

STREET DRUG INVESTIGATION

ABOUT THE AUTHORS

Darin Fredrickson has been with the Phoenix, Arizona, Police Department since 1991 and has served with the department's Drug Enforcement Bureau since 1996, currently assigned to the Clandestine Drug Laboratory Detail. He also serves as a provisional Drug Enforcement Administration (DEA) Clandestine Drug Laboratory task force member. Previously, he served on the Drug/Homicide Task Force. Detective Fredrickson is also a certified instructor with the Arizona Law Enforcement Academy in Homeland Security, Street Drugs, Cultural Awareness, and Crime Scene Photography. In addition to normal duties, Detective Fredrickson develops and presents seminars to various private sector and community groups on law enforcement issues as well as providing in-service training for law enforcement agencies, and Superior Court personnel. Detective Fredrickson coauthored the books *Racial Profiling, Terrorist Attacks* (2nd Edition), *Applied Police & Fire Photography* (2nd Edition), and *Fundamentals of Physical Surveillance* (2nd Edition). He is the foreword author of the book *Fundamentals of Civil and Private Investigation* (2nd Edition). He has also written several criminal justice articles for various publications. Detective Fredrickson holds a Master of Education degree in Educational Leadership from Northern Arizona University where he graduated "With Distinction," and a Baccalaureate Degree in Management from Ottawa University, Kansas.

Raymond Siljander's diversified occupational history includes a variety of manufacturing and service industries in addition to the insurance industry, industrial security supervision, licensed private investigator doing general and undercover investigations, licensed process server, and local law enforcement as a certified police officer having graduated first in his class in the police academy. He served three tours of duty in Viet Nam. Mr. Siljander is the author and coauthor of twelve previous books addressing cultural and technical aspects of issues such as racial and criminal profiling, terrorism, police and fire photography, physical surveillance, private investigation, private process serving, and security and loss control. He has also written several magazine articles. Mr. Siljander has appeared as a speaker for in-service training seminars for law enforcement and the insurance industry, and college photography classes. His most significant social contribution is the recent creation of an adult literacy program for the Roma culture translated for implementation in Eastern European countries. A not-for-profit international association has assumed responsibility for promotion, translations, production, and distribution. Mr. Siljander holds a Master of Education degree in Educational Leadership, having graduated "With Distinction"; an individualized Baccalaureate degree with a Human Services/Criminal Justice concentration; and Associate degrees in Law Enforcement and Fire Science. He has also graduated from several proprietary educational institutions. He holds the professional designation Associate in Loss Control Management (ACLM®).

STREET DRUG INVESTIGATION

A Practical Guide for Plainclothes
and Uniformed Personnel

By

DARIN D. FREDRICKSON, M.ED.

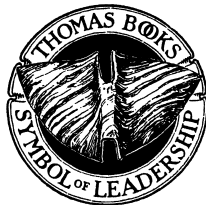
and

RAYMOND P. SILJANDER, M.ED., ALCM

Foreword by

Sherrif Joe Arpaio

Maricopa County Sheriffs Office, Arizona



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*To my loving wife, Mary,
and children, Erica, Devon, Max, Katelyn, and Olivia.
D.D.F.*

*To Dr. Stephen M. Hennessy
More than he knows, he enhanced my academic growth
and expository skills.
R.P.S.*

FOREWORD

Illegal drugs and the far-reaching social problems associated with them have become a serious problem in American society, a problem that demands attention. Illustrating the seriousness of the situation is the fact that reliable estimates suggest that illicit drugs are responsible for 48% of all homicides, 60% of all assaults, and 80% of all property crimes. I have been in the trenches fighting this “war on drugs” from the United States to Mexico to Turkey to the Middle East and to Central and South America. Originally joining the United States Bureau of Narcotics in 1957, I concluded my twenty-five year career with the Drug Enforcement Administration as head of the DEA in Arizona in 1982. Now, as Sheriff of Maricopa County, Arizona, the fourth largest sheriff’s department in the United States, I am responsible for about 9000 inmates, of whom a high percentage test positive for drugs when they are admitted.

There are numerous circumstances that contribute to the illicit drug problem, and therefore strategies to correct the problem must occur on many fronts and include parents, schoolteachers, social workers, social scientists, the business community, the judicial system, the corrections system, the legislature, and of course law enforcement. Nonetheless, in spite of the number of people and agencies that can contribute to a solution, each with something unique to contribute, they all represent just three basic categories—prevention, rehabilitation, and enforcement.

In addition to the enforcement efforts of the Sheriffs Office, I have launched innovative rehabilitation programs like “Hard Knocks High,” the only accredited high school in an American jail. My ALPHA program teaches inmates to turn away from drugs and is one of my proudest accomplishments—it has resulted in a high percentage of ALPHA graduates leaving my jail clean, sober, and rarely, if ever, returning to incarceration.

