

# Dawn of the War on Steroids

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## Abstract

In May 1987, the U.S. Attorney’s Office filed a federal indictment naming 36 co-conspirators in the largest anabolic steroid trafficking ring in history. A two-year federal investigation revealed a \$100 million black market operating in the continental United States, of which an alleged 70% was supplied by a rag-tag trio of would-be drug barons: David Jenkins, an Olympic silver medalist; Dan Duchaine, a successful author and renowned steroid authority; and William Dillon, an aeronautical engineer from the Midwest. Much like alcohol bootleggers in the Prohibition Era (1920–1933), the men capitalized on a void left in the market by increased government regulation. In the mid-1980s, a 20-year drug review campaign spearheaded by the U.S. Food and Drug Administration culminated in the removal all anabolic steroids from the pharmaceutical market; a host of widely-used substances excised in one fell swoop. Revelations of systemic drug use in the Olympic Movement begot a paradigm shift in anti-doping enforcement in the early 1980s; however, no such shifts occurred in the legislative agenda. It was only after the ring was dismantled that American policy makers began to take notice, commencing in earnest a war on steroids that continues to rage on.

As a procession of fourteen inmates filed into the courtroom, Assistant US Attorney Phillip Halpern could not help but fix his gaze on a burly redhead midway down the line; an imposing figure as wide as he was tall, and hardly in the mold of a common street thug. As the men assembled in the jury box to be arraigned before the Federal District Court in San Diego, it

dawned on Halpern that the musclebound malefactor must have been Tony Fitton, a 33-year-old former British powerlifting champion detained by Customs agents two days earlier at the California-Mexico border.<sup>[Footnote1](#)</sup> While still on probation stemming from a similar offense three years earlier on November 12, 1984, Fitton and his girlfriend, powerlifter Vicky Steenrod, were detained at the Tecate border crossing enroute to San Diego after United States Customs Service (USCS) officials discovered 2,090 boxes of the anabolic steroid Dianabol and 200 vials of synthetic Testosterone hidden carelessly in the trunk of their rental vehicle.<sup>[Footnote2](#)</sup> While neither substance was codified under American drug legislation at the time, the illicit transport of prescription drugs – in this case Dianabol and Testosterone – was nevertheless in violation of federal food and drug statutes enacted nearly fifty years earlier.<sup>[Footnote3](#)</sup>

A US Customs inspector named Brian Simon placed a call to Halpern the following day, the first of what the attorney estimates to be ‘literally thousands’ of conversations about anabolic steroids over the course of his career.<sup>[Footnote4](#)</sup> The gritty thirty-one-year-old from East Williston, New York had recently accepted a position with the Border Complaints Division at the US Attorney’s Office in San Diego, and at this stage had overseen ‘only a few minor narcotics cases’ and several involving the illicit transport of wild game. By the fall of 1984, mainstream sports fans understood that anabolic steroids were widely used in Olympic and professional sports, as did Halpern, but to smuggle them across an international border was an entirely different story.<sup>[Footnote5](#)</sup> Simon, on the other hand, could not properly identify the seized drugs despite the fact that each of the 2,290 containers were labelled. ‘[Simon] called me up and... said, “I’ve got a whole bunch of pharmaceutical drugs... that aren’t controlled. I want to let [Fitton] go”’, Halpern recalled in a 2019 interview, ‘I said, “okay... what kind of drugs are they?” He told me he had testeroni... and another one... Dianaboli. I said, “alright, well he must mean Testosterone and Dianabol”’.<sup>[Footnote6](#)</sup> While the United States Food and Drug Administration (FDA) had been probing the underground steroid trade for more than a year, apparently, the muscle-building drugs had yet to pique the interest of Customs officials.<sup>[Footnote7](#)</sup> Nevertheless, at Halpern’s behest, Fitton and Steenrod were placed under arrest and remanded in a nearby county jail.<sup>[Footnote8](#)</sup>

On November 14, 1984, two days after the border incident, Fitton and Steenrod were released after posting \$7,500 bonds. Considered a flight risk by both Halpern and the presiding judge, the champion powerlifter was ordered to surrender his British passport and remain in the San Diego area, his trial set for February 14, 1985. Following a series of ‘brief and cordial’ meetings in the winter months, according to Halpern, the Englishman agreed to plead guilty to the unlawful importation of prescription drugs, conspiracy to import adulterated products, and making false statements to a federal officer, amounting to a maximum sentence of five years in prison and five years probation.<sup>[Footnote9](#)</sup> Steenrod, who would capture her second of five International Powerlifting Federation (IPF) world titles the following year, pled guilty to ‘lesser charges’, according to Halpern, and ‘was given probation... a slap on the wrist’.<sup>[Footnote10](#)</sup> For Fitton, the spectre of a lengthy prison stay was, evidently, too much to bear. The brawny Brit was conspicuously absent from his April 10 sentencing hearing in San Diego, triggering a nationwide manhunt carried out by federal and state authorities.<sup>[Footnote11](#)</sup> With US Marshals in hot pursuit, he managed to evade capture for four months – from April through August of 1985 – passing through New Jersey, Illinois, Georgia and Alabama before setting out on a cross-continental drive to the American Southwest.<sup>[Footnote12](#)</sup> On August 24, Fitton was apprehended by federal agents at a motel in Albuquerque, New Mexico and taken into custody to begin serving a four-and-a-half-year prison term at San Diego’s Metropolitan Correctional Center.<sup>[Footnote13](#)</sup> Authorities were able to pinpoint

his location by way of wiretaps obtained for several of his known associates, according to Halpern, and in the process discovered ‘a nationwide network’ of steroid traffickers.<sup>Footnote14</sup> In his article ‘Anabolic Steroids: The Gremlins of Sport’, sport historian Terry Todd notes that Fitton was paroled after serving just nine months, a mere one-sixth of his sentence.<sup>Footnote15</sup>

While Fitton had finally been captured after more than seven months on the lam, his blatant disregard for court orders drew the ire of Halpern. ‘I am going to recommend an additional five years for [his] bail breach’, he told *United Press International* in an interview two days later, ‘then he will belong to the Immigration and Naturalization Service (INS)’.<sup>Footnote16</sup> Ironically, as Halpern claims, had the former powerlifter adhered to his bail conditions and appeared for sentencing, ‘he most likely would have been given probation and nothing more’.<sup>Footnote17</sup> Fitton’s was the first of 151 steroid trafficking cases assigned to the attorney in a five-year period, and notably, the first major incident on American soil.<sup>Footnote18</sup>

The Fitton affair garnered little attention from television and print media, despite the fact that a *Sports Illustrated* article anointed him ‘the largest single steroid dealer in the world’ in the spring of 1985.<sup>Footnote19</sup> At this stage, according to Halpern, federal law enforcement agencies ‘could [not] have cared less’ about the drugs. However, the FDA’s interest in the case would lay the foundations for a wide-reaching federal investigation commencing in the fall of 1985, and ultimately, the unceremonious end to a steroid distribution network unprecedented in size and scale.<sup>Footnote20</sup> In the spring of 1987, the joint efforts of the FDA, USCS, the Federal Bureau of Investigation (FBI), and the US Postal Service (USPS) culminated in the filing of 110 criminal indictments and the arrest of 33 conspirators, including renowned steroid authority Dan Duchaine, his partner William Dillon, and the operations ‘mastermind’ David Jenkins, a three-time Olympian and Scottish record-holder in the 400 meters.<sup>Footnote21</sup> Investigators estimated that, at its peak, the illegal enterprise accounted for 70% of the nation’s black market, spanning all 48 states in the continental US.<sup>Footnote22</sup> These disquieting revelations and an attendant media firestorm left in their wake alerted legislators to a problem that could no longer be ignored.<sup>Footnote23</sup> Less than a year after the federal indictment was filed, President Ronald Reagan signed into law the nation’s first anabolic steroid legislation, The Anti-Drug Abuse Act, which enumerated minimum prison sentences and hefty fines for the ‘possession with the intent to distribute any anabolic steroid’.<sup>Footnote24</sup> Two years later, with draconian anti-steroid rhetoric reaching a crescendo, Congress ratified The Anabolic Steroids Control Act, an amendment to The Federal Controlled Substances Act of 1970 (CSA) that codified anabolic steroids as Schedule III drugs.<sup>Footnote25</sup> In short order, criminal penalties for trafficking increased from ‘not clearly defined [and] relatively minor’, to clear-cut and considerable.<sup>Footnote26</sup>

In reference to the distribution network, Italian anti-doping delegate Alessandro Donati writes, ‘This story, like many others, should have been thought provoking, especially in sporting circles, but nobody took any notice’.<sup>Footnote27</sup> From an academic standpoint, this position certainly rings true. While the affair garnered extensive media coverage in the late 1980s, scholarly commentary has scarcely ventured beyond a brief synopsis or fleeting reference, most commonly as part of a broad analysis of chemical enhancement in sport, and to a lesser extent, the black market drug trade in North America.<sup>Footnote28</sup> This is curious considering both David Jenkins and Dan Duchaine were public figures at the time; the former was an Olympic silver-medallist and the latter a ‘steroid guru’ and successful author.<sup>Footnote29</sup> The fact that, by and large, details germane to the investigation were never made public might explain why scholars have paid little attention. The

present article is divided into two parts: Part One charts the historical antecedents to the war on steroids, namely its bureaucratic foundations and a gradual paradigm shift in America's drug regulatory system. An overview of the sequence of events predating the affair lends insight into the motivations of federal authorities and those complicit in the conspiracy. Part Two draws from news reports, interviews, archival materials, FBI and FDA case files, and court documents to furnish a detailed history of the trafficking ring; parallel narratives chronicling the origins and evolution of both the criminal enterprise and federal investigation spanning approximately three years. Given the complexity of this story and the number of individuals involved, the focus will be on Duchaine, Jenkins, and Dillon, the trafficking ring's three principals, and the original two anti-steroid crusaders hot in their pursuit. From a broader vantage point, a summative analysis of the ring's impact on the American political apparatus aims to lend insight into a movement toward anabolic steroid prohibition that gained a foothold in the late 1980s.

## The Perils of Prohibition

Laws against the trafficking and smuggling of anabolic steroids in America predate the existence of the drugs themselves. In 1938, US President Franklin Roosevelt signed into law The Food, Drug and Cosmetic Act (FDCA), placing the regulation of all prescription drugs and nutritional supplements under the purview of the FDA, and broadening the agency's scope of regulatory powers. The new legislation codified the sale, distribution and importation of pharmaceutical drugs as a misdemeanor offense, punishable by up to one year in jail and a \$1,000 fine.<sup>[Footnote30](#)</sup> The Act also specified additional penalties for offenses involving 'interstate commerce', defined in the legislative language as one or more business transactions 'between any state or territory and any place outside thereof'.<sup>[Footnote31](#)</sup> More than two decades would pass before Dianabol, the first anabolic steroid approved for human use, was introduced to the American pharmaceutical market.<sup>[Footnote32](#)</sup>

The FDA's scope of regulatory powers increased steadily over the next twenty-five years, by way of ever-evolving organizational directives and a series of amendments to the FDCA beginning in the early 1950s. Soon after the Act was signed into law, the agency set in motion a campaign to divide the United States pharmacopeia into two broad categories: 'prescription-only' drugs safe for use only under medical supervision, and over-the-counter (OTC) medications purchased at the consumer's discretion. The policy revisions were formalized in 1944, and in what could be construed as a pre-emptive and unilateral move, the FDA revised its charter by defining a prescription-only drug as one that 'is generally not recognized by experts ... as safe and efficacious for use except ... under the supervision of a physician'.<sup>[Footnote33](#)</sup> Seven years later, the Durham-Humphrey Amendments (DHAs) codified these categories in federal drug statutes and imbued the FDA with total authority to evaluate and catalogue all domestic pharmaceuticals; those already in existence plus any new product introduced in the American marketplace. The amendments also called for post-marketing recalls of drugs with no demonstrable medical applications.<sup>[Footnote34](#)</sup> It is worth noting that Dianabol was designated a 'prescription-only' drug prior to its release sometime in 1958, a corollary to the DHAs of 1951.<sup>[Footnote35](#)</sup> 'Dbol', as it is known in barbell culture, quickly gained acclaim among strength and power athletes, and soon steroid abuse spread like wildfire in the Olympic movement and major professional sports. By the early 1960s, American drug firms were marketing an assortment of new anabolics for the treatment of the following chronic medical conditions: iron-deficiency

anemia, breast cancer, pituitary dwarfism, gastrointestinal disorders, and tissue depletion after surgery.<sup>[Footnote36](#)</sup>

Domestic food and drug regulations continued to increase through the 1960s, as did the FDA's scope of regulatory powers. Most germane to this discussion, the Kefauver-Harris Amendments of 1962 introduced a requirement for all pharmaceutical manufacturers to 'submit substantial evidence of effectiveness for the cited indications of [new drugs]', in addition to disclosing accurate information about safety and side-effects.<sup>[Footnote37](#)</sup> The amendments also called for a retroactive review of all drugs introduced in the United States since 1938, totalling nearly 4,000, including all commercially available anabolic steroids.<sup>[Footnote38](#)</sup> An onerous task to be sure, FDA President James L. Goddard called upon the National Academy of Sciences Research Council (NASRC) to assist in the design and execution of what came to be, by a wide margin, the nation's most comprehensive drug study to date. Titled the Drug Efficacy Study Implementation (DESI), the three-year project commenced in the spring of 1966, and based findings on the recommendations of 180 'physicians with academic backgrounds' across 30 specialty review panels. With the exclusion of a small number of positions in research design and logistics, the group of hand-selected physicians was charged with designating various drugs as 'effective', 'probably effective', 'possibly effective', or 'ineffective' in accordance with the extant pharmacological literature.<sup>[Footnote39](#)</sup> In harmony with the 1962 amendments, a drug designated as 'ineffective' was to be removed from the market absent any 'substantial' evidence of its clinical application(s).<sup>[Footnote40](#)</sup> Producers of 'grey-area' medications, those classified as either 'probably effective' or 'possibly effective', were allotted a grace period to submit additional data.<sup>[Footnote41](#)</sup>

The survey's results were published in a June 24, 1970 issue of the *Federal Register*. Dianabol and nine other anabolic steroids were listed as 'probably effective' as an 'adjunctive therapy in the treatment(s) of ... osteoporosis and pituitary dwarfism', and ineffective as indicated for '[post-surgical] tissue depletion ... gastrointestinal disorders ... [and] debility in elderly patients', among other conditions.<sup>[Footnote42](#)</sup> The review panels ultimately approved ten anabolic steroids for clinical use, on conditional bases, pending further submissions from their manufacturers. Perhaps a sign of the times, each of them were designated as 'ineffective' for the purpose of increasing athletic performance.<sup>[Footnote43](#)</sup> In accordance with FDA guidelines, manufacturers were required to package the drugs with an insert that read, 'Anabolic Steroids Do Not Improve Athletic Performance' from this point forward.<sup>[Footnote44](#)</sup> The irony here is self-evident, as the agency was in the midst of a decades-long campaign to *rid* the market of mislabeled products.

## Public Enemy Number One

Contemporaneous to the final stages of the FDA's efficacy study, the United States went to war. The battle was not an overseas insurgence or a Cold War proxy campaign, but rather, a national war against drugs. The first shot was fired by President Richard Nixon in a special message to Congress, read aloud by Vice President Hubert Humphrey on July 14, 1969. 'The abuse of drugs ... has grown into a serious national threat', Nixon wrote, 'a new urgency and concerted national policy are needed at the Federal level to begin to cope with this growing menace to the general welfare of the United States'.<sup>[Footnote45](#)</sup> US Attorney General John Mitchell reaffirmed this position in an address before the Pennsylvania Crime Mobilization Conference four months later, and

made good use of the draconian, drug-war rhetoric with which Americans would become all too familiar; his speech was laced with charged phrases like ‘national emergency’, ‘explosive situation’, and ‘drug menace’.<sup>Footnote46</sup>

Just four months after the DESI recommendations appeared in the *Federal Register*, there was a seismic shift in the prescription drug landscape in the United States. The Federal Controlled Substances Act, ratified on October 27, 1970, established a five-schedule classification system for all drugs with abuse-potential, pre-established medical uses, and dependence-forming properties. By way of example, heroin was listed under Schedule I, and all cough syrups containing codeine, a less addictive opioid, were under Schedule V.<sup>Footnote47</sup> A closed system for manufacturing, distribution, and dispensation was instituted, meaning only licensed physicians, pharmacists, and other entities registered with the DEA were authorized to do so.<sup>Footnote48</sup> The regulation of anabolic steroids remained under the FDA’s jurisdiction, as the drugs were not codified as controlled substances under the new statute.<sup>Footnote49</sup>

If drug users were ‘public enemy number one’ under the Nixon administration, the average ‘juice head’ was no more than parking-ticket scofflaw.<sup>Footnote50</sup> It was only after revelations of widespread doping in the nation’s sports system that legislators began to take notice. Bill Gilbert’s three-part exposé in *Sports Illustrated* brought the issue from obscurity to the mainstream in the summer of 1969, providing millions of readers nationwide with first-hand evidence of systemic drug use in the US Olympic programme. Drawing from interviews with dozens of athletes and sporting officials, ‘amateur’ Olympians and professionals alike, and observations in the field, Gilbert left many aghast with his concluding remarks: ‘anabolic steroids ... are used and/or gossiped about in virtually every sport’.<sup>Footnote51</sup> Among the interviewees was sports physician H. Kay Dooley, a member of the United States Olympic Committee (USOC) medical staff at a pre-Olympic training camp in Lake Tahoe, California. ‘All the [weightlifters] on the [1968] Olympic team took steroids’, he told Gilbert, ‘otherwise they would not have been [competitive]’.<sup>Footnote52</sup>

The reach of Gilbert’s pioneering trilogy extended far beyond that of *Sports Illustrated* subscribers and water-cooler pundits, and evidently, alerted government officials to an incipient problem in American sport. On October 20, 1970, Dooley was called to testify before an Internal Subcommittee hearing, titled ‘Drug Abuse in Athletics’, a topic that had expeditiously made its way onto the agendas of several politicians. It remained there for some time, apparently, as additional hearings were held over the next three years. Sitting before a six-member panel at the California Museum of Science and Industry, Dooley described his personal experiences with anabolic steroids, their widespread use, and athletes’ procurement of potentially dangerous black-market products.<sup>Footnote53</sup> The latter came in response to a smuggling-related comment from Vermont Assemblyman Larry Townsend. ‘World-class athletes travel all over the world ... and [to] different parts of the United States [for competitions] and have the opportunity to obtain [anabolic steroids] legally in the countries they visit’, Dooley explained, ‘it is also very easy to get steroids in Tijuana, or whatever else they might want’.<sup>Footnote54</sup> Townsend’s response was nothing if not prophetic: ‘Maybe we ought to notify the border patrol from now on... it amazes me that men of this caliber will smuggle [anabolic steroids] across the border in [large] quantities’.<sup>Footnote55</sup> Amazing indeed, as nearly thirteen years would pass before Fitton was arrested at the Mexican border.

Legislators continued to probe the abuse and illicit distribution of anabolic steroids following the 1970 hearings. In the summer of 1973, the US Senate convened to discuss the ‘traffic[king] and abuse’ of drugs in the world of sport and ascertain the extent to which doping was a problem at the domestic level.<sup>Footnote56</sup> Gilbert’s landmark articles took centre stage – despite being four years old – with 12 separate references in the official record and were attached in full in the hearings’ appendices.<sup>Footnote57</sup> Over the course of three sessions in June and July, the Senate Committees on the Judiciary and Juvenile Delinquency heard testimony from 21 witnesses, a well-versed assemblage of athletes, sporting officials, physicians, journalists, and academics. With Nixon’s War on Drugs reaching a crescendo, the smuggling and trafficking of anabolic steroids were salient issues at the hearings, perhaps more so than three years earlier. For instance, Juvenile Delinquency Committee Chair Birch Bayh noted in his opening statement, ‘reports implicating athletes in the traffic[king] and abuse of [anabolic steroids] are increasing ... it proves that ... they are not immune [to] the drug epidemic confronting our nation’.<sup>Footnote58</sup> Bayh’s remarks are noteworthy, given his intimation that anabolic steroids had corrupted athletes in similar fashion to drugs of abuse corrupting Americans.

