

AD-A138 497

ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCES: STATUS
AND OBSERVATIONS(U) GENERAL ACCOUNTING OFFICE
WASHINGTON DC GENERAL GOVERNMENT DIV 09 DEC 83

1/1

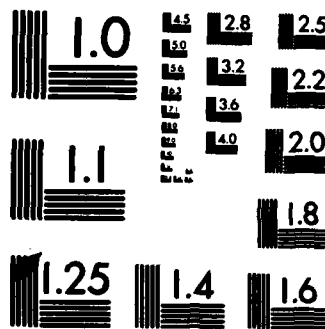
UNCLASSIFIED

GAO/GGD-84-35

F/G 5/4

NL

END
FILMED



MICROCOPY RESOLUTION TEST CHART
NATIONAL BUREAU OF STANDARDS-1963-A

AD A138497

BY THE U.S. GENERAL ACCOUNTING OFFICE

**Report To The Honorable Joseph R. Biden, Jr.
United States Senate**

**Organized Crime Drug Enforcement
Task Forces: Status And Observations**

President Reagan established the Organized Crime Drug Enforcement Task Force program in October 1982. The goal of the program is to disrupt high-level drug trafficking organizations by devoting more federal resources to the investigation and prosecution of these organizations and by coordinating and integrating federal investigations and prosecutions of selected cases.

As of September 1983, approximately 1,200 attorneys and agents were conducting about 300 investigations throughout the country. It is too soon to determine if the task forces will achieve their objectives. This report provides information on the planning and management of the task forces and identifies potential issues for program evaluation.

DTIC FILE COPY



This document has been approved
for public release and sale; its
distribution is unlimited.

DTIC
ELECTE
S FEB 28 1984 D
A

84 02 24 049 DECEMBER 9, 1983

GAO/GGD-84-35



UNITED STATES GENERAL ACCOUNTING OFFICE
WASHINGTON, D.C. 20548

GENERAL GOVERNMENT
DIVISION

B-212966

The Honorable Joseph R. Biden, Jr.
United States Senate

Dear Senator Biden:

In your February 16, 1983, letter, you requested information on the newly established Organized Crime Drug Enforcement Task Force Program to assist you in reviewing the program's progress. Our objectives were to provide information on the planning and management of the program and to identify potential issues which should be considered in future evaluations of the program's success. To respond to your request, we interviewed officials and collected information at 1) the Washington headquarters of the participating agencies, including the Task Force Administrative Unit, Federal Bureau of Investigation, and Drug Enforcement Administration in the Justice Department; and the Internal Revenue Service, U.S. Customs Service, and Bureau of Alcohol, Tobacco and Firearms in the Treasury Department, and 2) task force offices in Boston, Chicago, Detroit, San Francisco, and Baltimore.

Because the task force program was new at the time of our review, our work was limited to gathering information and identifying issues which may affect the program's success in the future. We did not attempt to evaluate the program's effectiveness at this early stage. However, we expect to review the effectiveness of the task forces when the program is far enough advanced to make an evaluation feasible. We conducted our field work on this assignment during the period March through September 1983.

PROGRAM ORGANIZATION

On October 14, 1982, President Reagan announced the formation of 12 Organized Crime Drug Enforcement Task Forces, covering all of the country except for South Florida, where a federal drug task force had previously been established in February 1982. A map of the 12 regions covered by the task forces and the regional headquarters cities is presented in appendix II, and a list of the agencies participating in the task force is



Accession for	
THIS CASE	
DATE	
Unannounced	
Justification	
By	
Distribution/	
Availability Code	
Dist	Avail and/or Special
AI	

shown in appendix III. The goal of the new task forces is to disrupt high-level drug trafficking organizations by (1) devoting more federal resources to the investigation and prosecution of high-level organizations and (2) improving coordination and integrating the activities of federal investigative and prosecutive agencies on selected cases. In particular, the task forces are to make maximum use of financial investigative techniques. Although the program adopted the multiagency cooperative approach developed in the South Florida Task Force, the programs are dissimilar. The major difference between the new task forces and the South Florida Task Force is that South Florida places more emphasis on drug interdictions: preventing illegal drugs from entering the United States, seizing drugs as they enter, and arresting drug traffickers. The new task forces focus on the leaders of large organizations that control drug importation and distribution networks.

