

TESTIMONY

“FIGHTING METHAMPHETAMINE IN THE HEARTLAND: HOW CAN THE FEDERAL GOVERNMENT ASSIST STATE AND LOCAL EFFORTS?”

**Bill Wargo/Chief Investigator
Elkhart County Prosecuting Attorney's Office
Elkhart County, Indiana**

There are several monumental concerns confronting law enforcement in Elkhart County in its effort to investigate and prosecute the manufacture, distribution and use of methamphetamine. Not the least of which is that, while methamphetamine distribution and use has become the number one single drug enforcement problem, we still must maintain a focus on the interdiction of the distribution and use of other illegal substances, such as; crack cocaine, powder cocaine, marijuana and the diversion of prescription medications.

African American street gangs, such as the *Gangster Disciples and the Vice Lords* have long cherished Elkhart County as a fertile territory for their illegal enterprises. The primary base of operations for these organized criminal organizations is Chicago. Those two entities are primarily responsible for the wholesale distribution of crack cocaine in Elkhart County.

The spotlight on lower level and street level interdiction initiatives requires a significant commitment of personnel, yet rarely results in a large seizure of “product”. These types of investigations have a positive, but cosmetic, affect. Because these types of dealing operations are highly visible they generally produce a large number of citizen complaints. These complaints require a response.

The dilemma is balancing the response to highly visible, yet low yield, investigations with upper level, high volume investigations. The commitment of police manpower and man hours gives the appearance to the community that the police are being effective in their efforts. While the police effectiveness is naively measured by “body count” statistics, the actual impact on the total problem is minimal.

This is not to say that these street level enforcement efforts should not be undertaken. In fact they are an effective law enforcement tool to develop intelligence and informants to assist in the investigation of mid level, upper level and wholesale traffickers. The “quick hit” interdiction efforts are the foundation of addressing these other issues.

Mid to Upper level drug trafficking investigations require an ongoing commitment of personnel and a mechanism to prevent conflict of investigations being conducted by other agencies; Federal, State and Local.

The explosion of methamphetamine use and its associate manufacture and distribution has been partially exacerbated by the stepped up efforts of the Federal law enforcement agencies to interdict the importation and distribution of cocaine from South America.

Methamphetamine distribution has several distinct advantages over cocaine distribution. The primary advantage is that the substance can be manufactured from chemicals and items that can be purchased at numerous retail locations. The process is not “rocket science” and while it is extremely hazardous to the manufacturer and anyone who may be in close proximity, individuals of relatively low mental capacity are able to combine the materials together and make a reasonably high quality substance. The fact that we have as few conflagrations and explosions as we do is probably a testament to luck over skill.

The local production of methamphetamine, using primarily the “Nazi method”, is prevalent in this area for several reasons. One of the primary reasons is the ready availability of one of the primary ingredients, anhydrous ammonia. The primary “cookers” are “biker types” that have received their training in manufacturing methamphetamine from other equally unsophisticated individuals.

The Indiana State Police and their Clandestine Methamphetamine Lab teams are the sole agency qualified to dismantle these operations for our local agencies. This places an appalling onus on that agency.

While this local production problem is of major consequence in Elkhart County, and we are constantly vigilant to investigating clandestine laboratories, we have not established that as our primary focal point.

Our focal point has been determined by the huge influx of Hispanics into Elkhart County. Over the past several years an environment has evolved that has made Elkhart County a significant distribution point for Mexican Nationals dealing in methamphetamine.

Elkhart County, by anyone's definition is "Heartland" America. Elkhart is nationally known for its manufactured housing, recreational vehicle industry as well as other manufacturing activities. This situation means that there are numerous jobs available. In addition this County has historically been a leader in the State of Indiana in poultry and agricultural employment. These factors have made Elkhart County an encouraging destination for immigrants looking for steady employment. It could easily be estimated that 90-95% of the Hispanics that have located to this area have done so in search of the "American dream". They have come here for employment opportunities, to raise a family and to make a life that will be better for their children than what they themselves have experienced.

The unfortunate aspect is that this has also provided an opportunity for Hispanics that have a separate, illegal agenda, to also infiltrate this community. Historically in this country new immigrants have held onto their own culture, language and life style through at least the first generation. These newly arrived Hispanics are doing the same thing. This creates a situation wherein law enforcement has the added hurdle of trying to infiltrate the illegal activities of the minority of the Hispanic population. Law enforcement officers that do not have a background in the Hispanic culture are hard pressed to conduct covert investigations into the sub-culture that is drug trafficking.

The purpose of the hearings on this matter are to try and determine what the Federal Government's role in addressing these "Heartland" issues can and should be.

Our office currently has a good working relationship with the United States Attorney's Office in South Bend. We have also developed strong ties with the Drug Enforcement Administration's Merrillville office through the designation of one of our officers as a Task Force Agent. The coordination of our investigative efforts has been a positive in our ability to understand the scope of the problem. We have agreed to investigative strategies that support and supplement each entities effort.

One of the deficiencies that we have is that we do not have sufficient Hispanic undercover operatives. Sworn personnel and reliable Confidential Sources that are Hispanic and fluent in the language are a prerequisite to infiltrating the Hispanic drug cartels and distribution networks.

The other deficiency is funding for long term investigations. The quantities that are commonly being sold in and around Elkhart County are large. Where several years ago we felt that a multiple ounce buy of cocaine was a major accomplishment, we now find ourselves with the ability, but not the resources, to make multiple pound purchases of methamphetamine.

Hispanic investigative personnel and funding are the two primary areas of concern for us as local investigative operations.

There are several initiatives that can be promulgated. Some of the initial steps have already been accomplished.

Initiatives that have been successful in other jurisdictions have not been put in place and dedicated to Elkhart County. Some of the Federal initiatives that should be examined for possible implementation in Elkhart County are:

- A. Designate Elkhart County as a Posted Duty station for the DEA.**
- B. Designate an OCIDETF to be focused on Elkhart and St. Joseph Counties.**
- C. Establish a HIDTA group for Elkhart and St. Joseph Counties.**
- D. Assign a Criminal Analyst to focus on the methamphetamine distribution problem in Elkhart and St. Joseph Counties.**

One of the major deficiencies that we must deal with is that we do not have sufficient Hispanic undercover operatives. Sworn personnel and reliable Confidential Sources that are Hispanic and fluent in the language are a prerequisite to infiltrating the Hispanic drug cartels and distribution networks.

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A prime example of the ready availability of the “Mexican Methamphetamine” in Elkhart County is the price points that have been established over the past nine months: (See attached Chart)

Time frame	Per Pound Price
Summer 2003	\$7500
Fall 2003	\$6500
Thanksgiving 2003	\$5500
Christmas 2003	\$4500
January 2004	≤\$4000

The laws of supply and demand apply to illegal as well as legal commerce.

The comparison of Cocaine and Methamphetamine seized or purchased by law enforcement over the past five years is reflected in the attached graphs. The graphs are demonstrative evidence that the methamphetamine problem is growing at alarming rates.

If we are unable to find ways to attack this problem with appropriate funding levels and additional law enforcement personnel and equipment, there is little hope that we are going to be able to stem the tide of the methamphetamine explosion relying on our own resources.

Respectfully submitted,

**William V. Wargo
Chief Investigator
Elkhart County Prosecuting Attorney's Office**