The testimony of track and field coach and former Olympian Eddie Hart expanded upon Bayh’s comments by way of personal anecdotes from the sporting community. Hart interviewed three athletes whom he knew to be steroid users in the lead-up to his July 13 appearance, aiming to make a contribution that extended beyond supposition or hearsay. According to the American coach, who earned a gold medal in the 4 × 100-meter relay at the Munich Olympics the previous summer, one of his principal objectives was to determine ‘how the drugs were obtained [by the athletes] and at what costs’.<sup>Footnote59</sup> Hart’s findings were in consonance with Dooley’s three years earlier. ‘[Athletes] are able to buy large quantities of ... steroids for very small amounts of money in South America and Mexico’, he explained to the committee, ‘from what I understand, many of [the athletes] from the 1971 Pan American [Games] team brought back large quantities of steroids from [Colombia]’.<sup>Footnote60</sup> While neither Hart nor Dooley had borne witness to any such illegal activities, both indicated that athletes had been smuggling and trafficking performance-enhancing drugs for quite some time. Lending support to their claims, in an interview with Ann Japenga of *The Los Angeles Times*, FDA spokesman Edward Nida asserted that, by 1984, ‘there [had] been a black-market steroid trade’ in the United States for decades; a vast network of dealers and customers conducting business in back alleys and gym locker rooms.<sup>Footnote61</sup> By the same token, noted sports physician Robert Kerr claimed to have witnessed barbell men ‘peddling God knows what’ in Los Angeles-area gyms as early as 1966, and that he began prescribing anabolics to protect users from themselves.<sup>Footnote62</sup>

## The Dealers Take over

The first criminal conviction for steroid smuggling in the United States stemmed from a 1981 incident at Atlanta’s Hartsfield-Jackson International Airport. It was none other than Tony Fitton. Enroute to his native England, the man known in sporting circles as ‘Dr Hormone’ was taken into custody after Customs agents discovered 22,000 anabolic steroid capsules in his checked luggage.<sup>Footnote63</sup> The Englishman confessed his intent to sell the drugs to athletes and fellow traffickers in England, and in 1982 received a one-year suspended sentence and two years’ probation in Georgia courts. While free on bond, Fitton was arrested in Georgia for a second time in less than a year, this time for the unlawful possession of anabolic steroids, a

minor offense – at the present time – for which he was not prosecuted.<sup>Footnote64</sup> According to Halpern, the ‘FDA started looking into steroid trafficking after [Fitton’s] second arrest’, and discovered that his dealings ‘were probably just the tip of the iceberg’.<sup>Footnote65</sup>

Suffice it to say, by early 1983 anabolic steroids had the FDA’s undivided attention. In the nascent stages of its investigation, the agency brought its first regulatory actions against the drugs in more than a decade, citing DESI guidelines as the basis for re-evaluating their clinical applications. Within two months of Fitton’s second arrest, all previously approved New Drug Applications (NDAs) for anabolic steroids entering the market had been rescinded. The official notice was published in a January 18, 1983 issue of the *Federal Register*, prompting the withdrawal of Organon’s Stenediol and G.D. Searle’s Nilevar from pharmacists’ shelves.<sup>Footnote66</sup> Six months later, the Swiss drug firm Ciba ceased production of Dianabol amid pressures to substantiate its clinical applications.<sup>Footnote67</sup> The FDA had jettisoned from the market all generic preparations of the popular drug by December 1985, marking what author William Llewellyn regards as ‘a turning point in the illicit steroid trade’.<sup>Footnote68</sup> Within a year, the ever-popular drugs Equipoise, Stanozolol, and Oxandrolone were also taken out of production. Similar to alcohol bootlegging in the Prohibition-Era six decades earlier, a precipitous decrease in the supply and variety of widely-used substances incentivized black marketeers to ‘fill the vacuum’ left in the market and profit from increased demand.<sup>Footnote69</sup> Dan Duchaine makes the following oblique reference to this paradigm shift in the second edition of *Underground Steroid Handbook*: ‘Now that there were no real American pharmaceutical labs making [Dianabol], the black marketers took over’.<sup>Footnote70</sup>

## The Lone Ranger

‘All I can say is, after Fitton [was arrested in 1984] I started paying attention’, Halpern recalled in a 2019 interview. ‘At the time I had only been with the U.S. Attorney’s Office for six months or so ... I started to learn things through [the] Fitton investigation [and] became more and more interested in steroids’.<sup>Footnote71</sup> The young lawyer’s affinity for trafficking cases and voracious appetite for justice would pay dividends, as prior to 1985 the FDA lacked the necessary resources to delve deeper into what appeared to be a nationwide syndicate of black market dealers.<sup>Footnote72</sup> On closer inspection, the Fitton case was indeed ‘just the tip of the iceberg’.<sup>Footnote73</sup> Not only was Halpern convinced there existed ‘a network of traffickers in the United States’, but had reason to believe that an ‘[international] smuggling network’ had been ‘importing millions of dollars worth of anabolic steroids into the country each year’.<sup>Footnote74</sup> In search of more tangible evidence, he contacted Dennis Degan, an FDA compliance officer who had launched an investigation into Fitton’s illegal activities in late 1982. Interviewed in Shaun Assael’s popular book, *Steroid Nation*, Degan recalled flying to San Diego to share case files with Halpern on December 18, 1984, and that ‘together they were able to [convict] Fitton [of] illegally importing steroids’ the following February.<sup>Footnote75</sup> The veteran agent had pieced together a sizeable dossier of evidence in the two years preceding, ‘an impressive feat’ by Halpern’s judgement, considering the limited resources at his disposal. To their first meeting, for instance, he brought with him a complex pictographic illustrating all *known* suppliers and distribution nodes operating in the United States. There were many.<sup>Footnote76</sup>

The first ‘piece’ of real significance derived from a solo operation in July 1984. Degan had heard whispers that spring of a vitamin shop in Detroit peddling medical grade steroids without a license, and after probing deeper found that a network of at least seven local distributors had been making bulk purchases for resale.<sup>[Footnote77](#)</sup> From them he chose a commercial gym in Novi, Michigan, a suburban community 45 kilometers northwest of the city, as the venue for what *must* have been the first undercover sting operation in the FDA’s history, and most assuredly the first involving anabolic steroids.<sup>[Footnote78](#)</sup> He proceeded to make three over-the-counter purchases from a gym employee and soon learned that the vitamin shop was a de facto ‘middleman’ for the great Larry Pacifico, a nine-time world powerlifting champion and household name in barbell circles. The native of Dayton, Ohio had been importing large quantities of bodybuilding drugs – various anabolic steroids, Human Growth Hormone (HGH), and unregulated stimulants – from a source in the Netherlands, and was later identified as one of the principal suppliers for all of the midwestern United States.<sup>[Footnote79](#)</sup> On October 10, 1984, a team of US Marshalls marched into Pacifico’s office armed with a search warrant, but there was not a pill nor a vial to be found. There was, however, enough evidence to suggest the relatively small operation was one of many distribution points in a larger underground network.<sup>[Footnote80](#)</sup> Degan drew high praise for a ‘brilliant performance in the preparation and management’ of the landmark case and was presented with the FDA Individual Award of Merit at year’s end.<sup>[Footnote81](#)</sup>

The battle-weary agent was a ‘lone ranger’ no longer in America’s nascent war on steroids, at long last, having spent years riding solo through an uncharted investigative frontier. Owing largely to the success of the sting operation, the FDA would soon have the man power and savvy to mount a full-scale, War-On-Drugs-like counteroffensive.<sup>[Footnote82](#)</sup> In January 1985, Degan placed a call to the Department of Justice (DOJ) in Washington, DC – Halpern had ironed out most of the details in advance – to lay the foundations for an inter-agency ‘steroid task force’ composed of personnel from the FDA and FBI, the US Customs Service, the DOJ’s Financial Crimes Division, and the US Attorney’s Office.<sup>[Footnote83](#)</sup> Degan was chosen to lead the task force – it was well-deserved but also a ‘no-brainer’ as he was quite literally the only agent with experience – and also earned a fancy new title: National Steroid Investigation Coordinator.<sup>[Footnote84](#)</sup>

The start date was set for September 1985, leaving a nine-month window for Halpern and Degan to gather additional evidence, and intelligence on the fugitive Tony Fitton, for whom an arrest warrant was issued that April.<sup>[Footnote85](#)</sup> Having spent years as the lone lawman in a regulatory ‘wild west’, as it were, it would appear ‘The Lone Ranger’ had finally found his Tonto.<sup>[Footnote86](#)</sup> ‘Nobody in the country ... knew more about steroids than [Degan] ... he was a marvelous agent’, said Halpern in a 2019 interview, ‘we became quite the dynamic duo ... people think there are good cases and bad cases, [but] there are only good agents and bad agents. If you have the former, you’re going to enjoy the case [and] make it [successful]. We became very good friends [and] worked together for about a decade’.<sup>[Footnote87](#)</sup> The partnership began with a thorough surveying of the FDA’s case files; police reports, witness statements, and affidavits numbering in the hundreds of pages. Within five weeks, the men had a launching point for the investigation *and* a new person of interest. A man by the name of Daniel Richard Duchaine merited a closer look.

## The Guru of Venice

Halpern and Degan were certainly on the right track. Duchaine was indeed a major player in the black-market steroid trade and had been peddling an assortment of drugs by way of a mail-order sales business since at least October 1984. Born and raised in Westbrook, Maine, Daniel Richard Duchaine had been an avid bodybuilder for more than a decade, having first taken an interest as an undergraduate student at Boston University, where he majored in Theater Arts. Then began his fascination with anabolic steroids. Sometime in the mid-1970s, he found a family physician willing to write him a prescription for Dianabol to aid in preparation for a bodybuilding show; his first foray into chemical enhancement. In a November 18, 1988 interview for *The New York Times*, Duchaine noted that he had been ‘using and studying the drugs ever since’ that first doctor’s visit and honed his expertise through medical texts and casual conversations with steroid users.<sup>[Footnote8](#)</sup> In 1978, with aspirations of a professional bodybuilding career, Duchaine migrated west to Venice Beach, California, home to the original Gold’s Gym and ‘Golden Age’ bodybuilding icons Arnold Schwarzenegger and.<sup>[Footnote9](#)</sup>

While Duchaine’s bodybuilding dreams quickly fell by the wayside – he attributed this to having ‘weak genes’ – the 28-year-old soon began to conceive a different career path, one that could be forged by his affinity for research and an unquenchable thirst for knowledge.<sup>[Footnote10](#)</sup> The myriad upsides to anabolic steroid use, in his view, had been obscured by an increasingly negative stigma in recent years; gross misconceptions bred from whisper campaigns and specious logic. In an interview for *Steroid Nation*, friend and training partner Michael Zumpano described Duchaine as a man convinced that ‘steroids needed a champion’ to educate the public, and importantly, to set the record straight by way of dispelling popular misconceptions.<sup>[Footnote11](#)</sup> At some point in 1981, Zumpano claims, Duchaine pitched to him an idea for a steroid ‘manifesto’; a ‘how-to’ guide designed to dispel the myths surrounding the drugs and help readers to use them safely and effectively.<sup>[Footnote12](#)</sup> Zumpano agreed to serve as co-author, and over what he describes as ‘ten feverish days’ in the fall of 1981, the fledgling writers pieced together a first draft of *Underground Steroid Handbook* (USH).<sup>[Footnote13](#)</sup> The one-of-a-kind 18-page manual combined scientific data and anecdotal accounts of steroid use with easily understood phrasing and light-hearted, pro-steroid messages. To say USH was a success would do it no justice. By Zumpano’s estimate, 80,000 copies were shipped within five months of the book’s release, in January 1982, netting the pair nearly a half-million dollars.<sup>[Footnote14](#)</sup> With more wholesome subject matter and the backing of an actual publisher, the first-time authors could easily have cracked *The New York Times* best-seller list. The manual’s sweeping popularity made Duchaine a subculture sensation in the bodybuilding community, earning him the nickname ‘steroid guru’ and a reputation as *the* underground champion of anabolics.<sup>[Footnote15](#)</sup> Within months of releasing USH, according to Japenga, he was already gathering data for a second edition, and began ‘writing a newsletter to update the handbook every two months’ at a cost of 12 dollars to his loyal subscribers.<sup>[Footnote16](#)</sup> Duchaine was moving up in the world. The original USH was priced at just five dollars.<sup>[Footnote17](#)</sup>

Before long, Duchaine was using his underground treatise as the sales vehicle for a new business venture. By the fall of 1984, a steroid price list was enclosed with all mail-order copies of USH – the first version advertised seventeen different anabolic steroids, Human Growth Hormone (HGH), the anti-estrogenic drugs Clomid and Nolvadex, and diuretic medications – and an order form instructing customers to send ‘cash or blank postal money orders’ to the John Ziegler Fan Club (JZFC), an homage to the physician credited as ‘the father of Dianabol’.<sup>[Footnote18](#)</sup> For the unschooled user, this made for a veritable ‘one-stop shop’. The manual itself contained detailed

reviews of all anabolic drugs in circulation – with an emphasis on ergogenic properties and potential side-effects – and even promoted them by way of phrases like, ‘very popular with athletes’, and ‘we LOVE the stuff;’ the latter a reference to HGH, a highly-coveted compound in limited supply, and one of the guru’s all-time favorites.<sup>Footnote99</sup> Combined with a price list and a dodgy ordering system designed to avoid detection, Duchaine had covered the ‘how to’, the ‘how much’, and the ‘how soon’ for his clientele. Perhaps more brazen, he also took to promoting the JZFC in the classifieds section of Joe Weider’s *Muscle & Fitness*, a popular bodybuilding magazine with millions of subscribers across six continents.<sup>Footnote100</sup>

Whether Duchaine made a miscue, or was simply unlucky, authorities were taking a good, hard look at the JZFC by early February, their first promising lead in the investigation. At this stage, ‘the guru’ had been in the mail-order steroid business for at least three months, and was receiving daily drug shipments in no less than four post office boxes in the greater Los Angeles area. For reasons unknown, he registered a business account with the United Postal Service (UPS) in January 1985, under his own name, and listed his new venture as a ‘wholesale-retail distributor of vitamins’ on the requisite forms.<sup>Footnote101</sup> In an affidavit pursuant to securing a search warrant for the mailboxes, an FBI agent working the case testified that a short time after Duchaine had signed up, one or more UPS employees ‘became suspicious when it was noticed that the return address on [his outgoing] packages... did not match the address of the pick up point’.<sup>Footnote102</sup> On February 18, 1985, UPS intercepted several packages addressed to clients of the JZFC, according to the agent, and found a cache of assorted anabolic steroids with order sheets and price lists enclosed. A manager for UPS then called local authorities, who relayed the information to Degan via the FDA’s main offices in Washington, DC.<sup>Footnote103</sup>

Several weeks later, Degan mailed in an order slip for anabolic steroids using the price list and shipping information for the JZFC. The ruse proved successful. In the same affidavit, the FBI agent noted that a parcel sent care of ‘The John Ziegler Fan Club’ arrived several weeks later, once again packaged with a price list and order slips. Degan received yet another price list in the mail in August 1985, along with a signed letter from Duchaine notifying customers that a second business he had launched, CKR, was ‘accepting new drug customers’.<sup>Footnote104</sup> Fortune may favour the bold, but using junk mail to advertise illegal steroids may have crossed the line. Leaving no stone unturned, in October 1985, Degan purchased a copy of USH using the ordering details specified in the letter, and this time received three price lists and a copy of *The Ultimate Diet Handbook*, a guide to sports nutrition authored by the guru himself.<sup>Footnote105</sup> Having met the threshold for probable cause, Degan and an unnamed federal agent contacted FBI Headquarters to request mail surveillance on all post office boxes linked to Duchaine; the JZFC, CKR, and OEM Publishing, a third business identified by authorities that fall. Within a month of the investigation’s official start date, a federal grand jury was convened to review the full scope of evidence and determine if criminal charges were in order.<sup>Footnote106</sup> By December 1985, Duchaine had gone from a person of interest to a principal target.

## Once upon a Time in Carlsbad...

Three months into the federal investigation, the seeds of a very different sort of partnership were being sown. In early January 1986, a casual discussion between three men in an Italian restaurant laid the foundations for the largest steroid trafficking ring in history. At a quaint local eatery in

Carlsbad, California – an affluent suburb and tourist hot spot in the San Diego area – Duchaine, David Jenkins, and William Dillon met for dinner under the pretense of discussing a partnership in the sports nutrition business, or so Dillon had been told.<sup>Footnote107</sup> Known affectionately by his fans as The Flying Scotsman and Golden Boy – perhaps a double entendre by virtue of his athletic achievements and flowing blonde locks – Jenkins migrated to the United States in the early 1980s and had built a reasonably successful supplement business in the intervening years.<sup>Footnote108</sup> A track and field sprinter by trade, the native of Edinburgh, Scotland was among his home nation’s most recognizable and decorated athletes of the 1970s, having swapped his spikes and singlet for a business suit after a disappointing 1982 outdoor season. At only nineteen years of age, Jenkins raced to victory in the 400 meters at the 1971 European Championships in Helsinki, and a year later, anchored Scotland’s 4 × 400-meter relay team to a silver medal and national record at the 1972 summer Olympics in Munich. Competing in an era synonymous with rampant steroid use – track and field was said to have a high number of offenders – Jenkins claims to have been drug-free for the majority of his career, and only turned to ‘the dark side’ in 1976 to level the proverbial playing field with his rivals.<sup>Footnote109</sup> ‘[Athletes] were reasonably open to it’, he explained in a 2012 interview with *The Scotsman*, ‘you could buy steroids in every European country we [visited]. The guys would stock up! They’d buy pharmacies out!’<sup>Footnote110</sup>

The new drug regimen made him faster and stronger than ever, as advertised, but ultimately did more harm than good. Much like his later stint in the criminal underbelly, the Scot knew very little about anabolic steroids, certainly not enough to understand that Dianabol was among the worst drugs he could have chosen.<sup>Footnote111</sup> In an interview for Richard Moore’s popular book *The Dirtiest Race in History*, Jenkins laments, ‘[after taking Dianabol] I ran faster in... training, but never in a race... [I suffered] a biomechanical reaction, a psychological reaction, and an emotional reaction ... it was just a mess’.<sup>Footnote112</sup> He went on to place seventh in the individual 400 meters at the 1976 summer Olympics in Montreal, and equalled that performance four years later in Moscow, to his great disappointment. After poor showings in the 1981 and 1982 outdoor seasons he was the Flying Scotsman no more, an unceremonious end to a career that could have been so much more. Later that year, the ‘business-oriented’ Jenkins set off for Southern California to seek his fortune in the sports nutrition industry. At least that was the plan.<sup>Footnote113</sup>

In his interview with *The Scotsman*, Jenkins provides details of his first encounter with Dan Duchaine, whose guru status was indisputable by the time the two were acquainted. In the three years preceding the once-underground author had parlayed the sweeping success of USH into a staff writing position with *Flex* magazine, and never ceased to push the envelope with controversial and cutting-edge ideas across dozens of articles.<sup>Footnote114</sup> At this stage, the guru was one of the most recognizable figures in the sport of bodybuilding – far more than Jenkins ever was in track and field – but his athletic exploits played no factor. In any event, it may have been fate that brought the men together that afternoon. ‘I’d been working on a book about performance-enhancement in sport and [in December 1985] I wrote to Dan’, Jenkins recalled in a 2012 interview, ‘He called me... and said, ‘You gotta come and see me’. So I went to meet him. It was like... meeting Hitler – or a visitation thereof. I went to see him in Venice [Beach] for lunch. Lovely restaurant’.<sup>Footnote115</sup> Among the topics of discussion were family and relationships, past athletic pursuits, and the ever-expanding business of performance enhancement; the commercial supplement industry *and* the underground trafficking of anabolics. ‘Soon after’ they parted ways, according to Jenkins, he received a panicked phone call from Duchaine, whose drug supplier in San Francisco had just been raided by federal agents.<sup>Footnote116</sup> An already adverse

situation had quickly turned from manageable to grim for the Maine native, as drug shipments from his second primary source in Stuttgart, Germany were being seized with increasing regularity.<sup>Footnote117</sup> A clean break in the supply chain would force customers to find alternative sources, and likely spell the end of his successful, albeit illegal enterprise. Jenkins revealed to Moore that he and Duchaine discussed potential alternatives on the telephone that afternoon, among them the prospect of manufacturing anabolic steroids in Mexico and smuggling them across the border.<sup>Footnote118</sup> If the Fitton affair told a cautionary tale, it would appear neither man took heed.