Because the illicit drug problem is a complex social problem, law enforcement, the courts, and those in the judicial system cannot solve the problem, but only contain the problem while others find workable solutions. Meantime, law enforcement remains our frontline of defense.

Featuring a clear and concise writing style, and tastefully illustrated, this book, *Street Drug Investigation*, provides valuable information for law officers who are responsible for the enforcement of anti-drug laws. This book

will leave readers with practical knowledge they can immediately begin applying on the street.

Sheriff Joe Arpaio
“America’s Toughest Sheriff”
Maricopa County Sheriffs Office, Arizona

PREFACE

This book, *Street Drug Investigation*, addresses a multifaceted social problem that has far-reaching and serious consequences. In fact, today, the problem of illicit drug use permeates so much of American society that it exists not only among adults in the blue-collar trades and in the professions, it has even extended into our grade schools. A 2002 study conducted by the Substance Abuse and Mental Health Services Administration (SAMHSA) found that 8.3 percent of the United States population age 12 and older use illicit drugs and 18.45 percent of people between the ages of 16-29 use illicit drugs.

Statistics attest to a high incidence of illicit drug use, but how detrimental are illicit drugs to society? “Illicit drug trafficking and abuse of cocaine, heroin, and marijuana pose a serious threat to New York City, according to a recent assessment compiled by the National Drug Intelligence Center (NDIC), a component agency of the U.S. Department of Justice” (National Drug Intelligence Center, 2003). Although this assessment pertains to New York City, the problem is not limited to that city. Indeed, this is a problem affecting all American cities and towns, large and small.

This book begins by examining the history of drugs and alcohol in the United States. That discussion acknowledges the fact that a meaningful discussion of *Street Drug Investigation* requires acknowledging the history of drugs, and discussing the history of drugs is difficult without acknowledging the history of illegal alcohol. An understanding of today’s drug enforcement problems is enhanced by understanding what occurred relative to illegal alcohol before, during, and subsequent to the years of national prohibition. That is because in so many ways the history of illegal alcohol and illicit drugs share common underlying dynamics. Such an understanding will enable one to better see how the current drug situation is reminiscent of what has occurred through the course of American history relative to both illegal alcohol and drugs; an understanding of the past enables one to better understand the present, and in some cases make cautious predictions about the future.

Following an examination of the history of drugs and alcohol in the United States, which concludes with perspectives on what can be done to reduce the demand for illicit drugs, discussion proceeds to an examination of the various illicit drugs that today’s police officer is most likely to encounter on the street. Discussion then proceeds to drug enforcement techniques and

methods such as knock-and-talks; managing informants; plainclothes, undercover, and uniformed drug investigations; conspiracy investigations; investigation of clandestine drug laboratories; asset forfeiture; report writing and courtroom testimony; and physical surveillance and surveillance photography.

One tends to think of undercover and plainclothes detectives when contemplating drug investigations. However, uniformed police officers, the backbone of law enforcement, play an essential role in combating illicit drugs. Considerable discussion is devoted to this issue because in many small departments, which are the majority of police departments in the United States, uniformed officers do all investigations. In addition, uniformed officers are making a major contribution to the war on drugs when they engage in highway interdiction to suppress distribution.

Whether the reader works undercover, plainclothes, or uniformed, whether employed by a large or small police department, the information in this book will provide a foundation of knowledge that is practical and useful.

D.D.F.
R.P.S.

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STREET DRUG INVESTIGATION

Chapter 1

HISTORY OF ILLICIT DRUGS AND ALCOHOL IN THE UNITED STATES

PREAMBLE

Today, the enforcement of anti-drug laws is difficult because of circumstances that are reminiscent of those that complicated the enforcement of anti-alcohol laws during the years of national prohibition and beyond. *Amendment 18 to the United States Constitution*, also known as the *National Prohibition Act* and the *Volstead Act*, made the sale of beverages containing more than 0.5 percent alcohol illegal in the United States between the years 1920-1933. The government, however, found it almost impossible to enforce the laws. Because of the government's inability to enforce anti-alcohol laws with an acceptable degree of success, and because of the abundance of social, political, and crime problems associated with prohibition, on December 5, 1933, *Amendment 21 to the United States Constitution* repealed *Amendment 18*, the only amendment to ever be repealed. The repealing of *Amendment 18* rescinded national anti-alcohol laws leaving prohibition the option of individual states, counties, and cities.

