



# The Early Years

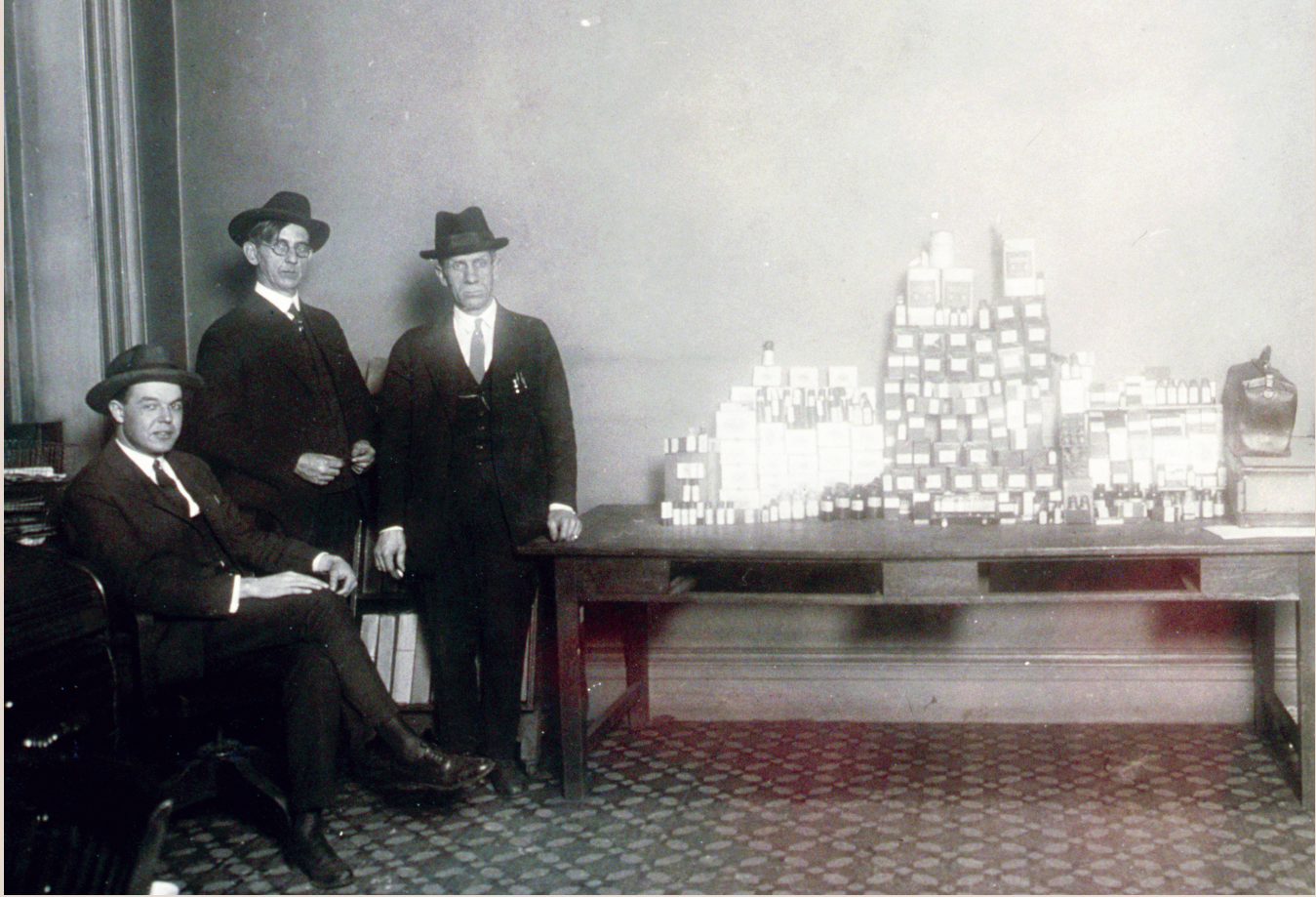


**T**he United States has a long history of drug use and misuse. The nation legally imported opium for more than a hundred years. Morphine was in common use during the Civil War. Heroin was manufactured by the end of the 19th century. Cocaine, long a popular tonic, was marketed as a cure for narcotic addiction.

By the beginning of the 20th century, there was a steadily strengthening sentiment for outlawing alcohol but little public concern for the widespread use of narcotics, which were plentiful and cheap. Drugstores sold them without a prescription. Grocery stores stocked them. Mail-order houses distributed them across the countryside, for the most part concealed in any number of patent medicines from consumption cures to teething syrups for children. Though the symptoms of narcotic addiction were known, they were not recognized by most Americans, except as signs of rare moral degeneracy in minority groups or immigrants, essentially a vice or sickness of outsiders.

What pressures there were to control the flourishing international commerce in narcotics came originally from outside the United States. The federal government first recognized a problem with drug use when it took over the governing of the Philippine Islands after the Spanish-American War. At the instigation of the Right Reverend Charles H. Brent, Episcopal Bishop of the Philippines, President Theodore Roosevelt called for an international conference to take steps to control opium traffic, particularly in Asia. A conference was held in Shanghai in 1909, and another one at The Hague in 1911, out of which came the first international opium agreement. The United States then found itself in the awkward position of restricting opium use overseas while doing nothing to control it at home. Secretary of State William Jennings Bryan, a staunch prohibitionist, urged the passage of a law that would fulfill U.S. obligations under the new international treaty.

The Harrison Narcotic Act, establishing the foundations of federal drug law enforcement, was signed into law by President Woodrow Wilson on December 17, 1914. There was little political reaction for or against it because nobody knew what the act meant; it was broadly believed that any federal regulation of the medical profession would be unconstitutional—an infringement on states' constitutionally protected political powers. For this reason, the new law, at least on its face, was no more than a revenue measure, providing for the registration and taxation of those who manufactured or distributed opium, morphine, heroin, or coca products, which have since been included within the legal definition of narcotics. The act made no mention of people addicted to such substances, and the only violations specified were for failure to register or keep honest records. Section 8 of the act, however, made it unlawful for anyone not registered to possess any of these drugs. Moreover, there was an



The first known photograph of an Internal Revenue Service (IRS) narcotics seizure shows three members of the Bureau's Miscellaneous Division. On the table beside them is morphine and smoking opium. At the time of this seizure, morphine and cocaine were selling for \$100 per ounce. Smoking opium was selling for \$100 per tin.



A pair of the earliest known surveillance photographs records a backdoor purchase of cocaine from a Pennsylvania druggist. The agents bought Gray's Catarrah Powder and Blower.



In the early years, seized narcotics were sealed in wax as these packages of morphine demonstrate. At first, each agent was issued his own seal stamp, which bore the same number engraved on his badge. Later, these personal stamps were turned in, and only one stamp was issued to each office. The use of wax stamps continued until the creation of the Bureau of Narcotics and Dangerous Drugs in 1968.

ambiguous phrase that said a physician could prescribe narcotics in good faith and “in the course of his professional practice only,” which implied, without specifying, a constraint on the otherwise unquestioned authority of the medical profession to dispense addictive drugs.

Since the Harrison Act was a tax law, responsibility for enforcing it was left to the Treasury Department. While customs officials and the Coast Guard kept control of border smuggling, the Bureau of Internal Revenue undertook enforcement of the Harrison Act. Within its ranks was something called, for lack of a more precise name, the Miscellaneous Division, whose regulatory responsibilities were to include control over oleomargarine, adulterated butter, filled cheese, mixed flour, cotton futures, playing cards, and, last but not least, narcotics. It was in these humble

surroundings that the first federal narcotics agent was born on the day the Harrison Act became law: March 1, 1915.

In all there were 162 agents. They were allowed to design their own badges; some badges were fashioned in a military style, others reflected the spirit of the Wild West. But the authority they symbolized would remain for some time in the realm of the imagination. No sooner did the law enter into force than the agents began to arrest physicians and druggists who, in violation of the law’s intent, were indiscriminately supplying people addicted to narcotics. In May, however, a district judge declared that private citizens could not be held for possessing narcotics illegally since they were not allowed to register under the act. Soon another district judge in Florida declared that there was nothing in the law to limit the quantity of

narcotics that a physician might prescribe. Flashing their badges, the agents seized 44 pounds of opium before the year was over; in federal courts they managed to get 100 convictions, versus 25 acquittals. Ten years in prison was the maximum sentence.

In 1916, the critical question of who could control the use of drugs in a free society went all the way up to the Supreme Court. Dr. Jin Fuey Moy of Pittsburgh had prescribed a 16th of an ounce of morphine sulphate for Willie Martin, an addicted patient. The case was dismissed in district court on the grounds that any regulation of medicine was a power reserved to the states. The Government appealed, arguing the law was intended to fulfill international treaty obligations. Justice Oliver Wendell Holmes, in the majority opinion, rejected the argument, noting that the act had nothing to say about international obligations. By a vote of seven to two, the Court overruled the Government's claim to implicit police powers. That year, the Bureau had 663 convictions and 183 acquittals. Although a large number of addicted people convicted under Section 8 were promptly released from prison, the Treasury Department kept their fines.

In the following year, the United States entered World War I. Opium coming into the country was so severely curtailed that the Bureau of Internal Revenue had to ask Congress to conserve supplies. Opium seizures for 1917 totaled 5.5 pounds, and the year after that, if there was more than a single morphine seizure, the Bureau failed to record it in its annual report to Congress. Meanwhile, the Bureau was reorganizing what it called its field forces into two classes: collectors and deputy collectors, who assessed as well as collected the taxes, on one side; and agents and inspectors, whose duties were primarily investigative on the other.

Since there were few funds allotted to narcotics enforcement, the Bureau changed the title of narcotics agents to plain agent or inspector in an effort to get them more money. Salaries started at \$1,500, and per diem was \$3.00 a day. Collectors and deputy collectors also got a bounty on how much they collected in taxes. To get a top salary of \$4,000, they had to collect a million dollars a

year. Then, and for many years thereafter, agents worked alone and without official advanced funds. One poor agent wrote the Deputy Commissioner of Internal Revenue from Dallas: "Court just closed here. I got 13 convictions, one for moonshining and the balance for narcotic violations." He added, "I expect to leave here this week for Fort Worth, which has the reputation of being a real dope town. My only experience there so far was the loss of 15 good dollars two months ago buying an eighth ounce of morphine. I got the morphine and the man all right but not the 15, and unfortunately the Revenue Agent here did not have the funds to reimburse me."