Dillon too was a seasoned veteran in the anabolic steroid business. A champion bodybuilder while attending college in his native Illinois, he began selling the drugs three months after making his pilgrimage to the West Coast in October 1984.<sup>Footnote119</sup> The burly Midwesterner was an aeronautical engineer by trade – a living embodiment of the axiom, ‘do not judge a book by its cover’ – and settled in the Los Angeles suburb of El Segundo after accepting a position at the aerospace company, Hughes Aircraft. After a year moonlighting as a steroid dealer, the 26-year-old was servicing more than 20 clients and earning as much as \$20,000 on *single* orders. Business was booming, but there was no room for growth. For starters, he was buying and selling sizeable orders from his garage and signing his real name on outgoing parcels; two losing propositions for any seasoned criminal. Second, because he was rich in supply and poor in variety, a great number of customers were forced to look elsewhere for their drugs of choice. Enter the artful steroid guru, whose European connection was fully stocked with the ever-popular steroids Dianabol, Stanozolol, Deca Durabolin, and Oxandrolone, among others.<sup>Footnote120</sup> Dianabol, the ‘holy grail’ of anabolics to many bodybuilders, had been excised from the market not more than a month before the Carlsbad meeting, and was already in scarce supply absent any and all legitimate sources.<sup>Footnote121</sup> As the men parted ways on that balmy January evening, Jenkins said something akin to, ‘I think I have someone in Mexico who can make Dianabol. If my guy can make it, can you guys sell it?’<sup>Footnote122</sup> Whether Dillon had been apprised in advance of the meeting’s *actual* agenda may have been of little consequence. The answer was an emphatic ‘yes’.<sup>Footnote123</sup>

That ‘someone’ was 45-year-old Juan Javier Macklis, an old contact from the supplement industry and President of the Tijuana-based pharmaceutical firm Laboratorios Milanos. The large, heavily guarded facility was housed in a pink and yellow brick building in the city’s Ciudad Industrial area just across the border from the US Customs Office in Otay Mesa, California. As told in *Steroid Nation*, the men crossed paths ‘quite by accident’ years earlier at a supplement convention in California, at some stage prior to Jenkins’ breaking into the business.<sup>Footnote124</sup> Sometime in early February 1986, the men arranged to meet at the Laboratorios Milanos corporate offices, suite 408 at the Hotel Fiesta Americana, to negotiate terms of a new and potentially lucrative business arrangement.<sup>Footnote125</sup> Sitting in the heart of the Tijuana’s historic Agua Caliente district, the building complex consists of two twenty-eight story towers overlooking the Club Campestre de Tijuana, a luxury golf resort with a long tradition of high-stakes professional tournaments.<sup>Footnote126</sup> While Macklis had a fully-stocked, full-service laboratory with state-of-the-art manufacturing equipment, he was not in the anabolic steroid business and had no means to procure the Active Pharmaceutical Ingredients (APIs) necessary for their chemical syntheses. Jenkins, whom Halpern later described as ‘highly-intelligent and resourceful’, already had a trustworthy source standing by.<sup>Footnote127</sup> The operation was a go. To cover initial expenses, and for his troubles, Macklis requested \$28,000, a sum ‘the Flying Scot’

collected from his two partners upon returning to California. Duchaine was champing at the bit to get started, apparently, and greeted Jenkins with a facsimile Ciba label he had designed for the counterfeit Dianabol.<sup>[Footnote128](#)</sup>

The new enterprise was up and running within weeks. By late February, Macklis' facility had churned out 2,500 bottles of Dianabol, 4,000 vials of Deca Durabolin, and 500 bottles of Oxandrolone, altogether valued at close to \$300,000 on the black market. During the initial three-week manufacturing process, Macklis hand-selected a team of reliable smugglers to ensure the border crossings went according to plan. Unlike Fitton's less-than-stealthy system, the inventory was not hidden hastily in the trunks of vehicles. According to a US government document, and Halpern in a 2019 interview, the steroids were concealed in 'hidden compartments' inside cars and small pick-up trucks, 'hollowed-out gas tanks', and sewn into suits and dresses.<sup>[Footnote129](#)</sup> The first shipment went off without a hitch. Perhaps an upshot to the FDA's new regulations and an increased demand for the drugs, both Duchaine and Dillon were sold out within weeks. In early March, the men remitted two separate orders to Macklis: a \$25,000 payment to re-stock their inventory; and a second \$30,000 payment for a supply of the steroid Anadrol-50, a new addition to the Laboratorios Milanos production line.<sup>[Footnote130](#)</sup> By late summer they had each purchased for resale more than \$200,000 worth of Mexican steroids and netted untold sums of money; quite literally, as these figures were never publicized. By way of example, a bottle of Dianabol could be purchased at a bulk price of \$2.50 and resold to a lower-level distributor for up to twenty dollars. And, as Dillon noted in a later interview, it was not uncommon to see Duchaine fill fifty orders in a single day.<sup>[Footnote131](#)</sup> Business was booming, and the men's lives changed dramatically. In an interview the following year, Dillon told John Eisendrath of *The Los Angeles Times* that he 'quit his job [at Hughes Aircraft]' that spring, purchased a new Jeep Cherokee, and made sizeable investments in a Ribs to Go restaurant and a Gold's Gym franchise near San Diego's Pacific Beach.<sup>[Footnote132](#)</sup> Duchaine had a penchant for fast cars, expensive wine, and excursions on luxury yachts.<sup>[Footnote133](#)</sup> At this stage, Assael argues, the trio 'had not so much replaced [Tony] Fitton in the steroid underground as turned him into an afterthought'.<sup>[Footnote134](#)</sup>

## Marked Men

Considering neither Jenkins nor Dillon seemed to have any reservations about partnering with Duchaine, it stands to reason that neither man was aware he was the principal target in a federal investigation. In any event, the guru had known for some time of the FBI's interest in steroid trafficking, and in February 1986 he issued a warning to the whole of his 'roid-popping clientele via the JZFC. An order slip dated February 2, 1986 reads, 'You may or may not know that the federal government, particularly the FBI, has instigated a serious effort to wipe out the black-market steroid business ... in the last month, major suppliers on the east and west coasts have been put out of business ... the [FBI] can legally open mail ... [and] tap a phone for forty-eight hours. We want to stay in business'.<sup>[Footnote135](#)</sup> In the letter Duchaine also urged customers to avoid using 'the full name[s]' of any drugs over the phone and requested that only 'cash or blank postal orders' be sent as payment.<sup>[Footnote136](#)</sup> A point of interest here is the fact that federal agents had executed a raid on his San Francisco source less than a month earlier. By virtue of the event sequence and narrow timelines, and perhaps a dash of common sense, it is entirely possible that Duchaine was provided with details of the Bay Area bust and responded with increased vigilance

from that point forward. If he did, it may have been of little consequence. Had the JZFC a customer rewards programme, the FDA's headquarters would have been stacked to its ceilings with steroid handbooks and vials of Winstrol-V. At this stage, federal agents had made at least five undercover purchases from Duchaine affiliated businesses, all of which were fully operational through at least August 1986.<sup>Footnote137</sup> Unbeknownst to his co-conspirators, and perhaps himself, the guru's past business dealings had made him a marked man.

As the trio's new enterprise expanded in the first half of 1986, so too did the volume of evidence amassed by the task force. With respect to the latter, it would appear Duchaine's carelessness played a considerable role. Sometime in late January, the Loss Prevention Department at UPS contacted Degan in reference to one of Duchaine's shipments that had gone undelivered in Sun Prairie, Wisconsin. According to an FBI memorandum dated February 5, 1986, the packages were rerouted to UPS headquarters in Los Angeles after couriers determined the delivery address did not exist. Upon their return to company offices, as noted in the document, a UPS supervisor 'acting on [his] own behalf' proceeded to open one of the brown cardboard boxes and found 'eight plastic containers with the labelling '[Dianabol] 5 mg, 100 tablets', and 'one bottle of Methyltestosterone 25 mg, 100 tablets' wrapped in two bubble cellophane shipping bags.<sup>Footnote138</sup> The agents also noted that there was no way to discern how the parcels arrived at UPS in the first place, as there was 'no record of it' in the system and 'no postage or shipping reference [number]'.<sup>Footnote139</sup> Having been briefed on the situation, Degan directed UPS to follow the usual protocols – employees were instructed to locate the shipper and return the package as undeliverable whenever possible – but to contact him before doing so. On January 31, a detail of undercover agents attempted to locate the return address listed on the packing label: 60B Ozone Court, in Venice, California. The men arrived at their would-be destination only to realize, 'the last and highest [street] numbers only reached 59', and that 'Ozone Court had an empty lot where number 60 should have appeared'.<sup>Footnote140</sup> In a wonderful yet tragic irony, the guru had generated evidence for the task force by mislabeling a shipment of his mislabeled counterfeit steroids.

The incident signaled a turning point in the investigation and provided the task force with probable cause to probe further into Duchaine's nefarious activities. On February 5, 1986, an FBI field agent forwarded a case update to Richard T. Bretzing, the Special Agent in Charge (SAC) of the Los Angeles office. Upon reviewing the new evidence, he penned a letter to the Chief Postal Inspector in San Bruno, CA to request 'an initial thirty-day mail surveillance' on Duchaine for the purpose of identifying 'customers and suppliers doing business with [him]'.<sup>Footnote141</sup> The 'mail cover' was officially approved in a March 3 return letter authorizing federal agents to track and intercept all items mailed to any of the six post office boxes to which the illegal mail-order 'firms' had been linked.<sup>Footnote142</sup> Curiously, Bretzing's note mentions nothing about gathering additional evidence against Duchaine, however, it would seem investigators had all-but sealed his fate and were using him strictly as a source of intel. An excerpt reads, '[Duchaine] has been identified as a ... black market distributor ... at present the investigation is attempting to identify [individuals] doing business with [him]'.<sup>Footnote143</sup> The mail surveillance was a manna from heaven for investigators. In the five months forthcoming, thousands of dollars' worth of checks, money orders, and price catalogues were intercepted and added to the case evidence.<sup>Footnote144</sup> Seizing these items proved crucial, as many of them contained the names of future informants.

If Duchaine had yet to ascertain he was the focus of a criminal investigation, it would soon become crystal clear. By the early spring, his partnership with Jenkins had evolved into a veritable double-edged sword, one that brought high reward and tremendous risk. With his mail now subject to search and seizure, and a rapidly expanding customer base courtesy of a robust production line at Laboratorios Milanos, the guru was suddenly more exposed than in his bodybuilding days; posing in skimpy briefs in front of hundreds of people. The Mexican connection had greatly expanded his customer base but created a heightened risk by virtue of more frequent use of the mail. Indeed, he and Dillon were regularly importing drugs from the original European source *and* working with Jenkins' operation through at least August 1986.<sup>Footnote145</sup> As the men enjoyed the spoils of their success in the spring and summer months, the task force broadened its investigation in pursuit of several promising leads – among them a *second* person of interest – and continued to use Duchaine as a source of intelligence in the investigation. Neither he nor Dillon had anticipated that an uptick in business would leave a trail of breadcrumbs for hungry investigators already in hot pursuit.

With the mail cover in place, the next step was to catch Duchaine with his hand in the proverbial cookie jar. At this stage, investigators had more than enough evidence to file criminal charges – a pharmacopeia of unregulated drugs, thousands of dollars' worth of money orders, and various offenses attendant to his use of the mail – but hesitated to move forward without first finding anabolic steroids in his possession. It was time to turn up the heat. Following in the footsteps of War on Drugs super criminals 'Freeway Ricky' Ross and 'Boston' George Jung, the guru was placed under covert surveillance by a federal task force.<sup>Footnote146</sup> In a 2007 interview, Zumpano made note of a car trip he took with Duchaine in March 1986, during which his old friend was looking suspiciously in the rear-view mirror at what appeared to be an undercover police vehicle. Zumpano, who was visiting from his new home in the Bay Area, claims to have asked if all was well, to which an unnerved Duchaine responded, 'I think we're being followed'.<sup>Footnote147</sup> Several weeks later, the guru drove to a postal outlet on Venice Boulevard to access one of his many mailboxes. As told in *Steroid Nation*, upon entering the store he gave the owner a friendly nod – it is entirely possible that they were dear friends at this stage, as Duchaine's frequent use of the mail would have given Amway a run for its money – and noticed a 'grim' face staring back at him.<sup>Footnote148</sup> Without speaking a word, the man made a furtive gesture to the front of his knuckles, which bore the letters 'F-B-I', a warning that authorities were lying in wait.<sup>Footnote149</sup> There was indeed a detail of plain-clothes officers keeping watch from an adjacent parking lot, but at this stage, that was the least of Duchaine's problems. Federal agents had seized the contents of his P.O. boxes earlier that day and hit paydirt with a wide selection of incriminating items; an assortment of anabolic steroids, unregulated diuretics, new ordering instructions replacing product names with numerical codes, and perhaps most crucial, money orders containing several promising leads. The FBI's case files indicate that at least one was remitted to a female companion not previously identified – a new potential source of intel – and another to Biotek Body Transformers, revealing a fourth illegal mail-order business.<sup>Footnote150</sup> In a telephone call that evening, according to Dillon, a flustered Duchaine advised him to 'move whatever steroids he had on hand' to a safe location.<sup>Footnote151</sup>

The guru would have been well-advised to do the same. There was no evidence linking him *directly* to any of the seized parcels – they were addressed to him but never received – or any contraband for that matter. However, given the large number of transactions and sums of money involved, authorities were certain that he had squirreled away a king's ransom in

counterfeit steroids somewhere in the Venice Beach area. Pinpointing its location was made a top priority leading in the dog days of summer. In a memo to Bretzing dated July 24, 1986, an FBI field agent explained, ‘essential to this investigation is the location of the various warehouses, lockers, residences etc. where the illegal steroids are received, stored, and distributed from... in order to obtain sufficient probable cause [to obtain] search warrants [for these locations], complete surveillance will be necessary’.<sup>Footnote152</sup> Essential indeed, as Duchaine managed to send a large shipment of anabolic steroids to Indianapolis in early July – on this occasion with a supply of the thyroid hormone, Cytomel – while under ‘surveillance’, and had done so undetected.<sup>Footnote153</sup> To support existing field operations, Bretzing requested that the US Customs Service intercept all packages linked to the guru’s steroid businesses. This served to support ongoing field operations by way of diverting manpower from mail search and seizures to undercover surveillance.<sup>Footnote154</sup>

By week’s end, the FBI had deployed additional undercover units to track Duchaine’s movements; and there were many. On the evening of August 1, for instance, he was seen retrieving ‘several small packages’ from a mailbox at Wilson Postal in Marina Del Ray, CA., then placing them in the rear compartment of a Honda motor scooter. An FBI briefing notes that the guru appeared to be ‘surveillance conscious’, was ‘driving very slowly’, and at one point ‘made an erratic U-turn and proceeded to follow one of the unmarked vehicles’.<sup>Footnote155</sup> No stranger to cat-and-mouse games, Degan waited five days before remitting a steroid order to the same mailbox at Wilson Postal; his aim was to re-establish ‘complete’ surveillance and, if the opportunity presented, track Duchaine to his secret drug stash. The payment arrived on August 8, *via* two-day Express Mail. Laying low in a ‘ghost car’ across the street, the undercover detail watched with great interest as he retrieved the envelope and drove due north on Pacific Avenue in a maroon Chevy Impala. According to an FBI surveillance log, the balance of the day was spent tailing Duchaine on a leisurely afternoon of coffee dates and shopping in the Venice Beach area.<sup>Footnote156</sup> Six days later, he was seen some fifty yards from a private postal facility in Santa Monica.<sup>Footnote157</sup> The additional surveillance proved useful in discerning Duchaine’s everyday routine – and added to an already robust body of evidence – but the location of his ‘roid repository remained a great mystery. In view of his alleged evasive maneuvers, not to mention Zumpano’s spicy anecdote, it may have been increased vigilance that kept investigators at bay. In any event, on August 21, the task force obtained a search warrant for sixteen pieces of mail seized early that summer and recovered \$3,000 in money orders for steroids that, presumably, the guru had in stock.<sup>Footnote158</sup>

## **‘It’s Gotten Too Hot Here. I’m Getting out’**

Meanwhile, Dillon was encountering problems of his own. In early August, agents from the US Customs Service intercepted a parcel enroute to one of his mailboxes – the sender was later identified as Duchaine’s European source – and discovered a bonanza of anabolic steroids and other bodybuilding products. According to Halpern, on August 10, ‘[federal agents] began monitoring the post office box’ listed on the packing label, and observed Dillon making regular pickups over a nine-day period.<sup>Footnote159</sup> In this case, ‘monitoring’ entailed morning to night surveillance of the mail facility and cataloguing the contents of all packages addressed to William Patrick Dillon, ‘Pat’ Dillon, and a newly discovered alias, ‘Benjamin Gilmore’.<sup>Footnote160</sup> Having evaded detection for nearly a year, the young bodybuilder joined his

beleaguered partner as a prime target for investigators. On August 18 and 19, he was seen exiting the same postal facility with packages known to contain anabolic steroids – the contents were photographed and carefully resealed back in the boxes – and driving away with them on a white scooter. On the latter occasion, Dillon told Assael, he detected a beige sedan following several cars back, a not-so-furtive attempt, apparently, to track the drug bundle to its destination. He made a series of evasive maneuvers and managed to escape through a partially-blocked alleyway, then circled the block and pulled up directly behind the vehicle. Without uttering a word, he ‘gave a slight wave’ to the two suited agents seated in front.<sup>[Footnote161](#)</sup>

The Illinois native was now a marked man. According to Halpern, federal agents were able to link the scooter’s license plate number to an address near Culver City, and the following day, confronted him with a search warrant at his home on National Boulevard. Months earlier, taking heed in Duchaine’s counsel, Dillon had arranged to store the bulk of his inventory in an off-site location, and thus, the search turned up nothing. However, investigators had obtained a second warrant for the home of Vito Elefante, a neighborhood friend and de facto warehouse manager for Dillon’s steroid business.<sup>[Footnote162](#)</sup> Indeed, he had chosen an off-site location in range of a well-aimed pitching wedge on a calm summer’s day. The men watched from lawn chairs not far away as officers from the task force and Los Angeles Police Department (LAPD) unearthed a stockpile of anabolic steroids, counterfeit pharmaceutical labels, and customer records, all stowed away in Elefante’s garage. Perhaps the most vital piece of evidence found on the scene, for the first time, pointed to a connection between Dillon and Duchaine. In an affidavit filed two weeks later an FBI agent noted, ‘while conducting the search... in [an] investigation believed to be unrelated [to Duchaine], I found a handwritten note with [the] letterhead “OEM Publishing”’.<sup>[Footnote163](#)</sup>

With poise worthy of a seasoned criminal, Dillon stayed level-headed and tight-lipped. According to Halpern, when officers began asking questions about the shipping and receiving operation, he feigned indifference and played the part of small-time operator.<sup>[Footnote164](#)</sup> The gambit appeared to work. The drugs and phony labels were confiscated but neither man was arrested. But Halpern had been hatching a scheme of his own, little did they know, and had arranged in advance for Dillon’s release as part of a broader agenda. ‘I was [only] trying to get his attention by [ordering a search] of his place. I thought maybe he’d panic’, the attorney reasoned, ‘we knew there were big distributors out there, and we figured maybe [he] could lead us to them’.<sup>[Footnote165](#)</sup> A short while later, Dillon noted in a later interview, he telephoned Duchaine to announce his retirement from the trafficking game. ‘It’s gotten too hot here’, he said, ‘I’m getting out’.<sup>[Footnote166](#)</sup> Duchaine’s response was insightful if not prescient. ‘Just as well’, he advised, ‘if it gets nasty, you won’t be good at it’.<sup>[Footnote167](#)</sup>

## **The Strongman’s Bodyguard**

What came to pass in the summer of 1986 signaled the beginning of the end for the trafficking outfit. Perhaps it was a matter of course, considering much of the wide breadth of evidence inculcating Duchaine and Dillon in the conspiracy was derived from their own reckless abandon; cruising around town in their own vehicles whilst engaging in miscellaneous criminal activities, all in plain view of authorities. The myriad evidence recovered in Bretzing’s beefed-up surveillance campaign provided the US Attorney’s Office with sufficient cause to file criminal charges against Duchaine, according to Halpern, and had the added benefit of exposing Dillon as

a ‘key member ... of what turned out to be a conspiracy’.<sup>Footnote168</sup> By summer’s end, however, neither man was selling drugs for Jenkins, or any drugs for that matter. Dillon was ‘leery from his run-in with federal agents’, he revealed in a 1988 interview. It is fair to assume this was in reference to the ransacking of his home – and claimed to have given up selling steroids altogether to pursue a career in the legal supplement industry.<sup>Footnote169</sup> For the time being, at any rate. The guru also cut ties with the outfit that fall, but carried on as a minor league drug baron for some time. Apparently, the heat from law enforcement was not quite ‘nasty’ enough to retire him for good. The timing could not have been worse for Jenkins, whose once-lucrative importing business was showing cracks in its foundations. Customs agents were intercepting cross-border shipments in increasing numbers, and with the departures of his top middlemen, there would be no one to sell the quantities of drugs that passed through undetected.<sup>Footnote170</sup> To keep inventory flowing and risk to a minimum, as noted in a later court filing, the Scot set about recruiting five major US distributors from a pool of existing customers; the ideal candidate was an experienced steroid dealer with a history of ordering in bulk.<sup>Footnote171</sup> In the meantime, he also distributed brochures to gyms across the country inviting customers to travel to Tijuana and buy steroids in ‘our fine offices overlooking a golf course;’ an early, albeit illicit version of what came to be known as *medical tourism*.<sup>Footnote172</sup> Indeed, there would be no need for dicey border runs if clients were willing to pay for a do-it-yourself smuggling experience.

