



ATTORNEY GENERAL ROY COOPER

NORTH CAROLINA METHAMPHETAMINE SUMMIT

PRELIMINARY REPORT

*RESPONDING TO METHAMPHETAMINE:
COMBATING NORTH CAROLINA'S FASTEST GROWING DRUG PROBLEM*

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In recent years, North Carolina has experienced a serious and growing threat from the manufacture and use of methamphetamine, sometimes known as “meth.” In just the last four years, secret drug labs that produce meth have increased dramatically across North Carolina. Our State Bureau of Investigation reported only nine methamphetamine lab busts in 1999. In 2003, that number grew to 177.

Law enforcement officials, public health officers, policymakers and the media have warned about the disastrous effects of this drug. It destroys lives through addiction, mental illness, crime and violence. Just as disturbing, these labs have put children and unsuspecting neighbors at risk by exposing them to the dangers of crime, toxic chemicals, explosions and fires. In too many cases, we find children living in the very homes where these dangerous drugs are made. In North Carolina, children have been found in approximately 25 percent of meth labs. We must stop this from happening.

To meet the challenges posed by these secret drug labs, I convened a statewide Summit on October 2, 2003 in Winston-Salem. More than 200 people attended including prosecutors, state and local law enforcement officers, public health and social services officials and business leaders, along with leaders of various state, federal and local agencies and nonprofit organizations. At the Summit, we began the work of developing a statewide strategy to tackle the meth epidemic. Those discussions served as a springboard for this preliminary report, which sets out a strategy to fight back against meth and the threat it poses to our public safety. This preliminary report is being shared now to allow for additional comments from the public and interested stakeholders.

We must attack this problem now. I ask you to join me in this fight. With your support, I know we can be successful in combating the growing meth epidemic here in North Carolina.

Roy Cooper

FINDINGS

Methamphetamine (commonly referred to as “meth”) is a dangerous and highly addictive illegal drug that is a growing threat to public safety. Meth labs, which produce the drug, pose significant dangers to the public, the environment, and first responders who are on the front lines of the battle against meth.

Meth was once a problem primarily in the western United States. But over the last few years, it has spread east and hit North Carolina. “It looks like a wildfire moving east,” according to Dan Salter of the United States Drug Enforcement Agency (DEA).¹ In recent years, the secret labs that produce meth have begun to explode in North Carolina, figuratively and literally. The North Carolina State Bureau of Investigation (SBI) reported only nine meth labs in 1999. In 2003, agents shut down 177 such labs, nearly a twenty-fold increase. Each lab also produces a toxic waste site, and the labs frequently explode or cause fires.

To fight the alarming rise in meth labs in our state, Attorney General Roy Cooper brought together prosecutors, law enforcement officers, first responders, public health officials, policymakers, and business leaders at the North Carolina Methamphetamine Summit held in Winston-Salem in October of 2003. More than 200 attendees listened to presentations made by federal, state and local officials. They heard about the rapid spread of the drug, both nationally and across our state. They learned how easy and cheap it is to make meth, and how meth drastically impacts children. Presenters at the summit told of the environmental damage meth labs create. And officials from Watagua County described how the proliferation of meth labs has strained the resources of the sheriff’s department, the social services department and local prosecutors in their county.

Following the presentations, some participants worked in committees discussing meth awareness and detection, intervention, and enforcement. The committees brought forward the following findings:

FINDING 1: State laws are insufficient. Law enforcement and prosecutors have had a hard time getting active prison time for meth manufacturers. Under current state law, meth manufacturers who have no past criminal record generally receive a suspended sentence with probation. One Watagua County narcotics investigator summed up his frustration to a newspaper reporter: “Some of them were back out cooking [manufacturing meth] before we could get the paperwork done.”²

Current state law provides stiffer penalties for those who sell meth than for those who actually manufacture it. The bottom line is that North Carolina’s current laws regarding meth manufacturing are weaker than those of many other states.

¹ Donna Leinwand, “Meth’ moves east,” *USA Today*, July 29, 2003.

² Martha Quillin, “Rural county is meth central,” *News & Observer*, September 2, 2002.

What is Methamphetamine?

Methamphetamine is a highly addictive stimulant that impacts the central nervous system. Meth users usually experience temporary euphoria and a sense of increased energy. The typical high can last six hours or more and can produce dangerous side effects such as irritability, paranoia, violent behavior, insomnia and brain damage. Known by other names such as crank, speed, ice or wash, methamphetamine can be injected, snorted or ingested orally.

