

HB

3

FISCAL NOTE

STATE OF ALASKA
 000 LEGISLATIVE SESSION

BILL NO. CSHB 3 (JUD)

Revision Date: January 19, 2000
 Title: "An Act relating to controlled substances and to the possession of certain chemicals"
 Sponsor: Representative Brice
 Requestor: (H) Finance

Department Affected: Administration
 BRU: Legal and Advocacy Services
 Component: Public Defender Agency
 COMPONENT SERIAL NO. 1631

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2 003	FY 2004	FY 2005	FY 2006
PERSONAL SERVICES	**	**	**	**	**	**
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	**	**	**	**	**	**
CAPITAL EXPENDITURES	**	**	**	**	**	**
CHANGE IN REVENUES ()	**	**	**	**	**	**

FUND SOURCE: (Thousands of Dollars)

1002 Federal Receipts	**	**	**	**	**	**
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
OTHER						
TOTAL	**	**	**	**	**	**

Estimate of any current year (FY 00) cost: \$ _____

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

See attached.

Prepared by: Barbara Brink, Director
 Division: Public Defender Agency

Phone: (907) 264-4414
 Date: _____

Approved by Commissioner: Robert Poe, Jr. *Alison U. Segal*
 Agency: Department of Administration

Date: 1/19/00

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FISCAL NOTE

STATE OF ALASKA

BILL NO. CSHB 3 (JUD)

2000 LEGISLATIVE SESSION

ANALYSIS: (continued)

This bill increases the level of offense for manufacturing methamphetamine. Under current law it is a class B felony. (Methamphetamine is classified as a "Schedule IIA" controlled substance. Manufacture or delivery of Schedule IIA substances has traditionally been a class B felony.) Under Section 1 of the bill, manufacturing methamphetamine would be a class A felony.

The bill also makes it a class A felony offense to manufacture or possess with intent to manufacture "immediate precursors" of methamphetamine. Finally, Section 1 makes it a class A felony to possess "listed chemicals" that can be used in manufacturing methamphetamine. Possession of "precursor chemicals" is already a violation of federal statutes. See 21 U.S.C. § 841(d). This bill would, for the first time, make possession of such chemicals illegal under state law. The "listed chemicals" are not controlled substances. Many of them, such as acetone or iodine, are common and often used for legal purposes. The state would have to prove that the possession was with intent to manufacture methamphetamine.

The Public Defender Agency (PDA) does not have information on how many new prosecutions would result if this law is passed or how many cases PDA would be appointed to. However, PDA has to assume that there would be additional cases if this bill is passed and the law is enforced by police and prosecutors. Therefore, an indeterminate fiscal note is being submitted.

FISCAL NOTE

STATE OF ALASKA
2000 LEGISLATIVE SESSION

BILL NO. CSHB 3 (JUD)

Revision Date/Time (Note if correction) <u>1/13/00, 1:25 PM</u>	Dept. Affected <u>Law</u>
Title <u>"An Act relating to controlled substances and to the possession of certain chemicals."</u>	BRU <u>Criminal Division</u>
Sponsor <u>Representative Brice</u>	Component <u>1st-4th Jud Dist, Crim Apps/Spec Lit</u>
Requester <u>Senate Judiciary Committee</u>	Component Serial No. <u>2198-99/2261/79/01/03</u>

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

FUND SOURCE	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2000) cost: _____

POSITIONS

POSITIONS	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

CSHB 3 (JUD) provides that it is a class A felony to manufacture methamphetamine, or to possess precursors or certain chemicals with the intent to manufacture methamphetamine. Manufacture of methamphetamine is extremely dangerous, not only to those working in the laboratories, but to those in the surrounding areas.

Passage of this bill is not anticipated to have a fiscal impact on the Department of Law. The department already has the ability to prosecute most instances of manufacture of a controlled substance under existing law.

Prepared by: <u>Joan M. Kasson</u> <i>Joan M. Kasson</i>	Phone <u>465-5370</u>
Division <u>Attorney General's Office</u>	Date/Time <u>1/13/00, 1:25 PM</u>
Approved by <u>Commissioner</u> <i>Handwritten</i> <u>Bruce M. Botelho, Attorney General</u>	Date <u>1/13/00</u>
Agency <u>Department of Law</u>	

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FISCAL NOTE

STATE OF ALASKA
2000 LEGISLATIVE SESSION

BILL NO. CSHB3

Revision Date _____ Dept. Affected Public Safety
 Title An Act relating to controlled substances and to the BRU AST Detachments
possession of certain chemicals. Component AST Detachments
 Sponsor Judiciary Committee
 Requester Rep. Brice Component No. 2325

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2000) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill will not adversely impact the budget.

Prepared by: Lt. David Hudson Phone 269-5655
 Division Alaska State Troopers Date/Time 1/14/00 1:15 PM
 Approved by Commissioner Ronald L. Ote Date 1/18/00
 Agency Department of Public Safety

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FISCAL NOTE

No: 4

STATE OF ALASKA
1999 LEGISLATIVE SESSION

Bill Version: CSHB 3 (JUD)
(H) Publish Date: 4/6/99

Revision Date: _____
Title: "An Act relating to controlled substances and to the possession of certain chemicals"
Sponsor: Representative Brice
Requestor: (H) FIN

Department Affected: Administration
BRU: Legal and Advocacy Services
Component: Public Defender Agency
COMPONENT SERIAL NO. 1631

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
PERSONAL SERVICES	**	**	**	**	**	**
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	**	**	**	**	**	**

CAPITAL EXPENDITURES	**	**	**	**	**	**
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CHANGE IN REVENUES ()	**	**	**	**	**	**
------------------------	----	----	----	----	----	----

FUND SOURCE: (Thousands of Dollars)

1002 Federal Receipts	**	**	**	**	**	**
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
OTHER						
TOTAL	**	**	**	**	**	**

Estimate of any current year (FY 98) cost: \$ _____

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

See attached.

Prepared by: Barbara Brink, Director
Division: Public Defender Agency

Phone: (907) 264-4414
Date: _____

Approved by Commissioner: Robert Poe, Jr.
Agency: Department of Administration

Date: 4/2/99

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COMMITTEE COPY

FISCAL NOTE

STATE OF ALASKA

BILL NO. CSHB 3(JUD)

1999 LEGISLATIVE SESSION

ANALYSIS: (continued)

This bill increases the level of offense for manufacturing methamphetamine. Under current law it is a class B felony. (Methamphetamine is classified as a "Schedule IIA" controlled substance. Manufacture or delivery of Schedule IIA substances has traditionally been a class B felony.) Under Section 1 of the bill, manufacturing methamphetamine would be a class A felony.

The bill also makes it a class A felony offense to manufacture or possess with intent to manufacture "immediate precursors" of methamphetamine. Finally, Section 1 makes it a class A felony to possess "listed chemicals" that can be used in manufacturing methamphetamine. Possession of "precursor chemicals" is already a violation of federal statutes. See 21 U.S.C. § 841(d). This bill would, for the first time, make possession of such chemicals illegal under state law. The "listed chemicals" are not controlled substances. Many of them, such as acetone or iodine, are common and often used for legal purposes. The state would have to prove that the possession was with intent to manufacture methamphetamine.

The Public Defender Agency (PDA) does not have information on how many new prosecutions would result if this law is passed or how many cases PDA would be appointed to. However, PDA has to assume that there would be additional cases if this bill is passed and the law is enforced by police and prosecutors. Therefore, an indeterminate fiscal note is being submitted.

SENATE COMMITTEE REPORT

DATE: 4/23/99

FURTHER: Finance

DATE TURNED
IN TO OFFICE: _____

Judiciary Committee considered

CS FOR HOUSE BILL NO. 3(JUD)

"An Act relating to controlled substances and to the possession of certain chemicals."

and recommends:

be replaced with _____ CS _____ (_____)

adopt previous _____ CS _____ (_____)

attached amendment(s)

adopt Letter of Intent by _____ Committee

further referral to the _____ Committee

Senate Bill:

same title

new title

House Bill:

same title

technical title

new: SCR# _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>[Signature]</i>	✓				
<i>[Signature]</i>	X				
CHAIR: <i>[Signature]</i>	✓	CHAIR:			

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal
Admin - PDA	1/19		*
LAW	1/13	✓	
PUBLIC SAFETY	1/18	✓	

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

Representative Tom Brice

ALASKA STATE LEGISLATURE

119 N. Cushman, Ste. 205
Fairbanks, AK 99701
907-456-7423 / Fax: 451-9293

While in Juneau
State Capitol
Juneau, AK 99801-1182
907-465-3466

Sponsor Statement

CSHB 3, Drugs: Possession of Precursor Chemicals

Methamphetamine is an addictive stimulant that dramatically affects the central nervous system. Methamphetamine is commonly known as "crank," "speed," and "ice." The drug is easily made in laboratories with relatively inexpensive, over-the-counter ingredients. Meth labs are extremely dangerous, even if they are not producing as the combinations of the chemicals that are used in the production process are highly explosive. These factors make methamphetamine a dangerous drug with great potential for widespread abuse.

