

INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE



2004 RESOLUTIONS

**Adopted at the 111th Annual Conference
Los Angeles, CA
November 16, 2004**

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SUMMARY OF RESOLUTIONS ADOPTED IN 2004

Crime Prevention

In Support of Community Safety:

The resolution recognizes that the prevention of crime is fundamental to a free and society and reaffirms the IACP's belief that community safety is everybody's responsibility and crime prevention is everyone's business.

National Crime Prevention Strategy:

The resolution reaffirms the IACP's commitment to forming partnerships with organizations involved in crime prevention to develop and enhance national crime prevention strategies.

Homeland Security and Anti-Terrorism:

Support for Inclusion of Law Enforcement Agencies in Proposals Designed to Improve National Intelligence Capabilities:

The resolution affirms the need for a dramatic increase in the capabilities for gathering and sharing of intelligence between all levels of law enforcement and the private sector. To that effect, it calls on the IACP Executive Committee and staff to monitor the developments in the intelligence arena and oppose any proposals that do not include the considerations and needs of law enforcement. It also calls on the IACP to present the findings of the Criminal Intelligence Sharing Summit and the products of the Global Intelligence Working Group to government forums addressing the collection, analyzing, and dissemination of intelligence.

Legislation:

Law Enforcement Assistance Funding:

The resolution decries the recent reductions in vital state and local law enforcement programs, both at the Department of Justice and the Department of Homeland Security. It states the IACP's belief that these reductions have the potential to leave law enforcement agencies critically underfunded and understaffed, thereby significantly reducing their ability to fulfill their mission of protecting their communities and the citizens they serve from both crime and terrorism. Consequently, it urges the Administration and Members of Congress to support efforts to ensure that these critical law enforcement programs are funded at levels sufficient to meet the critical and pressing needs of the law enforcement community.

Pseudoephedrine Blister Packs:

The resolution endorses new legislation to close a loophole in federal law that allows illegal drug producers to purchase large quantities of the cold and allergy drug pseudoephedrine, which is often used in the manufacture of methamphetamine. The IACP supports subjecting blister pack pseudoephedrine to regulatory controls that require documentation of sales; requiring the placement of pseudoephedrine products behind the pharmacist counter; and requiring that sales be limited to 9 grams per purchase.

Support for Continued Byrne Grant Funding:

The resolution directs the IACP to strongly urge Congress to increase the funding levels for the Byrne Memorial Grant Program. It also urges the Department of Homeland Security to increase funding to state and local law enforcement in support of investigations that support the connection between drug trafficking and terrorism.

Support for Drug Impaired Driving Legislation, Research and Training:

The resolution urges Congress to develop drugged driving legislation, with a mandatory provision that a person operating a motor vehicle with any detectable amount of a controlled substance present in his/her system can be charged with drug impaired driving. It also urges that the legislation provide for programs that support and enhance officer training and use of drug recognition techniques, and provide funding for technology that enables officers to test for alcohol and controlled substances in the field.

Support for Enhancements to Internet Prescription Drug Legislation:

To help combat non-medical use of addictive prescription drugs, the resolution directs the IACP to support federal Internet pharmacy legislation that would increase regulation of Internet pharmacies.

Miscellaneous:

Support of Emergency Helicopter Landing Facilities

The resolution affirms the IACP's support of the concept of emergency helicopter landing facilities for high-rise structures, in order to allow safer operating environments by providing preplanned, cleared landing areas for helicopters that assist ground personnel during high-rise emergencies.

NARCOTICS AND DANGEROUS DRUGS:

Anti-Drug Legalization Update:

The resolution reaffirms the IACP's opposition to laws and initiatives that advocate the medical use of marijuana, since they are inconsistent with established scientific and medical protocols for determining the medical value of dangerous drugs. It also directs the IACP to strongly support public awareness efforts by several federal agencies that seek to dispel the myths that medical marijuana has beneficial worth when used for medicinal purposes and that it is not harmful in recreational use. In addition, it urges state and local law enforcement agencies to become involved as anti-drug legalization advocates.

Drug Endangered Children Protection Program:

The resolution urges the creating of multi-disciplinary groups including law enforcement officers, prosecutors, public health professionals, and social workers to address the welfare of children endangered by drugs. It also urges Congress to provide funding to the National Association for Drug Endangered Children for additional research and studies.

Support for Unified Prescription Monitoring System:

To help prevent prescription drug abuse, the resolution expresses the IACP's support for a uniform prescription-monitoring program to increase the program's effectiveness and to provide for the sharing of data and findings. It also urges Congress to provide adequate resources to enhance statewide programs to ensure that each state has automated data collection and analysis capabilities and to assist with the development of a national database to facilitate intelligence and data sharing.