Meth can be inexpensively manufactured by mixing and cooking raw ingredients known as “precursors.” These precursors, which include common household goods and decongestant drugs containing ephedrine or pseudoephedrine, are widely available from local drug and retail stores. Because the drug is cheap and easy to make, it produces a large profit margin for those who sell it.

Methamphetamine is a Schedule II drug under the Controlled Substances Act. Schedule II drugs, like cocaine and PCP, have little medical use and a high potential for abuse.

Sources:

“Methamphetamine Abuse and Addiction,” *National Institute on Drug Abuse Research Report Series*, U.S. Department of Health and Human Services, reprinted January 2002, available online at <http://www.nida.nih.gov/ResearchReports/Methamph/Methamph.html>.

“Methamphetamine,” *North Carolina Drug Threat Assessment*, National Drug Intelligence Center, April 2003, available online at <http://www.usdoj.gov/ndic/pubs3/3690/meth.htm>.

FINDING 2: Children are being found in an alarming number of meth labs.

The growing meth problem is hurting our children. Increasingly, North Carolina law enforcement officials are finding children living in homes where meth is made. In 2003, approximately 25 percent of North Carolina homes with meth labs were found to have children residing in them.

Children playing, eating and sleeping near a meth lab are surrounded by danger. They are exposed to fires and explosions, and to toxic chemicals that result from manufacturing meth. The children are neglected, and many are also abused by meth users in the home.³ As the DEA’s Chief Inspector said in his testimony before Congress, “More than any other controlled substance, methamphetamine trafficking endangers children through exposure to drug abuse, neglect, physical and sexual abuse, toxic chemicals, hazardous waste, fire and explosion.”⁴

³ Karen Swetlow, “Children at Clandestine Methamphetamine Labs: Helping Meth’s Youngest Victims,” *Office of Victims of Crimes Bulletin*, United States Department of Justice, June 2003, available online at <http://www.ojp.usdoj.gov/ovc/publications/bulletins/children/welcome.html>.

⁴ Rogelio E. Guevara, “Facing the Methamphetamine Problem in America,” *Statement Before the House Committee on Government Reform Subcommittee on Criminal Justice, Drug Policy and Human Resources*, July 18, 2003.

In some instances, children even witness their parents making the drug. “We had a child who went to school and told his first-grade teacher how to cook meth, and he didn’t miss a step,” said Watagua County Sheriff Mark Shook during a panel discussion at the Summit. Sheriff Shook said the first-grader described in detail ingredients commonly found in meth labs such as bottles with hoses, pills, acid and iodine as well as the manufacturing process to make the drug. Deputies raided the child’s home and found the lab. Subsequently, the county social services department moved the three children from the home to safety.

Children Found at Methamphetamine Labs in North Carolina

Year*	Number of Meth Labs Seized	Number of Children Residing in Homes with Meth Labs	Number of Children Present When the Meth Lab was Discovered
2003	177	69	37

* SBI began keeping statistics of children found in meth labs in 2003.

Not surprisingly, meth’s threat to children affects North Carolina’s social services workers as they work to care for them. As Karen Taylor George, Executive Director of the North Carolina Association of County Directors of Social Services (NCACDSS), said, “County social service departments are very concerned about the serious risks to children in homes with methamphetamine labs and to the safety of workers attempting to intervene on their behalf.” In December 2003, the NCACDSS convened a meeting to develop a collaborative response and to provide support for the social services workers who are facing the challenges that meth presents. For example, informal meth labs that are set up in kitchens can sometimes escape detection by the untrained eye, so attendees were taught how to identify a meth lab.

FINDING 3: The meth problem will overwhelm our ability to respond if steps are not taken. This fast-growing illegal drug problem has already stressed our resources, but it has the potential to overwhelm North Carolina’s judiciary, law enforcement, social services and public health facilities. In addition to those already mentioned, here are some of the most significant threats from meth:

Environmental Damage

Methamphetamine differs from drugs like marijuana, heroin and cocaine because the very production of the drug causes severe environmental damage. When labs go undetected, meth cooks frequently dump the toxic by-products of their work into sewer systems, in the state’s waters or along roadsides. The production of one pound of meth creates five to seven pounds of hazardous waste.⁵

