease in the overdose death rates from heroin, but an increasing number involving synthetic opioids such as fentanyl. Law enforcement agencies throughout the region have seized synthetically produced fentanyl in liquid, powder, and counterfeit prescription pills. Multi-state investigations have been conducted to identify the distribution chains of this deadly drug. Often the retail sellers and unsuspecting users are not aware that the substance

## Cocaine

After several years of decreasing amounts of cocaine being seized and the number of people entering treatment, over the past three years there has been an alarming trend of increases in the availability and seizures of cocaine that are occurring in the region. As cocaine availability and use increases, we are seeing a rise in the number of overdose deaths related to cocaine, as well. Laboratory analyses of samples of cocaine are also showing that some of the cocaine is being laced with fentanyl. This makes it even more dangerous to the unsuspecting user and to the law enforcement personnel who encounter it.

## Marijuana

The region has seen large seizures of marijuana and marijuana concentrates being sourced from states that have legalized recreational marijuana. The region is being inundated with edibles, wax, oils, and high-content THC coming from states that have chosen to disregard federal law. Many of these products – like gummy bears and “pot tarts” – are aimed at enticing young people to try them. This should not be a surprise, because many of us grew up with the big tobacco companies trying to lure the next generation to become addicted; and the marijuana industry is following in those footsteps. Not everyone who smokes marijuana will become addicted, but until 2017 the number-one drug of choice (after alcohol) for people entering treatment was marijuana. Protecting our children and our next generation from harms due to drugs and violence should be a top priority.

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**Amid rush to legalize,  
 new research confirms marijuana’s dangers**  
 By Gary Ashenfelter

Here in Indiana, we are now virtually surrounded by states that have legalized marijuana in some form. Illinois, Ohio and Michigan have all taken this route. Only Kentucky, our neighbor to the south, remains on the same page as our state in resisting the legalization trend.

As states across America race to see who can be next to legalize marijuana, however, red flags about the dangers of this drug are popping up like weeds. Increasingly, research



confirms that using marijuana comes with serious downsides such as elevated risks of psychotic disorders, depression, suicide, car crashes and other maladies.

One study published in February found that a teenager using marijuana is more than three times more likely to commit suicide as a young adult than a non-user. The same study found that teens using pot are 37 percent more likely to develop depression than non-using peers – even years after regular use.

In March, another group of researchers reported that individuals who use marijuana daily are three times more likely to later experience psychotic episodes than those who never use marijuana.

Even mainstream media is starting to pay attention to the troubling trends. USA Today recently observed: “Car crashes rose 6 percent from 2012 to 2017 in four states that legalized marijuana during that period – Nevada, Colorado, Washington and Oregon – a greater rate than in four comparable states that didn’t, the Highway Loss Data Institute found.”

And a former New York Times reporter, Alex Berenson, has exposed many of the weed lobby’s lies in his notable new book, “Tell Your Children: The Truth About Marijuana, Mental Illness, and Violence.”

“Over the last 30 years, psychiatrists and epidemiologists have turned speculation about marijuana’s dangers into science,” Berenson said in a January speech. “Yet over the same period, a shrewd and expensive lobbying campaign has pushed public attitudes about marijuana the other way.”

Rather than always producing the “mellowing out” effect touted by advocates, Berenson noted, marijuana use actually has been linked to a greater likelihood to commit violence. He cited one study associating marijuana use with a doubling of domestic violence rates.

Meanwhile, Berenson noted, marijuana’s promoters continue to falsely claim that marijuana possesses a multitude of medicinal benefits.

“In reality,” he said, “marijuana and THC, its active ingredient, have been shown to work only in a few narrow conditions.”

Despite the growing volume of evidence calling into question America’s headlong rush to legalize marijuana, states continue to follow one another off the cliff like the lemmings in the old folktale.

At least 34 states now allow the purchase of pot for either recreational or so-called “medicinal” use, according

to DISA, a company that provides drug-testing services. As of February, legislation to legalize marijuana remained alive in at least four other states.

Here in Indiana, fortunately, proposals to legalize marijuana have fizzled during the last legislative session. But no one can deny that support for this idea is growing.

Public opinion has produced high hopes among users wanting easier availability of pot, and it has prompted frenzied speculation among investors eager to make quick cash from the marijuana industry.

Here’s hoping the growing accumulation of factual evidence about the hazards of dope will help reverse our current drift into the smoky haze and help steer popular sentiment in a more prudent direction.

Such change won’t happen easily.

Many elected leaders have learned from personal experience that opposing marijuana legalization invites scathing attacks from the well-organized proponents of legalization. But that’s OK. As President Grover Cleveland once said, “What is the use of being elected or re-elected, unless you stand for something?”

Among Indiana leaders, Attorney General Curtis Hill has been particularly outspoken in his opposition to laws making pot available for sale. “Legalizing marijuana is a road to nowhere good,” he said not long ago. “In Indiana, we would do well to pay heed to the experience of Colorado and other states stumbling into the same mistakes.”

Looking out for the future of our children and the society in which they will grow up is a cause well worth taking political risks. Now is the time to speak the truth about marijuana.



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**Oregon and Idaho:** Methamphetamine availability and trafficking continues to occur at a high level in Oregon and is the greatest drug threat, followed by heroin; fentanyl and synthetic opioids; controlled prescription drugs; illicit marijuana; cocaine; and other dangerous substances.

Methamphetamine is widely used and trafficked in the region. Crystal methamphetamine, or “ice,” has increased in availability as Mexican DTOs have escalated the importation of methamphetamine powder, liquid, and finished product from laboratories outside the region and from Mexico.

## REGIONAL DIRECTOR'S REPORTS



Over the last six years, the drug threat environment has shifted from primarily meth-amphetamine trafficking and abuse to a dual threat that includes high availability and use of opioid-based drugs. Production of heroin in Mexico has expanded leading to greater access to low-cost product, mainly black tar, in Oregon and Idaho. The market

for synthetic opioid drugs has continued to evolve. Fentanyl, fentanyl analogues, and other dangerous synthetic opioids have become more prevalent in the region since 2013 with higher availability closely paralleled by increased overdose deaths.

Oregon's Medical Marijuana Act and recreational marijuana, which allow for specified quantities of marijuana to be grown, continue to be exploited for profit. In addition, illicit manufacture and distribution of cannabis extracts, such as hash oil and marijuana wax, continue to increase in the region and have led to a higher number of extraction labs in Oregon. Since 2013, more than 30 production-related fires and explosions have been reported in the state. Idaho marijuana laws remain rigorous, with all possession, manufacture, and sale of the drug strictly prohibited.

### Washington:

Methamphetamine poses the greatest threat in Washington, followed by Heroin, synthetic opioid (fentanyl based) knock off pills, cocaine, and cannabis products.

Methamphetamine continues to pose the greatest threats with Mexico based DTO's importing finished product with high purity levels into the state. Prices continue to be low indicating supply is high. The impact on the states communities is significant with related crime, and correlation with significant homeless issues.

Black Tar Heroin continues to be found across the state. "Mexie" pills, which are knock off 30mg Oxycontin pills made with Fentanyl, are increasingly being found across the state. These Fentanyl based pills are found to have a variety of ingredients including Methamphetamine. The lack of quality control in these pills has led to many overdose deaths.

The Marijuana black market is thriving with with widespread illicit production. Illicit marijuana is grown under these guise of the legal process an routinely occurs in plain sight. The black market is significantly impacting the tax revenues the state anticipated from marijuana sales. Additionally, the state licensed producers are growing

many times more marijuana than the market can sustain, incentivizing the legal producers to export product to recoup their investment. Illicit marijuana is being exported throughout the United States from Washington.

**Montana:** Montana has seen continued threats primarily from Heroin and Methamphetamine. They have seen significant use of China White Heroin which continues to be the drug of choice. The China White is being imported from Michigan, Spokane Washington.

Methamphetamine continues to be readily available and prices have continued to fall.