Another agent reported negotiating a purchase of 20 cans of opium at \$45 a can with a seller identified as the Mayor of Chinatown in Washington, DC, using a "flash roll" from Treasury funds. The bust occurred despite his need to rush back and return the funds before the Treasury closed its vault at 5 p.m. The investigation revealed that the opium, wrapped in California newspapers, had come from an old Customs seizure off the west coast. It was not the integrity of the government the agent questioned but its security procedures when he reported: "In the Purveying Depot of the Public Health Service, located on the first floor of this building, there is stored a large stock of opium and narcotics turned over to that service by the Internal Revenue Bureau, which has no more protection than a wire grill or screenwork in the windows, and if the peddlers and addicts knew of its existence and accessibility they would break into the building and cart it all away within 48 hours."

World War I focused attention on what was then called the "soldier's disease," or narcotic addiction. The Bureau hired a chemist to research a product made popular by the makers of aspirin. The product was heroin. "Morphine and heroin," the chemist observed reassuringly, "could be put on the market only in the form of a hard, gritty or granular powder which would be physically impossible for anyone to sniff. Soldier and sailor alike would not easily become initiated to the injection needle."

As the war ended, the wave of patriotic fervor that had rolled out to defeat Germany rolled back against U.S. shores. A host of internal enemies, real and imaginary, appeared

to threaten the nation: Communists, radicals, anarchists, spies, and the archenemy, alcohol. The nation was soon so beset by internal strife that it withdrew from the League of Nations. The 18th Amendment, after ratification by the states, established the prohibition of alcohol and would be enforced by the Bureau of Internal Revenue over the anguished objections of Commissioner Daniel C. Roper, who saw no reason why a tax bureau should be asked to control the consumption of liquor or, for that matter, narcotics. The reason, of course, was the same—to pursue what was confidently felt to be a moral end in a way that might otherwise be unconstitutional. But no one knew how to cure addiction nor who should control the distribution of narcotic drugs. While the U.S. Public Health Service urged stronger enforcement to halt the narcotics supply, the Revenue Bureau, unhappily in charge of enforcement, proposed the expansion of public health services. Commissioner Roper also asked Congress for an international treaty between the United States, Mexico, and Canada to thwart the resumption of international narcotics traffic.

The Supreme Court agreed to hear another drug case in March 1919. On the surface it was little different from *U.S. v. Jin Fuey Moy* only three years earlier. It concerned another physician who prescribed morphine to an addicted patient without any intention of a cure. In an abrupt reversal, the Court upheld the constitutionality of the Harrison Act, ruling that such a prescription “would be so plain a perversion of meaning that no discussion of the subject is required.” While the debate about liquor was still heating up, discussions of narcotics dwindled, except, of course, for the old question of whether addiction was an illness or a vice.

In October 1919, Congress passed the Volstead Act over President Woodrow Wilson’s veto, setting the circumstances under which the 18th Amendment would be enforced. In December the Revenue Bureau, having no other option, established the Prohibition Unit, which would remain a thorn in its side throughout the Roaring Twenties.

The 18th Amendment went into effect on January 16, 1920. Dry agents, as they were called, were recruited largely from the ranks of disenchanting war veterans through the



Credentials for William Cunningham, issued by the U.S. Customs Service, identifying him as an “Internal Revenue Narcotic Agent-in-Charge.” In later years, Cunningham would rise to the rank of Deputy Commissioner of the Federal Bureau of Narcotics (FBN).

time-honored system of political patronage. From the beginning they faced a thankless task as they encountered the resentment of state, city, county, and town officials. Originally there were 960 dry agents, and there would never be more than 2,300. Only three of them then earned more than \$60 a week, which, it was widely acknowledged, was impossible for a family man to live on in any large city in the country.

The Prohibition Unit, one of its many administrators complained, was “a training ground for bootleggers.” Another was more lenient, saying, “You can’t use Sunday School teachers to nab bootleggers: There is no reason why a man with a criminal record, if he has turned over a new

leaf and has convinced us of his good intentions, should not be employed by this Bureau.” One dry agent who failed to turn over a new leaf, and would subsequently be sent to prison, estimated that his job was actually worth between \$40,000 to \$50,000 a year.

In the lengthening shadow of Prohibition enforcement, one step down in the table of organization, was lodged the fledgling Narcotic Division, headed by a former pharmacist, Levi G. Nutt. It consisted of 170 narcotic agents working out of 13 district offices. In contrast to the dry agents, they had been selected under civil service regulations. Though consigned to obscurity, they were granted semi-autonomy and, for the first time, substantial financial support. Congress allotted more than half a million dollars to drug enforcement in fiscal year 1920—almost twice the budget of the previous year. Although dry agents eventually outnumbered narcotics agents by a ratio of more than 10 to 1, federal prisons would soon hold more violators convicted under the Harrison Act than under the Volstead Act. By the standards of the present, judges and juries were tough on drug law violators, reflecting the mood of the day. In 1921, the Narcotic Division obtained 1,583 convictions, compared with only 119 acquittals, and seized 1,417 pounds of opium, 373 pounds of morphine, 32 pounds of heroin, and 286 pounds of cocaine.

The only unresolved policy problem was what to do about addiction. Levi Nutt was opposed to the ethics of addiction maintenance, except for the elderly and incurable. By the end of 1921, his team managed to close 44 narcotics clinics. The American Medical Association (AMA) endorsed the closing of the clinics, saying they only served to perpetuate the problem, but it made the first of many recommendations that the regulatory control of narcotics be removed from the increasingly violent operations of liquor law enforcement.

Theoretically separated, the two were often inextricably intertwined. The Prohibition Unit lost its first agents that year in a whiskey raid in El Paso, Texas. Prohibition Agents Charles Wood and Stafford E. Beckett were executing a federal search warrant at a ranch house when shots rang out, and a two-hour gun battle ensued. Wood

was fatally shot in the back as he tried to crawl away. The murderers were captured and later tried in a state court since the killing of a Prohibition agent was not then against federal law. But El Paso was a wet town, and everyone was acquitted. Before the year was over, seven other narcotics agents were dead.

The following year, Prohibition Agent Joseph W. Floyd and three other agents raided a residence in downtown Houston armed with a search warrant for narcotics and whiskey. He was standing on the running board of a car as it swung into the front yard when the fatal shot was fired, and he died an hour later. After a gunfire exchange, the occupants gave up, and five persons were arrested, but only one went to trial for violation of the Harrison Act. He was sentenced to a year and a day imprisonment. There were no charges filed for Floyd’s murder. Twelve agents were killed that year and 28 others wounded. Speaking of the Volstead Act, President Warren G. Harding told Congress, “There are conditions relating to enforcement which savor of nationwide scandal. It is the most demoralizing factor in public life.”

The Narcotic Drugs Import and Export Act was passed by Congress on May 26, 1922. Known also as the Jones-Miller Act, it was the first step in monitoring international commerce in opiates. The act created the Federal Narcotics Control Board, composed of the Secretaries of State, Treasury, and Commerce, to prohibit opium imports for nonmedical purposes, to limit exports to nations with an adequate licensing system, and, as amended two years later, to outlaw the manufacture of heroin in the United States.

Congressional leadership in narcotics control was then in the hands of Representative Steven G. Porter, Chairman of the House Committee on Foreign Affairs. Before anything else could be done to enforce the Harrison Act, he insisted, the flow of narcotics must be controlled at the source. It was Porter who led the American delegation to the Second International Opium Convention, which began in Geneva on November 17, 1924.

The first agent’s manual came out that year. An applicant, it stated, “must possess good manners and be of good moral character, attested by at least three reputable



citizens who have known him for a period of not less than three years.” There were no female agents at the time. There was also no sick leave, and agents were expected to work a six-day week for an average salary of \$1,800 a year. The manual instructed agents to advise a defendant of his rights. Though they had no powers of arrest without a warrant, they were further cautioned to turn over prisoners to a peace officer and swear out a warrant as soon as possible. Annual records of domestic drug law enforcement reveal the accidental death of 2 more federal agents and 22 defendants.

The Second Geneva Convention was signed on February 19, 1925. Though it would not enter into force for another three years, it provided for several far-reaching innovations, including the adoption of an international system of licensing, record keeping, and export regulations; statistical reporting; and the supervision of the system as a whole by an independent Permanent Central Board (PCB) within the framework of the League of Nations. Meanwhile, the intransigent Porter had walked out of the conference

in his impatience with opium-producing nations. Still estranged from the League, the United States never signed the treaty. At home, 5 more federal prohibition agents were killed, 39 wounded, and 20 defendants killed.

In 1926, the starting salary of new recruits was raised to \$2,100 annually. If you wanted to enter the profession, according to regulations, you could weigh no more than 185 pounds and must be between 21 and 45 years of age. Moreover, you could not retire until you were 70. Not many lived that long. In April 1926 the Bureau reported a total death toll of 47 prohibition agents and 89 defendants since Prohibition began. Congress protested that there was too much killing.

An act of Congress in April 1921 at last relieved the Revenue Bureau of responsibility for liquor law enforcement. It created the Bureau of Prohibition directly under the Secretary of Treasury. There was an effort to upgrade standards by requiring dry agents to take civil service examinations, which 59 percent of them failed. One dry agent admitted he was unable to read or write. The Bureau’s

Narcotic Division, however, required recruits to be graduates of an accredited college of medicine or pharmacy with at least a year of professional experience. There were now 289 narcotics agents, operating on an annual budget of \$1.3 million.

Meanwhile, outspoken Americans used their platforms to unscientifically link addiction with crime, degeneracy, and vice. “Most of the daylight robberies, daring holdups, cruel murders, and similar crimes of violence are now known to be committed chiefly by drug addicts, who constitute the primary cause of our alarming crime wave,” said Richmond P. Hobson, the chief antinarcotics crusader of the day, in a nationwide radio broadcast on March 1, 1928. “Drug addiction is more communicable and less curable than leprosy. Drug addicts are the principal carriers of vice diseases, and with their lowered resistance are incubators and carriers of the streptococcus, pneumococcus, the germ of flu, of tuberculosis, and other diseases.” He closed by saying, “Upon this issue hangs the perpetuation of civilization, the destiny of the world, and the future of the human race.” That month Congress passed an important act authorizing, for the first time, advance funds for narcotics enforcement, better known as buy money. The first training school was established, offering a six-week course to narcotics agents, who then went out to the field to train other agents.