TECHNOLOGY:

Telecommunications Interception Techniques:

The resolution directs the IACP to strongly support amendments to the Communications Assistance for Law Enforcement Act (CALEA) to address the current shortcomings in the implementation and enforcement of the law. In addition, it calls for the enforcement of CALEA provisions to be moved to the Department of Justice from the Federal Communications Commission.



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 111th Annual Conference
Los Angeles, California
November 16, 2004

In Support of Community Safety

*Submitted by the Crime Prevention Committee
CPC002.a04*

WHEREAS, the International Association of Chiefs of Police (IACP) believes that community safety is everybody's responsibility and crime prevention is everyone's business; and,

WHEREAS, in the interest of sustaining the quality of life in communities worldwide, the IACP recognizes that the prevention of crime is fundamental to a free and safe society; now, therefore, be it

RESOLVED, that the IACP reaffirms the motto, "Community safety is everybody's responsibility and crime prevention is everyone's business."



International Association Of Chiefs Of Police

RESOLUTION

Adopted at the 111th Annual Conference
Los Angeles, California
November 16, 2004

National Crime Prevention Strategy

*Submitted by the Crime Prevention Committee
CPC003.a04*

WHEREAS, crime prevention, community safety, and community justice need the support of all public, private, and community agencies to be successful; and

WHEREAS, the International Association of Chiefs of Police (IACP) is a leader in crime prevention and community safety; now therefore, be it

RESOLVED, that the IACP is committed to forming active partnerships with organizations that are involved in crime prevention to develop and enhance national crime prevention strategies; and



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 111th Annual Conference
Los Angeles, California
November 16, 2004

Support for Inclusion of Law Enforcement Agencies in Proposals Designed to Improve National Intelligence Capabilities

*Submitted by the Police Investigative Operations Committee and the
Private Sector Liaison Committee
PIO013.a04*

WHEREAS, the tragic events of September 11, 2001 changed forever the responsibilities of government to protect its citizens: and

WHEREAS, Congressional and Commission hearings into the events that led up to September 11, 2001 have concluded a system wide failure in the gathering, analysis and dissemination of information played a major role in this nation's inability to protect itself; and

WHEREAS, members of local law enforcement had numerous contacts with the persons who later conducted the attacks, and

WHEREAS, the IACP convened two summits, the Criminal Intelligence Sharing Summit and the Summit to address these failures from a state, tribal and local perspective; and

WHEREAS, the conclusions of both of these summits called for a dramatic increase, within the guidelines of Constitutionally guaranteed civil liberties, in the capabilities for gathering and sharing of intelligence between all law enforcement agencies and the private sector; now, therefore, be it

RESOLVED, that the membership of the International Association of Chiefs of Police (IACP) call upon its executive committee and staff to monitor the developments in the intelligence arena and oppose any proposals that does not include the considerations and needs of law enforcement; and be it

FURTHER RESOLVED, that the IACP again present the findings of its Summits and the products of the Global Intelligence Working Group to any government forum addressing the issues related to the collection, analyzing and dissemination of Intelligence.



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 111th Annual Conference
Los Angeles, California
November 16, 2004

Law Enforcement Assistance Funding

*Submitted by the Board of Officers
BOO014.a04*

WHEREAS, over the past three years state, local, tribal and university law enforcement agencies have been working tirelessly to combat the menace of terrorism in our homeland; and,

WHEREAS, operating in the post-September 11 environment, state, local, tribal and university police officers have been asked to tackle new challenges and confront a multitude of new threats; and,

WHEREAS, after September 11, agencies and officers who had been trained and equipped to deal with traditional crimes were forced to switch their focus to identifying and apprehending individuals operating with different motivations, who have different objectives and who use much deadlier weapons than traditional criminals; and,

WHEREAS, as a result of their efforts, state, local, tribal and university law enforcement agencies now play a vital and indispensable role in the investigation, prevention and response to terrorist acts, while at the same time they have continued to fulfill their primary responsibilities to protect our communities from more traditional acts of crime and violence; and,

WHEREAS, overcoming the difficulties posed in successfully meeting these dual responsibilities has been neither easy nor inexpensive; and,

WHEREAS, already tight state and municipal budgets have been forced to absorb the costs associated with increased training needs, overtime costs and equipment purchases and changes in the national alert status; and,

WHEREAS, these expenses have stretched both the manpower and financial resources of state, local, tribal and university police agencies to the breaking point; and,

