



**Statement of The Honorable Eric Coleman
Commissioner, Oakland County, Michigan**

**and First Vice President
of the National Association of Counties**

Before the

**United States House of Representatives
House Energy and Commerce Committee**

**Joint Hearing of the Subcommittees on
Health and Environment and Hazardous Materials**

On behalf of

National Association of Counties

***Comprehensively Combating Methamphetamines:
Impacts on Health and the Environment***

October 20, 2005

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Thank you Chairman Gillmor, Chairman Deal, Ranking Member Solis and Ranking Member Brown and Members of the Subcommittees. My name is Eric Coleman, I am a County Commissioner from Oakland County, Michigan, and I currently serve as the First Vice President of the National Association of Counties. I have served as a County Commissioner in Oakland County since 1996.

About the National Association of Counties

Established in 1935, the National Association of Counties (NACo) is the only national organization representing county governments in Washington, DC. Over 2,000 of the 3,066 counties in the United States are members of NACo, representing over 85 percent of the population. NACo provides an extensive line of services including legislative, research, technical, and public affairs assistance, as well as enterprise services to its members. The association acts as a liaison with other levels of government, works to improve public understanding of counties, serves as a national advocate for counties and provides them with resources to help them find innovative methods to meet the challenges they face. In addition, NACo is involved in a number of special projects that deal with such issues as the environment, sustainable communities, volunteerism and intergenerational studies.

NACo's membership drives the policymaking process in the association through 11 policy steering committees that focus on a variety of issues including agriculture, human services, health, justice and public safety and transportation. Complementing these committees are two bi-partisan caucuses—the Large Urban County Caucus and the Rural Action Caucus—to articulate the positions of the association. The Large Urban County Caucus represents the 100 largest populated counties across the nation, which is approximately 49 percent of the nation's population. Similarly, the Rural Action Caucus (RAC) represents rural county commissioners from any of the 2,187 non-metropolitan or rural counties. Since its inception in 1997, RAC has grown substantially and now includes approximately 1,000 rural county officials.

Methamphetamine

Methamphetamine or meth is a highly addictive homemade amphetamine that can be made from commonly found chemicals, such as pseudoephedrine, anhydrous ammonia, lye, phosphorous and antifreeze. Meth is an insidious drug that is cheap to produce that can be easily manufactured in virtually any setting; a car, house or deserted area. The drug can be smoked, snorted, injected or swallowed and releases an intense high for hours. Harmful long-term health risks from meth abuse include tooth and bone loss, damage to the user's brain, liver and kidneys, heart attack and stroke. Children who are exposed to the toxic chemicals during production of methamphetamine can also develop these conditions. In addition, the prolonged use of the drug, called "tweaking", can keep users up for days or weeks at a time. Consequently, the psychological side effects of meth use include paranoia, anger, panic, hallucinations, confusion, incessant talking and convulsions. Many of these lead to violent aggressive acts and suicide.

According to the 2003 National Survey on Drug Use and Health 12.3 million Americans had tried methamphetamine at least once – up nearly 40% over 2000 and 156% over 1996. In 2004, the survey notes that an estimated 1.3 million Americans regularly smoked, snorted or injected the drug.

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Historically, meth abuse was confined to the Western United States and to rural areas. However, the drug has quickly spread East and is having disastrous consequences in rural, urban and suburban communities nationwide.

Impacts of Methamphetamine Abuse on County Governments

County governments are on the front-line in dealing with the painful and costly consequences of methamphetamine abuse and production. The United States Drug Enforcement Agency estimates that 65 percent of methamphetamine is produced in “superlabs” in Mexico and California with the remaining 35 percent produced in “small toxic labs”. These labs pose a significant risk to their community and represent the largest problem for local law enforcement. Investigating and busting small toxic labs, incarcerating and adjudicating meth users and cleaning up former meth labs are searing a hole in county budgets. County correction facilities are being overwhelmed by the increase in the number of meth related crimes and associated incarceration costs including mental health treatment, dental and other treatment costs. The need for and cost of county public defender services are also increasing at alarming rates because of the meth epidemic.

There are also many societal effects caused by meth abuse. In an alarming number of meth arrests, there is a child living in the home. These children often times suffer from neglect and physical and sexual abuse.