Clean-Up Costs

Many of the chemicals used in manufacturing meth are hazardous. Solvents and fumes from meth labs are highly flammable. Dangerous gases formed during the

⁵ “Methamphetamine,” *Office of National Drug Control Policy Fact*, Executive Office of the President, November 2003, available at <http://www.whitehousedrugpolicy.gov/publications/factsht/methamph/>.

production process can also trigger explosions and cause severe injury. Moreover, serious health problems and even death can result from inhalation of the toxic fumes produced by meth labs. When labs are busted, SBI agents have to take samples of chemicals for prosecution purposes. While working in the labs, agents must wear “moon suits” with self-contained breathing systems for their protection. Each time a meth lab is raided, agents must use disposable supplies that cost between \$400 and \$600. Afterward, HazMat (hazardous-materials) teams arrive to clean the toxic site. According to the SBI, the average cost to taxpayers to clean up a lab runs between \$4,000 to \$10,000.

Cost to Clean-up Meth Labs in North Carolina

Year	Drug Enforcement Agency Cost	State and Local Costs
2003*	\$31,400	\$303,700
2002	\$51,000	\$207,200
2001	\$33,000	\$133,500

Source: Tim Binkley, United States Drug Enforcement Agency

* 2003 numbers are not reflective of the entire fiscal year cost.

Crime Laboratory Backlog

The increasing number of meth lab seizures may outstrip the SBI’s ability to analyze the results. Each time a clandestine drug lab is discovered, two chemists from the SBI Crime Laboratory must leave their work lab to join responders at the site. On average, SBI chemists spend 45 hours on each meth lab, compared to one hour processing a cocaine sample that has been submitted for testing. This includes time for travel, processing at the crime scene and performing analysis upon their return to the laboratory. The SBI’s forensic scientists work both ends of the case, gathering and analyzing evidence from the site and then working with prosecutors when the case comes to trial. Roger Kahn, President of the American Society of Crime Laboratory Directors, has said, “For states where there are tremendous numbers of [meth labs seized], you bet it is a burden . . . requiring huge amounts of time for analysis and disposal.”⁶

Criminal Activity Links

Nationally, law enforcement officials have associated the domestic production of meth with other criminal activities. According to John Horton of the White House Office of National Drug Control Policy, “[i]n areas where methamphetamine manufacturing is increasing, so also are car thefts, forgeries, and especially identity theft incidents.”⁷

Social Services Burden

With children residing in 25 percent of meth labs in North Carolina last year, county social services are finding themselves in the grip of the meth problem. Children are sometimes found playing on the floor, where toxic chemicals are located. They are subject to fires, explosions and abuse. These children require special and immediate attention – attention that will cost state and local taxpayers money. A child’s

⁶ Kimberly Hefling, “Meth Cases Create Massive Backlogs at Police Crime Labs,” *Associated Press*, September 14, 2003.

⁷ John C. Horton, “Facing the Methamphetamine Problem in America,” *Statement Before the House Committee on Government Reform Subcommittee on Criminal Justice, Drug Policy and Human Resources*, July 18, 2003.

contaminated belongings must be destroyed and replaced. A child must go through a decontamination process. And sometimes a child must be placed in foster care because they must be removed from their home. In neighboring Tennessee, for example, some five hundred children have been placed in foster care in the past few years.⁸ As Karen Taylor George of NCACDSS, said, “County social service departments across the state face the real possibility of being overwhelmed.”

FINDING 4: Public awareness about the meth problem remains low. One conclusion shared by all of the committees at the Summit was that both the public and those unique groups involved – retailers, farmers, realtors, physicians, social services, even many law enforcement officers – don’t know how to identify a meth lab and are uninformed about the dangers of making and using the drug.

What is a Clandestine Drug Lab?

Clandestine drug labs (often known as “clan labs”) produce a variety of illegal drugs, but in recent years law enforcement officials have seized a large number of labs manufacturing methamphetamine. Once found primarily in rural or sparsely populated areas, these labs are now being discovered in all areas of the state and nation. These labs are very rudimentary and can be set up virtually anywhere. Meth labs can be large, producing huge quantities of the drug, or they can be simple kitchen labs where meth addicts cook the drug primarily for their own consumption. SBI agents and local law enforcement officials have discovered labs inside vehicles, homes, apartments, rental storage units, motel rooms, and in close proximity to schools.

