

Methamphetamines, The Crystal Method and The War on Drugs

INTRODUCTION

“Revolution” is a much-overused term. There have, however, been some real revolutions in our collective history. Throughout human history, however, one thing has always remained the same: people like intoxicants. Some people like them a lot. In our first great innovative expansion, humanity emerged as hunter/gatherer/scavengers and over the course of time, this strategy was so successful, we spread from our home in Africa to virtually every corner of the globe. Some of those native people still smoke, drink and swallow the same substances they have for thousands of years.¹ After epochs had passed, came agriculture and husbandry. This revolution changed not only our ways of life but also our very natural environment. Herds and flocks were tended, land was cleared and irrigated, and huge cities arose. The bellies of these new, massive settlements were fed not by stalking prey or gathering wild fruit, but by fattened livestock and planned harvests of sown corn. And of course, it was all washed down with wine and beer.² The former was first quaffed perhaps 7,000 years ago and the latter may predate bread--and may have been behind the origins of agriculture itself.³

It would be thousands of years before the next revolution came. Industrialization placed in the hands of humanity the tools to process and consume resources at a rate never before possible. Pre-industrialism, a man could only cut down so many trees in his

¹ Jan-Ake Alversson and Ake Hultkrantz, Psychotropic Plants in the Americas-An Introduction, Journal of the Swedish Americanist Society, Vol. 3, No. 2, 1995 <http://www.anthro.uu.se/acta/sample_psycho.html>.

² Mark Berkowitz, World's Earliest Wine Archeology Vol. 49 No. 5, September/October 1996 <<http://www.archaeology.org/9609/newsbriefs/wine.html>>; Thomas W. Kavanaugh, Archeological Parameters for the Beginnings of Beer Brewing Techniques September/October 1994 <<http://www.brewingtechniques.com/library/backissues/issue2.5/kavanaugh.html>>

³ Thomas W. Kavanaugh, Archeological Parameters n2 *supra*.

lifetime. After the industrial revolution, forests would fall, mountains would be torn down and a new transformation of the natural world would proceed. And of course, thanks to the striking match and factories capable of producing 20 million cigarettes annually, tobacco became the drug of choice for generations of humans.⁴ Now, the changes would come much quicker. The so-called modern era gave way to the information age.⁵ What the steam engine and internal combustion did for manufacturing and transportation, modern computing has done for the dissemination of information and knowledge. And this age also has its own intoxicant: methamphetamines or “meth”. Meth is a product of the pre-World War II era. The modern meth epidemic, however, owes its existence to the free flow of information and money in our wired, post-nation-state world. Meth is different from other, more established narcotics which use an “exotic material” like opium, marijuana or coca. Unlike those substances, meth can be produced from readily available consumer goods “cooked” in a chemical process that can produce a potent and inexpensive stimulant. This “Crystal Method” is what makes meth such a challenge to the existing war on drugs.

This paper proceeds with a description of the current “state of the meth nation.” Part I is a brief history of meth and the meth epidemic. Part II which will discuss California, Oregon and Washington. These “mature” states have seen the ebb and flow of the meth problem over the course of decades. Part III will talk about the current “boom states” of the Midwest: specifically Iowa, Kansas, Missouri and Oklahoma. These states are awash in meth production and consumption. They represent the second

⁴ Gene Borio, Tobacco Timeline, Chapter 5 Tobacco.org <http://www.tobacco.org/resources/Tobacco_History19.html> (accessed April 24, 2005).

⁵ Ian P. Bindloss, Contributions of Physics to the Information Age University of California Los Angeles, Department of Physics <<http://www.physics.ucla.edu/~ianb/history/>> (accessed April 24, 2005).

generation of meth epidemics, after the mature states of the West Coast. Part IV will discuss the remaining, domestic “unexploited markets.” These regions are trying to learn from the explosive problems in the boom states in an effort to prevent the worst of the ravages seen already. Part V will discuss the situation in Japan, where the substance was first produced and where the earliest meth epidemic arose and Hawaii, where crystal meth is a major problem. Part VI will discuss what some of the responses to the meth problem have been, and what course of action might be suggested for the future. It also discusses the nature of meth production and what it portends for the future of the drug war and whether meth, or some other substance, might be the drug war’s Waterloo.

PART I: THE HISTORY OF METH

Meth was originally developed in Japan.⁶ It was recognized to alleviate fatigue and produce feelings of well-being and alertness. It was used by both sides in World War II. U.S. pilots took it for long flights. Japanese soldiers took it. German troops may have taken it during the invasions of Russia and Poland. After the war ended, the earliest “meth problems” were recorded in Japan.⁷ Meth is currently the biggest cash earner amongst the Japanese *yakuza*’s illicit businesses.⁸ Taiwanese and North Korean crime syndicates also traffic in meth.⁹

Today, meth is primarily a rural drug-of-choice. It comes in two forms: powdered

⁶ The Spokesman-Review.com, The History of Meth
<<http://www.spokesmanreview.com/library/methmethstory.asp?ID=s811271>> (accessed April 18, 2005).

⁷ Id.

⁸ Bruce A. Gragert, Yakuza: The Warlords of Japanese Organized Crime Annual Survey of Int’l and Comp. Crime Fall 1997, 4 ANNSICL 147, 192-193.

⁹ John McFarlane, Transnational Organized Crime n119 *infra*

methamphetamine and crystal methamphetamine, known also as “ice.”¹⁰ Ice is also commonly called “crystal” or “crystal meth” and all of it is commonly referred to as “speed,” “meth” and “crank.” Outside of Hawaii, powdered meth is the most common form available. It got its modern start as a “biker drug” popular amongst the outlaw motorcycle gangs of the West Coast.¹¹ It is made of pseudoephedrine (“PSE”, obtained from over-the-counter cold medicines, among other sources), ether (obtained from automotive starting fluid), methanol (an automotive fuel line anti-freeze), and a form of ammonia (anhydrous ammonia, commonly sold to farmers as a component of fertilizer and used in the so-called “Nazi” method) or phosphorous (sometimes obtained from the strike plates on matchbooks, and used in the “Red-P” method). These ingredients are “cooked” in a simple (albeit dangerous), easy-to-learn process.¹² Its effects are similar to cocaine, but it is metabolized at a slower rate, allowing the user to stay high for considerably longer than they can with cocaine.¹³ It has an advantage over other hard drugs: producing it does not require exotic materials, like coca paste, opium or marijuana. Clandestine producers can buy everything they need from a supermarket and the end product is at least as potent as the above-mentioned narcotics and much, much cheaper. 20% of meth is produced in small, clandestine labs primarily for the personal use of the cook. These labs are a major toxic hazard.¹⁴

The drug’s low price has contributed to another aspect of meth use: it can be far more deleterious to the health of its users than the above-mentioned traditional drugs. Its

¹⁰ U.S. Drug Enforcement Administration, Drug Intelligence Brief: The Forms of Methamphetamine DEA Resources April 2002 <<http://www.dea.gov/pubs/intel/02016/index.html>>

¹¹ Mark Schone, The Epidemic on Aisle 6 2004-DEC Legal Aff. 30, 32 (*hereinafter* “The Epidemic”).

¹² Kurt Short, Red Phosphorous Methamphetamine Labs Association of Oklahoma Narcotics Enforcers <<http://www.okienarc.org/RedPlabs.htm>> (*accessed* April 18, 2005).

¹³ See Drug Intelligence Brief, n10 *supra*.

¹⁴ See Okienarc.org. Webpage n12 *supra*.

low cost allows users to stay high for days on end for little money. Users famously age in enormous leaps as they stay up for days and days and eat very little.¹⁵ These periods of “tweaking” are followed by “crashing” or coming down, an experience that has been described as very painful.¹⁶ While crashing the user may sleep for days. Users can destroy a large percentage of the dopamine-producing cells in their brains. These cells are responsible for producing pleasure, leaving getting high the only way that the users can feel good.¹⁷ So dramatic are the outward effects, one Deputy Sheriff in Multnomah County, Oregon has planned a school anti-drug program featuring the mug shots taken over a period of months to demonstrate the quick decline that occurs in users.¹⁸ Some users experience what’s been called “meth mouth.” Chronic users are left with rotted teeth, bleeding gums and persistent discomfort because meth decreases saliva production and blood flow to the mouth. The teeth and mouths of users often ache once they come off the drug.¹⁹

Meth spread from the bikers and truckers of the West Coast to the poor white communities where they associated.²⁰ The drug spread first from California to the states of Oregon and Washington. Later, after meth arrived in the Midwest via traffickers, a local market grew and local production followed. The nationwide number of clandestine

¹⁵ Joseph Rose, The Faces of Meth, The Oregonian, OregonLive.com Tuesday, December 27, 2004 <<http://www.oregonlive.com/news/oregonian/index.ssf?/base/news/110423869622151.xm>> and <http://www.oregonlive.com/news/oregonian/photos/gallery.ssf?cgi-bin/view_gallery.cgi/olive/view_gallery.ata?g_id=2927>; Judith Graham, Meth Use Adds to Ravages of AIDS The Chicago Tribune, March 15, 2005 <<http://www.chicagotribune.com/news/local/chicago/chi-0503130197mar13,1,2131572.story?coll=chi-newslocalchicago-hed&ctrack=1&csset=true>>.

¹⁶ Judith Graham, Meth Use n15 *supra*.

¹⁷ The Epidemic at 34.

¹⁸ See Joseph Rose, The Faces of Meth n15, *supra*.

¹⁹ Jacob Quinn Sanders, Jails Deal with New Problem: Meth Mouth Portland Tribune, February 1, 2005 <<http://www.portlandtribune.com/archview.cgi?id=28160>>.