WHEREAS, the funds provided by law enforcement assistance programs administered by the Department of Justice, such as the Community Oriented Policing Services program, the Local Law Enforcement Block Grant Program and the Byrne Grant Program have allowed state, local, tribal and university law enforcement agencies to increase their core capabilities and improve their overall effectiveness; and,

WHEREAS, the funds provided by the State Homeland Security Grant Program, the Law Enforcement Terrorism Prevention Program, the Urban Area Security Initiative and other terrorism prevention programs that are administered by the Department of Homeland Security allow law enforcement to expand their capabilities and assist them in preparing to prevent and respond to future terrorist attacks; and,

WHEREAS, the funds provided by these programs can play a critical role in ensuring that state, local, tribal and university law enforcement agencies can meet the dual responsibilities of protecting our communities from crime and combating the menace of terrorism in our homeland; and,

WHEREAS, the FY 2005 budget for the Department of Homeland Security cuts funding for the State Homeland Security Grant Program and the Law Enforcement Terrorism Prevention program by \$681 million, a 22% reduction from FY 2004 levels; and,

WHEREAS, both the House and Senate versions of the FY 2005 Budget for the Department of Justice contain significant cuts to the COPS program, the Local Law Enforcement Block Grant Program and the Edward Byrne Memorial Grant Program; and,

WHEREAS, these reductions significantly diminish the vital and necessary assistance that these programs provide to state, local, tribal, and university law enforcement agencies; now therefore be it,

RESOLVED, that the International Association of Chiefs of Police (IACP) believes that reductions in these vital assistance programs have the potential to leave law enforcement agencies in the United States critically underfunded and understaffed, thereby significantly reducing their ability to fulfill their mission of protecting their communities and the citizens they serve from both crime and terrorism; and be it,

FURTHER RESOLVED, that the IACP believes that at this crucial time in our history, we cannot afford to reduce the effectiveness of our nation's state and local law enforcement agencies; and be it,

FURTHER RESOLVED, that the IACP urges the Administration and all Members of Congress to support efforts that will ensure that critical law enforcement programs are funded at levels sufficient to meet the critical and pressing needs of the law enforcement community.



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 111th Annual Conference
Los Angeles, California
November 16, 2004

Pseudoephedrine Blister Packs

*Submitted by the Narcotics and Dangerous Drugs Committee
NDD005.a04*

WHEREAS, there were 529 reported methamphetamine laboratory fires or explosions nationwide in 2003 (National Drug Threat Assessment 2004); and

WHEREAS, the annual cost for cleanup of clandestine laboratories in the United States increased from \$2 million in 1995 to \$23.8 million in 2002 (National Drug Threat Assessment 2004); and

WHEREAS, the number of methamphetamine laboratory seizures increased from 9,196 in 2002 to 10,129 in 2003 (El Paso Intelligence Center Clandestine Laboratory Seizure System, May 24, 2004); and

WHEREAS, past year users of methamphetamine increased from 1.3 million in 2001 to 1.5 million in 2002 (National Drug Threat Assessment 2004); and

WHEREAS, the estimated number of emergency room mentions for methamphetamine increased from 14,923 in 2001 to 17,696 in 2002 [Substance Abuse and Mental Health Services Administration (SAMSA), Drug Abuse Warning Network (DAWN), 2002]; and

WHEREAS, methamphetamine is a dangerous drug distributed throughout the United States and around the world; and

WHEREAS, the manufacture, distribution, and use of methamphetamine results in increased crime, damage to the environment, hazardous waste that endangers the public, expensive cleanup costs often borne by federal, state, and local government agencies; and

WHEREAS, pseudoephedrine is one of the basic precursor chemicals used in the manufacture of methamphetamine; and

WHEREAS, methamphetamine manufacturers often obtain pseudoephedrine from retail and wholesale distributors, in both bottles and blister packs, and that the use of pseudoephedrine tablets in blister packs is pervasive in the illicit production of methamphetamine in both small and large clandestine methamphetamine laboratories; and

WHEREAS, while current law establishes a retail sales limit of 9 grams for most pseudoephedrine products, including common cold medicine, there is no such limit on the sale of blister-packed pseudoephedrine products (Methamphetamine Blister Pack Loophole Elimination Act of 2003); and

WHEREAS, the 9-gram limit on bottled pseudoephedrine allows an individual to purchase approximately 366 thirty-milligram tablets at one time, which is more than enough for a typical consumer in one transaction (Methamphetamine Blister Pack Loophole Elimination Act of 2003); and