Dillon returned to the trafficking game sometime in mid-September, after some convincing, but would no longer serve as a glorified street hustler. In Eisendrath’s words, ‘he was greedy enough to re-enter the drug trade but frightened enough to not stay in very long’.<sup>Footnote173</sup> The plan was to make some fast money and slip back into a comfortable retirement, but before long he was behaving as though the ransacking of his home was merely a bad dream. Fearful of being caught in the possession of steroids or large sums of money, the 26-year-old agreed to return as the American representative for United Pharmaceuticals, a quasi-legitimate marketing firm the men were using as a conduit for sales in the United States. In reality, a title more befitting of the role would have been ‘steroid telemarketer’, as the majority of his time was spent soliciting business *via* cold calls to prospective clients.<sup>Footnote174</sup> There is no reason to doubt that Dillon was ‘scared’ after his run-in with federal agents that August, as he later claimed, but Jenkins’ offer of 10% of the profits with limited exposure may have been too tempting to pass up. A court document filed the following year notes that Dillon was involved in at least fifteen lucrative steroid transactions from late September through December 1986, and earned a tidy \$49,000 in commissions. Notably, the first was for an unfathomable 30,000 vials of the popular steroid Deca Durabolin – known as ‘Deca’ in bodybuilding circles – enough to supply six hundred competitive bodybuilders for a calendar year.<sup>Footnote175</sup> He also accompanied Jenkins on several business trips to Tijuana, and on at least two occasions the men met with Macklis to discuss ‘sales and shipping problems due to lost packages’.<sup>Footnote176</sup> As the outfit prepared for a ‘second act’ of sorts in the early fall, investigators turned their attention to identifying the ‘major distributors’ behind the conspiracy.<sup>Footnote177</sup> In late October, Halpern obtained a ‘special court order’ that allowed federal agents to ‘listen-in [on] and track all incoming and outgoing calls’ on Dillon’s home phone line.<sup>Footnote178</sup>

Little is known about Duchaine’s movements in the fall and early winter. However, there is reason to believe he chose, wisely, to take a hiatus from all criminal activity. Case in point, less than a week after federal agents raided Elefante’s garage, he contacted Wilson Postal to terminate his business account and have all incoming packages ‘returned to the United States

Postal Service and returned to sender'.<sup>Footnote179</sup> And if the government case files are any indication, his whereabouts and daily maneuvers from September through late December were unknown to authorities. Even Dillon, the outfit's sales 'specialist', was unable to lure him back into the fold.<sup>Footnote180</sup> Unaware that task force agents were listening in, he telephoned Duchaine in late October to offer him a position as one of Jenkins' five regional distributors. It was to no avail. Quoted in a *Los Angeles Times Magazine* article titled, 'Confessions of a Steroid Smuggler', Duchaine told his old friend, 'I feel... like someone who's... 50 years old 15 years early'.<sup>Footnote181</sup> Whether the plan was to lay low for a time, or retire for good, an FBI surveillance log cites a dubious incident that suggests he was back in play by year's end. On December 30, 1986, an undercover detail observed him driving away from a mailing facility in 'a maroon Chevrolet at approximately 9:25am', and noted, 'the trunk of the vehicle was open, and boxes could be seen inside...'<sup>Footnote182</sup> Agents proceeded to follow Duchaine for ten minutes enroute to Marina Redwood Self Storage, where he 'unloaded boxes from his vehicle and entered the storage facility' for fifteen minutes, as per the log, and 'left the facility at approximately 9:50pm'.<sup>Footnote183</sup> While decidedly more discrete than Dillon's friendly neighborhood steroid warehouse, he had chosen an off-site location within three kilometers of his home in Venice Beach. Three weeks later, authorities served the employee on duty that evening with a grand jury subpoena and later obtained a 'log of access' for the storage space – staff at the facility were required to keep records of the 'date, time, [and] name of person(s) accessing'.<sup>Footnote184</sup> But the guru was already in the wind; northbound to the San Francisco Bay Area, and in an existential sense, on a path more straight-and-narrow. Sometime in early February he moved to the small East Bay city of Benicia for a job with Champion Nutrition, a designer supplement company owned and operated by his old writing partner Michael Zumpano. Sadly, in Assael's words, 'it didn't go well'.<sup>Footnote185</sup> This guru scarcely resembled the astute, smooth-talking guru of old, nor the visionary behind what many regarded as the definitive text on chemical enhancement. Sadder yet, he was prone to angry outbursts and bouts of extreme paranoia, according to Zumpano, and admitted to self-medicating with a cocktail of highly-addictive drugs. But on the bright side, and contrary to his belief, there were no sunglassed agents lurking in the bushes or 'snapping long range pictures' from surveillance boats in the Marina Del Ray.<sup>Footnote186</sup> That is, until authorities learned that Duchaine had registered a phone line to 197 E B Street, Benicia, CA, 94510; his new home address in the city's swanky waterfront district. On March 9, 1987, the US Department of Health and Human Services (HHS) relayed the information to the FBI's offices in Brentwood, CA and advised that Duchaine had made 'many calls ... to both France and the United Kingdom' since early February.<sup>Footnote187</sup> Much like the indomitable cat featured in Fred Penner's 1980s morning singalongs, the guru was thought to be *a goner*, but he *just wouldn't stay away*. An FBI intelligence briefing dated March 18, 1987 notes the following: 'Duchaine is considered to be a very [high]-level steroid dealer, who operates nationally ... According to all available information, he is now operating in the San Francisco area'.<sup>Footnote188</sup>

## Hollywood Hastie and Dillon's Rip-Off Plan

Halpern's ploy to track down major distributors through Dillon proved more complicated than expected, but ultimately produced a promising lead. 'I never once heard him [say] anything incriminating over the phone', he recalled in a 2019 interview, 'we had to go through... his phone records and [obtain] surveillance for his contacts... and hope *they* [would be] less

discrete'.<sup>Footnote189</sup> At some point in early-to-mid-December 1986, federal agents monitored a telephone conversation between Dillon and a man later identified as Toivol Mansen, a 26-year-old Florida bodybuilder to whom the outfit had sold more than \$50,000 worth of steroids in the two months preceding. Detailed in a federal indictment filed six months later, the discussion centered on organizing a deal for '\$55,000 [worth] of counterfeit steroids'; a sizeable purchase to be sure, but a veritable drop in the bucket relative to several transactions Dillon was involved in that fall. On December 18, the men flew to San Diego to tour the manufacturing facilities at Laboratorios Milanos, and to rendezvous with Jenkins, whose identity had yet to be ascertained by law enforcement.<sup>Footnote190</sup> Mansen was no more than a third-tier dealer in the outfit's hierarchy, but his business relationship with Dillon presented an opportunity for investigators *via* friend and former boss Larry Pacifico. The 41-year-old was charged with steroid trafficking a second time in July 1986, on this occasion for receiving a large shipment from a friend in the Netherlands; a 'clearcut case of intent to distribute', in Halpern's words.<sup>Footnote191</sup> Mansen 'revered and respected' the powerlifting legend, according to defense attorney Paul Sack, and had learned all about weight training and steroids while working at one of his health spas in Dayton, Ohio.<sup>Footnote192</sup> As part of a 'quid-pro-quo' plea agreement, Pacifico agreed to assist in the investigation the following January.<sup>Footnote193</sup>

It just so happened that Jenkins selected Mansen as one of his US distributors within two weeks of the recorded call; a fortuitous plot twist to be sure, as the Miami resident would be dealing directly with Dillon on a regular basis.<sup>Footnote194</sup> The 'promotion', in a manner of speaking, made him a key piece of Jenkins' operation in the Southeastern US, and for law enforcement, a pawn to be sacrificed in the penultimate gambit of a long and spirited chess match. According to Gary Neal, a special agent with the USCS, on Degan's orders, Pacifico arranged for his 'bodyguard' to meet with Mansen sometime in February 1987 to discuss a sizeable purchase of anabolic steroids.<sup>Footnote195</sup> Unbeknownst to Mansen, the man was actually an undercover USCS agent named Robert Hastie, an avid weightlifter whom Degan had chosen as a believable stand-in for Pacifico's muscle. They met at Mansen's Miami apartment on March 15 to discuss the general terms and logistics of the transaction, which Halpern recalled was for 'around \$250,000'.<sup>Footnote196</sup> An injection of cash was just what the doctor ordered. Reeling from a series of failed border-crossings and the arrests of loyal company men, Macklis was all-but convinced that the importing scheme had run its course. Smuggling in small increments at a high frequency was a losing proposition, far too risky to justify the modest financial rewards. His partners were happy to oblige. In fact, Jenkins and Dillon had already laid the foundations for the largest single steroid transaction of all time: a \$570,000 order to be divided amongst their five regional distributors.<sup>Footnote197</sup>

Having wormed his way into Mansen's confidence, with relative ease, Hastie set his sights on the major players in the conspiracy. On March 17, the men met with Dillon at the Dana Inn in San Diego's posh Mission Bay area to negotiate the final terms of the deal.<sup>Footnote198</sup> Eschewing the cautious phone manner that served him well in months past, Dillon told the undercover agent all about Jenkins and the Mexican connection, and boasted about the sums of money he had earned since turning to a life of crime. He told Eisendrath a year later, 'as a salesman I always wanted to talk big... I said I made \$750,000 in two years because I wanted Mansen and [Hastie] to make a [large] purchase that would net me \$50,000'.<sup>Footnote199</sup> They too could be high rollers, so Dillon would have them believe. The only problem was Hastie did not have \$250,000 to spend, as authorities first needed confirmation that the deal would proceed as planned. As Halpern

explained in a later interview, ‘[the task force] wasn’t about to give him \$250,000 of the government’s money to hand over to [Jenkins]’.<sup>Footnote200</sup> To buy some time, the undercover agent refused to move forward with such a large purchase without first understanding the full scope of the operation. Dillon agreed, without hesitation, a sign that his foresight may have been obscured by the proverbial dollar signs in his eyes. To accommodate this request, he invited Mansen and Hastie to accompany him on a scheduled trip to Tijuana; the plan was to touch base with Jenkins and pay Macklis a \$200,000 instalment pooled together by Mansen and the other four distributors, a ‘dress rehearsal’ of sorts.<sup>Footnote201</sup> Hastie agreed to remit the \$250,000 payment in phase two of the transaction, if all went according to plan.

The deal was set for March 20 at the outfit’s ‘corporate headquarters’ in the East Tower of the Hotel Fiesta Americana. At 7am that morning, Mansen presented Jenkins with two paper grocery bags filled with money, and in return, was given the key to a U-Haul truck parked on the American side of the border. The former Olympian had arranged for an associate to courier the drugs to a hotel in Dana Point, San Diego, where the truck was to remain parked with the contents locked safely inside. The two-stage transaction would require Mansen and Hastie to re-enter the United States, unload the truck, return to Mexico with \$370,000 – Hastie’s total contribution, in a manner of speaking, plus an additional \$120,000 from Mansen and his associates – and, barring any mishaps, cross safely back into the United States.<sup>Footnote202</sup> The men located the U-Haul in a permit-only lot adjacent to the hotel and transferred its contents into a Toyota pickup truck owned by Mansen’s friend and business partner Dennis Motte, who couriered the drugs to a residence in San Clemente the following day.<sup>Footnote203</sup>

Satisfied that the deal was moving forward, Degan placed \$250,000 in a safe deposit box at a bank in San Ysidro, a small border community in southeast San Diego. Hastie collected the money twenty minutes later or thereabouts, pooled it with the \$120,000, and set off with Mansen for a second trip across the border. The Floridian was still none the wiser, unaware that he would soon fall victim to an elaborate sting operation. Degan had instructed USCS agents to ask Hastie if he was carrying more than \$10,000, and when he said ‘no’, to search his bag anyway. What followed was nothing short of an Academy Award-winning performance. As the men were mirandized and placed in handcuffs, Hastie unleashed upon Mansen a screaming tirade and feigned an attempt to break free. Customs officers standing nearby watched with amusement as the still-very-much undercover agent met his former ‘business partner’ face-to-face, for a brief moment, and shouted something on the order of, ‘You set me up, you turncoat sac of s–t! Well, now you’re safe and sound with your ‘narc’ buddies’.<sup>Footnote204</sup> Carrying on with the show, the two were finger-printed, photographed, and interrogated by USCS agents. Hastie stayed in character for the duration, continuing with his verbal barrage until Mansen was placed in a private cell.<sup>Footnote205</sup>

The money was confiscated and both men were released several hours later, but not before, according to Halpern, ‘word hit the street that the whole thing [had been] Dillon’s rip-off plan’.<sup>Footnote206</sup> Indeed, while the operation’s priority directive was to collect more intel on Dillon and Jenkins, it had yielded something far more valuable: Mansen and the other four distributors were convinced Dillon had either bamboozled them or squandered the money in a hair-brained, swash-buckling caper. ‘It went better than we expected’, Halpern recalled in a 2019 interview, ‘Jenkins... and the other [co-conspirators] were demanding their money... [Dillon] was seriously unnerved. It was too much for him [and] he cracked.’<sup>Footnote207</sup> Later that week, a team of Customs

agents raided Motte's drug hideaway in San Clemente. Dillon was served with a second search warrant the following day. 'After that', he said in a later interview, 'I decided it was time to get a lawyer', and indeed he did, without delay. Newly-hired attorney, John Cleary, placed a call to Halpern within days of the raid.<sup>Footnote208</sup> It appeared Duchaine was right. The 'nasty' situation was too much for him to bear.

## The Informant

In late March, a nervy Dillon and his attorney drove to Halpern's San Diego office to negotiate the terms of his surrender. Despite the fact that the Illinois native could provide key information about the distribution network and had dealt with the 'lead conspirator' David Jenkins on a regular basis, he had little in the way of leverage.<sup>Footnote209</sup> Dillon was now fighting a veritable two-front war with federal agents and his former colleagues. On one flank, authorities had gathered enough intel during the sting operation to temper any negotiating power he might otherwise have held – Halpern has since acknowledged this was strictly a bargaining tactic and that Dillon played a key role in the investigation's latter stages – thanks in large part to Hastie's first-rate undercover work. Then there was the unruly mob of middleman dealers and \$370,000 lost in a deal gone awry. There was a palpable smell of blood in the water, and Halpern aimed to strike while the getting was good. 'Up until [that point], I had not been successful in turning guys [caught] smuggling into informants', he explained, 'but I thought... "well maybe I have a shot with Dillon"'.<sup>Footnote210</sup> Absent any assurances of leniency or a formal plea agreement on the table, he had no choice but to cooperate.<sup>Footnote211</sup>

With Dillon nestled safely in his back pocket, as it were, Halpern aimed to gain a better understanding of the trafficking ring's inner workings and business network, and perhaps most crucially, track down the elusive 'mastermind' behind it all.<sup>Footnote212</sup> He learned a great deal over the course of several face-to-face meetings in late March. 'To start, I asked Dillon, "well how does this work"', said Halpern in a 2019 interview, 'and he said he was in charge of one [customer base] in the network... and was told [over] the phone where to meet the smugglers when loads came in'.<sup>Footnote213</sup> The dealer-turned-informant described in vivid detail the origins and rapid expansion of the business, its organizational hierarchy, and his humble beginnings as Duchaine's top employee, but he was less-than forthcoming when it came to Jenkins, the proverbial 'white whale' to Halpern's Captain Ahab. '[Jenkins] was very, very smart and detail oriented... he was good [and] I wanted to catch him', said the attorney, 'at one point I asked [Dillon], "well who's organizing everything...? "He told me [he] only knew the guy as Mr. X'.<sup>Footnote214</sup> Halpern was not buying it. Mindful that nothing short of full cooperation could keep him from a lengthy prison stint, Dillon eventually dropped the façade and gave his boss's name. Halpern was rendered speechless. Once a 'reasonably good' track athlete in his own right, he competed in middle-distance events while attending graduate school at Cambridge University in the early 1980s, not far from Jenkins' training base in Edinburgh.<sup>Footnote215</sup> 'I thought, "is this the same David Jenkins?!" It took me right back to England and the track and field scene there', he reminisced, 'now that we knew who he was... it was just a matter of [catching] him'.<sup>Footnote216</sup>

Dillon was proving himself indispensable to the investigation. His familiarity with the outfit's inner-workings had enabled federal agents to chart Jenkins' every movement, and alerted authorities to the fact that he fled to Mexico after the botched deal in March.<sup>Footnote217</sup> Halpern was

equal to the task, having hatched a scheme of his own that would take the investigation up several notches. He first obtained wiretap warrants for all telephone numbers linked to Jenkins and Duchaine, then had Dillon call them several times each feigning panic at the prospect of going to prison. In reality, the goal was to extract incriminating details of their respective roles in the conspiracy. In a 1988 interview for *Los Angeles Times Magazine*, Dillon claimed to have inveigled his former partners into bragging about the large sums of money they had earned over the past year, and listened intently as Jenkins lamented of the botched \$570,000 deal in March.<sup>Footnote218</sup> In the same interview, he insisted ‘the authorities already had enough [evidence]’ prior to recording the phone calls and had essentially turned him into a ‘rat’ for no good reason.<sup>Footnote219</sup> When it came to the guru, at least, he was likely correct. Less than one week before Dillon turned himself in, an FBI Special Agent forwarded Degan’s case summary on Duchaine to the Bureau’s headquarters in Los Angeles and the DOJ’s Washington office. The ten-page document contained a compendium of damning evidence: witness statements; intelligence reports; a long list of items seized by investigators; photocopies of at least two dozen money orders; and surveillance logs tracking his movements.<sup>Footnote220</sup> Indeed, the case against Duchaine was ‘pretty well a done deal’ by late March, according to Halpern, as he was targeted early on in the investigation and ‘picked off separately [from the others]’.<sup>Footnote221</sup> Perhaps it was just as well. The guru was in ill health and had fallen into a state of depression since joining Zumpano in San Francisco. In a 2019 interview, friend and former research assistant Bruce Kneller revealed that, at this stage, the guru was ‘hopelessly addicted to Nubain’, an opioid analgesic with a high potential for both abuse and dependence.<sup>Footnote222</sup>

Dillon’s stealthy phone campaign in early April provided authorities with a treasure trove of valuable intelligence, setting the stage for an ultimate grand finale to the investigation. Nearly two-and-a-half years had passed since Degan first met with Halpern in San Diego, and at long last, the ‘Batman and Robin of steroid investigations’ – Halpern coyly declined to specify who was whom – were closing in on the ‘mastermind’ of what had proven to be a nationwide criminal network of historic proportions.<sup>Footnote223</sup> The goal was to catch the elusive Jenkins ‘red-handed’ by staging a ‘buy bust’, a final sting operation for which Dillon would broker a steroid deal lucrative enough to lure him out of the woodwork.<sup>Footnote224</sup> ‘In order to get [Jenkins] we had to organize a sufficiently large load’, Halpern explained, ‘and [to ensure] he was personally involved [we] knew it had to [be] for several hundred thousand dollars’.<sup>Footnote225</sup> Now it was up to Dillon to do what he did best. He returned less than forty-eight hours later with a deal in place for \$170,000 worth of drugs, a sign that he apparently still had some clout in the underground steroid game. As per Halpern’s instructions, he then telephoned Jenkins to present him with the opportunity. The Scot not only agreed to the deal but carried on with an elaborate plan for its execution.<sup>Footnote226</sup>

In the early hours of April 27, agents from the task force assembled at the Hyatt Regency Hotel in San Diego to set the sting in motion. The deal itself was to take place in the hotel’s bustling lobby area, where ambient noise and heavy foot traffic would enable the surveillance team to operate without being seen. Dillon rendezvoused with Jenkins that morning to retrieve the keys to a U-Haul truck used to store the drugs, then made his way south to meet his unsuspecting buyer at the Hyatt. The Scot retreated to his home forty-minutes north of the city, safe and sound, or so he thought. With guile equal to that of his counterpart, Halpern had instructed Customs agents days earlier to allow the cache of steroids a safe pass through the border, making certain they could be linked to Jenkins. ‘I wanted to follow one of the loads’, Halpern explained, ‘and

ultimately that's how we [caught] him... by observing him at the scene [of the crime]'.<sup>Footnote227</sup> Leaving nothing to chance, the attorney had also placed Jenkins under twenty-four-hour surveillance several days earlier, and prior to the key pickup had Dillon outfitted with a hidden microphone and transmitter that enabled federal agents to listen in and record live audio.<sup>Footnote228</sup> Jenkins was none the wiser. The next day, Degan and several FBI agents arrested him at his beachside mansion in Oceanside, CA and transported him directly to the Metropolitan Correctional Center (MCC) in downtown San Diego for booking and processing.<sup>Footnote229</sup> The operation in Pacific Beach was a sweeping success. Federal agents apprehended the buyer seconds after he greeted Dillon in the hotel's lobby and confiscated the \$170,000. For the sake of appearances, according to Halpern, they also 'fake arrested' Dillon, whose cooperation had not gone unnoticed.<sup>Footnote230</sup>