Source:

Nancy E. Gist, “Strategic Approaches to Clandestine Drug Laboratory Enforcement,” *Bureau of Justice Assistance Fact Sheet*, United States Department of Justice, September 1999, available online at <http://www.ncjrs.org/pdffiles1/bja/fs000247.pdf>.

Meth labs often go unnoticed. A mother might notice a strange chemical smell in the vicinity, but she might not be aware that her neighbor is making meth. A store clerk might not be aware that a customer who has purchased dozens of boxes of decongestant medicine containing ephedrine (a necessary ingredient in making meth) is a meth producer. And a farmer might not be aware that the large amount of fertilizer or anhydrous ammonia stolen from his storage tank is a common ingredient for making meth.

In Cumberland County, the sheriff’s office raided a meth lab operating inside a home located in a quiet neighborhood. According to news reports, neighbors did not know what was taking place. As one neighbor told a news reporter, “I see them drive by, wave . . . it was a nice house, nice neighborhood. I’m in shock.”⁹

⁸ Patrik Jonsson, “Towns pitch in to save ‘meth orphans’ of Appalachia,” *Christian Science Monitor*, December 31, 2003.

⁹ Greg Barnes, “Cumberland County Authorities Bust Meth Labs,” *EyewitnessNews11.com*, April 8, 2003.

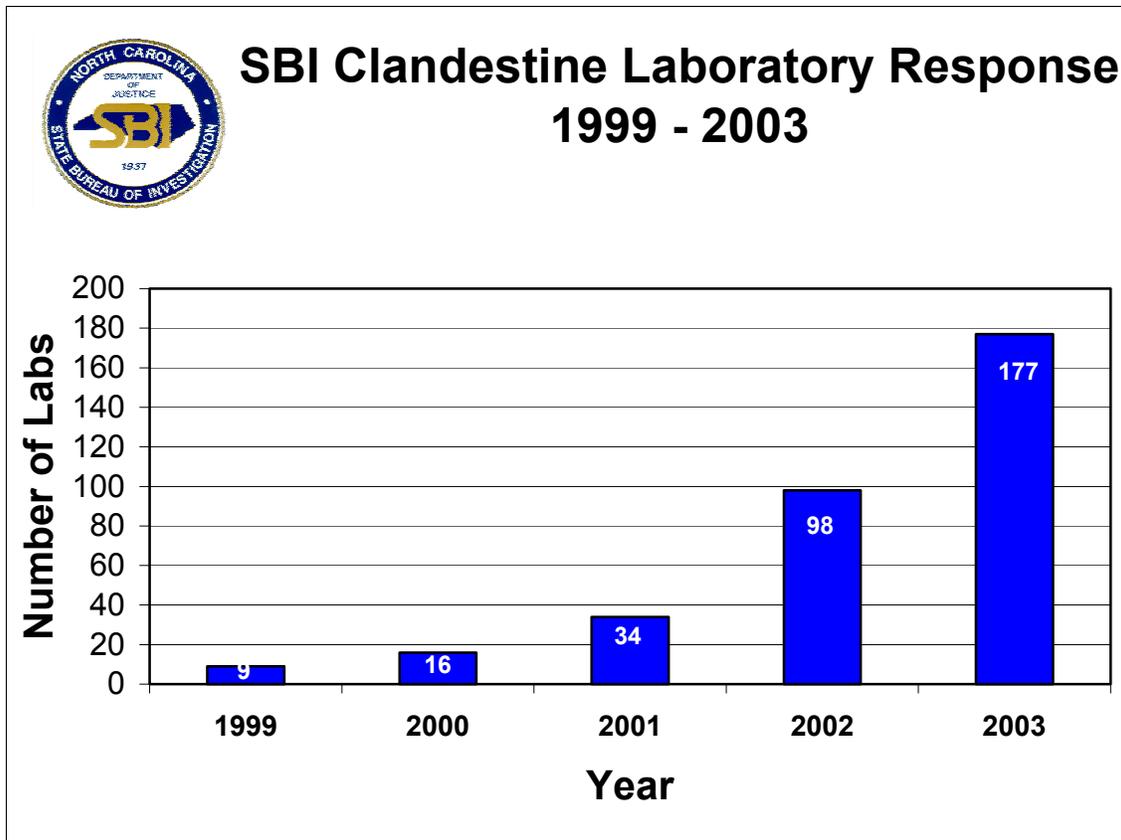
FINDING 5: North Carolina has made significant progress in the fight against meth. Thanks to strong leadership, North Carolina has had a Clandestine Laboratory Response Program in place for well over a decade. The SBI developed the program in 1988 after recognizing the growing popularity of such drug labs in the western United States. This SBI program currently includes four agents who work full-time on meth labs, and the addition of a fifth agent is anticipated.