Federal penitentiaries held more narcotics violators than any other class of offender, including more than 1,500 prisoners known to be addicted. Since addiction maintenance was felt to be intolerable on ethical grounds, it was up to the U.S. Public Health Service, Representative Porter argued, to provide adequate hospital care. The Narcotic Farm Act was passed on January 19, 1929, eventually providing for treatment facilities in Lexington, Kentucky, and Fort Worth, Texas. But the stock market crashed nine months later, ushering in the long gray years of the Great Depression. Prohibition enforcement was then in such disrepute that Porter was determined to establish once and for all an independent narcotics agency. Long a prophet of drug enforcement through international control, he also sought to do away with the Federal Narcotic Control Board

and vest its authority in a narcotics commissioner who by training and stature could lead U.S. control efforts overseas. When Levi Nutt was transferred from the Narcotic Division, amid accusations of family misconduct, Harry J. Anslinger was appointed Assistant Commissioner of Prohibition. Anslinger had served as chief of the Treasury Department’s Division of Foreign Control, responsible for coordinating intelligence related to alcohol and narcotics with the Department of State.

Representative Porter died only three days before the federal narcotics community—175 special agents and 271 narcotics agents—finally found a long-term institutional home. The Federal Bureau of Narcotics (FBN) was established on July 1, 1930, under the Treasury Department. President Herbert Hoover, on September 25, appointed Harry J. Anslinger Commissioner of Narcotics, a position he would hold under four U.S. presidents for more than three decades.

Henceforward, Commissioner Anslinger announced in an order to his field forces that the federal narcotics effort would be concentrated on sources of supply. The law that created the FBN authorized the commissioner to enforce the Harrison Act and to administer the regulatory requirements of the Narcotic Drugs Import and Export Act in place of the now defunct Federal Narcotics Control Board. It also gave him authority to assign certain FBN officers at ports of entry. Anslinger believed that the main enforcement problem was outside the United States, and, in the years to come, he would spend much of his time overseas. Meanwhile, in the absence of any adequate international instruments of control, he reached personal agreements with the heads of 20 counterpart agencies in foreign countries to exchange intelligence. As a result of the new international effort, seizures took a quantum leap from 3,440 ounces of morphine in 1929 to 26,492 ounces in 1930.

Among the most memorable seizures were 51 pounds of heroin and 104.5 pounds of morphine aboard the *Ile de France* (pursued in cooperation with British and French authorities) and 214 pounds of morphine shipped in cans from Antwerp to Hoboken aboard the steamship *Innoko*. Another case resulted in the indictment of

George and Elias Eliopoulos, later known as the Drug Barons of Europe, following the seizure of 17,500 cans marked “Furs,” each containing one ounce of morphine, shipped from Istanbul to Brooklyn aboard the *Alesia*. For a time, the brothers remained beyond the reach of the law. Elias, in Athens, felt so secure that he confided to a federal narcotics agent that he had recently made a trip to China and set up business with an associate in Tientsin. He predicted an annual turnover of tons of illicit narcotics to the United States.

If the FBN was going to commit its resources to the apprehension of major international and interstate traffickers, it was equally important, the Commissioner believed, to be relieved of the burden of what was termed in the 1931 annual report “the ordinary localized police work of enforcement.” His chosen vehicle for enlisting national support, while extending narcotics control to areas that could not otherwise be reached by the taxing power of the Harrison Act, was the National Conference of Commissioners on Uniform State Laws. The Conference had been holding hearings for five years when it met in 1932, at the Commissioner’s suggestion, with representatives from the medical profession and pharmaceutical industries. The proposed Uniform State Narcotic Law, as approved by the Conference, would eventually be enacted by almost every U.S. state.

The Great Depression brought with it a deep sense of peril. From the American Southwest came reports of unrest and racial tension attributed by the press to the increasing presence of marijuana, which was suddenly deemed a “Killer Drug” by a widely distributed poster. The publicity, the Bureau noted in its annual report, “tends to magnify the extent of the problem and lends color to the inference that there is an alarming spread of the improper use of the drug, whereas the actual increase in such use may not be inordinately large.”

Anslinger was reluctant to let anything deter him from controlling opiates traffic. Raw opium of Turkish origin was entering the country, primarily from French and Italian ports, secondarily from Mexico. Morphine was arriving from Japan as well as from French and German



These two women attempted to smuggle 72 ounces of narcotics, presumably in the spacious folds of their clothes, onboard the *S.S. America*, an Italian liner docking at Boston.



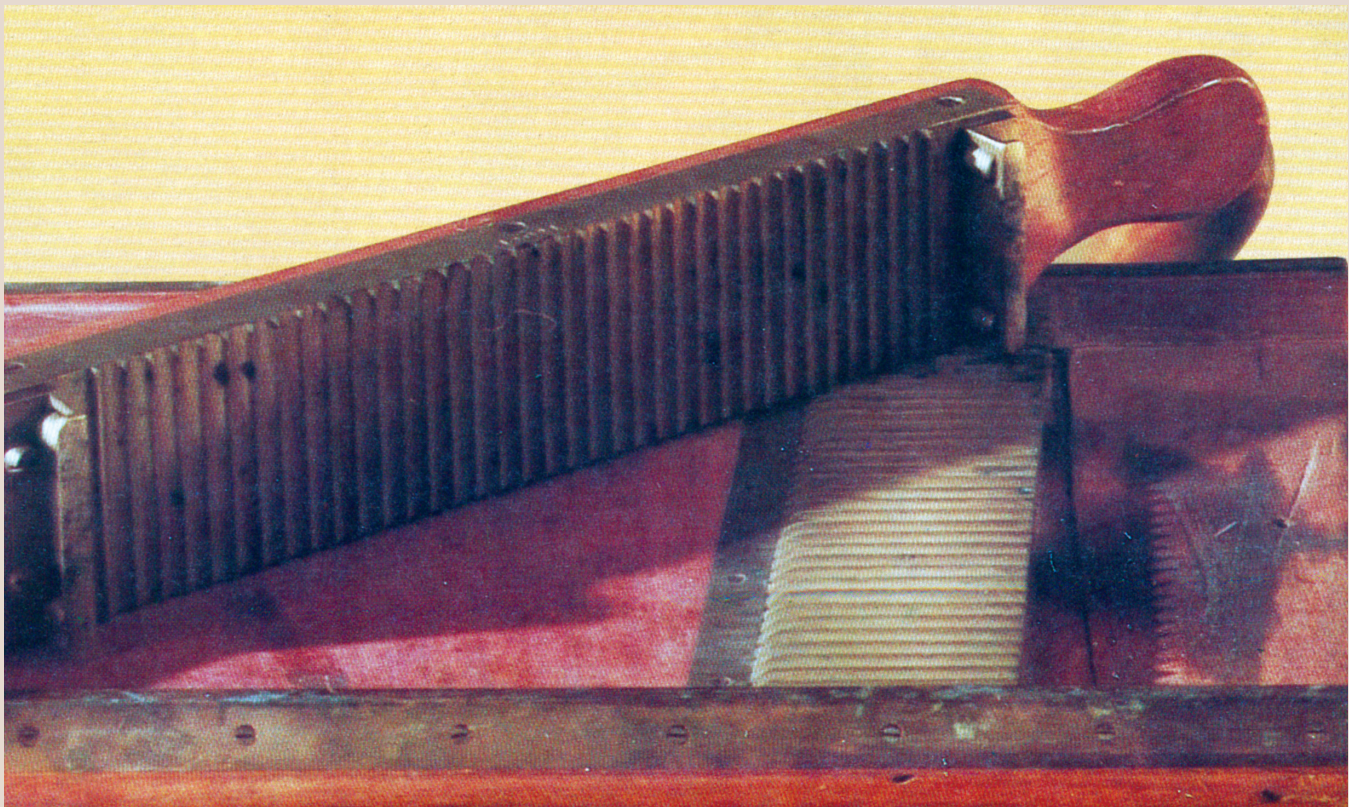
These four men were also arrested for smuggling narcotics into the United States onboard the *S.S. America*.



Pictured left to right: William D. Allen, Narcotic Agent-in-Charge; John B. Sullivan, United States Attorney; and Salvatora Pacetta, Agent. These men were principal players in the *S.S. America* case of the late 1920s.



When the S.S. Alesia docked at New York City in 1930, FBN agents and Customs officers offloaded 25 cases marked "furs" (the contents were actually more than a thousand pounds of morphine). The main defendants were the Eliopoulos brothers of Greece. They are credited with being the originators of the "double deal"; when their customers became too big and offered competition, the brothers "snatched" them off to law enforcement competition.



This crude pill roller was seized at a Chinese laundry in New York City, which led to an undercover investigation of local tongs, secret societies notorious for illegal activities. FBN agents crushed the largest Chinese narcotic drug ring in the country, the Hip Sing Tong. To the agents' surprise, the tongs were getting their drugs from Lucky Luciano's organized crime family, not China.

ports. And heroin was replacing morphine as the primary drug of addiction everywhere on the west coast. Anslinger proposed to relegate marijuana control to an optional provision in the Uniform State Narcotic Law. In 1933, however, the annual report noted: "A disturbing development in quite a number of states is found in the apparently increasing use of marihuana by the younger element in the larger cities." Marijuana cigarettes then cost between 15 and 25 cents apiece or 3 for 50 cents.

"For every agent in our field service," the 1935 report pointed out, "there are 10 convicted narcotic violators in the Federal penitentiaries." The offenders included a handful of physicians who challenged the Bureau's authority to impose limits on their profession. Dr. Thomas P. Ratigan,

Jr., purchased from pharmaceutical companies 178,000 morphine tablets, which according to the Bureau's reckoning was four and a half times the amount obtained by all the other physicians and hospitals combined in his hometown of Seattle. He was tried and found not guilty by a jury. He was later arrested in 1936 on charges of assaulting a narcotics agent and once again found not guilty. Before the year was out, he went on trial once more for violating federal narcotics laws, and this time he was fined \$10,000 and sentenced to seven years in prison. Meanwhile, FBN agents had taken the precaution of circulating his name among drug manufacturers and wholesale dealers, requesting that they refrain from filling out his orders without first notifying the Bureau. Ratigan retaliated by filing a bill of



Eliot Ness, pictured in his Bureau of Prohibition credentials, set up a special squad called "The Untouchables," one of the earliest special operations units in the country.

## THE EARLY YEARS



These one-ounce boxes of heroin are of the White Horse and Red Dragon brands. The earliest seizures of White Horse go back to the 1920s. By the 1930s, the word “horse” became a popular slang word for heroin.



