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WITHDRAWAL SHEET

Ronald Reagan Library

Collection Name TURNER, CARLTON: FILES

Withdrawer

KDB 1/9/2008

File Folder MEMOS - DAN LEONARD/CARLTON TURNER (1)

FOIA

F06-0060/01

Box Number 45

POTTER

33

Doc No	Doc Type	Document Description	No of Pages	Doc Date	Restrictions
1	MEMO	DAN LEONARD TO EDWIN GRAY RE NEW YORK STATE STUDY ON THE ADMINISTRATION OF JUSTICE THE ABOVE DOCUMENT IS PENDING REVIEW IN ACCORDANCE WITH E.O. 13233	2	12/28/1981	
2	MEMO	D. LEONARD AND FREDERICK COLGAN TO C. TURNER RE ADMINISTRATIVELY UNCONTROLLABLE OVERTIME THE ABOVE DOCUMENT IS PENDING REVIEW IN ACCORDANCE WITH E.O. 13233	4	2/10/1982	Open 11/3/09 KMU
3	MEMO	LEONARD TO TURNER RE PAPER ADDRESSING NARCOTICS INVESTIGATIONS THE ABOVE DOCUMENT IS PENDING REVIEW IN ACCORDANCE WITH E.O. 13233	1	7/16/1981	
4	MEMO	LEONARD TO TURNER RE CUSTOMS SERVICE INVOLVEMENT IN NARCOTICS SMUGGLING INVESTIGATIONS THE ABOVE DOCUMENT IS PENDING REVIEW IN ACCORDANCE WITH E.O. 13233	1	7/16/1981	

Freedom of Information Act - [5 U.S.C. 552(b)]

- B-1 National security classified information [(b)(1) of the FOIA]
- B-2 Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- B-3 Release would violate a Federal statute [(b)(3) of the FOIA]
- B-4 Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- B-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- B-7 Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- B-8 Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- B-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

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Doc No	Doc Type	Document Description	No of Pages	Doc Date	Restrictions
5	REPORT	DAN TO CT RE MANDATORY SENTENCING	3	ND	
THE ABOVE DOCUMENT IS PENDING REVIEW IN ACCORDANCE WITH E.O. 13233					
6	MEMO	LEONARD TO TURNER RE DEA PROGRAM	1	8/20/1981	B6 B7(C)
7	MEMO	LEONARD TO TURNER RE STREET CONDITIONS IN NEW YORK CITY (PARTIAL)	1	7/13/1981	B6 B7(C)
8	NOTE	FROM DAN RE 8/31/81 NEW YORK TIMES ARTICLE INVOLVING FOIA	1	ND	
THE ABOVE DOCUMENT IS PENDING REVIEW IN ACCORDANCE WITH E.O. 13233					
9	MEMO	DAN TO C. TURNER RE HOUSE OF REPRESENTATIVES MEETINGS	1	7/23/1981	
THE ABOVE DOCUMENT IS PENDING REVIEW IN ACCORDANCE WITH E.O. 13233					

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Doc No	Doc Type	Document Description	No of Pages	Doc Date	Restrictions
10	MEMO	SAME MEMO AS DOC #6	1	8/20/1981	B6 B7(C)
11	MEMO	LEONARD TO TURNER RE ALTERNATIVE MEANS OF INCARCERATION THE ABOVE DOCUMENT IS PENDING REVIEW IN ACCORDANCE WITH E.O. 13233	2	ND	open 11/3/09 KMU

Freedom of Information Act - [5 U.S.C. 552(b)]

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Memorandum

STATE OF NEW YORK
EXECUTIVE DEPARTMENT
DIVISION OF CRIMINAL JUSTICE SERVICES

December 14, 1981

TO: Dan Leonard

JAN 15 A.M.

FROM: Bill Bonacum

I thought you might be interested in this.



STATE OF NEW YORK
DIVISION OF SUBSTANCE ABUSE SERVICES
 Office of Alcoholism and Substance Abuse
 EXECUTIVE PARK SOUTH
 ALBANY, NEW YORK 12203

JULIO A. MARTINEZ
 Director

December 3, 1981

JAN 15 A.M.

WTB
Julio's budget campaign
12/8/81

Mr. Frank Rogers
 Commissioner
 Division of Criminal
 Justice Services
 Executive Park
 Tower Building
 Albany, NY 12203

Dear Mr. Rogers:

Julio thought you might like to see a copy of the responses he has received to his proposal for the Coordination of Drug Abuse Policies.

Sincerely,

Lynn Ansara

Lynn Ansara
 Assistant Director
 for Communications

sg
 Enclosures

United States Senate

WASHINGTON, D.C. 20510

November 3, 1981

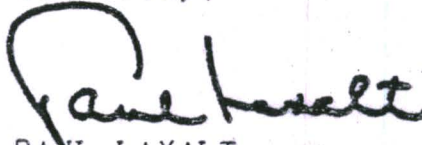
*Jack
July*

*Henry
Malix*

Dear Mr. Martinez:

Thank you for your letter. I appreciate your keeping me informed about this matter. If I can ever be of assistance to you, please do not hesitate to contact me. Please stay in touch.

