

-OFFICIAL PUBLICATION OF-

# THE COALITION

THE NATIONAL NARCOTIC OFFICERS ASSOCIATIONS COALITION

**THIS Issue:**

**Sex, Laws & Superheroes**

**Pgs. 23, 20 & 25**

SPRING, 2018 VOL. 20, NO. 1

[www.nnoac.com](http://www.nnoac.com)

2017 NNOAC EXECUTIVE BOARD



**Ron Brooks**  
**Executive Director**  
*California Narcotics Officers' Association (Retired)*  
rbrooks@nnoac.com



**Bob Bushman**  
**President**  
Minnesota State Association of Narcotics Investigators  
(202) 664-9244  
bbushman@nnoac.com



**Jason Grellner**  
**Vice President**  
Missouri Narcotics Officers Association  
jgrellner@nnoac.com



**Phil Little**  
**Treasurer**  
North Carolina Narcotic Officers Association  
(910) 876-7871  
plittle@nnoac.com



**Eric Brown**  
**Secretary**  
Ohio HIDTA  
(614) 255-4195 – Office  
(740) 808-4189 – Cell  
ebrown@nnoac.com



**Ernie Martinez**  
**Member At Large**  
Colorado Drug Investigators Association  
(303) 471-8100  
emartinez@nnoac.com



**Peter F. Boyce**  
**General Counsel**  
NNOAC  
(770) 921-7048  
pboyce@nnoac.com

Engage  
in the  
dialog.

Volume 20, No. 1 - Spring, 2018

**Editor-in-Chief**  
William Butka  
wbutka@nnoac.com

**Article editor**  
Patricia Kohl

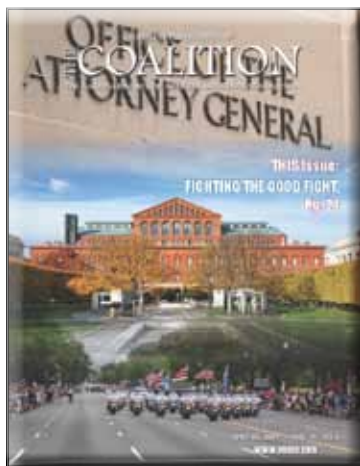
**Publication Designer**  
Jessica Manley

**Fighting the Good Fight**  
**cover credits:**

*NLEOMF Esplanade © Olivier Le Queinec | Dreamstime*  
*Police on bikes © Vonora | Dreamstime*  
*AG Sign © Paul Brady | Dreamstime*

Inside this Issue

President's Message ..... 3  
Drug Enforcement Forum ..... 5  
Post Tracks Deaths ..... 6  
Region Reports ..... 8  
Brooks & Bawden ..... 17  
Life, Liberty and ..... 19  
Marijuana @ Work ..... 20  
Sexual Harrasment ..... 23  
Five Years Later ..... 24  
Pigs or Superheroes ..... 25  
FEATURE: Drugged Driving ..... 28  
AVON Protection ..... 30  
Patrol Rifle ..... 32  
Special Report: CDFW MET ..... 36



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

**ARCHIVES**  
of past issues are available online  
[www.nnoac.com](http://www.nnoac.com)

# President's Report

By Bob Bushman

## 2017 Was a Good Year for the NNOAC

While we have certainly enjoyed the new working atmosphere that came along with the Trump Administration, there is still a lot of work to do. During the past year, the NNOAC and many of our law enforcement and criminal justice partners have been busy trying to gain back some lost ground, while also working through some of the same issues that we have experienced year after year.

This has been a good year for the NNOAC. Our 2017 NNOAC Delegates Conference in February was our largest and, by many measures, our best ever. The 2018 Conference is shaping up to be as good, or even better. We have brought in some new member associations, and we have been invited to participate in several national and regional events.

In September, NNOAC sponsored a Drug Enforcement Forum at the ATF Headquarters in Washington, DC. Our goal was to bring our partners together to discuss how we can best address drug policy and related issues. It was

an outstanding success. We invited 55 of our partner organizations and had about 80 attendees. During the two-day forum, we heard from several subject matter experts and we had some great discussions. Attorney General Sessions was our keynote speaker, and he thanked us for our work and encouraged us to continue our efforts to protect our country from drug abuse and violent crime. We had a lot of positive feedback about the forum, and we hope to continue to use the momentum we built there to address many of the issues we discussed.

Attorney General Jeff Sessions and DOJ staff have been regularly consulting the NNOAC and other law enforcement associations and organizations about issues that affect us and our members. Some of our NNOAC Board members and I have had several opportunities to speak with the Attorney General and his staff about many of our core issues – drug legalization, asset forfeiture, and sentencing reform, as well as Byrne/JAG and the HIDTA and RISS Programs. Many of our law enforcement partners and I have been invited to attend DOJ-sponsored events and to participate in discussions about drug policy issues and violent crime strategies. I can tell you that those meetings take on a whole different perspective when we can provide the attendees and Administration officials with stories straight from the street about the cause and effect of violent crime and its relationship to drug trafficking.

On another positive note, Attorney General Sessions recently rescinded the Cole Memo, enacted during the prior administration, which restricted

the ability of United States Attorneys to prosecute marijuana cases. When the Cole memo was announced in 2013, NNOAC vigorously opposed it. It was also the catalyst for aggressive expansion by the marijuana industry, as they took it as a signal that they were free to engage in the production and distribution of marijuana in violation of federal law, without fear of prosecution. While this change in policy does not force U.S. Attorneys to prosecute marijuana cases, it no longer restricts or prohibits them from prosecuting people and organizations that threaten the health and safety of their communities. They are free to enforce the law. We applaud Attorney General Sessions for that bold decision.

One of the issues making headlines is the drug epidemic in our country resulting from the abuse of opioids and heroin. In 2017, over 62,000 people died from drug poisonings; that is now the leading cause of death for people under 50 years of age. Entire communities across the nation are being devastated by this problem, and it is putting a significant strain on first responder and public safety resources.

While much of the response to this current epidemic is focused on treatment, more must be done to interdict and decrease the drug supply. Fentanyl- and carfentanil-laced heroin is killing people and exposes law enforcement and first responders to health and safety risks. Record-setting quantities of cheap, high-quality methamphetamine continue to flood into our country, and domestically produced marijuana is finding its way into local markets throughout the country. Many people still illegally seek



President Bob Bushman

## Good Year, cont.

and abuse prescription drugs. As drug deaths increase, many of our elected officials and members of our communities turn to law enforcement to stem the flow of drugs into our communities. They are demanding that something be done to keep dangerous, deadly drugs and the greedy, violent organizations and criminals that peddle the poison to their kids, out of their communities.

Public safety is one of government's main priorities. Yet, year after year, law enforcement leaders and associations like the NNOAC have to continue to beg elected officials for the basic funding and resources that are needed to do their work. A lot of time is expended working to keep programs like Byrne/JAG, HIDTA, and RISS, as well as state and local law enforcement budgets, funded at levels where they can sustain their efforts. All of these programs have a direct impact on law enforcement's ability to effectively fight and reduce drug trafficking and violent crime. It is time that policy makers and elected leaders acknowledge that and start to work with us to preserve and improve these important law enforcement tools, ensuring that our members have the budgets and resources they need to protect our citizens.

There is a lot of heavy lifting on the horizon. Asset forfeiture is under attack within Congress and in several

state legislatures. There is a plan by some to move HIDTA from ONDCP to DOJ, which could potentially reduce the amount of state and local control and influence that has made HIDTA so effective. There are many advocates calling for criminal justice reform, based upon their desire for "social justice", and there are many opinions about how to best address the opioid/heroin problem. And, as always, funding for Byrne/JAG, HIDTA, RISS and our core budgets will take monumental efforts from you, your NNOAC Board, those organizations and our law enforcement partners. All the while, Congress is still dragging its feet, as there are many critical Administration appointments – agency heads, U.S. Attorneys, U.S. Marshals, and judges – that remain unfilled.

The NNOAC is not just sitting quietly on the sidelines. Your Board, along with the Brooks-Bawden team, works tirelessly with many of our partners to keep advocating for the policies, legislation, and resources that will keep you safe and that will help you to be effective in combating drug abuse, drug trafficking and violent crime in your communities. While a lot of the work we do on your behalf may not be visible to you, I assure you that we are not just waiting for something to happen. We are making things happen! ☆

**Q'tis**  
Patent Pending

POWERED BY **Zinatt Technologies INC**

### Quick Tracking Information System

- ✓ Increased Productivity
- ✓ Simplified Data Entry
- ✓ Built in Management Tools
- ✓ Case Wide Searches
- ✓ Automatic Backup Features
- ✓ Enhanced Security for users

Call us for a FREE live demonstration of our Software  
[www.zinatt.com](http://www.zinatt.com)  
888.939.3648

**How Investigators Keep Information Organized Now**  
Spreadsheets & Word Processing  
Endless paper trails and notes

**How Investigators Keep Information Organized with Q'tis**  
Images, Reports, Photos, Videos, Audio  
Simply upload your intel in one place

## NNOAC and Partner Organizations Meet at Drug Enforcement Forum

**O**n September 12 & 13, 2017, the NNOAC sponsored a Drug Enforcement Forum at ATF Headquarters in Washington, D.C. The NNOAC invited partners from 55 law enforcement, criminal justice and advocacy organizations to participate in the two day event. The goal was to discuss drug law enforcement policy issues and to identify priorities and areas of agreement and consensus among the NNOAC and our partners. NNOAC Executive Director Ron Brooks served as the Moderator. About 80 people attended the Forum.

Subject matter experts were invited to address issues including Marijuana and Opioid Enforcement Strategies, Program Funding and Support, Asset Forfeiture and Equitable Sharing and Criminal Justice/Sentencing Reform. Following those presentations, the attendees discussed the presentation, providing many points of view for consideration. The Institute for Intergovernmental Research (IIR) and NNOAC staff took notes during the discussions and we used them to draft a comprehensive review of the Forum.

***"a large gap exists between what law enforcement knows, and what the community doesn't know"***



Speakers included ATF Acting Director Tom Brandon, DEA Acting Administrator Rob Patterson, New Jersey State Police Superintendent Rick Fuentes, US Sentencing Guidelines Commissioner Kathleen Grilli, Deputy Assistant Attorney General David Rybicki and NNOAC Legislative Affairs Advisor, Ben Bawden. Representatives from many of the participating organizations gave presentations and United States Attorney General Jeff Sessions also attended and addressed the attendees.

The Forum presentations and discussions contained some very interesting, sometimes startling, information. Statistics regarding overdose deaths, opioid abuse, addiction rates, increases in drug use by young people and the expansion of marijuana legalization were sobering reminders of the problems we face. Attendees were also provided with good information about recidivism rates, asset forfeiture and criminal justice reform that will help law enforcement prepare good, factual responses to legislative initiatives that are sure to be debated in Congress in the coming months. To close the Forum, Attorney General Sessions encouraged attendees to continue their efforts to protect our country from drug abuse and violent crime and he pledged his support for the very important work that our members do.

One of the main themes that emerged from the Forum discussions is the realization that a large gap exists between what law enforcement knows and what the community doesn't know about drug abuse and its impact on crime.

If we can educate people and begin to fill that gap in knowledge, we may find more support for our efforts and the work that law enforcement agencies and our members do.

The NNOAC has received many positive comments about the Forum. Several organizations have requested presentations about the Forum and many of the participants have been discussing the next steps that are needed to turn the Forum discussions into results. ☆

## Washington Post Tracks Citizens Killed by Law Enforcement

*Reprinted with permission from lawofficer.com*

Three years ago the Washington Post began tracking citizens killed by law enforcement. Leading up to the collected data was a daily mantra of so called experts and politicians discussing trigger happy and racist cops.

That has always been a lie and what the data from the Washington Post continues to do is show anyone that takes an honest look at the data that law enforcement is doing a remarkable job in the midst of violence around them.

**For the last three years, the number of citizens killed has been just about the same** and that has caused some to scratch their head. How could that be after massive reform and training measures were demanded and taken by so many agencies in an effort to reduce force? As I have pointed out in previous articles, until suspects stop attacking and committing violence against cops, force will never change and that is why the data is literally staying the same from year to year.

**Society must start approaching this issue with facts and leave emotion out.** There is someone to blame when deadly force has to be used and it is very rarely the police officer.

The data proves it.

The 2017 data was not much different than the previous two years. **Law enforcement shot and killed 987 suspects compared with 963 the year before and 995 in 2015.**

The accompanying data was also relatively unchanged including what the media has been ramming down the throats of the public for years, that law enforcement has a problem shooting unarmed people with a specific emphasis on African Americans.

That lie has bothered me the most through my career and I have had to have this same discussion with parents and kids that tell me they are scared

of law enforcement. We owe them more than emotions and lies. We owe parents, children and the public the facts in regards to this issue and as I found out diving into the data, the facts certainly matter.

Those facts don't keep the media from using the data in a false fashion in an effort to paint cops as racist and brutal and they typically use the "shooting of unarmed" people to show that, but as I found out, unarmed certainly did not mean innocent and harmless.

**When a citizen stands up at a community event and says they are more scared of the police than violent criminals, that is a problem.**

When a parent tells me they are more scared of their kids being stopped and shot by the police than the gang members on the street corner, that is a problem.

**And that problem lies squarely on the shoulders of the liars and frauds that are spreading that message.** Those liars don't want others to see the Washington Post data. Those liars are more concerned with stoking hatred toward those that protect the community than telling the truth and the truth is that there are some communities that have a violence problem and that violence is not coming from law enforcement. It is coming from cowards that are preying on the very citizens in their neighborhood while at the same time blaming law enforcement for all of the problems.

**It is intellectually dishonest to keep blaming cops when the facts are known.**

The data breaks down all races but because African American deaths at the hands of law enforcement are the sticking point for some and the media hangs on it, I took a look at the shooting of unarmed African Americans by police in 2017 first and then looked

at the shooting of unarmed whites. I didn't find bias in law enforcement. Police shoot more unarmed whites than blacks and at a higher percentage but I did find extreme bias in the way the media covered each race in what became very similar situations within both races.

**The public and especially minorities are being played by a biased media that cares more about emotion and sensationalism than facts.**

The trends were exactly similar across races and those trends say that there is much more to the story than "unarmed."

In 2017, according to the Washington Post, law enforcement shot and killed 20 African Americans who were considered "unarmed." It was 18 in 2016 and 38 in 2015.

I did what the Washington Post did not list in their data. The actual facts from each incident. Because I have been in law enforcement for two decades, I wasn't surprised by what I found. I know the montage of stories that law enforcement targets blacks to kill them is a complete lie and the data along with the facts of each case proves it.

It's too bad the media or some of our community leaders don't focus on these facts but we will.

Out of the 20 "unarmed" suspects, 11 were committing a violent crime and fighting with a police officer before they were shot. The fights were brutal with some choking the officer. Others like Nana Adomako was beating an Fremont (CA) Police officer in the head so violently that he almost lost consciousness. After Adomako was shot and killed, he was considered "unarmed."

Brian Easley was a 33 year old military veteran that was shot by a

SWAT Officer after he took two bank employees hostage and claimed to have a bomb. He didn't have a bomb so therefore he was "unarmed."

Two suspects were running from cops and simulated shooting them after placing their hands in their waistband. JR Williams was one of them. A registered sex offender, he fled on foot when a Phoenix Police officer tried to place him under arrest. During the chase, he kept his hands concealed and threatened to shoot the officers. At one point, he turned and drew his arm from his waistband with a clenched hand, simulating a shooting stance. That action got him killed and also classified as "unarmed."

Isaiah Tucker drove his car at an Oshkosh (WI) Police officer and they were classified as "unarmed" which is a mistake by the Washington Post considering they classify cars as a weapon in their data.

There was a tragedy in the data when a woman was shot by police in Florida during a search warrant when her boyfriend used her as cover as he was shooting at cops. She was "unarmed" but the man behind her was firing at will as officers entered the residence.