The CSHB 3 will address the problem of increasing production and use of methamphetamines in Alaska, and the danger posed by these illicit laboratories. This is accomplished by raising the penalties for the manufacture of methamphetamines and their immediate precursors, and the possession of listed chemicals with the intent to manufacture these drugs. Under the CSHB 3, the manufacture of methamphetamines and their immediate precursors will be a class A felony, punishable as provided in AS 12.55.125. Since this offense will be a class A felony, someone causing the death of a person while committing this crime will be subject to prosecuting for felony murder under AS 11.41.110. An attempt to manufacture methamphetamine or its immediate precursors will be punishable as a class B felony under as 11.31.100.

CSHB 3 also identifies chemicals that are legal to possess but are used for the manufacture of controlled substances. Possession of these chemicals with the intent to manufacture methamphetamines or their immediate precursors is made a class A felony. Since the manufacture of methamphetamines or their immediate precursors is being elevated to a class A felony, it automatically becomes a ground for eviction by a land lord under the definition of illegal activity involving a controlled substance under AS 34.03.360.

Methamphetamine labs are very dangerous, even if they are not producing drugs. By increasing the penalties for methamphetamine offenses, the CSHB 3 will discourage people from producing methamphetamine thereby protecting the lives and property of people who may be living in an area where methamphetamine is being produced.



LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

March 16, 1999

SUBJECT: Sectional Summary of CSHB 3(JUD). (Work Order No. 21-LS0040\1)

TO: Representative Tom Brice
Attn: Bonnie Carroll

FROM: Gerald P. Luckhaupt *JEL*
Legislative Counsel

You have requested a sectional summary of the above-described bill. As a preliminary matter, please note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill - the bill itself is the best statement of its contents.

Section 1. Amends AS 11.71.020(a) by providing that a person that (1) manufactures methamphetamine or an immediate precursor of methamphetamine, (2) possesses an immediate precursor of methamphetamine with the intent to manufacture methamphetamine, or (3) possesses a listed chemical with the intent to manufacture methamphetamine or an immediate precursor of methamphetamine, commits misconduct involving a controlled substance in the second degree, a class A felony.

Section 2. Provides a cross reference to a definition.

Section 3. Amends AS 11.71.030(a)(1) to clarify that this provision only applies to conduct that is not proscribed under AS 11.71.020(a), amended in sec. 1 of the bill.

Section 4. Amends AS 11.71.195 to provide that the exemption for certain substances provided by this statute only applies if the conduct in regard to the substances is not otherwise made illegal under our controlled substance laws.

Section 5. Defines what listed chemicals are and identifies listed chemicals.

GPL:glc
99-100.glc

MEMORANDUM ALASKA PUBLIC DEFENDER AGENCY

900 West Fifth Avenue, Suite 200
Anchorage, Alaska 99501

Tel: (907) 264-4400
Direct line: 264-4412
Fax: (907) 269-5476
e-mail: blair_mccune@admin.state.ak.us

TO: Representative Tom Brice
Alaska House of Representatives

Senator Robin Taylor
Chairman Senate Judiciary Committee
Alaska State Senate

FROM: Blair McCune, Deputy Public Defender

RE: HB 3 – Precursor chemicals
Senate Judiciary – Friday, January 21st.

DATE: January 20, 2000

=====
The Public Defender Agency commented on this bill in the House last year. We still feel the bill has problems, especially in the level of the offenses it creates.

We believe that Section 1 of the bill, which makes the conduct a class A felony, is out of synch with other Alaska drug laws. Presently, manufacture of methamphetamines is a class B felony. The bill makes it a class A felony. It also makes possession of any amount of an "immediate precursor" of methamphetamine a class A felony. Finally, possession of any amount of "listed chemicals" is a class A felony.

Although the desire to increase penalties for setting up a large-scale "meth lab" is understandable, this bill makes possession of any amount of the chemicals a class A felony. There should be some recognition that possessing a large quantity of these chemicals is more serious than possessing only a small amount. If provisions on quantities were added, the bill would differentiate between defendants who are preparing for or engaging in a large-scale drug manufacturing operation and misguided individuals who possess small quantities of listed substances with the intent of trying to make a small amounts of drugs.

It would be better to follow the Federal Sentencing Guidelines, which make the offense more serious depending on the amount of the substances possessed. The Guidelines have a detailed table setting out quantities of substances and recommending different sentences based on quantities possessed. The Federal Sentencing Guidelines can be found at <http://www.ussc.gov/1998guid/tabcon98.htm>.



REPRESENTATIVE ERIC CROFT

MEMORANDUM

TO: Members of the House Judiciary Committee
FROM: Rep. Eric Croft
DATE: 3/1/99
RE: Committee Substitute for HB 3

The ad hoc Committee on HB3 consisted of the following persons meeting at various different times.

- Rep. Eric Croft
Rep. Tom Brice
Kevin Jardell, Majority Leader's Office
Cory Winchell, House Judiciary Committee
Bonnie Carroll, Rep. Brice's Office
Samuel Shepard, Rep. Croft's Office
Gerald Luckhaupt, Leg. Legal
Sandy Perry-Provost, Dept. Public Safety
Anne Carpeneti, Dept. of Law
Wilda Rodman, Rep. Therriault's Office

The ad hoc Committee proposes the following CS. We took it as our mission to address and hopefully solve the concerns raised at the initial Judiciary Committee meeting, including the following:

- 1) REGISTRATION. The registration provisions in the original bill were costly and cumbersome. The sponsor indicated that he had no objection to removing these provisions if adequate assurance was made that the federal authorities were cooperating with state and local authorities in Alaska. Del Smith made this assurance at the hearing.
2) CLASS A OR B FELONY. The original bill punished possession of listed chemicals with the intent to manufacture meth as a Class A Felony. Under current law, actual production of meth is a Class B Felony. Punishing the attempt lower than the completed crime raises substantial problems in prosecution and logic.
3) TO LIST OR NOT TO LIST. There was substantial discussion about the practical difficulties of keeping a controlled substance list current. Members expressed concern that any list not be exclusive.



Some discussion was had about the constitutional difficulties with allowing additions to the controlled substance list by regulation.

- 4) **EXEMPTED DRUGS.** The NPDMA wanted us to be careful to exempt drugs from criminal penalties that are federally regulated. Nobody had any objection to this concern, the only issue was how to accomplish it in our statutes.

The proposed CS meets each of these concerns.

- 1) **REGISTRATION PROVISIONS REMOVED.** The registration provisions have been removed from the CS.
- 2) **BOTH CRIMES CLASS A FELONIES.** After much discussion and analysis of various options, the CS raises both the actual manufacture and possession of listed chemicals with intent to manufacture to a Class A felony. This eliminates the logical oddity. The dangerous nature of meth labs makes this punishment warranted. In addition, making the crime a Class A felony brings it under the felony murder and the eviction power statutes. Under the CS, if a person is killed by a meth lab explosion, the operator of the lab may be guilty of felony murder and a tenant may be evicted for possession of listed chemicals with the intent to manufacture meth even if the lab has not yet produced any product.
- 3) **LIST AND ATTEMPT.** The CS continues to use a list of chemicals and, in fact, combines the List I and II to simplify the statutes. By raising the level of the felony, we have raised the attempt to manufacture meth to a Class B Felony. (In general, attempt is one level lower than the completed crime.) If a person purchases chemicals or other items with the intent to use them to produce meth, this probably a sufficient "substantial step" to convict on attempt. Therefore, the general attempt statutes serve as a catch-all for meth ingredients that are discovered after the effective date of this bill.
- 4) **EXEMPTED DRUGS.** After review, Section 4 as written meets the NPDMA concerns.

Enclosed is a copy of the CS. Call Rep. Brice's office with any questions.