Sincerely,



PAUL LAXALT
U.S. Senator

PL:aw

Mr. Julio A. Martinez
Executive Park South
Albany, New York 12203

RECEIVED
DIVISION OF
DATE



Congress of the United States
House of Representatives
Washington, D.C. 20515

November 4, 1981

*cc Jack
Jewell*

Mr. Julio A. Martinez
Director
Office of Alcoholism and
Substance Abuse
Executive Park South
Albany, NY 12203

Dear Mr. Martinez:

Thank you for sending me a copy of the proposal for improving control over the influx and domestic traffic in drugs.

I found this proposal most interesting and thought provoking. When the House of Representatives begins to examine this matter, I feel this proposal will be most helpful in formulating effective legislation.

Please continue to keep me informed.

Sincerely,

F. James Sensenbrenner, Jr.
F. JAMES SENSENBRENNER, JR.,
Member of Congress

FJS:as

RECEIVED

NOV 3 - 1981

DIVISION OF SUBSTANCE ABUSE SERVICES
DIRECTOR'S OFFICE



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

NOV 16 1981

*James
Mullin*

Mr. Julio A. Martinez
Director
Division of Substance Abuse Services
Office of Alcoholism and Substance Abuse
Executive Park South
Albany, New York 12203

Dear Mr. Martinez:

Thank you for your letter of October 26, 1981 to Mr. Stockman. The Administration shares your concern for the need to develop a comprehensive national drug abuse strategy. We have forwarded your proposals to Dr. Carlton Turner, of the White House Office of Policy Development who has lead responsibility for the development of the Administrations's drug strategy.

Sincerely,

James B. Mullin, Jr.

for Joseph P. Mullinix
Deputy Associate Director
Justice, Treasury, and
General Management

RECEIVED
NOV 16 1981

MAIL

MOYNIHAN

United States Senate

WASHINGTON, D.C. 20510

November 13, 1981

Jack
Quinn

Dear Mr. Martinez:

I very much appreciate your having taken the time to bring to my attention your proposed plan for coordinating drug abuse policies and programs at the federal, state, and local levels.

This issue is one of considerable importance to me, and I am glad to have your views on it.

Sincerely,

D. P. Moynihan

Daniel Patrick Moynihan

Mr. Julio A. Martinez
Director
Division of Substance Abuse Services
Executive Park South
Albany, New York 12203

RECEIVED

NOV 13 1981

DIVISION OF...
DIRECTOR...

United States Senate

WASHINGTON, D.C. 20510

November 6, 1981

*Jack
Quincy*

Mr. Julio Martinez
Director of Alcoholism and Substance Abuse
Executive Park South
Albany, New York 12203

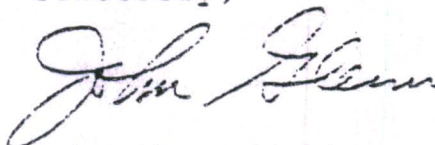
Dear Mr. Martinez:

Thank you for writing and sharing with me a copy of your proposal for the Coordination of Drug Abuse Policies.

I feel your proposal is certainly a well thought out and informative document. You have identified some important and crucial areas which need attention and review. Cooperation and coordination are definitely needed to correct the overlapping jurisdictions in this area of drug abuse. Please be assured that I am giving your proposal a thorough review and welcome any additional information or material you feel would be of assistance to me.

Best regards.

Sincerely,



John Glenn
United States Senator

JG/kcm

RECEIVED
NOV 10 1981



U.S. Department of Justice

Federal Bureau of Investigation

Office of the Director

Washington, D.C. 20535

November 17, 1981

Mr. Julio A. Martinez
Director
Office of Alcoholism and
Substance Abuse
Division of Substance Abuse Services
Post Office Box 8200
Albany, New York 12203

Dear Mr. Martinez:

It was indeed thoughtful of you to furnish me a copy of your proposed plan for coordination of drug abuse policies and programs at the Federal, state and local levels.

We in the FBI share your concern for this growing menace in our society and as you may be aware, a feasibility study has been made to study ways in which the Drug Enforcement Administration and the FBI can merge efforts in an attempt to improve enforcement capabilities covering the investigation of illicit traffic and use of narcotics. The FBI had been only indirectly involved in drug enforcement through the investigation of organized crime and some white-collar crimes although we had been working closely with the Drug Enforcement Administration and the U. S. Customs Service. Our joint efforts had proven successful and we anticipate even greater success as we continue to work together in an effort to eradicate this problem. I am forwarding a copy of your communication to Mr. Francis Mullen, Acting Administrator of the Drug Enforcement Administration, since I know it will be of interest to him.

Sincerely yours,

William H. Webster
Director

United States Senate

WASHINGTON, D.C. 20510

AND FORESTRY
FOREIGN RELATIONS
SMALL BUSINESS

November 9, 1981



Mr. Julio A. Martinez
Division of Substance
Abuse Services
Executive Park South
Albany, New York 12003

Dear Mr. Martinez:


Thank you for your letter regarding the Division of Substance Abuse Services.