Meth labs pose a significant danger in the community because they contain highly flammable and explosive materials. Local first responders must be trained on how to identify and respond to meth labs in their communities. Additionally, for each pound of methamphetamine produced, five to seven pounds of toxic waste remain, which is often introduced into the environment via streams, septic systems and surface water run-off.

Meth abuse is a complex, difficult, growing problem that must be solved by cooperation among all levels of government and involvement by our citizenry. NACo is in the early stages of a national campaign to fight methamphetamine abuse. The primary objective of this initiative is to promote action by Congress and the Administration to control and reduce the production, distribution and abuse of methamphetamine, including assistance to counties in responding comprehensively to the problem locally. We look forward to working with this committee and your colleagues on this undertaking.

As part of this initiative, NACo President and Umatilla County, Oregon Commissioner Bill Hansell has appointed a cross-cutting work group that has county representatives from all perspectives of the issue. The charge of our Methamphetamine Action Group is to further assess the impacts of meth abuse on county governments, educate county officials and the public on the dangers of the drug and identify best practices and local approaches that address education, prevention, enforcement, cleanup and treatment of meth challenges.

In addition, NACo will be conducting further surveys on other aspects of the methamphetamine crisis. Currently, we just received the raw data for a survey on the impacts of meth abuse on the treatment delivery system and public health system. We would welcome the opportunity to appear before this committee at a later date to discuss these findings.

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This morning, I would like to make two key points:

- **First, as NACo's two recent surveys confirmed, methamphetamine abuse is a national drug crisis that requires national leadership.**
- **Second, a comprehensive and intergovernmental approach is needed to combat the methamphetamine epidemic. Necessary components must include law enforcement, treatment, child protective services, prevention, education, public health, cleanup, research and precursor control. NACo urges Congress to adopt several targeted measures and increase funding to address aspects of the meth crisis—including HR 798, S 103 and HR 2335.**

First, as NACo's two recent surveys confirmed, methamphetamine abuse is a national drug crisis that requires national leadership.

On July 5, 2005, NACo released two surveys on the methamphetamine crisis that has swept the nation. In the first survey, entitled, *The Criminal Effect of Meth on Communities*, is based on results from 500 county law enforcement agencies from 45 states. The counties that participated in the survey are representative of all counties nationally based on population and regional representation.

Meth is a growing problem that is now national in scope. Of the 500 responding law enforcement agencies, 87 percent report increases in meth related arrests starting three years ago. The states reporting a 100 percent increase in meth related arrests during the last three years include Indiana, California, Minnesota, Florida and Ohio. Furthermore, Iowa and Mississippi reported a 95 percent increase and Illinois and North Dakota reported a 91 percent increase.

Additionally, 58 percent of county law enforcement agencies reported that meth is their largest drug problem. Meth outpaced cocaine at 19 percent, marijuana at 17 percent and heroin at 3 percent. In certain regions of the country, the percentages are even higher. In the Southwest, 76 percent of the counties said that meth is the biggest drug problem. In the Northwest, 75 percent said it was the top problem and by 67 percent of the counties in the Upper Midwest.

Meth related arrests represent a high proportion of crimes requiring incarceration. Fifty percent of the counties estimated that 1 in 5 of their current jail inmates are there because of meth related crimes. The problem is even worse in the other half of the counties surveyed. Seventeen percent of the counties report that more than half of their populations are incarcerated because of meth related crimes.

Stopping the small meth lab operations continues to be a problem. Concerning lab seizures, 62 percent said that meth lab seizures increased in their counties in the last three years.

Other crimes are increasing because of meth. Seventy percent of the responding officials say that robberies or burglaries have increased because of meth use, while 62 percent report increases in domestic violence. In addition, simple assaults at 53 percent and identity thefts 27 percent have also increased because of meth use.

The increased presence of meth in many counties across the nation has increased the workload of 82 percent of the responding counties. These increased law enforcement activities from meth abuse are

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straining law enforcement budgets. Fifty-two percent of counties stated that they are paying more overtime, while 13 percent have changed work assignments to accommodate the increase need for policing.