WHEREAS, in March 2002, the Drug Enforcement Agency (DEA) recommended that retail distribution of pseudoephedrine tablets in blister packages should not be exempt from the 9 gram retail sales limit (Methamphetamine Blister Pack Loophole Elimination Act of 2003); and

WHEREAS, in recommending legislation to correct the current disparity in the law between bottled and blister packed pseudoephedrine tablets, the DEA stated that “The removal of this difference would significantly prevent illicit access to this methamphetamine precursor and would be easier for both the government and the industry to monitor and would increase compliance by retailers (Methamphetamine Blister Pack Loophole Elimination Act of 2003);” and

WHEREAS, the Methamphetamine Blister Pack Loophole Elimination Act of 2004 has been introduced and is designed to close a loophole that allows illegal drug producers to purchase large quantities of the cold and allergy drug pseudoephedrine, which is often used to make methamphetamine, in blister packs (Methamphetamine Blister Pack Loophole Elimination Act of 2003); now, therefore be it

RESOLVED, that the International Association of Chiefs of Police (IACP) duly assembled at its 111th Annual Conference in Los Angeles, California, strongly endorses new legislation to eliminate the safe harbor for “Blister Packs” so that blister pack pseudoephedrine products are subject to regulatory controls that require documentation of sales; require the placement of pseudoephedrine products behind the pharmacist counter; and require that sales are limited to 9 grams per purchase. The IACP urges the pharmaceutical industry to support the legislation voluntarily.



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 111th Annual Conference
Los Angeles, California
November 16, 2004

Support for Continued Byrne Grant Funding

*Submitted by the Narcotics and Dangerous Drugs Committee
NDD011.a04*

WHEREAS, federal programs designed to assist state and local law enforcement agencies have played a vital role in reducing the nation's crime rate; and

WHEREAS, the International Association of Chiefs of Police (IACP) recognizes that the Edward Byrne Memorial Grant program is a partnership among federal, state, and local governments to create safer communities; and

WHEREAS, state and local law enforcement agencies are on the front lines in confronting the most powerful and sophisticated organized crime groups ever to challenge domestic law enforcement agencies, the international drug trafficking organizations; and

WHEREAS, the IACP acknowledges that the Byrne Formula Grant Program was created by the Anti-Drug Abuse Act of 1988; and

WHEREAS, the IACP supports efforts to improve the functioning of the criminal justice system with emphasis on violent crime and serious offenders and the enforcement of state and local laws similar to those in the Federal Controlled Substances Act; and

WHEREAS, the problems presented by the unprecedented flow of drugs into this country by these international criminal syndicates continues to be a threat in many areas of the United States, particularly mid-size and smaller cities, and rural areas; and

WHEREAS, state and local police are often the first responders to a terrorist attack. In that drug trafficking and terrorism often times are connected, the terrorism prevention programs, which are administered by the Department of Homeland Security, should have a drug trafficking nexus. These new assistance programs should not be funded at the expense of the traditional law enforcement assistance programs. The IACP believes that it is important to distinguish between the assistance funds that are provided to state and local law enforcement from programs administered by Department of Homeland Security and those provided from the existing programs at the Department of Justice; and

WHEREAS, effective anti-crime programs are effective anti-terrorism programs; and

WHEREAS, evidence indicates that terrorist organizations which are funded in part by the sale of illegal drugs adds a new dimension to the need for continued investigation of narcotics-related crime; and

WHEREAS, the Byrne Grant Funding and Community Oriented Policing Programs have proven to be invaluable resources for cooperative Federal, State and Local anti-crime policing strategies; funding multi-jurisdictional drug task forces; DARE programs; hiring, redeploying, and retaining police officers; giving law enforcement access to the latest crime-fighting technologies, and providing funds to allow the involvement of the entire community in preventing and fighting crimes; and

WHEREAS, in FY 2005, funding levels for assistance programs that are primarily designed to support State and Local law enforcement agencies would be reduced by \$1.57 billion when compared to FY 2004, and

WHEREAS, in FY 2005, DOJ proposed consolidating the Byrne and LLEBG Programs into a new grant program called the Justice Assistance Grant (JAG) program, which would be funded at \$508 million. In FY 2004, the Byrne Program received \$659 million and the LLEBG program received \$225 million; and

WHEREAS, a reduction in funding for Byrne Grants and COPS will severely affect the ability of state and local law enforcement to continue drug enforcement and demand reduction efforts; now, therefore, be it

RESOLVED, that the International Association of Chiefs of Police duly assembled at its 111th Annual Conference in Los Angeles, California, strongly urge Congress to increase the funding levels of the Byrne Memorial Grant Programs or the proposed JAG program and COPS to a level consistent with FY 2004 Funding; and, be it

FURTHER RESOLVED, that the Department of Homeland Security should expand state and local law enforcement assistance programs by increasing their funding in support of investigations, which establish the connection between drug trafficking and terrorism.