STATE OFFICE
ALASKA PEACE OFFICERS ASSOCIATION

P.O. Box 240106 Anchorage, Alaska 99524-0106 Phone (907) 277-0515 Fax (907) 272-5355



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Anchorage

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John Lucking, Jr., Member
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Pres. Aleutian Islands Chapter

Representative Brice
Alaska State Legislature
State Capital
Juneau, Alaska 99801-1182

February 19, 1999

Dear Representative Brice,

At a recent meeting of the APOA Board of Directors, we unanimously agreed to endorse HB 3.

Please contact us if there is anything we can do to assist you with this bill as it proceeds through the legislative process. You may contact us at the APOA office in Anchorage at 277-0515.

Thank you for sponsoring this legislation.

Sincerely,

John Charbonneau
State President
Alaska Peace Officers Association

Public Safety Employees Association, Inc.
"Representing Alaska's Finest"

February 16, 1999

Honorable Representative Tom Brice
State Capitol
Juneau, AK 99801-1182

Re: House Bill 3

Dear Representative Brice:

Thank you for sponsoring House Bill 3. This legislation establishes a felony crime for those who possess certain chemicals with the intent to manufacture schedule IA, IIA, IIIA, IVA or VA drugs.

The Public Safety Employees Association fully supports this bill and advocates its quick passage so that Alaska's law enforcement officers can charge people who are using these dangerous chemicals to make methamphetamine and other illegal drugs.

This important tool will allow officers to apprehend and deter methamphetamine traffickers and ensure our neighborhoods are safer places to live.

Please call us if you need any assistance in passing this bill. We have members who are involved with drug enforcement and who, on behalf of PSEA, would gladly testify as to the importance of this legislation.

Sincerely,



Keith Perrin
Business Manager



Better Health
Through Responsible
Self-Medication

NONPRESCRIPTION DRUG MANUFACTURERS ASSOCIATION

March 5, 1999

The Honorable Pete Kott
Chair, House Judiciary Committee
Alaska House of Representatives
State Capitol, Room 118
Juneau, Alaska 99801-1182

Re: House Bill 3 - An Act Relating to Controlled Substances
And to the Possession of Certain Chemicals

Dear Representative Kott:

I received a copy this week of the Committee Substitute for Alaska House Bill 3, a bill that would impose criminal penalties for the possession of precursor chemicals if there is intent to manufacture methamphetamine. I am writing to let you know that we were very pleased to see that the Committee had decided to include our suggested changes to this important piece of legislation.

The inclusion of more severe penalties for manufacturing and possessing violations, while maintaining an OTC exemption for legitimate activities involving FDA-approved products, fully addresses our previous concerns with H.B. 3. Eliminating the registration and recordkeeping requirements also is in line with NDMA's belief that legislation such as H.B. 3 should punish the criminals, not the retailers and consumers. We now support H.B. 3 in its current form.

We appreciate yours and the Committee's commitment to working with industry on this key issue. Thank you for the opportunity to work with the Committee and for its consideration of our views on this important legislation. Should you have any questions or comments, please do not hesitate to contact me.

Sincerely,



Nancy A. Bukar
State Government Counsel

cc: Representative Tom Brice

NAB/jz

Meth Links

Long Term Effects

Slang Names

Meth Labs

Meth Facts

Living near Labs

Inhalant Abuse

Physical Damage

Get the Facts...
before meth
gets you!



MIDWEST HIDTA

Nebraska - Iowa - Kansas - South Dakota - Missouri

High intensity Drug Trafficking Area

stop

Methamphetamine Frequently Asked Questions

Q: What is Methamphetamine?

A: Methamphetamine is a powerful central nervous system stimulant. A synthetic drug, methamphetamine has a high potential for abuse and dependence. It is illegally produced and sold in pill form, capsules, powder and chunks. Methamphetamine was developed early in this century from its parent drug amphetamine and was originally used in nasal decongestants, bronchial inhalers, and in the treatment of narcolepsy and obesity. In the 1970s methamphetamine became a Schedule II drug - a drug with little medical use and a high potential for abuse.

Q: What are the street names for methamphetamine?

A: The drug is referred to by many names including "meth," "speed .. crank," "chalk," "go-fast," "zip," and "cristy." Pure methamphetamine hydrochloride, the smokeable form of the drug, is called "L.A." or - because of its clear, chunky crystals which resemble frozen water - "ice," "crystal," "64glass," or "quartz." Since the 1980s, ice has been smuggled from Taiwan and South Korea into Hawaii, where use became widespread by 1988. By 1990, distribution of ice had spread to the U.S. mainland.

Q: Where is meth manufactured and distributed?

A: Methamphetamine is both domestically produced and imported into the U.S. in already processed form. Once dominated by motorcycle gangs and other local producers in remote areas of California and the Pacific Northwest, the market now includes both local producers and Mexican sources providing finished product to stateside distributors.

Q: Is methamphetamine use in the Midwest increasing?

A: Methamphetamine has become the drug of choice in the Midwest. Within the last five years, meth use has increased in some communities by as much as 300 percent, accounting for up to 90 percent of the drug cases in many areas.

Q: Why is meth use so prevalent in the Midwest?

A: The region's methamphetamine epidemic stems from two problems:

- steadily increasing importation of methamphetamine into the region by organized trafficking groups; and
- clandestine manufacturing of methamphetamine by hundreds of users/dealers in small "mom and pop" labs.

Seizures of clandestine labs in the Midwest have increased from 44 in 1995 to more than 500 in 1997. In fact, the state of Missouri led the nation in 1997 in the number of meth labs seized.

Twenty Mexican methamphetamine trafficking organizations have been identified by DEA as being involved in the Midwest, which is connected via major interstate highways, rail and air to the West and Southwest border areas that serve as importation, manufacturing and staffing areas for the Mexican operations.

Q. How is meth made?

A. The processing required to make methamphetamine from precursor substances is easier and more accessible than ever. There are literally thousands of recipes and information about making meth on the Internet. An investment of a few hundred dollars in over-the-counter medications and chemicals can produce thousands of dollars worth of methamphetamine. The drug can be made in a makeshift "lab" that can fit into a suit case. The average meth "cook" annually teaches ten other people how to make the drug.

Q. Where are these labs found?

A. Clandestine labs known as "mom and pop" labs are found in rural, city and suburban residences; barns, garages and other outbuildings; back rooms of businesses; apartments; hotel and motel rooms; storage facilities; vacant buildings; and vehicles.

Q. What ingredients are used to make meth?

A. Over-the-counter cold and asthma medications containing ephedrine or pseudoephedrine, red phosphorous, hydrochloric acid, drain cleaner, battery acid, lye, lantern fuel, and antifreeze are among the ingredients most commonly used.

Q. What are precursor substances?

A: Precursors are substances that, in nature, might be inactive. However, when combined with another chemical the result is a new product. Methamphetamine starts with an inactive or marginally-inactive compound (ephedrine or pseudoephedrine) and other chemicals are added to produce the drug.

Q. How much does meth cost on the street?

A. The cost varies according to several factors, including purity of the drug, the region in which it is sold, the source of the drug (local product vs. imported) and availability of the drug. The approximate prices are:

\$25 per 1/4 gram
\$ 100 per gram
\$1700 per ounce

Experts estimate that one ounce of meth equals about 110 meth "hits."

The following prices were provided by a reader on June 29, 1998	The following prices in central California were provided by a reader on January 3, 1999
<p>1/32 of an ounce \$50.00 1/16 of an ounce \$80.00-\$100.00 1/8 of an ounce approx \$150.00 1/4 of an ounce approx \$250.00 1/2 of an ounce approx \$400.00-450.00 1 ounce approx \$650.00-\$800.00 depending on quality</p>	<p>1/32 of an ounce \$30.00 1/16 of an ounce \$50.00 1/8 of an ounce approx \$65-80.00 1/4 of an ounce approx \$125.00 1/2 of an ounce approx \$225-300</p>

Q. Who is using methamphetamine?

A. There are two basic profiles of users reported by law enforcement and treatment providers:

- students, both high school and college age; and
- white, blue-collar workers and unemployed persons in their 20s and 30s.

Use is widely prevalent in both urban and rural areas and equally divided among males and females. Women are more likely to use methamphetamine than cocaine. Some areas of the Midwest are seeing an increase in the number of Hispanic and Native American meth users, though whites are still the most dominant users of the drug.

Q. Are teenagers using the drug?

A. The drug is becoming more popular among persons 18 years and younger, as studies show teenagers perceive methamphetamine as safer, longer lasting and easier to buy than cocaine. The "Monitoring the Future" survey, which measures the extent of drug use among U.S. adolescents, found methamphetamine use among high school seniors more than doubled between 1990 and 1996. In addition, law enforcement officials have caught teens as young as 14- and 15-year-olds using and selling the drug.