²⁰ The Epidemic at 32, 35.

labs busted annually has grown from 7,500 in 1999, to over 15,000 in 2004.²¹

Recognizing that over-the-counter cold remedies are a common source of the PSE used in meth's manufacture, some state legislatures and the federal government have begun passing bills that require the cold remedies to be kept behind the counter and requiring identification of each purchaser. These efforts hold out the promise of at least putting some of the small labs out of business by making it impossible to acquire adequate amounts of PSE to make the manufacture cost-effective.²² Local producers have adapted to these efforts by engaging in what law enforcement calls "Smurfing". Smurfing is a group of people driving from pharmacy to pharmacy in a locality purchasing (or shoplifting) the maximum amount of PSE-containing cold remedies that they can buy in order to get adequate quantities for meth production purposes. These efforts will do nothing to deal with the 80% of meth that is manufactured by the Mexican poly-drug trafficking organizations in the Southwest and Mexico with Chinese, Mexican and Canadian PSE.²³

The costs of meth at the local level have been passed on to the federal government. Federal penalties for the sale and production of meth have been toughened.²⁴ Currently, 15% of all federal inmates are in prison for meth-related offenses. This has not had an impact on its consumption. The State of Missouri reported an increase in the number of patients seeking detoxification for meth for the 13th straight year. The street price of meth has remained stable, despite the enormous increase in lab busts.²⁵

²¹ U.S. Drug Enforcement Administration, Drugs and Drug Abuse, Maps of Methamphetamine Lab Seizures DEA Briefs and Background, <http://www.dea.gov/concern/map_lab_seizures.html> (accessed April 18, 2005).

²² It should be noted that the small clandestine, "mom and pop" labs only account for 20% of all meth consumed in the U.S.

²³ See *The Meth Problem in Iowa*, n76 *infra*; Zacharie Coile, Bill Could Stymie Meth Cooks, n98 *infra*.

²⁴ The Epidemic at 35.

²⁵ Id.

There are currently 1.5 million regular meth users in the U.S.²⁶ Today, meth is making inroads into Northeastern U.S. Pennsylvania went from a single meth lab bust in 1999, to 106 in 2004. There is evidence to suggest that users of cocaine may switch over to meth if it becomes available. It has become a popular drug in the gay male club scene in cities like Chicago and New York City.²⁷

There is a threat that in wide areas of the country, there is a vast, untapped market with the same demographics as that of the rural Midwest (white and poor) that will make the current meth problem a pleasant “good-old-days” memory by comparison. In 2003, authorities in Pennsylvania seized a little over a kilogram of meth. In that same year, federal agents alone seized 333 kilograms in Missouri.²⁸ If Pennsylvania or New York or Virginia meth use increases to Missouri’s level, it is not difficult to visualize the vast troubles which will accompany it.

The meth problem points to a larger flaw in the war on drugs. The fact that such a potent and inexpensive mind-altering substance can be made in a simple process from readily available consumer products will not be forgotten by the current community of small-scale users and producers, nor will it be forgotten by the poly-drug trafficking organizations that provide 80% of the drug on the market. Even if meth’s particular ingredients are effectively kept out of the hands of the producers, there will be a constant search for the “next meth”: a cheap, potent high produced from some recipe of easily acquired products.

²⁶ Larry Copeland, States Hope n105 *infra*; Judith Graham, Meth Use n15 *supra*.

²⁷ Judith Graham, Meth Use n15 *supra*; U.S. Drug Enforcement Administration Drugs and Drug Abuse n21 *supra*.

²⁸ Office of National Drug Policy Drug Policy Information Clearinghouse, State of Pennsylvania Profile of Drug Indicators October 2004 <<http://www.whitehousedrugpolicy.gov/statelocal/pa/pa.pdf>>.

PART II: THE MATURE STATES OF THE WEST

California biker gangs were the majority of users of meth in the 1970's and 1980's.²⁹ They perfected their own cooking methods and could produce enough for their own use, and sometimes enough to trade with other bikers or other criminal communities for different drugs or contraband. One possible explanation for the spread of meth is that this generation of bikers settled down over the course of the 1980's. No doubt some brought the recipe for meth with them to trailer parks, small rural communities, and poor white neighborhoods of the cities of the West Coast where they finally put down that kickstand for good. These bikers were the seeds of the modern meth epidemic. But it was Mexican poly-drug trafficking organizations that began creating the volume of drugs to supply that newly sown community of users. By the 1990's, the Southwestern super labs had left Bakersfield, Sacramento, San Jose, Portland, Tacoma, Corvallis and Salem awash in meth.³⁰ Arizona had more meth seized last year than any other state (532 kilograms) but California.³¹ The state Attorney General reported 155 "meth raids" in the first nine months of 2004.³²

California

Meth is the number one priority of the DEA in California.³³ As in the boom states, California children are still being affected by meth in startling ways. 10% of babies born at the UC-Davis Medical Center between 1990 and 2002 had been exposed to

²⁹ The Epidemic at 34.

³⁰ U.S. Drug Enforcement Administration, Drug Intelligence Brief n10 *supra*.

³¹ Opinion, Our Opinion: Bush Cuts in Drug War Ill-Conceived Tucson Citizen April 11, 2005

³² Id.

³³ Wyatt Buchanan, Prescription n149 *infra*.

methamphetamine before birth. In one case, a Riverside woman received a life sentence for allowing her son to consume meth from breast milk or tainted baby bottles.³⁴

The director of San Francisco's Health Department called crystal meth the "drug of choice" in the gay male community.³⁵ Research in San Francisco determined that gay men who used meth were more than twice as likely to be HIV-positive. Another report found that 30% of newly diagnosed HIV cases had used the drug in the previous month. Some local community groups have begun to mount aggressive educational campaigns featuring images of the effects of meth on users and community-savvy messages like "crystal *mess*."³⁶

California prisons are bursting at the seams.³⁷ In 2003 they were operating at 189% of capacity, with 150,000 prisoners squeezed into a system built to accommodate 80,000. Avenal State Prison, a low-medium security prison designed for general population inmates was operating at 238% in 2003 and today, 7,000 prisoners are crammed into a facility designed to accommodate 2,300.³⁸

California is also part of the push for PSE restrictions. There have been nine bills concerning meth or PSE restrictions filed in California since the beginning of this year.³⁹ The state recorded what would seem to be a dramatic reduction in the number of meth labs in the state. The total number of labs busted fell from over 2,000 in 1999 to around

³⁴ Christina Jewett, New Drug Wave Delivers 'Crank Babies' Sacramento Bee April 17, 2005 <<http://www.azcentral.com/news/articles/0417crank-babies17-ON.html>>; David Crary, Meth's Toll n79 *infra*.

³⁵ Judith Graham, Meth Use n15 *supra*.

³⁶ Id.

³⁷ Statement of Professor Jonathan Turley, California's Aging Prison Population Before a Joint Hearing of the California Senate Subcommittee on Aging and Long Term Care, Subcommittee on Public Safety, Subcommittee on the California Correctional System, February 25, 2003 <http://www.senate.ca.gov/ftp/SEN/COMMITTEE/SUB/HHS_AGE/_home/AGING_PRISONERS/TURLEY_TESTI MONEY.DOC>.

³⁸ Id.; California Department of Corrections, Welcome to Avenal State Prison <http://www.corr.ca.gov/InstitutionsDiv/INSTDIV/facilities/fac_prison_AVENAL.asp> (*last updated January 6, 2005*).

³⁹ Lou Sian, Meth Laws n135 *infra*.

500 last year. This drop does not, however, indicate reduced meth production. Instead, it reflects a reduction in the amount of federal money paid into the California Methamphetamine Strategy (CALMS) due to post-9/11 budget cuts in Washington.⁴⁰

Oregon

Meth killed 78 Oregonians and 1,700 underage Oregonians were treated for meth addiction in 2003.⁴¹ The state leads the nation in per capita meth rehab rates.⁴² Meth first arrived in the state of Oregon as a force in the 1980's.⁴³ It was produced in clandestine labs by bikers and the public first took notice of the problem when it became prevalent in Southeast Portland and the area called "East County" the unincorporated area outside the boundaries of Portland, in Multnomah County. Over the years, it has evolved to become a major draw on state coffers. Currently, meth is the number one reason children are removed from homes by the State of Oregon.⁴⁴ Meth offenders have clogged the state prison system.⁴⁵ A component of meth's success and spread is its affordability. Small crimes can buy days of meal-free highs and corrections overcrowding virtually guarantees an offender will be sleeping at home the night of their arrest. Identity theft and check fraud are common offenses. These days, burglaries have emerged as the crime of choice.⁴⁶ Currently, the East Precinct of Portland is experiencing a wave of residential

⁴⁰ Id.

⁴¹ Associated Press, Salem Police Say School Girls Trade Sex for Meth The Seattle Times, May 11, 2005 <http://seattletimes.nwsource.com/html/localnews/2002270982_webmeth11.html>; Jacob Quinn Sanders, Crack, Heroin Keep on Killing Portland Tribune April 19, 2005 <<http://www.portlandtribune.com/archview.cgi?id=28160>>.

⁴² Steve Suo, East Coast Horror n111 *infra*.

⁴³ Jacob Quinn Sanders, Poisoned on Patrol? Portland Tribune December 17, 2004

⁴⁴ Editorial, RX for Meth The Oregonian April 6, 2005

<<http://www.oregonlive.com/editorials/oregonian/index.sff?/base/editorial/111278133414270.xml>>.

⁴⁵ Jacob Quinn Sanders, Tweakers Start to Get Message Portland Tribune April 5, 2005 <<http://www.portlandtribune.com/archview.cgi?id=29197>>.

⁴⁶ Jacob Quinn Sanders, Tweakers n45 *supra* and Joseph Rose, The Faces of Meth n15 *supra*; Jacob Quinn Sanders, Burglaries: 'Out of Control' Portland Tribune January 14, 2005

burglaries.⁴⁷ This single precinct receives 30-40 reports of residential burglaries a week. The Precinct Commander refers to the current situation as the worst “public safety crisis I’ve seen in 29 years in law enforcement.”⁴⁸

The cops in Portland Police Department’s Drugs and Vice Division (“DVD”) during the 1980’s have recounted tales of storming meth labs in Southeast Portland, carrying out noxious chemicals as evidence without as much as a respirator.⁴⁹ Today, they are experiencing health problems which range from aggressive cancer to respiratory disease. In one reported incident in 1987, a Portland Detective assigned to the DVD was exposed to phenylacetic acid, a compound usually used in the manufacture of perfume. The smell of the compound could be detected from his “mouth, elbows, fingers and knees for two weeks.”⁵⁰

Six other officers filed a lawsuit in Multnomah County seeking lifetime medical benefits for treatment of sickness caused by their meth exposure in the late 1980’s.⁵¹ The administrator of the City of Portland’s Fire and Police Disability and Retirement Fund reported that the city had approved 18 meth-related disability claims between 1992 and 2004.⁵² These cases will generally be in decline due to better education of local police regarding the proper handling of the materials used in meth production. The nature of the dynamic entry, however, makes it difficult for police to wear “moonsuits” while they burst into a suspect’s home. It is probable that some police will continue to experience

⁴⁷ Jacob Quinn Sanders, Burglaries n46 *supra*.