International Association Of Chiefs Of Police

RESOLUTION

Adopted at the 111th Annual Conference
Los Angeles, California
November 16, 2004

Support for Drug Impaired Driving Legislation, Research and Training

*Submitted by the Narcotics and Dangerous Drugs Committee
NDD008.a04*

WHEREAS, driving under the influence of illegal drugs has become a significant problem worldwide; and

WHEREAS, 13 percent of 16-20 year olds report driving within two hours after drug use (Substance Abuse and Mental Health Services Administration 1998 and CASA “Non-Medical Marijuana II April 2004); and

WHEREAS, the World Health Organization estimates that 1.2 million people are killed on roads every year and up to 50 million more are injured. These casualties of the road will increase if action is not taken; and

WHEREAS, according to data from the National Highway Traffic Safety Administration (NHTSA), in 2002, 17,419 people were killed in crashes involving alcohol, representing 41 percent of the 42,815 people killed in all traffic crashes; and

WHEREAS, the Centers for Disease Control and Prevention estimates that drugs other than alcohol (e.g., marijuana and cocaine) have been identified as factors in 18% of motor vehicle driver deaths; and

WHEREAS, drug impaired drivers are less frequently detected, prosecuted, or referred to treatment than drunk drivers; and

WHEREAS, there is a lack of uniformity or consistency in the way the that governments around the world approach drug impaired drivers; and

WHEREAS, too few police officers have been trained to detect drug impaired drivers, and too few prosecutors have been trained to prove drug driving cases beyond a reasonable doubt and too few Judges have been trained with regarded to drug impaired driving; and

WHEREAS, while all governments are committed to stopping its citizens from operating a motor vehicle while under the influence of alcohol and other drugs, there is no consistent method for identifying drug impairment and the presence of drugs in the body; now, therefore, be it

RESOLVED, that the International Association of Chiefs of Police (IACP), duly assembled at its 111th Annual Conference in Los Angeles, California, supports congressional development of Drugged Driving legislation, with a mandatory provision that a person operating a motor vehicle with any detectable amount of a controlled substance present in their system can be charged with drug impaired driving. The legislation should also provide for programs that support and enhance officer training and use of drug recognition techniques, training for prosecutors and Judges in the techniques of drug recognition, and funding for advance technology that enables officers to test for alcohol and all controlled substances in the field. Additional support for this legislation should be sought from the National District Attorney's Association.



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 111th Annual Conference
Los Angeles, California
November 16, 2004

Support for Enhancements to Internet Prescription Drug Legislation

*Submitted by the Narcotics and Dangerous Drugs Committee
NDD007.a04*

WHEREAS, non-medical use of addictive prescription drugs ranks second (behind marijuana) as a category of illicit drug use in the United States (SAMHSA, 2002 National Survey on Drug Use and Health); and

WHEREAS, almost 30 million individuals aged 12 or older have used prescription pain relievers non-medically at least once in their lifetime (SAMHSA, 2002 National Survey on Drug Use and Health); and

WHEREAS, 13.2 percent of 12th graders indicated they used pharmaceutical narcotics illegally during their lifetimes (Monitoring the Future, Lifetime Drug Use for Prescription Drugs, 2003); and

WHEREAS, emergency room visits resulting from the abuse of narcotic pain relievers have increased 163 percent since 1995 (SAMHSA, 2002 Drug Abuse Warning Network); and

WHEREAS, drug threat assessment data for 2004 reveals that 72 percent of state and local law enforcement agencies reported high or moderate availability of pharmaceuticals (National Drug Intelligence Center, National Drug Threat Assessment 2004); and

WHEREAS, “rogue” Internet pharmacies have become a popular and accessible source of diverted prescription drugs; and

WHEREAS, current DEA registration of physicians and pharmacies does not identify those individuals and businesses engaged in internet practices; that names and addresses of individuals and business involved in internet dispensing are difficult to ascertain; that internet sites change web locations without notice; and that internet prescriptions are frequently issued based solely on an on-line questionnaire; now, therefore, be it

RESOLVED, that the International Association of Chiefs of Police (IACP) supports federal internet pharmacy legislation to amend the Controlled Substances Act as follows: require separate registration by DEA of internet pharmacies and an identification of the names and addresses of the pharmacy and prescribing physicians; require notification to DEA of a change in an internet pharmacy's web address at least 30 days in advance; redefine the term "valid prescription" to exclude prescriptions issued solely on the basis of an on-line questionnaire; define the terms "by means of the World Wide Web" in language consistent with the Communications Act of 1934; clarify that violation of the Act is a criminal offense and increase penalties to ten years; and be it

FURTHER RESOLVED, that the IACP supports an amendment to Title 21, United States Code, Section 881 to extend the definition of property to permit forfeiture of internet domain names and websites; and be it

FURTHER RESOLVED, that the IACP endorses an enhancement to Title 21, United States Code, Section 959, to address the potential prosecution of foreign websites engaged in the unlawful importation of pharmaceuticals.



