EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor Of Guam

JUN 27 2018

GL#34-16-2023
Speaker Benjamin J.F. Cruz

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Honorable Benjamin J.F. Cruz
Speaker
I Mina'trentai Kuåttro Na Liheslaturan Guåhan
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Dear Mr. Speaker:

Pursuant to § 102 (e) of Chapter 1, Title 1, Guam Code Annotated, transmitted herewith is a copy of Executive Order No. 2018-07.

Senseramente,

EDDIE BAZA CALVO

2018 JUN 27 PM 12:05

OFFICE OF THE GOVERNOR
HAGÅTÑA, GUAM 96910
U.S.A.

EXECUTIVE ORDER NO. 2018-07

RELATIVE TO EXECUTIVE BRANCH COORDINATION WITH THE LAW ENFORCEMENT ENITITIES WITHIN THE JUDICIAL BRANCH OF GUAM, THE GUAM DEPARTMENT OF EDUCATION AND FEDERAL LAW ENFORCEMENT AUTHORITIES TO COORDINATE AND ATTAIN THE HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA) DESIGNATION FOR GUAM

WHEREAS, methamphetamine is the principal illicit drug of choice on Guam. MDMA, prescription pills and illicit pharmaceuticals are also available to a lesser degree and are often purchased in clubs and bars. Very recently, large amounts of cocaine have been imported to Guam. Many of Guam's violent crimes are linked to drugs, alcohol abuse, lack of economic opportunities, and lack of educational attainment.

WHEREAS, crystal "ice" methamphetamine poses the greatest threat to Guam. Most of the methamphetamine shipped to Guam originates from the United States mainland; primarily from the states of California, Nevada and Washington via postal packages or courier. China has also been identified as a secondary source of methamphetamine to Guam. In February 2016, the U.S. Postal Inspection Service (USPIS), in conjunction with the DEA Guam Resident Office (RO), intercepted three suspicious Express Mail packages originating from a fictitious Los Angeles, CA area address. Search warrants executed on the packages resulted in the seizure of approximately 30 pounds of methamphetamine and the arrest of two members of the Guam-based Agat Blood Town (ABT) gang. In August 2016, a passenger departed Los Angeles International Airport (LAX) via commercial airlines destined for Guam via

Doc. No. 34GL-18-2023.

Honolulu, HI. Upon arrival at the Guam International Airport, the passenger was placed into Guam Customs and Quarantine Agency secondary inspection and subsequently detained/arrested after approximately 400 gross grams of methamphetamine was located in the passenger's carry-on luggage. The individual later acknowledged smuggling approximately 230 grams of methamphetamine into Guam from Los Angeles, California several months earlier via internal body carry. In November 2016, the DEA Guam RO, in conjunction with the USPIS, intercepted approximately 28 pounds of methamphetamine that was sent to Guam from Washington by a Guam-based DTO. Subsequent to a controlled delivery and arrest of the intended recipient, investigators executed seizure warrants on bank accounts and safety deposit boxes and seized approximately $1,000,000.00.

WHEREAS, cocaine has recently become a huge law enforcement issue on Guam. In May of 2018, several packaged blocks, weighing approximately four (4) pounds, containing a white powdery substance that was later tested and determined to be cocaine, were found on the eastern seashore of the island. Since the date of the initial cocaine confiscation, there has been a rise in cocaine related arrests by the Guam Police Department's. An investigation was initiated by the Mandaña Drug Task Force (Multi-Agency Network Disrupting All Narcotics Activity) where a search warrant was executed in a village in the southern area of the island. From that operation, six adult individuals were arrested and approximately thirty-seven (37) pounds of cocaine were confiscated. The Mandaña Drug Task Force is continuing to investigate whether the two cocaine amounts seized were part of a larger shipment and if the total of approximately forty-one (41) pound / $471,000.00 amount is part of a continuing series of shipments. It should be pointed out that cocaine is not produced on Guam.

WHEREAS, illegal drug trafficking groups and criminal drug organizations in Guam are typically comprised of Korean, Filipino, and Chinese nationals who smuggle methamphetamine to the island via couriers. Mexican organizations supply some of the methamphetamine reaching Guam indirectly via the U.S. mainland. Drug proceeds are often mailed back to the United States

mainland or sent electronically through established bank accounts. Similarly, proceeds are sent via wire transfer to Korea, China, and other Asian countries. Generally, the proceeds are either reinvested to purchase additional quantities of the drug and/or are used to purchase vehicles or personal goods.