**Alaska:** Methamphetamine, Heroin and Synthetic opioids and Cocaine are a significant threat across Alaska. Illicit drugs continued to be smuggled into the state and substance abuse continue to be a significant issue.

Alaska was the last state to be integrated into the HIDTA program which will bring additional resources and enhanced cooperation to the state drug enforcement efforts.

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The Northeast continues to experience a record number of heroin/fentanyl deaths. In Connecticut in 2018, accidental intoxication deaths decreased by twenty-seven. Deaths from the combination of fentanyl or with a combination of cocaine have steadily increased; in 2018, the Fentanyl related deaths increased from 677 to 760. Maine, Vermont, New Hampshire, and Massachusetts show a slight decrease in opioid-related overdose deaths. Rhode Island Office of the Medical Examiner reports an increase of 2.8%.

The New England trends see an increase in crack and cocaine use. Maine and New Hampshire are reporting crystal meth in their regions.

In this issue of the magazine, I wrote a synopsis on a report from our friends in Sweden on organized crime and terrorism and its ties to drug trafficking (PAGE 38) I neglected to highlight that the Swedish Narcotic Officers Association invited NNOAC members to attend international drug conferences in Sweden and Norway to speak on drug enforcement in the United States. We very much appreciate the invitation.

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**A**s the dog days of summer turn into fall, we will soon be having our annual NNOAC meeting in Washington, DC. As always, there will be important issues to address at this meeting, and our Hill visits are invaluable to take our unified positions to members of Congress. Please make plans for your state associations to attend these meetings, as it is vitally important to have representatives of as many associations as possible.

As important as our Washington meetings are, there is another issue that cannot wait till our February meeting. As many of you are aware, the Department of Defense (DOD) is tasked by Congress to provide counterdrug training to local law enforcement, through the National Guard Bureau (NGB). There are five counterdrug schools located strategically across the United States. For over 25 years, these schools have very effectively delivered an extremely high level of training to local law enforcement, many times at no cost to the agencies.

Each school has its own Board of Advisors comprised of drug enforcement experts from federal, state, and local agencies. The individual Boards have determined the curriculum for each school since each school was created, and this has been a major part of the schools' success. By having experts in the field – who know the current issues of each region – determine the courses instructed, our officers receive the most beneficial training. The schools have also used civilian drug enforcement experts to instruct the classes. This concept has given the schools an excellent reputation among law enforcement officers, and the benefit to our nation is more drug dealers being brought to justice while keeping our officers safe.

Typically, many of the battles that we fight are budget driven. That is not the case here. In 2017, an amendment to the National Defense Authorization Act (NDAA) caused a change in the law, giving review of the schools' curriculum to the Department of Defense – not to the Boards of Advisors for each school.

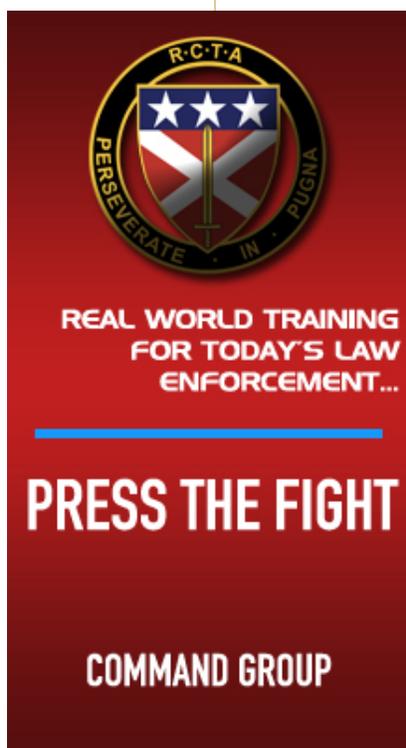


This has not been an issue until now. A draft proposed policy from the Deputy Assistant Secretary of Defense was obtained by the schools in April; this proposed policy, scheduled to go into effect October 1, forces the schools to use National Guard instructors for 80% of their courses. While we have great respect for our National Guard, they simply are not drug enforcement experts in general. If non-expert instructors attempt to teach our officers, the result will be non-attendance by the officers.

A solution to this problem was passed by the U.S. House of Representatives. The Senate version of the NDAA did not include this fix. The bill now goes to conference, where it is vitally important that we get the House version passed.

Please contact your members of Congress and ask them to support us in this endeavor. We must move quickly on this, as the conference committee is meeting as I pen this article.

The South-Central Region I represent is serviced primarily by the Regional Counterdrug Training Academy (RCTA) in Meridian, MS. They have been tremendous partners of local law enforcement since 1992, having provided outstanding training to over 130,000 local officers. Simply put, if these schools go away, many agencies will not have the funding for training of their officers, resulting in their just not being trained. This will not only have an adverse effect on the efficiency of the criminal justice system, but – more importantly – will put officer safety in jeopardy. ☆



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*President Bushman presented the President's Award and recognized Kevin for his continued fight and efforts nationally to present the facts on Marijuana and the health and economical effects marijuana legalization causes.*



*Heather Mac Donald, J.D., Author – Is a frequent guest on Fox News, CNN, and other TV and radio programs, Mac Donald holds a B.A. in English from Yale University, graduating with a Mellon Fellowship to Cambridge University, where she earned an M.A. in English and studied in Italy through a Clare College study grant. She holds a J.D. from Stanford University Law School. Author of the “The War on Cops” (2016) spoke before the delegates.*



*Congressman John Rutherford - Florida – 4th District and Co-Chairman, House Law Enforcement Caucus briefed delegates a Policy Update from the Hill.*

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*Craig Floyd – Founding CEO, National Law Enforcement Memorial Fund was honored with the President's Award by the NNOAC by President Bob Bushman and thanked for his envision and dedication to the NLEMF and the memories of the many men and women who lost their lives during the performance of their jobs.*

*President Bob Bushman presented a check to the National Law Enforcement Memorial Fund for \$2,500.*



*The delegate meeting was filled with outstanding briefings and updates from Jon Adler – Director, Bureau of Justice Assistance, Department of Justice on the Priorities and Law Enforcement Assistance Resources;*



*David Bowdich – Deputy Director, Federal Bureau of Investigation on FBI Priorities and Partnerships with Law Enforcement;*



*Jim Carroll – Director, Office of National Drug Control Policy on ONDCP :Policy Updates;*



*Uttam Dhillon, Acting Administrator along with DEA Staff Members of Drug Enforcement Administration on Emerging Trends and Drug Trafficking Issues;*

*Alice Mead of Greenwich Biosciences informed the delegates on Greenwich Biosciences taking a component of cannabis down the FDA pathway and their development of pharmaceutical CBD oil. The NNOAC published an article “Epidiolex” The story of the first cannabis-derived prescription medication ever approved by the FDA” in “The Coalition” magazine 2019 Spring print edition.*



continued from previous page



*Josh Shaffer – Sergeant, Knoxville Police Department on their innovative drug-related death investigations. (Article published in the 2019 Spring edition of “The Coalition”);*



*Jeff Stamm – Director, Midwest HIDTA on the Broader Perspective on the Importance of Drug Enforcement;*



*Ben Bawden gave an update regarding legislation that affects budget appropriations and effective narcotic enforcement.*

*Patty Dobbs Hodges – Institute for Intergovernmental Research on Center for Task Force Training (CenTF) Program Overview;*



*Matthew Whitaker – Acting Attorney General of the United States on Department of Justice Priorities and Drug Trafficking Issues,*



*Tom Branden of acting director of Alcohol, Tobacco and Firearms and one of our sponsors of the NNOAC meeting made a presentation of ATF cooperative investigations with local and state law enforcement officers and the many successes. We thank Tom for his partnership with the NNOAC.*

*Kathleen Grilli – General Counsel, United States Sentencing Commission for an Update from the United States Sentencing Commission.*



# FIRST STEP'S FIRST DECEPTION EXPOSED

POSTED ON JULY 27, 2019 BY PAUL MIRENGOFF



When the FIRST STEP act was making its way through Congress, its advocates claimed that only “non-violent” federal prisoners would be released from prison early. By non-violent felons they meant, in essence, drug dealers, as opposed to, say, murderers, rapists, and armed robbers.