Q. Why should I talk to my child about meth?

A. Teens whose parents talk to them about drugs are half as likely to use drugs as those whose parents do not speak to them on this topic.

Q: Why do people start using methamphetamine?

A: Athletes and students sometimes begin using meth because of the initial heightened physical and mental performance the drug produces. Blue collar and service workers may use the drug to work extra shifts, while young women often begin using meth to lose weight. Others use meth recreationally to stay energized at "rave" parties or other social activities. In addition, meth is less expensive and more accessible than cocaine and users often have the misconception that methamphetamine is not really a drug.

Q: Is meth used in combination with other drugs?

A: Methamphetamine users are likely also to be users of alcohol, marijuana and cocaine rather than users of drugs like heroin.

Q. Are there any legitimate uses for methamphetamine?

A: In some cases, doctors prescribe low doses of methamphetamine for narcolepsy and attention deficit disorder.

Q: How is methamphetamine administered?

A: It can be smoked, taken intranasally (snorted), injected intravenously or ingested orally. The practice of "eating" meth by putting it on paper or food and chewing it also has been reported.

Q: What happens immediately after a person takes methamphetamine?

A: The drug alters mood in different ways, depending on how it is taken. Immediately after smoking or intravenous injection, the user experiences an intense "rush" or "flash" that lasts only a few minutes and is described as extremely pleasurable. Smoking or injecting produces effects fastest, within five to ten seconds. Snorting or ingesting orally produces euphoria - a high but not an intense rush. Snorting produces effects within three to five minutes, and ingesting orally produces effects within 15 to 20 minutes.

Q: How does the drug effect users overall?

A: In all forms, the drug stimulates the central nervous system, with effects lasting anywhere from four to 24 hours. Methamphetamine use can not only modify behavior in an acute state, but after taking it for a long time, the drug literally changes the brain in fundamental and long-lasting ways. It kills by causing heart failure (myocardial infarction), brain damage, and stroke and it induces extreme, acute psychiatric and psychological symptoms that may lead to suicide or murder.

Q: What are the short-term effects?

A: Central Nervous System Side Effects

Even small amounts of methamphetamine can produce euphoria, increased alertness, paranoia, decreased appetite and increased physical activity. Other central nervous system effects include athetosis (writhing jerky, or flailing movements), irritability, extreme nervousness, insomnia, confusion, tremors, anxiety, aggression, incessant talking, hyperthermia, and convulsions. Hyperthermia (extreme rise in body temperature as high as 108 degrees) and convulsions sometimes can result in death.

Cardiovascular Side Effects

Use can produce chest pain and hypertension which can result in cardiovascular collapse and death. In addition, methamphetamine causes accelerated heartbeat, elevated blood pressure and can cause irreversible damage to blood vessels in the brain.

Other Physical Effects

Pupil dilation, respiratory disorders, dizziness, tooth grinding, impaired speech, dry or itchy skin, loss of appetite, acne, sores, numbness, and sweating.

Psychological Effects

Symptoms of prolonged meth abuse can resemble those of

schizophrenia and are characterized by anger, panic, paranoia, auditory and visual hallucinations, repetitive behavior patterns, and formication (delusions of parasites or insects on the skin).

Methamphetamine-induced paranoia can result in homicidal or suicidal thoughts.

Q: What other long-term effects can result?

A: Fatal kidney and lung disorders, brain damage, liver damage, blood clots, chronic depression, hallucinations, violent and aggressive behavior, malnutrition, disturbed personality development, deficient immune system, and methamphetamine psychosis, a mental disorder that may be paranoid psychosis or may mimic schizophrenia.

Q: How much of the drug can cause an overdose?

A: A toxic reaction (or overdose) can occur at relatively low levels, 50 milligrams of pure drug for a non-tolerant user. Metabolic rates vary from person to person, and the strength of the illegal form of the drug varies from batch to batch, so there is no way of stating a "safe" level of use. In overdose, high fever, convulsions and cardiovascular collapse may precede death. Because stimulants effect the body's cardiovascular and temperature-regulating systems, physical exertion increases the hazards of meth use.

Q: What effect does methamphetamine use have on pregnancy?

A: Babies can be born methamphetamine addicted and suffer birth defects, low birth weight, tremors, excessive crying, attention deficit disorder, and behavior disorders. There is also an increased risk of child abuse (including "shaken baby syndrome") and neglect of children born to parents who use methamphetamine.

Q: What are some signs that a person may be using the drug?

A: The person may exhibit anxiousness; nervousness; incessant talking; extreme moodiness and irritability; purposeless, repetitious behavior, such as picking at skin or pulling out hair; sleep disturbances; false sense of confidence and power; aggressive or violent behavior; disinterest in previously enjoyed activities; and severe depression.

Q: If methamphetamine is so dangerous, why can physicians prescribe the drug to patients?

A: The key is the dosage. Methamphetamine abusers use much higher dosages of the drug than a physician would routinely prescribe when treating a patient.

Q: Why is methamphetamine addictive?

A: All addictive drugs have two things in common: they produce an initial pleasurable effect, followed by a rebound unpleasant effect. Methamphetamine, through its stimulant effects, produces a positive feeling, but later leaves a person feeling depressed. This is because it suppresses the normal production of dopamine, creating a chemical imbalance. The user physically demands more of the drug to return to normal. This pleasure/tension cycle leads to loss of control over the drug and addiction.

Q: How does methamphetamine take over one's life?

A: Methamphetamine short-circuits a person's survival system by

artificially stimulating the reward center, or pleasure areas in the brain. This leads to increased confidence in meth and less confidence in the normal rewards of life. This happens on a physical level at first, then it affects the user psychologically. The result is decreased interest in other aspects of life while reliance and interest in meth increases. In one study, laboratory animals pressed levers to release methamphetamine into their blood stream rather than eat, mate, or satisfy other natural drives. The animals died of starvation while giving themselves methamphetamine even though food was available.

Q: Is there methamphetamine withdrawal?

A: Yes. The severity and length of symptoms vary with the amount of damage done to the normal reward system through methamphetamine use. The most common symptoms are: drug craving, extreme irritability, loss of energy, depression, fearfulness, excessive drowsiness or difficulty in sleeping, shaking, nausea, palpitations, sweating, hyperventilation, and increased appetite.

Q: Is methamphetamine addiction difficult to treat?

A: Several treatment providers describe methamphetamine abusers as "the hardest to treat" of all drug users. They are often overly excitable and "extremely resistant to any form of intervention once the acute effects of meth use have gone away." Meth addicts get over the acute effects of withdrawal fairly quickly. However, the "wall" period lasts 6-8 months. This is a period of prolonged abstinence during which the brain recovers from the changes resulting from meth use. During this period, recovering addicts feel depressed, fuzzyheaded, and think life isn't as pleasurable without the drug. Because prolonged use causes changes in the brain, willpower alone will not cure meth addicts.

Q: Is relapse common?

A: Yes. Because there are psychiatric, social, and biological components to meth dependence, there is a high likelihood of relapse. Key relapse issues are similar to that of cocaine use and include other substance abuse and being around drug-using friends.

Q: What prompts methamphetamine users to enter treatment?

A: Methamphetamine causes a variety of mental, physical, and social problems which may prompt entry into treatment. Though not as expensive as heroin and cocaine, its cost might also produce financial problems for users and prompt them to seek help. However, the most commonly reported reason why methamphetamine users enter treatment is trouble with the law. These legal problems include aggressive or bizarre behaviors which prompt others to call police. Other reasons for entry include mental or emotional problems and problems at work or at school.

Q: How does the cost of treating meth users compare to incarceration?

A: Treatment is a highly cost-effective alternative; it is about one-tenth of the cost to treat a person rather than putting him or her in jail.

Q: What other problems does methamphetamine pose to society?

A: Automobile accidents; explosions and fires triggered by the illegal manufacture of methamphetamine; environmental contamination; increased criminal activity, including domestic violence; emergency room and other medical costs; spread of infectious disease, including

HIV, AIDS and hepatitis; and lost worker productivity. Economic costs also fall on governments, which must allocate additional resources for social services and law enforcement.

Q: How is the production of meth more dangerous than other drugs?