All but two officers were cleared of any wrongdoing. A police officer was charged with murder after he killed 14 year old Jordan Edwards, who was a passenger in a car fleeing a party that police were present at. An Amtrak Officer in Chicago tried to arrest a man for marijuana possession when he took off running. The officer shot and killed the suspect as he was fleeing and the officer was also charged with murder.

**Police shot and killed 30 White Americans in 2017 that were considered "unarmed" by the Washington Post. That was 3% of all shootings compared to 2% of all African American Shootings.**

Almost half of the suspects were

in brutal fights with officers. One incident occurred in Toms River (NJ) when Christopher Apostolus busted out of a closet and ran towards officers. He grabbed an officer's neck and the officer's gun before being shot. He was also "unarmed."

**Many officers attempted other means of force prior to using deadly force** including one Ohio officer that was attacked by Vincent Palma. Palma charged at the officer and attacked him. The officer utilized a Taser, Baton and even fired warning shots in the ground but the attack continued. Palma was shot and killed and he was also considered "unarmed."

**Suspects also ran, took aggressive stances and simulated shooting officers** before being shot and in some cases this was done to citizens. Hayden Stutz called a Canton Police Dispatcher and threatened to kill officers when they arrived. The officers did arrive and he was holding a woman's head on the ground telling her he had a gun and was going to kill her if she moved. He refused to get off the woman when cops arrived and told them he had a gun. After being killed by police and a weapon not being found, he was also considered "unarmed."

As in the earlier cited data, there were a few "unarmed" citizens that were with violent felons and were unfortunately shot by the police in the process including an incident in Mississippi where an ex-con was shooting at officers and in the return fire, his girlfriend was also killed.

Out of the 30 deadly force incidents that involved White Americans, a Dallas Police Officer was charged with aggravated assault after he shot into a car that was backing up towards him. While there are a few cases still pending, based on the facts I saw, I would anticipate that four police officers will be charged with a crime out of the 50 deadly shootings of

"unarmed" suspects and citizens. That is a stark difference in the narrative being spoken in regards to this data.

Facts matter and there are few facts being spoken by those that seek to do harm to law enforcement in regards to these cases.

One thing that always frustrated me and still does is the unsubstantiated fear that a few in a community tries to tell the masses about law enforcement. I saw this up front and personal in a recent community forum. A mother stood up and asked a local politician I was sitting next to what they should tell their kids to do when they were contacted by law enforcement because she feared for her children's life.

**He told her that she should tell her kids to do what the police ask them to do.**

Some in the crowd booed his answer and I was appalled. That advice also happens to be what I tell my kids.

The data shows that this was excellent advice. If you want to exponentially increase your chances of getting shot by law enforcement, then just do the following:

1. Fight Cops
2. Run From Cops
3. Simulate Shooting Cops
4. Drive Cars at Cops
5. Steal Police Cars
6. Grab Cop's Guns

In virtually every incident I researched for 2017, there were marches and protests in honor of the suspect. There were demands to fire and arrest every cop involved and that is a very sad state of affairs for our society.

**What the Washington Post fails to mention is that over 50,000 cops are assaulted every year by "unarmed" suspects and very few of those suspects are shot by police.**

Yes, mistakes happen and sometimes a police officer commits a crime but in



# NATIONAL NARCOTIC OFFICERS' ASSOCIATIONS' COALITION

## REGIONAL DIRECTOR'S REPORTS

### Midwest Region - Brian Marquart

North Dakota, South Dakota, Nebraska, Minnesota, Iowa, Wisconsin, Illinois

651/201-7338

bmarquart@nnoac.com

### *Heroin, Fentanyl and Prescription Opioids*

The region continues to see heroin and fentanyl overdose deaths at an all-time high. 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 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”. One such investigation in South Dakota recovered over 20,000 pills laced with fentanyl. Law enforcement is continuing to encounter these dark-web purchases from overseas; these investigations are time-consuming and require additional law enforcement resources and expertise.

The region has also seen an increase in the number of overdose deaths related to carfentanil. Carfentanil is a synthetic opioid that is 10,000 times more powerful than morphine. It's of a drug class similar to fentanyl and other fentanyl analogs, but it was never intended for human consumption. Carfentanil is only supposed to be used as a large-animal tranquilizer; it can be fatal to humans in doses the size of a few grains of salt. The Minnesota Bureau of Criminal Apprehension laboratory had not seen carfentanil until the later part of 2016, but it has been observed in 58 items from January 1 to October 1, 2017. Law enforcement and EMS personnel in much of the region carry Narcan, which is able to revive those experiencing an opioid overdose in some instances. Reports indicate that multiple doses of Narcan are having to be used to revive overdose patients in those areas most affected by the increase in opioids and fentanyl. All of these synthetic opioids have the potential to



cause death to the users, as well as to the first responders providing aid or conducting investigations. The National Security Council (NSC) recently released a one-page safety guide for first responders in regard to officer safety when encountering suspected fentanyl-laced products.

Large, multiple-kilogram seizures of heroin are occurring across the region, with most of the drug being in the form of an off-white powder that can be snorted, smoked, or injected. Most of the heroin seen in the Midwest region is sourced by Mexican Drug Trafficking Organizations (DTO's) and transported to the region from the southwest border. Opioids and other prescription abuse continue to be the catalyst for many heroin users, with four out of five heroin users indicating they first started using heroin after becoming addicted to prescription opioids. Heroin and opiate use in the region has increased exponentially in recent years. The new population of heroin and opioid abusers is more diverse – users represent a wider range of economic status, age (younger), and race. Alarmingly, Minnesota ranks highest among all states in the ratio of mortality rates due to drug poisoning by heroin and other opioids among American Indians/Alaska Natives in comparison to Whites and African Americans to Whites.

### *Methamphetamine*

Methamphetamine in the region has now surpassed marijuana as the primary drug of choice for people entering treatment, behind alcohol. The Midwest region continues to see record increases in methamphetamine seizures and arrests. As an example, seizures in Minnesota have gone up more than 500% from 2009-2017 and continue to increase. Seizures and arrests in South Dakota have gone up over 20% in the past year. 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.



### **Marijuana**

The region has seen large seizures of marijuana being sourced from states that have legalized recreational marijuana. In December 2017 alone, seven seizures, totaling over 1,100 pounds of marijuana, were made coming to Minnesota. 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 – in the form of gummy bears and “pot tarts” – are aimed at attracting young people to try them. This should not be a surprise; many of us grew up with the big tobacco companies trying to entice the next generation to become addicted so that they would continue to have customers – and lying to people about their products not being harmful. 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.

---

**Southeast Region - T. Gene Donegan**  
Tennessee, North Carolina, South Carolina,  
Mississippi, Alabama, Georgia and Florida  
**615/509-3738**  
tdonegan@nnoac.com

**T**he Southeastern region, unfortunately, is seeing the same issues as many of the other areas across the United States. We do see a difference in the predominant type of drug in our rural small cities as compared with our larger cities.



The Southeastern region has seen a dramatic drop in our homegrown/one-pot methamphetamine labs. This is the second consecutive year that we have seen a drop in methamphetamine labs; unfortunately, this is not due to a decrease in methamphetamine use. The crystal methamphetamine that is produced and distributed by the Hispanic cartels from Mexico is increasing. The southern states are seeing an increase in both quality and quantity. Also, the price of the crystal methamphetamine is at an all-time low, which is even more of a concern. Citizens, who were manufacturing methamphetamine through the use of homemade labs, have turned instead to getting a product that is cheaper and higher in purity. The increase in crystal

methamphetamine is particularly growing in rural areas and smaller cities with less drug enforcement efforts. The increase in the crystal methamphetamine is being supplied by Hispanic DTO groups that are transporting the drugs into the Atlanta, Georgia, area and then distributing them out to other states. We have seen a trend of disguising the crystal form into liquid or past forms, then finalizing the product in production labs.

The Southeastern region is continuing to deal with the spread of large amounts of heroin. The region initially dealt with Mexican-produced brown and black tar heroin; but over the past two years, we have seen an explosion of fentanyl- and carfentanil-laced products. While we originally only saw “laced” heroin coming from the Northeast, we are now seeing it being distributed by the Hispanic organizations, as well. This region is still losing more people to overdose deaths than vehicle accidents each year. This is a problem that crosses all socioeconomic groups and affects much of the population in one way or another. This region continues to see fentanyl being sold as heroin or synthetic pills being manufactured that contain fentanyl. This trend has been gaining momentum over the past two years, and I believe it will continue to grow due to the large amount of profit that this type of distribution generates. Everyone knows someone who has been affected by the opiate epidemic. In many states, we see areas that are affected by heroin but not crystal methamphetamine, and vice versa. It would appear that the trends lean in one direction or another.

We consistently have a steady supply of cocaine being distributed into the area. We have not seen a significant change in cocaine distribution, even with the increase of crystal methamphetamine. With crystal methamphetamine and cocaine being strong stimulants, one would expect to see a lower rate in one or the other. But this does not seem to be taking place in most areas.

A steady and growing trend of shipping marijuana from states that have legalized marijuana continues to plague most areas. We have made numerous arrests of marijuana growers from Colorado/California, shipping marijuana into a location and then flying in to complete the sale of their products. Only rarely does a week go by in which the unit that I lead doesn't seize between three and five parcels – all of which are coming from other states that have legalized marijuana. The trend of shipping the packages through United States Postal Service is continuing. After interviewing an arrested suspect, we found out this was due to the necessity of a federal search warrant for those packages versus a state search warrant for the other parcel services. The illegal shippers are aware of

the increased difficulty in obtaining a search warrant for the Postal Service. The process for obtaining a federal search warrant is much longer than on the state side, making it that much more difficult to deliver the package in a timely manner. When a package is delayed for the federal search warrant, the senders are alerted that something is wrong, and often the package will not be picked up. We have also seen a surge in tracking devices being put inside the packages to locate the exact time and location that the package is delivered. It also alerts the sender to law enforcement picking up the package and obtaining a search warrant for the contents.

---

## East Central Region - Tommy Loving

Kentucky, West Virginia, Virginia, District of Columbia, Delaware, Maryland, New Jersey

270/843-5343

tloving@nnoac.com

The West Virginia Narcotic Officers' Association (WVNOA) held its annual conference at the Bridgeport Conference Center in Bridgeport, WV, from September 25-27, 2017.



Approximately 150 officers and detectives attended the training conference. The conference topics included search warrants, traffic stops, informant management, officer safety, knock and talks, and courtroom testimony. During this conference, "The Drug Case of the Year" was awarded to the Ohio Valley Drug Task Force for the Williams/Ebrahim Case, and "The Interdiction Case of the Year" was awarded to Ravenswood Interdiction Team for the Guillot Case.

The Kentucky Narcotic Officers' Association (KNOA) held its annual training conference in Louisville, KY, with a record turnout of over 400 attendees. The training conference was held in August 2017 at the Hyatt Regency Hotel. Matt Gelhausen (Louisville Metro Police Department) was elected KNOA President. This was the 14th annual conference for the KNOA and another milestone in the association's history. The conference had several financial sponsors, including Appalachia HIDTA, ROCIC, the Kentucky Justice Cabinet, Callyo, 5.11 Tactical, and the Kentucky State Police.

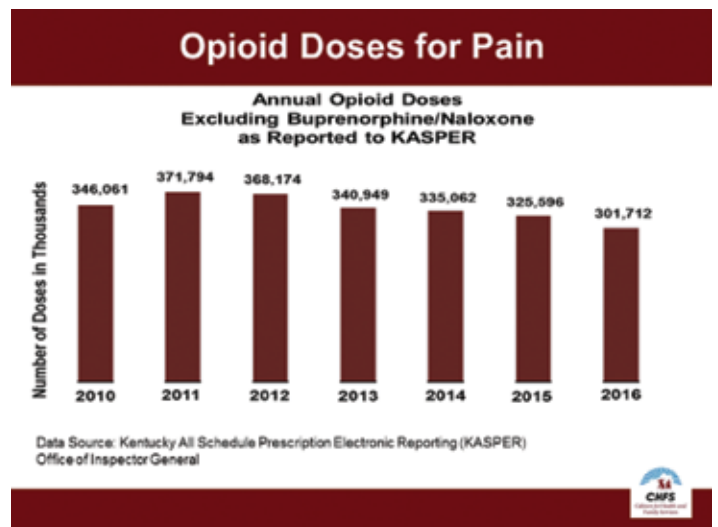
Retired Special Agents Javier Peña and Steve Murphy presented a 3-hour class on the Pablo Escobar case as portrayed on the hit Netflix series "Narcos". Javier Peña retired from the Drug Enforcement Administration (DEA) as a Special Agent in Charge (SAC Houston Field Division) in January 2014 after 30 years of service. His career was highlighted by his volunteering for assignment to the DEA office in Bogota, Colombia, in 1988, where then-Special

Agent Peña and his partner, then-Special Agent Steve Murphy (Retired SAC over OCDETF), brought down the notorious Medellin drug cartel led by Pablo Escobar. Peter Boyce also presented a class, "Risk Avoidance for Narcotic Officers and Supervisors", which was KLEC certified.

The New Jersey Narcotic Enforcement Officers' Association conference, held June 5-8, 2017, featured instructors from across the United States, both Federal & State. They spoke on such topics as: Decision Making Under Pressure, Adaptive Leadership Methodology, Tactical Operational Planning, The Changing Paradigm of Drug Law Enforcement, K-9 Capabilities Briefing, 2-Hour Case Law Every Cop Needs to Know, Indicators of Potential Assault or Flight, and Characteristics of Weapons Concealment. It was another great year, with 181 attendees at the conference and 450 attendees at the annual awards luncheon. Conference registration is free for NJNEOA members.

Opioid prescribing is decreasing in Kentucky, in part due to legislation passed in 2017 targeting overprescribing in the acute-care and long-term pain settings. The legislation required a 3-day prescribing limit for opioids in post-acute care settings. These limits and regulations can help change prescribing behaviors otherwise resistant to change and decrease rates of substance abuse.

The chart below demonstrates that opioid prescribing for pain has steadily declined since 2012, when Kentucky began requiring prescriber training on addiction, pain management, and the usage of prescription drug monitoring. We expect that Kentucky's 3-day limit for acute pain prescribing, passed in the 2017, will augment this downward trend.



Kentucky is still seeing a steady flow of heroin in the major urban areas. We are also observing an increase of Fentanyl-related overdose deaths in Kentucky. We believe that the Fentanyl is being smuggled from China into Kentucky's

urban centers. Methamphetamine labs continue to decrease, but seizures of Mexican crystal methamphetamine have greatly increased.

When asked, “What is the primary drug issue in the region?”, the answer is a two-part question: What state are you standing in; and what county are you located in? The drug problem varies not only from state to state but also from county to county. Overall, the region seems to be experiencing an increase in Heroin, Fentanyl, Crystal Methamphetamine, and synthetic drugs, but the level of intensity varies by state and county.

Two counties in Northern Kentucky are seeing an increase in HIV, some of which is attributed to users who inject drugs. In 2017, there were 37 new cases of HIV, which is up 48% from 25 cases in 2016. Of those 37 newly infected people, 18 – that’s almost half – reported using drugs by injection.

During the upcoming NNOAC Conference, Kentucky will be represented by at least eight KNOA members. These officers will be strongly advocating for additional funding to HIDTA, Byrne/JAG, and RISS during this visit. Given the opioid crisis and increases in methamphetamine and cocaine use, we need additional funding for drug enforcement.

---

**Northeast Region - William Butka, Jr.**  
**Connecticut, New Hampshire, Vermont,**  
**Rhode Island, Maine, Massachusetts**  
**203/671-9841**  
[wbutka@nnoac.com](mailto:wbutka@nnoac.com)

**T**he Northeast Region continues to see record numbers of deaths due to drug overdoses. Using data from just the tiny state of Connecticut, in 2012 a total of 357 people died from accidental Intoxication. Five years later, in 2017, the projected number is in excess of 1,100 people, despite the use of Narcan by public safety personnel and its availability in local pharmacies. Deaths from heroin plus fentanyl: in 2012, one; in 2017, more than 354. Any death involving fentanyl – 646. This problem is mirrored through out the New England states. Sadly, we were warning politicians from the local and state levels up to the federal level of this problem before 2012. I remember the expressions from staff that conveyed the message, “Yeah, okay, I will listen to you for now, but....” We got the usual political answers. They would sign the usual letters of support, which were greatly appreciated.