These pistols belonged to Phillip Chadwick, who worked with Louis Lepke to distribute narcotics out of Dallas, Texas. Lepke had been selling 30 pounds of heroin a week. Chadwick was of the Pretty Boy Floyd, Machine Gun Kelly, and Bonnie and Clyde school of crime and specialized in “ripping off” wholesale drug firms. FBN agents arrested him with these weapons after he robbed a payroll office in Los Angeles.

complaint in the DC District Court, asking for a restraining order against the Commissioner of Narcotics. His petition was denied, and he went to prison. It was, the annual report noticed, “the most obstinate case of its kind in the annals of the Bureau of Narcotics.”

By the 1930s, the Bureau described Americans’ marijuana use as “fraught with danger.” All 48 states had legislation to control cannabis cultivation, but federal law still did not prohibit the production and use of marijuana. The fear persisted that any federal drug law might be ruled unconstitutional. The Marihuana Tax Act of 1937 was therefore modeled on the Harrison Narcotics Act, as well as on a more recent act restricting gangsters from using machine guns by requiring them to pay a transfer tax.

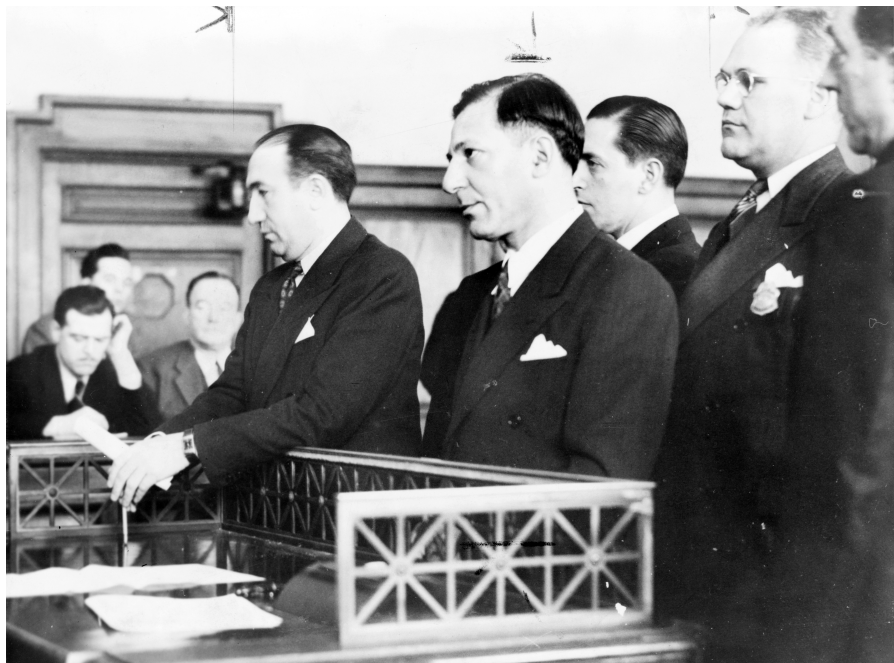
The famous Kartzenberg-Lvovsky case also occurred in 1937. Two years earlier, Pietro Quinto, a chemist, accidentally blew up a heroin conversion lab in New York City. Thereafter an organization, headed by Jacob Lvovsky, Jasha Katzenberg, and Louis “Lepke” Buchalter,



"Pure de Tomate" is on the labels of these sealed cans of smoking opium, smuggled into the country by two officials of the Civil Aeronautics Administration of Mexico. FBN agents arrested nine defendants in Los Angeles, including a recently discharged U.S. Army Air Force pilot.

completed six round-the-world trips to Shanghai, smuggling 649 kilograms of pure heroin into the country at a profit of about half a million dollars. After FBN agents purchased a kilogram of heroin from a member of the gang, indictments were returned, charging 32 persons with conspiracy. In sentencing Jacob Lvovsky to seven years in prison and a fine of \$15,000, Judge William Bondy of the Southern District of New York declared: "I would rather be the victim of a murderer than a man selling narcotics. If he was an addict, I might have some sympathy for him. But where people prey on the weakness of a man—where they sell narcotics to these unfortunate addicts—I think there is no adequate punishment." Katzenberg was also arrested, tried, and found guilty, but Lepke Buchalter remained at large.

As the search for Lepke continued, the FBN shared new opinions on addiction and drugs, especially marijuana.



Louis "Lepke" Buchalter standing in court during sentencing, 1941. World Telecom photo by Edward Lynch. Courtesy, Library of Congress

Based on a Public Health Service study of narcotic drug addiction, the Bureau stated in its 1938 annual report: "It can definitely be concluded that drug addiction is one of the later phases of the criminal career of the addict rather than a predisposing factor. The progression of events is from criminality to addiction." The Bureau had also begun its first marijuana research project, cultivating cannabis plants on a protected plot along the banks of the Potomac River. "In the fight against narcotics," Commissioner Anslinger warned publicly, "each victory leads to a new field of battle. Our most recent enemy is marihuana, the use of which as a narcotic was virtually unknown in the U.S. a decade ago. Out on the battlefield we must ask the actual help of every person. It is a new peril, in some ways the worst we have met, and it concerns us all." In an article titled "Regions of Sorrow," written at the request of the Benevolent Protective Order of the Elks, he called marijuana "one of the most dangerous and depraving narcotics known." Reflecting the conventional wisdom of the day, he said, "The consumption of one marihuana cigarette is sufficient to push the psycho-neurotic type of person from sanity to madness."

## THE EARLY YEARS

Tiring of intense pursuit, fugitive Lepke Buchalter surrendered to federal authorities in 1939. He was convicted of conspiracy to violate the federal narcotics laws and sentenced to 12 years in prison. A codefendant in the case was found shot to death in upstate New York. FBN agents made an undercover purchase of heroin from an associate of Lepke, opening up an investigation of Lepke's partner, Emanuel "Mendy" Weiss. As more bodies were found, Lepke's own organization, captained by Weiss, became widely known in the press as "Murder, Inc." Meanwhile the Bureau's farsighted Commissioner was making arrangements with drug manufacturers to stockpile a sufficient quantity of opium for the medical needs of the coming war.

By 1940, international narcotics traffic had been suppressed to the point that street heroin was only about five percent pure. The shortage resulted in a rise of thefts from pharmacies, wholesale houses, and other sources of legitimate drugs. Many addicted to heroin were reported to be in search of paregoric, a patent medicine that contained opium. Others turned to different kinds of drugs. For the first time, barbiturates were recognized as sparking a potential drug addiction problem.

As World War II spread across Europe, it effectively closed the Mediterranean Sea to narcotics traffic. The Eliopoulos brothers, the homeless Drug Barons of Europe, sought sanctuary in France, Germany, the Balkans, Greece, and North Africa until they had no other recourse than to enter the United States, where, in 1941, they were promptly arrested by FBN and Customs agents. "The number one narcotics smuggling combination of all time," as the Federal Bureau of Investigation (FBI) called them, would be tried, convicted, and ultimately deported. A month before the Japanese bombed Pearl Harbor, Lepke Buchalter, Mendy Weiss, and one Louis Capone were convicted of first-degree murder in the state court of Kings County (Brooklyn), New York.

The Opium Poppy Control Act of 1942 banned the production of opium poppy except under license issued by the Commissioner. He also received emergency powers to control the flow of licit drugs in the interest of national defense. The Bureau announced in its annual report that

Mexico had become the principal source of supply of smuggled drugs.

In anticipation of the war's end, Representative Walter H. Judd introduced a resolution urging all poppy-growing nations to agree to reduce the production of opium to the level of medical and scientific needs. World production of opium was estimated to be 2,647 tons, whereas no more than 440 tons were considered necessary for legitimate purposes. The Judd Resolution was passed by Congress in 1944. That year an FBN investigation of Charles "Lucky" Luciano led to the arrest and conviction of 50 members of the 107th Street Mob, who had been bringing in opium from Mexico, converting it to heroin in New York City, and distributing it on both the east and west coasts. And Lepke Buchalter, now Public Enemy Number One, died in the electric chair at Sing Sing Correctional Facility.

World War II was over, but, as Commissioner Anslinger said of the fight against narcotics, each victory leads to a new field of battle. President Harry S. Truman appointed Anslinger permanent U.S. representative on the Commission of Narcotic Drugs (established under the Economic and Social Council of the newly formed



This photo records an arrest by FBN agents (in straw hats) of defendants who sold to Agent Cyclone Thompson.



During World War II, one of the most effective agents in penetrating the Mafia, which controlled Harlem, was Jaushawau L. Taylor, a black officer known to the underworld as Cyclone Thompson. Cyclone would buy heroin, place it in a lock-seal envelope, and mail evidence to the U.S. chemist.

United Nations). The Commission held its first session in 1946 at Lake Success, New York. Anslinger met privately that year with representatives of France, Great Britain, and the Netherlands, whose governments soon announced they were giving up their opium monopolies in Asia. He also called on the Cuban ambassador and advised him of his intention to embargo all narcotic drugs to Cuba unless Lucky Luciano was deported. Cuba's president signed the expulsion order the following day.

The paramount postwar drug problem was the surplus production of opium; but it was not the only problem. Demerol, a synthetic substitute for morphine, had appeared on world markets in response to



Commissioner Anslinger, his hands in his coat pockets, inspects the nation's cache of crude opium. He had the foresight to stockpile a three-year supply to meet America's wartime medical needs. The opium, along with gold, was housed in a vault at Fort Knox, Kentucky.

wartime needs. Dilaudid had been produced in limited quantities for little more than a decade, and now there were others with unfamiliar names like Amidone, Dolophine, and Methadone. Each new drug required separate legislation to be controlled—until the Bureau received blanket jurisdiction in 1946 over so-called synthetic drugs, if demonstrably addictive. Cocaine, virtually nonexistent for the past 15 years, began showing up at U.S. ports of entry in 1946 and was traced to 17 clandestine factories operating in Peru.

In 1948, the Commissioner sponsored a U.N. protocol to bring synthetic drugs under the same international controls as morphine and other narcotics. The protocol was signed by nearly all nations, including the Union of Soviet Socialist Republics (U.S.S.R.). One year later, the U.N. Commission on Narcotics Drugs, in its fourth session, expressed alarm at a rising tide of illicit traffic throughout the world. It reached tentative agreement to unify and strengthen eight existing international instruments of narcotics control into a single convention, including, if possible, a provision for limiting the production of raw materials. Meanwhile, the FBN detected a rise in addiction throughout major metropolitan areas.

There was another disturbing trend. The median age of male drug offenders received in federal prisons had fallen from 35.5 in 1945 to 31.7 in 1949. To integrate the domestic effort, the 1949 Hoover Commission made a recommendation whose time had not yet come. It proposed a transfer of the Bureau of Narcotics to the Department of Justice, pointing out that drug enforcement entails the same set of relationships with state and local agencies as that of other federal law enforcement agencies.