WHEREAS, local law enforcement has implemented innovative strategies, cooperative agreements and joint programs in an attempt to stem the flow of drugs into, out of and throughout the Territory. Collaboration, information sharing and pooling of personnel and resources has recently proven to be extremely effective. On February 10, 2017, Executive Order 2017-01 was signed creating in the Mandaña Drug Task Force (Multi-Agency Network Disrupting All Narcotics Activity). The Mandaña Task Force has been increasingly active since its creation, making more than 180 arrests for possession of primarily crystal methamphetamine, confiscation of more than 1,200 grams of "ice," 430 grams of spice (synthetic marijuana) and over 6,400 illicit prescription pills and confiscation (recently) of over 18,000 grams of cocaine.

WHEREAS, despite the local law enforcement's successes, it is clear from recent trends and events that local law enforcement's efforts need additional support and assistance.

WHEREAS, the High Intensity Drug Trafficking Areas ("HIDTA") program, was created by Congress with the Anti-Drug Abuse Act of 1988, which provides assistance to Federal, state, local, and tribal law enforcement agencies operating in areas determined to be critical drug-trafficking regions of the United States. This grant program is administered by the Office of National Drug Control Policy ("ONDCP"). There are currently 28 HIDTAs, which include approximately 18 percent of all counties in the United States and 66 percent of the U.S. population. HIDTA-designated counties are located in 49 states, as well as in Puerto Rico, the U.S. Virgin Islands, and the District of Columbia. The DEA plays a very active role and has nearly 600 authorized special agent positions dedicated to the program. At the local level, the HIDTAs are directed and guided by Executive Boards composed of an equal number of regional Federal and non-

Federal (state, local, and tribal) law enforcement leaders. The 2016 HIDTA annual budget is $250 million.

WHEREAS, the purpose of the HIDTA program is to reduce drug trafficking and production in the United States by: (1) Facilitating cooperation among Federal, state, local, and tribal law enforcement agencies to share information and implement coordinated enforcement activities; (2) Enhancing law enforcement intelligence sharing among Federal, state, local, and tribal law enforcement agencies; (3) Providing reliable law enforcement intelligence to law enforcement agencies to facilitate the design of effective enforcement strategies and operations; and (3) Supporting coordinated law enforcement strategies that make the most of available resources to reduce the supply of illegal drugs in designated areas of the United States and in the Nation as a whole.

WHEREAS, the mission of the program is "to enhance and coordinate America's drug-control efforts among local, state and Federal law enforcement agencies in order to eliminate or reduce drug trafficking and its harmful consequences in critical regions of the United States."

WHEREAS, the most significant feature of the HIDTA Program is the long-standing policy, codified into law in 2006, that each HIDTA is managed by an Executive Board comprised of senior federal law enforcement agents and State/local/tribal law enforcement executives from the HIDTA's designated area. Moreover, voting power on the Board must be equally divided between the two types of representatives –Federal and local. Other programs may combine Federal, State, and local law enforcement agencies into a single task force, but the work of those task forces is directed by a single agency, not a balanced group as with the HIDTA Executive Boards. As a result, those task forces are usually extensions of a single agency. In 2017, the composition of the HIDTA Executive Boards included 102 State, 239 local, and 301 Federal law enforcement administrators. Second, the Executive Board in each HIDTA has virtually unlimited discretion over the HIDTA's activities. Every year, HIDTA Executive Boards assess the drug trafficking threats in their defined areas, develop strategies to address those threats, design initiatives to implement the strategies,

and allocate the funding needed to carry out the initiatives. This level of local control and discretion ensures that each HIDTA Executive Board can tailor its strategy and initiatives to local conditions and can respond quickly to changes in those conditions. It also leads to wide-ranging and creative approaches to counter the drug traffickers operating in the United States.

WHEREAS, at the operational level, collocated task forces that include Federal law enforcement agents and State/local officers carry out HIDTA-funded initiatives. These task forces are led by a local or Federal agency or often jointly led by more than one agency. The interaction among the task force members is heightened by the Program's policy of requiring the task force members to be housed and commingled at the same location to facilitate a close, barrier-free work arrangement. In 2017, more than 22,000 federal, state, local, and Tribal agents, officers, analysts, and other staff participated in 825 HIDTA initiatives. This number included 10,695 from local agencies, 5,197 from state agencies, 6,230 from federal agencies, 69 from Tribal enforcement agencies, and three representatives of foreign law enforcement agencies. As a result of the discretion afforded the Executive Boards, the make-up of the Executive Boards, and the top-to-bottom commitment to interagency cooperation, the individual HIDTAs have established a track record of quickly devising and implementing creative and effective responses to changing drug threats.