## 'These Guys Weren't Hardened Criminals'

In a media scrum several weeks later, US Attorney Peter K. Nunez declared to a group of reporters, 'At this point, we've taken apart the entire distribution network as we know it'.<sup>Footnote231</sup> Indeed, the criminal enterprise ceased to exist with its ring-leader and supply source canceled from the equation. With surprisingly little fanfare, Jenkins – a.k.a. 'Ed Wilson' – was arraigned on April 28 at the Edward J. Schwartz Courthouse in downtown San Diego.<sup>Footnote232</sup> Across the aisle at the prosecutors table, Halpern, whom Duchaine heralded as 'an outstanding trial attorney' in *Underground Steroid Handbook II*, was versed well enough in the conspiracy to author a true crime series, but a brief overview of Jenkins' movie-esq plot to flee the country was more than enough to convince US Magistrate J. Lawrence Irving that he was a flight risk.<sup>Footnote233</sup> For nearly a month the former 'Golden Boy' of Scottish athletics sat idle at MCC, a living incarnation of the archetypal fallen hero in classical literature. At an evidentiary hearing on May 26, Jenkins pled 'not guilty' to all of the 36 criminal charges brought against him, among them conspiracy to defraud the US government, introducing misbranded drugs into interstate commerce, and illegally importing drugs without a license, all criminal offenses under the FDCA.<sup>Footnote234</sup> Clad in a navy blue prison-issue jumpsuit, according to a later article in *The Times*, Jenkins stood motionless for the duration of the 15-minute hearing, hands clasped behind his back without a hint of emotion as Irving denied him bail a second time.<sup>Footnote235</sup>

Outside the courtroom, defense attorney Robert Grimes told reporters, 'It's never been alleged that [Jenkins] was personally in possession of steroids ... it should be pointed out that [he] was not involved with any controlled substances, such as cocaine or Valium'.<sup>Footnote236</sup> There was indeed a distinction to be made. Cocaine and Valium were both codified as controlled substances under the CSA, under Schedules II and IV, respectively, and as such, carried criminal penalties for their unlawful possession and distribution. Anabolic steroids and related compounds, on the other hand, were floating in a proverbial regulatory abyss; they were not listed in the CSA yet had drawn the sting of multiple federal agencies.<sup>Footnote237</sup> In any event, to suggest that Jenkins was *never* alleged to have possessed steroids is, in Halpern's words, 'patently absurd', as was the 'not guilty' plea, on its face, considering the myriad evidence at hand.<sup>Footnote238</sup> 'Patently absurd' indeed. Federal agents caught him 'red-handed' with a *literal* truckload of Mexican anabolics a month earlier and had organized the operation for that express purpose.<sup>Footnote239</sup> The possession argument may have gained *some* traction in the court of public opinion, but ultimately held little probative value. To simply be in the possession of anabolic steroids was considered a

misdeemeanor offense, at the time, and did not appear among the long list of charges. Now a five-year veteran with the US Attorney's Office, Halpern was all-too familiar with the usual 'media dog and pony show' staged by criminal defense attorneys; in fact, he was already pushing a narrative of his own: 'Jenkins is the number one defendant in [this case] and was one of the masterminds behind the conspiracy'.<sup>Footnote240</sup>

On May 20, 1987, Halpern and lead US Attorney Peter Nunez filed a 110-count grand jury indictment naming 34 members of the trafficking ring, the first public dissemination of the affair.<sup>Footnote241</sup> The 40-page document enumerated a timeline of criminal acts carried out over a 15-month period and the legal bases for each of the charges under FDCA legislation. Its unsealing on May 21 revealed to the world a '100 million dollar black market' for anabolic steroids, inciting a media frenzy across the United States and abroad.<sup>Footnote242</sup> Indeed, phrases like 'serious medical complications', 'international smuggling ring', and 'steroid epidemic' abounded in mainstream news articles, edifying readers of the dangers associated with the drugs' prolonged use and a vast underground economy to which few had been privy.<sup>Footnote243</sup> As lead of the prosecutorial team, Halpern was sought out by what he estimated to be 'hundreds of reporters' hungry for a juicy headline.<sup>Footnote244</sup> The attorney did not disappoint. For instance, on May 23 he told reporters, '[Jenkins was the kingpin in a criminal organization that became big business... when it gets to [illicit] big business like this... you cannot turn to the police or courts... therefore you can only turn to hit men and other criminal elements... to enforce your contracts'.<sup>Footnote245</sup> Indeed, the indictment alleged that Jenkins underlings James Insko, Robert Wantz, and Leonard Swirda 'expressly and complicitly threatened and use[d] violence and other criminal means' to collect outstanding debts from customers and low-level dealers.<sup>Footnote246</sup> The attorney also advised reporters that, as of May 25, federal agents were still in the process of locating 12 of the 34 co-conspirators.<sup>Footnote247</sup>

Of the dirty dozen still at large, Duchaine was by far the biggest name. In fact, his brief yet prolific career in the illegal steroid trade – namely the mail-order businesses and European importing scheme – was described in a special section in the indictment. The guru of steroids had managed to stay *in* business and *out* of prison for nearly three years, a small miracle in itself given his brazen promotion of the John Ziegler Fan Club in muscle magazines and junk-mail inserts. For his role in the conspiracy and a host of related offenses, he was charged with introducing misbranded drugs into interstate commerce, conspiracy to defraud the US government, and the improper labeling of prescription medications, totaling thirteen criminal counts.<sup>Footnote248</sup> Around the time of Jenkins' preliminary hearing, a team of FDA agents arrested Duchaine in Benicia, CA and escorted him directly to the nearby Martinez Detention Facility in Solano County.<sup>Footnote249</sup> Similar to Jenkins', his arrest went largely unnoticed in the mainstream media; case in point, it was not until a week later that a *San Diego Tribune* article revealed the arresting officers had found several unspecified weapons in his possession, a presumable safeguard for deals gone askew.<sup>Footnote250</sup> Even so, the guru somehow made bail and within 24 h was a free man, and also a lucky man, at least in a relative sense, as Jenkins was denied bail outright and had been confined to MCC for nearly a month. Loyal to the bitter end, Zumpano had come to the rescue for a second time in three months, and this time quite literally *bailed* his friend out with a \$25,000 bond the following day.<sup>Footnote251</sup> At this stage, however, little could be done to halt Duchaine's downward spiral. An insidious pattern of poor judgement and reckless behavior over the past year had made him a greater enemy to himself than the federal agents pursuing him. Interviewed for *Steroid Nation*, defense attorney Nancee Schwartz revealed that he

was arrested for ‘steroid dealing’ three weeks later while visiting his old stomping grounds, the unequivocal riskiest place on Earth to conduct illegal business.<sup>Footnote252</sup> An FBI memorandum notes that a detail of agents apprehended Duchaine in San Diego’s Midway District on June 9, 1987. He was temporarily detained at the Western Division Police Dispatch in the downtown core, an eight-minute drive from the Hyatt in Pacific Beach.<sup>Footnote253</sup> Arrested twice in less than three weeks for the same offense, and deemed a flight risk, Duchaine was remanded to MCC on a ‘high bond’ of \$300,000.<sup>Footnote254</sup> At this stage, the moniker ‘guru of not knowing when to quit’ was, sadly, more befitting.

In a 2019 interview, Halpern described his approach to prosecuting Jenkins, Duchaine, and Dillon, and a professional credo in favor of *equity* over punitive justice.<sup>Footnote255</sup>

I was really hoping [they] would accept plea bargains... these guys weren’t hardened criminals, but [they] had to learn a lesson... I would hope that most of the people I prosecute [in the end] at least respect me and think I was fair... If people you prosecute think you treated them fairly, then you were either fair, or gave them [a] good deal... it wasn’t because I liked them necessarily. That doesn’t go into my calculation.<sup>Footnote256</sup>

The attorney was more than willing to negotiate plea agreements with all 34 members of the outfit, offering each of them reduced charges in exchange for cooperation. The only problem was not one of the men came to the table, at least in the beginning. There was no question that the US Attorney’s Office had put together near impregnable cases against all parties involved, yet the first 22 taken into custody entered ‘not guilty’ pleas at their arraignments and remained tight-lipped for some time.<sup>Footnote257</sup> Dillon, of course, was not among them, and continued to assist prosecutors with building cases against his former colleagues. In a June 11, 1987 interview with *The Guardian*, defense attorney Cleary confirmed that he had entered guilty pleas on single counts of conspiracy to defraud the US government and the illegal importation of drugs without a license. Cleary stressed to journalist Christopher Reed that, at this stage, Dillon ‘just wanted to put the case behind him’, a marked understatement to be sure after a tempestuous eight months of cat-and-mouse games with federal agents and his betrayals of friends and trusted associates.<sup>Footnote258</sup> ‘No one regrets what happened more than me’, he told John Eisendrath the following spring, ‘I gave up all my friends, and I can’t compete [in bodybuilding] anymore’.<sup>Footnote259</sup> While his life had gone to pieces, as it turned out, lending a hand with the investigation presented an opportunity to start anew. In exchange for his cooperation, as Halpern recalls, Dillon was able to keep himself out of prison and ‘was sentenced to straight probation’.<sup>Footnote260</sup>

Better late than never, his jailbird partners reached plea agreements with the US Attorney’s Office sometime that fall, perhaps a sign that neither man was game for bucking the proverbial odds in a criminal trial. Jenkins, whom Halpern described as ‘a thoughtful individual [but] a little standoffish’, was last among the indicted to wave the proverbial ‘white flag’, having spent the spring and summer months in silence at MCC.<sup>Footnote261</sup> In a court appearance on November 6, 1987, he entered guilty pleas on single counts of introducing misbranded drugs into interstate commerce, conspiracy to defraud the US government, illegally importing drugs without a license, and receiving drugs subject to seizure.<sup>Footnote262</sup> Unlike Dillon, however, the track star turned drug boss had no interest in betraying former associates in exchange for leniency. Halpern spoke to this issue in an interview three months later with *Times* journalist Ivor Davis, noting

that Jenkins had indeed been cooperating with authorities ‘to some extent’, but would not be ‘testifying on the record against... other members of the ring’.<sup>Footnote263</sup> The remaining 32 charges were dropped as part of the plea deal, which also stipulated that Jenkins acknowledge in open court the extent of his involvement in the conspiracy. The Scot posted a \$75,000 bond and returned to his home in Carlsbad, and a *legitimate* vitamin business left in ruins by an FBI ransacking the past spring. As an act of good faith, Halpern offered a 13-month ‘grace period’ intervening the November hearing and his sentencing the following year, providing the prison-bound Jenkins with an opportunity to tie up loose ends and bid farewell to family and friends. He spoke candidly of the affair in several interviews early in the New Year – without mentioning by name any of the involved parties – and how an off-the-cuff suggestion over lunch had quickly spiralled out of control. ‘I don’t think we thought beyond the casualness of what we were going to do’, said Jenkins in an interview with *Times* journalist Patrick McDonnell, ‘it was like an express train, there was no break. At least we couldn’t [stop] it’.<sup>Footnote264</sup>

Wearied from years of looking over his shoulder, not to mention several brief stints in jail, Duchaine accepted a plea agreement sometime in the fall of 1987. On April 7, 1988, the now notorious guru of steroids entered guilty pleas on single counts of conspiring to defraud the U.S. government and ‘introducing for sale an adulterated or mislabeled prescription drug into interstate commerce’.<sup>Footnote265</sup> In exchange for dropping 11 of the 13 criminal counts listed in the indictment, much to Halpern’s surprise, Duchaine agreed to testify in the extortion trials of Insko, Wantz, and Swirda the following October.<sup>Footnote266</sup> It may have been a matter of course, as he faced a maximum penalty of 13 years imprisonment and a \$750,000 fine, not to mention the plenitude of evidence in the hands of authorities. ‘Well, he must have been desperate’, the attorney recounted in a 2019 interview, ‘he didn’t seem like the kind of guy who would want to cooperate... I expected him to take his medicine’.<sup>Footnote267</sup>

On the morning of December 13, 1988, Jenkins drove sixty kilometers from Carlsbad to the Schwartz Courthouse for his sentencing hearing, quite possibly the longest forty minutes of his life.<sup>Footnote268</sup> *Guardian* Journalist Christopher Reed described the Scot as ‘unmoved’ when Irving sentenced him to seven years in prison and seven-years’ probation, plus a \$75,000 fine.<sup>Footnote269</sup> ‘You have earned this sentence’, scolded Irving, ‘the message will get out... that the illegal trafficking of steroids in the United States will not be tolerated’.<sup>Footnote270</sup> Jenkins read aloud a personal statement prior to Irving’s ruling, and ‘unmoved’ or otherwise, seemed to have gained perspective whilst waiting in limbo for 13 months. Quoted in a late edition of *The Toronto Star*, he told the court, ‘I apologize to... the government for my actions... it was misguided, foolish, and as such I take responsibility’.<sup>Footnote271</sup> A triumphant Halpern exited the courtroom to ‘dozens of reporters and photographers huddl[ing] around’, according to Reed, and despite having engaged with Jenkins in several ‘friendly discussions’ prior to the hearing, the attorney’s message was loud, clear, and unrelenting: ‘Mr. Jenkins has no altruistic motives [and] created a desire to reap the benefits of this illegal activity... [he] was the creator of the biggest black market in this country and perhaps the world... he has some fine attributes, but greed got in the way’.<sup>Footnote272</sup> Jenkins was transported directly to Boron Prison Camp, a minimum-security facility 190 kilometers northeast of Los Angeles.<sup>Footnote273</sup> The Flying Scotsman was now, tragically, a flightless jailbird.

On the morning of February 13, 1989 a war-torn and ‘drug-addicted’ Duchaine – in the words of friend and noted journalist John Romano – appeared in San Diego courts to learn his fate. Irving

doubled down on his earlier message, that '[steroid] trafficking would not be tolerated', and sentenced Duchaine to a three-year prison term for the distribution charge, five years' probation, plus a \$15,000 fine for defrauding the federal government.<sup>Footnote274</sup> In a media scrum outside the courtroom, defense attorney Schwartz was pushing an entirely different message: steroid trafficking *may* not be tolerated but will ultimately be forgiven. Schwartz posed to reporters the bold prediction that Duchaine would serve no more than ten months in prison, the minimum stay promulgated in federal guidelines. According to Assael, and a later article in *The San Diego Tribune*, the guru was released after approximately 13 months.<sup>Footnote275</sup>

The trio were indicted on a grand total of eighty-nine criminal offenses, but when all was said and done only Duchaine spent more than a year in prison. Leading the way with a whopping 36 charges, Jenkins was released on June 9, 1989 after serving a mere one-eighth of his seven-year sentence: 139 days in San Diego Central Jail; and 178 in a minimum-security facility; for a grand total of 319 days behind bars. The former sprint star was granted a commuted sentence in accordance with Rule 35(b) of the US criminal code, which stipulates, 'within one year of sentencing, a court may reduce a sentence if a defendant... provide[s] *substantial assistance* in investigating or prosecuting another person'.<sup>Footnote276</sup> The decision was straightforward enough, at least in retrospect: sit idle in prison for remainder of his thirties or abandon the self-willed *omerta* that kept him from betraying individuals who had, indeed, already betrayed him. Jenkins ultimately chose freedom over loyalty – the 'code of silence' had already been broken by all other parties involved – and agreed to testify in the ongoing extortion trials of several former associates, the same case with which Duchaine was assisting prosecutors, in addition to a programme of community service in the San Diego area. In a news article published a day after Jenkins' release, Bill Ott of the *San Diego Union-Tribune* revealed that he was planning to visit San Diego-area schools to educate 'students about sport ethics and drug abuse', a court-mandated lecture tour of sorts, and would also assist in organizing a series of Special Olympics events in the coming year. By simple coincidence or perhaps Halpern's sense of humor, the Golden Boy was to perform 400 h of community service, a fitting number for the champion quarter-miler.<sup>Footnote277</sup>

When push came to shove, even Jenkins, the architect and ring-leader of the outfit, saw fit to trade the freedom of others for his own. It would appear Halpern's view that 'these guys weren't hardened criminals' is right on target. Indeed, none of the three principles had the guile of a street hustler or the cold and calculating manner of a drug kingpin. In a October 28, 1988 interview published in *The Times* – his sentencing date fast approaching – Jenkins revealed that 'heat from law enforcement' had been a major source of anxiety that spring and often kept him awake at night.<sup>Footnote278</sup> Tensions at home reached a crescendo after his April arrest, and before long his American wife, Carol, had moved out and filed for divorce. 'The whole thing was pretty unsavory', he told McDonnell, 'I wish I hadn't done it... but you can't change history'.<sup>Footnote279</sup> Indeed, the Flying Scotsman would live in ignominy as the mastermind of an international drug empire; but after 'going straight', in Halpern's words, he went on to make millions in the legal supplement industry.<sup>Footnote280</sup> As for Dillon, he and his wife also separated shortly after the indictment was filed; the coup de grâce to what was undoubtedly a year to forget. Case in point, he claimed to have been 'contemplating suicide' within months of the split, a detail he revealed to Eisendrath the following year.<sup>Footnote281</sup> While there was no divorce to speak of for Duchaine, the strain of the investigation was, apparently, too much to bear, and had left his life in shambles. In Assael's words, the underground author 'had been on a slow, steady road to

junkie oblivion' since the spring of 1988, spending most days holed up in his apartment high on Nubain and Valium, paranoid that investigators were closing in.<sup>Footnote282</sup> All signs indicate that a sober 13 months in prison did little to curb the guru's appetite for drugs. Romano revealed in a later interview that Duchaine was injecting Nubain every morning at this stage, and had added the weight-loss drug Fastin to the daily ritual.<sup>Footnote283</sup>

'My recollection is... I didn't prosecute [any] of these guys', said Halpern in a 2019 interview, 'every single person struck a deal and pled guilty'.<sup>Footnote284</sup> Owing to fear, lack of scruples, or otherwise, each of the outfit's three principals resorted to informing on former associates in exchange for leniency. It may have been a matter of course. This was a multi-million-dollar criminal enterprise founded by a former Olympian, an aeronautical engineer, and a Theatre Arts major, all unpracticed in contending with the pressures of a criminal investigation and, perhaps more so, the ultimate consequences of their actions. It was an opportunistic, ad-hoc alliance formed to capitalize on a void in the market left by increased government regulation. Unlike traditional organized crime syndicates like La Cosa Nostra and the Yakuza, there was no *omerta* or 'code of silence', nor a real or implied danger attendant to 'ratting out' fellow members of the outfit.<sup>Footnote285</sup> The men could speak freely absent these informal checks and balances, perhaps notwithstanding the moral dilemma inherent in betraying a friend or trusted partner.

What began with a friendly discussion over dinner spawned a criminal conspiracy of immense proportion and scale, the likes of which none had seen before. Navigating these uncharted waters, the original three had no choice but to create a proprietary system for smuggling and trafficking enormous volumes of anabolic steroids. For lack of experience, it would seem, the 'system' was largely ineffectual in keeping law enforcement at bay, leaving the men exposed to the likes of Halpern and Degan, the first wave of steroid prohibitionists. Had they, in fact, looked 'beyond the casualness of their business arrangement', in Jenkins' words, the outcome might have been different, for better or worse.<sup>Footnote286</sup> Indeed, several key moments in the investigation arose from adverse circumstances that were *well-within* their control. For instance, shortly after federal agents ransacked Dillon's home, for the first time, he carried on with dealing steroids as if nothing had happened. A more astute criminal, it stands to reason, would likely have taken extra measures to evade authorities, or an indefinite hiatus from all illegal activity. 'I'd say most offenders [that are] familiar with the system would change their [modus operandi]', said California attorney Kelvan Howard in a 2019 interview, 'they'd understand that if law enforcement can execute a search warrant [and] don't arrest you, [that is] probably not the end of it'.<sup>Footnote287</sup> Ultimately, it was Dillon's 'devil may care' attitude, or perhaps simple naïveté, that led to his arrest and later role as an informant, adding a major asset to the investigation.