I found your letter very informative. The proposal for improving control over the influx and domestic traffic in drugs was very intriguing. My staff and I are actively researching many of the topics you discussed in your letter. However, legislative demands decrease the time we have to respond in detail to the thousands of letters received each week.

I believe the issues you addressed are of serious concern. Please be assured that I will give them every consideration when relevant legislation is introduced on the Senate floor.

It was good to hear from you.

Sincerely,



S. I. Hayakawa

SIH:AMm

GREGORY W. CARMAN
DISTRICT, NEW YORK

WASHINGTON OFFICE:
1729 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
(202) 225-3865
DISTRICT OFFICE:
322A MAIN STREET
HUNTINGTON, NEW YORK 11743
(516) 549-8400

Congress of the United States
House of Representatives
Washington, D.C. 20515

COMMITTEES:
KING, FINANCE AND URBAN
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SUBCOMMITTEES:
INTERNATIONAL TRADE, INVESTMENT
AND MONETARY POLICY
HOUSING AND COMMUNITY
DEVELOPMENT
GENERAL OVERSIGHT AND
RENEGOTIATION
CONSUMER AFFAIRS
SELECT COMMITTEE ON AGING
SUBCOMMITTEES:
INCOME AND EMPLOYMENT
INTERESTS

November 9, 1981

*Jack
Quinn*

*Heroin
Influx*

Julio A. Martinez
State of New York
Division of Substance Abuse Services
Office of Alcoholism and Substance
Abuse
Executive Park South
Albany, NY 12203

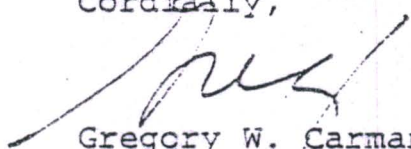
Dear Mr. Martinez:

Thank you for the proposal for improving control over drug trafficking. I will be reviewing it with great interest especially as I have introduced a resolution in the House, H. Res. 230 which calls on the President and the Secretary of State to consider the desirability of sanctions against countries which have uncontrolled drug producing and exporting to the U.S.

Thank you again for the materials.

With best regards, I am

Cordially,



Gregory W. Carman
Member of Congress

GWC:Em

RECEIVED

United States Senate

WASHINGTON, D.C. 20510

20 - Jack
Judy

November 3, 1981

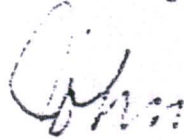
Mr. Julio Martinez
Division of Substance,
Abuse Services
Albany, New York 12203

Dear Mr. Martinez:

I certainly appreciate the material that you sent me. I am always interested in receiving information which you feel may be useful to me in the legislative process.

Please continue to keep me apprised of your concerns.

Sincerely,



John P. East
United States Senator

JPE:st

RECEIVED

NOV 3 - 1981

DIVISION OF SUBSTANCE ABUSE SERVICES
DIRECTOR'S OFFICE



DEPARTMENT OF STATE

Washington, D.C. 20520

John Haig

November 9, 1981

Mr. Julio A. Martinez
Director
Division of Substance Abuse Services
Office of Alcoholism and Substance Abuse
Executive Park South
Albany, New York 12203

Dear Mr. Martinez:

Your letter of October 26 to Secretary of State Haig has been referred to me for reply.

Your proposal has been reviewed with interest within the Department of State. You present a persuasive argument for effective linkages among all elements of the international and domestic narcotics control force.

As you may be aware, the Senior Policy Advisor on Drug Matters, White House Office of Policy Development, is currently reviewing the narcotics control structure. I believe your recommendations bear on the issues under his consideration. I am therefore referring your letter to that office.

Cordially yours,

Bruce A. Flatin

Bruce A. Flatin
Director

Office of Global Strategy and Support
Bureau of International Narcotics Matters

RECEIVED
NOV 11 1981
OFFICE OF THE ASSISTANT SECRETARY
FOR INTERNATIONAL AFFAIRS
STATE DEPARTMENT



DEPARTMENT OF THE TREASURY

U.S. CUSTOMS SERVICE

WASHINGTON

10 NOV 1981



REFER TO

MAN-10-02-B:PA:N WRA

Mr. Julio A. Martinez
Director, Division of Substance Abuse Services
Office of Alcoholism and Substance Abuse
Executive Park South
Albany, New York 12203

Dear Mr. Martinez:

This is to acknowledge receipt of your letter of ~~October 26, 1981,~~ to the Commissioner of Customs, regarding the influx of heroin into New York State, and the availability of treatment centers to cope with this increase.

We share your concern for this dramatic increase in the heroin supply in the New York area. We have discussed your letter with our New York Regional Office, and we are forwarding a copy of your letter and enclosures, as well as our response, to Mr. Dennis T. Snyder, our Regional Commissioner in New York. Should you wish to discuss this matter further, he can be reached on (212) 466-4444 in New York.

Thank you for bringing this matter to our attention.