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 111th Annual Conference
Los Angeles, California
November 16, 2004

Support of Emergency Helicopter Landing Facilities

*Submitted by the Aviation Committee
AVI001.a04*

WHEREAS, the tragedy of September 11, 2001 has renewed debate on how to deal with emergencies in high-rise structures; and

WHEREAS, fire equipment, due to ladder limitations, may only extend to a maximum of eighty feet, and some situations may preclude surface vehicles and personnel, both police and fire, from safely accessing an impacted area; and

WHEREAS, police helicopters are excellent tools for assisting emergency service personnel during high-rise emergencies by safely inserting and extracting law enforcement and fire fighting personnel and equipment on to a structure to deal with the emergency from above; and

WHEREAS, helicopters may allow the occasional evacuation of victims where ground evacuation is not possible; and

WHEREAS, experience in a number of cities has shown that, on occasion, there is a clear and present need to have the capability to provide safe, immediate and effective helicopter support during emergencies in high-rise buildings; now, therefore, be it

RESOLVED, that the International Association of Chiefs of Police supports the concept of emergency helicopter landing facilities for high-rise structures. Such facilities would allow for safer operating environments by providing preplanned, cleared landing areas for helicopters that are assisting ground personnel during high-rise emergencies.



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 111th Annual Conference
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Anti-Drug Legalization Update

*Submitted by the Narcotics and Dangerous Drugs Committee
NDD010.a04*

WHEREAS, marijuana is the most widely used illicit drug in America. Of the nearly 20 million current illicit drug users, 14.6 million (about 75 percent) are using marijuana [Substance Abuse and Mental Health Services Administration (SAMHSA), 2002 National Survey on Drug Use and Health]; and

WHEREAS, of all youth age 12-17 in drug treatment in 2000, nearly 62 percent had a primary marijuana diagnosis (SAMHSA, 2002 National Survey on Drug Use and Health); and

WHEREAS, of the 7.1 million Americans abusing or dependent on illicit drugs, 4.3 million or approximately 60 percent are abusing or dependent on marijuana (SAMHSA, 2002 National Survey on Drug Use and Health); and

WHEREAS, emergency department drug episodes of marijuana in the United States increased 37.2 percent between 1999 and 2002, from 87,068 to 119,472 (SAMHSA, 2003 Drug Abuse Warning Network); and

WHEREAS, use of marijuana continues to pose a serious health risk to individuals around the world; and

WHEREAS, according to the SAMSHA Treatment Episode data Set, National Admissions to Substance Abuse Treatment Services, 1992-2001, marijuana was the second most common illicit drug responsible for treatment admissions in 2001 – outdistancing cocaine, the next most prevalent cause; and

WHEREAS, according to the 1999 report, Adolescent Self-Reported Behavior and Their Association with Marijuana, issued by SAMHSA, young people who use marijuana weekly are nearly four times more likely than nonusers to engage in violence; and

WHEREAS, according to the 2002 University of Mississippi report on the Marijuana Potency Monitoring Project marijuana is much more powerful today than it was 30 years ago, and so are the mind-altering effects. Average tetrahydrocannabinol (THC) rose from less than one percent in the mid-1970s to more than six percent in 2002; and

WHEREAS, the American Medical Association has rejected pleas to endorse marijuana as medicine, and instead has urged that marijuana remain a prohibited Schedule I drug; and

WHEREAS, medical marijuana, called Marinol, already exists. The active ingredient in Marinol is synthetic THC, which has been found to relieve the nausea and vomiting associated with various maladies; and

WHEREAS, there are no Food and Drug Administration (FDA)-approved medications that are smoked and it is neither rational nor compassionate to provide a harmful, addictive drug with no scientifically proven medical efficacy; and

WHEREAS, inhaling smoke is generally a poor way to administer medicine in a safe, measured, and regulated dose; and

WHEREAS, according to the National Institute on Drug Abuse, Research Report Series: Marijuana Abuse, October 2000, marijuana smoke contains 50 percent to 70 percent more carcinogenic hydrocarbons than does tobacco smoke; and