The NNOAC recently attempted something that had never been done before. On September 12 and 13, 2017, the NNOAC partnered with the Department of Justice to hold a national drug policy summit in Washington, DC. Along with representatives from 56 agencies and criminal justice organizations, I attended (representing the northeast region).

Two days of dialogue produced an alarming report from the meeting: Factually, there are 28 states that have legalized some form of Marijuana. Drug-trafficking organizations are expanding; Cocaine production/use/seizures are increasing; Methamphetamine seizures are increasing; and synthetics/prescription painkillers easily available on the dark web.

Traffic deaths related to marijuana increased 20.23 percent. Prevalence of past 30-day marijuana use by our youth (ages from 12 to 17 years old) increased in the United States, to 7.22%; in Colorado, to 11.74%; and in Denver, to 12.38%.

In the United States, there were more than 62,000 overdose deaths in 2017– that’s almost the capacity (64,000) of the Memorial Football Stadium in Chicago! There is no definitive standard to determine driving while under the



---

## REGIONAL DIRECTOR'S REPORTS

*continued on next page*

## The Coalition

influence of marijuana, and no standard training to determine marijuana intoxication – yet marijuana-related driving deaths are increasing at alarming rates. This fact alone generates no urgency within political offices – and I mean none.

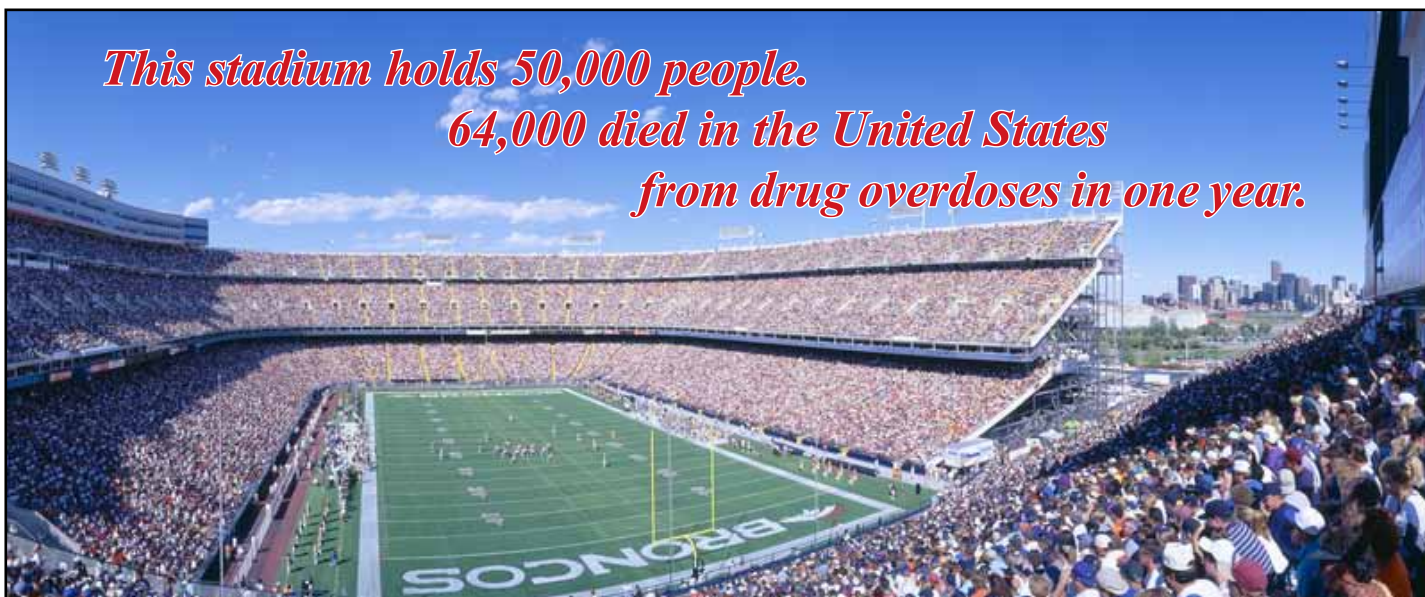
In 2015, the social cost of heroin was estimated to be 51.2 billion dollars. In the 1980's to 1990's, strong national anti-drug policy resulted in: 25% reduction in marijuana use; 50% reduction in cocaine use; 50% reduction in violent crime; "Just Say No", public service announcements, public/private partnerships and DARE instructions. All have since been lost, law enforcement efforts reduced, funding for federal and state drug laws reduced – and the result is very visible.

The NNOAC believes that (1) "Drug enforcement is necessary and is a critical component of protecting our communities from drug abuse and violent crime. Law enforcement efforts help get addicted people into treatment."; (2) "Elected officials are responsible for ensuring that law enforcement has the training, tools and resources needed to protect our citizens. Those resources must be sustained and



funded at sufficient levels."; and, most importantly, (3) "The violent crime that results from drug trafficking and drug abuse is a threat to our national security. We need to start treating it as such."

That report of the September 2017 policy summit will be placed on our web site, [www.natlnarc.org](http://www.natlnarc.org). ➤



**Southwest Region - Bob Cooke**  
California, Nevada, Utah, Arizona,  
New Mexico, Colorado and Hawaii  
**408/472-8409**  
[bcooke@nnoac.com](mailto:bcooke@nnoac.com)



I am responsible for coordination of seven (7) southwestern state member associations of the NNOAC. We all share the same concerns over normalizing criminal and dangerous behaviors that fuel illegal drug use and criminal organizations. We advocate for sound public policy to help protect our states from the fallout of drug use.

Beginning on a sad note. On this past Christmas Eve, California Highway Patrol Officer Andrew Camilleri and his partner's stopped CHP patrol car was struck by a driver who was under the influence of alcohol and marijuana. Tragically, Officer Camilleri was killed – and just one week before the anticipated increase in drugged driving, as marijuana was made legal on January 1, 2018, by the voters of Californians. As I write this article, the criminal driver is still hospitalized. On Christmas morning, Officer Camilleri's widow waited until after their three (3) children opened their presents to inform them that their Dad wasn't coming home. This grieving family will have to relive this horrific incident every Christmas.

On Nov 14, 2017, the Colorado Springs Gazette published a sobering (pun intended) editorial regarding the fifth anniversary of Colorado's decision to legalize marijuana. You will find it reprinted in its entirety on page 24 in this magazine.

We all know marijuana is, among many other things, a gateway drug. No doubt marijuana use will be linked to opiate addiction. No one should believe that vaping concentrated cannabis oil at 80%-90% THC (marijuana 20%-25%) is not hurting our teens; it's NOT THE SAME DRUG that most of us grew up with. For the first time in our country's history, teenage marijuana use has surpassed tobacco usage. Stand by – it's going to get really ugly, as most people are just misinformed. Everyone talks about all the money our local governments are going to make. Well, look at your children and grandchildren, that's who the drug traffickers are coming after. Who is going to protect our children? This isn't just our (law enforcement's) job. The opiate and synthetic drug (Fentanyl) world is horrifying.

**More ridiculous news:** On 12/22/2017, the L.A. Times wrote that former California Attorney General Bill Lockyer is going from enforcing laws against marijuana to legally distributing the drug under the state's new rules that allow the sale and possession of pot for recreational use. Now, I'm ashamed to say that I used to work for this man when he was the CA Attorney General. He says he wants to join the marijuana business to send his children to college. How perverse does that sound?

**California Marijuana Costs:** My friend Roger Morgan (Take Back America Campaign) recently wrote to me. With his permission, I would like to share the substance of his email (edited slightly for clarity and length).

*As California continues to grow marijuana under the guise of medicine, and provide 60% of the US market for recreational pot, our environment and natural resources are being destroyed. Roger urges everyone to go to [www.silentpoison.com](http://www.silentpoison.com) and read about the environmental devastation to Calaveras County. The estimated cost of cleanup for their 1500 grow sites is as high as \$2 billion... JUST FOR THIS ONE California COUNTY. California is aware of 50,000 outdoor grow sites in California – all growing an illicit drug that dumbs down and destroys the health and intellect of our people. The State and Federal government are both complicit in creating the problem. To whom should we send the bill? Who should we hold accountable for the lives lost?*

*As the vote comes up again to withhold federal funds so federal law can't be enforced in states with "medical marijuana" laws, please understand: 1) Calling marijuana (i.e. Heavenly Brownies, Cheebie Chews, Purple Passion, et al.) medicine doesn't make it medicine; and 2) Calling users "patients" doesn't mean that they are. Anyone 18 or older can get a pot doctor's recommendation to buy pot for any purported illness.*

*The fraudulent campaign started in California in 1996 during the Bill, Hillary and Soros regime. Millions in drug money has flowed since that time by and through Soros and his minions to control the media and the message and to influence drug policy. He donates millions of dollars to politicians. But when Congress unites in withholding funds from the DOJ so that they can't enforce federal law, it appears that the corrupting influence of money is evident on both sides of the aisle. We can't trust leaders of the Soros-controlled politicians.*

*Drugs are the biggest problem facing this nation. They kill more people, destroy more lives, and cost more money than anything on the government's list of priorities. Why aren't drug prevention and enforcing federal laws priorities? We are allowing marijuana to destroy our youth and future; when will Congress or the Administration step up to do anything about it?*

*We grassroots citizens are outgunned by the billions of dollars our drug-dealing opponents have to pay lobbyists. Only you, and the federal government, have the resources to correct this problem and keep America safe from drug dealing".*

**Networking:** Every year during the conference, the California Narcotic Officers' Association President hosts the "Out-of-State Reception" during the annual Training Institute to acknowledge the representatives from other state associations. This year, CNOA President Frank Hartig, Jr., invited representatives from the National Narcotic Officers' Associations' Coalition (NNOAC), and associations from Utah, Colorado, Arizona, Hawaii, Nevada, Oregon, Washington, Oklahoma, Kentucky, Kansas, Minnesota, Tennessee, Mississippi, Sweden, New Zealand and Iceland. This was the second year that a contingency from Iceland attended. The Swedish Narcotic Officer's Association (SNOA) has attended every CNOA Training Institute since 1983. The SNOA has also joined the NNOAC in Washington, DC, for our annual February Delegates' meetings.

Each organization's executive board member(s) had the opportunity to meet with CNOA's President Hartig; CNOA

---

## The Coalition

---

Executive Director Joe Stewart; incoming President Mark Brewster and newly elected Sergeant at Arms Ed Pecis; and many CNOA past Presidents, including Gil VanAttenhoven, Gary Armstrong, Bob Elsberg, Steve Riddel, Pierre Bidou, Mike Kennedy, Christy McCampbell, Ron Brooks, and myself (Bob Cooke). Also attending were CNOA Vice Presidents Rachel Capello, Glenn Walsh, and Angel Duarte; CNOA Regional Chair Barry Sweeny; and Jim Anderson, CNOA Historian and Adjutant.

*We all give a very special thanks to Laura Williams – Photographer – Benicia Police Dept.*

The following VIPs attended the CNOA Training Institute, representing their host agencies:

**National Narcotic Officers' Association Coalition:**  
**Bob Bushman, President**

**Swedish Narcotic Officers Association (SNOA):**  
**Anders Stolpe, Bjorn Landsten, Lena Thor, Richard Johansson, Tomas Cederquist (Founder)**

**Reykjavik Metropolitan Police, Iceland: Kristinn Sigurdsson, Thorbjorn Sigurdsson, Gubdrandur Hansson, Thordur Halldorsson, Eirkur Ragnarsson**

**Louisiana Narcotic Officers Association: David McDavid**

**New Zealand members/vendors: Kirk Hardy, Glenn Dobson, John Gallivan**

**Kansas Narcotic Officers Association: Brian Shannon, Victor Riggins**

**Texas Narcotic Officers Association: Kyle Summers, Eric Tijerina, Davide Ponce, Robert Almonte**

**Nevada Narcotic Officers Association: Bruce Gentner, Dillon Morgan**

**Utah Narcotic Officers Association: Allen Pearson, Matt O'Brien**

**Hawaii Narcotic Officers Association: Kanamu "Burt" Akana, Ken Tano**

**Minnesota State Association of Narcotic Investigators: Brian Marquart, Andrew Johnson, Robert Billings**

**Colorado Drug Investigators Association: Reuben Crews, Ray Padilla, Matt Stoneberger**

**Arizona Narcotic Officers Association: Ryan Beckman, Ken Hedrick**

**Association of Oklahoma Narcotic Enforcers: Andy Simmons, Patricia Figueroa**

**Washington State Narcotic Investigators Association: Rich Wiley, Matt McCourt, Chris Foreman**

**Regional Counterdrug Training (Mississippi): Tim Rutledge, Director**

It is rare that representatives from the NNOAC's southwestern states have an opportunity to network. We had six of our seven state organizations at CNOA, but missed

New Mexico, as their association needs reorganization. Please reach out to me if you are from New Mexico and want to assist in revitalizing your New Mexico association. Continue being heard and join with others to inform our brothers and sisters on the Thin Blue Line not to throw in the towel and lose interest in protecting our communities from dangerous drugs and lifestyles. We have many partners in public safety that have the same goals. These include faith-based organizations, community leaders, teachers, public health (both mental and physical) professionals, and nonprofit groups. ➤

---

### South Central Region - Leland Sykes

**Kansas, Missouri, Oklahoma,  
Arkansas, Texas, Louisiana**

**225/268-4360**

[lwsykes@nnoac.com](mailto:lwsykes@nnoac.com)



The South-Central Region, like many areas of the country, continues to suffer from the effects of the opioid crisis. Most states in the region continue to have significant issues with prescription abuse, but increasingly abusers are transiting to the cheaper and much more readily available Heroin. Heroin is being mixed with fentanyl, producing increasing numbers of overdose deaths. Louisiana has seen the arrival of carfentanyl, an even deadlier combination with heroin

Methamphetamine continues to be a scourge in the region. This is a good news/bad news scenario. The good news is that the “mom and pop” labs, which were so dangerous to our brave narcotics officers, have all but gone away. The bad news is that a flood of Mexican meth has emerged in their place. Both Texas and Oklahoma, as well as most other states in the region, have reported that Mexican meth is so available that it is selling for “pennies on the dollar”.

Surprisingly (note the sarcasm), marijuana continues to be a major problem in the region. High-grade marijuana – from Colorado and other states that have legalized it – is demanding ever-increasing prices on the illicit market. Every state in the region is seeing this influx of “legal” marijuana. On another marijuana note, Oklahoma will have medical marijuana on the ballot in June. A-One plans to launch a media campaign and other measures to attempt to assure its defeat.

As we start a new year and prepare for our annual NNOAC Washington, DC, meeting, we have high hopes that the President will continue to support the rule of law. We are also hopeful that Congress will follow the Attorney General's lead on asset forfeiture, which is so vital to state

and local law enforcement

And finally, we hope and pray that Attorney General Jeff Sessions continues to have the wisdom and courage to support drug law enforcement, as he has done in the past. ➤

---

## Great Lakes Region - Gary Ashenfelter

Michigan, Indiana, Ohio,  
Pennsylvania and New York

800/558-6620

gashenfelter@nnoac.com

## Let's create quality chemical addiction programs in every jail

By *Curtis Hill, Indiana Attorney General*

**N**owhere is our nation's substance abuse crisis more visible than within the cells of American jails and prisons. By some estimates, the proportion of the incarcerated population with substance abuse issues hovers around 80 percent.

Targeting inmate populations therefore represents one of the best methods of reaching drug users most in need of services. In Indiana, some counties have implemented this approach by providing chemical addiction programs to persons while they are incarcerated.

Boone County, just northwest of Indianapolis, and Dearborn County, in southeastern Indiana near Cincinnati, are two counties that have adopted these programs. Participants are separated from others in the jail population and expected to spend at least 90 days in cognitive behavioral therapy. Master's-level social workers conduct group and individual counseling. A key to long-term success is to create solid plans for continued treatment once participants complete their sentences.

