

STATEMENT FOR THE RECORD  
Mike Sena  
Executive Director  
Northern California High Intensity Drug Trafficking Area  
President's Commission on Law Enforcement & the Administration of Justice

Mr. Chairman and members of the Commission,

Thank you for inviting me to testify on the topic of the social problems impacting public safety related to substance abuse. This issue is at the core of our ongoing challenge to protect the public. Substance abuse negatively impacts the ability of law enforcement and our public safety partners to effectively protect the communities we serve.

My name is Mike Sena and I am testifying today in my capacity as the Executive Director of the Northern California High Intensity Drug Trafficking Area (HIDTA). The HIDTA Program was established within the White House's Office of National Drug Control Policy (ONDCP) under 21 U.S.C. §§ 1701. The HIDTA Program provides funding resources to joint initiatives of Federal, state, local, and tribal (FSLT) agencies in each of the America's 29 HIDTA designated areas to carry out activities that address the specific drug threats of those areas. The purpose of the HIDTA Program is to reduce drug trafficking and drug production in the United States by facilitating information sharing and cooperation among FSLT law enforcement agencies and implementing coordinated enforcement activities that includes enhancing law enforcement intelligence sharing, providing reliable law enforcement intelligence, and supporting coordinated law enforcement strategies that maximize the use of available resources.

Our nation has struggled with addiction and substance abuse since narcotics first came to America. We have moved from the opium dens of the 19<sup>th</sup> Century to the open-air street drug markets of today. We are living in an age where extremely addictive and deadly narcotics are available across our nation. The violence and quality of life crimes that accompany the sale and use of narcotics impact all of us.

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Recommendations:

1. Reforms to the criminal justice system should reflect balanced perspectives, be informed by science and facts, and have public safety as their fundamental aim.
2. Drug courts that help individuals with substance use disorder by providing them with access to treatment must have the ability to separate the individual from the environment that perpetuates their addiction and cycle of crime.
3. The public safety community needs near real-time information sharing to identify overdose threats and reduce the loss of life. The Washington/Baltimore HIDTA's Overdose Detection Mapping Application Program (ODMAP) should be expanded nationwide.

In a growing number of American communities, law enforcement is not only challenged by the crimes and victimization associated with substance abuse, but by the criminal justice system itself. Some prosecutors are making decisions to not file charges for violations of selected sections of the law that elected representatives enacted in their jurisdiction, some states are reducing or eliminating penalties for committing crime, and some communities are focused on reducing jail and prison populations with little regard for the consequences.

In some parts of America, there are no major consequences related to criminal behavior, including the distribution of highly addictive and even deadly narcotics. These developments are troubling to those of us in public safety who must deal with the real consequences. Stating that

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crime is going down because officers are not arresting those that violate the law or because prosecutors are not filing charges against defendants with the court may reduce crime statistically, but it does not make any community safer.

The Substance Abuse and Mental Health Service Administration's National Survey on Drug Use and Health for 2018 found that 1 in 5 people aged 12 and older used illicit drugs in the past year. The survey also found that approximately "20.3 million people aged 12 or older had a substance use disorder (SUD) related to their use of alcohol or illicit drugs in the past year, including 14.8 million people who had an alcohol use disorder and 8.1 million people who had an illicit drug use disorder."<sup>1</sup>

Several states have changed charging and sentencing guidelines, resulting in misdemeanor charges instead of felony charges. This has decreased our ability to connect justice-involved people with treatment services. The drug courts' ability to provide resources to those convicted of illicit narcotics related charges has eroded. Law enforcement's ability to develop sources of information has also been hampered as minimal to no jail or prison time results in fewer defendants choosing to cooperate and identify drug dealers and those engaged in other serious criminal activity.

Even though many addicts know that their next dose of drugs may be laced with fentanyl that will most likely kill them, they still take the drugs because feeding their addiction is so powerful that it overrides any rational decision making. Narcotics dealers also have little fear and

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<sup>1</sup> <https://www.samhsa.gov/data/sites/default/files/cbhsq-reports/NSDUHNationalFindingsReport2018/NSDUHNationalFindingsReport2018.pdf>

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knowingly sell potentially lethal drugs to their victims. This has resulted in 46,802 opioid related overdose deaths being reported in 2018.

The Washington/Baltimore HIDTA developed the Overdose Detection Mapping Application Program (ODMAP) to provide free suspected overdose surveillance data across jurisdictions to support public safety and public health efforts to mobilize an immediate response to a sudden increase, or spike in overdose events. ODMAP needs to be adopted nationwide and requires the support of the President to encourage every law enforcement, public safety, and public health agency in America to participate in the program.

Two weeks ago, HIDTA Task Force Commanders from across Northern California and I had the opportunity to meet with two individuals that had spent most of their lives fighting addiction and dealing with the consequences of their drug abuse. Those consequences included spending considerable portions of their lives incarcerated.

During our meeting, I asked them what had helped them change their lives for the better and what were their greatest concerns about addiction and the criminal justice system. I was told that going to prison and commitment to treatment saved their lives. Their greatest fear was for the youth and young adults of today, as they believe that the next generation will have nothing to help them break free of the cycle of drug addiction.

We should not make changes to the criminal justice system with a broad brush. Law enforcement should also not be responsible for solving all the social problems of today, but they must be

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allowed to have the tools they need to reduce the impacts of substance abuse that are exacerbating social problems across the country. I understand that incarceration alone is not the solution, but too many lives are lost every day because we can't get people into the treatment they need.

Drug courts need to be empowered to help individuals with substance use disorder receive the treatment they need to break their cycle of addiction. That cycle of addiction often leads to a life of crime, homelessness, and in some cases, it also aggravates mental health issues.

In 2018, drugs caused 67,367 reported deaths in the United States<sup>2</sup>. We must promote and successfully execute near real-time overdose information sharing to address this lethal threat. The Washington/Baltimore HIDTA's Overdose Detection Mapping Application Program (ODMAP) must be expanded nationwide to help us save lives. We must also expand our ability analyze and disseminate overdose data through the HIDTAs integration of public health analysts, drug intelligence officers, and prevention initiatives.

I again want to thank the Commission for this opportunity to discuss some best practices, lessons learned, challenges, and successful programs that the HIDTAs and our partners are using to address and enhance law enforcement and the administration of justice.

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<sup>2</sup> <https://www.cdc.gov/nchs/products/databriefs/db356.htm>