Task force operations are planned and coordinated through a network of committees representing participating agencies, under the general direction of the Associate Attorney General. (See app. IV.) At the national level, a working group composed of representatives of participating agencies and chaired by the Associate Attorney General formulates general policy and monitors the program. The group is assisted by a small administrative unit in the Justice Department headed by the national task force program administrator. The working group selected the headquarters cities and participating districts in the 12 task force regions, based on an assessment of major pressure points for drug trafficking.

In each of the 12 regions, the U.S. attorney in the regional headquarters or "core" city manages task force operations through a regional coordinating committee known as the Task Force Coordination Group. The coordination group approves and monitors all task force investigations in the region to ensure that investigations are consistent with program goals and objectives and that adequate interagency coordination takes place. The core city U.S. attorney designates the group coordinator (an assistant U.S. attorney), and each participating investigative agency designates a full-time agency coordinator. The U.S. attorney is accountable to the Associate Attorney General for the operations of the task force but has direct authority only over the attorneys from his office. Each participating agency maintains supervisory control over its own staff.

Individual task force cases are investigated and prosecuted by multiagency teams in the judicial districts within the region. In each of the judicial districts which makes up the region, the local U.S. attorney heads a district drug enforcement coordination group, which includes senior agents from each participating agency office in that district. (In the

regional "core" city judicial district, the Task Force Coordination Group performs this function.) The district coordination group coordinates task force investigations and prosecutions among participating federal agencies and with state and local law enforcement agencies.

Agents and attorneys involved in individual task force cases remain under the direct supervision of their respective agencies but conduct investigations jointly with other task force agents and attorneys. Leadership responsibility for specific cases is decided on a case-by-case basis, and could be assumed by an assistant U.S. attorney or by one of the agencies. The intent of this organizational approach is to preserve individual agency accountability and authority, while facilitating joint agency involvement in selected investigations. It is important to recognize that the task forces are only part of the federal drug enforcement effort and that the task forces do not coordinate all federal drug enforcement activities.

PROGRAM FUNDING

The fiscal year 1983 appropriation for the task force program was \$127.5 million of which \$18 million was to remain available until expended for the construction, remodeling, and equipping of detention and correctional institutions. The appropriation funded salaries and personnel support costs for an increase in investigative and prosecutorial staff. It also funded support for other drug law enforcement-related needs of participating agencies, such as electronic communications and surveillance equipment, undercover operations, automatic data processing systems, purchase of evidence, and the purchase of an airplane for the Drug Enforcement Administration. (See app. V.) The Justice Department estimates that the program obligated approximately \$112 million in fiscal year 1983. Approximately 41 percent of the funds were obligated for task force salaries and direct personnel support costs. Of the unspent funds, the President deferred until fiscal year 1984 \$12 million of the \$18 million for expansion of the Federal Prison system. Also, under authority provided by the Supplemental Appropriations Act of 1983, Public Law 98-63, \$2 million for FBI undercover operations and \$1.4 million for Drug Enforcement Administration automatic data processing systems were carried over through fiscal year 1984.

PROGRAM STAFFING

The Attorney General made the initial allocation of staff among the participating agencies on the basis of proposals from the agencies and U.S. attorneys. The total staff allocation was 1,606 positions, including 1,219 agents and attorneys and 387 support staff. (See app. VI.) The support staff include paralegals who assist U.S. attorneys and researchers assigned to the

Treasury Law Enforcement Center who analyze financial transactions suspected to be drug related. The number of agents and attorneys assigned to each task force ranged from a high of 151 assigned to the New York-New Jersey region to a low of 58 assigned to the Mountain States (Denver) region. Nine attorney positions were allocated to three judicial districts in Florida, although Florida is not officially included in the task force program. Approximately half the field professional staff were assigned to the core cities in 13 districts¹ and half to 59 other districts included in the regions. (See app. VII.) The remaining 22 judicial districts did not receive any designated task force staff positions. The mix of agencies represented in the various judicial districts varies widely (see app. VIII). Twenty-three districts have representatives from all participating agencies and the U.S. attorney, while 10 districts only have U.S. attorney representation.