WHEREAS, each HIDTA is governed by a HIDTA Executive Board which includes representatives of local, state and federal law enforcement agencies in the region of the HIDTA. By law, each HIDTA Board is equally divided between federal law enforcement on the one side and state and local agencies on the other.

WHEREAS, as a result of the discretion afforded the Executive Boards, the make-up of the Executive Boards, and the top-to-bottom commitment to interagency cooperation, the individual HIDTAs will be enabled to quickly devise and implement creative and effective responses to changing drug threats facing the island of Guam.

WHEREAS, the HIDTA program requires a two-step process. The first step requires the submission of a petition to become a High Intensity Drug Trafficking Area ("HIDTA"). The second step requires the submission of a petition for HIDTA funding.

NOW, THEREFORE, I, EDDIE BAZA CALVO, *I Maga'Lahen Guåhan,* Governor of Guam, by virtue of the authority vested in me by the Organic Act of Guam, as amended, do hereby order that:

1. The following agencies under the Executive Branch:

    - Guam Police Department (GPD)
    - Department of Corrections (DOC)
    - Guam Customs and Quarantine Agency (GCQA
    - Department of Youth Affairs (DYA)
    - Department of Agriculture (DOA)
    - Jose D. Leon Guerrero Port Authority of Guam (PAG)
    - Guam Homeland Security (GHS)
    - A.B. Won Pat Guam International Airport Authority (GIAA)
    - Department of Public Health and Social Services (DPHSS)
    - Bureau of Statistics and Plans (BSP)
    - Department of Parks & Recreation (DPR)
    - Department of Revenue and Taxation (DRT)

    will effectively and collaboratively work with:

    - Attorney General of Guam (OAG)
    - Judiciary of Guam (JOG)
    - Guam Department of Education (GDOE)

    and the following federal law enforcement agencies:

    - U.S. Attorney's Office (USA)
    - Federal Bureau of Investigations (FBI)
    - Drug Enforcement Agency (DEA)
    - Alcohol, Tobacco and Firearms (DATF)
    - U.S. Department of Homeland Security
    - U.S. Marshals Service

- Office of Special Investigations (OSI)
- U.S. Coast Guard
- Naval Criminal Investigative Service (NCIS)
- Transportation Security Administration (TSA)

to provide, collect and analyze any and all required data and statistics to compile and submit to the Office of National Drug Control Policy a petition seeking HIDTA designation.

2. Once Guam attains HIDTA designation, the following law enforcement agencies:

- Guam Police Department (GPD)
- Department of Corrections (DOC)
- Guam Customs and Quarantine Agency (GCQA)
- Department of Agriculture (DOA)
- Jose D. Leon Guerrero Port Authority of Guam (PAG)
- Guam Homeland Security (GHS)
- A.B. Won Pat Guam International Airport Authority (GIAA)

shall work and cooperate to establish a Charter (Memoranda of Understanding / Agreements) amongst themselves and with the following agencies (if these agencies consent and agree):

- Attorney General of Guam (OAG)
- Judiciary of Guam (JOG)

and, if possible, the following federal law enforcement agencies:

- U.S. Attorney's Office (USA)
- Federal Bureau of Investigations (FBI)
- Drug Enforcement Agency (DEA)
- Alcohol, Tobacco and Firearms (DATF)
- U.S. Department of Homeland Security
- U.S. Marshals Service

- Office of Special Investigations (OSI)
- U.S. Coast Guard
- Naval Criminal Investigative Service (NCIS)
- Transportation Security Administration (TSA)

to establish the Guam HIDTA Executive Board.

3. The Guam Police Department shall be designated the lead agency tasked with seeking HIDTA designation for Guam.

4. All Government of Guam agencies that are subject to this Executive Order shall render assistance to, coordinate and cooperate with the Guam Police Department in seeking HIDTA designation for Guam.

5. The assistance to, coordination and cooperation with the Guam Police Department shall continue until acquisition of HIDTA designation for Guam is acquired or until the Guam Police Department directs the cessation.

SIGNED AND PROMULGATED at Hagåtña, Guam, this 27th day of June 2018.

EDDIE BAZA CALVO
I Maga'Låhen Guåhan
Governor of Guam