Sincerely,

William Green
Acting Assistant Commissioner
Office of Border Operations

RECEIVED

NOV 11 1981

DIVISION OF
DIRECTOR'S OFFICE

COMMITTEES:

FOREIGN AFFAIRS

CHAIRMAN: INTERNATIONAL OPERATIONS

SUBCOMMITTEE

MEMBER: INTERNATIONAL SECURITY AND
SCIENTIFIC AFFAIRS SUBCOMMITTEE

GOVERNMENT OPERATIONS

MEMBER: LEGISLATION AND NATIONAL
SECURITY SUBCOMMITTEE

COMMISSION ON SECURITY AND
COOPERATION IN EUROPE

CHAIRMAN

CANADA-UNITED STATES

INTERPARLIAMENTARY GROUP

CO-CHAIRMAN, U.S. DELEGATION

Congress of the United States

House of Representatives

Washington, D.C. 20515

November 20, 1981

Jack Ruby
RECEIVED
NOV 23 1981
SUBSTANCE SERVICES
DIVISION

Mr. Julio A. Martinez, Director
State of New York
Division of Substance Abuse Services
Office of Alcoholism and Substance Abuse
Executive Park South
Albany, New York 12203

Dear Mr. Martinez:

Thank you for your letter and enclosure regarding proposals for coordinating our drug abuse policies.

I understand and share your concern over the serious problems we currently face as a result of the high level of drug abuse and illegal narcotics trafficking in this country. For many years I have directed my efforts toward developing a comprehensive approach to this problem and we have had some success. I am enclosing a list of my activities in this regard. *- Enclosure*

The volume of drug traffic coming into this country is enormous and seriously challenges the ability of any single agency to control it. Accordingly, earlier this year I introduced legislation to allow the military to furnish information, training and equipment to local, state and federal drug enforcement officials. The final version of the Defense Authorization Act, as passed by the Congress, included the provisions for cooperation between military and civil officials in drug-related cases, but did not provide for the direct participation of the military in enforcement. This bill is now awaiting the President's signature.

Despite all the programs and action which have been taken, the problem persists and is pervasive and more needs to be done. This will require a commitment and massive efforts by all levels of government and the private sector. You may be assured that this matter will continue to have my close attention.

Again, many thanks for advising me of your views on this matter of mutual concern.

Sincerely,

DANTE B. FASCELL
Member of Congress

DBF/AK



EDWARD R. HAMMOCK
CHAIRMAN

EXECUTIVE DEPARTMENT
DIVISION OF PAROLE
1450 WESTERN AVENUE
ALBANY, N.Y. 12203

50TH ANNIVERSARY
1930 - 1980

November 4, 1981

*Martin
Martinez*
Jack - R...
Judy

Mr. Julio Martinez
Director
Division of Substance Abuse Services
Executive Park South
Albany, New York 12203

Dear Julio:

Thank you for sharing with me a copy of your "Plan for Coordination of Drug Abuse Policies."

I have some comment on it which I shall make in brief:

- a. The paper is both well written and interesting.
- b. Its major thrust, the need for a strong federal role in fighting a national problem, seems most appropriate.
- c. The demise of L.E.A.A. makes clear that all of criminal justice at the state level will suffer markedly without a strong federal role.
- d. The Attorney General's Task Force recommendations are highly controversial and adoption of them could prove an error in judgment.
- e. The fourteen states that have adopted fixed sentencing schemes have not, as a result, seen an increase in public confidence in their systems of criminal justice.

Your work on CATCH is exciting and looks very good.

Best wishes.

Sincerely,

Edward R. Hammock
Chairman

RECEIVED
NOV 5 - 1981
DIVISION OF SUBSTANCE ABUSE SERVICES

ERH:kk

MEMORANDUM

THE WHITE HOUSE
WASHINGTON

December 28, 1981

TO: EDWIN GRAY

FROM: DAN LEONARD *DL*

SUBJECT: NEW YORK STATE STUDY ON THE ADMINISTRATION OF JUSTICE

I have constantly warned that a major platform issue of the Democrats in the upcoming elections will be crime and drugs. You have seen Senator Chiles newsletter which harps on crime and drugs. Governor Cary in New York has formed two groups to investigate the problem, the Executive Advisory Commission on the Administration of Justice and the Califano Commission to investigate drug and alcohol abuse in the state.

I have obtained a bootlegged copy of the Advisory Commission's preliminary report and it does paint a grim picture of crime and its impact on the State of New York. I have attached the complete report for your information but some points struck me as especially important.

Page 4--A Shift in Justice Department Priorities.

I commented on this point in a previous memo. Very few voters will consider efforts against white collar crime beneficial to them and I doubt that many voters even understand the meaning of an anti-trust suit. They are interested in violent crime and drugs and yet our Justice Department insists upon assigning scarce resources to the investigation and prosecution of these cases. I would recommend a moratorium on such cases until we clear the backlog of cases relating to violent crime and drugs.

Page 5--Federal Narcotics Officers Are Running Out Of Money.

This is a constantly, replayed refrain and unfortunately it is sung most loudly by the agencies themselves. During the hearings we were told that the DEA did not have enough money to buy gas for their cars and of one case where a major violator was released because DEA did not have enough money to send an agent from NYC to Florida. According to the transcript, this information might have been given to the Committee by the DEA Administrator himself.

While in New York over the Holidays, I had dinner with several men from DEA and they felt that money could be saved in ways that would not impede law enforcement efforts. One example was the Domestic Monitor Program which may spend up to \$36,000 per year buying drugs for intelligence purposes. There are no arrests or prosecutions connected with these buys. WHY?