As of September 1983, approximately 96 percent of 1,219 professional task force positions had been filled with experienced agents and prosecutors. Of an equal number of new positions created in the agencies, approximately 82 percent had been filled with new hires by September. (See app. IX.) We could not determine to what extent the total number of staff days devoted to drug enforcement activities by the participating agencies increased from fiscal year 1982 to 1983 because of lack of consistent baseline data for fiscal year 1982 and because of fluctuations in staffing levels throughout the start-up phase of the task force program. However, the number of experienced staff assigned to task force cases represents an increase in the level of effort devoted to multiagency investigations and prosecutions of high-level drug trafficking organizations.

CASE SELECTION

The initial task force cases were identified by the agencies and U.S. attorneys. The national task force administrator in the Department of Justice reviewed proposed cases to ensure they required multiagency participation and were not close to indictment. No specific quantitative criteria for size of organization or volume of drugs involved were set, beyond the general goal of attacking high-level drug trafficking organizations. However, the program guidelines stated that the types of organizations to be targeted should include traditional organized crime groups and organizations importing and/or distributing or financing large amounts of drugs. Major outlaw motorcycle gangs, prison gangs, street gangs and physicians or pharmacists illegally dispensing substantial quantities of prescription drugs were also listed as potential targets.

¹The New York Task Force has two core cities, one in each of the two federal judicial districts of New York City. There are 94 federal judicial districts nationwide.

Initially headquarters approved 260 cases from investigations already in progress at the participating agencies. All subsequent cases have been selected and approved at the regional level. The number of task force cases under investigation as of September 1983 was approximately 300. According to Department of Justice officials, 425 cases had been initiated by November 16, 1983, and 183 indictments had been returned against 1,028 defendants. In general, we found that the initial task force cases involve multiple investigative agencies and are targeted at the types of organizations listed in the guidelines. Over half of the initial cases involve agents from three or more investigative agencies, and approximately three-fourths involve both Treasury and Justice agents. Thirty-six percent of the initial cases had state and/or local participation.

PROGRAM EVALUATION ISSUES

In future evaluations of the task force program, we believe that three issues will be particularly relevant. First, will the program structure, including the program's relationship with other drug enforcement activities, and the distribution of personnel enable the task forces to achieve their objectives? Second, what effect will task forces have on the operations of high-level organizations? Third, will the disruption of organizations reduce the supply of drugs? Each issue presents measurement problems. The Department of Justice is collecting data to monitor task force progress but at the time of our review had not fully designed its evaluation program.

Program structure and personnel distribution

Monitoring personnel distribution, case selection, coordination of investigations, and integration with other drug enforcement activities will be a key task in evaluating the program. Representation of agencies on cases, size of cases, time dedicated to cases by participating agencies, and coordination with other drug enforcement efforts can be monitored by the agencies and by the Justice Department. However, since task forces have a high degree of flexibility in carrying out their activities, uniform standards to measure these characteristics may be difficult to develop. Given the program's decentralized structure, the Justice Department may only be able to monitor the task force operations on an exception basis, as problems occur. If the Department finds significant patterns of inter-agency conflict, loss of dedicated staff, and unacceptable variations in case quality and size, it may need to consider revisions in the organizational structure and/or more specific case selection criteria. In reviewing task force operations, the following issues may require specific attention.

Program structure: The organization of the task forces was based on the premise that multiagency efforts were required to investigate high-level drug trafficking organizations, but that this would work most effectively if each agency retained its own identity. Agencies maintained direct supervisory control over their agents and the investigative techniques they would use. The role of the task force was to ensure that each agency worked effectively with the others in joint investigations. A potential problem with this approach is the possible lack of cohesiveness and direction. This could occur because no one agency or attorney has primary responsibility to direct the cases, and because it may not be clear who will oversee a particular investigation. On the other hand, the maintenance of agency authority and control could also result in a stronger commitment to the program, better access to information and additional resources, and more effective interagency communications.