In addition to the full-time agents, the SBI has over one hundred agents who are certified to work meth lab cases. These agents have been trained to operate at the highest level of hazardous chemical environments. The SBI is also partnering with the North Carolina Division of Emergency Management and the North Carolina Division of Public Health to meet the new challenges posed by the increase of these labs. As Tim Binkley of the DEA observed, “North Carolina has been on the cutting edge of addressing a potentially catastrophic situation.”

Other law enforcement officers are also learning how to respond. More than 400 hundred local law enforcement officials and detectives have been trained at three-day workshops that teach them how to manage meth investigations. These workshops have been co-hosted by the Regional Organized Crime Information Center, United States Attorneys’ Offices of the Eastern, Middle and Western Districts of North Carolina, the North Carolina Governor’s Crime Commission, and the North Carolina Narcotic Enforcement Officers’ Association.

Finally, at the North Carolina Methamphetamine Summit, Attorney General Cooper announced grants to Watagua, Ashe, Johnston and Harnett counties, four of the counties that have been among the hardest hit by meth. The grants will make medical screenings available for children found at meth labs and will provide additional funds needed for social service workers and law officers who work these challenging cases. The lessons learned from these four counties will be used to develop a statewide protocol for treating children who have been exposed to meth manufacturing. The \$312,000 Drug Endangered Children (DEC) grant was made available to the Attorney General by the United States Department of Justice’s Community Oriented Policing Services (COPS) office. North Carolina is the first state on the East coast to be awarded such a grant.

FINDING 6: North Carolina must take a statewide and comprehensive approach in fighting meth. Meth is a particularly dramatic problem in rural counties such as Watagua County, which is commonly referred to as “ground zero” in North Carolina’s fight against the drug. However, the problem is now spreading across the state. In 2003, eight meth labs were raided in Johnston County. “Although you might notice that these labs have been found in forty-five counties, you can bet that all one hundred counties in our state will experience this problem,” predicted Attorney General Cooper. In fact, the SBI expects to respond to more than 300 meth labs this year.



With the growth of meth labs expected to impact the entire state, North Carolina must pursue a statewide approach in fighting this drug. State government must partner with federal and local agencies along with the private sector in developing a comprehensive approach. As Attorney General Cooper said during the Summit, “Meth is a problem that will require a comprehensive approach. It’s clear that law enforcement officials, prosecutors, public health officials, policymakers, social service personnel, and emergency managers need to work together.”

RECOMMENDATIONS

STRATEGY ONE: ENHANCE PENALTIES TO COMBAT METH DANGERS

Enhance penalties for the manufacture of methamphetamine. To address the tremendous danger and threat to public safety posed by meth labs, the General Assembly should increase penalties against individuals who manufacture meth.

Enhance penalties for child endangerment. In 2003, approximately 25 percent of North Carolina homes with meth labs were found to have children residing in them. Due to the rising number of children exposed to toxic chemicals and the risk of explosion and fire, the General Assembly should enhance the criminal penalty when a child is present or otherwise endangered by exposure to meth.

Stiffen penalties for possession of precursor chemicals. Currently, the penalties associated with possession of precursor chemicals (the separate chemicals used in making meth) are less severe in North Carolina than in other states. The General Assembly should provide stronger penalties for possession of precursor substances to discourage the growth of methamphetamine labs. As one assistant district attorney commented, “We have to write the laws that fit the problem.”

Enhance penalties for providers of methamphetamine when a fatal overdose occurs. Under current North Carolina law, an overdose death can lead to a charge of second-degree murder against the person who provided the illegal drug that caused the death. The General Assembly should consider adding methamphetamine to the list of controlled substances that can trigger a charge of second-degree murder when the provided drug causes an overdose death.

STRATEGY TWO: INCREASE AWARENESS AND DETECTION

Educate the public about the growing meth problem. Public awareness must be a key component in North Carolina’s response to the methamphetamine problem. The Attorney General should coordinate a statewide awareness campaign using informational videos and materials to highlight the impact of the meth problem on children, the environment and taxpayers. The awareness campaign should include the development of a website to provide the public with information about meth. The State should also mail pamphlets about the meth problem and the statewide awareness campaign to community organizations, churches, and local agencies.