I don’t consider dealers of deadly drugs to be non-violent. Their conduct wrecks lives and sometimes ends them.

But let’s accept, for purposes of discussion, the definition of “non-violent” advanced by FIRST STEP’s advocates. Contrary to what they promised, their law is letting violent offenders out of prison early.

Tucker Carlson blew the whistle this week, aided by information provided to him from inside the White House, apparently. He reported that, of the 2,000 or so federal prisoners who have been released early thanks to FIRST STEP, roughly half had committed violent felonies under any fair reckoning.

This includes around 500 inmates who were incarcerated on weapons or explosive charges; around 300 who committed rape or sexual assault; around 100 guilty of armed robbery; and several dozen guilty of aggravated assault or murder.

FIRST STEP’s backers knew this would happen. It follows from the language of the bill. Under that language, the amount of credit for “good behavior” to all federal felons (not just non-violent ones) was increased retroactively. This always meant that felons — both violent and “non-violent”

— would get out of jail earlier because they suddenly would have accrued additional credit for good time served.

And it meant they wouldn’t have to do anything by way of “rehabilitation” that they hadn’t already done. They would not have to enroll in any of the programs that the jail break crowd fantasizes will transform them into law abiding citizens.

Sen. Tom Cotton and a few others warned of this consequences. They were ignored. No legislative fix was made to prevent the early release of violent felons, and FIRST STEP’s supporters continued to assert their false claim.

The White House fully backed FIRST STEP as written. Indeed, without Jared Kushner’s support, and ultimately President Trump’s, the law never would have passed.

In a followup segment to his initial report, Carlson had a White House representative on his show to try, somehow, to reconcile the early release of hundreds of violent felons with the promise that this wouldn’t happen. The White House guy argued that the provision that allows the early release of violent felons wasn’t new law, it was a clarification of existing law.

Rarely has Carlson’s patented quizzical look been more deserved.

Call it “clarification” if you want. There is no dispute that these violent felons wouldn’t have been released when they were had the FIRST STEP Act not been passed by Congress and signed by Trump.

Carlson’s point stands. Those among FIRST STEP’s backers who promised that only non-violent felons would be released early weren’t telling us the truth.

This is not the only deception associated with the passage of FIRST STEP. Nor is it the feature of the Act that’s most potentially detrimental to the public. It is, however, emblematic of the supporters’ lack of regard for the truth, and for public safety. ✓

<https://www.powerlineblog.com/archives/2019/07/first-steps-first-deception-exposed.php>



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## LAW &amp; THE COURTS

# There Is No Epidemic of Racist Police Shootings

By HEATHER MAC DONALD

*reprinted with permission*

July 31, 2019 1:54 PM



(Greg Derr/The Patriot Ledger via Reuters)

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A new study debunks a common myth.

The Democratic presidential candidates have revived the anti-police rhetoric of the Obama years. Joe Biden's **criminal-justice plan** promises that after his policing reforms, black mothers and fathers will no longer have to fear

when their children “walk the streets of America” — the threat allegedly coming from cops, not gangbangers. President Barack Obama likewise claimed during the memorial for five Dallas police officers killed by a Black Lives Matter–inspired assassin in July 2016 that black parents were right to fear that their child could be killed by a police officer whenever he “walks out the door.” South Bend mayor Pete Buttigieg has said that police shootings of black men won't be solved “until we move policing out from the shadow of systemic racism.” Beto O'Rourke claims that the police shoot blacks “solely based on the color of their skin.”

A new study published in the Proceedings of the National Academy of Sciences demolishes the Democratic narrative regarding race and police shootings, which holds that white officers are engaged in an epidemic of racially biased shootings of black men. It turns out that white officers are no more likely than black or Hispanic officers to shoot black civilians. It is a racial group's rate of violent crime that determines police shootings, not the race of the officer. The more frequently officers encounter violent suspects from any given racial group, the greater the chance that members of that racial group will be shot by a police officer. In fact, if there is a bias in police shootings after crime rates are taken into account, it is against white civilians, the study found.

The authors, faculty at Michigan State University and the University of Maryland at College Park, created a database of 917 officer-involved fatal shootings in 2015 from more than 650 police departments. Fifty-five percent of the victims were white, 27 percent were black, and 19 percent were Hispanic. Between 90 and 95 percent of the civilians shot by officers in 2015 were attacking police or other citizens; 90 percent were armed with a weapon. So-called threat-misperception shootings, in which an officer shoots an unarmed civilian after mistaking a cellphone, say, for a gun, were rare.

Earlier studies have also disproven the idea that white officers are biased in shooting black citizens. The Black Lives Matter narrative has been impervious to the truth, however. Police departments are under enormous political pressure to hire based on race, despite existing efforts to recruit minorities, on the theory that doing so will decrease police shootings of minorities. Buttigieg came under fire from his presidential rivals for not having more black officers on the South Bend force after a white officer killed a black suspect this June. (The officer had responded to a 911 call about a possible car-theft suspect, saw a man leaning into a car, and shot off two rounds after the man threatened him with a knife.) The Obama administration recommended in 2016 that police departments lower their entry standards in order to be able to qualify more minorities for recruitment. Departments had already been deemphasizing written exams or eliminating requirements that recruits have a clean criminal record, but the trend intensified thereafter. The Baltimore Police Department changed its qualifying exam to such an extent that the director of legal instruction in the Baltimore Police Academy complained in 2018 that rookie officers were being let out onto the street with little understanding of the law. Mr. Biden’s criminal-justice plan would require police hiring to “mirror the racial diversity” of the local community as a precondition of federal funding.

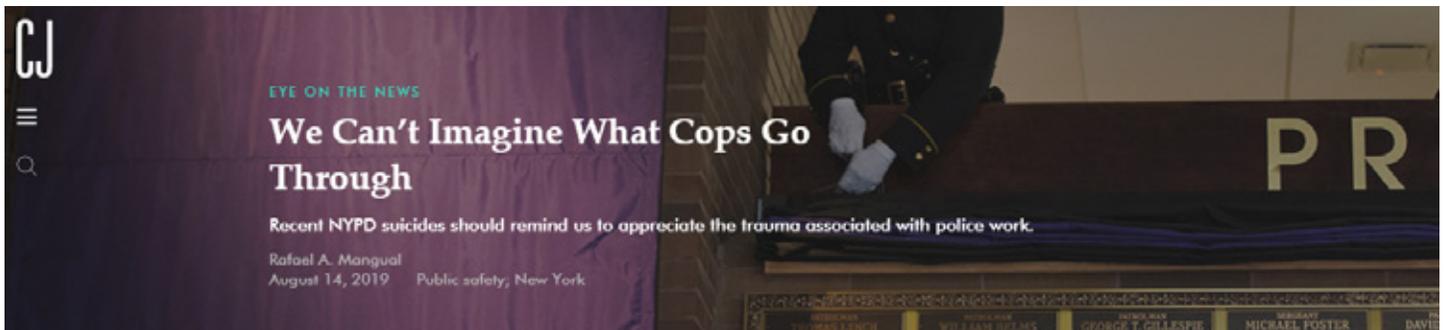
This effort to increase minority representation will not reduce racial disparities in shootings, concludes the PNAS study, since white officers are not responsible for those disparities; black crime rates are. Moreover, lowered hiring standards risk bad police work and corruption. A 2015 Justice Department study of the Philadelphia Police Department found that black officers were 67 percent more likely than white officers to mistakenly shoot an unarmed black suspect; Hispanic officers were 145 percent more likely than white officers to mistakenly shoot an unarmed black suspect. Whether lowered hiring standards are responsible for those disparities was not addressed.