Distribution of personnel: The 1,219 agent and attorney task force positions are distributed among 72 judicial districts, half in the 13 core city judicial districts and half in the other 59 districts. The wide distribution of resources has the potential advantage of spreading the task force concept and impact and providing improved intelligence linking of organizations under investigation. However, it also could result in a dilution of task force resources, increased difficulty in monitoring task force activities, and inconsistency in the size of organizations being investigated.

Coordination with other drug enforcement activities: Coordination between the task forces and other federal, state, and local drug enforcement activities is clearly important to the success of the task forces and drug law enforcement in general. Procedures for such coordination have not been specified in task force guidelines, and individual task forces have been allowed to develop their own coordinative procedures.

Coordination with state and local drug enforcement is primarily focused on their participation in individual cases. Overall coordination of drug enforcement efforts in the regions is currently not a priority. If task force involvement in comprehensive planning is desired, program guidelines may need to be clarified to emphasize this role.

In addition, the task forces co-exist with other federal drug enforcement efforts, including the Organized Crime Strike Forces, National Narcotics Border Interdiction System, and other investigations by participating agencies. Coordination with these efforts is to be achieved through each agency's representatives on the task force coordination groups. Both the Strike

Forces and the Coast Guard have also established liaison with the task forces. Monitoring of these coordinative efforts will be needed to assure a cohesive and coherent approach to drug law enforcement.

Effect of task force investigations
on drug trafficking organizations

The most feasible and practical focus for evaluation of the task force program may be to measure program results in terms of successful multiagency investigations and consequent successful prosecutions of high-level drug trafficking organizations. Such a focus should incorporate a review of the size and quality of the cases and the contributions of participating agencies.

The success of an investigation cannot be readily measured by the traditional indicators such as numbers of arrests and amounts of drugs seized. Task force cases quite likely will not produce large numbers of defendants or large-scale drug seizures, because leaders of major trafficking organizations are not apt to be found at the scene where money is being exchanged for drugs. The task forces should produce cases against relatively small numbers of important trafficking figures, plus large forfeitures and seizures of illegally acquired assets.

U.S. attorneys and coordinators we interviewed offered the following suggestions as measures of task force results:

- The number of convictions and amounts of financial assets seized under the Continuing Criminal Enterprise statute (21 U.S.C. 848)² and the Racketeer Influenced and Corrupt Organization statute (18 U.S.C. 1961)³ would indicate that heads of criminal organizations were being pursued and that both financial and traditional drug investigative approaches were being used.
- The use of multiple charges against different levels of an organization would contribute to dismantling that organization and could also show agency coordination.

²Under the Continuing Criminal Enterprise statute, the trafficker must be a person who occupies a position of authority over five or more people in the conduct of a series of drug violations from which substantial income is derived.

³The Racketeer Influenced and Corrupt Organization statute generally prohibits a person from acquiring or participating in an enterprise through a pattern of racketeering activity and from investing income from such activity in an enterprise.

--The number of cases pursued across district lines would indicate coordination of efforts to dismantle total organizations.

--The actual contribution of agencies to the investigation and the impact of the investigation on the organization would indicate the effect of joint investigations.

The identification of the contributions made by participating agencies and the degree of coordination among the agencies is complex. All the participating agencies plan to track task force activities through their normal reporting systems. Thus, they will collect data on task force cases similar to that which they collect on other drug enforcement efforts. These data focus mainly on numbers of arrests and convictions and amounts of seizures. Furthermore, the fact that every agency records every accomplishment in every case in which it participated means that there may be double or even triple counting of results in multiagency investigations. Field staff we interviewed expect some degree of double counting of task force results under agency reporting systems, although headquarters officials said that separate task force reporting to the Department of Justice will solve the problem by consolidating agency data.

The Department of Justice will prepare an overall evaluation of the program for its annual report due in March 1984. Task forces are submitting information which will be used to track cases from initiation to closure including statistics on arrests and seizures of drugs and assets. However, standards against which case size and individual agency contributions to multiagency investigations are to be measured had not been developed at the time of our review.

