

108th Congress
CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
Committee on Government Reform
Subcommittee on Criminal Justice Drug Policy and Human Resources

Testimony of
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Date: February 6, 2004

Mr. Chairman. Distinguished members of the Subcommittee. Representative Chocola. My name is Curtis T. Hill, Jr. and I am Prosecuting Attorney for the 34th Judicial Circuit, Elkhart County, Indiana. As a resident of Elkhart County, which is a part of the second and third congressional districts, I am also honored to be so ably represented in Congress by Chairman Souder and Representative Chocola. Furthermore, I would like to thank Chairman Souder for convening this field hearing appropriately entitled “Fighting Methamphetamine in the Heartland” here in Elkhart Indiana which is a community truly indicative of America’s heartland.

By way of brief background, Elkhart County is comprised of approximately 183,000 people disbursed among the medium sized urban centers of Elkhart, Goshen, and Nappanee as well as among the rural towns of Bristol, Middlebury, Millersburg, New Paris, and Wakarusa. While maintaining a significant agricultural base, Elkhart County is also nationally recognized for manufactured housing, recreational vehicle, and other manufacturing industries. This has resulted in a generally low unemployment rate in Elkhart County. If you can’t get a job in Elkhart County, you don’t want one bad enough.

I would also like to point out that the geographical location of Elkhart County adds to the characteristics that make this area red-hot for distributors of methamphetamine. A relatively close proximity to the major metropolitan centers of Detroit and Chicago along with our access along the Indiana Toll Road literally makes Elkhart the crossroads of the Midwest. As a result, this particular area of the country, where this committee is sitting today, is a prime location to do business, both legitimate and otherwise. Many of the characteristics that attract legitimate business and industry to this area are the same characteristics that attract the more notorious and corrupting influences that engage in organized criminal activities including the distribution of illegal narcotics. As a representative of the Indiana criminal justice system, I appreciate the opportunity to address this committee on the difficulties facing our local communities and on working together, proactively, finding real solutions to these difficulties.

Within the past years, the criminal justice system has witnessed a dramatic increase in the use and distribution of methamphetamine. It has seemingly come out of nowhere to become the dominant illegal drug of choice in this area. Our courts are not only deluged with delivery and possession of methamphetamine crimes, but a growing percentage of other crimes indirectly related to methamphetamine activity continue to increase as well. The corrosive affects of domestic violence, child abuse, robberies, burglaries, and identity thefts as indirect consequences of methamphetamine activity are devastating our communities. Philosophically, I recognize that education and treatment programs that work are vital to decreasing the phenomenal demand that fuels the methamphetamine monster. However, interdiction combined with swift and effective law enforcement is the best hope for destroying the organized networks that pump these poisons through our communities.

I became Prosecuting Attorney on January 1, 2003. I believe that it is incumbent upon every productive citizen to take a part in saving our communities from this spiraling decline brought on by illegal drug use. If left unchecked, the deterioration here and in the remainder of the Midwest region will continue to escalate until we see a time in the not so distant future where it will seem normal for young children to smoke marijuana cigarettes. If unchecked, it will become ordinary to live next door to a crack house. If the deterioration goes unchecked, users, manufacturers, and distributors of methamphetamine will no longer hide in the shadows of our community like so many cockroaches under a rock, but they will be out openly spreading their pain because the rest of us let it happen.

So you want to talk about fighting methamphetamine in the heartland. Let's talk.

To fight methamphetamine in the heartland, we should begin with the word fight and what fight means. It's a word that's used by many people for many things, but for me, it means fight to win. No one ever won a fight by digging in or holding his ground. If the fight ends in a draw or your opponent withdraws, the only thing that is assured is that your opponent has a better understanding of how you fight and an opportunity to come back and fight another day. To win a fight, we need to take the fight to our opponent and remove our opponent's capacity and will to fight on. That's called winning. I have no doubt that if we begin with the premise of winning the fight rather than merely fighting the fight, we will then come to terms with the resources that will be required to achieve our objectives.

While clandestine laboratories are the more typical source of methamphetamine in the rural communities of the Midwest as well as many of my neighboring counties, the largest source of methamphetamine in Elkhart County is oddly enough the importation from Mexico and the super labs out West through expansive organized criminal networks taking advantage of our strategic location as the Midwestern gateway to the East and their

ability to blend into certain aspects of our community to establish major distribution lines. Chief Investigator Wargo covers this area in greater detail through his testimony.