The persistent belief that we are living through an epidemic of racially biased police shootings is a creation of selective reporting. In 2015, the year the PNAS study

addressed, the white victims of fatal police shootings included a 50-year-old suspect in a domestic assault in Tuscaloosa, Ala., who ran at the officer with a spoon; a 28-year-old driver in Des Moines, Iowa, who exited his car and walked quickly toward an officer after a car chase; and a 21-year-old suspect in a grocery-store robbery in Akron, Ohio, who had escaped on a bike and who did not remove his hand from his waistband when ordered to do so. Had any of these victims been black, the media and activists would probably have jumped on their stories and added their names to the roster of victims of police racism. Instead, because they are white, they are unknown.

The anti-cop narrative deflects attention away from solving the real criminal-justice problem, which is high rates of black-on-black victimization. Blacks die of homicide at eight times the rate of non-Hispanic whites, overwhelmingly killed not by cops, not by whites, but by other blacks. The Democratic candidates should get their facts straight and address that issue. Until they do, their talk of racial justice will ring hollow. ☆

**HEATHER MAC DONALD** is the Thomas W. Smith fellow at the Manhattan Institute and the author of *THE DIVERSITY DELUSION*. recruit minorities, on the theory that doing so will decrease police shootings of minorities. Buttigieg came under fire from his presidential rivals for not having more black officers on the South Bend force after a white officer killed a black suspect this June. (The officer had responded to a 911 call about a possible car-theft suspect, saw a man leaning into a car, and shot off two rounds after the man threatened him with a knife.) The Obama administration recommended in 2016 that police departments lower their entry standards in order to be able to qualify more minorities for recruitment. Departments had already been deemphasizing written exams or eliminating requirements that recruits have a clean criminal record, but the trend intensified thereafter. The Baltimore Police Department changed its qualifying exam to such an extent that the director of legal instruction in the Baltimore Police Academy complained in 2018 that rookie officers were being let out onto the street with little understanding of the law. Mr. Biden’s criminal-justice plan would require police hiring to “mirror the racial diversity” of the local community as a precondition of federal funding.



*Since June of this year, six members of the NYPD have committed suicide, bringing the 2019 total to eight. This represents a sharp rise within the department, which has averaged between four and five suicides annually. The increase has many wondering how to curb a disturbing trend. I don't pretend to have the answers, but I hope that these deaths will prompt reflection on the often-grim reality of being a cop. We should ask ourselves whether the critical posture that so many have taken (in New York, in particular) toward police in recent years reflects an appreciation of that reality.*

When asked what they imagine would be the hardest part of being a cop, many people say that they think first of the risk of encountering dangerous situations—chasing a suspect into a dark alley, being shot at, or kicking down a door, not knowing who (or what) is on the other side. But police officers experience a variety of intense, traumatic incidents that can weigh just as heavily on their emotions and psyches; for instance, imagine the horror of attending to the scene of a car accident in which young children were killed. In 2013, researchers published a study in the *International Journal of Stress Management*, examining the relationship between “critical incidents” and the mental health of police officers. It found that such episodes are associated both with alcohol use and PTSD symptoms. “Critical incidents” include a range of experiences that police officers—among other first responders—might encounter, including “badly beaten child,” “decaying corpse,” “making a death notification,” and personal harm or injury.

According to a study published by The Ruderman Family Foundation, “one survey of 193 police officers from small and midsize police departments” found that the “average number of events witnessed by officers was 188” throughout their careers. Another study found that approximately 80 percent of police-officer participants “reported seeing dead bodies and severely assaulted victims in the past year,” while 63 percent had seen abused children. More than 64 percent reported seeing victims of a serious traffic accident. Almost 40 percent had seen someone die in front of them in the previous year.

Do the public and media appreciate the reality of police work? Police don't seem to think so: according to a 2016 Pew survey of American cops, only 13 percent believe “that the public understands the risks and challenges that law enforcement officers face on the job.” More than 75 percent of officers believe that the media treats police unfairly. Instances of police misconduct exist, of course, and they justifiably lead to public scrutiny and condemnation; but we should resist the tendency to allow those events to shape how we view police more broadly.

We've seen how people treat police with disdain. Sometimes it's epithets hurled from a crowd; sometimes it's buckets of water poured over the head of an officer walking away, dejected. Or it can come in the form of an antipolice diatribe launched by a talking head on national television.

Many in the criminal-justice reform movement call for cops and prosecutors to do more to take account of the trauma experienced by criminal suspects. Perhaps it's time for New Yorkers—who reap the benefits of a once-unfathomable crime decline—to do the same for our cops.

*Rafael A. Mangual is a contributing editor of City Journal and a fellow and deputy director of legal policy at the Manhattan Institute.*

<https://www.city-journal.org/nypd-police-suicides> \* Photo by Drew Angerer/Getty Images

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# The Paladin



As police officers we are tasked with many difficult jobs. To quote John Wayne as “Cahill, U.S. Marshall” about those ugly jobs, “Goes with the badge.” Any of you that have listened to or read Col. Dave Grossman have heard him refer to those in law enforcement as Sheepdogs or Paladins.

These days we’ve all read about the sheepdog mentality, but what is a Paladin?

I became curious about that question and decided to find out what the term Paladin really meant.

In medieval times, Paladins were the foremost warriors in the land. They were mounted armored knights and represented the authority of the king or sovereign they served.

Most officers aren’t aware that many of our traditions in law enforcement may have originated with those medieval knights.

A knight’s shield, for example, bore the knight’s coat of arms which represented the knight and his allegiance to justice, chivalry, and his leaders. The shield was carried most often on the left arm protecting the heart and allowing a weapon to be held in the right hand in order to do battle. Sound familiar?

The ideas or the code a knight aspired to follow were based on the characteristics of nobility, valor, honor, courtesy, and loyalty. These values were expected to be exhibited through self-discipline, respect for authority, protecting the weak and innocent, and a respect for life. A paladin was to exhibit courage in word and deed, and to never abandon a friend, ally or noble cause. They were sworn to protect those who were defenseless and to fight for the general welfare of all. It was expected they have not only strength and skill in combat but compassion and respect for others. To conduct themselves in any other manner was beyond the pale and dishonorable.

In short, they were figures who stood apart. They were individuals who commanded respect by their very presence and instilled fear in those whose actions merited their attention.

The shields pinned on police uniforms today aren’t large enough to offer much in the way of protection, but they still identify the officers and represent the authority and the jurisdiction each officer serves. Those characteristics valued in medieval times are still respected today by those in law enforcement and expected by the communities we serve.

Those of you that are still in the early stages of your law enforcement career should remember, to the public you are an armored knight on a powerful charger (or perhaps a Tahoe). Your uniform sets you apart from others, and your simple presence should command respect. Conduct yourself in a manner that upholds your honor and the honor of the profession you’ve chosen, not only from those that share your cause, but also from those you serve.

For those of us that have been in the job for a while, our armor is not as pristine as it was in our youth. There are dents and scuffs in the metal, and there are nicks in our shields, and some of us bear old scars in the flesh. These are not cause for concern, but are badges of courage and evidence of the battles that have been hard fought for the cause of service and justice. These command the respect of our peers and can be a source of pride from memories of triumphs in the past.

By the current portrayal that has been generated through political fallout and the main stream media, our profession has been brought under more scrutiny and ridicule than most

of us have ever seen. Not to mention that we are our own worst enemies. The actions of some officers who have lost faith and gone beyond the pale to abuse the trust given by the public reflects poorly on us all. These events are paraded in public as if they represent us all, and we are left to defend ourselves against the myths generated by the media and by some currently in positions of political authority.

Throughout these trying times we all must remember that the authority we represent brings with it a responsibility far greater to those we serve. We all have a duty to those communities that have given us this honor and trusted us with the responsibility and authority that “Goes with the badge.” It is our responsibility to uphold the honor and dignity of our profession, if we are to persevere through these times of suspicion and doubt to win back the trust and respect of our communities. We would do well to remember the words of Alexander the Great, “Upon the conduct of each depends the fate of all.”