Page 39--Narcotics Problem Is A Federal One.

It is difficult to argue with this logic. The major portion of all drugs consumed in this country is imported from abroad. The federal government has control of the sealanes, airways and borders. It will be difficult to answer this argument if the Coast Guard continues to cut back on resources dedicated to drug law enforcement. It would appear on the surface that we could make some cuts in other resources ie.: fisheries.

MEMORANDUM

THE WHITE HOUSE
WASHINGTON

February 10, 1982

FOR: CARLTON E. TURNER
FROM: DANIEL F. LEONARD
FREDERICK R. COLGAN
SUBJ: Administratively Uncontrollable Overtime (AUC)

As requested, this office has, over the past weeks, carefully examined the subject of AUO. This, basically, is pay provided by law (Section 5545 (c) (2) of Title 5, United States Code 1954) to Federal employees, principally, but not exclusively, identified by title as Criminal Investigator/Special Agent on duty with the Federal Bureau of Investigation, Drug Enforcement Administration, Immigration and Naturalization Service, Internal Revenue Service, United States Customs Service, Alcohol, Tobacco and Firearms, and the United States Secret Service who work unscheduled and/or irregular hours of overtime.

An agency under the above statute has the authority to disburse premium pay to those so entitled on an annual basis in lieu of compensating the employee(s) for overtime. It is payable as an appropriate percentage -- not less than 10 percent nor more than 25 percent -- of that part of the employee's regular pay which does not exceed the minimum rate for a GS-10/1. By contrast, normal overtime work performance by an employee must (also, by statute) be compensated through payment of overtime at time and one-half per hour, or through compensatory time off.

Our study of AUO included a review of pertinent statutes enacted or proposed since 1945 as well as related regulatory guidelines issued from then until recently by the Civil Service Commission (now the Office of Personnel Management) for implementation by the various U.S. Government agencies so allowed to compensate employees with this form of premium overtime pay. We also have interviewed a number of responsible officials at the Office of Personnel Management, representatives of the Government Accounting Office, and the Justice and Treasury Departments -- each of whom by involved experience know the subject of AUO quite thoroughly, and have been direct and helpful in response to questions.

Our inquiries reveal that the issue of AUO most recently was a matter subjected to intense scrutiny and review by the Interagency Advisory Group (IAG)/Premium Pay Study Group, created under the auspices of OPM. This group, which frequently met during 1981, considered and developed for formal OPM acceptance,

proposals for modifying premium pay practices, to include partial elimination of AUO, i.e., generally for grades GS-13 and above. These proposals or recommendations, if adopted by OPM, would form the basis of a legislative proposal by the Director of OPM for review and approval by the Office of Management and Budget before submission to the Congress for legislative enactment.

It goes without saying that there are strong supporters in favor of, and equally strong opposition to, the AUO concept. Those who oppose maintain that it is an antiquated, wasteful, and unfair pay system, one which because of administrative mismanagement fosters blatant inconsistencies and inequities. In sum, a few are:

- o AUO is considered to be part of base pay for the purpose of retirement and life insurance -- only for law enforcement personnel.
- o Performance by some employees of unnecessary overtime is permitted for the sole purpose of retaining AUO status.
- o It serves to deprive employees of payment for scheduled overtime by inappropriately identifying such work as AUO.
- o Inconsistencies in the administration of AUO exist as between various agencies and how each manages the program.
- o Agencies have not strictly complied with the intended uses of AUO and thereby condone and encourage abuse.
- o Agencies allow for payment of AUO for recurring (short periods of time prior to/or following regular scheduled work periods) as distinguished from irregular hours of work performance.

No one, in conscience, can or will deny that abuses have and are occurring. Measures are being taken, for example in the U.S. Customs Service, to address these summarily. Other agencies are likewise reviewing the subject to eliminate abuses where found. Proponents of AUO, for purposes of argument, stress emphatically and convincingly that it is not found to any appreciable extent in the non-Federal public/private sectors, for good reason. It is, on balance, in this day of mandatory management/union contract negotiation activity, etc., an unfair labor practice, per se. Hence, during these past years it can be said that notwithstanding readily recognizable abuses (primarily due to poor managerial supervision) the U.S. Government has, through the use of AUO, realized a saving in overtime salary payments amounting to many, many millions of dollars.

In particular, senior administrators involved in law enforcement at each agency will mention that by regulation (the Code is explicit) there is a limit on the maximum compensation which can be paid an employee (10 to 25 percent), regardless of the number of overtime hours worked. Thus, uncompensated AUO hours performed in the line of duty, as often is the case in drug or other similarly serious criminal type investigations, represent cost-free and productive work performed for the Government and the public.

Responsible enforcement managers will also state that compensatory time off is not an answer to the overtime problem. They will cite clearly that experience has shown that some employees accumulate compensatory time off when authorized; however, where unable to use it by the end of the following year due to legitimate requirements, they must be compensated at time and one-half hourly pay rates. This is costly.