After studying these successful models, my staff and I have begun holding meetings in every region of Indiana promoting this concept and encouraging other counties to make chemical addiction programs available in their local jails.

Among participants in our public meetings are current inmates involved in the program. Clad in their jail attire, these men and women share a common message: "Getting arrested saved my life!"

In other words, these men and women needed jail time in order to get clean.

Everyone recognizes the need for more treatment facilities across



the whole nation, but we also understand that addicts don't necessarily line up and ask for help. The very nature of addiction pushes aside rational behavior and decision-making.

Incarceration, therefore, plays a vital role in helping addicts recognize the need for intervention.

Going forward, society will benefit when addicted offenders receive sentences long enough to provide sufficient time for effective treatment. Conversely,

allowing drug users to easily bail out without treatment could do them a grave disservice.

Without effective intervention, drug-addicted criminal offenders -- once released from jail -- typically go right back to the routines and habits that got them in trouble in the first place.

Approximately 43 percent of general-population inmates in Dearborn County wind up being arrested again upon release. By contrast, only 18 percent of inmates who completed the jail chemical addiction program are picked up for new offenses upon release, according to Dearborn County's data.

Certainly, operating a jail chemical addiction program requires a commitment of time, space and funding. It is critical to provide a therapeutic community inside the jail that separates participants from the general population. It is also essential that the therapy be provided by trained mental-health professionals with at least master's degrees.

Even from a financial standpoint, however, the program makes sense. The Dearborn County program costs \$14 per day per participant. Similar therapy in the private sector would cost tens of thousands of dollars per person.

Everyone seems to agree that the best correctional model is one that not only penalizes offenders for their crimes but also helps improve their character by addressing their social, emotional, spiritual, educational and familial issues through targeted services. A jail chemical addiction program is one model that takes exactly this sort of approach, and we should expand this approach across the entire nation. ☆



*NNOAC President Bob Bushman  
and Indiana Attorney General  
Curtis Hill*



OFFICE OF INDIANA  
ATTORNEY GENERAL CURTIS HILL

# 2017 NNOAC REGIONAL DIRECTORS

## Northwest Region - Erik Fisher

Alaska, Washington, Montana, Oregon, Idaho and Wyoming

541/501-2506

efisher@nnoac.com



## Great Lakes Region - Gary Ashenfelter

Michigan, Indiana, Ohio, Pennsylvania, New York

800/558-6620

gashenfelter@nnoac.com



## Southwest Region - Bob Cooke

California, Nevada, Utah, Arizona, New Mexico, Colorado, Hawaii

408/472-8409

bcooke@nnoac.com



## Northeast Region - William Butka

Connecticut, New Hampshire, Vermont, Rhode Island, Maine, Massachusetts

203/627-2644

wbutka@nnoac.com



## Midwest Region - Brian Marquart

North Dakota, South Dakota, Nebraska, Minnesota, Iowa, Wisconsin, Illinois

651/201-7338

bmarquart@nnoac.com



## East Central Region - Tommy Loving

Kentucky, West Virginia, Virginia, District of Columbia, Delaware, Maryland, New Jersey

270/843-5343

tloving@nnoac.com



## South Central Region - Leland Sykes

Kansas, Missouri, Oklahoma, Arkansas, Texas, Louisiana

225/268-4360

lwsykes@nnoac.com

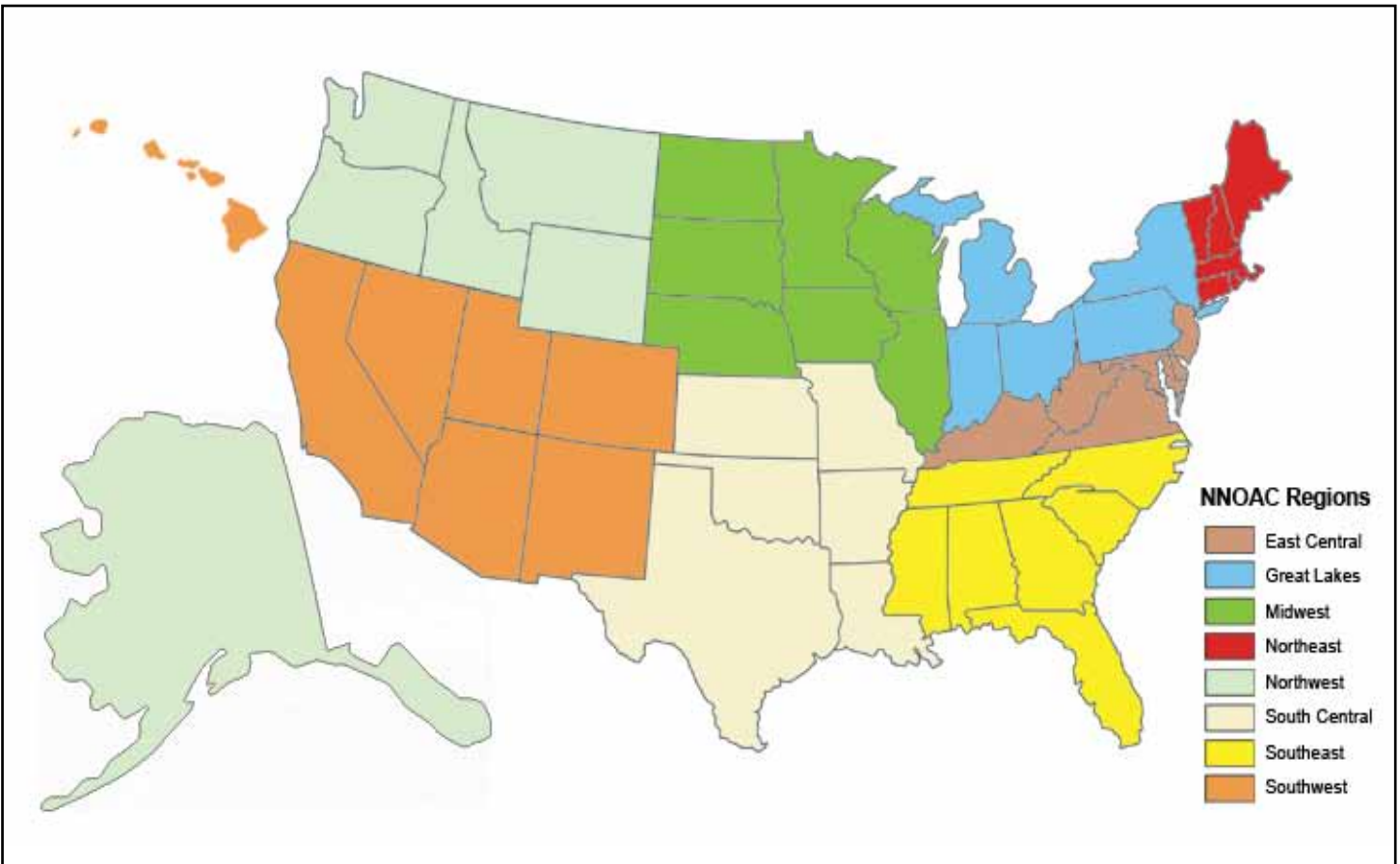


## Southeast Region - T. Gene Donegan

Tennessee, North Carolina, South Carolina, Mississippi, Alabama, Georgia, Florida

615/509-3738

tdonegan@nnoac.com







## NNOAC LEGISLATIVE UPDATE – JANUARY 2018

By Ben Bawden



2017 was a year of change in Washington, and the NNOAC has been in the arena on several issues that are important to its membership. Many thought that, from a legislative standpoint, 2017 should have been more productive than it was, since one party controls the House, Senate, and the White House. But prevailing political realities meant that Congress could only get so much accomplished. Meanwhile, the Justice Department acted decisively on several important issues and ultimately helped to make positive policy changes for NNOAC members in 2017.

The FY 2018 appropriations process stalled out, but indications are that Byrne JAG will be funded at roughly the same level as FY 2017. For years, the

NNOAC and our law enforcement association partners have been arguing for reauthorization, increased resources, and increased focus on law enforcement within the JAG program. While Byrne JAG continues to enjoy widespread bipartisan support on Capitol Hill as demonstrated by the dozens of members who sign support letters every year, there are many obstacles to getting those goals accomplished. We will continue to make the case in light of the challenges narcotic officers and task forces face on the ground every day. Funding has also remained roughly level for the RISS and HIDTA programs, despite the clear need for increased support. Strong engagement



Lilly W.  
Living with Epilepsy



### YESTERDAY

A **legacy** rooted in unlocking the potential of cannabinoid medicines to address rare conditions with limited treatment options.

### TODAY

One of the **largest** clinical trial programs **to date** researching cannabinoids to treat rare forms of pediatric-onset epilepsy.

### TOMORROW

A **promise** to continue advancing cannabinoid science and providing medications that have the potential to address the unmet needs of patients.

**GREENWICH Biosciences** is proud to support the National Narcotic Officers' Associations' Coalition in their efforts to protect and advance public health and safety.

To learn more, visit [www.greenwichbiosciences.com](http://www.greenwichbiosciences.com).

©2018 Greenwich Biosciences, Inc., a GW Pharmaceuticals PLC Company

## Brooks Bawden, cont.

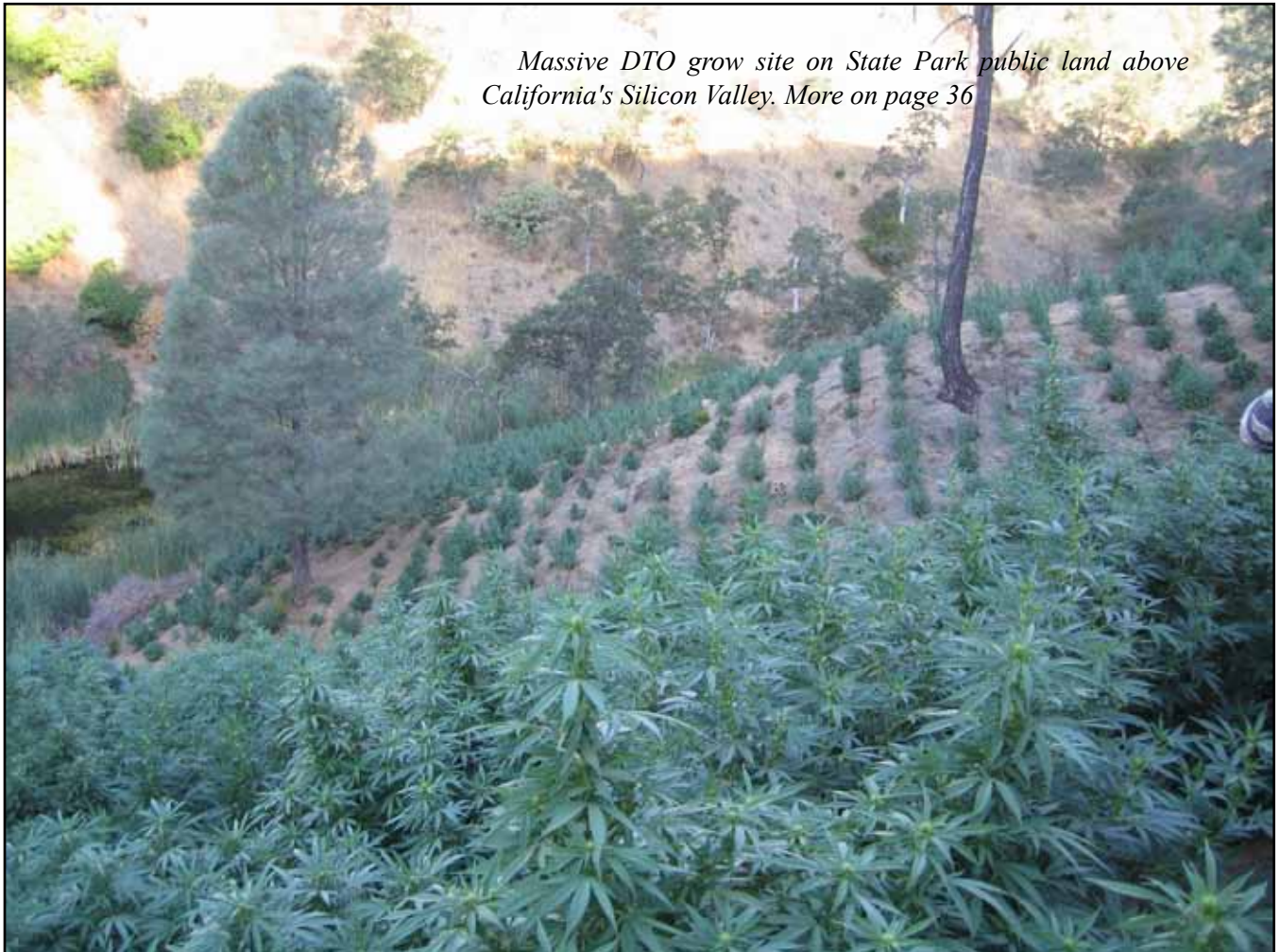
*from previous page*

by the state and local beneficiaries of these two programs has been essential to maintaining support and will be even more important in 2018, given the anticipated budget challenges.

The Justice Department, with input from NNOAC and our partners, made several significant policy changes in 2017. Clearly, these actions acknowledge the importance of Federal policy helping and not hindering effective law enforcement – particularly drug enforcement. Asset forfeiture adoptions were reinstated, with strong new accountability measures put in place. The 1033 equipment program was reinstated, and all of the dangerous and politically motivated prohibitions the last administration put in place were eliminated so that front-line officers have access to the best protective equipment. DOJ added to some positive actions taken by the previous administration in support of officer safety by rolling out the National Blue Alert system. The violent crime reduction program known as Project Safe Neighborhoods (PSN) was strengthened.

DOJ started 2018 with another positive move. The Attorney General rescinded the previous administration's policy memos that prevented Federal prosecutors and Federal law enforcement agencies from enforcing Federal drug law in states that have decriminalized marijuana production and sales. This ensures that law enforcement can target transnational criminal organizations and criminal gangs that illegally produce and traffic in illegal drugs, including marijuana.

While 2018 will be challenging for Congress, given the November midterm elections, we expect attention on several key issues for the NNOAC. The FY 2019 budget and appropriations, asset forfeiture, and criminal justice reform will be on the minds of congressional committees. NNOAC member engagement will be essential to preserve important programs and tools that are critical for effective drug enforcement. ☆



*Massive DTO grow site on State Park public land above California's Silicon Valley. More on page 36*

# LIFE, LIBERTY & THE PURSUIT OF ...

*By Ernie Martinez, Director At-Large NNOAC*

*Past President Colorado Drug Investigators Association 2005-2015*

In Colorado, we are now in the fifth year of state-allowed “legal” retail marijuana sales, and one cannot disregard the explosion of marijuana dispensaries throughout the state. Even though there are counties and/or municipalities that chose to ban them, the more populous segments of the state opted to allow them, pushing the “green rush” into the fabric of daily life.

On the day that legalization began in January 2014, the list of licensed recreational marijuana brick-and-mortar storefronts in Colorado took up less than four pages, according to the Colorado Marijuana Enforcement Division (CMED). Today, this list spans thirteen pages. It should be noted that the recreational cultivations have shown an even larger spike: the licensees increased from five pages in 2014 to 19 today.

The data from the CMED gives us a clear view of the continued explosion of the marijuana industry in Colorado, which has ‘cross-pollinated’ to other states where other marijuana permissive laws have been passed. As an example, the number of recreational cultivation licenses has risen almost 400 percent since 2014, while ‘medical marijuana’ cultivation licenses have increased slightly over five percent.

It is in this environment where traditional crime related to the marijuana enterprise continues to correspondingly rise, including all violent crime types. The data collection continues to mature, and contributors are more apt to share their data and label it for accurate collection and analysis. This is not a completed project by any means; however, it gives us a sense of optimism that in the future we will have accurate real data to extrapolate and correlate to aspects of marijuana use, cultivation and possession and how they can relate to social issues and perhaps crime itself.

In this vein on January 4th of this year, Attorney General Jeff Sessions rescinded the infamous Cole Memo, the 2013 document that limits federal agencies and their resources to broadly enforce marijuana laws in states that legalized it. According to some, this opens the door for a renewed “War on Drugs” centered on legal, recreational marijuana.