A: Meth trafficking and production are different than other drugs because they are dangerous from start to finish. The reckless practices of the untrained people who manufacture it in clandestine labs result in explosions and fires that injure or kill not only the people and families involved, but also law enforcement or fireman who respond. Any number of solvents, precursors and hazardous agents are found in unmarked containers at these sites. These potent chemicals can enter the central nervous system and cause neural damage, effect the liver and kidneys, and burn or irritate the skin, eyes and nose. Environmental damage is another consequence of these reckless actions, and violence is often a part of the process as well.

Q. What are the most serious environmental consequences of meth labs?

A: Each pound of meth produced leaves behind five or six pounds of toxic waste. Meth cooks often pour leftover chemicals and byproduct sludge down drains in nearby plumbing, storm drains, or directly onto the ground. Chlorinated solvents and other toxic byproducts used to make meth pose long-term hazards because they can persist in soil and groundwater for years. Clean-up costs are exorbitant because solvent contaminated soil usually must be incinerated.

Q: What is the cost of a cleaning up a clandestine meth lab site?

A: Cleanups of labs are extremely resource-intensive and beyond the financial capabilities of most jurisdictions. The average cost of a cleanup is about \$5,000 but some cost as much as \$150,000.

Q: What are the federal penalties for methamphetamine trafficking?

A: The basic, mandatory minimum sentences under federal law are:

- 10 grams (pure) = 5 years in prison
- 100 grams (pure) = 10 years in prison.

Q: What is the Comprehensive Methamphetamine Control Act of 1996?

A: This federal legislation takes significant steps toward preventing meth from becoming the next crisis in drug abuse. The bill:

- Permits the domestic seizure and forfeiture of methamphetamine precursor chemicals.
- Directs the Attorney General to coordinate international drug enforcement efforts to interdict such chemicals.
- Increases penalties for the possession of equipment used to make controlled substances, and for trafficking in certain precursor chemicals.
- Requires an interagency task force to develop and implement prevention, education and meth treatment strategies.

Q: What is Midwest HIDTA?

A: High Intensity Drug Trafficking Areas (HIDTAs) are areas identified

by the Office of National Drug Control Policy (ONDCP) as having the most critical drug trafficking problems adversely impacting the U.S. The Midwest HIDTA, which includes Iowa, Kansas, Missouri, Nebraska and South Dakota, was created specifically to fight the spread of meth in the Midwest. It promotes a comprehensive, cooperative strategy by law enforcement at the federal, state and local levels to reduce drug trafficking.

Q: What do I look for if I suspect a meth lab in my neighborhood?

A: Unusual, strong odors similar to the that of fingernail polish remover or cat urine; renters who pay cash; large amounts of products such as cold medicines, antifreeze, drain cleaner, lantern fuel, coffee filters, batteries, duct tape, clear glass beakers and containers; and residences with windows blacked out and lots of nighttime traffic.

Q: How do I report a suspected methamphetamine lab or find help for someone who is using meth?

A: Call the Crank Hotline at 1-888-664-4673. (This number is only good for residents of Nebraska, Iowa, Kansas, South Dakota and Missouri)

This Methamphetamine FAQ was written by:

MIDWEST

HIDTA

Nebraska - Iowa - Kansas - South Dakota - Missouri

High intensity Drug Trafficking Area

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Saturday, January 22, 2000

Suspected drug lab raided

By SEAN COCKERHAM
Staff Writer

Local drug investigators raided a suspected methamphetamine lab on Friday, the second discovered in North Pole this month.

Agents of the Statewide Drug Enforcement Unit served a search warrant on a house at 3135 Old Richardson Highway.

Alaska State Trooper Sgt. J.R. Roberts said it is the home of 34-year-old Mac Anthony Payne. Payne was present at the time of the raid, Roberts said, but did not admit any culpability.

The suspected lab was located near a junkyard where investigators had discovered a methamphetamine lab in 1998, only the second one that law enforcement officers had ever found in the Interior.

Roberts said the lab discovered Friday appears to be a small methamphetamine operation. No arrests have been made, and charges will not be filed until the chemicals are sent to a laboratory for positive identification.

Methamphetamine is created from a potpourri of chemicals, and the labs can consist of 20 to 150 different items. The evidence analysis is time-consuming.

Investigators raided another suspected methamphetamine lab in North Pole less than three weeks ago. In that case they were serving an arrest warrant based upon the lab results of a raid from six months earlier and reportedly discovered that the wanted man had begun cooking the drug again.

Go shopping where the reindeer play

5 cited in meth busts

December 03, 1999

By SEAN COCKERHAM
Staff Writer

A Fairbanks grand jury has handed down the first criminal charges from this summer's string of local methamphetamine lab raids.

Indictments were filed Thursday against five people linked to two alleged labs discovered a week apart in late June, one in South Fairbanks and one in North Pole.

Four of those charged remain at large, while the fifth is in custody on a probation violation.

The delay in bringing the charges is due to the wait for results to come back from the state crime lab in Anchorage. Methamphetamine is created from a potpourri of chemicals. The labs can contain 20 to 150 different items.

"With meth labs, unlike any other (drug operation), there is so much evidence to submit," said Alaska State Trooper Sgt. J.R. Roberts, head of the local multi-agency drug enforcement team. "So many items have to be identified to make a solid manufacturing case, and you have to go through each one."

The grand jury determined this week that a sufficient case has been made to indict Richard M. Dickman, 31, and Heather C. Szmyd, 33, on felony drug manufacturing charges. They were allegedly cooking the drug in a Laurene Street Apartment—the first methamphetamine lab ever discovered inside Fairbanks city limits.

Drug investigators raided the lab on the morning of June 24 and reportedly found the drug stew simmering while Dickman and Szmyd slept.

The grand jury also indicted three people in connection with a June 24 bust of an alleged methamphetamine lab in the basement of a Plato Way house in North Pole.

Vincent T. Haugen, 35, and Lara C. Johnson, 29, were charged with felony charges of drug manufacturing and possession. William R. Baxter, 48, was charged only with methamphetamine possession.

During the raid Haugen was arrested on a probation violation for a 1998 drug case and is still in custody.

Three other local methamphetamine labs also were busted this summer. Lab results from two of those raids are back, and charges are possible once the district

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icy?**

- attorney's office completes its review of the evidence.

Roberts said it appears that the methamphetamine labs are not affiliated with one another, but "I would venture to say that the parties involved are probably familiar with one another."

Methamphetamine, also known as crystal, crank, or speed, is an addictive stimulant that is cheaper than cocaine. In the summer of 1998 drug investigators first found methamphetamine labs in the larger Fairbanks area.

Laboratories designed to cook the drug are dangerous because of the toxicity and explosiveness of chemicals used, investigators say.



Two meth lab suspects arrested, two still at large

December 11, 1999

By Staff report

Authorities have arrested two people since last week's methamphetamine lab indictments, but two others also implicated in the summertime drug raids remain free.

Richard M. Dickman, 31, and Heather C. Szmyd, 33, were arrested after an anonymous tip. They were arraigned on felony drug manufacturing charges Friday in Fairbanks Superior Court and both pleaded innocent.

They were allegedly manufacturing the drug in a Laurene Street Apartment.

Drug investigators raided the South Fairbanks apartment in late June, and the couple reportedly was found sleeping while the drug cooked.

Investigators say it was the first methamphetamine lab found within city limits. But authorities first discovered such labs in the borough the previous summer.

Dickman and Szmyd were indicted by a grand jury last week, as were people allegedly connected with a North Pole methamphetamine lab also raided in June.

Vincent T. Haugen, 35, and Lara C. Johnson, 29, were charged with felony charges of drug manufacturing and possession. William R. Baxter, 48, was charged only with methamphetamine possession.

Haugen was already in custody on a probation violation. But Johnson and Baxter, who were also scheduled to be arraigned on Friday, remain at large.

No charges have been filed yet in connection with three other alleged local methamphetamine labs raided this summer. Methamphetamine labs consist of numerous components that must be analyzed by the state crime lab before charges can be filed.



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Suspected meth lab busted

December 15, 1999

By JOLIE LEWIS
Staff Writer

Two people could face felony drug-manufacturing charges after investigators found equipment in a Badger Road area house Tuesday morning that appeared to be part of a methamphetamine lab.

Francis Peron, 36, and Nancy Weather, 40, were at home when authorities showed up at 10:30 a.m. with a search warrant. Neither has been arrested, said Alaska State Troopers Sgt. J.R. Roberts, supervisor of the local Statewide Drug Enforcement Unit.