WHEREAS, nine states have enacted legislation that advocate the medical use of marijuana to heal a multitude of physical ailments; and

WHEREAS, reckless campaigns to legalize marijuana misleads and confuses the public as to the true risks and dangers of illegal drug use and undermines efforts in the prevention of drug initiates among youth; and

WHEREAS, the International Association of Chiefs of Police (IACP) duly assembled at its 110th Annual Conference in Philadelphia, Pennsylvania, reaffirmed its opposition to any attempts to replace the established medical and scientific criteria for determining when an illegal drug has a bona fide medical purpose and, therefore, opposes these laws and initiatives as inconsistent with established scientific and medical protocols for establishing the medical value of dangerous drugs; now, therefore, be it

RESOLVED, that the IACP, duly assembled at its 111th Annual Conference in Los Angeles, California, strongly supports public awareness efforts by the Office of National Drug Control Policy, Drug Enforcement Administration, and FDA that dispel the myths that smoking marijuana is medicinal and harmless; and, be it

FURTHER RESOLVED, that the IACP strongly encourages state and local law enforcement agencies and community groups to become involved in the anti-legalization debate to counter the legalization lobby groups and organizations.



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 111th Annual Conference
Los Angeles, California
November 16, 2004

Drug Endangered Children Protection Program

*Submitted by the Narcotics and Dangerous Drugs Committee
NDD006.a04*

WHEREAS, drug endangered children are youth who are subjected to illegal drugs or toxic chemicals in the home, infants exposed to illegal drugs; and/or children who suffer physical abuse and neglect because of their caretaker's substance abuse; and

WHEREAS, since the mid-1980s, up to 1 million children born in the United States are estimated to have been exposed to cocaine in the womb (National Institute on Drug Abuse, National Institutes of Health, 2003); and

WHEREAS, almost 14 percent of cocaine-exposed children had scores in the mental retardation range, nearly twice the 7.1 percent rate found in unexposed children and almost five times the rate (about 2.8 percent) expected in the general population (National Institute on Drug Abuse, National Institutes of Health, 2003); and

WHEREAS, in 2000, 8,971 children were involved in methamphetamine lab-related incidents in the United States; in 2001, 13,270 children were involved; and in 2002, 15,353 children were involved (Office of National Drug Control Policy, 2003); and

WHEREAS, 3,300 children were found in 8,000 methamphetamine laboratories seized nationwide in 2003. In those laboratories, 48 children were burned or injured and one was killed when a methamphetamine laboratory exploded (New York Times, February 23, 2004); and

WHEREAS, in 2001 more than 6 million children lived with at least one parent who abused or was dependent on alcohol or an illicit drug during the past year (National Household Survey on Drug Abuse, 2003); and

WHEREAS, a study conducted by the National Center on Addiction and Substance Abuse at Columbia University analyzed the effect of substance abuse on the nation's child welfare system and found that substance abusing parents affected three million children in 1997 and annually cost taxpayers over \$10 billion; and

WHEREAS, the study also found that children of parents who are substance abusers were three times more likely to be abused and four times more likely to be neglected than children of sober parents; and

WHEREAS, the International Association of Chiefs of Police (IACP) recognizes that the needs of a drug endangered child are best served with written policies encouraging the arrest of an individual for child endangerment where there is probable cause that an offense has been committed and coordinated with an appropriate investigation of the child' s welfare by child protective agencies; and

WHEREAS, despite the dangers that substance-abusing parents create for their children, no apparent coordinated plan exists in many states between various governmental departments and community agencies to respond to the impact that drug usage in the home has on the child; now, therefore be it

RESOLVED, that the IACP strongly urges communities to form multi-disciplinary groups that include law enforcement officers, prosecutors, public health professionals, and social workers to address the welfare of children endangered by drugs. These coordinated Drug Endangered Children protection groups should develop standards and protocols, through memorandums of understanding; and be it

FURTHER RESOLVED, that Congress provide funding to the National Association for Drug Endangered Children for additional research and studies and to enhance the collection and management of data.