In other words; if you want to be treated with the respect the authority you represent deserves, then conduct yourself in a manner that commands respect from others, while treating others with dignity and respect. Even those you’re taking into custody (when their conduct allows it.) Don’t let their actions and words goad you into losing your patience and becoming the next “YouTube” view of the week. We must all work and live with the idea that in order to be seen as an individual in an honorable profession, we must each strive to uphold the ideals we all represent. We must be Paladins! ☆



*“Upon the conduct  
of each  
depends the fate  
of all.”*

# Wayne Stinnett

**Chief Investigator**

*12<sup>th</sup> District Attorney’s Office*

*Rogers, Mayes, and Craig Counties*

Wayne began his law enforcement career in 1989 with the Claremore Police Department where he served for over 25 years.

During his career Wayne was assigned to the Investigations Division for 23 years. During that time Wayne was the Sergeant for the Investigations Division for 20 years.

While serving with the Claremore Police Department Wayne was also assigned to the 12<sup>th</sup> District Attorney’s Drug Task Force, The Tulsa Metro Area Gangs Task Force, and served as a Special Deputy U.S. Marshal for the Violent Crimes Task Force for the Northern District of Oklahoma.

Wayne retired from the Claremore Police Department on December 31, 2014 and took the Chief Investigator’s position with the 12<sup>th</sup> District Attorney’s Office, serving Rogers, Mayes, and Craig Counties on January 5, 2015 where he remains today.

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# THE CHANGING DRUG FREE WORKPLACE: IT'S COMPLICATED

*By Karen Belanger, Program Director of the National Drug Free Workplace Alliance, a division of Drug Free America Foundation, Inc.*

To be an employer these days is not for the faint of heart, especially for small businesses with fewer resources than large corporations. The presence of drug abuse in the work environment could spell disaster for employers who have a duty to protect their employees, contractors, vendors, and the general public from harm. While the use of all drugs can affect the workplace, the legalization of marijuana and how it impacts workers, safety, and productivity is of great concern to employers.

Business owners are often faced with difficult but necessary decisions required to be compliant with national, state, and local laws, as well as industry regulations and standards, and yet remain profitable. Indeed, with the majority of states having approved the use of some form of marijuana, and many of those states tweaking their laws annually, it is hard to understand and keep track of all that is happening.

In fact, so much has changed so quickly that many employers are caught off guard when confronted with a situation where their drug free workplace policy is called into question. The fact that marijuana remains illegal at the federal level adds an additional level of caution for employers, especially those that may be working under federal contracts, or employ safety sensitive drivers or operators of U.S. Department of Transportation regulated vehicles.

Some of the most recent substance abuse concerns that employers face are related to the consumption of high potency marijuana known as butane hash oil (BHO), wax, shatter, or dabs, just to name a few. Typical dried marijuana, that had a potency of 4% THC in the 1990s, now has a potency level of between 10% and 30% depending on how it was cultivated. BHO and related substances are made by soaking the marijuana buds in butane and then burning off the gas. What remains is the resinous and highly potent concentrate with THC levels between 40% to 80% or higher.

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No smoking Vaping sign



The resulting substance is either smoked, added to food products, or consumed through a vaporizer. Since the level of THC is greatly increased, the psychological and physical effects of the drug can be much more intense and may include anxiety, paranoia, panic attacks, and hallucinations. At the least, these symptoms would be of great concern to an employer for the safety and productivity of his/her workforce including the drug user.

The wide availability of marijuana-infused products (or edibles) such as candies, snack foods, cookies, and beverages, are of a huge concern in the workplace because they can be consumed on the job with no one knowing as they lack the aroma associated with smoking a joint.

Vaporizing marijuana using a handheld device (akin to an e-cigarette) is a concealed alternative to smoked marijuana. Just like those who smoke tobacco and subsequently use e-cigarettes to make their smoking habit more discreet and socially acceptable, marijuana smokers do it for the same reasons. Vaping marijuana nearly eliminates the smoke, the smell, the lingering odor in the air and on one's person. Many employers do not realize the difficulty in identifying a person vaping marijuana as opposed to a nicotine product.

Cannabidiol (CBD) is the second most prevalent active component found in the marijuana plant and unlike THC, CBD is not psychoactive. CBD is trending globally as a supplement and is marketed as having benefits for physical and mental health conditions and well as being used as a beauty supplement. CBD is currently unregulated and therefore it is unclear what consumers are actually getting in the products they are purchasing. Without regulation, CBD produced outside of a pharmaceutical lab may contain small amounts of THC. While this could compromise the health of the consumer, there could also be an unknown

*continued on next page*

Workplace, cont.



ID 112959091 © Ilkin Guliyev | Dreamstime.com  
Man vaping in shadows

ID 139960586 © Shannon Price | Dreamstime.com  
CBD oil with MJ leaf

effect to the workplace. Employees may be unaware of the unregulated status of CBD and may be unknowingly consuming what may be an impairing amount of THC. Because of this lack of regulation, those same employees could produce a positive drug test result for THC. There are many unanswered questions about the science, safety, effectiveness and quality of unapproved products containing CBD.

Employers should become aware of substance abuse trends in their communities and states that affect the workplace and identify resources to help prevent and mitigate the potential impact. The first step would be to review the company's drug free workplace policy to determine if it still represents the needs of the business. Consulting with an attorney who is competent in employment law to review existing drug free workplace policies and procedures may be a good investment. As you review your drug free workplace policy, consider

whether you should also review and update your tobacco- or smoke-free workplace policy to ban e-cigarettes and vaporizers.

Educate all employees on the harms of substance abuse and the negative effects to the workplace. Train supervisors and managers to understand the company policy, and how to enforce it. They should especially be trained on how to identify the signs of impairment and how to respond to ensure the safety of the workforce. ☆

*The National Drug-Free Workplace Alliance (NDWA) and Drug Free America Foundation, Inc. can assist organizations and employers with drug free workplace policy and program development and online training courses for supervisors and employees. Please visit our NDWA website at [www.ndwa.org](http://www.ndwa.org), or contact Program Director, Karen Belanger, at [kbelanger@dfaf.org](mailto:kbelanger@dfaf.org) for more information on drug free workplace programs or on becoming a member of NDWA.*

*We thank the Swedish Narcotics Officers Association for the use of their articles in this issue.*

Article by Alf Ahlstedt  
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Translation by Jonas Hartelius,  
 Member of the Swedish Narcotics Officers Association

Photo Lennart Karlsson  
 Chair of the Swedish Narcotic Officers' Association (SNPF)



## Alcohol and drug testing in work life- -the Swedish Model

*From the journal of the Swedish Narcotics Officers' Association (SNPF), 2019, no. 3, pp. 34 – 35  
 Reprint with permission from SNPF*

The number of alcohol and drug tests carried out in Swedish work places is increasing every year. Use of alcohol and drugs are a major risk factor when ensuring a safe work place for several reasons! Not to be intoxicated at work is self-evident for most people.

*The author of this article. Mr. Alf Ahlstedt, has a long experience of drug testing in the workplace. Among other roles by he has been a drug tester with the European Drug Testing Service (EDTS).*

There is strong agreement between employers' confederations and trade unions about the risk which drug intoxicated persons constitute in work places. As well when travelling to and from work places. It is also becoming more common that companies ordering a work contracts by subcontracting demand that drug tests be performed as part of the quality control.

The tests can be performed in various ways, with different methods and in different contexts. Nevertheless the purpose is the same: Drugs are to be swept away from the work place! The effort is equally important in all work places.

Before the start of any drug testing system, they are preceded by the development of a drug policy, where the employers' confederations and trade unions agree upon regulations about how, when and where tests are to be used, how the test results are to be used, and in particular what to do with any positive results. When test results are positive, the employee having such results is to be given suitable forms of support and rehabilitation. Being intoxicated does not in itself constitute a reason for job termination, but it is regarded as a temporary bout of illness.