The FBI cogently explained, in part, its favorable position on the subject of AUO by noting that the intent of the Act was to compensate law enforcement personnel for unscheduled overtime work performed, while simultaneously improving the cost effectiveness of pay procedures by completely eliminating awkward/cumbersome record keeping necessary when computing pay under the regular overtime statute. Further, it stands firm in its belief that it has over the years, "proven AUO to be efficient, necessary and cost effective -- precisely Congress' intent." Our review of its audit control procedures confirm that the FBI has demonstrated AUO to be the only economical and just approach to compensating personnel for unscheduled/irregular work performance. Its monitoring of the AUO process is a commendable example on how to properly audit the system.

The subject of AUO is not a complicated one, if viewed realistically. There have been and are now noticeably abuses of the system. This, in the main, is due to the human element, i.e., inept management coupled with venality on the part of those who took or take advantage.

No matter how one considers arguments for or against AUO, from the standpoint of responsible senior level law enforcement managers who desire to adequately compensate deserving employees or investigators/agents for unscheduled or irregular hours of overtime in excess of normal duty tours, it is, if properly supervised/monitored/audited, the most cost effective (see attachment for Drug Enforcement Administration comparison statistics) means available today for the purpose in mind. With budgetary constraints throughout the Government still a priority and ever-increasing concern, effectively managed AUO for entitled Federal law enforcement personnel will provide the services necessary to professionally attend to all conceivable responsibilities.

The contention that elimination of AUO where not needed will have a serious impact on employee morale and future recruitment because employees or investigators/agents believe it to be part of their base pay, is a specious and invalid argument. Where found to be excessive or unnecessary, AUO by definition must and should be reduced or eliminated.

To conclude, on the basis of the review by this office, it is our opinion that AUO not blanketly be discontinued. It is, when managed responsibly, a cost effective and fair system of compensation. However, to ensure that the potential for fraud, waste and/or abuse is detected and vigorously investigated, it is recommended that monitoring the AUO program become a continuing primary responsibility of the Inspector General's Office of each Executive department wherein the premium pay system is used by sub-agencies.

It is also suggested that in light of what has been herein discussed, the subject of AUO not be dismissed peremptorily by this office as a matter of insignificant consequence to the Administration. On the contrary, it is an issue of vital interest to the Administration, certain Federal enforcement agencies and their employees, the Congress and the taxpayers. It is of such importance that should it shortly be brought up for review, consideration and comment at the OMB level, we request to be informed and invited to participate in discussions as relate to enforcement input.

Administratively Uncontrollable Overtime
Versus
Time and One-Half Overtime
Premium Pay Within DEA 1/


<u>Grade</u>	<u>Total Positions</u>	<u>AUO Rate</u>	<u>AUO Pay</u>	<u>OT Pay</u>	<u>Total Average OT Worked</u>
GS-15 <u>2/</u>	81	25%	(\$16,707)	(\$25,750)	1,664
	5	20%	(825)	(1,000)	64
	1	15%	(123)	(207)	13
	1	10%	(82)	(113)	7
GS-14	313	25%	64,562	103,330	6,679
GS-13	502	25%	103,547	173,646	11,224
	36	20%	5,940	8,726	564
GS-12	736	25%	151,814	260,963	16,869
	25	20%	4,125	5,685	367
GS-11	64	25%	13,201	26,999	1,745
GS-9	54	25%	10,113	19,075	1,358
	5	20%	749	1,000	71
	2	15%	224	297	21
GS-7	60	25%	9,237	16,393	1,428
	10	20%	1,224	1,722	150
<hr/>					
Agency Totals Per PP	1,895		364,740	617,840	42,229
Annual Totals			9,483,240	16,063,840	1,047,259

Notes: 1/ Based on a random sample of the pay records of 200 agents in FY 1981.
2/ 50,699 hours worked by GS-15 agents were uncompensated because the employees were at the statutory pay cap of \$50,112.

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

TO: Dr. Turner
FROM: Dan Leonard 
DATE: July 16, 1981

Attached paper has some good points.

I don't believe the FBI has the expertise to handle narcotics investigations. It takes a certain type of mentality to mingle with people involved in the drug business or drug culture. I know we can't afford the down time that would be involved in a consolidation move. Most of the training I've heard about has been to send Narcs to the FBI Academy. That's a three month lag right there.

There was down time when Reorganization #2 was instituted but I don't think we can blame the escalation of marijuana and cocaine on that time factor. Most of the blame must lie on the emphasis placed by Federal narcotics enforcement on heroin.

I do agree that too much effort was expended in the past on cases that generated good press. The truth is that seizures are easier to make than conspiracies. Unfortunately, good conspiracy cases are difficult and time-consuming. Also, there is no press coverage during the two years that the investigation may consume.

Money -- everybody thinks more is better. Not so. If we get all of the resources at hand involved in a three-pronged assault, we can cripple the traffickers:

Financial


Interdictions

Intelligence

P.S. - I think DEA has a great deal of input to this document.