As most in law enforcement are aware, the Cole memo is one of two documents that essentially enhanced protections to states which legalized marijuana and prevented the U.S. Department of Justice from treating marijuana as a Schedule I controlled substance (defined as a substance with no accepted medical treatment and high potential for abuse). The other is the 2014 Rohrabacher-Farr amendment. This legislation blocks the Department of Justice from utilizing funds to deny states from implementing and promulgating

their own statutes and rules about the use, distribution, possession, or cultivation of ‘medical’ marijuana.

Recently, elected officials from Colorado and other states have balked at Attorney General Session’s actions on rescinding the Cole memo. They see it as a states’ rights issue and an attack on the voice of the people. Now, I’m not a constitutionalist and certainly not an attorney; however, I do pose that there are balances to achieve with the powers of state and federal

governments as they relate to the people. Although we often speak of the proper “balance” between security and liberty, these two ideals need not be in competition with each other. Policies that make our nation more secure, including from foreign threats, do not seem to deflate our liberty. While government at both levels needs to protect our liberty to ‘act as we should’ in a civilized society, its collateral responsibility is to balance the need for individual liberty with the actions of those who wish to surpass to the use of illegal drugs, including marijuana – and, yes, even in states that allowed it. The dichotomy of marijuana legalization in certain states poses this un-balance of application of federal protections. The evidence is mounting that the use of these substances in marijuana-legalized states seems to perpetuate more crime, homelessness, traffic accidents, addictions by adults and juveniles, and negative business impacts.

The culture continues to change as it embraces and pursues all things ‘Ganja’, with such soft public awareness education pieces from the state that don’t amplify the many harms of marijuana use and how it affects the public. Instead of Life, Liberty & the Pursuit of all things Ganja, we need help from the federal government to give the majority of the people of Colorado the pursuit of happiness from all things ganja.

John Adams prophetically wrote so many years ago: “We have no government armed with power capable of contending with human passions unbridled by morality and religion. Avarice, ambition, revenge, or gallantry, would break the strongest cords of our Constitution as a whale goes through a net. Our Constitution was made only for a moral and religious people. It is wholly inadequate to the government of any other.” ~ John Adams (The Works of John Adams, ed. C. F. Adams, Boston: Little, Brown Co., 1851, 4:31)○



## Marijuana and the Workplace: Laws, Insurance and Liability

By Karen Belanger, Program Manager,  
National Drug-Free Workplace Alliance,  
a division of Drug Free America Foundation, Inc.

Being an employer with a drug-free workplace in this day and age is a tough job. The increasing presence of marijuana in society, ushered to the forefront by the pro-pot lobby affects nearly every aspect of life in America.

The workplace can be quite vulnerable to the effects of substance use. The Office of National Drug Control Policy has stated that substance use negatively affects U.S. industry through lost productivity, workplace accidents and injuries, employee absenteeism, low morale, and increased illness. U.S. companies lose billions of dollars a year because of employees' alcohol and drug use and related problems.

According to the Substance Abuse and Mental Health Services Administration's (SAMHSA's) *The CBHSQ Report* (April 15, 2015), combined data from the 2008-2012 National Survey[s] on Drug Use and Health, indicated an annual average of 8.6% of full-time workers aged 18 to 64 used illicit drugs in the past month. Since 2002, marijuana use in the United States has increased among persons aged 18 years or older, and is the most commonly used illicit drug.

It is not surprising that employers often feel they are "between a rock and a hard place" when it comes to protecting the business they've worked so hard to build.

### Marijuana Laws and the Courts

The tangled web of conflicting and diverse laws and statutes being drawn across the country varies from state to state, from jurisdiction to jurisdiction, making this issue very confusing for all concerned. No two states' marijuana laws are identical, further complicating the issue. So far, most states have upheld employers' rights if they have a workplace policy that prohibits the possession of pot or presence of marijuana metabolites in their employees' systems while at work.

The fact that marijuana remains federally illegal has been favorable for employers enforcing workplace rules and for the judges who may rule on related court cases. It was concerning that the topic of marijuana-related drug law enforcement has been mixed in its approach over the past few Presidential administrations. However, recently there has been a return to enforcement of our nation's laws where marijuana is concerned. In the memorandum, Attorney General Jeff Sessions directs all U.S. Attorneys to

enforce the laws enacted by Congress and to follow well-established principles when pursuing prosecutions related to marijuana activities. (*See memorandum*).

Businesses that work on federal contracts must still comply with drug-free workplace requirements and perform required drug testing. U.S. Department of Transportation (DOT) covered employees and employers must also continue to follow the rules established by the DOT.

However, the employer-friendly attitude of our judicial system may soon be lost. Along with the wave of legalization efforts across the country, comes the upswing of marijuana-related civil rights litigation. In 2014, a New Mexico appeals court ruled that an employer must pay for an injured employee's medical marijuana through workers' compensation insurance, calling it "reasonable and just." Also that year, a Michigan appellate court ruled that workers can receive unemployment benefits if they are fired for using pot under the state's medical marijuana statute.

A key court case decided in the Colorado Supreme Court (CSC) in 2015 was *Coats v. Dish Network, LLC*. At issue was whether an employer acted lawfully in terminating an employee who tested positive for marijuana, despite the fact that the disabled employee had a doctor's recommendation for medical marijuana. Two earlier courts ruled that the employer had acted in accordance with the law. The CSC ruling upholding the previous courts' decisions was nationally significant and may strengthen employers' rights in this matter.

In 2016, the U.S. District Court in New Mexico ruled in *Garcia v. Tractor Supply*, that the employer acted within its rights to terminate a new hire that tested positive for marijuana, despite the fact that the employee pre-disclosed that he had HIV/AIDS and was using marijuana recommended to him by a doctor under that state's medical marijuana program.

However, a 2017 case in the Rhode Island Superior court ruled on *Callaghan v. Darlington Fabrics, et al*, in favor of the plaintiff. In the hiring process, Ms. Callaghan acknowledged the company's drug-free workplace policy and informed the employer that she had Crohn's Disease, had a Rhode Island Medical Marijuana Card and was consuming marijuana at home to help with appetite indicating that she would not take the marijuana at the workplace. The judge stated that the employer had discriminated against her because of her disability when she was declined employment after learning that she had the medical condition.

Also in 2017, the Massachusetts Supreme Judicial Court overturned a lower court ruling in *Barbuto v. Advantage Sales and Marketing, LLC*, stating that the employer

## Marijuana @ Work, cont.

could not refuse to accommodate an employee's medical condition and legal use of medical marijuana for its treatment. In this case, Ms. Barbuto was a new hire that also pre-disclosed her medical condition and use of medical marijuana under that state's medical marijuana program.

These are just a few of the cases being litigated across the country. The only certainty is that there will be many, many years, even decades, of turmoil and legal proceedings that will challenge every aspect of marijuana usage in society. It will affect the way employers operate and as a result will increase the costs of doing business.

### Insurance Liability and Risk

Identifying and defining liability related to marijuana use is perhaps one of the most evolving areas of risk management and insurance practices. From the viewpoint of an insurer, the conflicting laws are particularly troublesome for insuring a business against unexpected loss with no clear best practice. Some of the issues employers may face are as follows:

#### Workers' Compensation Insurance

Workers' Compensation Insurance protects the employer from lost productivity, employee medical expenses and missed wages. The illegality of marijuana at the federal level and its Schedule 1 classification under the Controlled Substances Act are still the primary concerns related to insurance coverage of any type. However, when considering the legal status of marijuana at the state level, the rules, laws and statutes vary so much that it is difficult to know whether a workers' compensation claim may be covered. This is of particular concern to multi-state or national employers.

Despite the aforementioned New Mexico court case that required an employer to pay for an injured employee's medical marijuana, the opposite result was rendered in a Maine Workers Compensation Act case. In this instance, it was ruled that by covering marijuana and related expenses, the employer would be complicit in violation of federal law, possibly subject to prosecution. The Maine agency further determined that the state's own medical marijuana statute stated that the employer was not required to pay for costs associated with medical marijuana. Arizona and Montana have taken a similar position regarding medical marijuana and workers' compensation.

Worker's compensation payers look to the evidence-based treatment guidelines developed by organizations such as the American College of Occupational and Environmental Medicine. Since medical marijuana is not included in those standards, it is not considered an effective treatment and therefore not coverable.

### Life Insurance

There are life insurance companies that will cover individuals that are marijuana users, however, pricing and coverage may hinge upon the frequency at which they consume the pot. As reported by *PBS Newshour*, a survey conducted at the Association of Home Office Underwriters annual conference revealed, with no surprise, that there is a great diversity in practice. The definition of the term "non-smoker" seems to be the nexus. Of the twenty-nine percent of life insurance companies that allow marijuana consumption with coverage, the policy owners are classified as "non-smokers." Other companies implemented tiers of usage frequency that related to policy pricing. Employers that pay for employee's life insurance coverage may also see an increase in costs as marijuana use increases.

### Health Insurance

Because marijuana remains federally illegal, health insurance companies don't address marijuana use in setting rates according to an insurance industry association, *America's Health Insurance Plans*. It may only be a matter of time before the increase of marijuana use translates into higher health insurance claims due to more frequent use.

### Other Business Insurance

Employer costs for other types of insurance may be affected by marijuana-related employee accidents, particularly where equipment or property is damaged, and for loss of productivity and income.

### A Smart Approach for Employers

An employer's approach is very important in the process of implementing workplace practices that encourage safe, healthy lifestyles, and discourage behaviors that are counter-productive, both from a personal and a business standpoint.

In this tumultuous time of conflicting laws, confusion, and change, employers are encouraged to "stay the course" where a drug-free workplace is concerned. Employment law specialists encourage employers to remain consistent and fair in the application of workplace rules and procedures and to regularly review their program in relation to applicable laws, regulations and statutes that may have changed. ○

*The National Drug-Free Workplace Alliance (NDWA) and Drug Free America Foundation, Inc. can assist organizations and employers with policy and program development and excellent online drug-free workplace training courses for Department of Transportation (DOT) and non-DOT supervisors and employees. Please visit our NDWA website at [www.ndwa.org](http://www.ndwa.org), or contact Program Manager, Karen Belanger, at (727) 828-0211 Ext. 109 or [info@ndwa.org](mailto:info@ndwa.org) for more information on becoming a sustaining member of NDWA.*

Thermo Scientific is a preferred advertiser fully endorsed by the Executive Board members of the NNOAC.



Got a drug problem?

TruNarc it!

As law enforcement officers operating in the field, you need rapid analysis of suspected illicit drugs. The **Thermo Scientific™ TruNarc™ handheld narcotics analyzer** accurately identifies hundreds of substances, including **14 new fentanyl compounds** among them **carfentanil, common street fentanyl analogs,** and **fentanyl precursors**. **Library updates enable ID of the latest threats,** improving intelligence and protecting the lives of officers and the public.

Find out more at [thermofisher.com/trunarc](http://thermofisher.com/trunarc)

**ThermoFisher**  
SCIENTIFIC



# Sexual Harassment

**\*This is an “op-ed” and is solely the opinion of the author.**

*by Peter F. Boyce, General Counsel  
National Narcotics Officers Association Coalition*

***The nightly news rarely has an evening without some report of another high-profile Hollywood icon being accused of sexual harassment. Politicians and business moguls are being forced from their seats of power by claims of unwanted sexual contact that, in some cases, occurred decades earlier.***

Sexual harassment has been illegal since the Civil Rights Act of 1964, and a line of cases that followed that landmark piece of legislation has given some clarity to what constitutes unconstitutional sexual harassment. In 2016, the EEOC received nearly seven thousand reports of sexual harassment. Those numbers will surely rise.

The social and cultural environment has changed, and it is time that law enforcement recognizes the shift from the “normal” of the 1960’s, 70’s, and 80’s, and do far more than just play lip service to anti-harassment policies related to sexual behavior. It is not simply enough to have some casual training related to harassment in the work force. There must be proactive, scenario-based training for all police personnel from the Chief’s office to the file clerk in order to alter the environment in the law enforcement community.

In law enforcement, as in the business community and the political world, men hold a disproportionate share of power. Women often feel they can’t afford to “burn bridges” and, therefore, do not report sexual harassment. The law enforcement profession is particularly at risk because of the military-style rank system that creates a legitimate concern by the female who might suffer harassment by a senior officer. The media hype of late will surely empower many more females to report harassment and to submit claims for compensation.

When I first started practicing law in the late 1970’s, it was not unusual to have either a male or female stripper come to the office in late afternoon to celebrate an employee’s birthday, as all employees enjoyed a beer and shared the fun. Today I wonder whether some of the female employees now feel, even after 30-plus years, that that constituted sexual harassment.



Questions related to the intent of the potential harasser and the perception of the potential offended party are often impossible to discern years after the fact. Was, or is, a hug – rather than a handshake – by a senior male towards a female, a form of sexual harassment? When meeting with a subordinate female who was upset about a personal or professional issue, could attempts to console that female – possibly then, and even now, years later – be viewed as sexual harassment?

The social and cultural environment has changed. The law has expanded to give clarity to a host of rights and responsibilities that were not in the forefront even twenty years ago. Freedom from sexual harassment, as well as sexual diversity and transgender and gay rights, are protected by federal law and most state laws. Sexual harassment now has risen to be the “issue du jour”; every agency, no matter its size, must recognize the importance of continuous, situational training. Offending personnel must be disciplined, and a formal process must be put in place to respond to complaints of harassment. Retaliation directed at the complaining party must not occur unless the individual’s assertion was based upon a fabrication. Offenders, even at the highest level, must be held accountable for any unlawful actions directed at a subordinate or co-worker.

While the statute of limitations for unconstitutional harassment maybe limited and the legal requirements for sustaining a case maybe stringent, the professional police organization in today’s environment must react, investigate, mitigate, train, and reinforce that sexual harassment is not, was not, and will not be tolerated – no matter any legal impediments that might prevent a case from being brought. It is the right thing to do and anyone who stands in the way, even if the offender is a “good ol’ boy”, needs to step aside. Sexual harassment claims will surely burden any law enforcement agency that does not recognize our ever-changing legal and social environment. ☆

# Five years later...

## *Colorado sees toll of pot legalization*

Tuesday, November 14, 2017 |  
Colorado Springs Gazette Opinion

Last week marked the fifth anniversary of Colorado's decision to sanction the world's first anything-goes commercial pot trade.

Five years later, we remain an embarrassing cautionary tale.

Visitors to Colorado remark about a new agricultural smell, the wafting odor of pot as they drive near warehouse grow operations along Denver freeways. Residential neighborhoods throughout Colorado Springs reek of marijuana, as producers fill rental homes with plants.

Five years of retail pot coincide with five years of a homelessness growth rate that ranks among the highest rates in the country. Directors of homeless shelters, and people who live on the streets, tell us homeless substance abusers migrate here for easy access to pot.

Five years of Big Marijuana ushered in a doubling in the number of drivers involved in fatal crashes who tested positive for marijuana, based on research by the pro-legalization Denver Post.

Five years of commercial pot have been five years of more marijuana in schools than teachers and administrators ever feared.

"An investigation by Education News Colorado, Solutions and the I-News Network shows drug violations reported by Colorado's K-12 schools have increased 45 percent in the past four years, even as the combined number of all other violations has fallen," explains an expose on escalating pot use in schools by Rocky Mountain PBS in late 2016.

The investigation found an increase in high school drug violations of 71 percent since legalization. School suspensions for drugs increased 45 percent.

The National Survey on Drug Use and Health found Colorado ranks first in the country for marijuana use among teens, scoring well above the national average.

The only good news

to celebrate on this anniversary is the dawn of another organization to push back against Big Marijuana's threat to kids, teens and young adults.

The Marijuana Accountability Coalition formed Nov. 6 in Denver and will establish satellites throughout the state. It resulted from discussions among recovery professionals, parents, physicians and others concerned with the long-term effects of a commercial industry profiteering off of substance abuse.