Investigators reportedly found drug-manufacturing paraphernalia in a bathtub and small closet in the upstairs of the two-story wood house on Hartzog Loop.

Dressed in protective gear, the investigators carried out containers of sludge and crusty substances, unidentified solvents and cans that apparently held toluene, a colorless hydrocarbon, used in making explosives and as a solvent. Investigators also found residue that may have come from finished product.

"Typical. A bunch of unknowns," Roberts said. "Obviously, it all needs to be analyzed."

Peron and Weather could be charged with third-degree drug misconduct following testing of chemicals found on scene.

This is the seventh suspected methamphetamine lab to be found this year and the first to be dismantled in the sub-zero temperatures of winter, Roberts said. Investigators from troopers, Fairbanks police and the Drug Enforcement Administration set up a heated workstation under a tarp outside the residence and were still cleaning up 10 hours after they arrived.

Roberts said authorities heard about the suspected lab through an anonymous tip and investigated for two to three weeks. He believes the lab's output would have been comparable to others found this year.

Methamphetamine is an addictive stimulant that is made using toxic or explosive chemicals, investigators say.



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Another meth lab located

Suspect charged in similar case

January 08, 2000

By JOLIE LEWIS
Staff Writer

More than six months elapsed between the discovery of a suspected methamphetamine lab in a cargo van in North Pole and the indictment of the man suspected of running it.

Drug investigators say it was long enough for James Hughes to start cooking again.

While arresting Hughes on a warrant from the first lab, they found a new lab in his bedroom Friday, Alaska State Troopers Sgt. J.R. Roberts said.

Hughes is being held at Fairbanks Correctional Center on \$25,000 bail on a charge of third-degree drug misconduct. He could face another such charge after chemicals found Friday are processed and analyzed, Roberts said.

Investigators went to an Outside Boulevard home near North Pole about 9:30 a.m. to arrest Hughes on the warrant.

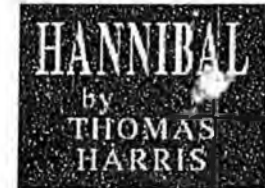
They announced themselves when they arrived but reportedly pushed into the place about 45 minutes later because no one answered. Inside, they found Hughes, who may have been preparing to synthesize methamphetamine when investigators showed up, Roberts said.

"How many people are washing out Mason jars at 9:30 in the morning in the bathtub?" asked Roberts, supervisor of the local, multi-agency Statewide Drug Enforcement Unit.

Like several other drug labs found in 1999, the cargo van lab was dismantled by investigators after they found it. Charges have been filed in some of the 1999 cases and are still pending in others.

Roberts classified both of Hughes' suspected labs as relatively small operations. He believes Hughes probably isn't alone in his quick return to manufacturing methamphetamine.

"They're not going to stop," Roberts said. "Look at Hughes. We bust him in a lab this summer, he's back doing the same thing."



feet in diameter, said Doug Bauer, the DEC's site remediation project manager.

"It has all the appearances of being a surface spill," Bauer said. "Whether it was pure (TCE) or used solvent, it is difficult to

have to ship this to a hazardous waste landfill in Washington or Oregon. That drives the cost up."

The main goal of any cleanup, Bauer said, would be to bring contamination levels to below drinking water standards.

TCE and benzene are the two major contaminants identified in the area ground water. Benzene is a known carcinogen. Many area residents, in response to the contamination, have resorted to hauling water or have installed

Meth package delivered; man arrested

By JOLIE LEWIS
Staff Writer

Like a boy anxious for Christmas, Ryan Everson kept asking about a package he was expecting.

When it finally came, Everson wasn't home and family members didn't recognize it as the one he was waiting for: It was addressed to somebody else. They turned it over to authorities.

That is how, local investigators say, Everson landed in jail Tuesday on a felony drug trafficking charge, according to a criminal complaint filed in Fairbanks District Court. The package allegedly contained nearly half a kilogram of methamphetamine.

Fairbanks police, Drug Enforcement Administration agents and Alaska State Trooper investigators from the Statewide Drug Enforcement Unit removed 400 of the 454 grams of methamphetamine, resealed the package and with the help of postal workers, again delivered it to the Baranof Avenue address.

This time, the 19-year-old was there to accept it, investigators wrote in the criminal complaint. He left the house within a few minutes in a 1988 Nissan pickup truck.

Police stopped him on Trainor Gate Road and found the package and the drugs behind the seat, according to court records.

Everson was arrested about 2:15 p.m. and charged with third-degree misconduct involving a controlled substance and driving with a revoked license.

The state has since dropped those charges to allow federal authorities to take over the case. Everson is being held without bail at Fairbanks Correctional Center, jail staff said Thursday evening.



PARK FUTURE—Sue Deyoe, right, of Denali Park, looks at a map of Denali National Park with South District Park Ranger J.D. Swed Thursday afternoon in the Noel Park Service was holding an open house meeting to share information on future issues and options.

Assembly sets hearing on rifle

Job hunting

Meth lab suspect released

Loophole in law halts charges

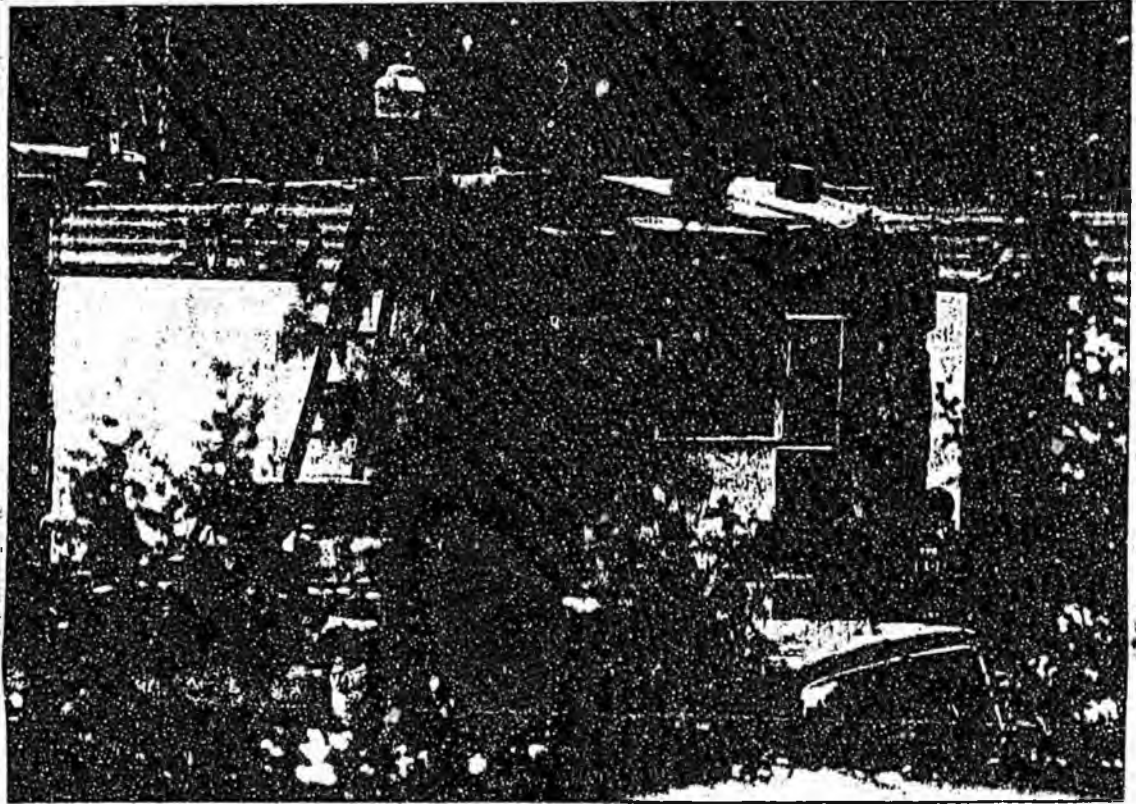
By JOLIE LEWIS
Staff Writer

Highly explosive materials stored near exposed live wires; hazardous chemicals left uncapped in a trailer where two people lived: Authorities characterized the methamphetamine lab as unusually dangerous.

To their disappointment, the 42-year-old Oklahoma transplant and the lab's alleged drug cook is now back on the streets three months after his arrest.

Oklahoma failed to produce a governor's warrant for Raymond C. Anderson's extradition before a 90-day window expired Sept. 21, and Alaska never filed drug charges.

