

State meth lab seizures cut in half

BY BRAD CAIN
THE ASSOCIATED PRESS

SALEM — Citing a reduction in meth lab seizures, Gov. Ted Kulongoski urged the state Board of Pharmacy to approve permanent rules to keep certain cold medicines away from methamphetamine cooks.

At Kulongoski's request, the board passed temporary rules last October to tighten consumer access to cold pills that can be used to make meth.

Appearing before the board Monday, Kulongoski said the rules appear to have brought about a 50 percent reduction in the number of small meth labs around Oregon.

He cited Oregon State Police figures showing that the number of meth lab busts has declined from an average of 40 a month prior to adoption of the rule to about 20 a month since then.

That mirrors a reduction in meth lab seizures reported by police in Oklahoma, the first state to adopt the restriction on cold medicine sales, Kulongoski noted.

"It means our neighborhoods have less toxic waste littering our streets and streams," he said. "And most importantly, it means we have fewer

children being exposed to the production of this poisonous drug."

Under the temporary rules adopted in October, consumers must show picture identification to purchase cold medications containing pseudoephedrine, a key ingredient for cooking methamphetamine.

Kulongoski on Monday urged the board to adopt permanent rules to require pharmacists to collect the identities of those who purchase solid forms of pseudoephedrine and enter the information into an electronic database. The board is scheduled to vote on the change today.

Keeping a log of customers who purchase the cold medications will help law enforcement agencies "identify suspicious behavior, such as purchasing pseudoephedrine products in amounts that far exceed the need of a citizen with a common cold or allergies," Kulongoski said.

However, a representative of chain drug stores expressed doubt about that proposed requirement, saying it's not clear how that information will be used to fight meth.

The proposed requirement contains no provision for the information on those customer logs to be checked

by law enforcement authorities or shared by the various stores.

"So basically, it's an unfunded mandate on the stores and companies to do nothing but keep a lot of paperwork that never gets looked at," said Lis Houchen of the National Association of Chain Drug Stores.

Kulongoski said he realizes the requirement will create additional expense and work for the stores.

"This epidemic is so serious that everybody has to participate in finding a solution to it," he said. "All I'm asking the industry to do is to step up and do their part."

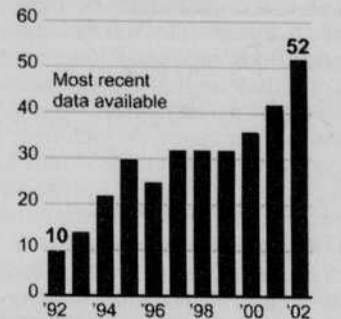
The permanent rule that's being considered by the board also will require that all solid forms of pseudoephedrine be moved behind the counter and sold by pharmacists. Liquid forms of pseudoephedrine remain unrestricted because criminals can't use those products to produce meth, police officials said.

Kulongoski said the rule strikes a proper balance between keeping cold and allergy medications available for legitimate use versus imposing some restrictions on them to keep them out of the hands of meth cooks.

Treating more for meth abuse

Treatment admissions for people using meth soared in the 1990s.

Methamphetamine/amphetamine admissions per 100,000 population ages 12 and older



SOURCE: Substance Abuse and Mental Health Services Administration AP

PATRIOT Act utilized in Mayfield search

BY RUKMINI CALLIMACHI
THE ASSOCIATED PRESS

PORTLAND — Since last May, when the FBI admitted it had wrongly arrested Portland lawyer Brandon Mayfield following the Madrid train bombings, the Muslim convert has contended that the PATRIOT Act was used to gain secret entry into his home and gather personal material that was used to portray him as a Muslim militant.

The Justice Department has previously denied using the PATRIOT Act in the Mayfield case — until now.

In a congressional hearing Tuesday in Washington, D.C., Attorney General Alberto Gonzales acknowledged that provisions of the act were used in the investigation against Mayfield; although he first denied it, he corrected himself when asked a second time an hour later.

"Senator, I think we have said publicly — if not, I guess I'm saying it publicly — that the PATRIOT Act was not

used in connection with the Brandon Mayfield case," Gonzales told Sen. Diane Feinstein, D-Calif., at a Senate Judiciary Committee hearing on sections of the law that are set to expire at the end of the year.

More than an hour later, after Feinstein asked another question, Gonzales said he needed to correct his earlier answer.

"You asked me specifically about the Mayfield case, and I'm advised that there were certain provisions of the PATRIOT Act that apparently were used," he said.

He named two sections of the code that he said were used: one deals with extending the duration of electronic surveillance and another makes it easier to get warrants to search the private residences of U.S. citizens.

Mayfield was arrested May 6 at his Portland law office after an FBI computer matched his fingerprint to one found on a bag of detonators near the scene of the Madrid train bombings

that killed 191 people. He was freed two weeks later after the FBI admitted the fingerprints were not his.

Mayfield's attorneys and some legal experts believe the Justice Department has been reluctant to admit to using the PATRIOT Act in the Mayfield case out of worry it would taint the 2001 law as its provisions come up for reauthorization.

"This administration is more concerned with public relations than an honest scrutiny of the PATRIOT Act, a law which is the most dangerous attack on civil liberties since the McCarthy era," said Elden Rosenthal, one of Mayfield's lawyers.

Law professor Michael Greenberger, a counterterrorism expert and former Justice Department official, also thinks the U.S. government has been nervous about acknowledging a connection between the Mayfield case and the PATRIOT Act.

Greenberger said the Justice Department wants to "make this appear like a

routine search consistent with a law that is not controversial," a reference to the 1978 Foreign Intelligence Surveillance Act.

The Justice Department insists it is being up front with Congress about use of the PATRIOT Act.

Tasia Scolinos, spokeswoman for the department, said that on Tuesday Gonzales told the congressional committee hearing that the Bush administration has used the PATRIOT Act's powers to listen to cell phone conversations and examine business records 84 times in 3 1/2 years.

"The Attorney General was forthcoming in his testimony on the Hill about the Patriot Act where he released new numbers about how this important anti-terror tool is being used and highlighted the civil liberties safeguards contained in the Act," Scolinos said in an e-mail to The Associated Press in Portland.

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