### **SINCE legalization . . .**

**71 PERCENT INCREASE**  
*in high school drug violations*

**45 PERCENT INCREASE**  
*in school suspensions for drugs*

"It's one thing to decriminalize marijuana, it's an entirely different thing to legalize an industry that has commercialized a drug that is devastating our kids and devastating whole communities," said coalition founder Justin Luke Riley. "Coloradans need to know, other states need to know, that Colorado is suffering from massive normalization and commercialization of this drug which has resulted in Colorado being the number one state for youth drug use in the country. Kids are being expelled at higher rates, and more road deaths tied to pot have resulted since legalization."

Commercial pot's five-year anniversary is an odious occasion for those who want safer streets, healthier kids and less suffering associated with substance abuse. Experts say the worst effects of widespread pot use will culminate over decades. If so, we can only imagine the somber nature of Big Marijuana's 25th birthday. ☆



---

*Reprint permission  
granted to the NNOAC  
"The Coalition" magazine  
from the Colorado Springs  
Gazette Newspaper.*

*This editorial opinion  
was first published on  
November 14, 2017.*

*The Colorado Springs  
Gazette retains copyright  
and license to this article.*



# POLICE OFFICERS: PIGS OR SUPERHEROES?

by Tom Gorman and Chelsey Clarke  
Rocky Mountain HIDTA

The role and actions taken by police officers have come under intense scrutiny and have been the subject of much heated debate. In a job rooted in crisis intervention and enforcing laws, it is no wonder there has been controversy. People don't call the police when something good happens. They call when there is a problem and expect the police to handle it immediately and flawlessly.

Have you ever considered what a police officer may experience during his or her shift? Have you ever thought about the extremely high expectations placed on our guardians of public safety? Have you ever wondered whether you could measure up to the law enforcement standards we so often take for granted? **Place yourself in the shoes of a police officer for a moment and imagine you are asked by dispatch to respond to one of these emergency calls:**

- Respond to report of multiple shots fired near the 500 block of 11<sup>th</sup> Avenue. Circumstances unknown.
- Respond to Tiny's Bar at 313 Sycamore. Caller advises two apparent gang members are in a fight. One is believed to have a knife.
- Respond to 5026 Western Way for a reported domestic dispute. Caller states she heard loud yelling and arguing from the neighbor's apartment as well as the sounds of things breaking.
- Respond to 375 Ironwood Court on a welfare check. Caller, a young boy, stated that his "mom just killed us" and that "she shot us with a gun." No further information due to phone being dropped and no sounds coming from room.
- Respond to 2530 Broadway Avenue on possible home invasion. Caller is 14-year-old girl hiding in her closet. She states two men are trying to break into the home.
- Respond to late-model silver Mazda headed northbound on Quebec approaching Belleview at high rate of speed. Caller advises two adult males and one child in the vehicle. Vehicle matches Amber Alert where the male suspect is reported to be armed and dangerous.
- Respond to Mile Marker 182 on I-70 eastbound to a three-car pileup and at least two bodies thrown from vehicles.

Calls like these, which are not uncommon, require an officer to respond immediately, swiftly assess the situation, make quick decisions with very little information, and handle "appropriately." To effectively handle these situations and meet the exceptionally high expectations of the public, police officers must possess a variety of skills and knowledge.

**They are expected to:**

- **Have Precise Knowledge of the Law:** An officer is expected to have in-depth knowledge of the U.S. and State Constitution as well as case, civil, criminal, and traffic law. The officer has seconds to make a legal judgement and act on that judgement to arrest a perpetrator and/or seize evidence of a crime. Later a deputy district attorney and defense attorney with their law degrees, research libraries, and legal assistants will study the incident. The goal is to examine the case and determine whether the officer acted within or outside the law. Often the opposing attorneys adamantly disagree on whether the officer acted properly. After hearing detailed legal arguments, a judge may need more time to further evaluate the officer's actions before rendering a decision. The judge may, weeks later, deem that officer violated someone's rights or didn't have reasonable cause to seize evidence of the crime. Think how you would feel watching a criminal walk from the courtroom smiling while the victim sits confused and upset.
- **Be a Crisis Counselor:** The officer is regularly expected to manage a variety of disputes between individuals who are generally emotional and hostile. They are expected to bring calm to a chaotic situation while using "proper" counseling techniques. They are required to de-escalate the situation or even counsel a suicidal individual off the ledge. Officers do not have the benefit of a controlled environment for counseling or the time to effectively address all the issues. However, after the incident, their actions may be analyzed and criticized by a psychologist or psychiatrist who tells the jury what the officer "should have" done. What would you be thinking? Maybe, "It was 3:00 a.m. and I was in a hostile, potentially life-threatening environment with seconds to determine the best course of action."
- **Possess Medical Expertise:** The officer is often the first one at the scene of a traumatic incident and regardless of the seriousness of the injury, he or she is expected to apply appropriate medical aid. Maybe after pulling a body out of a burning vehicle or while hearing a mother cry, "Don't let my baby die!" If the baby lives, the officer is a hero. If the baby dies, the officer may be sued by a lawyer and accused of acting inappropriately.

### HEROES, CONT.

- **Demonstrate Expert Driving Techniques:** Although an officer is not a Hollywood stunt driver, they are expected to be able to drive like one. The officer is required to operate a vehicle at a high rate of speed with lights and siren trying to respond to a crisis situation as soon as possible. The officer knows, “as soon as possible” is never soon enough for the victim. The driving is not on a Hollywood set but rather through city streets filled with traffic where a wrong move or decision can cost the officer or a citizen injury or death. An officer is never faulted for getting to a crime scene too soon but is often criticized for taking too long.
- **Be a Firearms Expert:** The officer is trained to be a firearms expert with the mental capacity to make a decision to shoot or not to shoot in a potential life-threatening situation. He or she must assess the danger in a matter of seconds and decide whether to shoot or not. If he or she shoots the suspect, they will often be immediately judged by the media and some members of the public. The officer will be placed on administrative leave while waiting for the District Attorney’s office to review all the facts and determine whether the shooting was justified. Think about how you would feel sitting at home waiting for weeks or longer to find out if you may be charged with a criminal violation for doing what you felt was your job to the best of your ability.
- **Be a Master of Martial Arts:** The officer is expected to physically restrain suspects in an altercation using a minimum amount of force. An officer can be fighting for his or her life or the lives of those around them while expected to use just the right amount of force without falling into the category of “police brutality.” If the resisting suspect gets hurt, a complaint can be filed with Internal Affairs who will begin an investigation into whether the actions of the officer were appropriate. You may be thinking that the suspect assaulted you and resisted arrest but now you are under investigation for using too much force.
- **Possess Complete Emotional Control:** The officer, on a daily basis, may experience very emotional and traumatic situations but must maintain a non-emotional demeanor in handling the trauma. The officer can be threatened, ridiculed, cursed at, spit on, or resisted but must maintain self-control and restraint. No matter what the officer has seen or experienced during the day, he or she is expected to have a positive attitude and exhibit good interpersonal skills in any and all circumstances. Anything short of that may elicit a formal complaint because “he wasn’t very nice to me.”



These are just a few of the high expectations placed on our law enforcement officers. It is generally a thankless job with relatively low pay, poor hours, and is often criticized by so many in our society. What is truly astounding is that most of these officers do a superb job despite the most challenging of circumstances. They go into hostile situations on a daily basis and emerge with very few complaints. For instance, in 2016 Denver Police Officers responded to 599,961 calls and only received 388 citizen complaints (6 hundredths of one percent). These men and women risk their lives for total strangers regardless of the stranger’s sexual preference, race, ethnic background, religion, education, or any other demographic. They move into the danger zone while others are fleeing from the danger zone. Remember police action during the horrific Las Vegas mass murder. Remember Hurricanes Harvey and Irma when officers left their homes and families to help save strangers. Remember September 11<sup>th</sup> and the heroes who lost their lives trying to save others. Remember the 147 officers in 2016 who gave the ultimate sacrifice for us and our families. That is one officer killed in the line of duty every two and a half days.

Are these men and women pigs or superheroes?

If you believe pigs, don’t call on them when you need help or your life is in danger. If you believe they are superheroes, please thank them for their service and sacrifice. A friendly wave, a pleasant attitude or a “thank you” can make a big difference in an officer’s day. ☆



*Zephrex is proud to support the mission of the NNOAC as a paid advertiser and is fully endorsed by the NNOAC.*

# ZEPHREX-D<sup>®</sup>

**Powerful medication to relieve nasal congestion. Powerful dedication to eliminate meth labs.**



One of the most effective ways to combat domestic meth lab production is to make pseudoephedrine products that are meth-resistant.

Perrigo<sup>®</sup>, has done just that. Our Zephrex-D pseudoephedrine uses Tarex<sup>®</sup> to encrypt the pseudoephedrine, protecting its chemical code and making it virtually impossible to hack by illegal meth producers. "In our community we saw a debilitating problem. As a health care company, we took it upon ourselves to be part of the solution by creating a product that helps people feel healthy and do good at the same time."



[Zephrex-D.com](http://Zephrex-D.com)

Ask your pharmacist for Zephrex-D

Use as directed

## FEATURE: Drugged Driving FATALITIES ON THE RISE

*Data especially troubling in states with recreational marijuana laws*

*By Calvina Fay,  
Executive Director  
Drug Free America Foundation*

Late last year, in anticipation of the New Year's Eve holiday, Drug Free America Foundation completed a systematic review of national and state-specific data that shows drug-related impaired driving has become increasingly prevalent. We also wanted to study the challenges confronted by that law enforcement when trying to identify and prosecute drugged drivers, as well as to share some of the alarming survey results indicating that motorists are driving high – and that they erroneously believe it's safe to do so.

According to the National Highway Traffic Safety Administration (NHTSA), the number of nighttime weekend drivers involved in crashes in the United States and found to have marijuana in their systems increased by 50 percent from 2007 to 2014. A 2016 National Survey on Drug Use and Health (NSDUH) showed that 20.7 million people aged 16 or older drove

under the influence of alcohol in the past year, and 11.8 million drove under the influence of illicit drugs. After alcohol, marijuana is the drug most often found in the blood of drivers involved in crashes.

The data is especially troubling in states like Colorado and Washington, among the first states to legalize recreational marijuana.

Data from the Rocky Mountain High Intensity Drug Trafficking Area reveal that traffic deaths that occurred when a driver tested positive for marijuana more than doubled in Colorado – from 55 deaths in 2013 to 125 deaths in 2016. Also, marijuana-related traffic deaths in the state increased 66 percent in the four-year average (2013-2016) since Colorado legalized recreational marijuana compared to the four-year average (2009-2012) prior to legalization.

The persistent false narrative that marijuana is somehow benign or even safe has further exacerbated the situation. According to a survey of motorists on driving behaviors conducted by the Colorado Department of Transportation, 55 percent of participants who have used marijuana said they can drive safely under the drug's influence, and 72 percent of participants who have used marijuana believe it is safer to drive under its influence than under the influence of alcohol.

Most troubling, 21 percent of participants who have used marijuana said they have driven a motor vehicle

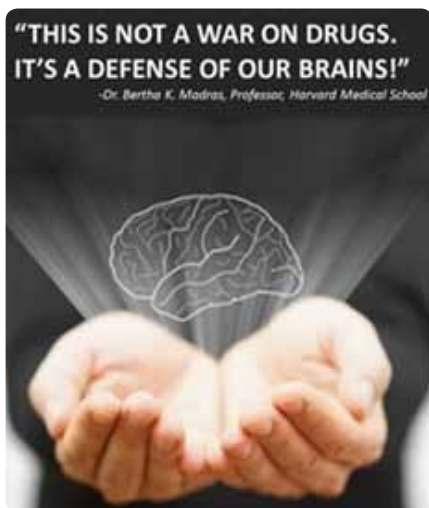


within two hours after consuming the drug 11 or more days within the last 30 days. Those attitudes are very disconcerting and must be addressed if we hope to reverse the deadly trend of drug-related driving fatalities.

A Denver Post analysis of data and coroner reports published last summer provides the most comprehensive look yet into whether roads in the state have become more dangerous since marijuana's legalization.

Increasingly potent levels of marijuana were found in positive-testing drivers who died in crashes in Front Range counties, according to coroner data compiled by the Denver Post since 2013. In 2016, nearly a dozen fatalities had marijuana levels in their blood that were five times the amount allowed by law, and one was 22 times the limit.

Data from the state of Washington is showing nearly identical trends. According to the Washington Traffic Safety Commission, in 2014 over 84



**FEATURE: Drugged Driving, cont.**

*continued from page 28*

percent of drivers in fatal crashes tested positive for marijuana, compared to only 44 percent in 2010. Additionally, the frequency of drivers who tested positive for marijuana alone or in combination with alcohol or other drugs and who were involved in fatal crashes was significantly higher in 2014 (75 drivers) compared to the previous four-year average (36 drivers).

Unlike Colorado, Washington has been tracking the impact of drugged-driving for a longer period of time and much more carefully, and their worst fears are being confirmed. Drug-impaired driving is now eclipsing alcohol-impaired driving in the state.

Additionally, recent research from the AAA Foundation for Traffic Safety found that fatal crashes involving drivers who recently used marijuana more than doubled in Washington – from 8 percent to 17 percent – just one year after the state legalized the drug for recreational purposes. This translates to one in six drivers involved in fatal crashes testing positive for THC, the active ingredient in marijuana. These findings are particularly troubling because the proportion of fatal crashes involving marijuana in Washington had remained relatively stable between 2010 and 2013, and they present an eye-opening example of what could happen in other states that are considering legalizing the drug.

It is a reality that most states are not fully prepared to handle the growing problem of drug-impaired driving. This is due to the fact that there is no easy roadside test for law enforcement to use in determining whether a driver is impaired by marijuana. Unlike alcohol, marijuana does not have a specific reliable limit to determine impairment, posing a serious challenge for law enforcement officers and prosecutors.

As a leading traffic safety advocate, AAA is concerned by the safety implications of individuals using marijuana and getting behind the wheel. Equally troubling is that legislators who are deciding whether to legalize marijuana are doing so without comprehensive information. The available data and research regarding the scope of the problem and its solutions are insufficient. Even more critical, there is not adequate scientific data to provide motorists with guidance on how to use the drug in a way that does not impact their ability to drive safely.

While legalization advocates continue to promote overly enthusiastic estimates of revenue to states considering legalized recreational marijuana, caution is advised. Proponents of legalization regularly throw around big numbers, particularly to cash-strapped states; however, there is little, if any, discussion about the real and societal costs associated with the passage of recreational marijuana

legislation.