MEMORANDUM

THE WHITE HOUSE
WASHINGTON

TO: Dr. Turner
FROM: Dan Leonard 
SUBJ: Customs Involvement in Narcotics Smuggling Ops.
DATE: July 16, 1981

After Seymour Bolten's presentation, I called a friend at DEA to get their reaction to putting Customs back into the act. He furnished the following objections:

1. Expertise -- Since 1973 (Reorg. #2) there have been no narcotics investigations by Customs. All of their efforts have been directed at border interdiction.
2. Manpower -- At the time of Reorg. #2, all the Customs agents with narcotics experience were transferred to DEA. (500+) A few returned but DEA describes them as malcontents. We must keep in mind that these few have been out of contact for eight years.
3. Training -- There has been no training provided to Customs Agents since 1973 in narcotics investigations.
4. Overseas Experience -- The numbers of Customs personnel assigned to overseas is minimal and, by direction, they have no narcotics contacts.

If it is determined to put Customs back in the picture, I would recommend transferring the 200+ agents overseas to Customs and also locating those agents who served overseas within the last 3 or 4 years to Customs. This would immediately answer the four objections above.

Also if it is determined to have the FBI absorb less than the full complement of DEA agents, we can effectively place 400 or 500.

There is one caution we must keep in mind. Unless there is tight coordination and cooperation at all levels, the problem will revert back to unhealthy throat cutting and case stealing. We must not lose sight of the fact that DEA is in Justice and Customs is in Treasury. This is a built-in weakness in the system.

MANDATORY SENTENCING

Plan to C.F.

When we institute mandatory minimum prison sentences for certain crimes, we will automatically increase our prison population. As of January 1, 1980, the total number of adult inmates in state prisons numbered 275,850. Several thousand of these felons were temporarily housed in county jails because the state prisons were overcrowded. It is safe to say that every state facility is filled to capacity.

In addition, many prisons are relics of the 19th century and the states have little incentive for building new facilities.

Crime is a national problem. Indeed it is a national tragedy. It must receive a high priority from this Administration. We must remember that violent crime is interpreted by most Americans as street crime. I have a problem with how the Federal Government can become involved in a campaign against street crime. Street crime is a problem that should be handled by the state criminal justice systems.

I see the Federal effort as being directed mainly at the narcotics problem. Narcotics trafficking comes within the Federal statutes. If we insist upon a higher priority in the war against narcotics traffickers, we will have a definite impact on violent crime. We can attack their assets through Customs, FBI and IRS. We can attack the supply of narcotics through improved use of DEA's resources. We can infiltrate their operations through greater utilization of this country's Intelligence apparatus. ATF can be used to combat violent crime by limiting the supply of sophisticated weapons in the hands of drug dealers. If we can reduce the flow of drugs into the country and put the trafficking networks out of business, we will have a significant impact on violent crime.

By addressing the Federal crimes, we will be in a better position to utilize the mandatory sentencing procedure. There is space in Federal prisons. Those populations for some reason have been decreasing, while state prison populations have been increasing. If our program for increased enforcement is as successful as we anticipate, it will not be long before Federal prisons are filled to capacity.

The National Criminal Justice Association is in favor of the use of alternatives to incarceration for appropriate individuals. No one will argue with alternatives for certain violators. But we must at the same time develop alternative means of incarceration. Certain types of crimes or criminals must be assured of "swift and sure" punishment. It is the surest form of deterrence.

There are alternative facilities for incarceration:

- A. During the influx of Cuban refugees that flooded this country, we found detention facilities. They violated the civil law of the land. They were in violation but not of any military code. Yet we opened military bases and utilized military personnel to guard these violators. The national good obviously dictated using the military.
- B. Establish a program for rebuilding our national monuments. Ellis Island is a perfect example. It sits in the middle of N.Y. Harbor and most second-generation Americans can be sure that their grand-

parents passed through Ellis Island. Through years of neglect, it has become a national disgrace. Why not sentence drug offenders to a term on the Island with the idea that these offenders would restore the Island. We serve a two-fold purpose -- incarceration and training. When Ellis Island is restored, move the facility to Alcatraz or other locations of historical value to Americans.

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6 MEMO

1 8/20/1981 B6

LEONARD TO TURNER RE DEA PROGRAM

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7 MEMO

1 7/13/1981 B6

LEONARD TO TURNER RE STREET CONDITIONS
IN NEW YORK CITY (PARTIAL)

B7(C)

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MEMORANDUM

TO: Dr. Turner
FROM: Dan Leonard
SUBJECT: Street conditions in NYC
DATE: July 13, 1981

Commanding officer - Narcotics Dept.

According to C.O.N.D., there is no epidemic of heroin in NYC. It apparently peaked in 1980 but could not compare with conditions in 1970.

Bigger problem is cocaine and marijuana. They are all over the streets. Both are sold openly on the street and in some stores. Interestingly enough, marijuana use has invaded that conservative stronghold - Wall Street.

Apparently dealers feel they can operate with little risk. The NYC courts cannot handle the workload. Large numbers are flushed out of the system through plea bargaining.

Street conditions in L.A.:

According to [REDACTED] there is no epidemic of heroin in L.A. Cocaine and marijuana are the prevalent drugs of abuse.

*b(6)
b(7)(c)*

N.Y. TIMES August 31, 1981

Klan Leader Reportedly Informed for F.B.I.