The FBN's annual budget in 1950 was still slightly below \$2 million, while the revenue accruing from all the applications of the law, including Customs duties, IRS collections, as well as enforcement fines and forfeitures, was valued at slightly above \$2 million. Although the budget itself was about the same as at the Bureau's inception 20 years before, its agent force had dwindled to about one-fourth of the prewar period. Until now, Anslinger had always resisted the temptation to ask for money or men,

his instinct being to run a tight ship as close to the wind as possible. For the first time he acknowledged that there should be a substantial increase in the authorized strength of the Bureau. He also asked for tighter laws.

Political allies agreed: the FBN should expand. "Do you know that the Federal Bureau of Narcotics has a field force that does not exceed the strength of the police departments of Cambridge, MA; Sacramento, CA; and Hoboken, NJ?" Representative Gordon Canfield asked the 82nd Congress. "There is not one police department in any fair-sized community in the country that has not been calling on the Federal Bureau for help, some of these calls being most urgent, because of the interstate or other federal angles involved. And consistently this small band of men in the Bureau is accounting for 10 percent of the persons now serving time in federal penitentiaries." While FBN appropriations had remained at about the same level, he pointed out, those for the FBI had jumped to \$90 million for the next fiscal year.

Important cases and pivotal legislation marked 1951. Irving Wexler, better known as Waxie Gordon, the top man in the east coast beer business before Prohibition's repeal, was one of several well-known criminals who drifted into narcotics traffic. Prosecuted on an FBN case under New York State law as a fourth offender, he was sentenced in 1951 to a term of imprisonment from 25 years to life. A Senate investigation on organized crime also wrapped up (Senator Estes Kefauver initiated the effort a year before, focusing public attention on drug trafficking). Representative Hale Boggs introduced a bill asking for mandatory minimum sentences, particularly aimed at second and third offenders. The Boggs Act of 1951 imposed 2 to 5 years imprisonment for first-time offenders plus a fine of up to \$2,000; 5 to 10 years for a second offense; and 10 to 15 years for any subsequent offenses.

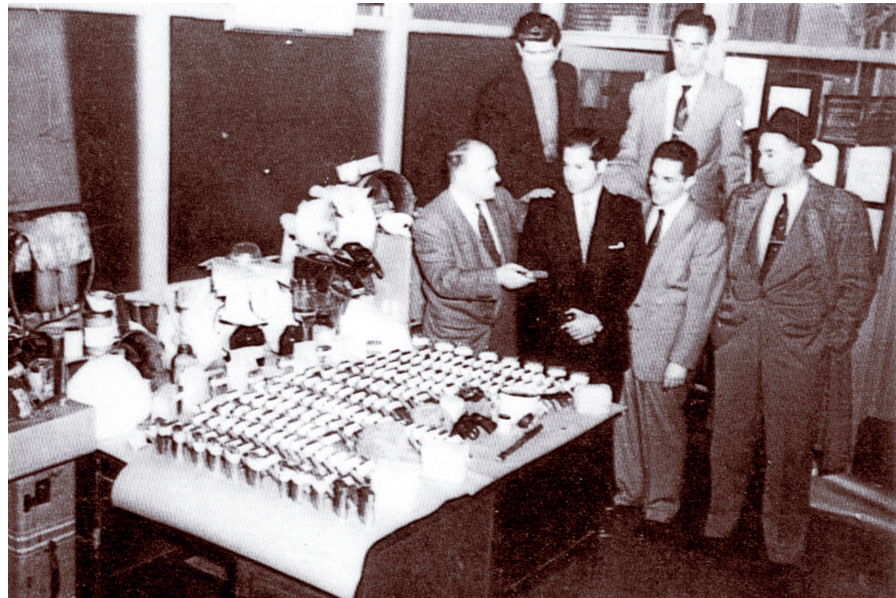
The Bureau did not subscribe to preventive programs that tried to dissuade young people from using drugs, pointing out in its 1952 annual report that prohibitions in themselves may only serve to attract the young. But in response to a demand for literature on the subject, it published a pamphlet titled *Living Death—The Truth about*



Holding an opium pipe, this enforcement group secretary in Atlantic City, New Jersey, proudly displays a seizure consisting of smoking opium, paraphernalia, and one-ounce boxes of heroin. The boxes were labeled "diacetylmorphinum."

*Drug Addiction*, reflecting the temper of the times. "Teen-age drug addiction," it said, "in its inception and in its continuance is generally due to vice, vicious environment, and criminal associations, but it cannot be too strongly emphasized that the smoking of the marihuana cigarette is a dangerous first step on the road which usually leads to enslavement by heroin."

The U.N. Opium Conference convened in 1953 to curtail surplus opium production, still about four times the world's medical needs. Before the year's end, all attending nations signed a protocol to limit and regulate poppy plant cultivation through the production of, international and wholesale trade in, and use of opium. Henceforth stock inventories and estimates of licit opium needs were to be submitted to the Permanent Central Opium Board. Acknowledging the Commissioner's leadership in this effort, the Hoover Commission Report of 1954 stated,



A seizure from Saul Gelb of two million dollars' worth of heroin, opium, and a tablet-making machine. Gelb was a major heroin dealer in Manhattan for more than two decades.

“Fortunately for us, the head of this bureau has stood for 25 years as the greatest single bulwark against the spread of drug addiction throughout the world.”

As Senator Joseph McCarthy led televised hearings into the alleged infiltration of the U.S. Army by Communists in 1954, the Bureau began moving in on an enemy even closer to home: the Mafia. Among those charged with importing a dozen kilograms of heroin a month into the United States and Canada was Joseph Valachi. Although the U.S. Court of Appeals reversed his narcotics conviction, he would soon become the Bureau’s most famous informant—or “special employee” as agents were instructed to call them at the time.

In the early 1950s, the average length of narcotics sentences in 86 U.S. district courts had doubled, from two years to four years, largely because of the penalty provisions of the Boggs Act. After Congress unanimously passed the Boggs-Daniel Narcotic Control Act of 1956, the average length of sentences rose in the next two years from four to six years. The act provided a mandatory minimum sentence of 5 years in prison for a first offense of illegally selling narcotic drugs or marijuana, and from 10 to 40 years for subsequent offenses with no possibility of probation, parole, or suspension of sentence. The act further broadened the authority of both the FBN and Customs to execute search warrants at any time, day or night. It also authorized the Bureau to provide professional training for state and local law enforcement officers.

The strong national reaction to postwar drug traffic led to counter-reactions in related professions, like law and medicine. The American Bar Association (ABA) ignited a controversy when its Commission on Organized Crime announced its disapproval of minimum mandatory sentences. It formed a joint committee with the AMA to look more into the drug problem’s legal and medical dimensions.

Meanwhile, in November 1957, public attention turned to the Apalachin meeting, a gathering of Mafiosi in upstate New York. Attendees included several top traffickers, such as Carmen Galante, “Big John” Ormento, Natale Evola, and Vito Genovese. They were among 37 defendants indicated in July 1958 by a federal grand jury in New York City

following an FBN investigation of a conspiracy to smuggle heroin in 100-kilogram lots from Europe, via Cuba, to the United States. That same year, the interim report of the Joint ABA/AMA Committee reached Commissioner Anslinger’s desk. While acknowledging that strict law enforcement has its place in controlling narcotic drugs, the report questioned the impact of federal enforcement and urged the development of techniques to prevent addiction. Anslinger responded to the report with a note to the Committee, saying, “I find it incredible that so many glaring inaccuracies, manifest inconsistencies, apparent ambiguities, important omissions, and even false statements could be found in one report on the narcotic problem.”

In 1959, Vito Genovese, an alleged leader of organized crime, was sentenced to 15 years in prison and a \$20,000 fine, and so was Joseph DiPalermo. Salvatore Santora, a defendant in the same narcotics case, was sentenced to 20 years, and 12 other Mafiosi received less severe sentences. Twenty who had attended the Apalachin meeting were found guilty of conspiracy to obstruct justice. “The successful outcome of the Apalachin trial,” Attorney General William P. Rogers wrote to the Commissioner, “was due in no small measure to the diligent investigation and careful marshalling of the facts by the FBN. You certainly deserve congratulations for the major contribution you have made in this great team victory against syndicated crime.” In another case, following undercover negotiations with the FBN, Giuseppe Cotroni, whose headquarters were in Montreal, was arrested by the Royal Canadian Mounted Police. He received a sentence of 10 years in prison. Joseph Valachi, a fugitive at the time, was arrested by FBN agents, who then accidentally ran out of gas on their way to his incarceration. The obliging Valachi advanced them funds to complete the trip. He received a sentence of 15 years.

The number of federal narcotics agents stationed in Europe could then be counted on one hand. The Bureau, however, was about to become a worldwide organization. In the summer of 1960, an FBN agent in Beirut obtained information that a man by the name of Tarditi was suspected of smuggling morphine base from Lebanon into