Drug Free America Foundation will continue its work to educate citizens on the dangers of legalizing marijuana. Part of our educational efforts will include the urging of law enforcement officials to look for signs of drug-impaired driving, test for it in a timely manner, and take all appropriate measures to help get these individuals off the streets before innocent people are hurt or killed. We appreciate the ongoing support of the National Narcotics Officers Association Coalition in these efforts. □

**ABOUT THE AUTHOR:**

*Calvina Fay is the Executive Director of Drug Free America Foundation, a national and international drug policy organization promoting sound drug policies, education and prevention. [www.dfaf.org](http://www.dfaf.org)*

**ANATOMY OF A DRUGGED DRIVING SUIT**  
 Ford's Drugged Driving Suit simulates some of the effects of taking various drugs such as cannabis and cocaine

- HEADPHONES:** They help control sounds to continue and decrease
- VISION IMPAIRMENT GLASSES:** produce blurred vision and flashing lights, and cause tunnel vision
- NECK BANDAGES:** restrict head movement
- ELBOW BANDAGES:** slow movement
- WRIST WEIGHT:** slows reaction time, affects balance
- TREMOR GENERATOR:** makes hands shake
- KNEE BANDAGES:** slow movement
- ANKLE WEIGHT:** slows on the opposite side of the body as the wrist weight, slows reaction time, affects balance

**Last year, 9.9 million people reported driving under the influence of drugs\***

**Ford Driving Skills**  
 Ford | NHTSA

**CANNABIS:** slows reaction time, affects concentration, reduces ability to steer vehicle

**COCAINE:** causes erratic behavior, drivers lack concentration, and feel sleepy after initial resistance to tiredness

**ECSTASY:** causes an adrenaline surge, giving drivers a feeling of over-confidence

**LSD:** causes difficulty judging vehicle speed, movement; hallucinations, confusion

**HEROIN:** slows reactions, blurs vision, makes driver feel slowly and confused

\*Source: AAA Foundation for Traffic Safety, www.aaa.org

INTRODUCING THE  
LATEST IN RESPIRATORY PROTECTION  
FOR PATROL AND TACTICAL OPERATORS

**C50™**

THE ALL CHALLENGE MASK

MAXIMUM PROTECTION FOR  
MULTIPLE THREAT SCENARIOS

- APR based on the U.S. M50/JSGPM (Joint Services General Purpose Mask)
- Low inhalation resistance and excellent de-mist properties
- Front mounted exhale valve allows clear direct communication
- Panoramic visor design gives maximum field of vision
- Superior comfort for extended missions

**AVON**  
PROTECTION



**FM54™**

SINGLE MASK, MAXIMUM FLEXIBILITY

MAINTAIN EXTREME USER  
FLEXIBILITY AS MISSION  
PROFILES CHANGE

- NIOSH approved for use in riot, CBRN and TICs/TIMs environments
- NIOSH approved with and without optional VPU to accommodate varying budgets
- Functions as stand-alone gas mask as well as with an SCBA or PAPR
- Fire hardened skull cap harness meets new NFPA 1986 Tactical Operations standard
- Superior cheek-to-stock weld for weapons integration

**AVON**  
PROTECTION



**NH15™**  
**COMBO**

ESCAPE HOOD

NEVER BE WITHOUT TOTAL  
RESPIRATORY PROTECTION

- NIOSH approved for 15 minutes of protection against CBRN and CO
- Fully OSHA compliant, single use and no maintenance required
- Don in less than 20 seconds for fast and easy one time emergency use
- Small, compact, and robust design can be belt or leg mounted for quick access

**AVON**  
PROTECTION



Contact Bert Coutts to request  
a free 30-day trial and evaluation  
510-634-8613 | [bcoutts@policeproducts.com](mailto:bcoutts@policeproducts.com)

August 29, 2017

## FENTANYL – PERSONAL PROTECTIVE EQUIPMENT/ FILTRATION

If one reads the local news, watches television or listens to the radio it will not come as a total shock of the growing opioid crisis in the United States. Unfortunately it is becoming even more apparent as new forms of potent drugs are finding their way onto American streets.

One of the worst bad actors is Fentanyl. According to the Centers for Disease Control and Prevention, fentanyl is up to 100 times more potent than morphine and many times that of heroin. As an example, 3 milligrams of fentanyl which represents a minuscule amount, is equivalent to a large lethal dose of 30 milligrams of heroin. It is so potent and dangerous even for individuals that may accidentally touch or breathe a very tiny amount. A whiff of fentanyl from closing a plastic bag is enough to send a large adult to the emergency room. On the flip side, it is important to note that fentanyl was originally used as an anesthetic and very efficient at controlling pain so in the hands of a trained professional is both effective and safe.

The meteoric rise of the unlawful use of fentanyl has forced law enforcement agencies and crime labs around the country to rethink their standard operating procedures (SOPs) and standard operating guidelines (SOGs) when faced with the potential threat of the substance. Responding Officers are now proactively deploying personal protective gear such as Tyvek™ suits, Air Purifying Respirators (APR) and even Self Contained Breathing

Apparatus (SCBAs).

Avon Protection provides several respiratory protection solutions to Agencies and Police Departments that may encounter and or respond to fentanyl incidents. At the top of the respiratory protection triangle would be the Avon ST53 tactical SCBA deployed with the Avon FM53 APR and a Powered Air Purifying Respirator (PAPR) utilizing a CBRNCF50 filter. But, more realistically in today's budget conscious environment, Officers that deploy the Avon C50, FM53 or FM54 full face APR with either an Avon CTCF50 or CBRNCF50 filter would be afforded proper respiratory protection against fentanyl. Fentanyl is a solid at room temperature and the vapor pressure of solid fentanyl is very low. The before mentioned Avon filters; CBRNCF50 and CTCF50, both provide strong protection against airborne fentanyl powder. The HESPA component of each filter has a P100 rating therefore any airborne fentanyl dust would be trapped by the HEPA filter element and any possible vapor emissions would be trapped by the carbon bed within the respective filter. Of the two filter options, the CBRNCF50 provides the broadest spectrum of protection against, not only Fentanyl, but also a host of other toxic industrial chemicals (TICs) and toxic industrial materials (TIMs) that may be present on- scene. The CBRNCF50 filter should only be used once during a single exposure up to eight hours. Even though the CTCF50 filter when deployed for

riot control can be reused many times until the taste of breakthrough or when breathing resistance of the Operator becomes labored, if used during potential fentanyl exposure it is recommended to change out the filter before the next application. The reasoning is the potential impact to the filter due unpredictable environmental conditions on-scene combined with unknown amounts of substance exposure. In other words; better safe than sorry.

As the number of fentanyl overdoses climb and the calls by Law Enforcement to said situations drastically increase it is paramount that responding Officers have the correct personal protective equipment not only to perform their task at hand safely and efficiently but also provide them the required respiratory protection. ➤



# The Patrol Rifle – An Absolute Necessity for Law Enforcement

By John Michael “Mike” Callahan

The average police officer in America is armed with a 9mm., .40 caliber or .45 caliber semi-automatic pistol and fitted with soft body armor. These are the officers who arrive first at the scene of an armed bank robbery, a gang firefight or an active school shooting in progress. They do not have the time or luxury to wait for the arrival of tactically trained special operations units, e.g. SWAT. Lives are immediately endangered, and in the active shooter situation, officers are now being trained to move right in and engage the armed perpetrators. After Columbine, Virginia Tech, Newtown, San Bernardino, Orlando, Las Vegas, Sutherland Springs and countless other active shooter episodes, waiting for “SWAT” is not a viable option. In the absence of high powered, high capacity rifles, officers called to confront high risk situations are operating at a palpable and distinct disadvantage. They are ill equipped to confront felons armed with high velocity shoulder weapons. The body armor they wear will be immediately defeated by rounds fired from these weapons and their handguns are greatly inferior to the high-powered rifles being fired at them by event perpetrators.

## Officers Murdered - FBI LEOKA Statistics

The FBI published its annual Law Enforcement Officers Killed and Injured (LEOKA) statistics for 2016. The statistics disclosed that a total of 62 officers were murdered by firearms. Of particular concern was the fact that 40% of these officers were murdered by suspects with long guns (24 rifles/1 shotgun). The percentage of officers killed with long weapons in 2016 demonstrated a dramatic increase from the percentage of officers killed with long weapons for the period of 2006 through 2015. In that 10-year period, LEOKA statistics reveal that 454 officers were murdered by firearms and 122 of that number were killed by long guns. The percentage of officers killed by long guns from 2006 – 2015 was approximately 27%.

These statistics demonstrate that on average more than 25% of the officers murdered by firearms annually are killed with long guns. The 2016 statistics show that dangerous felons appear to be relying even more heavily upon long guns when confronting law enforcement in deadly force situations.

These weapons in the hands of untrained and undisciplined shooters place the public at large at high risk for serious injury and death. Likewise, law enforcement officers who take an oath to protect and serve are placed in grave peril when confronted by felons in possession of this kind of weaponry. This is especially true when they are immediately outgunned upon arrival at a deadly encounter.

## Handguns vs. Long Guns

Automatic/semi-automatic shoulder rifles such as the AK-47, AR-15, M-16, and M4 rifles fire at a velocity of approximately 2400 to 3200 feet per second. Police handguns generally fire rounds at a much lower velocity of 900 to 1100 feet per second. The rounds fired by these style rifles will go right

through police soft body armor. Conversely police handgun rounds will not penetrate soft body armor worn by bad guys. Unlike semi-automatic handguns, these high velocity rifles are deadly accurate from much longer distances and easier to control and fire. Under normal circumstances these long guns utilize magazines containing 20 or 30 rounds per magazine. This means that the shooter can fire numerous rounds before needing to reload. Officers with handguns will need to stop and reload long before their adversary is required to do so. Police officers confronting armed felons in possession of these weapons are obviously in serious and real jeopardy.

## Wound Ballistics – Handgun vs. Rifle

FBI firearms training expert Urey Patrick (now retired) authored a wound ballistics training treatise while serving as a firearms instructor at the FBI Academy.<sup>1</sup> In the treatise, Patrick explained that the goal of an officer involved in a gunfight must be to end the encounter as quickly as possible. He points out that the only way to immediately end a gunfight is to shoot an adversary directly in the brain or upper spinal cord (i.e. the central nervous system). Absent a direct hit to this critical area, the only other way to end a gunfight by bullet wound is through the circulatory collapse of the adversary from massive blood loss.

Circulatory collapse results from significant blood loss with a corresponding deprivation of oxygen to the brain. Circulatory collapse does not happen immediately. Rather it is a process that can take several seconds to several minutes or even longer. During that time an officer’s adversary will remain functional and able to continue efforts to kill the officer. In fact, Patrick reports that a bullet wound that destroys a suspect’s heart will permit him to continue to shoot at an officer for 10 to 15 seconds after receiving a fatal bullet wound.<sup>2</sup>

## Handgun Rounds

Patrick reports that handgun rounds will cause a permanent cavity (i.e. a hole caused by bullet destruction of body tissue) along the length of the bullet’s path through the body. The width of the permanent cavity will include the diameter of the bullet plus any expansion capability of the bullet nose, e.g. hollow point round.<sup>3</sup> Absent a direct hit of a major organ or major blood carrying artery or vessel, the handgun round strike is highly unlikely<sup>4</sup> to cause massive bleeding and circulatory collapse.<sup>5</sup> Patrick reports that “[b]arring central nervous system hits, there is no physiological reason for an individual to be incapacitated by even a fatal wound, until the blood loss is

1 See, Urey W. Patrick, “Handgun Wounding Factors and Effectiveness,” FBI Firearms Training Unit, 1989.

2 Id. at p.8.

3 Id. at p.11.

4 Author’s conclusion based upon careful reading of Patrick’s treatise.

5 Id. at p.8.



## Patrol Rifle, cont.

sufficient to drop blood pressure and ... the brain is deprived of oxygen.”<sup>6</sup> This will permit the officer’s adversary to continue deadly mayhem upon all in the kill zone for several seconds, minutes or longer.

Patrick instructs that the velocity of hand gun rounds is not sufficient to cause damage outside of the permanent bullet wound track, i.e. little or no temporary wound cavity damage to tissue, blood vessels or organs located outside the permanent track.<sup>7</sup> Likewise, lower handgun velocity will result in bullets remaining essentially intact, i.e. no fragmentation.<sup>8</sup> This lack of temporary wound cavity damage and lack of bullet fragmentation is highly significant in permitting an officer’s adversary to continue aggressive deadly action against the officer.

### Rifle Rounds

High velocity rifle rounds fired from, for example, an AR-15 rifle will cause devastating injury to the bullet’s recipient. The bodily wounds caused by an AR-15 rifle wound are significantly more serious than the wounds caused by any modern handgun rounds. Dr. Peter Rhee, Trauma Surgeon, University of Arizona reports that a high velocity rifle round fired from an AR-15 will cause a body wound that “looks like a grenade went off in there.”<sup>9</sup> The .223 (NATO 5.56) rounds fired from an AR-15 contain so much Kinetic Energy that it can literally disintegrate three inches of human leg bone.<sup>10</sup> Doctor Donald Jenkins, Trauma Surgeon, University of Texas Health Center, San Antonio, states that this round will “just turn [a human leg bone] to dust and the human liver to “jello mold that’s been dropped on the floor.”<sup>11</sup> He likewise reports that these rounds can cause exit wounds the size of an orange.<sup>12</sup>

The dramatic differences in wound damage from high velocity rifle rounds in comparison with hand gun rounds are caused by the velocity of the rifle rounds and the corresponding kinetic energy from those rounds deposited into the human body upon impact.<sup>13</sup> Doctor Vincent DiMaio, a renowned expert in wound ballistics tells us that the 5.56 x 45 mm cartridge fired from the M-16 rifle series (including the AR-15) is the most famous of the available high velocity cartridges.<sup>14</sup> This round is a 55 (or 62) grain bullet which leaves the rifle muzzle at 3250 feet per second (fps) (roughly three times the speed of modern handgun rounds).<sup>15</sup>

Dr. DiMaio explains that when a full metal jacketed

6 Id.  
 7 Id. at p.6.  
 8 Id. at p.5.  
 9 See, Sarah Zhang, “What An AR-15 Can Do to the Human Body,” *Wired*, 6/17/16.  
 10 Id.  
 11 Id.  
 12 Id.  
 13 See, Dr. Vincent DiMaio, “Gunshot Wounds”, Third Edition, p.53.  
 14 Id.  
 15 Id.

5.56/.223 round contacts human tissue, it will travel along a circular path while beginning to yaw or turn sideways. This turning effect will become significant at 12 cm (approximately 4.7 inches).<sup>16</sup> At the point of maximum yaw, the bullet will be turned at a 90-degree angle as it moves forward in the body.<sup>17</sup> If the bullet remains intact, it will yaw to 180 degrees and continue to travel base first until it comes to rest.<sup>18</sup> Handgun rounds do not yaw while traveling through human tissue.

This turning or yaw effect releases tremendous kinetic energy into the tissue surrounding the permanent cavity created by direct bullet contact with human tissue.<sup>19</sup> Not only is the permanent cavity larger due to the sideways path of the bullet, thereby destroying more tissue through direct bullet contact, but the surrounding tissue, i.e. tissue not directly touched by the bullet, is severely impacted as well.<sup>20</sup> This surrounding tissue is called the temporary wound cavity.<sup>21</sup> DiMaio reports that this temporary cavity will have a diameter from 11 to 12.5 times the diameter of the bullet itself.<sup>22</sup>

Damage to the tissue in the temporary cavity will include “severe ... compression, stretching, and shearing of the displaced tissue. Injuries to blood vessels, nerves, or organs not struck by the bullet, and at a distance from the [bullet] path can occur.”<sup>23</sup> Even bones not directly struck by the bullet itself, although rare, can be fractured by the kinetic energy emanating from the bullet’s contact with body tissue.<sup>24</sup> Handgun rounds do little or no damage to the tissue, blood vessels, arteries, organs or bones located outside the permanent cavity. Temporary cavity damage from handgun wounds is a non-factor in handgun wound damage.

DiMaio also comments on another factor not present with handgun rounds. This factor involves the likelihood of high velocity rifle rounds breaking up or fragmenting while passing through human tissue.<sup>25</sup> DiMaio states that “[p]rojectile fragmentation can amplify the effects of [damage to] the temporary cavity increasing the severity of a wound.”<sup>26</sup>

DiMaio points out that there are some differences between full metal jacket 5.56/.223 rounds and 5.56/.223 rounds with soft tips or hollow points. He refers to these rounds as “hunting

16 Id. at 54.  
 17 Id. at 52.  
 18 Id. Full Metal Jacket 5.56/.223 rounds are likely to fragment during the turning process, thereby causing significant additional damage outside the permanent wound cavity.  
 19 Id.  
 20 Id.  
 21 Id.  
 22 Id.  
 23 Id.  
 24 Id.  
 25 Id. at 53  
 26 Id.

bullets” and reports that they begin to expand or mushroom shortly after entering the body. He states, “a large temporary cavity is formed almost immediately on entering the body. This is augmented by shredding of the [bullet’s] lead core.”<sup>27</sup> The same type of injuries described above with full metal jacket rounds occur with the use of soft point or hollow point 5.56/.223 rounds, but they happen almost immediately upon impact with the body.

Suffice it to say that there is no comparison between wound damage caused by high velocity rifle rounds and modern handgun rounds. The high velocity rifle rounds are far more lethal. Trauma surgeons will be able to immediately recognize whether they are dealing with high velocity rifle wounds or semi-auto pistol wounds.