Methamphetamine abuse is beginning to reach my home county, Oakland County, Michigan. The Oakland County Prosecuting Attorney's office reports that since October 2001, their office has processed approximately 30 cases involving either possession or possession with the intent to deliver methamphetamine.

The Impact of Meth on Children

As law enforcement officials are clamping down on the manufacture and use of meth, they are finding a disturbing side effect. Many children are being grossly neglected by their addicted parents and these same children are being exposed to the harmful side effects of the production of the drug if they live in close proximity to a lab.

To assess this problem, NACo surveyed 303 counties from all 13 states where child welfare activities are performed at the county level to assess the danger to children and families from meth abuse.

Forty percent of all the child welfare officials in the survey report increased out of home placements because of meth in the last year. During the past five years, 71 percent of the responding counties in my home state of California reported an increase in out of home placements because of meth and 70 percent of Colorado counties reported an increase. The results in the Midwest are frighteningly similar. More than 69 percent of counties in Minnesota reported a growth in out of home placements because of meth during the last year, as did 54 percent of the responding counties in North Dakota. In addition, 59 percent of county officials reported meth has increased the difficulty of re-uniting families.

Meth use is not limited to rural counties, nor is it limited to the West and Midwest. As a follow-up to the NACo report, one of our affiliate associations, the National Association of County Human Services Administrators, conducted an informal survey. Sacramento County, California, a large urban county, discovered that meth was involved in 70 percent of the family cases referred to court services due to substance abuse. Wilkes County, North Carolina Child Protective Services reported that methamphetamine abuse has been the most damaging drug to families that they have ever encountered.

Second, a comprehensive and intergovernmental approach is needed to combat the methamphetamine epidemic. Necessary components must include law enforcement, treatment, child protective services, prevention, education, public health, cleanup, research and precursor control. NACo urges Congress to adopt several targeted measures and increase funding to address aspects of the meth crisis—including HR 798, S 103 and HR 2335.

Precursor Control

In April 2004, Oklahoma was the first state in the nation to restrict the sale of products containing pseudoephedrine. Since the law was enacted, a number of states have followed Oklahoma's lead in

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restricting pseudoephedrine products. Oklahoma has seen a significant drop—80 percent—in small toxic meth labs as a result of the legislation.

NACo is in support of the Combat Meth Act (S. 103/HR 314) that would replicate the Oklahoma legislation on the national level. By limiting individuals to 7.5 grams (250 pills) of pseudoephedrine per month, the measure would seriously impair the access of meth cooks to obtain this essential component to meth production. The legislation was unanimously adopted in the Senate Judiciary committee and was incorporated into the Senate FY2006 Commerce-Justice-Science appropriations bill. NACo urges members of the House of Representatives to cede to the Senate position and include the Combat Meth Act in the final version of the FY2006 Science-State-Justice-Commerce appropriation bill.

Another option to restrict pseudoephedrine sales is to repeal the federal blister pack exemption. Blister packs are small plastic-and-foil packages that force a consumer to remove cold pills one or two at a time. Currently, federal law allows individuals to purchase an unlimited quantity of pseudoephedrine, as long as the pills are in blister packs. When the blister pack exemption was established, it was believed that the difficulty in accessing these pills would preclude meth cooks from using pseudoephedrine pills. However, it has not proven to be an effective deterrent and meth cooks have exploited this weakness in federal law. NACo supports efforts to repeal the current blister pack exemption, including HR 1350, the Methamphetamine Blister Pack Loophole Elimination Act of 2005.

Additionally, a repeal of the blister pack exemption is contained in the Methamphetamine Epidemic Elimination Act of 2005 (HR 3889). NACo supports this provision in the bill and the provisions that increase international regulation of pseudoephedrine, however NACo respectfully differs with the overall strategy to control domestic sales of pseudoephedrine and increasing mandatory sentencing. Essentially, this legislation lowers the threshold put on retailers to report purchases of pseudoephedrine from 9 grams to 3.6 grams for each transaction. While this may reduce the access that currently exists, NACo believes that the restrictions will fall short in the long-term. Under this provision, meth cooks could go to multiple stores in one day or consecutive days and purchase 3.6 grams (120 pills) of pseudoephedrine. Therefore, NACo believes that the approach laid out in the Combat Meth Act, which has proven successful in several states, represents the most effective attempt to limit access to pseudoephedrine.