Methamphetamine labs—described as extremely dangerous operations by Alaska State Troopers Statewide Drug Enforcement Unit investigators—are a new enough



Sam Hanel/News-Miner

METH LAB—In this summer file photo, an investigator enters an Atco building suspected to be a methamphetamine lab Wednesday in a junk yard off the Old Richardson Highway south of North Pole.

criminal trend in Alaska that prosecutors are just now discovering, a possible loophole in state statute.

The chemical process Anderson allegedly used to cook the drug may not be illegal.

"Somewhere, the system has failed," said Jeff Deutsch, the North Pole police officer who first sought a warrant for Anderson's arrest on a traffic charge. "Now it becomes a community problem again."

But Sgt. J.R. Roberts, chief of the local drug enforcement unit, said the setback should almost have been expected.

"It's something that's new to Alaska," Roberts said of meth labs. "It's new to the system. It's new to us. We're all novices when it comes to this."

North Pole police and drug investigators in mid-June converged on the junkyard Atco unit where Anderson apparently lived with his teen-age son. They had a warrant al-

leging Anderson had provided a false name during a traffic stop—his own license was suspended—and had fled from justice in Oklahoma.

Authorities didn't find Anderson that day, but they did discover hazardous chemicals and drug-manufacturing apparatus in a "poor man's" set-up that spooked even experienced methamphetamine lab investigators. There were no drugs, however.

Anderson was arrested a week later in a Fairbanks apartment on the warrant.

Oklahoma authorities said they would extradite. Though Anderson was wanted in two counties in southeastern Oklahoma, prosecutors from one took charge of extradition.

In this case, it was Bryan County, where Anderson was wanted for failing to show up in court in January on charges of possessing methamphetamine and marijuana after a felony conviction. Further drugs

charges are pending in other cases, said assistant district attorney Greg Jenkins.

In neighboring Choctaw County, Anderson missed court dates in cases alleging he delivered drugs and conspired to manufacture them. Assistant District Attorney Maria Blakely said Anderson has a "whole slew" of prior drugs convictions.

Oklahoma bondsman Wayne Holder, an agent for a company that posted more than \$30,000 of bonds on Anderson's behalf in Choctaw County, searched for Anderson for approximately six months. He tracked Anderson to Fairbanks and provided information to local investigators.

"It was just a long, hard deal," said Holder, who ultimately salvaged the company's bond. "We did our job. We got him incarcerated up there. ... As bondsman, we're exonerated."

See METH Page A-3



RAYMOND ANDERSON

METH: Suspected methamphetamine cook released; loophole found in law

Continued from Page A-1

To extradite, the Bryan County district attorney needed to submit a warrant request to the Oklahoma governor, who in turn would sign it and send it to Alaska Gov. Tony Knowles for approval. Local authorities could then send Anderson back to Oklahoma.

They had 90 days. Bryan County officials, however, didn't begin the process until early September, more than 70 days after Anderson's arrest in Fairbanks.

Beverly Jackson, an extradition secretary in Bryan County, said she waited because Anderson at first said he would return willingly and because she thought Alaska would file felony drugs charges.

The documents were still in the governor's office in Oklahoma when time ran out Sept. 1. Blakely said it was "absolutely" disappointing Anderson slipped through their fingers.

Anderson walked out of jail in Fairbanks on Sept. 22.

Meanwhile, the district attorney's office in Fairbanks had reached a plea agreement with Anderson. He pleaded no contest to driving with a suspended license; the state dismissed the false report charge. That case was resolved Sept. 16.

Despite provisions in Alaska statutes that say manufacturing methamphetamine constitutes third-degree drugs misconduct, a felony, charges were never filed.

"We don't have a statute which makes it illegal to possess precursor drugs," said District Attorney Harry Davis, adding that the state may yet consider pinning other charges on Anderson.

State law says it is illegal to manufacture "any amount" of a controlled substance—suggesting that some amount of finished product must be recovered for the charge to apply, Davis said. It's also a felony to be in possession of certain illegal substances with the intent of using them to make drugs—but many precursors and chemicals used to make methamphetamine apparently are not defined as illegal.

Yet some of those same chemicals are so toxic or volatile that investigators say methamphetamine cooks may be putting an entire neighborhood at risk.

State Rep. Tom Brice, D-Fairbanks, wants to make Alaska's methamphetamine law more clear by defining other precursors as illegal substances. He said he was approached by investigators this summer and plans to introduce legislation next session if re-elected.

"If (investigators) see the boxes of all the precursors going into a house, it will allow them to crack that house before it goes into production," Brice said. "There's nothing else you can do with all that stuff except blow up the block."

Brice's legislation also would require stores to notify authorities when someone buys extremely large quantities of legal, over-the-counter drugs that can be used to make methamphetamine.

Phil Moberly, chief of the Statewide Narcotics Unit based at the district attorney's office in Anchorage, said his team is researching interpretations of stat-

utes applying to methamphetamine labs. He didn't want to comment definitively until after attending a "clandestine lab" class in Anchorage this week.

"Prosecution of (labs) is an evolving thing up here. We don't have a lot of experience with it," Moberly said. "I think we're going to see more."

Moberly has been involved with three methamphetamine lab cases in Anchorage; two of which were prosecuted federally. In the third case, a defunct lab was found in someone's house; the defendant was charged with possession of methamphetamine and maintaining a dwelling con-

taining drug-producing apparatus.

In Fairbanks, two methamphetamine labs have been raided. Crist A. Bigler, the alleged cook at a lab found four days before authorities discovered one in Anderson's trailer, has been charged in federal court.

Assistant U.S. Attorney Stephen Cooper declined to comment Thursday on the possibility of prosecuting the Anderson case, but Roberts said it isn't likely.

Anderson's public defender speculated something must have gone awry in the investigation. If it were simply a loophole in state law, Jim Cannon said federal prosecutors would have just picked up the case.

"The feds have had a bleeding chemical under (illegal)," Cannon said. "I guess they found it, but they couldn't use the evidence because the Oklahoma never came up with the governor's warrant, and the guy sat in jail for 90 days."

Roberts countered that investigators had done everything by the book—and if the attorneys would have known about it.

He pledged Saturday sleuthing out meth labs.

"Regardless of what the actions are, it's not going to stop our efforts to investigate and bring them down," he said. "It's still illegal."

The Meth Monster

Combatting the homemade drug methamphetamine is proving to be a difficult and costly job for law enforcement agencies in many states.

BY ELLEN PERLMAN

Bill Hardin, drug director in the Arkansas governor's office, doesn't mince words. "We're in an epidemic condition with this," he says. "It's devastating local law enforcement budgets." Hardin isn't referring to heroin or cocaine or marijuana. The main drug of choice these days in Arkansas is methamphetamine.

The manufacture and use of "meth" or "crank," as the synthetic drug is known on the street, has skyrocketed in Arkansas during the past five years. In 1994, law enforcement officers there got about 25 reports about the existence of methamphetamine labs where people "cook" the drug. In 1997, there were 444 such reports. By mid-November of last year, more than 500. "It is our main criminal activity in

Arkansas at this time," Hardin says.

The problem is hardly confined to Arkansas. Since meth first came on the scene in California more than a decade ago, it has been spreading inexorably eastward. Prior to 1997, Illinois had no record of meth lab seizures; there weren't enough to warrant keeping track. Since then, however, the state has taken action against more than 100. Missouri state police raided 524 clandestine labs between January and October of last year. "We're second only to California," says Tom Taylor, a lieutenant with the Missouri State Highway Patrol.

While the drug is not yet commonly found in the East, the White House Office of National Drug Control Policy sees indications that it's headed that way. Realizing that they are facing a drug trade with

dangers like no other, many states are strengthening laws and lengthening punishments in order to fight back.

ALTHOUGH A PURE FORM of meth comes from Mexico, users don't have to wait on a foreign connection. Anyone with a recipe, which is not difficult to find on the Internet, can produce it. "It's like making a cake," says Walter Allen III, special agent in charge at the Bureau of Narcotic Enforcement in California's Department of Justice. "It's really simple." For less than \$100, a manufacturer can produce about \$2,000 worth of meth.