⁴⁸ Id.

⁴⁹ Jacob Quinn Sanders, Poisoned n43 *supra*; Portland Tribune, Meth Lab’s Chemical Soup n61 *infra*.

⁵⁰ Jacob Quinn Sanders, Poisoned n43 *supra*.

⁵¹ Jacob Quinn Sanders, The Meth Bill Mounts For All Portland Tribune December 24, 2004

<http://www.portlandtribune.com/archview.cgi?id=27594>.

⁵² Id.

long-term health troubles due to exposure to the chemicals used in meth labs.⁵³

Since 1990, 1,800 properties have been declared uninhabitable due to clandestine meth production by the state of Oregon's Drug Lab Cleanup Program.⁵⁴ The costs of a lab cleanup can range from \$3,500 to \$150,000.⁵⁵ The state of Oregon requires landowners to comply with a seven-step process to clean the properties.⁵⁶ The properties cannot be sold, rented or used in anyway until it has been certified as decontaminated. The owners of older homes sometimes find it more cost-effective to demolish the contaminated structures and sell the lot.⁵⁷ Due to a backlog in the States Department of Human Services, many of these 1,800 properties were bought and sold over the course of the last 15 years without any notification that the properties had been contaminated.⁵⁸ In one case, a home that was the site of a meth lab in 1991 was sold three times until the current owner, a 71-year-old retired mill worker was informed by the state that the property was uninhabitable and that his continued residence in the property would be treated as trespassing.⁵⁹

Washington

One estimate holds that Washington State spends \$50 million dollars a year dealing

⁵³ *Id.*

⁵⁴ Jim Redden, [Meth Labs Leave Toxic Trail](http://www.portlandtribune.com/archview.cgi?id=23990) The Portland Tribune April 23, 2004 <<http://www.portlandtribune.com/archview.cgi?id=23990>>.

⁵⁵ Iowa Farmer Today, [Landowners Face Cost Implications from Meth Labs](http://www.iowafarmer.com/articles/2005/04/14/headlines/minnesota_farm_guide/ag_news/regional_news/region02.txt) Iowa Farmer Today.com March 31, 2005 <http://www.iowafarmer.com/articles/2005/04/14/headlines/minnesota_farm_guide/ag_news/regional_news/region02.txt>; In a telephone interview conducted by the author in March, 2005, John Heath, owner of Accident Trauma Scene Cleaners in Florida, said that meth cleanup jobs for his company have ranged from \$5,000 to \$35,000; [The Epidemic](#) at 34; Jim Redden, [Toxic Trail](#) n43 *supra*.

⁵⁶ Jim Redden, [Toxic Trail](#) n43 *supra*.

⁵⁷ *Id.*

⁵⁸ Joseph Rose, [Did You Buy a Meth House?](http://www.oregonlive.com/search/index.ssf?base/front_page/11295420468540.xml?oregonian?fpfp) The Oregonian, April 10, 2005 <http://www.oregonlive.com/search/index.ssf?base/front_page/11295420468540.xml?oregonian?fpfp>.

⁵⁹ *Id.*

with the consequences of meth production and use.⁶⁰ Pierce County, just south of Seattle is the epicenter of the problem, accounting for around half of the meth labs the state busts each year. Here, as in the case elsewhere, the clandestine labs do not make up a majority of the trade. Instead, Mexican poly-drug trafficking organizations dominate the supply of meth in Washington. These gangs took their lead from the smaller producers, including outlaw bikers in the mid-1990's.⁶¹

Instead of making smaller quantities of their predecessors, the Mexicans manufacture in “super labs” capable of producing 10 lbs. in 24-hours.⁶² In 2000, 126 of these labs were reported to the National Clandestine Laboratory Database. In fiscal year 2001, the Mexican authorities discovered at least 12 labs in Mexicali and Tijuana, along the U.S.-Mexican border. It is believed that the majority of the meth produced in these labs was bound for American consumers. Mexican meth often crosses the border in California, particularly at the San Ysidro crossing and also through South Texas. The main mode of smuggling is via hidden compartments in passenger vehicles. Sometimes the gangs add methylsulfonylmethane (MSM), which is a dietary supplement for horses and humans. It is not clear if they do so as a result of a lack of precursor chemicals, or merely as a way of increasing the volume of the meth they produce. In a recent case in Illinois, a Mexican citizen was found with approximately \$449,000 worth of meth in his car.⁶³

⁶⁰ Nathan Issacs, *Senate to Act n66 infra*.

⁶¹ Larry Copeland, *States Hope n105 infra*; Katherine Tam, *Three Arrested in High-Grade Meth Busts* The Olympian, April 9, 2005 <<http://www.theolympian.com/home/news/20050409/southland/122220.shtml>>; U.S. Drug Enforcement Administration, *Drug Trafficking in the United States* DEA Resources September 2001, <<http://www.dea.gov/pubs/intel/01020/index.html>>.

⁶² *Id.*

⁶³ Chicago Tribune, *\$449,000 Worth of Meth Found in Car, Police Say* Chicagotribune.com>>Local News April 4, 2005 <<http://www.chicagotribune.com/news/local/nearnorthwest/chi-0504040098apr04,1,791046.story?coll=chinewslocalnearnorthwest-hed.>>; U.S. Drug Enforcement Administration, *Drug Trafficking* n61 *supra*.

There are still many clandestine labs in Washington.⁶⁴ The state is third in the nation in meth lab incidents. In the rural farming areas around the tri-cities of Pasco, Kennewick and Richland, the “anhydrous ammonia” or “Nazi” method is the most popular recipe. Using this method, cooks can produce between 1 and 3 ounces--which can be sold for as much as \$5,000--in as little as 90 minutes. Most of it is not sold, however, but consumed by the cooks themselves. Rural Sunnyside has a population of 15,000 and a public school system with 5,600 students. Amongst the 450 eighth-graders, 5% of them reported using meth in the last 30 days. The director of the district’s Safe and Drug Free School Program reports that five times since the beginning of the 2004-2005 school year a teacher has contacted school or state authorities because they could detect the smell of meth lab chemicals on an elementary school student.⁶⁵

Washington legislators are currently moving to restrict PSE-based cold remedies.⁶⁶ A change last year to restrict the products in neighboring Oregon has resulted in meth producers traveling to Washington State to buy. The proposed Washington law originally contained a requirement that all pharmacists log the name of the purchaser of PSE products. In a compromise, this portion has been removed and the bill now requires only that the pharmacist ask for ID and also keep the products inaccessible to customers. The bill still has not passed.⁶⁷

Washington’s junior U.S. senator has commissioned a federal study of the link

⁶⁴ Nathan Issacs, Senate to Act n66 *infra*.

⁶⁵ Telephone interview with John Hughes, Director, Safe and Effective School Program, Sunnyside School District; Nathan Issacs, Senate to Act n66 *infra*; Leslie Knopp, Combining Forces to Battle Meth and ID Theft March 29, 2005 <<http://www.komotv.com/stories/36020.htm>>.

⁶⁶ Nathan Issacs, Senate to Act on Cold Drugs Tri-city Herald April 13, 2005 <<http://www.tri-cityherald.com/tch/local/story/6374341p-6252365c.html>>.

⁶⁷ Id.

between meth and identity theft.⁶⁸ In one case in Everett, in January of this year, police arrested a man who had in his possession over 2,000 pieces of stolen mail--and meth. One prosecutor in Pierce County claims that 80-90% of all identity-theft defendants in her office have a pending or prior offense involving meth.⁶⁹ Identity theft has become an enormous problem in the state. According to one source, 10% of all Washington State Residents have been a victim.⁷⁰

PART III: THE BOOM STATES OF THE MIDWEST

In the states of Missouri, Kansas, Indiana, Arkansas, Oklahoma, Tennessee, Illinois and Iowa, rural “mom and pop” meth production has been a disaster. These eight states accounted for around 2,150 of the 7,500 meth lab busts nationally in 1999. In 2004, they accounted for 9,100 of the nearly 16,000 national total. This represents an increase from 29% of the national total in 1999, to a staggering 57% in 2004 and more than the entire national total in 1999.

The labs themselves are a study in hazard.⁷¹ A child who is in a home where meth is being made is exposed to more airborne meth particulates than an equivalent prescription of pharmaceuticals for treating attention deficit disorder. Chemicals involved in the manufacture of meth have been associated with death, including from circulatory shock; coma; cancer in humans and/or animals, including non-Hodgkin’s lymphoma; respiratory arrest; acidosis; hypoglycemia; bronchitis; stomach ulcers;

⁶⁸ Robert Mak, Sen. Cantwell Hopes to Establish Link Between Meth and ID Theft, King 5 News March 29, 2005 <http://www.king5.com/localnews/stories/NW_032905WABmeth_idtheftKC.188a3b5e2.html?hp>

⁶⁹ Id; Leslie Knopp, Combining Forces n65 *supra*.

⁷⁰ Leslie Knopp, Combining Forces n65 *supra*.

⁷¹ Larry Copeland, States Hope n105 *infra*; Portland Tribune, Meth Labs’ Chemical Soup Takes Physical Toll <<http://www.portlandtribune.com/archview.cgi?id=27554>> (accessed April 1, 2005)

corrosion of the mucous membranes of the mouth, nose and esophagus; impaired sensory function; decreased sense of smell and taste; reduced visual acuity; reduced muscular coordination; insensitivity to heating of the skin; corneal burns of the eye; eye and respiratory passage irritation; pain; dizziness; stupor; nausea; diarrhea; and vomiting. One of the Portland Police's DVD officers from the 80's meth war reported the removal of a "grapefruit-sized" tumor from his kidney.⁷²

In the "Red-P method" of meth production, red phosphorous is heated with other ingredients.⁷³ If overheated, this produces phosphorine gas, which can be lethal upon exposure to as little as five parts-per-million. It cannot be metabolized by your body and repeated exposure can quickly lead to lethal levels. Red phosphorous can also convert to white phosphorous. White phosphorous is used as an airborne explosive by the U.S. Military. It explosively ignites upon exposure to air.⁷⁴

Iowa

Last year, Iowa, with its population of less than 3,000,000 had more labs detected than all the states on the eastern seaboard—from Maine to Florida—combined (1300 vs. 1200).⁷⁵ The average local Iowan police department deals with 26 meth labs per week.⁷⁶ Iowa and Missouri are the center of the meth nation. Iowa has the third largest number of labs reported and the second highest per-capita rate in the nation. It has the fourth highest rate of meth addiction in the nation. From 2002 through 2004, almost 1,000 children were removed from homes due to parents who were producing meth or who possessed meth precursor ingredients. That's approximately one per day. In 2003, there

⁷² Id; Jacob Quinn Sanders, Poisoned on Patrol n43 *supra*.