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 111th Annual Conference
Los Angeles, California
November 16, 2004

Support for Unified Prescription Monitoring Program

*Submitted by the Narcotics and Dangerous Drugs Committee
NDD004.a04*

WHEREAS, non-medical use of narcotic pain relievers, tranquilizers, stimulants, and sedatives ranks second (behind marijuana) as a category of illicit drug abuse among adults and youth [Substance Abuse and Mental Health Services Administration (SAMHSA), 2002 National Survey on Drug Use and Health]; and

WHEREAS, in 2002, 6.2 million Americans were current abusers of prescription drugs (SAMHSA, 2002 National Survey on Drug Use and Health); and

WHEREAS, 13.7 percent of youth between the ages of 12 and 17 have abused prescription drugs at least once in their lifetime (Monitoring the Future, Lifetime Drug Use for Prescription Drugs); and

WHEREAS, emergency room visits resulting from narcotic pain relievers abuse have increased 163 percent since 1995 (SAMHSA 2002 Drug Abuse Warning Network); and

WHEREAS, Prescription Monitoring Programs (PMP) detect suspicious prescriptions and individuals redeeming prescriptions from multiple physicians (“doctor shopping”) to identify abusers and also emphasize to the professional community and public at large that controlled pharmaceuticals have a substantial abuse potential and their use is being monitored; and

WHEREAS, physicians and pharmacies can use PMPs as a screening tool to determine if patients are visiting other doctors or locations to obtain controlled substance prescriptions and as a result, investigators need not raise suspicion as to the existence of an investigation or identity of a target until sufficient information has been obtained from the PMP to substantiate a complaint; and

WHEREAS, PMPs can be used to note increases in the prescribing of a particular drug or problems specific to a geographic area. New drugs of abuse can be tracked as prescriptions increase relative to the population; and PMPs enhance the capability to identify and analyze trends in prescribing and dispensing pharmaceutical drugs; and

WHEREAS, the PMP serves as an information base for legislation to address new pharmaceutical drug problems;

WHEREAS, access to PMP information is extended only to those individuals and agencies that already have access under prior law; Doctor/patient confidentiality is retained; and

WHEREAS, currently 21 states, accounting for approximately half of all physicians and pharmacies have a permanent PMP or pilot project in place and approximately 20 additional states are in the process of establishing a PMP; and

WHEREAS, the PMPs are state operated, independent systems designed to collect information regarding controlled substance prescriptions, usually at the point of dispensing; and

WHEREAS, the programs, which differ from state to state, typically compile physician, pharmacy, patient, and drug information reported by dispensing pharmacies to a central monitoring agency; and

WHEREAS, the PMPs implemented by individual states are uniquely designed to address the specific issues and situations of the state; however, lack of interconnection and communication between the individual programs is a valid concern; now, therefore be it

RESOLVED, that the International Association of Chiefs of Police (IACP), duly assembled at its 111th Annual Conference in Los Angeles, California, strongly supports the implementation of a uniform PMP to increase the program's effectiveness and utilization and to provide for the sharing of program data and findings. Additionally, adequate resources should be provided by Congress to enhance statewide PMPs to ensure that each state has automated data collection and analysis capabilities and to assist with the development of a national database to facilitate intelligence and data sharing.



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 111th Annual Conference
Los Angeles, California
November 16, 2004

Telecommunication Interception Technology

*Submitted by the Narcotics and Dangerous Drugs Committee
NDD009.a04*

WHEREAS, telecommunication companies continue to develop and mass produce voice and data communication products without law-enforcement intercept capabilities or regard for national security or public safety concerns. Terrorists, organized crime groups, and drug trafficking organizations rely heavily upon telecommunications to plan and execute their criminal activities and hide their illegal profits; and

WHEREAS, the lawful interception of voice and data communications is one of the most valuable investigative tools available to law enforcement in identifying and crippling illegal drug activities and drug trafficking organizations; and

WHEREAS, the Communications Assistance for Law Enforcement Act (CALEA) that was enacted to preserve the ability of law enforcement to conduct electronic surveillance despite changes in telecommunications technology has been over-come by technology; and

WHEREAS, the ability of federal, state and local law enforcement to carry out critical electronic surveillance is being compromised. Many criminal organizations, to avoid interception, purposefully utilize telecommunications technology for which there are no CALEA intercept solutions; and

WHEREAS, despite a clear statutory mandate, full CALEA implementation has not been achieved; now, therefore, be it

RESOLVED, that the International Association of Chiefs of Police (IACP) duly assembled at its 111th Annual Conference in Los Angeles, California, strongly supports amendments to the CALEA to address the current shortcomings in the implementation and enforcement of the legislation. Carriers must be required to install, deploy and make available to law enforcement a CALEA solution to assist with lawfully authorized electronic surveillance of telecommunication services prior to or concurrent with the release of communications products to the public. In addition, the added costs for these solutions should not be borne by law enforcement; and, be it

FURTHER RESOLVED, that the IACP recommends the CALEA provisions be amended to provide for enforcement by the Department of Justice, who should have the authority to levy sanctions for non-compliance, instead of the Federal Communications Commission.