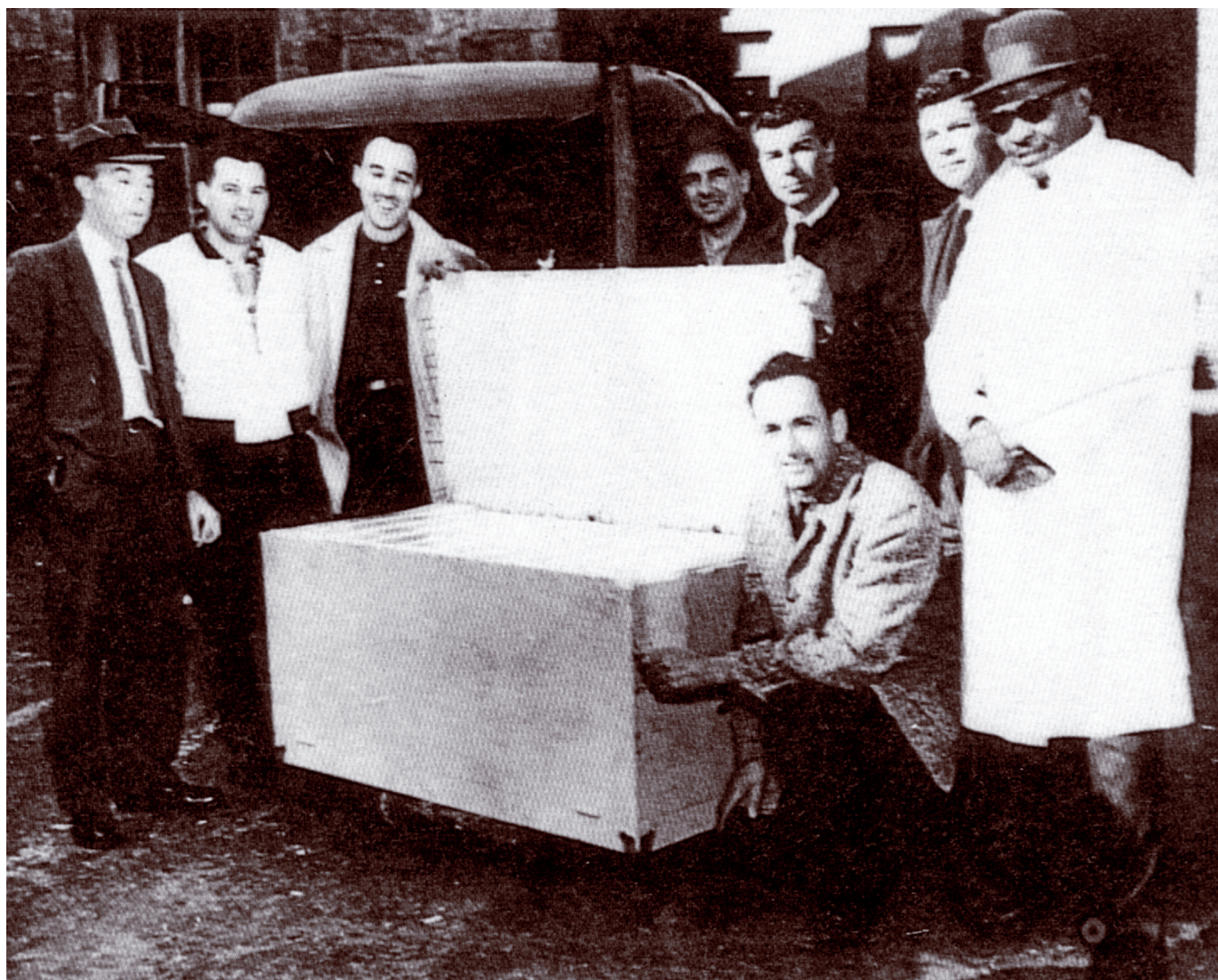


The bucket being inspected in the foreground contained a tin of morphine shaped to fit in the bottom and soldered to be water tight. The bucket was filled with soy sauce. FBN agents, working with U.S. Customs officials, seized a hundred of these buckets from a Japanese ship in Seattle.

France. When a second FBN agent in Paris learned from colleagues in the French Surete that Tarditi had recently returned to France from a trip to New York City, he was placed under surveillance. One of his friends turned out to be the Guatemalan Ambassador to the Netherlands and Belgium, Mauricio Rosal. The Ambassador, traveling with diplomatic immunity, and Tarditi, on a separate flight, were followed to a rendezvous in New York City and arrested as Rosal was unpacking 100 pounds of heroin from his luggage. It was then the largest heroin seizure on record. The Bureau closed several of its U.S. branch offices and reassigned personnel to Europe, South America, the Middle

East, and Southeast Asia.

On March 30, 1961, the representatives of 74 nations signed the Single Convention, synthesizing more than half a century of thought and experience in the international control of narcotic drugs. That year Joseph Valachi, in the Atlantic Federal Penitentiary, received the ceremonial kiss of death from his cellmate, Vito Genovese. By now Valachi faced a second term of 20 years for violating federal narcotics law. After bludgeoning another inmate to death with an iron pipe, and having nothing else to lose, he was ready to tell the American public all it wanted to know and more about the Mafia.



FBN agents with a trunk that contained 10 kilograms of heroin concealed in a false bottom. The trunk was seized from an art gallery that served as a Mafia front for Lucky Luciano's friends and family.

In 1962, the Supreme Court struck down a California statute that made addiction a criminal offense, declaring it unconstitutional under the Eighth Amendment. Harry J. Anslinger, having reached the mandatory age of retirement, left the Bureau in the hands of his deputy, Henry L. Giordano, who issued a statement saying, "The Bureau of Narcotics subscribes completely to the view that the Federal Government does not consider drug addiction a crime." President John F. Kennedy appointed Giordano Commissioner of Narcotics in August. One month later the President convened a White House Conference on Drug Abuse under the chairmanship of his brother, Attorney General Robert F. Kennedy. "There are a thousand hacking

at the branches of evil to one who is striking at the root," the Attorney General stated, quoting Henry David Thoreau. "We have not been striking at the root."

The following year, the President's Advisory Commission on Narcotic and Drug Abuse was established, setting in motion the long, at times uncertain, reorganization of federal drug use prevention and control. But public attention was focused elsewhere. Testifying before the Senate Subcommittee on Organized Crime and Narcotics, Joseph Valachi called the Mafia La Cosa Nostra in deference to J. Edgar Hoover, who said there was no such thing. In a rare tribute, Valachi reported that the FBN had a reputation of being so perseverant that word had come down



After the FBN received information connecting Rosal with a French trafficker named Etianna Tarditi in Paris, both men were followed, on separate routes, to a rendezvous in New York City. Together, FBN agents and the French police seized about 220 pounds of heroin. The investigation showed that Rosal, using diplomatic immunity with the help of Tarditi, was bringing between 100 and 200 kilograms of heroin into the country a month. In 1964 the FBN also arrested diplomats from Mexico and Uruguay.

to the troops: “No narcotics.” Incidentally, in that year the term informant was introduced—in place of special employee—after one suffered a fatal accident and a court ruled that the widow was entitled to lifetime compensation.

“The abuse of drugs has aroused two extreme attitudes—the punitive and the permissive,” observed the Advisory Commission’s final report, submitted November 1, 1963. The Commission did not accept one to the exclusion of the other. The illegal traffic in drugs, it said, should be attacked with the full power of the federal government; individuals using illegal drugs should be rehabilitated, even against their will. The Commission also recommended that the Bureau’s enforcement functions be

transferred to the Department of Justice. The report deemed the Bureau “an anomaly” in the Treasury Department since it had no revenue-collecting duties that were more than “a guise for law enforcement and regulation.” To control the licit distribution of narcotics and dangerous drugs (and determine their safety), it recommended that a new unit be established within the Department of Health, Education, and Welfare. It also called for a substantial increase in the number of narcotics agents. At the time there were 297 enforcement personnel assigned to the Bureau. Fourteen of them were eventually stationed in foreign countries—Italy, France, Turkey, Lebanon, Thailand, Malaysia, Hong Kong, and Mexico. “It is difficult to see,” the Commission concluded, “how the Bureau

of Narcotics can adequately staff its offices in 41 American cities with only 283 agents.” Three weeks after the report’s presentation, President Kennedy was fatally shot in Dallas, Texas, by Lee Harvey Oswald.

In 1964, the Bureau’s small force of overseas agents was instrumental in the seizure of more than six million metric tons of opium or its equivalent in alkaloids—enough, it was estimated, to supply every person known to be suffering from narcotics addiction in the United States for at least half a year. There were big seizures at home, too. An FBN agent stationed in Marseille alerted the Bureau to a narcotics transaction in Columbus, Georgia, where 95 kilograms of heroin was seized in 1965. The investigation led to the



A raid on a clandestine morphine base laboratory in Manisa, Turkey. Turkish officers, accompanied by FBN agents, inspect one of six nylon bags of opium in the process of being converted into morphine.



The man with the hat (at left), a Mexican federal agent, questions a defendant following the seizure of 2.4 million amphetamine tablets in Tijuana, Mexico.

arrest of a warrant officer and a major in the U.S. Army, two French nationals, and two Mafia members residing in Miami. All were convicted in federal court and received long prison terms. Another FBN agent, undercover and on foot in the mountains of Mexico, led the Mexican Federal Judicial Police to 3.5 tons of marijuana, the largest seizure then on record.

The mid-1960s witnessed a wave of social change and unrest. As the postwar baby boom arrived, few knew what to make of its consequences. Cities overflowed into suburbs, and new generations challenged cultural norms. The sheer number of drugs also soared as the pharmaceutical industry opened a Pandora's box of mixed blessings: stimulants, depressants, hallucinogens, and other drugs promising chemical solutions to more than just health problems. Narcotic addiction was rumored to be endemic among U.S. troops in Vietnam, and at home drugs were exchanged by the young like potent watchwords of protest. "Alienation" became a vogue term to explain the yawning of the "generation gap." While some children eyed their parents with increasing distrust, the parents looked to their government, demanding an instant solution to "the drug problem."

As of July 1, 1965, there were 3,998 drug law violators in federal institutions—comprising 17.9 percent of all persons confined—serving an average sentence of seven years, four months. President Lyndon B. Johnson established the Commission on Law Enforcement and Administration of Justice in response to increasing crime. Congress enacted amendments to the Food, Drug, and Cosmetic Act, greatly extending federal controls over the manufacture, distribution, and sale of so-called dangerous drugs. Until then, the Food and Drug Administration (FDA) had been using the act's complex misbranding provisions to reach illegal distributors. Adopting the recommendation of President Kennedy's Advisory Commission, the Food and Drug Amendments created within FDA a brand-new federal enforcement unit, the Bureau of Drug Abuse Control (BDAC).

BDAC, under the direction of John Finlator, came into existence on February 1, 1966, with 100 agents equipped

with college degrees as well as arrest, search, and firearms authority to carry out the new law. Congress passed the Narcotic Addict Rehabilitation Act (NARA), giving young offenders without serious records the option of civil commitment, treatment, and rehabilitation in place of a prison term. The new law reflected deep fears of drug-related crime and high hopes for the alleged miracles of methadone maintenance. That year lysergic acid diethylamide, or LSD, broke into the news. BDAC agents in Los Angeles seized 3,000,000 dosage units of LSD, worth about a million and a half dollars.

In February 1967, the President's Commission on Law Enforcement and Administration issued its general report, expressing the view that the Bureau's force of 300 agents was insufficient and should be materially increased. The report was critical of civil commitment, and it recommended that discretionary powers should be restored to

the courts to enable them to deal more flexibly with drug violators. A hundred thousand hippies spent the summer in the Haight-Asbury district of San Francisco. BDAC agents seized more than a million dosage units of hallucinogenic drugs, most of it LSD. They also seized 50 pounds of pure methamphetamine in a New York City warehouse.