For an operation of such complexity and scale, and the sums of money at stake, the smuggling methods employed were rather primitive. If the task force was correct in its valuation, Jenkins imported more than \$70 million worth of anabolic steroids over an 18-month period; thousands of pounds of drugs divided amongst at least thirty-three dealers nationwide.<sup>Footnote288</sup> Relative to more traditional criminal networks, the methods of importation would be considered haphazard and poorly organized. The use of hollowed-out gas tanks, not to mention their concealment in smugglers' clothing, limited the size of each load and necessitated more frequent return trips across the border. Each additional trip begot an increased likelihood of a search and seizure, and potentially damning evidence in the hands of Customs agents. In a 1988 interview

with *Times* journalist Ivor Davis, Halpern estimated that ‘at the peak of [the ring’s] activities... smugglers would [courier]... five loads [per] day’ every day of the week’.<sup>Footnote289</sup> Authorities were intercepting increasing numbers of shipments as time wore on, yet the operation continued to use both the same border point near San Ysidro and the same countermeasures to hide the drugs. In his monograph *Underground Anabolics*, Llewellyn notes that ‘these fairly crude methods... were [consistent] enough to be viable’ for a time... as long as Customs agents... were unaware of the high-volume steroid manufacturing in Mexico’.<sup>Footnote290</sup> It was only when Macklis voiced reservations about continuing with the operation that Jenkins and Dillon reconfigured the network with the five US distributors.

In the mid-to-late 1980s, ‘professional’ criminal organizations were in the practice of far more efficient and surreptitious methods of smuggling.<sup>Footnote291</sup> In *Bribes, Bullets, and Intimidation: Drug Trafficking and the Law in Central America*, authors Julie Bunck and Michael Fowler find, ‘the most popular method to smuggle drugs into the [US at the time] was onboard light planes... routed to remote airstrips... on the U.S. border flanking Mexico’.<sup>Footnote292</sup> With great expertise and a high rate of success, drug runners were able to elude the DEA and USCS with low-radar flight patterns and the use of larger airborne vessels to obscure their cargo planes.<sup>Footnote293</sup> Another popular and perhaps less conspicuous method of drug smuggling was done *via* underground tunnel networks, a practice made infamous by Mexican cartels in the 1980s. In a 2019 interview from prison, former Sinaloa Cartel leader Jesus Zambada Garza described this method as ‘the most secure way to cross drugs [in]to the U.S.’, and estimated that tunnel-smuggling accounted for 95% of the cocaine trafficked across the border.<sup>Footnote294</sup> The foregoing strategies have been used almost exclusively to transport more serious drugs like cocaine and heroin, but likely would have worked with anabolic steroids.

At its peak the trafficking ring accounted for approximately 70% of all black-market steroids in the United States, the majority stake in an underground economy estimated to be worth in excess of \$100 million.<sup>Footnote295</sup> A savvy but ultimately ill-fated business strategy, Jenkins, Duchaine, and Dillon exploited the FDA’s crackdown on anabolic steroids by filling a gaping void in the marketplace left in its wake. By 1987, the black market accounted for an estimated 95% of all anabolic steroids purchased domestically, of which 70% came from the outfit.<sup>Footnote296</sup> But the gentlemanly and articulate Jenkins was by no means the ‘kingpin of a sophisticated criminal organization’, as Halpern once declared, far from it, nor were Duchaine and Dillon crafty drug hustlers.<sup>Footnote297</sup> They were not desperados or mafiosos, nor a gang or cartel. They were a motley crew of steroid bootleggers; an alliance of circumstance reminiscent of the ‘freelancing smugglers’ in the Prohibition Era (1920–1933) six decades earlier.<sup>Footnote298</sup> According to criminologist Mitchel P. Roth, individual bootleggers joined forces in the early stages of Prohibition to capitalize on a sharp increase in the demand for alcohol, and soon established an ‘[underground] trade that returned great profits’.<sup>Footnote299</sup> Gradually these factions evolved into organized crime syndicates for which accountants, lawyers, smuggling and transportation experts, and chemists were hired to protect and streamline business operations.<sup>Footnote300</sup> An institutionalized, widely-enjoyed, and theretofore legal substance had suddenly been outlawed, galvanizing would-be bootleggers in building an underground economy ‘from scratch’.<sup>Footnote301</sup> In similar vein, the FDA’s crackdown on Dianabol in late 1985 made opportunists of the men, whose aim at the outset was to cash-in on its removal from the pharmaceutical market. Only the enterprise grew far beyond what they had conceived, and before long, was spiraling out of control.

Prohibition was repealed after just 13 years – the movement was rooted in reducing crimes of moral turpitude, but in reality, served to *normalize* socially deviant behavior – but anabolic steroid laws tightened in the wake of the outfit’s dismantling. The rise and fall of the trafficking ring coincided with a shift in both mainstream perceptions and bureaucratic priorities concerning anabolic steroids, and more generally, a movement to cure the nation of a decades-long drug epidemic. When Degan assumed the role of ‘lone ranger’, as Halpern noted, in the early 1980s, federal agencies like the DEA and FBI were strictly handling cases involving ‘serious’ street drugs with high abuse potential, leaving substances not listed as ‘controlled’ in the FDA’s purview.<sup>Footnote302</sup> Moreover, the FBI’s involvement in steroid investigations stemmed from a DOJ mandate that would not have come to fruition without the unrelenting efforts of Dennis Degan, the *one-eyed man in the land of the blind*.<sup>Footnote303</sup> Whether by design or happenstance, the timing could not have been more opportune. His request coincided with the height of President Ronald Reagan’s reinvigorated War on Drugs; a period characterized by a steady flow of highly politicized anti-drug rhetoric with which his presidency became all-but synonymous.<sup>Footnote304</sup> Reagan announced the second incarnation of the campaign in 1982 – three years before the task force first assembled – and a renewed commitment to an ideology adopted by the Nixon administration in the early 1970s. In her monograph *Drug Enforcement in the United States: History, Policy, and Trends*, criminologist Lisa N. Sacco notes that federal conviction rates for the ‘trafficking, importation, and distribution’ of controlled substances rose dramatically over the next four years.<sup>Footnote305</sup> Germane to this discussion, from 1980 to 1985 the FBI’s annual budget for drug enforcement units increased from \$8 million to \$95 million.<sup>Footnote306</sup> This likely played a factor in the investigation, despite the Bureau’s ‘neutral’ status in the nascent steroid war spanning these years. If not for the budget increases, it is less likely the FBI could have devoted as many resources to the task force, or any, period.

Yes, all known anabolic steroids were restricted drugs under US legislation, and if lessons were learned from the Fitton case, traffickers could *theoretically* face serious legal consequences under the FDCA. However, when Reagan declared ‘drugs are menacing our society’ in a 1986 State of the Union address, it is unlikely he had anabolic steroids in mind.<sup>Footnote307</sup> Drugs like Dianabol had been regulated under federal laws for decades but were in no way an adversary in the War on Drugs. When news of the trafficking ring reached mainstream audiences, however, legislators began to take notice. Congress ratified the Anti-Drug Abuse Act (ADAA) – an amendment to the FDCA promulgating criminal penalties for the unlawful distribution of anabolic steroids – in November of 1988, in the final stages of the investigation and one month before Jenkins’ sentencing.<sup>Footnote308</sup> Under the new legislation, a single trafficking conviction carried a maximum penalty of three years in prison and a \$25,000 fine. Policy makers annexed the issue within months of Halpern filing the indictment, setting in motion a series of government hearings pursuant to reclassifying anabolic steroids as controlled substances and curbing their illicit distribution.<sup>Footnote309</sup> The trafficking network indeed served as a proverbial ‘smoking gun’ for supporters of the bill; the affair was proof positive that the drugs were widely available and required more stringent controls.<sup>Footnote310</sup> Two years later, the Anabolic Steroids Control Act (ASCA) added twenty-eight commonly-used anabolics to Schedule III of the CSA, and made federal drug criminals of steroid traffickers.<sup>Footnote311</sup>

For the original three the upsides of the operation far outweighed the risks, given the sums of money involved, the relatively minor penalties for trafficking under the FDCA – a maximum penalty of one year in prison and \$1,000 in fines was hardly an effective deterrent – and the fact

that steroids were viewed as less serious than common street drugs like cocaine and heroin, both principal targets in America's drug war.<sup>Footnote312</sup> Dillon's interview in *Steroid Nation*, for instance, lends a voice to Duchaine's *less-than-serious* concerns about the worst case scenario. Not long after the meet-and-greet with Jenkins, according to Dillon, the guru said something akin to, 'no one goes to jail for a long time for steroid [trafficking]'.<sup>Footnote313</sup> Indeed, at this point only Fitton had been jailed for such an offense, and 'would have gotten probation and nothing more', according to Halpern, if not for the bail breach.<sup>Footnote314</sup> By the time the men realized the game had changed, for better or worse, it may have been too late. For they were not drug kingpins, gangsters or mobsters, nor the arch criminals behind an invisible, lawless empire. They were the first casualties in America's war on anabolic steroids.

## Data Availability

The author confirms that the data supporting the findings of this study are available within the article. Raw data that support the findings of this study are available upon request *via* the corresponding author.

## Disclosure Statement

No potential conflict of interest was reported by the author(s).

## Additional information

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**Daniel L. Rosenke** is a sport policy and governance researcher, with a specific interest and expertise in the doping supply chain; the sources from which performance-enhancing drugs are accessed

## Notes

1 Cerisse Anderson, 'Powerlifter Sought for Steroid Sales', *United Press International*, May 11, 1985; and John Goodbody, 'A Sport Facing New Threat of Banishment', *The Times* (London), January 31, 1990.

2 Ibid; 'A British Weightlifter Who Disappeared After Pleading Guilty', *United Press International*, August 26, 1985; Fitton had been arrested two years earlier at the Atlanta Airport with 22,000 doses of anabolic steroids and human growth hormone (HGH). The following year he was convicted and received a two-year suspended sentence and five years probation for the unlawful possession of a pharmaceutical product. For further reading, see David Granger, 'A

Steroid Story: Sandler Thought Drugs were a Way to the Big Time', *The Alabama Journal*, August 1, 1985.

3 United States Food Drug and Cosmetic Act of 1938, Pub. L. No.75-717, 52 Stat. 1040 (1938), 49, 396.

4 Phillip Halpern in interview with author, August 24, 2019. Halpern agreed to several recorded phone interviews with the author, and claimed to have clear memories of his early years at the US Attorney's Office. He was employed as an Assistant US Attorney in San Diego for more than thirty-five years, the first five of which were largely devoted to prosecuting steroid-related offenses.

5 Ibid.

6 Ibid.

7 For several years the FDA had been tightening regulations on anabolic steroids, imploring pharmaceutical companies to substantiate claims of their legitimate medical uses. See for reference *Anabolic Steroids Control Act of 1990: Hearings Before the Subcommittee on Crime of the Committee of the Judiciary*, H.R. 4658, 101 Cong., 2nd sess., 'Prepared Statement of Ronald G. Chesemore', May 17, 1990, 32-33; while anabolic steroids were regulated by the FDA the United States Food Drug and Cosmetic Act of 1938, at the time the drugs were not scheduled. See for reference The Comprehensive Drug Abuse Prevention and Control Act of 1970, Pub. L. No. 91-513, 84 Stat. (1970), article 812, A-C.

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19 William Oscar Johnson, 'Steroids: A Problem of Huge Dimensions', *Sports Illustrated*, May 13, 1985.

20 Ivor Davis, 'Operation Overlord of the Drug Ring: How a Tenacious Attorney Named 'Bulldog' Halpern Tracked Down Mr. X, alias David Jenkins, the British Olympic Sprinter Turned Drug Runner, Now Awaiting Sentence in the US', *The Times* (London), February 11, 1988; and John Eisendrath, 'Confessions of a Steroid Smuggler: When the Quest for Big Muscles Turns into a Passion for Big Money', *Los Angeles Times Magazine*, April 24, 1988.

21 United States of America v. David Jenkins, Juan Javier Macklis, Daniel Duchaine, William P. Dillon, James M. Insko, Robert Wantz, Jr., David Grigus, Leonard T. Swirda, Toivol Mansen, Michael MacDonald, Michael Marzella, Lon Zeigler, Jeffrey Golini, Normand Bergland, John Sleconich, Mark Depew, Steven Henneberry, Patrick Jacobs, Jeffrey Jarrison, Thomas Binns, Gerald Jones, Steven Marx, Steven Hein, Dennis J. Motte, Garry de Paepe, Vito Elefante, Gil R. Thompson, Rafael Lepe-Duenas, Samuel Martinez-Moreno, Jose Zapata, Marco Macklis, Culberto Lopez, Fito Alvarez, United Pharmaceuticals, Laboratorios Milano de Mexico, United States District Court Southern District of California, Criminal Case no. 87-0491-JLI, May 20, 1987; and Phillip Halpern in interview with author, August 24, 2019; the author obtained a copy of the federal indictment from Halpern, the lead prosecutor for each of the thirty-six co-defendants. For details on David Jenkins and Dan Duchaine, see Alfano and Janofsky, 'Weight on Black Market', *The New York Times*, November 18, 1988; Richard Moore, 'From Gold to Silver to Drugs to Jail David Jenkins Never Ran from Fate', *The Scotsman*, July 9, 2012; and Alessandro Donati, 'World Traffic in Doping Substances', 30-1,

[https://www.wada.ama.org/sites/default/files/resources/files/WADA\\_Donati\\_Report\\_On\\_Trafficking\\_2007.pdf](https://www.wada.ama.org/sites/default/files/resources/files/WADA_Donati_Report_On_Trafficking_2007.pdf) (accessed August 10, 2019).

22 Michelle Kaufman, 'Hurricanes' Strength Coach Is Among 34 Indicted Nationwide for Smuggling Steroids', *The Tampa Bay Times*, May 22, 1987; and Davis, 'Operation Overlord', *The Times* (London), February 11, 1988.

23 Congressional hearings discussing proposed regulations on anabolic steroids make specific mention of the smuggling ring led by Jenkins. See for reference *The Anabolic Steroid Restriction Act of 1989: Hearings Before the House Committee on the Judiciary*, 101<sup>st</sup> Cong. (1989), 8; and *The Anabolic Steroid Control Act of 1990*, 40-3.

24 The Anti-Drug Abuse Act of 1988, H.R. 5210, 21 USC 333a., 100th Cong. (1988), sec. 2402, 4230.

25 The Anabolic Steroids Control Act of 1990, H.R. 4658, 101 Cong. (1990), sec. 2(A-C), 3(B); and The Controlled Substance Act of 1970, article 812 (B-2), 523. Drugs listed under Schedule III of the Act must have a moderate potential for abuse, a currently accepted medical application, and addictive properties, both physical and psychological. For further reading see Richard Abood, *Pharmacy Practice and the Law, Fourth Edition* (Sudbury, MN: Jones and Bartlett Publishers, 2005), 147–54.

26 Alfano and Janofsky, ‘Weight on Black Market’, *The New York Times*, November 18, 1988; and Phillip Halpern in interview with author, August 24, 2019.

27 Donati, ‘World Trafficking on Doping Substances’, 30.

28 A search of the Lexis Nexis database and other news archives found hundreds of articles covering the case. Most were written between the conspirators’ indictments and sentencing, and can be found throughout this chapter. For further reading see Llewellyn with Tober, *Underground Anabolics*, 14–15; Rob Beamish, *Steroids: A New Look at Performance Enhancing Drugs* (Santa Barbara, CA: ABC-CLIO LLC, 2011), 136; and David E. Newton, *Steroids and Doping in Sports: A Reference Handbook* (Santa Barbara, CA: ABC-CLIO LLC, 2018), 92.

29 Newton, *Steroids and Doping in Sports*, 92; and Richard I.G. Holt, Ioulietta Erotokritou-Mulligan, and Peter H. Sönksen, ‘The History of Doping and Growth Hormone Abuse in Sport’, *Growth Hormone and IGF Research* 19 (2009): 322.

30 United States Food Drug and Cosmetic Act, 49, 396.

31 *Ibid.*, 42–3, 46, 49.

32 Todd, ‘Gremlins of Sport’, 94; John Fair, ‘Isometrics or Steroids: Exploring New Frontiers of Strength in the Early 1960s’, *Journal of Sport History* 20 (1993): 1–24, the author notes Ciba Pharmaceuticals patented the anabolic steroid methandrostenolone in around 1955, and in 1958 released it under the trade name Dianabol. In fact, while it is generally accepted among scholars that Dianabol was the first anabolic steroid marketed it was not the first anabolic steroid synthesized from testosterone. In William Llewellyn, *Anabolics* (Jupiter, FL: Molecular Nutrition, 2011), 14, the author correctly notes that Boldenone Undecylenate was the first anabolic steroid, first patented by Ciba pharmaceuticals in 1949. Incidentally, Norethandrolone was the first anabolic steroid approved for medical use, in 1956, under the brand name Nilevar. For further reading see Francois Chast, ‘A History of Drug Discovery: From First Steps of Chemistry to Achievements in Molecular Pharmacology’, in *The Practice of Medicinal Chemistry, Third Edition*, ed. Patricia Wermuth (London: Academic Press, 2008), 34.

33 Edward B. Williams, ‘Exemption from the Requirement of Adequate Directions for Use in the Labeling of Drugs’, *Food, Drug, and Cosmetic Law Quarterly* 2 (1947): 155; and The United States Department of Health, Education, and Welfare, *Public Health Reports Vol. 71, No. 11* (Washington, DC: 1956), 1155.

34 Durham-Humphrey Amendments of 1951, Pub. L. No. 82-215, §1, 65 Stat. 648, 648 (1951); and United States Food and Drug Administration, 'FDA's Evolving Regulatory Powers Part III: Drugs and Foods Under the 1938 Act and its Amendments', <https://www.fda.gov/about-fda/fdas-evolving-regulatory-powers/part-iii-drugs-and-foods-under-1938-act-and-its-amendments> (accessed October 10, 2019).

35 See for reference United States Food and Drug Administration, *Approved Prescription Drug Products with Therapeutic Equivalent Evaluations 3<sup>rd</sup> Edition* (Washington, DC: The United States Department of Health and Human Services, 1982), A-5.

36 United States General Services Administration, 'Drugs for Human Use: Certain Anabolic Steroids; Drug Efficacy Study Implementation', *Federal Register* 35, no. 122 (1970): 10328; and Jean Forcroy, 'Designer Steroids: Past, Present, and Future', *Current Opinion on Endocrinology and Diabetes* 13 (2006): 307.

37 Peter N. Horvath, 'The DESI Hit List: The Story and Reflections', *Journal of the American Academy of Dermatology* 5, no. 3 (1981): 363; and The US Food and Drug Administration, 'FDA's Evolving Regulatory Powers Part III: Drugs and Foods Under the 1938 Act and Its Amendments', <https://www.fda.gov/about-fda/fdas-evolving-regulatory-powers/part-iii-drugs-and-foods-under-1938-act-and-its-amendments> (accessed August 10, 2019).

38 Leslie Pray and Sally Robinson, *Challenges for the FDA: The Future of Drug Safety, Workshop Summary* (Washington, DC: The National Academies Press, 2007), 14.

39 Horvath, 'The DESI Hit List', 363–4; and National Academy of Sciences, 'The Drug Efficacy Study of the National Research Council's Division of Medical Sciences, 1966-1969', [http://www.nasonline.org/about-nas/history/archives/collections/des-1966-1969-1.html#series\\_3](http://www.nasonline.org/about-nas/history/archives/collections/des-1966-1969-1.html#series_3) (accessed August 4, 2019).

40 Ibid.

41 United States General Services Administration, 'Certain Anabolic Steroids, Drug Efficacy Study Implementation', 10328.

42 Ibid.

43 Ibid.

44 Nicholas Wade, 'Anabolic Steroids: Doctor's Denounce Them, but Athletes Aren't Listening', *Science, New Series* 176, no. 4042 (1977): 1401.

45 United States Congress, 'The Drug Problem: Message from the President', 91st Cong., 1st sess., *Congressional Record* 115, pt. 14 (July 14, 1984): 19353–4.

46 Pennsylvania Crime Mobilization Conference, 'Address by the Honorable John N. Mitchell, Attorney General of the United States', Camp Hill, Pennsylvania, December 3, 1969.

47 The Controlled Substances Act of 1970, Pub. L. No. 91–513, 84 Stat. (1970), article 812 (A-C); the Act was passed as Title II of the Comprehensive Drug Abuse and Prevention Control Act of 1970. Viewed as the incipient action in Nixon’s War on Drugs, the Act created a taxonomical system for drugs listed in the United States Pharmacopeia based on dependence-forming properties, potential for abuse, and medical applications. Drugs were evaluated then classified in one of five schedules, with Schedule I comprising substances with high abuse-potential and little or no medical use. Correspondingly, drugs under Schedule V were deemed to have legitimate medical uses and little or no potential for abuse or dependency. For a more comprehensive summary of this legislation, see Robert C. Bonner, and Gene R. Haislip, *A Security Outline of the Controlled Substances Act of 1970* (Washington, DC: The United States Drug Enforcement Administration, 1991).