### Why?

In work places there are complex processes going on, where there are demands for quick minds. Being intoxicated entails increased risks for work place accidents – both for the employee and for the environment. The quality of the production is jeopardized. The trade mark of the can be negatively affected. For the health and social contexts of the individual, substance abuse are a major risk factor. For colleagues who have left substance abuse behind or are undergoing rehabilitation it may be disastrous to have intoxicated people around themselves.

### How?

Tests can be performed as tests upon entering the premises, randomly, in connection which incidents, during rehabilitations programs, upon being hired for the first time or bases upon suspicion. All tests are carried out discreetly, in consideration of the privacy of the person being tested. The test samples are being taken by experienced and trained staff. As the samples are being taken in the work place, staff performing the tests have knowledge about the various work places and the local safety regulations. All staff carrying out testing are guided by medical secrecy regulations.

Upon testing when hiring a person for the first time, it is important to make clear the position taken by the company relative to drugs and intoxicants in the work aces.

Test for alcohol in association with entering the premises is often taken at the entrance of the work place. Everyone, or a small number selected by randomization, will have to deliver a test by breathalyzer. If anyone gives a result above the set threshold, a record is written with an id check. The manager in charge is called to the spot. A new test is taken. If also this test result is above the set limit, the result is written into the record. The record is being signed by the person taking the test, the person delivering the sample and the responsible

*Article continued from previous page*

manager, who each get a copy. After that, the responsible manager initiates whatever measures that are specified in the policy. If the second sample, the B-test, would show a blood alcohol per mille level which is under the threshold set by the policy, all documentation is shredded. The person under testing is regarded as not-affected by alcohol, and no information is divulged to anyone.

Random drug tests are based on a random selection from a number of people on a relevant work schedule. These are being called to a drug test. Normally they are to report within 20 minutes to the person administering the test and bring along an approved id card. The actual taking of the test sample is done in a separate room, where it is being checked that the right person has come. A referral document is being printed. It has the identity, contact routes, employer etc. noted. Information about medicinal drugs and doses taken in the recent period is entered. After that the particular test is being taken, it is usually a urine or a saliva sample. After completion of the test procedure the test tubes are sealed, the A and B samples. The person from which the samples have been taken is permitted to check that the information in the referral document is correct, signs the document, and gets a personal copy. The referral document and the test samples are sent to the lab. It is important that the lab gets an anonymized copy. They only use a referral number. The person taking the sample has an identifiable copy of the referral, which makes it possible to connect a positive drug response to the right individual.

If the person called to a test does not appear in person, does not co-operate during the test procedure, or refuses to sign the referral document etc., then that is regarded as refusal of work. The manager in charge is then being informed, and assumes responsibility.

Testing based on suspicion, testing as part of a rehabilitation program and testing after an incident are all being carried out in the same way, but the person administering the test is always very clear about why the tests are being performed. The purpose is also made clear upon the referral slips, including a list of the substances to be checked for. Incidence tests are to be taken from the relevant work force in close connection with the accident or incident. Normally this is done within two hours after the event.

**After the testing**

The test positive test results are handed over to the Medical Review Officer (MRO), who is the doctor in charge. The MRO will follow through to ensure that the tests are in accordance with company policy and the

referral form has been correctly filled out. The MRO is a quality control function, which is to be a guarantee that rules of law is followed at all stages. If there is any fault, both samples and forms are destroyed. The correct A-sample is being assessed by the MRO, taking into consideration what the person has stated about their intake of medicinal drugs. Any intake of medicinal drugs without proper prescription or overdosing are both considered to be substance abuse. The person being tested is then being contacted by the MRO for a talk about the test result. After that, the MRO decides whether or not the person has been intoxicated. If the person giving the sample hesitates, they have the right to have the B-sample tested. The result of the B-test then becomes the definite answer. Only after that, the employer receives a report that the person X had a positive response to substance Y. Then, an investigation is to be started about an individually adopted rehabilitation program. This is done in co-operation between the company medical services, with the manager of the line or section, and the person having provided the specimens. Rehabilitation can include frequent drug testing, various forms of conversational support etc. Not following one's rehabilitation program can be regarded as a refusal of work.

**Extent of testing**

In Swedish workplaces, close to 100 000 random drug tests are performed every year. In addition to that, a considerably higher number of alcohol tests are taken. The number of positive results is slightly higher than two percent. Positive results equally common for alcohol, controlled substances as for scheduled medicinal drugs. Findings are being reported from all types of operations where this kind of testing is used. Each finding may, indeed, not be associated with heavy substance abuse, it can also be a single occasion. Nevertheless, for the safety of the workplace, an intoxicated person is always a risk factor, both a work and during travels to and from the work place. An employee being intoxicated while in contact with customers, may put the image of the company and its trade mark at risk. Solving the problems of everyday life in chemical ways is not a good solution. ☆

***Staff members should remain  
– drugs must be swept away!***





# International Narcotic Enforcement

*By William Butka, Editor*

The National Narcotic Officers' Associations' Coalition (NNOAC) is celebrating 25 years in 2019.

Since the beginning of the most recent drug epidemic in the 1960's, law enforcement officers in many states formed statewide narcotic officer associations. The associations were and are involved in providing drug enforcement training for law enforcement officers and drug resistance education to the public. Most associations worked closely with their state legislatures and criminal justice policy organizations to develop strong drug laws and policies. The associations have been responsible for enhancing the professionalism of narcotic enforcement, and their members contributed to the historic declines in crime since the early 1990s.

Although many of the narcotic officers' associations were successfully representing the needs of law enforcement officers within their own states, they realized that they were not especially effective in working with the Congress or Federal criminal justice policy agencies. It became apparent to the leadership of these state associations that they needed to come together as a combined group to effectively represent narcotic officers at our nation's capital.

In 1994, funding for the Edward Byrne Memorial Program was removed from the Administration's budget request. This funding was crucial for the continuation of many local and state drug enforcement programs. The proposed budget cut was the catalyst for the foundation of the National Narcotic Officers' Associations' Coalition. The NNOAC was created in July of 1994 in Chicago, Illinois, when the leadership of many of the nation's state narcotic officers' associations came together as part of an effort to re-establish the Edward R. Byrne Memorial Fund. As a direct result of the NNOAC's efforts and the efforts of many other concerned groups, funding was restored to this vital program.

As a result, the NNOAC became a national strong voice and many organizations took notice. The Swedish Narcotic Officer Association (SNPF) began attending our yearly delegate meetings in Washington D.C. The law enforcement members of the SNPF made presentations

regarding their drug enforcement efforts, enforcement problems, and illicit drugs in Sweden.

At the gracious invitation of our good friends, Lennart Karlsson and Anders Stolpe of the Swedish Narcotics Officers Association, Peter F. Boyce, NNOAC attorney and board member, had the opportunity to attend the International World Forum Against Drugs in Gothenburg, Sweden, on behalf of the NNOAC and the NNOAC Foundation. He pledged that the NNOAC would continue to work with the World Federation Against Drugs and the Swedish Networks of NGO'S, to do all that we can to be certain the facts about the international drug crisis are given to all who will listen, and to fight to combat illegal drug sales and distribution of illegal drugs – not only in the U.S., but throughout the world.

Several years ago, I approached the SNPF to create a partnership to publish selected articles in our magazine; I believed that their articles would provide readers of "The Coalition" magazine with a perspective as to the problems that Sweden faces. It did pose some challenges, as their articles are written in Swedish. Once articles were selected for publication, the SNPF provided translation into English, and then we re-edited the articles. I noticed that the Swedish articles referenced the same studies and the same problems that the United States faced. Interestingly, I was told by law enforcement officers that the Swedes have the same problem with the media that we have: News that was very positive regarding legalization, and a slanted spin on what drugs and legalization were really causing to the public health. I thank Klas Lundblad, publisher of the SNPF magazine, and especially Jonas Hartelius, a member of the SNPF, for his kindness and his efforts in translating the articles.

This issue of the digital "The Coalition" magazine includes several articles from Sweden. One article – titled "Commentary: Vanda Felbab-Brown on Organized Crime, Illicit Drugs and Terrorism – What are the linkages?" -- was very interesting, and it was 10 pages long. I will attempt to highlight points contained in the article and will provide a link to the full content on our web site.