Environmental Cleanup

One of the major issues facing communities and property owners is the issue of remediating former clandestine methamphetamine labs. As I noted earlier, the US Drug Enforcement Administration estimates that only 35 percent of all methamphetamine is produced in these small toxic labs. However, these labs pose a significant risk to the community and individuals present at the manufacturing or use of the drug. The labs are highly toxic and the residual contamination from the production of methamphetamine can lead to health risks and threaten the health of children and individuals who may unsuspectingly live in a former lab.

Currently, there are no guidelines for local governments or private landowners to follow for remediating former clandestine meth labs. Additionally, several studies by Dr. John Martyny at the National Jewish Medical Center have shown that airborne and surface contamination from

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methamphetamine production or use can be far-reaching. Dr. Martyny found that residual contamination could last for long periods and cause serious health concerns for those individuals and children who are exposed knowingly or unknowingly. NACo supports the bi-partisan Methamphetamine Remediation Act of 2005 (HR 798), which would require the Environmental Protection Agency to establish voluntary guidelines on the clean-up of former meth lab sites. This legislation has passed the House Science Committee and is awaiting action on the House floor.

Drug Endangered Children

Across the nation, alarming rates of children are found present at clandestine meth labs. In 2003, approximately 3,000 children were found during meth lab seizures. In the Western United States, the numbers are more frightening, as Assistant United States Attorney Laura Birkmeyer noted in testimony to the House Government Reform Subcommittee on Criminal Justice and Drug Policy. Birkmeyer stated, that in San Diego, “Drug Endangered Children teams have taken more than 400 children into protective custody in the past 12 months. Significantly, more than 95 percent of these children came from environments where there was methamphetamine use and trafficking but where manufacturing was not occurring. Approximately 1 in 10 of these children tested positive for methamphetamine and of those the children ages 0-6 were twice as likely to test positive for methamphetamine as children aged 7-14.”

To better coordinate and respond to the needs of these innocent victims, a Drug Endangered Children pilot program was started in 1997 in California. Drug Endangered Children are those children who suffer physical or psychological harm or neglect resulting from exposure to illegal drugs or to dangerous environments where drugs are being manufactured or chemicals used to make drugs are accessible. These harms may include injury from explosion, fire or exposure to toxic chemicals found at clandestine lab sites; physical abuse; sexual abuse; medical neglect and; lack of basic care including failure to provide meals, sanitary and safe living conditions or schooling.

A Drug Endangered Children (DEC) program is a multi-disciplinary team made up of law enforcement, medical professionals, prosecutors and child welfare workers. Team members are trained to view children found at narcotics crime scenes as crime victims. A typical scenario involves law enforcement breaking up a meth lab and contacting local child welfare officials if a child is present. The child welfare professional assesses the crime scene with law enforcement and determines if the child should be placed in protective custody. An at-risk child would then be given a medical exam, toxicology screen and developmental evaluation. The child would then be placed in a safe foster care environment. The prosecutor would then determine if child endangerment charges are appropriate. This concept bridges the gaps that often exist between these agencies. Furthermore, it represents a comprehensive approach to responding to the health risks of meth posed to children.

NACo supports the bi-partisan Meth-Endangered Children Protection Act of 2005. This legislation would authorize \$10 million annually for the development of Drug Endangered Children rapid response teams. The legislation has been referred to the Health Subcommittee of this committee and we would respectfully ask that this legislation be considered.

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Public Health Risks

The National Institute of Drug Abuse notes that methamphetamine users, especially those that inject the drug and share needles, are at increased risk to contract HIV and Hepatitis C. In addition, NIDA reports that methamphetamine can increase the libido in users, which may lead them to practice unsafe sex and lead to transmitting HIV and Hepatitis C. In addition, research and news accounts have shown that this is particularly the case in urban areas with the gay population. To date, NACo has not yet examined the impacts of an increase in these and other sexually transmitted diseases on the county public health system but initial evidence shows that there is a correlation between methamphetamine use and infection.

Prevention/Education

Additionally, NACo believes that education and prevention efforts must be increased to inform children and youth about the dangers of methamphetamine abuse. Many former meth users indicate that they did not know of the ingredients and dangerous consequences of the drug before their first use.