⁷³ Okienarc.org website n12 *supra*.

⁷⁴ Id.

⁷⁵ U.S. Drug Enforcement Administration, Drugs and Drug Abuse n21 *supra*.

⁷⁶ Ro Foege, The Meth Problem in Iowa Representative Ro Foege, Report from the Iowa Legislature February 20, 2005 <<http://www.rofoege.com/20050220.htm>>.

were 1,167 cases of child abuse involving the presence of an illegal drug in a child's body. This is triple the previous year's total. One pediatric nursing practice based in Southeast Iowa City of Ottumwa cites illicit drug exposure as her primary caseload.⁷⁷ At least one source claims that children are housed in 30% of properties where meth labs are found. Over 5,000 children have been involved in child abuse cases stemming from the parents' drug use since 2001.⁷⁸

One regional supervisor of state social workers responsible for 16 counties reported that meth played a role in half of the serious child abuse cases in her region.⁷⁹ She cited cases where the parents had taken so long to finally kick meth, by the time they were clean, they had irrevocably lost their parental rights. An overseer of meth specialists at the Department of Human Services said that in his 36 years of working "[meth's]...the single most damaging problem I've dealt with." In one reported case, a 1-year-old child in Des Moines died accidentally in the family's bathtub while her father was sleeping off his meth trip. In another case, a raid revealed "two dirty, lice-infested girls who had not been potty trained and still drank from baby bottles."⁸⁰ In Indiana, according to a non-profit child advocacy and services agency, there are eight new meth-related cases of child abuse reported every day.⁸¹ The problem in that state is the worst in the areas of Evansville, Vincennes, Terra Haute, and Crawfordsville.⁸²

⁷⁷ David Crary, Meth's Toll: Thousands of Heartland Kids Suffer From Parent's Addiction Associated Press April 18, 2005 <<http://www.darnews.com/articles/2005/04/18/news/news13.txt>>.

⁷⁸ Id.

⁷⁹ Id.

⁸⁰ Id.

⁸¹ Brian Howey, Lessons From Crack to Meth The Decatur Daily Democrat April 19, 2005 <<http://www.decaturdailydemocrat.com/articles/2005/04/19/news/opinion/editorial01.txt>>.

⁸² Id.

Missouri

In 2004, Missouri accounted for approximately 2,700 or 16% of all meth lab detections in the nation.⁸³ The problem is worst in the rural localities of Jefferson and Franklin Counties.⁸⁴ One estimate places the federal government's subsidization of the meth war in Missouri at least as high as that of Kansas (40% of all meth-related prosecutions in Kansas are funded by federal money).⁸⁵ As is no doubt the case elsewhere, there is simply no way that the state could continue to pursue the meth war without the direct subsidy of the federal government. 32% of all federal inmates from Missouri were incarcerated for meth-related offenses. In the words of one Franklin County Detective: "Without the feds...we'd be hosed."⁸⁶

The state of Missouri rolled back sentences for non-violent offenders in a move to alleviate prison overcrowding.⁸⁷ They are now considering rescinding this bill after the Missouri Supreme Court ruled that it applied retroactively.⁸⁸ Some legislators expressed concern about wholesale release of non-violent offenders, including meth producers.⁸⁹

In the state's corrections system, each county is allocated a certain number of prison beds based on the county's population.⁹⁰ This has been a boon to meth cooks there because most of the labs are located in sparsely populated areas of the state. The odds that an offender will be incarcerated there are lower than in the more populous areas. This has allowed local producers and traffickers to bear multiple arrests without anything more than probation or parole. In Franklin County, meth appears to represent

⁸³ U.S. Drug Enforcement Administration, Drugs and Drug Abuse n21 *supra*.

⁸⁴ The Epidemic at 34.

⁸⁵ Id at 35

⁸⁶ Id.

⁸⁷ V.A.M.S. 558.016.8; Josh Florey, House Moves to Rescind Early-Release Legislation Columbia Daily Tribune April 19, 2005 <<http://www.columbiatribune.com/2005/Apr/20050419News009.asp>>.

⁸⁸ State ex. Rel. Jeremiah W. Nixon, Atty. Gen., Relator v. David Russell 129 S. W. 3d 867,870 (Missouri 2004)

⁸⁹ Josh Florey, House Moves n87 *supra*.

⁹⁰ The Epidemic at 34

30% of the local criminal docket.⁹¹

Unable to incarcerate the problem away, local law enforcement in Missouri engage in an effort to make meth cooks unhappy to drive them to move elsewhere.⁹² In Jefferson County, the head of the local anti-drug team follows up arrests with citations for housing, sanitation, and other code violations in an effort to “make their lives miserable...” While waiting on state action to mandate restrictions on PSE-based cold remedies, other agencies have engaged in retail education in an effort to make purchases more difficult. There is anecdotal evidence that this has had some success.⁹³

Kansas

The auditor of the State of Kansas estimates that 40% of all meth-related efforts in Kansas are funded by the federal government.⁹⁴ Just this month, Kansas joined Oklahoma and other states in restricting customer access to PSE-based cold remedies.⁹⁵ There is some alarm that if the law has the desired effect—to limit local production of meth—it may drive users to purchase more of the meth produced by the Mexican poly-drug trafficking organizations. This might mean more property crimes to pay for out-of-state meth.⁹⁶

Oklahoma

The state of Oklahoma led the nation when it recently reclassified pseudoephedrine

⁹¹ Id.

⁹² Id.

⁹³ Id. at 35

⁹⁴ Id.

⁹⁵ Associated Press, Some Fear New Meth Law Will Lead to Property Crime Increase Kansas City Star April 22, 2005 <<http://www.kansascity.com/mld/kansascity/news/local/11462258.htm>>.

⁹⁶ Id.

as a Schedule V drug.⁹⁷ It can now only be sold in pharmacies with photo identification and a signature. Oklahoma law also limits the sale of PSE to no more than 9 grams per month per customer. Some sources claim that the number of labs detected in Oklahoma has been reduced by as much as 80%.⁹⁸ There is currently a move in Congress to re-categorize PSE as a schedule V substance.⁹⁹ It is encountering opposition from the pharmaceutical industry and their lobbyists.¹⁰⁰

PART IV: UNEXPLOITED MARKETS

In the words of one county sheriff in Pennsylvania, “I know of nothing that will keep [meth] from being all across the Northeast.”¹⁰¹ There are large portions of the country where meth is not prevalent but that are demographically similar to the rural areas of the boom states of the Midwest. Across the mostly unaffected other regions of the nation, there are efforts afoot to prevent some of the worst effects seen in the mature and boom states. The problem has just started to appear on the radar of these other jurisdictions. In New Hampshire, meth-related admissions for detox tripled from 2001 to 2004, going from 16 to 43.¹⁰² That gives New Hampshire the highest meth treatment rate in the Northeast. In neighboring Vermont, a confirmed meth lab has been found.¹⁰³

⁹⁷ Marjon Rostami, Members of Legislature Back Bill to Ban Pseudophedrine The Daily Texan, April 18, 2005 <<http://www.dailytexanonline.com/news/2005/02/28/StateLocal/Members.Of.Legislature.Back.Bill.To.Ban.Pseudoephedrine-879073.shtml>>.

⁹⁸ According to the DEA, the number of labs dropped from 1,068 in 2003 to 652 in 2004 U.S. Drug Enforcement Administration Drugs and Drug Abuse n21 *supra*; Other sources claim larger reductions: Marjon Rostami, Members of Legislature n97 supra; Zacharie Coile, Bill Could Stymie Meth Cooks/Senate Proposes New Procedure for Buying Some Cold Remedies The San Francisco Chronicle January 27, 2005 <<http://www.sfgate.com/cgi-bin/article.cgi?file=/chronicle/archive/2005/01/27MNG4TB085H18.DTL>> (both claiming an 80% reduction in lab seizures in Oklahoma).

⁹⁹ The Epidemic at 37.

¹⁰⁰ Id.

¹⁰¹ Steve Suo, East Coast Horror n111 *infra*.

¹⁰² Beverly Wang, Authorities Seek to Curb Meth Use Associated Press March 24, 2005 <<http://www.seacoastonline.com/news/03242005/news/71572htm>>.

¹⁰³ Steve Suo, East Coast Horror n111 *infra*.

Another lab may have been previously, but police, unfamiliar with what they were seeing, thought it was a bomb and blew it up.

In Georgia, where Atlanta is a hub for Mexican gangs distributing meth to rural parts of the state as well as those of Tennessee and the Carolinas, meth detox admissions rose from 630 in 2000 to 2,817 in 2003.¹⁰⁴ The governor of Georgia described meth as “the fastest-growing illegal drug in Georgia” as he signed the bill which made Georgia the latest state to restrict access to PSE-based cold remedies. A “super-lab” was discovered recently in a suburb of Atlanta, and in March of this year, 174-pounds of meth were seized in another suburb, Lawrenceville.¹⁰⁵ Nebraska is considering following the lead of neighboring Missouri and Iowa and reclassifying PSE-based cold remedies in order to prevent a flow of “meth refugees” from its neighbors.¹⁰⁶

New York

In New York City, as well as other national centers of the gay community, meth is being used by gay men involved in the club and party scene.¹⁰⁷ 12-20% of gay men report using the drug in the previous year. A recently reported case of aggressive HIV discovered in a gay man from New York City cited use of crystal methamphetamine as a possible factor in his condition. The director of AIDS Foundation of Chicago described the use of crystal meth as “the biggest challenge we’ve faced in two

¹⁰⁴ *Id.*

¹⁰⁵ Larry Copeland, [States Hope Laws Will Curtail Meth Labs](http://www.usatoday.com/news/health/2005-04-25-meth-labs-inside_x.htm) USA Today April 25, 2005 <http://www.usatoday.com/news/health/2005-04-25-meth-labs-inside_x.htm>.