48 Abood, *Pharmacy Practice and the Law*, 184.

49 In the original legislation and subsequent amendments over the following two decades, anabolic steroids were not listed under any of the five schedules. It was not until 1990 that the drugs were codified as Schedule III substances. See for reference The Anabolic Steroid Control Act of 1990, H.R. 4658, 101 Cong. (1990), sec. 2(A-C), 3(B).

50 Nixon used this phrasing in a presidential address in January 1972. See for reference Thomas J. Johnson, Wayne Wanta, Timothy Boudreau, Janet Blank-Libra, Killian Schaffer, and Sally Turner, ‘Influence Dealers: A Path Analysis Model of Agenda Building during Richard Nixon’s War on Drugs’, *Journalism & Mass Communication Quarterly* 73, no. 1 (1996): 184.

51 Bil Gilbert, ‘Drug Use and Abuse: The Nature and Extent of the Problem’, *Sports Illustrated*, June 23, 1969.

52 Ibid.

53 Ibid.

54 *Drug Abuse in Athletics: Assembly Interim Subcommittee on Drug Abuse and Alcoholism*, ‘Testimony of H. Kay Dooley, October 20, 1970, 9.

55 Ibid., 10

56 *Proper and Improper Use of Drugs by Athletes: Hearings Before the Subcommittee to Investigate Juvenile Delinquency*, 93 Cong., 1st sess., June 18, July 12–13, 1973, 2.

57 Ibid., 163, 351, 353, 394, 395, 436, 461, 666, 798, 816.

58 *Proper and Improper Use of Drugs*, 2.

59 Ibid., 290.

60 Ibid., 293.

- 61 Ann Japenga, 'Guidebook to Steroid Use Is Called Deceptive and Dangerous', *The Los Angeles Times*, January 31, 1984.
- 62 Randy Harvey, 'Canadian Inquiry Told of Bizarre Medical Practices', *The Los Angeles Times*, June 20, 1989.
- 63 'The Godfather', *Sports Illustrated*, March 11, 2008.
- 64 Phillip Halpern in interview with author, August 24, 2019; and Todd, 'Gremlins of Sport', 104.
- 65 Phillip Halpern in interview with author, August 24, 2019.
- 66 United States General Services Administration, 'Certain Anabolic Steroids; Drug Efficacy Study Implementation; Revocation of Exemption; Opportunity for Hearing', *Federal Register* 48, no. 12 (January 18, 1983): 2208.
- 67 United States General Services Administration, 'Certain Anabolic Steroids; Drug Efficacy Study Implementation; Revocation of Exemption; Opportunity for Hearing', *Federal Register* 48, no. 94 (May 13, 1983): 21658.
- 68 Llewellyn with Tober, *Underground Anabolics*, 14; others made similar contentions about this being a turning point of sorts. See for reference Eisendrath, 'Confessions of a Steroid Smuggler', 11; for the FDA's official ruling on the matter see United States General Services Administration, 'Revocation of Exemption; Opportunity for Hearing', *Federal Register* 50, no. 240 (December 13, 1985): 50964; and Daniel Duchaine, *Underground Steroid Handbook II: Incorporating Material from the Original Underground Steroid Handbook, Ultimate Muscle Mass, and the USH Updates #1-10* (Venice, CA: HLR Technical Books, 1989), 32.
- 69 Alfano and Janofsky, 'Weight on Black Market', *The New York Times*, November 18, 1988.
- 70 Duchaine, *Underground Steroid Handbook II*, 36.
- 71 Phillip Halpern in interview with author, August 24, 2019.
- 72 *The Anabolic Steroids Control Act of 1990*, 29; and American Medical Association, Council on Scientific Affairs, 'Drug Misuse: Anabolic Steroids and Human Growth Hormone', Resolution 57, A-86 (1986), 30.
- 73 Ibid.
- 74 Phillip Halpern in interview with author, August 24, 2019.
- 75 Assael, *Steroid Nation*, 13.
- 76 Phillip Halpern in interview with author, August 24, 2019.
- 77 Assael, *Steroid Nation*, 12–13; and Gary R. Blockus, 'Powerlifting Champ to Talk About the Dangers of Steroids', *The Morning Call*, March 2, 1989.

78 Alan L. Hoeting in interview with Robert A. Tucker, *The History of the US Food and Drug Administration* (Minneapolis, MN: FDA History Office, 1999), 22–5. The reasoning here is three-fold: for starters, the document’s appendix dates the FDA’s first criminal warrant-search and seizure September 30, 1975; second, in the interview, Hoeting speaks of Degan with high praise for having ‘managed a complex and ‘precedent setting’ investigation’; and third, to the previous point, and also in the document’s appendix, Degan is listed as the recipient of the FDA Award of Merit in 1984 for ‘a brilliant performance in the preparation and management of a complex regulatory case’. Moreover, the document referenced above includes a section titled ‘Significant Historical.

79 Assael, *Steroid Nation*, 12; and ‘The Godfather’, *Sports Illustrated*, March 11, 2008.

80 Assael, *Steroid Nation*, 13; and Doug Fisher, ‘Former World Weight Lifting Champion Larry Pacifico...’, *The Associated Press*, June 18, 1987. Degan claimed in an interview for *Steroid Nation* that Pacifico ‘said just enough to make [him] realize that a silent network of dealers existed’ in the United States, many of them ‘using bodybuilding shows as a base of operations’.

81 Robert A. Tucker, *The History of the US Food and Drug Administration*, appendix 13.

82 Assael, *Steroid Nation*, 14; the author notes that Degan had tried and failed at ‘convincing law enforcement to take the [steroid] problem seriously’.

83 Ibid., 13; FBI Director William H. Webster in memorandum to Special Agent in Charge, Los Angeles, ‘Re. Daniel Richard Duchaine’, September 9, 1985; and Phillip Halpern in interview with author, August 24, 2019; and Alan L. Hoeting interview in Robert A. Tucker, *The History of the US Food and Drug Administration*, 24; there is conflicting evidence as to when Degan contacted the DOJ. In *Steroid Nation*, Assael claims he did so *before* raiding Pacifico’s offices, implying that the task force had already been green lit *before* authorities were aware of a nationwide network, the impetus for creating the task force in the first place. This is in direct contradiction to Halpern’s comments in a 2019 interview, and those of former FDA Director Alan L. Hoeting in 1999.

84 Government of Canada, *The Commission of Inquiry into the Use of Banned Drugs and Practices Intended to Increase Athletic Performance*, commissioned by the Honorable Charles Dubin, November 16, 1988–September 19, 1989 (Ottawa: Canadian Government Publishing Center, 1990), 366; and Assael, *Steroid Nation*, 13.

85 Federal Bureau of Investigation, ‘Daniel Richard Duchaine’, in memorandum to Food and Drug Administration and United States Department of Justice, October 10, 1985; and William H. Webster in memorandum to SAC, Los Angeles, September 9, 1985; for references to Fitton’s arrest, see note 16.

86 Max Cobb interviewed in Michael Powell, ‘Lest We Forget, the US, Too, Spent Time in the Doping Wilderness’, *The New York Times*, August 4, 2016, US Biathlon Chief Max Cobb uses the phrase ‘the wild west’ to describe the relative lack of steroid enforcement in the 1980s. See also James Montague, ‘Hero or Villain? Ben Johnson and the Dirtiest Race in History’, *CNN Sports*, July 23, 2012.

87 Phillip Halpern in interview with author, August 24, 2019.

88 Peter Alfano and Michael Janofsky, 'A Guru Who Spread the Gospel of Steroids', *The New York Times*, November 18, 1988.

89 Ibid., and Assael, *Steroid Nation*, 2.

90 Japenga, 'Guidebook to Steroid Use', *The Los Angeles Times*, January 31, 1984; and Bruce Kneller in interview with author, August 3, 2019; Kneller served as Duchaine's research assistant for four years from the late-1980s to the early-1990s. By his account they developed a close friendship over the years and collaborated on several projects for Duchaine's supplement company.

91 Assael, *Steroid Nation*, 5; Duchaine also makes similar comments in later interviews. For instance, in Alfano and Janofsky, 'Gospel of Steroids', *The New York Times*, November 18, 1988, he asserts anabolic steroids can be safe if used in moderation and adds that the USHB was his attempt to dispel popular myths about the drugs, most of which originated in the medical community.

92 Assael, *Steroid Nation*, 5–7.

93 Ibid., 5; incidentally, Duchaine and Zumpano released a longer, edited version of USH sometime in 1983.

94 Ibid., 7.

95 Alfano and Janofsky, 'Gospel of Steroids', *The New York Times*, November 18, 1988; Japenga, 'Guidebook to Steroid Use', *The Los Angeles Times*, January 31, 1984; and Assael, *Steroid Nation*, 12.

96 Japenga, 'Guidebook to Steroid Use', *The Los Angeles Times*, January 31, 1984.

97 Ibid; and Newton, *Steroids and Doping in Sports*, 96.

98 Todd, 'Gremlins of Sport', 104; for Ziegler as the 'father of Dianabol', see for example John D. Fair, *Mr. America: The Tragic History of a Bodybuilding Icon* (Austin: The University of Texas Press, 2015), 152; and Robert Dvorchak, 'Never Enough/Steroids in Sports: Experiment Turns Epidemic', *Post-Gazette* (Pittsburgh), October 1, 2005.

99 Duchaine, *Underground Steroid Handbook*, 6–7; the phrase 'very popular with athletes', appears in a passage describing the Anavar, an anabolic steroid reputed for mild side-effects and lean muscle gains.

100 Todd, 'Gremlins of Sport', 104; and FBI Special Agent in Affidavit for Search Warrant, United States District Court, Central District of California, case no. 86-1114m, August 1986, 4; the agent's name was redacted for security purposes.

101 Ibid.

102 Ibid.

103 Ibid.

104 Ibid.; the author was unable to discern or find evidence of what the acronym CKR stood for.

105 Ibid.

106 It is not clear exactly when the grand jury was assembled, but the preceding correspondence indicates it was no later than November 12, 1985. Presumably this took place sometime between October 10, and the first two weeks of November. In Richard Bretzing, airtel correspondence to FBI Director William H. Webster, November 12, 1985, 3, Bretzing notes the FBI's Los Angeles Division was awaiting grand jury subpoenas for mail surveillance on Duchaine and six other anabolic steroid dealers on November 12, indicating that the grand jury had already been investigating for an indeterminate timeframe. At the time the grand jury had already been given several bottles of the anabolic steroids Degan through the JZFC. Further evidence of this appears in Richard T. Bretzing in letter to United States Attorney Robert C. Bonner, January 28, 1986.

107 In Eisendrath, 'Confessions of a Steroid Smuggler', 16, the author finds that Dillon, who is the principal source of information in the piece, was under the impression he was meeting with Duchaine and Jenkins to discuss a legitimate supplement business. Further, according to several sources, Jenkins and Duchaine had discussed anabolic steroids several weeks before the lunch meeting in January 1986. For further reading see Richard Moore, 'From Gold and Silver to Drugs and Jail David Jenkins Never Ran from Fate', *The Scotsman*, July 9, 2012.

108 Moore, 'From Gold and Silver', *The Scotsman*, July 9, 2012; for Jenkins' nicknames, see Assael, *Steroid Nation*, 14.

109 European Athletics, 'European Athletics Championships, Helsinki 1971', <https://www.european-athletics.org/competitions/european-athleticschampionships/history/year=1971/results/index.html> (accessed June 8, 2019), and Davis, 'Operation Overlord', *The Times*, February 11, 1988.

110 Moore, 'From Gold to Silver', *The Scotsman*, July 9, 2012.

111 The side-effects associated with Dianabol are said to be more numerous and severe than most anabolic steroids. Users have reported severe water retention, muscle tightness, high blood pressure, and psychological malaise. See for reference Oliver Bateman and Danijel Zezelj, 'Steroid Solidarity: The Culture of Juicing at the Mr. Olympia Competition', *Virginia Quarterly Review* 93, no. 3 (2017), 67; and Lisa Anne Richardson, 'I Need You to Look at Me: An Ethnographic Study of a Subculture of Serious Gym Members' (PhD diss., San Jose State University, 1991), 26.

112 Richard Moore, *The Dirtiest Race in History: Ben Johnson, Carl Lewis, and the 1988 Olympic 100m Final* (London: Bloomsbury Publishing, 2012), 73.

113 World Athletics, 'Athlete Profiles – David Jenkins', <https://www.iaaf.org/athletes/great-britain-ni/david-jenkins-9770> (accessed August 4, 2019); the author contacted David Jenkins for

the purpose of an interview for this chapter. Initially Jenkins seemed eager to take part, but several days later denied the request. At minimum this would have provided accurate details on the date Jenkins moved to California. Altogether, sources gathered for this chapter indicate that after retiring from track and field in the summer of 1982 he and his wife moved to Southern California. Given that Jenkins was already operating a ‘successful’ supplement business by mid-to-late 1985, it stands to reason that he emigrated soon after retiring. For comments on Jenkins’ supplement business see Ivor Davis, ‘Athletics: Jenkins on Drug Charges’, *The Times* (London), May 22, 1987.

114 See for example Daniel Duchaine, ‘Newest Developments in Precontest Carbing Up’, *Flex* (December 1984): 46; and Daniel Duchaine, ‘Free-Form Amino Acids: The Protein Source of the 1980s’, *Flex* (January 1984): 49; the author accessed past issues of *Flex* magazine in the H.J. Lutchter Stark Center Sport History Archive at the University of Texas at Austin.

115 Moore, ‘From Gold to Silver’, *The Scotsman*, July 9, 2012.

116 Ibid.; in support of Jenkins’ claim, on February 2, 1986 Duchaine distributed a letter to John Ziegler Fan Club customers warning them that the FBI had raided ‘major suppliers on the east and west coast’. While he is not necessarily referring to the San Francisco source referenced by Jenkins, the timelines match. By Jenkins’ account, the supplier was shut down in mid-to-late 1985, about a month before Duchaine issued this warning. The letter is quoted in Todd, ‘Gremlins of Sport’, 104.

117 At this point in time Duchaine had at least three different sources for anabolic steroids; in Philadelphia, San Francisco, and Stuttgart. The author pieced together this information through FBI correspondence, Jenkins’ interview, and Eisendrath, ‘Confessions of a Steroid Smuggler’, 12, 15–16.

118 Moore, ‘From Gold to Silver’, *The Scotsman*, July 9, 2012.

119 The author was unable to verify this with official competition results; however, this is mentioned in several sources. See for example Newton, *Steroids and Doping in Sports*, 92; and Eisendrath, ‘Confessions of a Steroid Smuggler’, 12.

120 United States of America v. David Jenkins et al., 38; and Alfano and Janofsky, ‘Weight on Black Market’, *The New York Times*, November 18, 1988.

121 United States General Services Administration, ‘Certain Anabolic Steroids’, 50964; and Eisendrath, ‘Confessions of a Steroid Smuggler’, 12; for commentary on the popularity of Dianabol, see for reference Don. H. Catlin, Kenneth Fitch, and Arne Ljungqvist, ‘Medicine and Science in the Fight Against Doping in Sport’, *Journal of Internal Medicine* 264, no. 2 (2008): 104; and Wade, ‘Doctor’s Denounce Them’, 1400.

122 Dillon provided these details in Eisendrath, ‘Confessions of a Steroid Smuggler’, 12; and Assael, *Steroid Nation*, 15, revealing in both interviews that it was Jenkins’ idea to center the business around Dianabol.

123 Ibid.

124 Fernando Romero, 'Drug Lords Feel Mexico Muscle; Tijuana Steroids Lab Shut, 12 Held in Crackdown', *The San Diego Union-Tribune*, April 11, 1989; and Assael, *Steroid Nation*, 16.

125 Assael, *Steroid Nation*, 16.

126 On the Hotel Fiesta Americana – the Grand Hotel Tijuana as of 1991 – see for reference Jorge Meraz, 'Opinion: Growing Up in Tijuana, I Saw How We Shared More Than Just a Border with the US', *The San Diego Union-Tribune*, July 10, 2022; and Rik Espinosa, *Espinosa's Guide to Baja: The Indispensable Companion of any Gringo Visiting Tijuana, Rosarito, Ensenada, and Tecate* (Austin, TX: The University of Texas Press, 1989), 86–7; on the Tijuana Country Club in years past, see Thurber Dennis Proffitt, *Tijuana: The History of a Mexican Metropolis* (San Diego, CA: San Diego State University Press, 1994), 196–7; and 'Furgol, Souchak Head Field in Tijuana Open', *Rome News-Tribune*, January 17, 1958.

127 Phillip Halpern in interview with author, August 24, 2019; for details on Jenkins locating a source for raw materials, see *United States of America v. David Jenkins et al.*, 8.

128 *United States of America v. David Jenkins et al.*, 11.

129 *Ibid.*; and Davis, 'Operation Overlord', *The Times* (London), February 11, 1988.

130 *United States of America v. David Jenkins et al.*, 14; and William Polk, 'British Track Star Pleads Guilty to Steroid Charges', *The San Diego Tribune*, November 7, 1987.

131 The author was unable to find exact figures indicating the amounts Dillon and Duchaine were charging customers; i.e. the net profits earned after bulk buys and overhead. Their total bulk purchases referenced in-text were pieced together via figures cited in *United States of America v. David Jenkins et al.*, 11–22; Todd, 'Gremlins of Sport', 103; Assael, *Steroid Nation*, 14–16; Eisendrath, 'Confessions of a Steroid Smuggler', 12, 16, 46; and Phillip Halpern in a 2019 interview. According to several sources, the drugs were sold on the street for approximately twenty-five times more than their bulk-purchase cost. Further to this point, in a 1987 interview, Larry Pacifico estimated that a bottle of Dianabol could 'go for as much as \$40'. In Eisendrath, 'Confessions of a Steroid Smuggler', 16, Dillon claims to have dealt predominantly with bulk customers, 'no more than thirty' by his estimate. Duchaine, on the other hand, was shipping steroids directly to users, and thus, would have earned greater net profits per unit sold; and at one point, according to Dillon, Duchaine was 'sending out 50 [small boxes] a day'. Factoring in Jenkins' 'cut' of the profits, and lost product due to seizures, it stands to reason that the men each earned more than \$1 million in the course of the conspiracy.

132 Eisendrath, 'Confessions of a Steroid Smuggler', 16.

133 *Ibid.*; and Assael, *Steroid Nation*, 17.

134 Assael, *Steroid Nation*, 17.

135 The disclaimer can be found in Todd, 'Gremlins of Sport', 104.

136 *Ibid.*

137 United States Central District Court of California, ‘Search Warrant on Written Affidavit’, case no. 86-114M, August 28, 1986.

138 FBI Memorandum in reference to case no. 46A-12320, January 31, 1986.

139 Ibid.

140 Ibid.

141 Richard T. Bretzing in letter to Regional Chief Postal Inspector, February 20, 1986.

142 Ibid.; in the letter Bretzing refers to Duchaine’s businesses in this way.

143 Ibid.

144 Federal Bureau of Investigation, ‘Search Inventory’, file no. LA-46A-12320, September 9, 1986.

145 Eisendrath, ‘Confessions of a Steroid Smuggler’, 16.

146 For additional details on ‘Freeway’ Ricky Ross, see for reference Veronica Rocha and Joe Mazingo, ‘Former L.A. Cocaine Kingpin ‘Freeway’ Ricky Ross Arrested in Sonoma County’, *The Los Angeles Times*, October 23, 2015; and Jesse Katz, ‘Freeway Rick Is Dreaming’, *Los Angeles Magazine*, May 22, 2013. On ‘Boston’ George Jung, see Drug Enforcement Administration, ‘History, 1975-1980’, [https://www.dea.gov/sites/default/files/2021-04/1975-1980\\_p\\_39-49.pdf](https://www.dea.gov/sites/default/files/2021-04/1975-1980_p_39-49.pdf) (accessed December 5, 2022); and Katharine Q. Seelye, ‘George Jung, Who Made Millions Smuggling Cocaine, Dies at 78’, *The New York Times*, May 9, 2021.

147 Michael Zumpano interview in Assael, *Steroid Nation*, 18.

148 Ibid.

149 Ibid.

150 FBI Special Agent in memorandum to FBI Special Agent in Charge – Los Angeles, June 4, 1986; and Richard T. Bretzing in letter to the United States Customs Service, July 8, 1986.

151 William Dillon interview in Assael, *Steroid Nation*, 18.

152 FBI Special Agent in letter to Richard T. Bretzing, ‘Daniel R. Duchaine’, July 24, 1986.

153 United States of America v. David Jenkins et al., 38.

154 Richard T. Bretzing in letter to the United States Customs Service, July 8, 1986.

155 FBI briefing transcription, August 15, 1986.

156 Affidavit of FBI Special Agent, August 1986, 5.

157 FBI briefing transcription, August 14, 1986.

158 FBI briefing transcription for mail search, September 18, 1986; and US Central District Court of California, 'Search Warrant on Written Affidavit', August 28, 1986.