Impact on the Supply of Drugs

Measuring the impact of the task force program on the supply of drugs may not be a feasible task. Although indicators of drug supply are one measure of the effect of the overall drug enforcement system, there are problems in only using measures of drug supply as a measure of task force success. First, other variables out of the control of the task forces may affect drug supply, such as the fluctuations in the amount of drugs available from international sources. Second, although task forces may be successful in destroying organizations, the potential profit in the business and continued drug availability and demand draw others into the business. While task forces might affect perceived profitability over time, they alone cannot control this incentive. Third, the actual universe of drug supply is difficult to measure. Surrogate measures--the price and purity of drugs--are imperfect and may not be valid assessments of the actual supply.

- - - -

Because of time constraints, your office requested we not obtain agency comments on this report. As arranged with your office, unrestricted distribution of this report will be made 30 days after the date of the report or at the time of public release of the report's contents by your office.

Sincerely yours,

W. J. Anderson

William J. Anderson
Director

STROM THURMOND, S.C., CHAIRMAN
 CHARLES McC. NATHIAS, JR., MD.
 PAUL LAXALT, NEV.
 ORRIN G. HATCH, UTAH
 ROBERT DOLE, KANS.
 ALAN K. SIMPSON, WYO.
 JOHN P. EAST, N.C.
 CHARLES E. GRASSLEY, IOWA
 JEREMIAH DENTON, ALA.
 ARLEN SPECTER, PA.
 JOSEPH R. BIDEN, JR., DEL.
 EDWARD M. KENNEDY, MASS.
 ROBERT C. BYRD, W. VA.
 HOWARD M. METZENBAUM, OHIO
 DENNIS DECONCINI, ARIZ.
 PATRICK J. LEAHY, VT.
 MAX BAUCUS, MONT.
 HOWELL HEFLIN, ALA.
 VINTON DEVANE LEE, CHIEF COUNSEL AND STAFF DIRECTOR
 MARK H. GUTENSTEIN, MINORITY CHIEF COUNSEL

United States Senate

COMMITTEE ON THE JUDICIARY
 WASHINGTON, D.C. 20510

February 16, 1983

The Honorable Charles A. Bowsher
 The Comptroller General of the
 United States

Dear Mr. Bowsher:

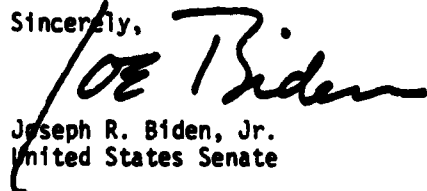
Last October the Attorney General announced the formation of 12 Drug Enforcement Task Forces in addition to the South Florida Task Force. These Task Forces will put additional resources in the fight against illicit drug trafficking.