¹⁰⁶ Matt Kelley, [Nebraska Looks to Follow Iowa’s New Meth Law](http://www.radioiowa.com/gestat/go.cfm?objecteid=319E8781-F2CB-4A14-8BCF386361A9D76F), Radio Iowa, April 20, 2005 <<http://www.radioiowa.com/gestat/go.cfm?objecteid=319E8781-F2CB-4A14-8BCF386361A9D76F>>; Larry Copeland, [States Hope](#) n105 *supra*.

¹⁰⁷ Judith Graham, [Meth Use](#) n15 *supra*.

decades.”¹⁰⁸

Pennsylvania

Meth has made a major impact in rural Bradford County (population 62,000).¹⁰⁹ Since March 31, 2004, two sheriff's deputies were shot to death serving a warrant on an alleged meth lab and many residents have been arrested and charged with meth-related crimes. Ironically, the county's newly-created meth task force met for the first time the day before the deputies were killed. The County Sheriff calls meth the county's "number one problem."¹¹⁰ In December, Bradford County Jail had over 194 inmates stuffed into a building with 118 beds.¹¹¹ In a single incident in the summer of 2004, 20 people were arrested in a single house and 12 children had to be removed by child services. Largely as a result of the increase in meth offenders in the county jail system, residents in Bradford County have recently seen their property taxes increase by 50%.¹¹²

PART V: JAPAN, THE WESTERN PACIFIC AND HAWAII

Japan

With more users than in the U.S. and dating from the middle of the last century, the

¹⁰⁸ Id.

¹⁰⁹ Bryce T. Hoffman Stueben Avoids Meth Epidemic The Corning Leader April 10, 2005 <http://www.the-leader.com/articles/2005/04/10/local_news/local101.txt>; Karen Blackledge, Heroin Still Greatest Problem in Valley The Daily Item April 22, 2005 <<http://www.dailyitem.com/archive/2005/0422/local/stories/11local.htm>>; Steve Suo, East Coast Horror n111 *infra*.

¹¹⁰ Bryce T. Hoffman, Stueben Avoids Meth Epidemic n109 *supra*; Social Betterment Organization, Severe Meth Problem Bradford County, Pennsylvania Outlined Drug-Rehabs.org <<http://www.drugrehabs.org/content.php?cid=1330&state=Pennsylvania>> (accessed April 22, 2005)

¹¹¹ Steve Suo, East Coast Horror Stories Reflect New Map of Meth The Oregonian December 31, 2004 <http://64.233.161.104/search?q=cache:IPE475SaUxIJ:www.oregonlive.com/news/oregonian/index.ssf%3Fbase/front_page/110449809359160.xml+%22Bradford+County%22+meth&hl=en> (accessed April 22, 2005)

¹¹² Id.

meth, or “*shabu*” problem in Japan is the oldest in the world.¹¹³ Meth was originally developed through pharmaceutical research in Japan in 1919. Meth was used by Japanese soldiers during the Pacific War and when it was over, civilian markets developed. Today, *shabu* is used by an estimated two million Japanese.¹¹⁴ Estimates of the profits from *shabu* trafficking by the Japanese *Yakuza* crime syndicates range from \$3.3 billion to \$6.5 billion.¹¹⁵ In one bust in 1999, Japanese authorities found over 600 kilograms of *shabu*, estimated to be valued at \$400,000,000. In 1997, there were over 17,000 arrests for crimes involving illegal stimulants.¹¹⁶ This included over 7,000 offenders who are members of the *Yakuza*.¹¹⁷ *Yakuza* gang members have been caught trying to smuggle meth from Japan to U.S. territories in the West Pacific, specifically the Marianas Islands.¹¹⁸ It is probable that they use mules, passing as Japanese tourists to transport a significant portion of their product. This is problematic because Japanese tourism represents such an enormous portion of the local economies of the West Pacific. Local authorities are hesitant to do anything that might create bad press in Japan or disrupt the steady flow of Japanese Yen to their shores.

Much of the meth in Japan is manufactured by other Asian nation’s organized criminal syndicates, notably those from Taiwan and North Korea.¹¹⁹ In many ways, the

¹¹³ James P. Gray Why Our Drug Laws Have Failed and What We Can Do About It pg. 58-59 (Temple University Press 2001) (*hereinafter* “Why Our Drug Laws Have Failed”).

¹¹⁴ Taima.org, Amphetamines in Japan <<http://www.taima.org/en/speed.htm>>. (accessed April 23, 2005)

¹¹⁵ Bruce A. Gragert, Yakuza 4 ANNSICL at 192-193

¹¹⁶ Curtis J. Mihaupt, The Dark Side of Private Ordering: An Institutional and Empirical Analysis of Organized Crime Winter 2000, 67 UCHILR 41, 75.

¹¹⁷ Id.

¹¹⁸ U.S. v. Yoshimura n126 *infra*.

¹¹⁹ John McFarlane, European Consortium for Political Research 2nd General Conference, Panel Seven, Transnational Organized Crime, Terrorism and Transnational Relations: Organised Crime and Terrorism in the Asia-Pacific Region: The Reality and the Response pg 21 September 18-21, 2003. <<http://members.lycos.co.uk/ocnewsletter/SGOC0104/JMcF.pdf>>.

meth problem in Japan is very like the problem posed by traditional, exotic-material drugs. It is not produced domestically, but is instead manufactured abroad and smuggled into Japan, some perhaps by submarine, from North Korea.¹²⁰ In 1998, Japanese authorities intercepted a portion of a 30-ton shipment of ephedrine bound for North Korea. This is enough to make a 135-year supply of cold remedies.¹²¹

An arm of North Korean President Kim Jong II's government called Central Committee Bureau 39 of the Korean Workers' Party oversees the North Korean government's illicit activities.¹²² Kim generates hard currency from the manufacture and export of meth. It is estimated that he supplies 30% of the meth sold in Japan. This represents approximately \$3 billion a year in earnings. Between 1997 and 2003, Japanese authorities seized 1,500 kilograms of meth believed to have originated in North Korea.¹²³

Hawaii

Crystal Meth is the most popular form of the drug in Hawaii, and it has been around for a long time.¹²⁴ At 45%, Hawaii has the nation's highest rate of arrestees testing positive for meth.¹²⁵ In February of 1993, a Japanese Yakuza associate tried to smuggle two kilograms to Hawaii in exchange for \$300,000 from a cooperating government informant. One possible explanation of meth's prevalence in Hawaii is the state's large

¹²⁰ Anthony Spaeth, Kim's Rackets Time Asia June 2, 2003
<<http://www.time.com/time/asia/covers/501030609/story.html>>; North Korean Advisory Group, Report n 121 *infra*.

¹²¹ North Korean Advisory Group, Report to The Speaker U.S. House of Representatives November 1999 n100
<<http://www.kimsoft.com/2004/RprtToCngrs.pdf>>.

¹²² Id. John McFarlane, Transnational Organized Crime at 24-25.

¹²³ Id.

¹²⁴ U.S. Drug Enforcement Administration Drug Trafficking n61 *supra*.

¹²⁵ Authorities Hope to Stop Meth Labs Before They Begin Associated Press
<<http://www.kpua.net/news.php?id=4664>> (*accessed* April 2, 2005).

community of Japanese nationals and Americans of Japanese descent. In one widely-reported recent case, a woman was placed on ten years probation for the death of her newborn son, which authorities allege was linked to *in utero* exposure to meth.¹²⁶

PART VI: THE FUTURE, AND THE BROADER THREAT OF THE “CRYSTAL METHOD”

Manufacturing mind-altering substances from readily-available and legal consumer products is “the crystal method.”¹²⁷ It can be said with all but certainty that it will be employed again in the future, to make a new “meth” from a new combination of legal substances. Drug war methodology calls for interdiction, apprehension and education. One of the purposes of interdiction is to make drug smugglers pay a price in lost product. These losses have to be passed on to drug consumers in the form of higher prices. Higher prices equal to fewer users, or so the logic goes. Interdiction is geared toward traditional drugs which are the product of a single, exotic material, like marijuana, cocaine or opiates. Meth is a synthetic compound manufactured from PSE or ephedrine, which can both be extracted from the *ma-huang* plant, but they can also be manufactured through a chemical process from base materials like hydrocarbons (petroleum products or hexane).

It would seem that no spectator, sitting in the 1970’s, could have looked around at the body of a consumer products available at the time and realized that a particular combination of chemicals, which included starter fluid and cold medicine, could be combined to make a potent stimulant rivaling and even surpassing the effects of cocaine. Of course, someone did just that. Someone will do it again. It will take time for law

¹²⁶ *U.S. v. Mitsuo Yoshimura* 831 F. Supp. 799,801 (D. Hawaii 1993).

¹²⁷ Apologies to the music group of the same name: <<http://www.thecrystalmethod.com>> (accessed April 19, 2005).

enforcement to figure out what precise ingredients are in this new mix. You cannot interdict that which is legally available to consumers nor can you interdict that which you cannot identify.

Apprehension, Incarceration, New Laws and Vested Interests

Apprehension would appear to be at least somewhat less effective a tool against a crystal method drug and, as the Missouri situation shows, apprehension has its limits and meth, or some other substance, will test them. The 1980's-1990's war on drugs resulted in an incarceration explosion. 1.8 million Americans were incarcerated as of 1998.¹²⁸ There are 2.1 million American behind bars in 2004. That's 1 in 138 of U.S. Residents in prison or jail.¹²⁹ A disproportionate number of these prisoners were non-white minorities. The drug problem in this country has been largely an urban phenomenon. Meth is largely a rural problem. The offenders from the mom and pop meth community have been "lightening" the color of the federal prison population in Missouri. In 1994, 73% of the 1,000 new inmates in federal prisons incarcerated for meth were white. This trend represents an additional load on penal systems, some of which are already operating at capacity.¹³⁰

It is not reasonable to expect the laws to stay ahead of a newly emerging crystal method drug. The law will always be fighting a catch-up game. Statutes regulating or proscribing ingredients like PSE are built on hearings presenting evidence of the harm. That evidence is, in turn, built on observations by law enforcement, the medical

¹²⁸ Why Our Drug Wars Have Failed pg. 29

¹²⁹ Paige M. Harrison and Allen Beck, Prison and Jail Inmates at Midyear 2004 Bureau of Justice Statistics Bulletin April 2005, U.S. Department of Justice, Office of Justice Programs
<<http://www.ojp.usdoj.gov/bjs/pub/pdf/pjim04.pdf>>.