On February 7, 1968, President Johnson sent a message to Congress, saying, "This administration and this congress have the will and the determination to stop the illicit traffic in drugs. But we need more than the will and the determination. We need a modern and efficient instrument to transform our plans into action." The President's proposal, known as Reorganization Plan No. 1, called for the abolishment of both the Bureau of Narcotics and BDAC and their reinstatement within the Department of Justice. Neither the House nor the Senate blocked the reorganization, and it was implemented on April 7, 1968, bringing into existence



These images are from the case adapted into the motion picture *The French Connection* (1971). When Pasquale Fuca and six members of an international drug ring were apprehended at his home in New York City, FBN agents seized numerous weapons and 24 pounds of 86 percent heroin. But the main cache, as depicted in the film, was 33 kilograms of heroin concealed in an automobile aboard the S.S. *United States*.

## THE EARLY YEARS

the Bureau of Narcotics and Dangerous Drugs (BNDD). The name of the organization was lengthened to establish the new breadth of its jurisdiction. Henry Giordano and John Finlator, as associate directors, each brought with them a force of about 300 agents.

Before the new bureau could be modern or efficient, there were rifts to close and wounds to heal. There were also entirely new fields of battle in 1968. Brown heroin of Mexican origin had already been reported. It was the year of the hallucinogenic explosion, producing an alphabet soup of strange acronyms, the significance of which could not yet be known: DET, DMT, DOM (also known as STEP), MDA, and PCP. It was also an election year, and the public's pulse beat faster to calls for law and order.

John E. Ingersoll, a former police chief of Charlotte, North Carolina, was appointed Director of the Bureau of Narcotics and Dangerous Drugs on August 1, 1968. Agent recruitment accelerated, giving a priority to officers of the Armed Forces as they emerged from military service. Ingersoll looked first for loyalty—second for a new professionalism. Introducing the “systems concept,” the Bureau targeted loose, elusive narcotics conglomerates that dominated the drug world, while reorganizing field operations into a regional structure. It soon became apparent that professionalism, in the view of the Bureau's soft-spoken but tenacious Director, meant integrity, trust, and teamwork.

Within five weeks of taking office, Ingersoll was on his way to Europe. French authorities, for the moment, were

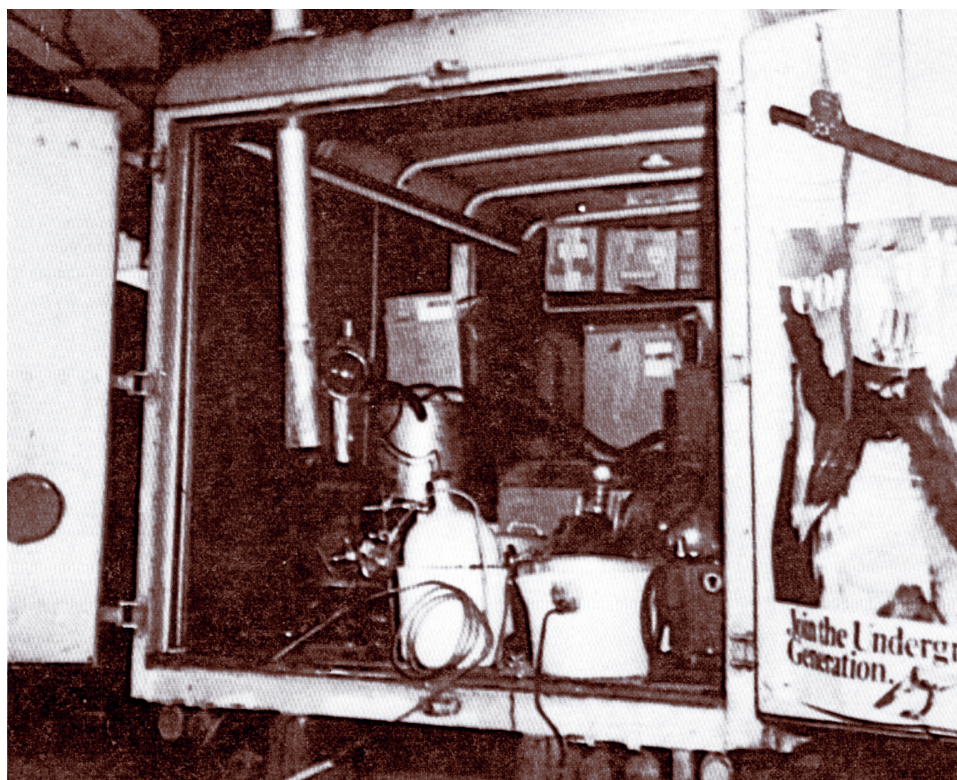


Mexican marijuana began to flood across the border states in the 1960s. The seizure shown here, in 1968, amounted to 500 pounds.

loath to acknowledge that there were any heroin laboratories left in Marseille, and the head of Turkey's new government told him that no offer of U.S. aid to ban the poppy crop had been brought to his attention. Narcotic addiction was still recognized in Europe as "an American problem."

On July 14, 1969, President Richard M. Nixon sent a special message to Congress, saying, "Within the last decade the abuse of drugs has grown from essentially a local police problem into a serious threat to the personal health and safety of millions of Americans." The number of addicted citizens, he said, was now estimated in the hundreds of thousands, and half of those now being arrested on drug charges were under 21 years old. Citing drugs as a primary cause of an enormous increase in street crime, he called for a fundamental revision of both federal and state legislation to control "this rising sickness in our land." Next day, the Attorney General forwarded proposed legislation that would make a clean sweep of all previously existing statutes.

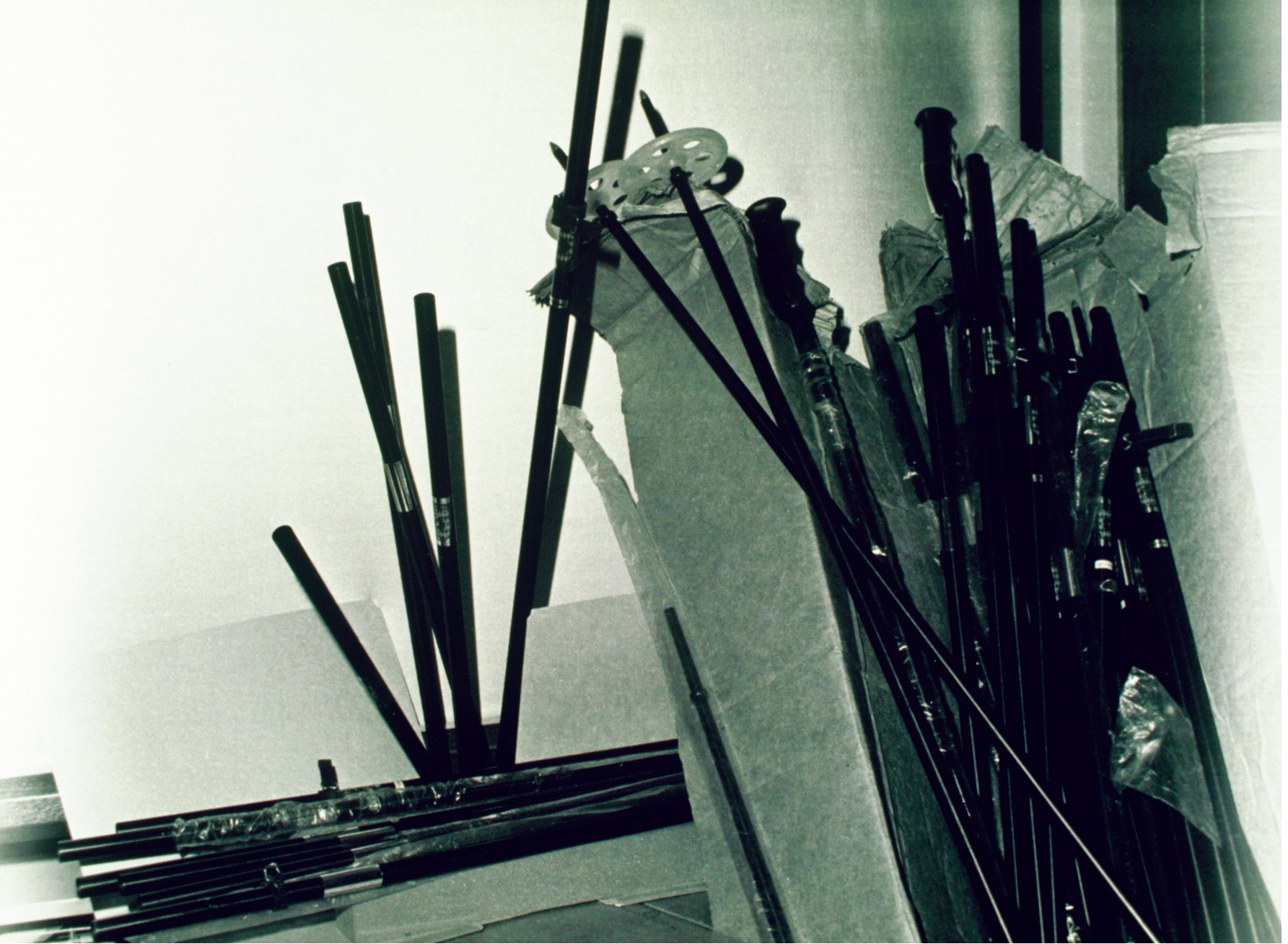
After 15 months of deliberation, Congress passed the Comprehensive Drug Abuse Prevention and Control Act on October 27, 1970. Replacing more than 50 pieces of drug legislation patched together in as many years, the new law strengthened support for drug treatment, rehabilitation, education, regulation, and enforcement. Title II, the enforcement provisions, otherwise cited as the Controlled Substances Act (CSA), was built on entirely new constitutional grounds. Instead of the makeshift tax base, it now rested on Congress' authority to regulate interstate commerce, which had clearly broadened in the



This mobile lab, built into a milk truck, was producing hallucinogens when seized in Denver, Colorado. In the two years of its existence, BDAC seized 43 clandestine labs, closed about 300 criminal cases, and made more than 1,300 arrests.

intervening years. The establishment of five schedules, classifying controlled substances according to their relative potential for abuse, permitted more sensitive quality control of the licit drug industry and international trade, as well as the appropriate application of criminal penalties. Mandatory minimum sentences were now set aside, and the law provided for a number of "stronger and better tools" requested by President Nixon, including denial and revocation of registration, administrative inspection warrants, civil punishment for regulatory violations, extraterritorial jurisdiction, broad subpoena powers, and—most hotly debated of all—"no-knock" search warrants to break and enter under certain conditions. In response to the President's call for "a more coordinated effort," a companion piece of legislation, the Uniform Controlled Substances Act, was drafted to synchronize state drug laws.