It must be emphasized that when discussing the similar dynamics of the illegal alcohol and drug trades, and how the current war on drugs is reminiscent of the frustrating anti-alcohol enforcement efforts during the years of national prohibition, it is not being suggested that today's anti-drug laws should be repealed or that drug use should be legalized. Although law enforcement was unable to enforce the anti-alcohol laws during prohibition and to a similar extent has been unable to enforce today's anti-drug laws with satisfactory success, the authors do not consider legalization of drugs to be a solution. The authors strongly believe the war on drugs must continue, but to be successful, properly conceived and implemented drug prevention programs and rehabilitation services must accompany enforcement efforts. Refer to the subheading "Reducing the Demand for Illicit Drugs" at the end of Chapter 2.

The authors also propose that illicit drugs are not just a crime problem, but are one facet of a complex set of social problems—drugs cause some and

aggravate other social problems. Hence, the authors postulate that including a historical overview and social perspectives is necessary and will enhance understanding of today's drug problem, an understanding that will benefit policy makers, law officers working the street, and officers who are called upon to speak to community groups and at schools.

Accepting that law enforcement agencies are social agencies, their social status attested to by the familiar law enforcement slogan, "To Protect and Serve," then logic suggests that viewing and evaluating the law enforcement function must occur from a social perspective; how do law enforcement agencies serve and affect society? It is for these reasons that a review of historical issues and social dynamics precedes discussion of modern *Street Drug Investigation* techniques.

INTRODUCTION

It would be difficult to discuss the history of drugs in the United States without acknowledging the history of alcohol, more specifically illegal (bootleg) alcohol. That is because in so many ways the history of the two are entwined, especially insofar as the underlying dynamics of each is concerned.¹ Indeed, there has scarcely been a time in America's unorthodox history, when bootleg liquor was not in evidence, a phenomenon that predated the *War of Independence* (1775-1783). Drug use has also permeated much of America's history.

Public policy (laws), social attitudes, and the economy have been persistent and significant factors driving what is today a multi-billion dollar underground economy fraught with social problems.

Today, illicit drug use in America is endemic as attested to by the existence of such government agencies as the Drug Enforcement Administration (DEA), the Substance Abuse and Mental Health Services Administration (SAMHSA), and the National Drug Intelligence Center (NDIC). Moreover, every major police department has a drug enforcement division. Finally, also attesting to a serious substance abuse problem in America are the many clinics that provide treatment for chemical dependency.

Readers without a particular interest in history will find this overview sufficient, but readers with an interest in history and sociology will likely find themselves doing further research on this interesting and exciting topic. Those with an interest in drug and alcohol history and an interest in the many social implications will need to do further study because space limita-

1. A recent newspaper headline read, "Methamphetamine is the new moonshine in the rural Panhandle" (*Naples Daily News*, August 10, 2003).

tions allow only an overview here. This is, after all, a book presenting the techniques of street drug investigation, not an exhaustive examination of the social and historical aspects of drugs and alcohol in the United States. Nevertheless, those whose responsibility it is to investigate violations of anti-drug laws will benefit from a general understanding of how current problems are in many respects similar to earlier drug and alcohol enforcement problems. An understanding of the past enables one to better understand the present, and in some cases make cautious predictions about the future.

DRUG AND ALCOHOL USE PERMEATES WORLD HISTORY

And he drank of the wine, and was drunken; and he was uncovered within his tent. (Genesis 9:21)

And they shall say unto the elders of his city, This our son is stubborn and rebellious, he will not obey our voice; he is a glutton, and a drunkard. (Deuteronomy 21:20)

Drug and alcohol use has existed throughout all of American history, beginning with the thirteen British Colonies. That alcohol was prevalent in the Colonies is not surprising inasmuch as alcohol was prevalent in the countries from which the Colonists emigrated.

In the early 1800s, prohibitionists began trying to stop alcohol consumption, with the government later attempting to stop alcohol consumption via the 1920 *Eighteenth Amendment to the United States Constitution*. The Eighteenth Amendment is also referred to as the *National Prohibition Act* and the *Volstead Act*. When viewing those efforts in light of world history, however, it is not surprising that such efforts failed. Indeed, when examining the history of drug and alcohol use, one finds that it predates the history of the United States by several thousand years—drugs and alcohol were in use long before the existence of the United States as attested to by various historical records and documents.

Drug and alcohol use in various forms has existed throughout world history with the first opium use traced to the Sumerians of Mesopotamia. How early that occurred is uncertain, however, because sources offer conflicting dates—5000, 4000, 3500, and 3400 B.C. Early Mesopotamia was located between the Tigris and Euphrates rivers in what is now Iran and Iraq.

The early Egyptians used alcohol in the form of wine, and there are many Old Testament biblical references concerning the intoxicating qualities of wine, sometimes problematic, with such references appearing early in the