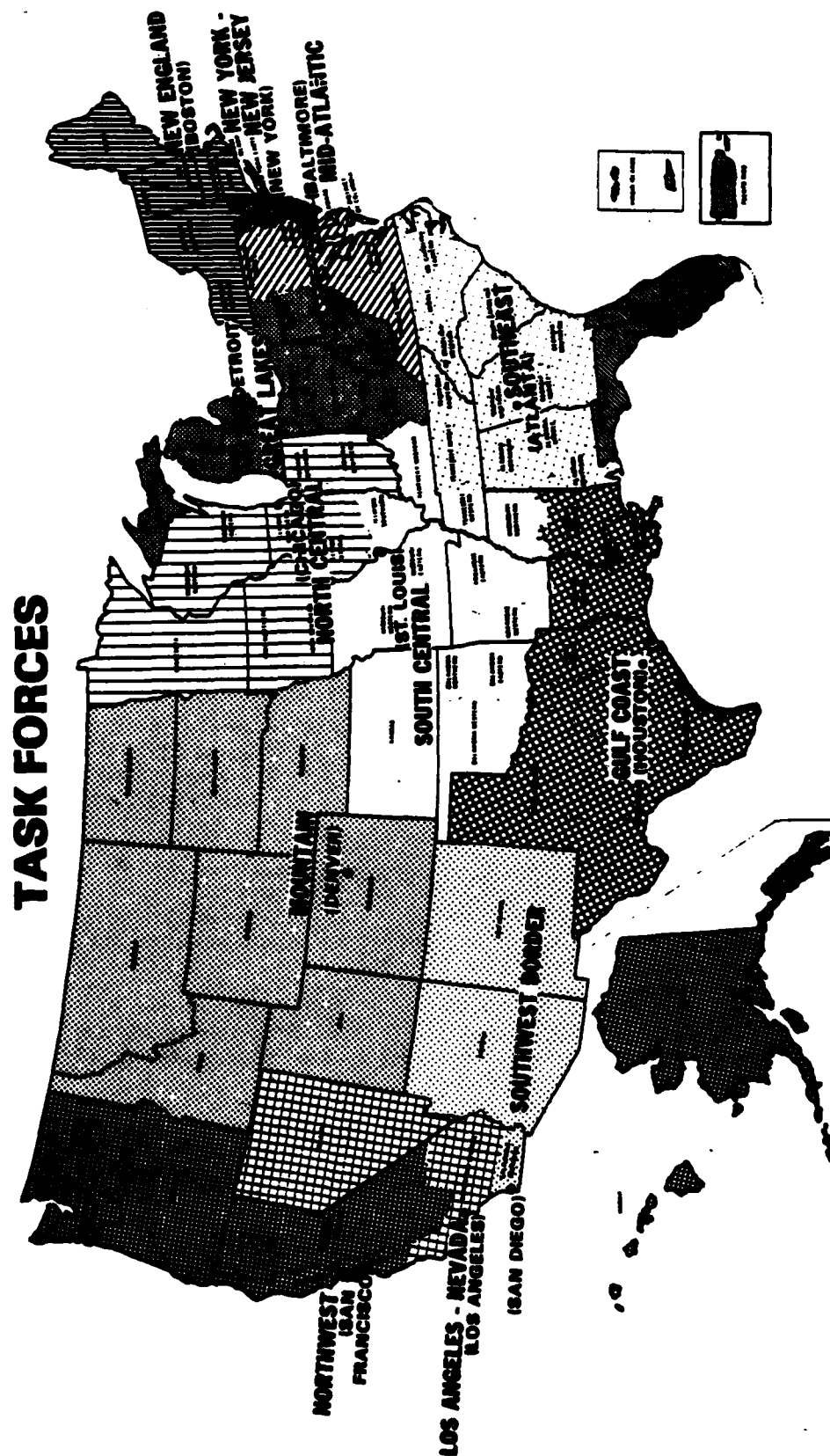
I would like GAO to assist us by gathering information on the overall planning and management of these Task Forces. Such information should include:

- how Task Force locations were selected, and what agencies were involved in the planning and development of these sites;
- how the Task Forces will coordinate their work with the drug enforcement activities of DEA, FBI, Coast Guard, Customs, Organized Crime Strike Forces, and U.S. Attorney Offices, and what role will be played by the Law Enforcement Coordination Committees;
- how the Task Forces will be organized, staffed, administered and funded;
- how much of the overall Task Force plan was based on the South Florida Task Force effort; and
- how Task Force efforts will be evaluated and whether an accurate data base was available from which to measure the success as outlined by Congress in the report language for the appropriation of these task forces.

This material will be very useful in reviewing the success of these task forces in striking a blow against organized crime and drug trafficking. I would appreciate my staff being kept informed of your progress.