¹³⁰ The Epidemic at 34.

community, social workers, the media, etc. It is estimated that each meth cook teaches between seven and ten other individuals their recipe.¹³¹ This process starts long before legislatures can act, or police or emergency room doctors can note, or reporters can report. Only once the new drug is entrenched will it merit sufficient attention to spur governmental action. By then the proverbial genie will be out of the bottle.

There is another limit on apprehension. Any legislative effort to control the sale of a legal consumer product in order to prevent it from being used in the production of a crystal method drug would be hindered by the lobbying arm of the industry that manufactures, distributes or sells the particular product.¹³² In the case of PSE, the Consumer Healthcare Products Association had for years effectively opposed reclassification of PSE as a Schedule V drug across the nation.¹³³ In Oklahoma, the industry had publicly opposed a bill to do so until December, 2003 when a meth cook who was out on bail allegedly shot and killed a state trooper. The murder was caught on video tape. Subsequently, they dropped their public opposition. The bill passed and Oklahoma became the first state to reclassify PSE.¹³⁴ 438 bills concerning PSE and meth have been submitted across the country between January and April of this year.¹³⁵

The federal government has been trying to limit the availability of PSE and its chemical sibling, ephedrine, to clandestine lab operators since 1988.¹³⁶ There is currently a “Methamphetamines Caucus” in the U.S. House of Representatives, comprising 34

¹³¹ Steve Suo, East Coast Horror n111 *supra*; The Epidemic at 33.

¹³² Id. at 37.

¹³³ CHPA: Consumer Healthcare Products Association <<http://www.chpa-info.org/Web/index.aspx>> (accessed April 22, 2005).

¹³⁴ Id. At 36.

¹³⁵ Lou Sian, Meth Laws Vie for Passage San Mateo Daily Journal April 21, 2005 <<http://www.smdailyjournal.org/article.cfm?issue=04-18-05&storyID=41975>>.

¹³⁶ Steve Suo, Token Deterrent The Oregonian October 5, 2004 <http://www.oregonlive.com/special/oregonian/meth/stories/index.ssf?oregonian/meth/1005_tokendeterrent.html>.

states and founded by Congressman Brian Baird (D-WA).¹³⁷ Prior to 1995, ephedrine had been the most common ingredient employed by producers.¹³⁸ Due to an effective effort to limit its availability, producers began turning to PSE. Between 1995 and 1997, legal imports of PSE to the U.S. surged 27%. During that same period, cold remedy sales went up 4%. DEA officials think the imports were an effort at stockpiling the substance in anticipation of a ban. In 1997, five little-known companies recorded sales of PSE tablets rivaling that of the Pfizer Corporation's Sudafed. Between 1996 and 1999, the PSE pills produced by one Georgia Company were tied to 71 California meth labs, dump sites, drug suspects and undercover purchases. In another case, a company owned by a New Jersey federal inmate incarcerated at the time for illegally selling PSE was allowed to continue to sell while a new permit application was pending with the DEA. It took the agency two years to reject the application. During that time, they sold 3.5 million pills to a customer not registered with the DEA.¹³⁹

In the late 1990's, the DEA was granted much broader authority to regulate the materials involved in clandestine meth production.¹⁴⁰ However, due to "flawed enforcement," the impact of the new, stricter regulations was diluted. The new federal regulations usually required PSE-sellers to keep the DEA informed as to their customers and to report any suspicious transactions. In reality, however, there were few audits and companies whose product was found in clandestine labs were given warnings, and little consequences. These half-hearted efforts were at least in part due to the perception of agents that meth represented a less significant problem than heroin or cocaine. In one

¹³⁷ Steve Suo, East Coast Horrors n111 *supra*.

¹³⁸ Steve Suo, Token Deterrent n137 *supra*.

¹³⁹ Id.

¹⁴⁰ Id.

case in Florida in 1999, a 66-year-old semi-retired mortgage broker without any background in pharmaceuticals was granted permission from the DEA to sell PSE from his Fort Lauderdale storage locker. He proceeded to sell millions of PSE pills to meth labs in California and elsewhere. The individual sold 17 million PSE pills in eight months. Starting in 2000, the DEA started requiring verification of customers and criminal background checks.¹⁴¹

The next crystal method drug might use latex, or laundry detergent, or kerosene. Whatever the product, there will be some vested interest fighting any new regulation or statute that they perceive as infringing upon their industry. This month, a federal district judge in Utah invalidated an act of the FDA to ban ephedra, a naturally-occurring substance whose chemistry and effects are similar to PSE and which is produced from the same plant from which PSE and ephedrine are made.¹⁴² Here also, the industry group which represented the companies that produce ephedra mounted a publicity campaign against the ban.¹⁴³

Recommendations

Meth has become a blight in America today. Users not only cause enormous damage to their bodies, many also produce toxic wounds in their community. It is imperative that immediate steps be taken to protect the remaining, unaffected parts of the country from the ravages seen in the Midwest and on the West Coast. A national registry of meth cooks should be built and maintained. These individuals should be required to

¹⁴¹ Id.

¹⁴² Barbara Feder Ostrov, Judge Voids FDA Ban on Herbal Stimulant San Jose Mercury News April 15 2005 <<http://www.mercurynews.com/mld/mercurynews/11401036.htm>>.

¹⁴³ Id.

register, like sex offenders, wherever they move. It will be difficult to limit the dissemination of meth recipes, but having them register will give law enforcement in other states additional opportunities to apprehend the cooks if they travel around.

The sale of PSE must be restricted to preclude the mom and pop meth labs. This should be done at a federal level and soon. Once that occurs, meth becomes more like the traditional, exotic-materials drugs with imported PSE as the “exotic material.” Target Corp. announced that they will no longer allow unfettered access to PSE-based cold remedies in their stores.¹⁴⁴ The recent efforts to control PSE by states and localities were cited by the company as a reason in their decision to stop selling the products entirely in the 300 of their 1,330 stores without pharmacies and to control access to the products in the others. Wal-Mart is also planning on moving the products to a secure place in the store this June.¹⁴⁵

National education efforts showing the ravages of meth should be priority for anti-drug efforts. A new set of federal criminal laws aimed at the disposal of toxic chemicals might discourage the poly-drug trafficking organizations from pursuing a future, crystal method drug for fear of incurring additional penalties.

Localities should set up funds to aid property owners whose property is used for meth production without their knowledge. States must seal properties and act in a prompt fashion to ensure that they are cleaned-up. They should avoid the problems created in Oregon when they allowed the properties to change hands to unknowing buyers again in something that resembles a game of real estate “musical squares” where one unfortunate owner ends up holding the bag when the deputy knocks on the door to seal the property.

¹⁴⁴ Martiga Lohn, Target Stores to Clamp Down on Cold Medicine Used to Make Methamphetamine Associated Press April 18, 2005 <<http://www.kansascity.com/mld/kansascity/news/local/11426471.htm>>.

¹⁴⁵ Larry Copeland, States Hope n105 *supra*; *Id.*

The War on Drugs: Self-Inflicted Wounds?

The drug war itself may have created the meth epidemic by interfering with the public's access to cocaine. Clandestine meth production got going in the 1970's and experienced its first period of dramatic growth in the mid-1980's. It seems plausible that the increase in cocaine use in the 1970's gave some segment of the general public—either pre-existing or otherwise—a taste for potent stimulants. Some individual(s) figured out how to make meth from store-bought goods to feed that taste. The escalated drug war of the 1980's disrupted existing supply lines of cocaine, sometimes leaving users without. Meth producers would have found an expanding, hungry market for their product. Attitudes at the DEA would ensure that for years to come, the nation's top anti-drug agency would pay little attention to what agents there referred to as “kiddie drugs.”¹⁴⁶ Monitoring for the future, which conducts the oft-cited surveys of 12th graders use and attitudes toward drugs, didn't even start asking about meth until the 1990's.¹⁴⁷

The crystal method could be viewed as a counter strike in the war on drugs by the stimulant-seeking segment of society. They have adapted their drug-searching behavior in response to the policy of interdiction and the accompanying high prices and scarcity it has brought about in the cocaine market. If you can't get cocaine, you can brew your own stimulant. If cocaine were legalized, it would deal a severe blow to the Mexican meth trade. It would also put an end to much of the clandestine meth production as the current crop of users “aged out.”

¹⁴⁶ Steve Suo, Token Deterrent n136 *supra*.

¹⁴⁷ Monitoring for the Future, Long-Term Trends n148 *infra*.

Marijuana, cocaine and heroin make up the “big three” of illegal drugs consumed in the U.S. When put alongside heroin, cocaine and meth, marijuana looks like the old Sesame Street game of “One of these things is not like the other...” The public health arguments for prohibition are much less compelling with regards to marijuana. Authorities point to addiction, mild withdraw symptoms, mild neurological and physical effects, and long term increases in cancer rates to demonstrate marijuana’s dangers.¹⁴⁸ The damaging effects of heroin, cocaine and meth, on the other hand, are almost self-evident. The DEA’s number tow priority in California behind meth is marijuana. Currently states are using the ballot initiative to legalize marijuana for medical purposes.¹⁴⁹ A revitalized hemp industry, which was destroyed after marijuana was made illegal in the early 20th century, could help prevent further over-exploitation of timber resources. If nothing else, the government could re-allocate the funds currently being spent on anti-marijuana efforts toward anti-meth efforts. That would be money far better spent.

Whether or not legal cocaine or marijuana is the answer to the meth problem, it is clear from this vantage point that the criminal war on drugs has been a huge, painful failure. The percentage of 12-graders who admit to having used any illegal drug has remained essentially unchanged since 1975.¹⁵⁰ Use of marijuana, heroin and cocaine is almost exactly the same as it was in 1975, despite quadrupling the federal anti-drug

¹⁴⁸ Office of National Drug Control Policy, What Americans Need to Know About Marijuana Executive Office of the President of the United States October 2003 <http://www.whitehousedrugpolicy.gov/publications/pdf/mj_rev.pdf>.