NASHVILLE, Aug. 30 (AP) — According to a confidential memorandum, Bill Wilkinson, an Imperial Wizard of the Ku Klux Klan, became an informant for the Federal Bureau of Investigation in 1974, a Tennessee newspaper reported today.

The Tennessean said Mr. Wilkinson acknowledged he had provided information to the F.B.I. over the last seven years. But the newspaper quoted the Klan leader as saying yesterday:

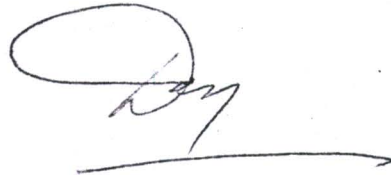
"They were trying to groom me as an informant. But all I ever told them was my policy, and my policy is that I would only tell them what I would tell the news media."

The newspaper said it obtained the documents, which originated in the New Orleans field office of the F.B.I., under the Freedom of Information Act. It said the documents indicated that Mr. Wilkinson was unwilling to testify in open court.

Mr. Wilkinson denies receiving money or special favors from the Justice Department, the paper reported.

Freedom of Information Act or License to Kill Act.

This is a perfect example of the abuses of F.O.I.A. No one would miss a Klan leader but if the name of a Narcotics Informer or Organized Crime Informer is revealed in this manner there will be no more violators turned around. We both know the name of Narcotics and OC enforcement is get the informer.



Dan heard
~~new~~

MEMORANDUM

TO: CARLTON TURNER
FROM: DAN
SUBJECT: HOUSE MEETINGS
DATE: July 23, 1981

On July 23, 1981, the following informal meetings were held:

CONGRESSMAN CHARLIE RANGEL - Dem.- Liberal-Repub. New York, is eagerly awaiting a strong, visible commitment from the President. He says he will strongly support an anti-drug effort. He also stated that he and his colleagues will be patiently awaiting a strategy or policy from the Administration.

CONGRESSMAN MARIO BIAGGI, Democrat, N.Y. appears to have given up on the Select Committee. He gave one solution that is politically dangerous (and in my opinion, not workable). He feels that to eliminate heroin-related crime we should give away heroin. By taking away the customers, he believes we will destroy the trafficker's infrastructure.

Bill Lawrence, Staff Director of GLENN ENGLISH, Demo. Oklahoma. Bill was on the military trip and states that drug conditions are really "bad". He has a new staffer, Ted Doloff, retired Colonel, Batt. Command., from the Army who says he knows how to straighten out DOD's problems. I believe a meeting with these two would be advisable as long as we remember they are both very ambitious for English and themselves.

To: Carlton Turner
From: Dan Leonard *J*
Subject: Alternative Means of Incarceration

OK CW
8-20-77

The Violent Crime Task Force has recommended that the Federal government spend \$2 Billion over the next four years to assist states with a prison building program. There is some doubt that this administration will commit that amount of money to any one program. Even if the \$2 Billion were allotted it would take years to see any concrete results. Prisons are primarily stone and steel. They are not constructed over night.

What are seriously needed are short range, immediate solutions to handle the increased case load. There will be an increased case load if such proposals as Bail Reform and Mandatory Minimum sentences are approved. There will be greater emphasis on narcotics enforcement in an effort to have an increased Federal impact on Violent Crime.

There are many alternative locations available for use as emergency detention centers.

1. We have already discussed use of surplus military facilities. The surplus Air Force properties in New York State are a perfect example. The cost to the Federal government is nil. The state is committed to all conversion efforts.
2. Mothballed naval vessels. Ships constructed of steel making extensive alterations unnecessary. There is one such fleet on the West coast and another on the East coast. Inmates on these ships could learn many maritime trades while at the same time maintaining the upkeep of the ships.
3. Natural disasters, forest fires, droughts, floods. After each such occurrence there is a tremendous amount of work repairing the damage done to the environment. Inmates assigned to such a location could be trained in reforestation, land reclamation, dam building, etc.
4. Environmental clean-ups, there are numerous areas of the country that have been practically destroyed by the careless discarding of refuse and trash. In fact many historically beautiful areas have been ruined. This type of location would provide a splendid forum for training in sanitary engineering. Another perfect project would be the occasional oil spills that despoil our public and national beaches.
5. There are numerous national landmarks that have fallen into total disrepair, Ellis Island, Alcatraz, Civil War Forts, Fort Washington, etc. Many of these locations being islands or forts have built in security factors. I know that these options have been discussed before and discarded as too expensive to renovate. The argument will not apply if we

consider the installation as not only a place of confinement but also a training school. The inmates could be used to restore the facility to its original splendor. In the process they will be learning a useful trade; carpentry, bricklaying, ironworking, plumbing, etc.

There are many Federal resources to be used as a start up and continuing education group. The most apparent are the Seabees and Army Engineers (Regular and Reserve). They could assist in the building of temporary quarters and other support buildings and then supply manpower for on-going instruction and supervision.

Attacking the temporary detention problem in this manner will supply immediate locations to alleviate the anticipated increase in prison populations and will also torpedo the objections that will be raised by the ACLU and other groups. We will not only be confining but "rehabilitating".

cc. Mike Uhlmann