Sincerely,


 Joseph R. Biden, Jr.
 United States Senate



LIST OF PARTICIPATING AGENCIES

Major Participants

Department of Justice

Drug Enforcement Administration
Federal Bureau of Investigation
Executive Office of the U.S. Attorneys and U.S.
Attorneys individual offices
U.S. Marshals Service

Department of the Treasury

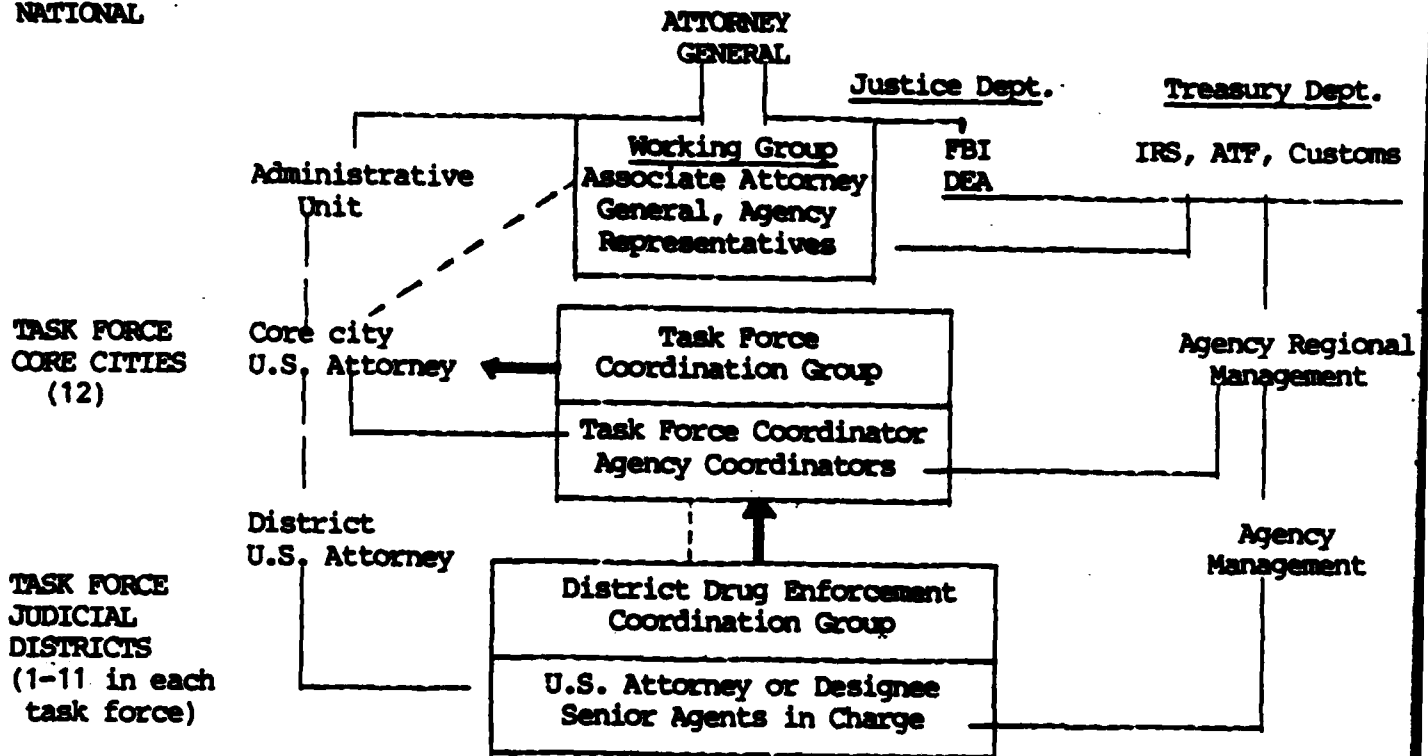
U.S. Customs Service
Bureau of Alcohol, Tobacco and Firearms
Internal Revenue Service

Other Participants

U.S. Coast Guard

TASK FORCE PROGRAM ORGANIZATIONAL STRUCTURE

NATIONAL



TASK FORCE FUNDING, FISCAL YEAR 1983^a
(000s omitted)