Meanwhile, a vacuum of knowledge, as President Nixon called it, was "filled by rumors and rash judgments."



The ski poles on display were seized by BNDD agents in New York City. French violators shipped two hundred of them, containing 10 kilograms of heroin.



This "Eagle-Earth" brand of opium, also known as "555," came from Iran by way of China and was seized in the U.S. Southwest.

In New York City—the one metropolitan area where consistent statistics on addiction were kept—more people between the ages of 15 and 35 were dying from narcotics than from any other single cause. Fewer than 200 narcotic deaths had been recorded in 1960; more than a thousand were recorded in 1970. Before its discontinuation in 1970, the Bureau had been keeping a register with names of known "narcotic addicts" compiled by voluntary reports from state and local agencies. By mid-1970, the register had logged 68,864 addicted people, but the results were not published. Instead of collecting names, the Bureau tried to estimate the nation's addicted population using statistical techniques similar to those used by the Fish and Wildlife Service. This new "fish-in-a-pond" methodology yielded 490,912 people the following year, most of them unknown.



A BNDD agent (wearing a coat) assists in the seizure of 121 pounds of morphine base and 6 pounds of pure heroin in Bangkok. Concealed in the cargo of shaving boards, the shipment was bound for Hong Kong.

On June 17, 1971, the President sent a second special message to Congress, saying the drug problem had become a national emergency “afflicting both the body and soul of America.” Having taken steps to resolve the supply side of the equation under the CSA, he now addressed the problem of demand. Previous efforts, he said, had been fragmented by competing priorities, lack of communication, multiple authority, and limited resources. To mount a full-scale attack on drug misuse in America, he issued the same day an executive order establishing within the Executive Office a Special Action Office for Drug Abuse Prevention (SAODAP) to oversee all facets of treatment, rehabilitation, education, and research for the next three years. Dr. Robert

L. DuPont, SAODAP’s director, said the strategy was to make health care for addicted Americans “so available that no one could say he committed a crime because he couldn’t get treatment.”

Globally, there was immense progress on drug controls. In 1971 the Convention on Psychotropic Substances provided the first international commitment to control stimulant, depressant, and hallucinogenic substances. The U.N. Fund for Drug Abuse Control (UNFDE- AC) was founded to create crop substitution and rehabilitation programs in cooperation with countries at the sources of supply. Mexico, with U.S. aid, deployed 10,000 troops to carry out an unprecedented poppy eradication campaign.

## THE EARLY YEARS

Most importantly, France entered into formal agreements with the United States to sever the so-called “French Connection,” and Turkey pledged to prohibit poppy production entirely in the coming year. To coordinate the U.S. effort overseas, President Nixon established the Cabinet Committee on International Narcotics Control (CCINC).

Since its inception, BNDD had gone through a period of immense growth. The budget had jumped from \$14.5 million (FY 1968) to \$64.3 million (FY 1972). On February 18, 1972, the Bureau had 1,361 special agents, 86 of them overseas. As compared with reports of the preceding year, the Bureau’s domestic arrests had roughly doubled (from 1,771 to 3,512), and foreign cooperative arrests had also doubled (from 188 to 394). Seizures of heroin or its equivalents had risen from 1,593 pounds to 3,784 pounds, while dangerous

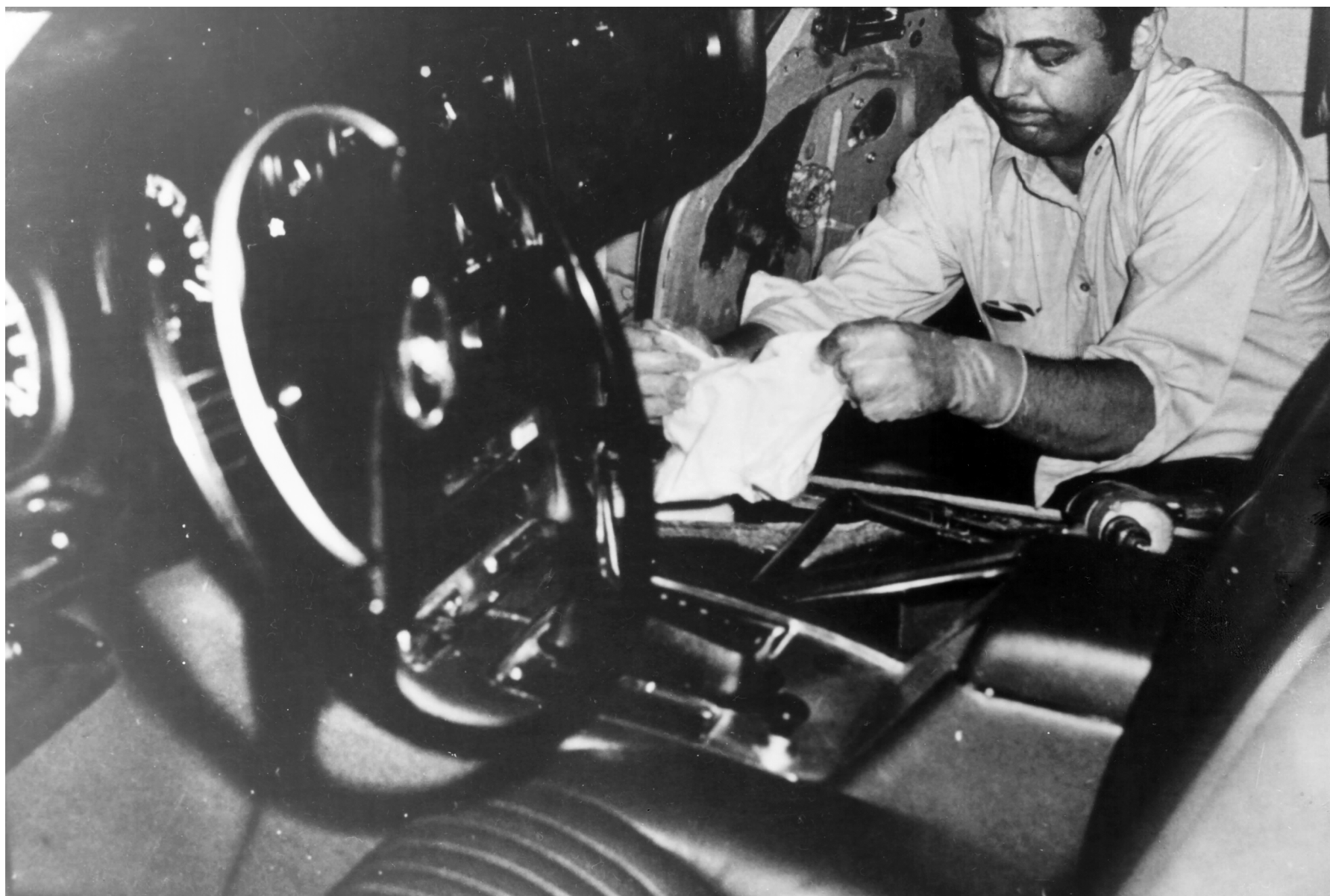
drug seizures had jumped from 9 million to 207 million dosage units in one year. The Bureau had established regulatory control over more than a half million registrants licensed to distribute licit drugs. It had six of the most complete forensic laboratories in the world. Working more closely than ever before with state and local authorities, it was assisting in the creation of Metropolitan Enforcement Groups (MEGs). The first Joint Task Force was in operation in New York City. It was also participating in Organized Crime Strike Forces, created by the Department of Justice in 17 metropolitan areas. As the quantity of achievements multiplied, the commitment was kept to improve quality. The Bureau’s new National Training Institute set standards of professionalism not only for its own agent force but also for increasing numbers of law enforcement officers at home and abroad.



BNDD agents with members of the San Antonio Police Department and 90 pounds of heroin seized from the luggage of a prominent Mexican trafficker and his mistress, a former Mexican Airlines stewardess. The pair had moved more than a ton of heroin into the United States.

Although BNDD was steadily growing stronger, its ultimate objective of controlling drug supply sources was challenged by those who demanded the government do more to quell street crime. In January 1972, President Nixon signed another executive order creating the Office of Drug Abuse Law Enforcement (ODALE). Commissioner of Customs Myles J. Ambrose was transferred to the Department of Justice as Special Assistant Attorney General with the additional title of Special Consultant to the President for Drug Abuse Law Enforcement. ODALE,

under his direction, soon established nine regional offices to thwart street pushers through special grand juries and to pool intelligence for federal, state, and local law enforcement agencies. But as each new agency entered the fray, there was further fragmentation by multiple authority, competing priorities, and lack of communication. In response to the need to coordinate the collection, analysis, and dissemination of drug intelligence, the President created another independent unit in the Justice Department under the direction of a former FBI chief, William C.



Agents check a Jaguar loaded with cocaine after being smuggled to the Port of New York aboard Queen Elizabeth 2 from Southampton, England. One agent noted it was like they had put the heroin in and then built the car around it.



Auguste Joseph Ricord, kingpin of the French-Latin American connection, is shown under escort in New York City after being escorted out of Paraguay in 1973.

Sullivan. The Office of National Narcotics Intelligence (ONNI), in the absence of any database of its own, found itself in the dark. The Strategy Council, established by the Drug Abuse Office and Treatment Act of 1972, announced, “Availability [of drugs] is the one factor over which society can exert the most direct control.”

In the waning light of the Watergate Era, the President turned to Roy Ash, who had already been named Director of the Office of Management and Budget for a second term. Ash set up a four-man task force to prepare options for the President in the reunification of federal drug law

enforcement. The task force went to work in January 1973, and in less than a month presented three options to President Nixon: (1) put drug enforcement back in the Treasury Department, where it had been until 1968; (2) put it in the FBI, where Director J. Edgar Hoover had long been adamantly opposed to such a proposal; or (3) put it, all together, in a new institution under the authority of the Justice Department. The President decided. On March 28, 1973, he submitted to Congress Reorganization Plan No. 2, saying, “This administration has declared an all-out global war on the drug menace.” He urged the consolidation of all

antidrug forces “under a single unified command.” Despite the military metaphors, there was at least a suggestion that the end was not victory but vigilance, and that the new organization was here to stay. It was named the Drug Enforcement Administration (DEA).

BNDD, ODALE, ONNI, and a large contingent from Customs would be unified to form an agent force 2,000 strong. Bearing the brunt of the reorganization would be John R. Bartels, Jr., DEA’s first Administrator. On July 1, 1973, an executive order signed by President Nixon took effect, officially establishing DEA.