### **Law Enforcement Outgunned by Violent Offenders**

Law enforcement history contains numerous examples of situations involving law enforcement officers being outgunned by violent offenders. For example, on 9/23/70, Boston Police Officer Walter A. Schroeder responded to a bank robbery silent alarm. Several convicted felons had joined together with two anti-Vietnam War radicals (Susan Saxe and Katherine Power) to form a violent bank robbery gang.<sup>28</sup> One of the gang members, William “lefty” Gilday, waited across the street from the bank to ensure a smooth get-a-way for the gang members. As Patrolman Schroeder moved toward the bank, Gilday mercilessly shot him in the back with a high powered semi-automatic rifle. He was severely wounded, and the gang members were able to escape. Patrolman Schroeder was rushed to the hospital and during surgery received 77 pints of blood. He died the next day from the devastating wound he received.

On February 28, 1997 two heavily armed men entered the Bank of America in North Hollywood, California. The men carried fully automatic assault rifles with 100 round magazines, 3,300 rounds of armor penetrating bullets and wore homemade hard body armor with metal plates. They had been involved in previous bank robberies and murdered an armored car guard. During the robbery on February 28, they fired 100 rounds inside the bank. They exited the bank and were immediately confronted by several uniformed LAPD patrol officers. The responding officers were armed with hand guns and some had shot guns.

None of the initial responders were in possession of high powered rifles. Police officers fired over 650 rounds at the robbers. Almost all of these rounds either missed or failed to penetrate the hard body armor worn by the robbers. The robbers, in turn fired 1,100 rounds at the responding officers. Ten officers and seven civilians were wounded in the shootout.

---

27 Id. at 54.

28 Saxe and Power were placed on the FBI Top Ten Fugitive list after their participation in this violent bank robbery. Saxe was apprehended 5 years later. Power remained a fugitive for 23 years before turning herself in to the FBI.



Miraculously no officer or civilian was killed. Although outnumbered many times over, the robbers continued to pin down the surrounding officers with automatic gunfire for at least 18 minutes before the first SWAT officers arrived. First responders went to a nearby gun store and obtained high powered rifles while the fire fight was in progress. Once SWAT officers arrived, armed with AR-15 rifles, one of the bank robbers killed himself rather than surrender, and the second one was shot and killed by a SWAT officer with an AR-15 rifle.

On April 11, 1986, seven FBI agents confronted two heavily armed armored car robbers who had previously murdered one man and severely wounded a second. After a vehicle pursuit and car crash, a deadly firefight erupted. The agents were armed with handguns and a shotgun. One of the robbers had a shotgun and the other was armed with a military style assault rifle. Although outnumbered by the FBI, the robbers had the tactical advantage of superior fire power.

The robber with the assault rifle responded with devastating fury. He received a non-survivable handgun wound early in the four-minute gun battle. After being shot, he was able to shoot and kill two FBI agents and seriously wound several more. Before dying, both robbers received a total of 18 bullet wounds. All told, seven agents were shot that day, the worst day of carnage in FBI history. Later, the surviving agents recalled the devastating affect that the robber’s assault rifle had on them. In this case, the FBI agents were simply outgunned by a violent offender in possession of a high-powered assault rifle.

On July 17, 2016 a former Iraq War veteran, armed with a Tavor, military style, assault rifle ambushed several Baton Rouge, Louisiana police officers with devastating results. The man killed three officers and wounded three more before being shot and killed. The suspect was killed at a distance of 100 yards by an officer who used a patrol rifle.

### **Conclusion**

High Powered rifles continue to be the weapon of choice for violent offenders confronting law enforcement officers and innocent civilians across America. We have seen them used recently with devastating results in Dallas, Baton Rouge, San Bernadino, Las Vegas, Aurora, Orlando, and Sutherland Springs. Public officials need to be convinced that all law enforcement officers must be supplied with and trained to use high powered patrol rifles to simply match the firepower of weaponry used by violent offenders. No longer should our first responders be sent into kill zones with handguns when their adversaries are armed with devastating high velocity weapons. Police Chiefs and other high-level law enforcement leaders must stand up for

their line officers. It is their duty and obligation to educate elected officials to the absolute necessity of providing proper armament to our officers. It is their duty and obligation to demand proper armament and training for their officers. Political correctness and refusal to recognize reality must be set aside. Nothing less is acceptable. □

### **Biography of John Michael “Mike” Callahan**

*John M. “Mike” Callahan Jr. is a graduate of Boston College and Boston College Law School. He served in the field of law enforcement for 44 years. He was appointed as a Special Agent with the United States Naval Criminal Investigative Service (NCIS) in 1968 and conducted criminal investigations on U.S. Naval Bases until October 1969 when he was appointed as a Special Agent with the FBI. He served in four FBI field offices including Detroit, Richmond, Phoenix and Boston and conducted a wide variety of criminal investigations. While serving in both the Phoenix and Boston FBI offices, Mr. Callahan was appointed to the position of Chief Division Counsel and handled all legal matters for those FBI Divisions. During his tenure as FBI Boston Division Chief Counsel, Mr. Callahan was promoted to the position of Supervisory Special Agent. He also served for three years as a Special Assistant United States Attorney, handling legal matters related to the FBI.*

*Mr. Callahan taught constitutional criminal procedure at the FBI Academy, Quantico, VA. for several years and wrote numerous legal articles for the FBI Law Enforcement Bulletin. During his FBI Academy assignment, he authored the FBI Legal Monograph on the Law of Entrapment. While serving at the FBI Academy, he taught criminal law and procedure to hundreds of new FBI Agents, In-Service FBI Agents and supervisory police officers who attended the FBI National Academy.*

*Mr. Callahan retired from the FBI in 1999 and was hired by the Massachusetts Office of the Inspector General. He served for several years as a Deputy Inspector General in charge of the Investigations Division before retiring in July 2012. While serving as Deputy Inspector General, Mr. Callahan gave numerous presentations on the topic of law enforcement use of deadly force for the New England State Police Information Network (NESPIN) and in 2008 was selected as the NESPIN Trainer of the Year.*

*Mr. Callahan is the author of two books on law enforcement officers use of deadly force. His most recent book, published in August 2015 by LooseLeaf Law Publications Inc., Flushing N.Y. is titled “Lethal Force and the Objectively Reasonable Officer. Law, Liability, Policy, Tactics and Survival.” This book is available through the publisher (800-647-5547/www.LooseleafLaw.com) or Amazon.com.*

### *Post killings, continued from page 7*

the vast majority of police shootings including the shooting of so called “unarmed” people, the police are not to blame. It is the actions of the suspects and I wonder what would happen if society started to actually blame the violence of criminals instead of the heroes behind the badge trying to protect others?

Would fewer suspects fight, flee and assault cops if we placed the accountability on them?

Would the use of deadly force be reduced if we told others about the inherent dangers of attacking police officers rather than constantly blaming law enforcement?

I’m not sure but after looking at the data, the last person that should be getting the blame are the very ones standing up in their communities trying to stop the violence. □

### **ABOUT THE AUTHOR**

#### **Travis Yates**

Travis Yates is a writer and editor at Law Officer. An ILEETA Trainer of the Year, his Seminars in Risk Management & Officer Safety have been taught across the United States & Canada. Major Yates has a Master of Science Degree in Criminal Justice and is a graduate of the FBI National Academy.

He provides leadership consulting and training to law enforcement around the world as: the Director of Training for SAFETAC:

**[www.safetac.org](http://www.safetac.org)**

and the Founder of the Courageous Leadership Institute:

**[www.courageousleader.org](http://www.courageousleader.org)**



## **SPECIAL REPORT:**

# CALIFORNIA DEPARTMENT OF FISH & WILDLIFE MARIJUANA ENFORCEMENT TEAM

*By William E. Butka, Jr.*

I recently had a conversation with Bert Coutts, of Adamson Police Products, during which Bert mentioned a video highlighting the accomplishments of the California Department of Fish and Wildlife's Marijuana Enforcement Team. He mentioned the amount of toxic chemicals and armed resistance they encountered. Bert forwarded to me a DVD that documented their efforts.

**I was stunned and surprised at what these men and women are accomplishing. The environmental damage that illegal trespass growers are doing in California is beyond what anyone can imagine. The damage includes stealing water from drought areas, causing forest fires, poisoning the environment and killing wildlife.**

These illegal trespass marijuana cultivation operations are not regulated, and therefore remain non-taxable with higher black-market profits. These growers pay no rent or property taxes; they have no business expenses such as insurance or medical benefits; they don't have reported wages. Even worse, these growers use highly toxic and EPA banned poisons on their marijuana crops that they smuggle into the US for their operations. With these Drug Trafficking Organizations (DTO's) hardly health conscious, these poisons remain on the plants through harvest and are unknowingly ingested by end users on the black market.

With the help of Bert Coutts, I contacted the California Department of Fish and Wildlife's Marijuana Enforcement Team Leader, Lieutenant John Nores. John impressed me with his team and their total commitment to the environment, wildlife preservation, and preserving the natural habitat. (Read a brief bio of Lt. Nores at the end of this article.)

During my career, I investigated and eradicated marijuana cultivation operations in my community that included fly-overs to detect marijuana grow areas. They were nothing like those in California, and I certainly did not consider the environmental damage it caused at that time. What the California Department of Fish and Wildlife's Marijuana Enforcement Team (MET) and K9 units have done is truly impressive and admirable.

The CDFW's MET is the first full-time, special operations conservation agency team in the CDFW's 150-year history that is dedicated to stopping clandestine outdoor and indoor marijuana cultivation operations throughout California. Co-developed by Lt. Nores and tested during a three-month



*Poisoned Gray Fox in a California DTO grow site.*



*Protected California Mountain Lion poisoned by DTO marijuana grow poison tainted water above the Silicon Valley.*



*DTO grow site camp waste and trash on edge of pristine California high sierra creek.*



*Left: DTO grower posing with a grow poisoned dead golden eagle in the Silicon Valley foothills.*

*Right: Unknown dangers can be hidden easily.*



pilot program in 2013, the full-time MET was operational in January 2014. This 12-officer team has been highly effective in its first five years of operations, and along with their mission to stop the public safety threat from these organized crime cultivation operations, the MET is also dedicated to rectifying the extensive environmental destruction to California's wildlife resources within these grow sites.

Given the recent severe drought in California, the MET has also fought the extensive drought-aggravating water losses engendered by trespass grow operations. Within the MET is the CDFW's first sniper unit (Delta team) developed to support marijuana enforcement operations, homeland security, and other allied agency public safety missions throughout California

Essential to the success and safety of the CDFW's MET are their K9 teams. Their 13-year-old (and now-retired) K9 Phebe is an example. MET K9 handler Brian Boyd has worked with K9 Phebe over the last 11 years, and the pair have

been instrumental in developing effective K9 apprehension tactics for armed and dangerous DTO trespass cultivation suspects all over California. With most K9's retiring around 8 years old, Phebe remained healthy and highly effective at 12, as she approached the end of her career. K9 Phebe has saved the lives of her MET members numerous times on dangerous missions since the team began working together in mid-2013; and she has also saved the lives of many allied agency officers throughout her career during MET apprehension details, fugitive tracking and recovering operations, and evidence detection and search missions. During her career, Phebe has made an extraordinary 116 physical apprehensions on violent trespass grow suspects. She has also caught another 800 suspects that gave up and a physical apprehension was not required. Warden Boyd teaches K9 tactics for the agency's K9 program, and he has advised and instructed numerous other law enforcement K9 teams throughout California.

In January 2017, the MET and K9 Phebe's effectiveness were recognized in California's Capitol through Resolution ceremonies, shedding more light on the issue to California's Senate and Assembly members.

### **Drought and EPA banned poisons facts for 2014-2017:**

1. Trespass/Drug Trafficking Organization (DTO) outdoor marijuana cultivation operations on public and private lands throughout California accounted for approximately **1.3 billion gallons of water** stolen in 2014 and 2015.
2. The CDFW's MET finds prohibited and highly toxic pesticide poisons in almost every trespass marijuana grow site during arrest, eradication and environmental restoration/reclamation missions throughout California.

## CDFW MET Activity Totals Since July 1, 2013:

- 1: 700 arrest/eradication/environmental restoration missions completed.
- 2: 2.7 million poisoned marijuana plants seized and destroyed.
- 3: 47,996 pounds (**24 tons**) of processed marijuana seized and destroyed.
- 4: 829 felony arrests made.
- 5: 537 firearms seized during those missions.
- 6: 782,230 pounds (**399 tons**) of grow site waste, trash and pollutants removed.
- 7: 2.4 million feet of black poly pipe (**461 miles**) removed.
- 8: 82,718 pounds (**50 tons**) of fertilizers removed.
- 9: 465 gallons of legal and illegal toxic chemicals removed.
- 10: 709 water diversions/dams removed. *(These diversions used approximately 800 million of gallons of California water during a peak drought. If not removed, another 800 million gallons of water would have been stolen in another 45 days).*

### Lieutenant John Nores, Jr

*With a love for wildlife and our nation's wildlands, Nores earned a BS and MS degree from San Jose State University before becoming a game warden for the California Dept. of Fish and Wildlife in 1992. In 2005, John was promoted to Lieutenant, continuing his mission to protect and defend our nation's wildlife resources. John has investigated environmental crime and wildlife resource destruction for the last 27 years, and was awarded the Governor's Medal of Valor for lifesaving and leadership efforts in 2008. He's received several other awards for valor, life-saving, and distinguished service throughout his career, and his first book, "War in the Woods: Combating the Marijuana Cartels on America's Public Lands," was published in 2010. John recently co-authored a national cannabis issue book, *Where There's Smoke* (available January 2018), with a comprehensive sequel to WITW in development.*

*In 2013, John co-developed the Marijuana Enforcement Team (MET) and Delta Team, the CDFW's first comprehensive wilderness spec ops tactical unit and sniper unit, aimed at combatting the marijuana cartels' decimation of California's wildlife resources. The MET has been featured on Fox News, NBC Investigative Reports, CNN, and Dan Rather Reports. Lt. Nores and his team are featured in three seasons of the National Geographic Channel's award-winning game warden reality television series, "Wild Justice," and highlighted in the Sportsman Channel's award-winning Patriot Profiles: Life of Duty documentary TV series. Nores has written articles for Sure Fire's Combat Tactics and American Patriots: Unsung Heroes magazines, articles for Nosler Bullets and KUIU Ultralight Hunting.*

*Specializing in public and private land Drug Trafficking Organization narcotics tactics and related environmental crime enforcement and training for the last 15 years, John has presented for the California Narcotics Officers Association (CNOA), the Nevada Narcotics Officers Association (NNOA), and numerous other conventions and conferences all over the country.*

*Nores is an annual Safari Club International (SCI) convention seminar speaker; a national and international conservation tactics instructor; and has taught rifle, handgun, shotgun and basic and advanced sniper craft for the last 20 years. John is a tactical surveillance, and covert and overt special operations instructor and operator throughout California. Nores has allied with the U.S. Secret Service in rural and urban protection details for former U.S. President Barack Obama and former Israeli President Shimon Peres. In 2007, Nores co-developed and instructed at an overt and covert wildlife investigators' school in Cambodia. Nores is a worldwide conservationist, backpacker; two-time Baja 500 Ironman ATV racer, and two-time Ironman triathlete finisher.*

*EPA banned and highly poisonous insecticide Metaphos used by DTO growers on their MJ plants and within waterways in grow sites.*





*Above: The California Dept. of Fish and Wildlife's Spec Ops Marijuana Enforcement Team and K9's - 2018*

*Below: Anti-personnel punji pit found in California DTO marijuana grow site.*

*Right: Working with military counter drug task force Pavehawk helicopter during DTO marijuana operations.*





The National Narcotic Officers' Associations' Coalition  
455 Massachusetts Avenue NW, Box 112  
Washington, DC 20001  
(866) 803-8678  
www.nnoac.com

## Police Officers

### PIGS OR SUPERHEROES?



*Pg.*  
*25*



## DRUGGED DRIVING:

*Fatalities on the rise*

*Pg. 28*

By

Tom Gorman

and Chelsey Clark

*Rocky Mountain HIDTA*