

I would like to thank Senator Webb and the George Mason Justice Department for the opportunity to address some of the important issues drug trafficking poses to our community.

My name is Chris Sakala. I am a Sergeant with the Montgomery County Police Department. I currently supervise a narcotic unit tasked with targeting the largest traffickers in our County.

I first became a police officer in 1981. In 1987, I was transferred to what was then, the only narcotic unit in Montgomery County. For the better part of the next two decades, my job has been to target and arrest drug dealers, from the smallest street dealer to international traffickers that earn millions of dollars by selling drugs in our community. My investigations have led me to all parts of the Country, working with just about every Federal agency and dozens of state and local departments. I have testified as an expert in drug trafficking in courts all across the country, both local and federal. I have participated in thousands of drug investigations since 1987.

Senator Webb, I am telling you this for one reason. I know drug investigations and what it takes to target, arrest and successfully prosecute drug dealers.

In general terms, I believe we are doing a good job in this country of controlling the drug trade, but certainly we can do better. I do not believe we will ever be in a position to say we have won the drug war, because such a statement would imply the drug problem is over. It isn't and probably never will be. But in comparison to countries such as Mexico and Colombia that are in

near open civil war because of the drug trade, I believe we are doing a pretty good job.

In Montgomery County, we employ a three prong attack, with different units focusing on street level, mid-level and high level trafficking. We try to employ our resources to target traffickers at any and all levels.

But drug investigations can be expensive propositions. The smallest case will usually involve such props as undercover vehicles, hotel rooms, surveillance equipment and drug buys. In more sophisticated investigations we employ a variety of tools including GPS trackers, closed circuit cameras and electronic surveillance. If the case involves the use of wiretaps, the cost of one investigation can easily exceed \$200,000.

We are fortunate in Montgomery County to be able to use forfeited drug assets in our drug investigations. In the late 1980's our County Council passed a law requiring all forfeited drug proceeds to be placed in a Drug Enforcement Fund that is used exclusively for narcotic investigations. Even in these difficult economic times, we have access to ample funds for cars, new equipment and drug purchases. All of this is at no cost to the taxpayer. Unfortunately our County is in the minority. In most jurisdictions forfeited monies are deposited directly into a general fund not designated for drug investigations.

When I first began working drug cases, technology was pretty simple. Computers barely existed, cellular telephones were unheard of, and the tools of the trade were pagers, payphones and dimes to return calls. Dealers were not particularly sophisticated, but neither were law enforcement efforts. Wiretaps were few and far between, GPS trackers did not exist, and communication across jurisdictional boundaries was usually only done on an investigator to investigator basis, never agency to agency.

As in any other business, technology has advanced the drug trade tremendously. We in law enforcement have struggled to keep up. Technology has shrunk the world and allowed drug dealers to instantly communicate with each other. Except in the smallest cases, nearly all drug dealing crosses state and international boundaries on a daily basis. While we in law enforcement are restricted by jurisdictional boundaries, dealers have no such problem.

Earlier this year officers in my unit arrested two drug couriers with a large amount of cocaine. The couriers were reluctant to cooperate for fear their families in Guatemala would be harmed. We unsuccessfully tried to bring their family members to this country to protect them, but faced a long and protracted process. During this process, both couriers had family members executed in Guatemala. We need to provide a simple and quick process to protect family members abroad if we wish to dismantle the largest organizations in this country.

Years ago, drug dealers used telephones in either their own name, or that of close associate. Often spouses and friends were used for this purpose. During the past few years the proliferation of anonymous pre-paid cell phones has posed a significant roadblock to law enforcement efforts. Traffickers obtain cellular telephones to communicate with each other and are not required to provide any identification whatsoever. As a result, drug traffickers carry not only one or two cell phones, but as many as ten or more with none of the phones traceable to the dealer. Simply requiring a person to provide identification when purchasing or activating a cellular phone would be a huge boost to our efforts to combat drug trafficking.

As technology has progressed, we have also seen a huge increase in the use of emails and text messages by traffickers. We have seen entire organizations, large and small, that operate via text messages. This is even truer among younger dealers, juveniles and gang members. Unfortunately, cellular providers routinely destroy these messages, sometimes nearly instantly. By the

time we are able to obtain search warrants, the data has often been lost forever. We have seen this not only in drug investigations but in homicide cases where evidence is routinely purged by the service provider. Requiring companies to retain this information for 30 days or more would help solve this problem. As things are now, conclusive evidence of criminal conduct is routinely purged by almost all cellular companies.

One of the most effective tools we have seen in combating drug trafficking is the successful marriage between Federal Agencies and local departments. This can be seen in programs such as High Intensity Drug Trafficking Areas or HIDTAs and Organized Crime Drug Enforcement Task Forces or OCDETF. These two programs allow different agencies to work together toward a common goal, usually targeting a drug trafficking organization.

Unfortunately, at a state and local level, we are often ill equipped to deal with the largest traffickers without the assistance of Federal prosecution. For example, one of our largest problems is the trafficking in high grade marijuana. This marijuana commonly sells for as much as \$6,000 per pound. One hundred pound shipments are fairly common. That represents an investment of \$600,000 by the trafficker. Under current Maryland law, a trafficker can earn millions of dollars from these sales and yet only face a maximum of four years in prison. This is a huge carrot with little or no stick. We have seen large scale cocaine dealers switch to marijuana because of the profits involved.

The majority of drug violence we are seeing now is associated with this high grade marijuana. In fact, the only drug related homicides in Montgomery County this year are related to trafficking in this drug. When you have drug deals routinely in the tens of thousands of dollars, the potential for violence is extreme. Unfortunately, it is this type of activity we tend to see in the under 30 generation all the way down to kids in high school and younger.

And make no mistake about. There is still plenty of violence related to drug trafficking. In Montgomery County we have had 16 home invasion robberies this year, many drug related that have resulted in shootings and severe beatings. Last year, we had an undercover officer shot twice in the head while trying to buy drugs from a juvenile. Violence is as prevalent in the drug world as it ever has been.

We need strong laws with definitive sanctions to encourage defendants to cooperate with the government. Drug dealing is a unique crime, in that one person cannot commit the crime alone and is almost always part of a larger organization. Too often in State prosecutions we see defendants refuse to cooperate against their sources because they know they face little or no penalty. Using Federal Sentencing guidelines and mandatory minimum sentences, we are able to hold the major traffickers accountable for their actions and gain their cooperation against even more serious traffickers.

In closing I would like to say very few drug cases are made without the help and assistance of the community. Several years ago, a campaign was started to encourage people to "Stop Snitching". T-Shirts proclaimed this slogan and many celebrities and athletes endorsed it. This campaign encouraged people to refuse to cooperate with the police in any investigation, including homicides. Unfortunately, this is exactly the type of inaction that can destroy a community.

We need our citizens to be the eyes and ears of the police department. Drug trafficking is a crime born out of the dealer's greed and indifference by the public. We in Montgomery County are fortunate enough to be supported by the public in our efforts to curb drug dealing. With their support, our officers will continue to work hard to keep drugs out of our community.