## LINK TO ARTICLE

### Author's Bio

*Dr. Vanda Felbab-Brown received her Ph.D. in Political Science from Massachusetts Institute of Technology and her B.A. in Government from Harvard University, USA. Dr. Felbab-Brown is a Senior Fellow in the Center for 21st Century Security and Intelligence in the Foreign Policy program at Brookings Institution, a non-profit public*

*policy organization based in Washington, DC, as well as Director of the project 'Improving Global Drug Policy: Comparative Perspectives Beyond UNGASS 2016'. She is an expert on international and internal conflicts and non-traditional security threats, including insurgency, organized crime, urban violence, and illicit economies; she is also an author of several books, policy reports, academic articles, and opinion pieces.*

“During ECAD’s 25th Mayors Forum and the 6th World Forum Against Drugs in Gothenburg, more than 60 speakers discussed topics related to the production, trafficking, and consumption of illicit drugs before an audience of some 400 attendees. One of our prominent speakers, Dr. Vanda Felbab-Brown, Senior Fellow at the Brookings Institution, presented her findings from international research on conflict areas, insurgencies, terrorism, and organized crime to give an overview of the relationship between Organized Crime, Illicit Drugs and Terrorism.

**Abstract**

Illicit drug production in weak states has enriched guerrillas, militias, organized crime groups, terrorist groups, and corrupt governments alike. Violence, corruption, and insecurity threaten the integrity and legitimacy of governments and their institutions.

Yet, it is not so easy as to equate tough drug control with increased levels of violence. The illicit drug trade is more violent in some parts of the world than others. What are the linkages between organized crime, drug trade, and terrorism? What blame can be attributed to the so-called war on drugs, and how should the vicious cycle of state fragility, conflict, and weak rule of law be turned into a virtuous cycle of increased security and development?

What follows is a summary compiled by the ECAD Secretary General, who moderated the event. Any mistakes in the text or discrepancies to what Vanda said shall be attributed to him. Vanda’s speech can be viewed on YouTube at: <https://www.youtube.com/watch?v=uE7E1KjnYc>.”

**VANDA'S SPEECH**

“The focus on organized crime and illicit economies – and particularly the nexus between drugs and terrorism – is not new. Many of these issues are decades old, but our focus and attention to them increased after 9/11 as it became obvious that belligerent groups, such as the Taliban in Afghanistan or the Islamic State in Iraq and Syria, derived multiple benefits from participating in illegal economies, particularly the drug trade.

The drug trade tends to be one of the most lucrative trades in the illicit economies, but it is far from the only trade. Over the past decade and a half, there has been recognition that, in addition to fuelling conflict and enabling the expansion of conflict and the entrenchment of belligerent groups, illicit economies have profound effects on post-conflict stabilization and reconstruction efforts in countries that have emerged out of civil war. Places such as Haiti or Guatemala are examples.”

**Judicial system and the rule of law**

“If you want to successfully commit crime, make sure many people commit the crime along with you.”

As drug trade and other forms of crime become more pervasive, the investigative capacity of law enforcement diminishes. The greater the prevalence of crime, the more impunity rises, and it becomes easier to get away with criminality. One of the worst examples is Mexico, where it is quite easy to get away with murder. The effective prosecution rate for homicide is only 2%.

The scale of the problem makes it very hard for law enforcement to investigate and it also hollows out the deterrence capacity of rule of law. Traffickers turn to violence and corruption to deter and avoid prosecution. In the worst cases, judges and prosecutors can be murdered. Illustrative cases: Colombia in the 1980’s, Italy in the 1970’s and 1980’s, and Mexico in present times.

Government efforts to suppress the production of illegal drugs can also lead to violations of human rights by anti-narcotic forces and militaries. The extent of human rights violations, including violent deaths of those who grow drug crops, can be very large and drive violence. Myanmar during the early 2000s, or Colombia, Peru, and Bolivia are examples of this.

Conversely, however, while the detrimental effects of intense criminality and large-scale illicit economies (such as large-scale drug production) on political processes are apparent, it is often an inappropriate leap of analysis to assume that the emergence of organized crime or the existence of extensive illicit economies will always challenge the stability of governments and threaten the power of existing ruling elites. The extent to which that happens is very much a function of pre-existing institutional capacity and strength, as well as to the extent to which drug traffickers make alliances with internal outsiders or government elites. Again, the emergence of cocaine smuggling through West Africa tapped into massive pre-existing smuggling networks. On the one hand, it strengthened some governments and political elites, at least on the individual level, by allowing them to gain significant political and financial benefits from sponsoring

the illegal trade. But, on the other hand, it hollowed out the integrity of crucial institutions; case in point: is the military in Mali.

A symbiosis between ruling elites and external drug traffickers may well develop and extend the lifespan of undesirable governments. The most prominent example is the North Korean regime, which is the master of many illicit economies, such as drug trade, counterfeits, and wildlife trafficking. Myanmar in the 1990's and the 2000's is another example; the Junta consolidated its power by participating in a variety of illegal economies."

"Security and violence and the presence of large-scale drug trade and cultivation can have very significant effects on the security of the state. In the context of violent conflict, insurgency and terrorism, the security threats can be so grave that the survival of the state itself is in question. The nexus between drugs and terrorism significantly fuels conflict. But even in areas which do not have pre-existing violent political conflicts – Mexico and Central America, for example – the drug trade can be extremely violent, but only under some circumstances. Extraordinary violence levels (especially homicide levels) that topple the scale of civil wars exist in Mexico. In 2017, there were almost 30,000 homicides committed, most of them related to the drug trade and the cartels. That's more deaths than occurred in Afghanistan that year."

**"Is there solid evidence of Captagon trafficking solely in ISIS-controlled territories or is it in wider areas as well?"**

*It seems as if this takes place in more areas than just the areas controlled by ISIS. This is hardly surprising considering the same is true for Afghanistan. Not just the Taliban are involved in opium economy – state officials are, as well.*

**Question: Should we really abandon the war on drugs? Aren't legal markets increasing demand for illegal products and activities as well?**

**Answer:** Drug control does not simply center on two focal points: war on drugs or legalization. There are a variety of policies in between. What does one try to solve with legalization? In Mexico, it is suggested that legalization will make the cartels go away. This is not true. The cartels have so many sources of income. In countries with weak rule of

law, belligerent groups will simply move to other sources of income. The Taliban would tax legal poppies, as well. As for the case of gambling in Italy, the Mafia and other criminal groups there came to dominate legal gambling just as they had controlled the illegal gambling. Legalization in that case did not weaken the criminal groups.

Several things would need to click in to make legalization crowd out illegal markets. The legal commodity would need to be cheaper than the illegal one. That is not impossible to imagine. If cocaine were legal, it would cost as much as tea. It is simply an agricultural product.

However, with drugs there would be a problem since there would be so many addicted persons. The opioid crisis in the United States, which was driven by over-prescription of legal opioids by the pharmaceutical companies, is an indication of this. Most states that contemplate legalization have taxes in mind to regulate the demand. The problem with that is, the higher the tax to discourage use, the greater the profitability of the illegal market becomes. This is the experience from cigarettes: illegal cigarettes are often more detrimental to health than the legal ones.

Another requirement for legalization to crowd out illegal markets is the capacity of rule of law to act against the criminal groups that would not become nice criminals overnight but would instead try to compete in the legal economy. Would it be desirable if Mexican cartels sought to dominate legal opium poppy production in Mexico? Probably not, because they are so violent and brutal, and they extort local communities and subvert political power. In the absence of significant coercive capacity of the state to act against the criminals – which, up until now they have not been able to counteract – pacification seems unlikely.

In conclusion, for most illegal commodities the options are not a choice of either legalization or war on drugs. One can imagine a very different design of policies that achieves a balance between three things: the threat drug consumption poses, the threat the drug trade poses, and the threat of state policies producing adverse effects for local populations." ☆



As stated in the beginning of the article, a link to the presentation is on YouTube.