¹⁴⁹ Wyatt Buchanan, Prescription for Change San Francisco Chronicle April 24, 2005 <<http://sfgate.com/cgi-bin/article.cgi?file=/c/a/2005/04/24/MNGDTCEA9H1.DTL>>.

¹⁵⁰ 55.2% in 1975 and 51.1% in 2004; Monitoring the Future, Long-Term Trends in Lifetime Prevalence of Use of Various Drugs for Twelve Graders, The Monitoring the Future Study, University of Michigan <http://www.monitoringthefuture.org/data/04data/pro41_4.pdf> (accessed April 21, 2005).

budget in adjusted dollars over the same period.¹⁵¹ The Federal Government spent \$19.2 billion on anti-drug efforts in 2000.¹⁵² In exchange for these non-results, our state and federal governments strain under the burden of the “incarceration nation.” Drug abuse is a public health issue and treating it like a criminal justice issue has not gained us any reduction in use. It has, however, put an awful lot of people in prison. There, they become a drain on our productive economies. The average prisoner in 2003 cost the state of California \$32,562 a year.¹⁵³ Older prisoners cost an average of \$70,000 per year. The future holds out the promise of an older, more costly population of prisoners that will be an even larger drag on the economy.¹⁵⁴

Our war on drugs has devastated the nation of Colombia.¹⁵⁵ The Revolutionary Armed Forces of Colombia (FARC), a militant, left-wing, anti-capitalist movement of approximately 18,000 supporters, earned \$600 million from selling coca leaves in 1998 alone.¹⁵⁶ In June 2000, Congress appropriated \$1.3 billion in anti-drug dollars to the Colombian government. Both sides are financing a civil war with money from the war on drugs, either from U.S. government funds, or from profit derived from the black market that U.S. laws have created. The Colombian public is caught in the crossfire. Ten Colombian citizens were killed each day in 2001. As of that year, 95% of murders in Colombia were going *unsolved*.¹⁵⁷ Civil authorities are incapable of coping with non-state actors who can amass such huge fortunes thanks to the illicit drug markets of the

¹⁵¹ 47.3% in 1975 and 45.7% in 2004, 2.2% in 1973 and 1.5% in 2004, 9.0% in 1975 and 8.1% in 2004 respectively Monitoring For the Future, Long-Term Trends; Why Our Drug Laws Have Failed at 42.

¹⁵² Why Our Drug Laws Have Failed at 42.

¹⁵³ See Turley Statement n27 *supra*.

¹⁵⁴ Id.

¹⁵⁵ Why Our Drug Laws Have Failed at 156-157

¹⁵⁶ Id.; Liz Harper Colombia's Civil War: Revolutionary Armed Forces of Colombia (FARC) Online News Hour May 2002 <http://www.pbs.org/newshour/bb/latin_america/colombia/players_farc.html>.

¹⁵⁷ Why Our Drug Laws Have Failed at 157.

United States.¹⁵⁸ ‘Plan Colombia’ is the effort to eradicate coca and poppy plants by aerial spraying of the Monsanto Corporation’s herbicide, Round-up Ultra. The substance has been described as “most poisonous” by the World Health Organization and it kills food crops as well as those targeted.¹⁵⁹ It is damnable that America has allowed its national drug policies to so impact this sovereign nation and for such meager returns.

Ending the war on drugs would help us fight the war on terrorism. Prohibition of cocaine and heroin and the resultant black market profits have made narco-trafficking a common way to finance terrorist organizations.¹⁶⁰ Taking away this source of funding would make organizations like the FARC and poppy-growing Afghani militias all but disappear. Also, the billions of taxpayer dollars being used for anti-drug efforts could be re-allocated to the war on terror.

There is another threat to the war on drugs: the misuse of legal prescription drugs.¹⁶¹ Across America, “Generation Rx” is prowling the medicine cabinet in search of a good time. Currently more teenagers are using prescription drugs for pleasure than cocaine, meth or heroin.¹⁶² Like producers of the ingredients in meth, trade organizations representing the pharmaceutical industry will oppose any government action which might hurt their bottom lines. Any new such law will have to balance the legitimate use of these substances against the harms, and thus will not be as effective in limiting their use as laws against substances which can be categorically banned.

¹⁵⁸ Id.

¹⁵⁹ Virginia Pratt, White House Declares It Doesn’t Need to Certify Colombia on Human Rights American Friends Service Committee Peacework Magazine March 2001 <<http://www.afsc.org/pwork/0103/010320a.htm>>

¹⁶⁰ U.S. Drug Enforcement Administration, Drugs and Terrorism: A New Perspective Drug Intelligence Brief September 2002 <<http://www.usdoj.gov/dea/pubs/intel/02039/02039.html>>.

¹⁶¹ Beth Turner, ‘Generation Rx’ Parents.com April 28, 2005 <<http://www.parents.com/articles/health/6081.jsp>>.

¹⁶² John Roberts, US Teenagers Abuse Prescription Drugs, OTC Medications to Get High Foodconsumer.org April 24, 2005 <http://www.foodconsumer.org/777/8/teens_abuse_prescription_drugs_OTC_medications.shtml>.

CONCLUSION

The traditional, exotic-material drugs will continue to be a problem, and coupling them with meth or future crystal method drugs will make an already extravagantly expensive war on drugs even more so. Is there going to be the will to pay the price of incarcerating the next generation of cooks, dealers and users? Will jurisdictions end up with “feel good” statutes, featuring strong language but undermined by the state’s inability to accommodate the sheer number of offenders? The crystal method may be a problem that the criminalized war on drugs simply cannot win. In so trying, it may end up swallowing the public coffers whole.

BIBLIOGRAPHY

\$449,000 Worth of Meth Found in Car, Police Say

Chicago Tribune, chicagotribune.com >> Local News April 4, 2005
<<http://www.chicagotribune.com/news/news/local/nearnorthwest/chi504040098apr04,1,791046.story?coll=chinewslocalnearnorhwest-hed>>

Accident/Trauma Scene Cleaners Inc. <<http://www.atscleaners.com>>

Amphetamines in Japan Taima.org <<http://www.taima.org/en/speed.htm>>

Archeological Parameters for the Beginnings of Beer

Thomas W. Kavanaugh, Brewing Techniques September/October 1994
<<http://www.brewingtechniques.com/library/backissues/issue2.5/kavanaugh.html>>

Authorities Hope to Stop Meth Labs Before They Begin Associated Press,
<<http://www.kpua.net/news/php?id=4664>>

Authorities Seek to Curb Meth Use Beverly Wang, Associated Press, March 24, 2005
<<http://www.seacoastonline.com/news0324005/news/71572.htm>>

Bill Could Stymie Meth Cooks/Senate Proposes New Procedure for Buying Some Cold Remedies

Zacharie Coile, The San Francisco Chronicle, January 27, 2005
<<http://www.sfgate.com/cgi-bin/article.cgi?file=/chronicle/archive/2005/01/27MNG4TB058H18.DTL>>

Burglaries: 'Out of Control' Jacob Quinn Sanders, Portland Tribune, January 14, 2005
<<http://www.portlandtribune.com/archview.cgi?id=27917>>

California's Aging Prison Population Statement of Professor Jonathan Turley, Before a Joint Hearing of the California Senate Subcommittee on Again and Long Term Care, Subcommittee on Public Safety, Subcommittee on the California Correctional System, February 25, 2003

<http://www.senate.ca.gov/ftp/SEN/COMMITTEE/SUB/HHS_AGE/_home/AGING_PRISONERS/TURLEY_TESTIMONY.DOC>

CHPA: Consumer Healthcare Products Association

<<http://www.chpa-info.org/Web/index.aspx>>

Colombia's Civil War: Revolutionary Armed Forces of Colombia (FARC)

Liz Harper, Online News Hour, May 2002

http://www.pbs.org/newshour/bb/latin_america/colombia/players_farc.html

Combining Forces to Battle Both Meth and ID Theft

Leslie Knopp, KOMO-TV, March 29, 2005

<http://www.komotv.com/stories/36020.htm>

Contributions of Physics to the Information Age Ian P. Bindloss

University of California Los Angeles, Department of Physics

<http://www.physics.ucla.edu/~ianb/history/>

Crack, Heroin Keep on Killing Jacob Quinn Sanders, Portland Tribune, April 19, 2005

Jacob Quinn Sanders, Portland Tribune April 19, 2005

<http://www.portlandtribune.com/archview.cgi?id=28160>

The Crystal Method :: Legion of Boom <http://www.thecrystalmethod.com>

The Dark Side of Private Ordering: An Institutional and Empirical Analysis of Organized Crime Curtis J. Milhaupt, Winter 2000, 67 UCHILR 41

Did You Buy a Meth House? Joseph Rose, The Oregon, April 10 2005

http://www.oregonlive.com/search/index.ssf?/base/front_page/111295420468540.xml?oregonian?fpfp

Drug Intelligence Brief: The Forms of Methamphetamine

U.S. Drug Enforcement Administration, DEA Resources (April 2002)

<http://www.dea.gov/pubs/intel/02016/index.html>

Drug Trafficking in the United States U.S. Drug Enforcement Administration, DEA

Resources, September 2001 <http://www.dea.gov/pubs/intel/01020/index.html>

Drugs and Drug Abuse, Maps of Methamphetamine Lab Seizures U.S. Drug

Enforcement Administration, DEA Briefs and Background

http://www.dea.gov/concern/map_lab_seizures.html

Drugs and Terrorism: A New Perspective U.S. Drug Enforcement Administration,

Drug Intelligence Brief September 2002

<http://www.usdoj.gov/dea/pubs/intel/02039/02039.html>

East Coast Horror Stories of Reflect New Map of Meth Steve Suo, The Oregonian,

December 31, 2004

http://64.233.161.104/search?q=cache:IPE475SaUxIJ:www.oregonlive.com/news/oregonian/index.ssf%3F/basefront_page/110449809359160.xml+%22Bradford+County%22+meth&hl=en

The Epidemic on Aisle 6 Mark Schone, 2004-DEC Legal Aff. 30

The Faces of Meth Joseph Rose, The Oregonian, OregonLive.com Tuesday, December 27, 2004

