

TESTIMONY



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BEFORE THE

**COMMITTEE ON GOVERNMENTAL  
AFFAIRS  
UNITED STATES SENATE**

Monday, July 30, 2001  
Washington, D.C.

Good morning, Senator Lieberman, Senator Thompson and Members of the Committee on Governmental Affairs.

For the record, I am John M. Bailey, the Chief State's Attorney of the State of Connecticut. To briefly explain my responsibilities, I am the Chief Law Enforcement Officer of the State of Connecticut, and administrative head of the Division of Criminal Justice, which is responsible for the investigation and prosecution of all criminal matters in the State of Connecticut.

I sincerely thank the Committee for the opportunity to appear before you to discuss the drug ecstasy and how we in Connecticut have utilized our Nuisance Abatement Program to correct one serious problem area involving ecstasy.

I am sure that the Committee members are aware of the growing problems that we in law enforcement, and our society in general, are facing with the drug ecstasy and with other so-called "designer drugs" or "club drugs."

Let me quote from *USA Today* of July 20th: "The trade and use of Ecstasy have mushroomed since 1995. In that year, federal agents seized a few hundred thousand pills. Last year, federal agencies confiscated more than 11 million."

And, I should add, those 11 million pills represent only ten percent of the Ecstasy coming into this country.

On July 19, *The New York Times* reported on the seizure of one million Ecstasy tablets from one studio apartment in New York City. At a price of \$20 to \$40 for each tablet, this seizure alone took some \$40 million dollars worth of Ecstasy off the streets and out of the clubs.

Similar seizures are being reported elsewhere, and they are not limited to big cities such as New York and the drug Ecstasy. On July 20, the *Wichita Eagle* newspaper in Kansas carried a report on the seizure of 21,000 vials of the narcotic ketamine hydrochloride, or what is known in the drug trade as "Special K." This is believed to be the largest seizure ever of "Special K."

No, the problem is not limited to one drug, and certainly not to one city or part of the country. It makes no difference whether we are talking about America's cities or America's heartland. When the drug traffickers go looking for a market, they will sell wherever and to whomever will buy.

In Connecticut, for example, we have found that Ecstasy is more popular among suburban users than other drugs, such as heroin or crack cocaine. Our Statewide Narcotics Task Force warns that Ecstasy and other designer drugs could replace marijuana as the drug of choice among young people.

And these are the economics of the drug trade. Introduce new drugs and create new markets. Remember, although this is an illicit business, it is a business, and a business that is generating billions of dollars each year in income. These criminals are

**making money -- a lot of money.**

**The drug traffickers know what they are doing, which is why it is so absolutely critical that we in law enforcement know what we are doing. Just as they work to develop new markets and push new poisons, we must develop new strategies, and new initiatives, to stop this dealing in death.**

**One of the strategies that we are utilizing with success in Connecticut is our Nuisance Abatement Program. I would like to use the remainder of my time this morning to explain this program and how it was used to correct a problem that dealt specifically with Ecstasy trafficking.**

**We in Connecticut are very proud of our Nuisance Abatement Program. It is one of the most exciting and innovative initiatives that we have undertaken in recent years. This program joins together the legal forces of civil action and criminal prosecution to deal with nuisance properties.**

**I have submitted detailed written materials to the Committee explaining the specifics of how the program works. Simply put, when we can show a pattern of criminal activity through actual arrests or the issuance of arrest warrants, we can take civil action to clean up the problem and abate the nuisance.**

**The Ecstasy problem in Hartford is an excellent case in point as to how this law can be utilized. A traditional narcotics investigation was undertaken, identifying three rave clubs in Hartford where Ecstasy trafficking was taking place. One of these clubs was a traditional liquor establishment; the other two were "after hours" clubs catering to individuals as young as age 14.**

**We proceeded with the criminal investigations and arrests, and, at the same time, with the civil action allowed under the Nuisance Abatement Act. We obtained court orders shutting down all three clubs. The clubs remained closed while the owners worked with us to put in place strict controls to stop the drug**

dealing. The clubs have since reopened, and we are continuing ongoing monitoring to assure compliance.

Nuisance abatement differs from traditional anti-blight activities in that the goal is not to permanently close a business or property, but to clean up that property and the nuisance. We work with the property owner or the business operator to make that property a productive part of the community. And we do so with the clear understanding that if the problem returns, so will we -- armed with the full authority of criminal and civil prosecution.

The Nuisance Abatement Program has shown its value in its relatively short history in Connecticut, and we believe that the program holds tremendous promise for the future. We also believe that it is a model not only for those communities in Connecticut which have not utilized it, but for jurisdictions throughout this country that may not even know of its existence.

At this point, I will conclude my presentation. Again, I would like to thank the Committee for allowing me to participate in today's hearing, and I would be happy to answer any questions that you might have.

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