<u>Agency</u>	<u>Budgeted</u>	<u>Estimated obligation</u>	<u>Estimated carry over</u>	<u>Deferred</u>
FBI	\$ 50,839	\$ 48,839		
Personnel support	22,839 ^b	20,839	\$2,000 ^c	
ADP, Voice privacy systems	28,000	28,000		
DEA	24,729	23,329		
Personnel support	18,729 ^b	18,729		
Airplane, ADP system	6,000	4,600	1,400 ^d	
U.S. Marshals	657	657		
Personnel support				
U.S. Attorneys	8,949	6,000		
Personnel support				
Justice - Administrative support	1,382	879		
IRS - Personnel support	5,595	5,595		
Customs - Personnel support	5,086	4,500		
ATF - Personnel support	2,035	2,000		
Coast Guard	2,000	2,000		
Task force communication system				
Federal Prison Service	18,000	5,914		12,086
U.S. Marshals cooperative agreement program	6,600	6,600		
Task Force Radio System		4,801		
State and local support	<u>1,628</u>	<u>900</u>		
Total	<u>\$127,500</u>	<u>\$112,014</u>	<u>\$3,400</u>	<u>\$12,086</u>

^aDepartment of Justice estimates as of September 1983.

^bIncludes funds for purchase of evidence and undercover operations for all task force cases.

^cUndercover funds not required in fiscal year 1983.

^dADP system enhancement not complete in fiscal year 1983.

ALLOCATION OF POSITIONS TO
PARTICIPATING AGENCIES

<u>Agency</u>	<u>Positions</u>		<u>Total</u>
	<u>Professional</u>	<u>Support</u>	
Department of Justice			
Assistant U.S. Attorneys	200	146	346
Federal Bureau of Investigation	334	77	411
Drug Enforcement Administration	274	63	337
U.S. Marshals Service	12	-	12
Department of the Treasury			
Internal Revenue Service	185	35	220
U.S. Customs Service	142	58	200
Bureau of Alcohol, Tobacco and Firearms	<u>72</u>	<u>8</u>	<u>80</u>
	<u>1,219</u>	<u>387</u>	<u>1,606</u>

ALLOCATION OF AGENTS AND PROSECUTORS
BY TASK FORCE

<u>Task force</u>	<u>Core city</u>	<u>Number of agents and attorneys</u>	
		<u>Core city</u>	<u>Total</u>
New York-New Jersey	New York	120	151
Great Lakes	Detroit	58	121
Gulf Coast	Houston	46	119
North Central	Chicago	57	109
Mid Atlantic	Baltimore	40	104
Southeast	Atlanta	43	100
New England	Boston	41	98
Northwest	San Francisco	49	92
Los Angeles-Nevada	Los Angeles	74	89
Southwest	San Diego	53	83
South Central	St. Louis	28	74
Mountain (Florida)	Denver	28	58
		637	1,207

**REPRESENTATION OF AGENCIES IN
TASK FORCE DISTRICTS**

	<u>Number of individual districts</u>	<u>Agencies represented</u>					
		<u>AUSA</u>	<u>DEA</u>	<u>FBI</u>	<u>IRS</u>	<u>Customs</u>	<u>ATF</u>
	23	X	X	X	X	X	X
	6	X	X	X	X	X	
	1	X	X	X	X		X
	25	X	X	X	X		
	1	X	X	X			X
	3	X	X	X			
	1	X		X	X		
	2	X	X				
	<u>10</u>	<u>X</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
Total	<u>72</u>	<u>72</u>	<u>61</u>	<u>60</u>	<u>56</u>	<u>29</u>	<u>25</u>

ASSIGNMENT OF PROFESSIONAL STAFF
TO TASK FORCE POSITIONS
AS OF SEPTEMBER 1983

	<u>Task force attorney and agent positions</u>	<u>Task force positions filled</u>	<u>New agents and attorneys hired as replacements</u>
	—————(percent)—————		
<u>Department of Justice</u>			
U.S. Marshals Service	12	100	100
U.S. Attorneys	200	91	63
Drug Enforcement Administration	274	100	100
Federal Bureau of Investigation	334	100	100
<u>Department of the Treasury</u>			
Internal Revenue Service	185	98	84
U.S. Customs Service	142	87	56
Bureau of Alcohol, Tobacco and Firearms	<u>72</u>	<u>96</u>	<u>44</u>
	<u>1,219</u>	<u>96</u>	<u>82</u>