Current funding for the White House Office of National Drug Control Policy's (ONDCP's) National Youth Anti-Drug Media Campaign is set at \$120 million. Out of this funding, \$1 million is targeted for anti-meth educational ads during the current year. Reps. Mark Souder (R-IN) and Rick Larsen (D-WA) succeeded in adding \$25 million to the campaign during consideration of the FY2006 Transportation-Treasury-HUD appropriations bill, for a total of \$145 million. The sponsors of the amendment specifically targeted the new funding for anti-meth ads. NACo supports increased funding for the National Youth Anti-Drug Media Campaign targeted at producing and disseminating an anti-meth educational campaign.

Treatment

Despite a pervasive myth that treatment is ineffective for meth users, meth addiction can be treated similar to other forms of substance abuse. Treatment has been proven effective when it is available and the individual is willing to accept it. The Matrix Model, for example, consists of a 16-week intervention that includes intensive group and individual therapy to promote behavioral changes needed to remain off drugs.

According to the National Association of County Behavioral Health and Developmental Disabilities Directors, a NACo affiliate, there are 22 states with county sponsored substance abuse treatment authorities. These states account for 75 percent of the nation's population. The Substance Abuse Prevention and Treatment Block Grant is the main source of funding for states' substance abuse programs and accounts for about 40 percent of the total public funds spent on drug abuse prevention and treatment. States receive this funding and disburse much of it to counties to fund drug treatment programs. Current year funding for the block grant is \$1.775 billion. NACo supports the block grant and would like FY2006 funding set at \$2 billion or level funding at a minimum.

Research

Iowa State University researchers have developed an additive to anhydrous ammonia that can reduce the production value of meth, while still being a useful fertilizer. The additive is currently undergoing further testing, however if proven successful at limiting methamphetamine production it

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would be a major break-through for many rural farming communities that have been affected the methamphetamine epidemic.

Law Enforcement

NACo is a strong supporter of the Justice Assistance Grant (JAG) program within the Department of Justice. JAG funding can be used for a variety of purposes including law enforcement, prosecution, prevention, education, drug treatment, planning, corrections and technology improvements. Many counties across the nation use JAG funding for multi-jurisdictional or regional drug taskforces.

Additionally, many counties receive Edward Byrne discretionary funding through congressional earmarks for similar programs. Funding for JAG and Byrne discretionary in FY2005 was \$804 million, however the Bush administration recommended eliminating funding for FY2006. The House of Representatives set funding for JAG at \$478 million. During consideration of the FY2006 Commerce-Justice-Science appropriations bill the Senate added \$275 million to their recommended level of \$802 million to the Justice Assistance Grant for a total of \$1.077 billion. NACo supports the Senate funding level of \$1.077 billion or at least level funding of \$804 million as a minimum for Justice Assistance Grant program funding and urges members of the House of Representatives to cede to the Senate position during conference negotiations.

Conclusion

On behalf of NACo, I would like to thank Chairman Gillmor, Chairman Deal and Ranking Member Solis and Ranking Member Brown for holding this hearing today. Methamphetamine abuse is a scourge on our society that must be addressed in a comprehensive manner by all forms of government. NACo looks forward to working with Congress and the Administration to craft and implement such legislation.

Additionally, NACo is encouraged by the attention that methamphetamine abuse has received recently by the media and policymakers in Congress and the Administration. Newspapers across the country, national magazines and television newscasts have raised awareness of methamphetamine by showing the devastating consequences that meth abuse can bring to families and communities. In Congress, the bi-partisan House Caucus to Fight and Control Methamphetamine has shown leadership in bringing the issue to the forefront. In July 2005, Attorney General Alberto Gonzales stated that, "in terms of damage to children and to our society, meth is now the most dangerous drug in America—a problem that has surpassed marijuana."

Lastly, NACo will be conducting several additional surveys on other aspects of the methamphetamine epidemic. As I mentioned earlier, the next round of surveys will be on the impacts to the treatment delivery system and public health system. We would welcome the opportunity to come before this committee and present our findings at the appropriate time. Again, we thank the Chairmen, the Ranking Members and members of the subcommittees for the opportunity to submit testimony on the methamphetamine crisis facing this nation.