<<http://www.oregonlive.com/news/oregonian/index.ssf?/base/news/110423869622151.xml>> and
<http://www.oregonlive.com/news/oregonian/photos/gallery.ssf?cgi-bin/view_gallery.cgi/olive/view_gallery.ata?g_id=2927>

'Generation Rx' Beth Turner, Parents.com, April 28, 2005
<<http://www.parents.com/articles/health/6081.jsp>>

Heroin Still Greatest Problem in Valley Karen Blackledge, The Daily Item April 22, 2005
<http://www.dailyitem.com/archive/2005/0422/local/stories/11local.htm>

The History of Meth The Spokesman-Review.com
<<http://www.spokesmanreview.com/library/meth/methstory.asp?ID=s811271>>

House Moves to Rescind Early-Release Legislation Josh Florey, Columbia Daily Tribune, April 19, 2005
<<http://columbiatribune.com/2005/Apr/20050419News009.asp>>

Jails Deal with New Problem: Meth Mouth Jacob Quinn Sanders, Portland Tribune, February 1, 2005
<<http://www.portlandtribune.com/archview.cgi?id=28160>>

Judge Voids FDA Ban on Herbal Stimulant Barbara Feder Ostrov, San Jose Mercury News, April 15, 2005
<<http://www.mercurynews.com/mld/mercurynews/11401036.htm>>

Kim's Rackets Anthony Spaeth, Time Asia, June 2, 2003
<<http://www.time.com/time/asia/covers/501030609/story.html>>

Landowners Face Cost Implications from Meth Labs Iowa Farmer Today, March 31, 2005
<http://www.iowafarmer.com/articles/2005/04/14/headlines.minnesota_farm_guide/ag_news/regional_news/region02.txt>

Lessons, From Crack to Meth Brian Howey, The Decatur Daily Democrat, April 19, 2005
<<http://www.decaturdailydemocrat.com/articles/2005/04/19/news/opinion/editorial101.txt>>

Long-Term Trends in Lifetime Prevalence of Use of Various Drugs for Twelve Graders
Monitoring the Future, The Monitoring the Future Study, University of Michigan
<<http://www.monitoringthefuture.org/data/04data/pr04tl4.pdf>>

Members of Legislature Back Bill to Ban Pseudoephedrine Marjon Rostami, The Daily Texan, April 18, 2005
<<http://www.dailytexanonline.com/news/2005/02/28/StateLocal/Members.Of.Legislature.Back.Bill.To.Ban.Pseudoephedrine-879073.shtml>>

The Meth Bill Mounts for All Jacob Quinn Sanders, Portland Tribune
<<http://www.portlandtribune.com/archview.cgi?id=23990>>

Meth Lab's Chemical Soup Takes Physical Toll Portland Tribune
<<http://www.portlandtribune.com/archview.cgi?id=27554>>

Meth Labs Leave Toxic Trail Jim Redden, The Portland Tribune April 23, 2004
<<http://www.portlandtribune.com/archview.cgi?id=23990>>

Meth Laws Vie for Passage Lou Sian, San Mateo Daily Journal, April 21, 2005
<<http://www.smdailyjournal.org/article.cfm?issue=04-18-05&storyID=41975>>

The Meth Problem in Iowa Ro Foege, The Office of Representative Ro Foege, Report From the Iowa Legislature, February 20, 2005
<<http://www.rofoege.com/reports/20050220.htm>>

Meth Use Adds to Ravages of AIDS Judith Graham, The Chicago Tribune, March 15, 2005 <<http://www.chicagotribune.com/news/local/chi-503130197mar13,1,2131572.story?coll=chi-newslocalchicago-hed&ctrack=1&cset=true>>

Meth's Toll: Thousands of Heartland Kids Suffer from Parent's Addiction David Crary, Associated Press, April 18, 2005
<<http://www.darnews.com/articles/200504/18/news/news13.txt>>

Nebraska Looks to Follow Iowa's New Meth Law Matt Kelley, Radio Iowa, April 20, 2005 <<http://www.radioiowa.com/gestat/go.cmf?objectid=319E8781-F2CB-4A14-8BCF386361A9D76F>>

New Drug Wave Delivers 'Crank Babies' Christina Jewett, Sacramento Bee, April 17, 2005 <<http://www.azcentral.com/news/articles/0417crank-babies17-ON.html>>

Our Opinion: Bush Cuts in Drug War Ill-Conceived Opinion, Tucson Citizen, April 11, 2005 <http://www.tucsoncitizen.com/index.php?page=opinion&story_id=041105b4_edits>

Prescription For Change Wyatt Buchanan, San Francisco Chronicle, April 24, 2005
<<http://www.sfgate.com/cgi-bin/article.cgi?file=/c/a/2005/04/24/MNGDTCEA9H1.DTL>>

Poisoned on Patrol? Jacob Quinn Sanders, Portland Tribune (December 17, 2004)
<<http://www.portlandtribune.com/archview.cgi?id=27551>>

Prison and Jail Inmates at Midyear 2004 Paige M. Harrison and Allen Beck, Bureau of Justice Statistics Bulletin April 2005, U.S. Department of Justice, Office of Justice Programs <<http://www.ojp.usdoj.gov/bjs/pub/pdf/pjm04.pdf>>

Psychotropic Plants in the Americas – An Introduction Jan-Ake Alversson and Ake Hultkrantz, <http://www.anthro.uu.se/acta/sample_psycho.html>

Red Phosphorous Methamphetamine Labs Kurt Short, Association of Oklahoma Narcotics Enforcers <<http://www.okienarc.org/RedPlabs.htm>>

Report to The Speaker U.S. House of Representatives North Korean Advisory Group, November 1999 <<http://www.kimsoft.com/2004/RprtToCngrs.pdf>>

RX for Meth Editorial, The Oregonian, April 6, 2005
<<http://www.oregonlive.com/editorials/oregonian/index.ssf?/base/editorial/111278133414270.xml>>

Salem Police Say School Girls Trade Sex for Meth Associated Press, The Seattle Times, May 11, 2005
<http://seattletimes.nwsourc.com/html/localnews/2002270982_webmeth11.html>

Senate to Act on Cold Drugs Nathan Issacs, Tri-City Herald, April 13, 2005
<<http://www.tri-cityherald.com/tch/local/story6374341p-6252365c.html>>

Sen. Cantwell Hopes to Establish Link Between Meth and ID Theft Robert Mak, King 5 News, March 29, 2005
<http://www.king5.com/localnews/stories/NW_032905WABmeth_idtheftKC.188a3b5e2.html?hp>

Severe Meth Problem Bradford County, Pennsylvania Outlined Social Betterment Organization, Drug-Rehabs.org
<<http://www.drug-rehabs.org/content.php?cid=1330&state=Pennsylvania>>

Some Fear New Meth Law Will Lead to Property Crime Increase Associated Press, Kansas City Star, April 22, 2005
<<http://www.kansascity.com/mld/kansascity/news/local11462258.htm>>

State ex. Rel. Jeremiah W. Nixon, Atty. Gen., Realtor v. David Russell 129 S.W. 3d 867, (Missouri 2004)

State of Pennsylvania Profile of Drug Indicators
Office of National Drug Policy Drug Policy Information Clearinghouse, October 2004
<<http://www.whitehousedrugpolicy.gov/statelocal/pa/pa.pdf>>

States Hope Laws Will Curtail Meth Labs Larry Copeland, USA Today, April 25, 2005 <http://www.usatoday.com/news/health/2005-04-25-meth-labs-inside_x.htm>

Stueben Avoids Meth Epidemic Bryce T. Hoffman, The Corning Leader, April 10, 2005 <http://www.the-leader.com/articles/2005/04/10/local_news/local101.txt>

Target Stores to Clamp Down on Cold Medicine Used to Make Methamphetamine
Martiga Lohn, Associated Press, April 18, 2005
<<http://www.kansascity.com/mld/kansascity/news/local/11426471.htm>>

Three Arrested in High-Grade Meth Busts Katherine Tam, The Olympian, April 9, 2005 <<http://www.theolympian.com/hone/news/20050409/southsound/122220.shtml>>

Tobacco Timeline, Chapter 5

Gene Borio, Tobacco.org

<http://www.tobacco.org/resources/history/Tobacco_History19.html>

Token Deterrent Steve Suo, The Oregonian, October 2005

<http://www.oregonlive.com/special/oregonain/meth/stories/index.ssf?/oregonian/meth/1005_tokendeterrent.html>

Transnational Organized Crime, Terrorism and Transnational Relations: Organised Crime and Terrorism in the Asia-Pacific Region: The Reality and The Response John McFarlane, European Consortium for Political Research 2nd General Conference, Panel Seven, September 18-21, 2003

<<http://members.lycos.co.uk/ocnewsletter/SGOC0104/JMcF.pdf>>

Tweakers Start to Get Message Jacob Quinn Sanders, Portland Tribune, April 5, 2005

<<http://www.portlandtribune.com/archview.cgi?id=29197>>

U.S. v. Mitsuo Yoshimura 831 F. Supp. 799 (D. Hawaii 1993)

Vernon's Annotated Missouri Statutes 558.016.8

US Teenagers Abuse Prescription Drugs, OTC Medications to Get High John

Roberts, Foodconsumer.org, April 24, 2005

<http://www.foodconsumer.org/777/8teens_abuse_prescription_drugs_OTC_medications.shtml>

Welcome to Avenal State Prison California Department of Corrections

<http://www.corr.ca.gov/InstitutionsDiv/INSTDIV/facilitites/fac_prison_AVENAL.asp>

What Americans Need to Know About Marijuana Office of National Drug Control Policy <http://www.whitehousedrugpolicy.gov/publications/pdf/mj_rev.pdf>

White House Declares It Doesn't Need to Certify Colombia on Human Rights

Virginia Pratt American Friends Service Committee Peacework Magazine, March 2001

<<http://www.afsc.org/pwork/0103/01032a/htm>>

Why Our Drug Laws Have Failed and What We Can Do About It

James P. Gray, Temple University Press 2001

World's Earliest Wine Mark Berkowitz, Archaeology Vol. 49 No. 5,

September/October 1996 <<http://www.archaeology.org/9609/newsbriefs/wine.html>>

Yazuka: The Warlords of Japanese Organized Crime

Bruce A. Gragert, Annual Survey of Int'l and Comp. Crime Fall 1997, 4 ANNSICL 147