While we would appreciate assistance from the federal government, we have started our local fight against methamphetamine. Before taking office, we began to develop our anti-drug strategy utilizing the resources available to us locally. The central piece of our local strategy is information. Information is the single most important and powerful weapon in proactive crime fighting. Centralizing information as well as distributing information along a line of communication through law enforcement allows us to combine our efforts, reduce duplicity and confliction, and ultimately be more effective. If I can point to a single advantage that organized crime has over law enforcement, it is that they recognize no jurisdictional boundaries and they work together. By borrowing a page from the criminal's handbook, local law enforcement as well as state and federal law enforcement cannot be limited by jurisdictional boundaries and must work together when it comes to organizing a plan for fighting methamphetamine.

Local communities such as Elkhart County have sub-communities which have their own separate and distinctive characteristics. Therefore, the tactical planning must be flexible enough to adapt to local circumstances. For example, the City of Elkhart and the City of Goshen though separated by only eleven miles, do not share precise issues regarding methamphetamine, crack cocaine, and marijuana. Therefore, we sought input of all of our local law enforcement partners in designing an organization that would serve as the central repository for criminal intelligence and dissemination among law enforcement, coordinate and strategize the overall anti-drug effort, and supervise and conduct long term investigations concerning organized criminal activity including the manufacture, distribution, and use of methamphetamine.

The result of this collaborative effort was the creation of the Organized Crime Drug Enforcement Unit which is housed in the Prosecuting Attorney's Office and supervised by my Chief Investigator. The personnel of this Unit are on assignment to my office from various law enforcement agencies within our county. The most exciting aspect of our organized effort is the establishment of satellite anti-drug teams working within the City of Goshen's Police Department and the City of Elkhart's Police Department retaining their respective independence in dealing with shorter term street level interdiction while remaining an active regular partner in the overall effort.

We have a philosophy that not all drug activities require the same approach. In many instances, a long term investigation involving confidential sources and undercover drug buys is the correct approach. However, many other situations require a swifter, more decisive action that may or may not result in arrests but is designed to restore neighborhoods and remove criminals. The development of this prototype allows us to target minor to midlevel problems and make them go away. By responding to neighborhood complaints quickly, members of the community are getting a stronger

sense that their complaints are not being ignored and, therefore, more complaints and reports of suspicious drug activity are being reported to my office and disseminated to the appropriate response team and addressed within appropriate time limits.

On a weekly basis, 20 to 25 police officers and prosecutors meet to exchange intelligence information. We refer to this process as our Criminal Intelligence Sharing System. Each law enforcement agency in the county has representatives from their department participating as well as representatives from the Indiana State Police and the DEA. Through this communication process, we have set specific targets and working together, we have been very successful in bringing many of those targets to justice thus far with great confidence for others to come.

I firmly believe that the federal government needs to step up to the plate and join us in recognizing that there are other areas in Northern Indiana outside of Lake County that are in need of assistance in fighting back organized criminal activity and drugs. While we wait for the federal government to strengthen border controls and immigration policies addressing undocumented aliens, we need Hispanic law enforcement officers and/or Hispanic undercover operatives to assist us in gaining access to information that is hidden largely out of fear of deportation. Although my office has developed a very sound relationship with the South Bend office of the United States Attorney's Office for the Northern District of Indiana, we need to develop initiatives that go beyond being supportive of each other's efforts and being partners in a truly collaborative process that allows the resource of the federal government to be fully operational by the leaders of local law enforcement.

When it comes down to it, we need money, people, and information. Money to supplement and expand investigations into areas that we know of but are limited due to financial constraints. People in the sense of broadening our scope, limited by the resources available to us locally and the lack of Hispanic confidential sources. Information as it pertains to developing stronger and greater regional intelligence and strategies given our recognition that a delivery of methamphetamine on a street corner in Elkhart County tonight has implications far beyond the confines of that particular location.

I would like to thank this committee, again, for providing me an opportunity to address you on these issues and for taking seriously your responsibility in providing assistance to local communities in winning the fight on methamphetamine.

- Curtis T. Hill, Jr. -