Train targeted individuals to recognize the signs of a meth lab. Farmers, garbage collectors, hotel and motel workers, landlords and others should be educated about the meth problem and trained in how to detect possible meth labs. To accomplish this training, the State should distribute written information, develop training videos and make training information available on a meth awareness website. As Steve Surratt of the National Drug Intelligence Center commented, “Awareness is key. We need to get the information out on what products are used in making methamphetamine.”

Educate prosecutors about the methamphetamine problem. The Attorney General should continue to work closely with the North Carolina Conference of District Attorneys to educate prosecutors about meth and develop strategies for prosecuting meth-related cases. As one state prosecutor commented at the Summit, “We need to be educated about this problem, including the precursor chemicals involved and their significance. An educated prosecutor can then communicate the importance of these precursors to the judge. “Prosecutors should also be informed about the use of existing environmental laws such as hazardous waste criminal penalties, which can sometimes be used to bring additional charges against meth lab operators.

STRATEGY THREE: IMPROVE INTERVENTION

Work with retail merchants to develop a program to monitor the sale of precursor chemicals. Law enforcement and public health experts agree that a critical ingredient required to make any type of meth is ephedrine or pseudoephedrine, which is usually acquired by meth lab operators from over-the-counter cold medications. Stopping the easy availability of these products can be achieved by limiting the amount of such medication an individual can purchase and increasing the vigilance to prevent the theft of the products.

The retail merchants should work closely with the Attorney General to develop a program to limit the sale and theft of all precursor ingredients used in meth labs. This program should include training posters that can be displayed in employee break rooms, a training video for store clerks and management, and on-site training through a meth awareness website. In addition, managers should be trained in practices to limit the quantity of precursor products that may be purchased by a single customer or are available on store shelves at any one time. Other suggested practices for managers include placing precursors behind a service counter and notifying customers about video surveillance on aisles where these products are kept. Finally, managers and clerks should be trained in reporting to law enforcement any suspicious transactions.

Train first responders about the dangers of meth labs. Firefighters, emergency medical personnel and law enforcement officers are on the front lines of the battle against meth. In 2003, twenty-seven first responders from North Carolina have already been injured from exposure to the toxic fumes and flames from meth labs. It is critical that all workers who occupy these positions protecting the public get the training they need to anticipate these hazards. The North Carolina Department of Justice (including the State Bureau of Investigation and North Carolina Justice Academy) should work closely with the North Carolina Division of Emergency Management and North Carolina Fire and Rescue Commission to develop a video to educate law enforcement officials, emergency managers and firefighters about how to respond safely to meth labs.

Increase resources for law enforcement to combat the meth scourge. Meth labs present a unique challenge for law enforcement officers because of their chemical and toxic hazards. The General Assembly should insure that law enforcement has sufficient personnel to combat the meth problem. In addition to providing additional resources for training, law enforcement should have the special equipment they need before they enter a meth lab site.

Convene a conference to develop and disseminate technical assistance to social service agencies. Social workers need more information and tools to fight the battle against meth. In Watagua County, the social services department has taken the lead in establishing their Drug Endangered Children (DEC) Response Team. The team members include law enforcement officials, prosecutors, child welfare personnel, medical and public health providers. The purpose of the response team is to develop a comprehensive and multi-disciplinary response to children found in meth labs. The Attorney General should convene a conference to develop and disseminate technical assistance so that other social service departments across the state know how to create a similar DEC Response Team.

Develop an appropriate medical protocol. Because the meth problem is relatively new to North Carolina, the medical community needs to be trained to respond to individuals who have been exposed to chemical contamination from meth labs. The North Carolina Department of Health and Human Services should work closely with other agencies and organizations, including the North Carolina Medical Society and North Carolina Pediatric Society, in disseminating an appropriate medical protocol to health providers across the state.

Support the development of statewide guidelines for the decontamination and re-occupancy of meth lab sites. Currently the state has no standard plan of action governing reuse of structures that have been associated with meth labs. The state should support the development of decontamination and re-occupancy guidelines that are being drafted by the North Carolina Department of Health and Human Services.

NORTH CAROLINA METHAMPHETAMINE SUMMIT

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