<https://www.youtube.com/watch?v=uIE7E1KjnYc>

**LINK  
TO  
PRESENTATION**

# Outlaw Motorcycle Gang Investigators Association (IOMGIA)

By John Woosnam, Police Officer

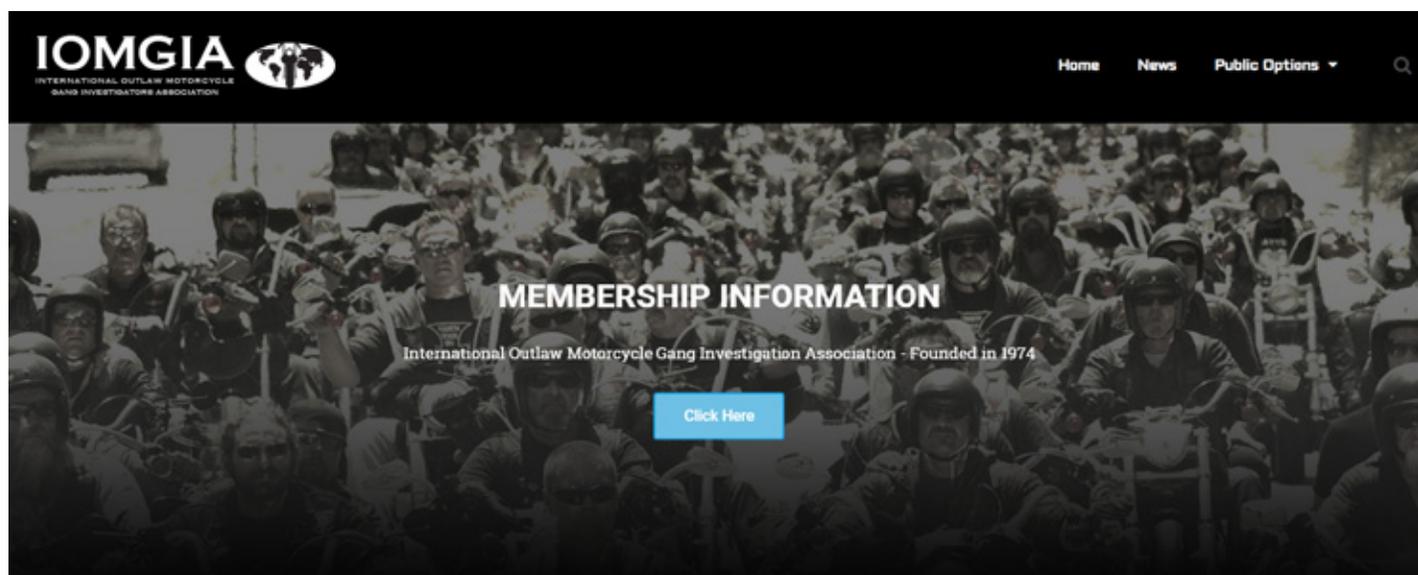
Headlines around the world regularly highlight the criminal exploits of motorcycle gangs. Assaults, shootings, extortion, murders for hire, conspiracies, and narcotics trafficking are just some of the criminal enterprises in which motorcycle gang members participate. Policing the violent, secretive world of motorcycle gangs can be difficult, largely because of the vast criminal network these gangs maintain. Over 40 years ago, officers, detectives, and agents tasked with investigating the criminal activities of outlaw motorcycle gangs (OMGs) realized the value of developing their own networks. The International Outlaw Motorcycle Gang Investigators Association (IOMGIA) was founded in 1974 to as a resource to provide its members with the most current, timely, and useful information for motorcycle gang enforcement.

Part of the IOMGIA mission includes skills training and knowledge to enable our members to protect their communities from the growing dangers associated with outlaw motorcycle gangs. The keystone of IOMGIA is the annual training institute, normally held annually in September. This week-long training event provides attendees with the opportunity to learn from some of the best OMG investigators, undercover operators, prosecutors, and even special guests with unique insights into the inner workings of motorcycle gangs. Following the days' training, IOMGIA also provides members with the opportunity to meet and network in a secure but casual environment, in order to develop trusted connections. Highlights from

our past training include motorcycle gang involvement in narcotics trafficking; motorcycle theft and identification; OMG regional, national and international updates; and major case debriefs.

IOMGIA is often asked, "I'm not a gang detective, can I still attend?" Or, "Who should attend this training?" The answer is: you don't have to work gangs to attend or to benefit from membership or the training IOMGIA provides. Any sworn law enforcement member; investigative analyst at a law enforcement agency; parole, probation or corrections officer; or prosecuting attorney may join the association or attend the training institute. IOMGIA members serve in a multitude of law enforcement agencies, at local, state, tribal and federal levels, from the United States and throughout the world. The association currently has members from Australia, Belgium, Canada, Denmark, Finland, France, Germany, Hungary, Iceland, Luxembourg, Netherlands, New Zealand, Norway, Sweden, Switzerland, and the United States. We are fortunate to have a new country – Thailand – represented at our upcoming training institute.

The location of the training institute varies each year. Initially, the site would alternate between the east and west coasts of the United States or Canada. In recent years, the Board of Directors has made a conscious effort to bring the training to parts of the country that either are underrepresented in IOMGIA or are experiencing an increase in motorcycle gang activity or violence. In 2017, IOMGIA answered members' calls for training abroad






**Who Can Join?**

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and hosted the first-ever IOMGIA European Training Institute in Frankfurt, Germany. The event was so successful that all seats were completely sold out, and IOMGIA has scheduled a 2020 European Training Institute. Based on the overwhelming response by our European membership, IOMGIA is considering making the European Training Institute a biennial event – open to all members, of course.

The 2019 Training Institute is being held in Spokane, Washington, from September 8-13. There is still time to register. IOMGIA is already planning next year’s institute, September 14-18, 2020, in San Antonio, Texas.

You do not have to attend the training institute in order to become a member of IOMGIA. Individual memberships are \$25 annually. Members have exclusive access to the members-only area of IOMGIA’s website, which includes a worldwide member directory, current motorcycle gang events, and the quarterly IOMGIA newsletter, which highlights members’ involvements in OMG cases and investigations. ☆

*We hope to see you in Spokane or San Antonio. For more information on the International Outlaw Motorcycle Gang Investigators Association, please visit <https://iomgia.net>.*

**Officer John Woosnam** is a 25 year police veteran. He began his career in law enforcement in 1994 as a patrolman with the Upper Moreland Township Police Department in Willow Grove, Pennsylvania, where he served for five years. He joined the Las Vegas Metropolitan Police Department in 1999. John was assigned to LVMPD’s Organized Crime Bureau, Criminal Intelligence Section in 2002, investigating the criminal activities of outlaw motorcycle gangs. In 2016, he was one of the first six detectives hand-picked for the Department’s newly formed Central Intelligence Unit, supporting valley-wide anti-violent crime efforts. In 2017, John transferred to Metro’s Northwest Area Command where he served as the Area Command Intelligence Officer and a member of the Flex Team, a plain clothes squad, responsible for proactive patrol, narcotics buys and criminal investigation. John is currently assigned to the Mt. Charleston Resident Officer Detail, providing police services throughout 2200 square miles of rural Clark County. In addition to his principle duty as a Resident Officer, John is a member of LVMPD’s Crisis Negotiation Team, and has been on the team for 11 years.

Officer Woosnam holds a Master’s degree in crisis and emergency management from University of Nevada, Las Vegas.

International Outlaw Motorcycle Gang Investigators Association



# IOMGIA EUROPE

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# ANNOUNCEMENTS PAGE

*Article*  
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*The Cover of this issue of The Coalition is dedicated to the men, women, and K9's in law enforcement for their commitment to the safety and health of the American people, and to those who continue to train them with up-to-date legal standards and enforcement methods.*

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**thru Wednesday, February 5, 2020**