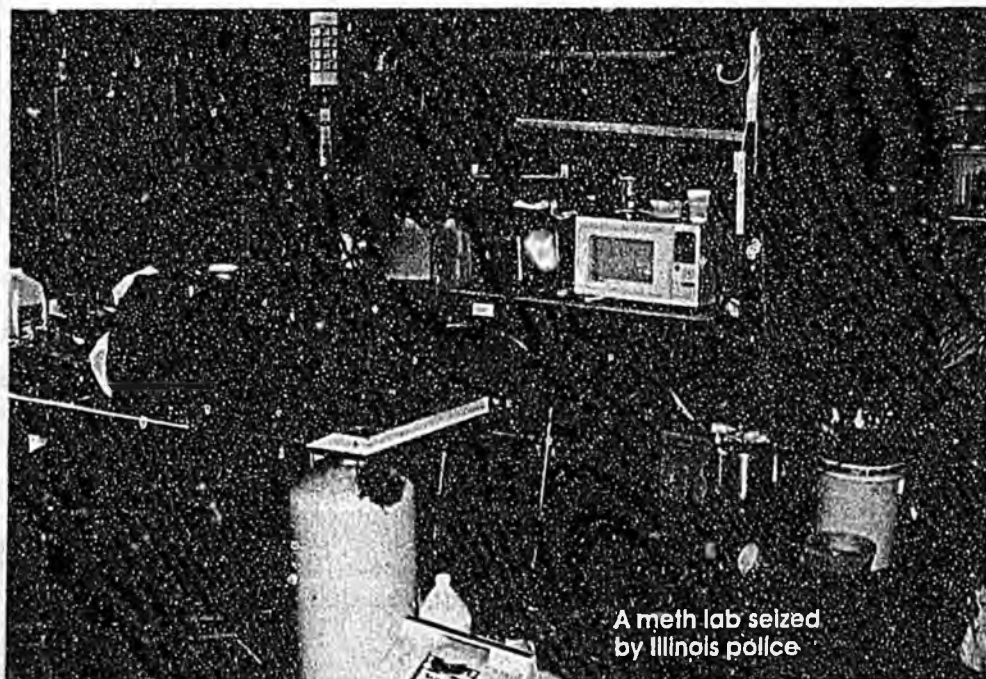
Meth is concocted from a variety of legal ingredients that are easy to obtain, including battery acid, drain cleaner, lye, lantern fuel, antifreeze, hydrochloric acid, sulfuric acid, ethyl ether or red phosphorus, which can be found in matchstick tips. The high comes from the essential ingredient, ephedrine, a substance that can be extracted from over-the-counter cold medicines.

Another key component is typically found on Midwestern farms. Meth makers have been caught sneaking up to the nozzles on large tanks that hold anhydrous ammonia, a fertilizer, to transfer the chemical into small butane bottles or emptied fire extinguishers. If done carelessly, the hazardous substance can spill or the tank can blow up, releasing deadly fumes.

Usually meth is cooked up crudely in kitchens, garages, motels, trailers or trucks, generally somewhere out in the sticks. In more densely populated places, meth makers are at much greater risk of being discovered because the cooking process has a strong and awful smell, similar to cat urine or nail polish remover.

All of these factors have facilitated meth manufacturing and use throughout rural areas that don't typically get bowled over by "urban" drugs. Crack cocaine can, of course, be found in a few pockets in Little Rock. But methamphetamine has spread to 75 counties in Arkansas.

For law enforcement, it's trouble from start to finish. Not surprisingly, meth labs are much easier for manufacturers to set up than they are for state officials to close down. In fact, cleaning up a lab is similar to responding to a hazardous chemical spill.



A meth lab seized by Illinois police

COURTESY OF ILLINOIS STATE POLICE

Each pound of meth generates five to six pounds of toxic waste. State workers need training and equipment to do a proper clean-up. And they must find a place to dispose of the hazardous materials. It usually costs from \$5,000 to \$10,000 each time, but there have been much more expensive clean-ups, too. Although that

readily stock up on certain types of cold medicine. Governor Gray Davis signed a statewide measure last fall that limits the amount of these drugs that can be purchased to two packages per buyer per day.

Law enforcement officers know it won't stop the lawbreakers but it is likely to slow them down. "We're able to ride herd on

cers to make more meth arrests, meth makers near state borders moved into Illinois, Kentucky and Tennessee.

Last year, in response, Illinois increased prison time for manufacturing, delivering or possessing meth with intent to distribute it. The state also made it a misdemeanor to tamper with anhydrous ammonia equipment, containers or storage facilities.

Although the increasing number of meth lab seizures makes it seem as though the problem has been getting worse and worse, it may be that the problem has been bad for quite awhile but states did not recognize it. If a state finds 10 labs one year and 50 labs the next, it doesn't necessarily mean the problem has gotten five times

worse, explains Missouri's Taylor. "They were probably out there before, but since we weren't focusing on them we didn't find them," he says.

In addition to dealing with the labs, states also must grapple with the consequences of thousands of people who are hooked on meth. Used predominantly by white teens and young adults, meth is known as the "poor man's cocaine" since it is more accessible and less expensive than cocaine. Sold in pill, capsule, powder or chunk form, meth can be smoked, snorted, injected or swallowed and provides a longer-lasting high than other drugs.

Because meth alleviates fatigue and produces feelings of mental alertness, some people use it to work longer hours. It's also popular among women, who take it as an appetite suppressant.

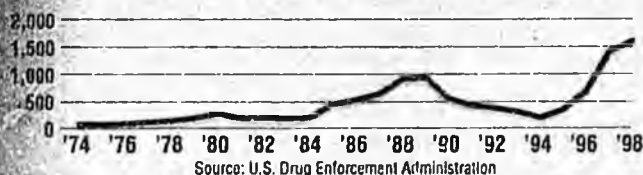
Meth is the most addictive of all drugs. Users get a rush when they take it but quickly develop a tolerance. Then they have to up the ante, taking more for it to work. The stimulation from meth leads to sleep difficulty and psychological problems for users. Nerve endings die, creating sensations like bugs crawling under the skin. Users can become violent or paranoid and commit serious crimes.

Yet in a five-city study of meth users, only 28 percent ever tried to get treatment for their addiction. Most said they didn't bother because they perceived that they had control over their drug use. "We're only beginning to see the impact of the meth monster," says Hardin. "What in the world are we going to do with all these people?" **G**



Tip of the Iceberg

The number of meth lab seizures by the federal Drug Enforcement Administration shown below tell only part of the story. They do not account for seizures made solely by state and local law enforcement agencies.



Source: U.S. Drug Enforcement Administration

money comes from the federal Drug Enforcement Administration, state crime lab personnel do the work. They're the same people who must also respond to homicides, rapes and other serious crimes.

With some 500 meth labs uncovered last year in Arkansas, "it's completely overwhelmed the state crime lab," says Hardin. Because the state is short of money and manpower to attack the problem, it has turned for help to the 20 local drug task forces made up of local law enforcement personnel. Still, it's not enough.

The Midwest is now experiencing what California has been dealing with since the late 1980s, when meth manufacture and use started to proliferate with outlaw biker gangs. "Southern California is basically known as the meth capital of the world," Allen says. "The jail-house recipe has flourished to the point where everyone and his mother makes it."

Of the more than 3,200 labs found nationwide in 1998, 55 percent were in California. Of those, 71 percent were in the four Southern California counties of Orange, Los Angeles, Riverside and San Bernardino. "In the last seven years, it has almost gotten out of hand," Allen says.

States are trying to clamp down on its spread by tightening laws and toughening penalties, educating the public about the dangers, training social workers, educators and other professionals to identify users, and expanding treatment availability.

On the surface, some laws can seem odd. In California, no matter how bad their sniffles or congestion, residents cannot

individuals who buy bulk quantities of cold medicine, so we won't have the typical Beavis and Butt-Head labs popping up in communities," says Allen. Although pleased with the passage of the cold medicine law, he would like to see the state pass much stiffer punishments for meth cooks. "I'd like to see all these people get hammered for all the devastation they create," he adds.

Arkansas has been cracking down with harsher penalties. Last year, the state not only made possessing the ingredients for meth with the intent to "manufacture" the drug a felony, it also required that a person convicted for the offense must serve at least 70 percent of his sentence. The 70-percent rule was created for crimes such as murder, rape and aggravated robbery. Meth is the only drug that falls under the requirement.

Other provisions prohibit possession of anhydrous ammonia in containers that don't comply with federal regulations and authorize Arkansas counties to form multi-jurisdictional drug enforcement groups with county agencies in neighboring states. "We can move freely across state lines, just as freely as the drug manufacturers do," says Hardin. Arkansas also is directing federal money for the next two years to train drug task force officers and provide symposiums around the state on methamphetamine use.

States without stringent laws have found that when adjoining states crack down, meth manufacturers scurry like rats across state lines. When Missouri got tough in 1998, passing laws enabling offi-