159 Phillip Halpern in interview with author, August 24, 2019.

160 Ibid., and *The United States of America v. David Jenkins et al.*, 1.

161 Assael, *Steroid Nation*, 18.

162 *United States of America v. David Jenkins et al.*, 15; and Assael, *Steroid Nation*, 18–19.

163 Affidavit of FBI Special Agent, August 1986, 5–6.

164 Phillip Halpern in interview with author, August 24, 2019.

165 Ibid.

166 Assael, *Steroid Nation*, 19.

167 Ibid.

168 Phillip Halpern in interview with author, August 24, 2019; according to Halpern, the government had sufficient evidence to file charges against Duchaine in early 1986, but hesitated to do so without first catching him in the possession of illegal drugs. The same precautions were taken with Jenkins. See for reference Davis, 'Operation Overlord', *The Times* (London), February 11, 1988.

169 Eisendrath, 'Confessions of a Steroid Smuggler', 16.

170 *United States of America v. David Jenkins et al.*, 15, 18.

171 Ibid., 19–20.

172 Ibid., 20; and Davis, 'Operation Overlord', *The Times* (London), February 11, 1988. The cited court document noted that Jenkins, Dillon, and Macklis met at the Hotel Embarcadero, the de facto headquarters for United Pharmaceuticals, to discuss 'having the purchases of their steroids personally make their payments in Tijuana, Mexico'. For further reading on medical tourism, see John Connell, 'Contemporary Medical Tourism: Conceptualisation, Culture, and Commodification', *Tourism Management* 34 (2013): 1–13; and Levi Burkett, 'Medical Tourism: Concerns, Benefits, and the American Legal Perspective', *The Journal of Legal Medicine* 28 (2007): 223–45.

173 Eisendrath, 'Confessions of a Steroid Smuggler', 46.

174 *United States of America v. David Jenkins et al.*, 5, 15; Christopher Reed, 'Olympic Star's Co-Defendant Admits Steroid Plot', *The Guardian* (London), June 12, 1987; and Romero, 'Drug Lords Feel Mexico Muscle', *The San Diego-Union Tribune*, April 11, 1989; United

Pharmaceuticals was registered with the FDA on February 4, 1986, but not as an importer of anabolic steroids, or any drugs for that matter.

175 United States of America v. David Jenkins et al., 15–19; in fact, Dillon was owed another \$130,000 by the following March, as per the cited document; re. the Nandrolone, the cited figure is derived from a conversation between the author and two competitive bodybuilders.

176 United States of America v. David Jenkins et al., 18, 20–1.

177 Phillip Halpern in interview with author, August 24, 2019.

178 Ibid.; it should be noted that Halpern used the phrasing ‘major distributors’ in reference to the discussions had in the fall of 1988. He is, of course, well aware that Jenkins was the only ‘major distributor’ ranked above Duchaine and Dillon in the organizational hierarchy.

179 Affidavit of FBI Special Agent, August 1986, 6; in reality, the packages were rerouted to a US Postal Service.

180 Eisendrath, ‘Confessions of a Steroid Smuggler, 12.

181 Ibid., 16; for the sake of clarity, this was a direct quote taken from the recorded telephone conversation between Duchaine and Dillon.

182 Federal Bureau of Investigation briefing transcription, January 8, 1987.

183 Ibid.

184 Federal Bureau of Investigation briefing transcription, February 6, 1987.

185 Federal Bureau of Investigation memorandum, March 9, 1987; and Assael, *Steroid Nation*, 22; on Zumpano and the origins of Champion Nutrition, see ‘RGXLife.com and Champion Nutrition Form Strategic Content Partnership’, *Business Wire*, [www.businesswire.com/news/home/20070426005631/en/RGXLife.com-Champion-Nutrition-Form-Strategic-Content-Partnership](http://www.businesswire.com/news/home/20070426005631/en/RGXLife.com-Champion-Nutrition-Form-Strategic-Content-Partnership) (accessed March 3, 2020).

186 Zumpano interview in Assael, *Steroid Nation*, 22.

187 Federal Bureau of Investigation memorandum, March 9, 1987.

188 FBI Special Agent in Charge, Los Angeles Division, in memorandum to Director William H. Webster, w/attn. to Supervisory Special Agent of Financial Crimes Unit, March 18, 1987.

189 Phillip Halpern in interview with author, August 24, 2019.

190 United States of America v. David Jenkins et al., 16–18.

191 Ibid., 1; Assael, *Steroid Nation*, 20; and Phillip Halpern in interview with author, August 24, 2019; in the cited interview, Halpern stressed that the government was only interested in prosecuting traffickers or those in the course of doing so. It is worth noting that, at the time, there

existed no statutory threshold to distinguish ‘possession with the intent to distribute’ from ‘simple possession’. By extension, Halpern’s use of the phrase ‘intent to distribute’ can be interpreted as ‘possession of a quantity large enough to rule out personal use’.

192 Eisendrath, ‘Confessions of a Steroid Smuggler’, 46.

193 Doug Fisher, ‘World Weight Lifting Champion Larry Pacifico Will Plead Guilty’, *The Associated Press*, June 18, 1987; Assael, *Steroid Nation*, 20; and Eisendrath, ‘Confessions of a Steroid Smuggler’, 46.

194 United States of America v. David Jenkins et al., 20.

195 In Eisendrath, ‘Confessions of a Steroid Smuggler’, 47; Neal’s affidavit serves as the main source of information for this chapter in the plot.

196 United States of America v. David Jenkins et al., 21–2; and Phillip Halpern in interview with author, August 24, 2019.

197 United States of America v. David Jenkins et al., 20–2; and Eisendrath, ‘Confessions of a Steroid Smuggler’, 47; the exact value of the transaction has been disputed by several co-conspirators. Fifteen months after the fact, Dillon claimed the amount pooled together was \$600,000, but the federal indictment against him cites the figure as \$500,000. In any event, the total value of the transaction includes Hastie’s contribution of \$250,000.

198 Assael, *Steroid Nation*, 20–1; and Eisendrath, ‘Confessions of a Steroid Smuggler’, 47.

199 Eisendrath, ‘Confessions of a Steroid Smuggler’, 47; Dillon’s use of the phrasing ‘talk big’, and, ‘I said I made \$750,000... because...’, would suggest he was only trying to make a sale, and in fact, had earned less than the cited amount. In view of the analysis at note 131, there is reason to believe that the total sum of his earnings exceeded the cited value by a fair margin.

200 Ibid.; Halpern’s claim is corroborated by Customs agent David Shaw in an interview two months later. See for reference Kaufman, ‘Hurricane’s Strength Coach’, *The Tampa Bay Times*, May 22, 1987.

201 Bill Ott, ‘US Indicts Ex-Track Star, 33 Others for Steroid Smuggling’, *The San Diego Union-Tribune*, May 22, 1987; and United States of America v. David Jenkins et al., 21; in a later interview, Jenkins estimated the sum was closer to \$100,000. See for reference Eisendrath, ‘Confessions of a Steroid Smuggler’, 47.

202 Dennis Degan interview in Assael, *Steroid Nation*, 21; and Eisendrath, ‘Confessions of a Steroid Smuggler’, 46–7.

203 United States of America v. David Jenkins et al., 22.

204 Phillip Halpern in conversation with author, August 24, 2019; it should be noted that Halpern offered the quoted passage as a rough approximation of Hastie’s comments that day.

The author was unable to reach Hastie for comment. For additional details see Eisendrath, 'Confessions of a Steroid Smuggler', 48.

205 Ibid.

206 Phillip Halpern in interview with author, August 24, 2019.

207 Ibid.

208 Eisendrath, 'Confessions of a Steroid Smuggler', 48; and Assael, *Steroid Nation*, 22.

209 Phillip Halpern in interview with author, August 24, 2019.

210 Ibid.

211 Eisendrath, 'Confessions of a Steroid Smuggler', 48.

212 Phillip Halpern in interview with author, August 24, 2019.

213 Ibid.; in a manner of speaking, Dillon's new sales role put him 'in charge' of all customer bases in the network.

214 Ibid.

215 Ibid.; the standard middle-distance events contested in the Olympic Games and World Athletics Championships are the 800 meters, 1,500 meters, and 3,000-meter steeplechase; however, non-standard distances like the 1,000 meters, the mile, and 'flat' 3,000 meters likewise fall into this category. As a rule of thumb, all track and field races in the range of 800 meters to 3,000 meters are regarded as middle-distance events. See for reference Michael J. Hamlin, Will G. Hopkins, and Stephen C. Hollings, 'Effects of Altitude on Performance of Elite Track-and-Field Athletes', *International Journal of Sports Physiology and Performance* 10, no. 7 (2015): 881; and Linda K. Fuller, *Female Olympian and Paralympian Events: Analyses, Background, and Timelines* (Cham, Switzerland: Palgrave MacMillan, 2018), 50.

216 Ibid.

217 Mark Evie, 'A Former British Olympian Who Allegedly', *United Press International*, July 9, 1987; and William Polk, 'Federal Prosecutor Fights Bail Plea of Ex British Track Star', *The San Diego Union-Tribune*, July 9, 1987.

218 Eisendrath, 'Confessions of a Steroid Smuggler', 48; the fact that Dillon was doing this for the task force is corroborated in Assael, *Steroid Nation*, 43, and by Halpern.

219 Eisendrath, 'Confessions of a Steroid Smuggler', *Los Angeles Times Magazine*, April 24, 1988.

220 FBI Special Agent in memorandum to FBI Special Agent in Charge, March 31, 1987.

221 Phillip Halpern in interview with author, August 24, 2019; further evidence of this appears in FBI Los Angeles Teletype Correspondence to FBI Director, February 13, 1987. In fact, the message notes that Duchaine would have been arrested and prosecuted sooner if not for a scheduling conflict with the lead prosecutor.

222 Bruce Kneller in interview with author, August 3, 2019; for Nubain's addictive properties, see Karen McElrath and Dominic Connolly, 'Nalbuphrine (Nubain): Non-Prescribed Use, Injecting, and Risk Behaviors for Bloodborne Viruses', *Contemporary Drug Problems* 33 (2006): 322–4.

223 Phillip Halpern in interview with author, August 24, 2019.

224 Ibid.

225 Ibid.

226 Ibid.

227 Ibid.

228 Ibid.

229 William Polk, 'US Indicts 34 in Sports Steroid Smuggling Ring', *The San Diego Union-Tribune*, May 21, 1987; and Davis, 'Athletics', *The Times* (London), May 22, 1987.

230 Phillip Halpern in interview with author, August 24, 2019; and Eisendrath, 'Confessions of a Steroid Smuggler', 50.

231 Susan Murray, 'Authorities Smashed a Steroid Smuggling Network', *United Press International*, May 21, 1987.

232 In fact, a search of all major online news databases available – Nexis Uni, Newspaper Archive, ProQuest Historical Newspapers, Vanderbilt Television News Archive, and all contemporaneous editions of *The New York Times*, *The Washington Post*, and *The Los Angeles Times* yielded no articles contemporaneous to Jenkins' arrest or arraignment. Re. the alias 'Ed Wilson', Jenkins is listed as such in *United States of America v. David Jenkins et al.* Evidently, he and Dillon both adopted aliases early on in the conspiracy.

233 Polk, 'US Indicts 34', *The San Diego Union-Tribune*, May 21, 1987; and 'Athlete Pleads Innocent to Steroid Smuggling', *United Press International*, May 26, 1987.

234 *United States of America v. David Jenkins et al.*, 11–43; at least one source alleges that in addition to the FDCA violations, Jenkins was charged with 'conspiracy to collect credit by extortionate means', and 'extortion', however, the above federal indictment suggests otherwise. See for reference 'Athlete Pleads Innocent', *United Press International*, May 26, 1987.

235 'Jenkins in Jail After Court Appearance', *The Times* (London), May 27, 1987.

236 Polk, 'US Indicts 34', *The San Diego Union-Tribune*, May 21, 1987.

237 The Controlled Substances Act of 1970, article 812 (A-C); no changes have been made to the drugs' classification heretofore.

238 Phillip Halpern in interview with author, August 24, 2019.

239 Ibid.

240 Davis, 'Athletics', *The Times* (London), May 22, 1987.

241 United States of America v. David Jenkins et al., 43; the case against the trafficking ring remained confidential until the indictment was filed. In Alfano and Janofsky, 'Weight on Black Market', *The New York Times*, November 18, 1987, the writers describe the investigation as 'little publicized', but in actuality, nothing was not made public until the indictment was unsealed on May 21. This was affirmed by Phillip Halpern in a 2019 interview.

242 United States of America v. David Jenkins et al., 43; and Murray, 'Authorities Smashed', *United Press International*, May 21, 1987.

243 See for example William Polk, 'Guilty Pleas Entered on Steroid Ring: 300,000 Bail Set for Accused Leader', *The San Diego Tribune*, June 6, 1987; Polk, 'US Indicts 34', *The San Diego Union-Tribune*, May 21, 1987; and Murray, 'Authorities Smashed', *United Press International*, May 21, 1987.

244 Phillip Halpern in interview with author, August 24, 2019.

245 Halpern is quoted in John Goodbody and Ivor Davis, 'Drugs Charge Alerts Sports Council', *The Times* (London), May 23, 1987.

246 The United States of America v. David Jenkins et al., 23–6.

247 For Halpern's comments see Reed, 'Olympic Star's Co-Defendant', *The Guardian* (London), June 12, 1987; Seamus Milne and Christopher Reed, 'Arrested Olympic Medallist Faces Drug Ring Charges', *The Guardian* (London), May 23, 1987; Alan L. Adler, 'A Federal Indictment Charging 34 People', *The Associated Press*, May 21, 1987; and Anne Krueger, 'Ex-Track Star Denies Aiding Steroids Ring', *The San Diego Union-Tribune*, May 26, 1987.

248 FBI Special Agent in memorandum to FBI Special Agent in Charge of Investigation, June 11, 1987.

249 Ibid.; Polk, 'Guilty Pleas Entered', *The San Diego Union-Tribune*, June 6, 1987; and Phillip Halpern in interview with author, August 24, 2019.

250 Polk, 'Guilty Pleas Entered', *The San Diego Union-Tribune*, June 6, 1987.

251 It remains unclear as to how Duchaine managed to make bail, considering a federal warrant had been issued for his arrest and the fact that he was found to be in the possession of several weapons. In a 2022 interview, Canadian attorney Adam Rosenke attributed this to relatively poor inter-jurisdictional cooperation in those years, and the fact that the majority of local law enforcement agencies were not in the practice of ‘conducting warrant checks’ for non-violent offenders.

252 Assael, *Steroid Nation*, 43.

253 FBI Special Agent in memorandum to FBI Special Agent in Charge of Investigation, June 11, 1987.

254 *Ibid.*; and Polk, ‘Guilty Pleas Entered’, *The San Diego Union-Tribune*, June 6, 1987; bail conditions vary by jurisdiction and nature of an offense. Duchaine’s trip to Southern California *may have* been in violation of these conditions, however, the conditions themselves are imposed by judges on a discretionary basis, and the author was unable to obtain court records for the proceedings. In the majority of cases, offenders like Duchaine were prohibited from traveling outside a pre-determined area (i.e. the city, county, state, etc.) while awaiting a preliminary hearing or trial. See for reference JoAnn M. Arkfeld, ‘The Federal Bail Reform Act of 1984: Effect of the Dangerousness Determination on Pretrial Detention’, *Pacific Law Journal* 19, no. 4 (1988): 1440.

255 On equity in criminal law, see for reference Cortney E. Lollar, ‘Reviving Criminal Equity’, *Alabama Law Review* 71 (2019): 316–17; and Richard H.W. Maloy, ‘Expansive Equity Jurisprudence: A Court Divided’, *Suffolk University Law Review* 40 (2007): 641–2.

256 Phillip Halpern in interview with author, August 24, 2019.

257 ‘Athlete Pleads Innocent’, *United Press International*, May 27, 1987; the article named only Jenkins among those pleading ‘not guilty’.

258 Reed, ‘Olympic Star’s Co-Defendant’, *The Guardian* (London), June 12, 1987.

259 Eisendrath, ‘Confessions of a Steroid Smuggler’, 48.

260 Phillip Halpern in interview with author, August 24, 2019.

261 *Ibid.*, and Polk, ‘Federal Prosecutor Fights’, *The San Diego Union-Tribune*, July 9, 1987; and Patrick McDonnell, ‘Athlete Pushes Anti-Steroid Message’, *The Times* (London), October 28, 1988; the article notes that Jenkins appeared for another bail hearing on July 8.

262 ‘Sentence in Steroid Case’, *The New York Times*, December 13, 1988; and ‘Sprinter’s Steroid Smuggling Sparks Seven-Year Sentence’, *The Toronto Star*, December 13, 1988.

263 Davis, ‘Operation Overlord’, *The Times* (London), February 11, 1988.

264 Quotes from several of Jenkins’ interviews with American journalists can be found in McDonnell, ‘Anti-Steroid Message’, *The Times* (London), October 28, 1988.

265 FBI memorandum to FBI Headquarters in Los Angeles, April 19, 1988; introducing an adulterated or mislabeled product into interstate commerce is proscribed under Title 21, Section 331 of the United States Criminal Code. See for reference United States Food and Drug Administration, ‘Key Legal Concepts for Cosmetic Industry: Interstate Commerce, Adulterated, and Misbranded’, <https://www.fda.gov/cosmetics/cosmetics-laws-regulations/key-legal-concepts-cosmetics-industry-interstate-commerce-adulterated-and-misbranded> (accessed December 22, 2022).

266 United States of America v. Daniel Richard Duchaine, United States District Court of Southern California, criminal case no. 870491, December 1988; and FBI Headquarters in Memorandum to FBI Director, May 3, 1988.

267 Phillip Halpern in interview with author, August 26, 2019.

268 Ibid.

269 Christopher Reed, ‘Track Star Imprisoned for Dealing in Steroids’, *The Globe and Mail*, December 13, 1988.

270 Ibid; and ‘Sprinter’s Steroid Smuggling’, *The Toronto Star*, December 13, 1988.

271 ‘Sprinter’s Steroid Smuggling’, *The Toronto Star*, December 13, 1988.

272 Phillip Halpern in interview with author, August 24, 2019; on Halpern’s comments to the media, see note 271; and Reed, ‘Track Star Imprisoned’, *The Globe and Mail*, December 13, 1988.

273 Bill Ott, ‘Ex-Athlete’s Steroid Term Is Reduced’, *The San Diego Union-Tribune*, June 10, 1989.

274 FBI in memorandum to FDA Department of Health and Human Services, ‘Daniel Richard Duchaine Doing Business as OEM Publications: Fraud Against the United States Government’, March 22, 1989; and ‘Drugs: Steroid Sentence’, *The New York Times*, February 15, 1989.

275 Assael, *Steroid Nation*, 42; and ‘Steroid Guru Convicted Again’, *The San Diego Union-Tribune*, April 18, 1992.

276 Patti B. Saris, Charles R. Breyer, Dabney L. Friedrich, Rachel E. Barkow, William H. Pryor, Jr., Michelle Morales, and J. Patricia Wilson Smoot, *The Use of Federal Rule of Criminal Procedure 35(b)* (Washington, DC: United States Sentencing Commission, 2002), 4.

277 Ott, ‘Steroid Term Is Reduced’, *The San Diego Union-Tribune*, June 10, 1989; while the ‘quarter-mile’ distance has not been contested in international competition for some time, the term is still used colloquially in reference to the 400 meters.

278 McDonnell, ‘Anti-Steroid Message’, *The Times* (London), October 28, 1988.

279 Ibid., and Reed, ‘Track Star Imprisoned’, *The Globe and Mail*, December 13, 1988.

280 Newton, *Steroids and Doping in Sports*, 92.

281 Eisendrath, 'Confessions of a Steroid Smuggler', 48.

282 Defense attorney Nancee Schwartz interview in Assael, *Steroid Nation*, 43.

283 John Romano interview in Assael, *Steroid Nation*, 61–2; and Bruce Kneller in interview with author, August 3, 2019; according to Kneller, Duchaine was under the impression that Nubain was a growth hormone-stimulating agent – an unsubstantiated rumor in the bodybuilding community at the time – and was 'totally addicted to Nubain' for the duration of their friendship, according to Kneller.

284 Phillip Halpern in interview with author, August 24, 2019.

285 In Giovanni A. Travaglino, Dominic Abrams, and Georgina Randsley de Moura, 'Men of Honor Don't Talk: The Relationship Between Masculine Honor and Social Activism Against Criminal Organizations in Italy', *Political Psychology* 37, no. 2 (2016): 185; the authors note that 'omerta has two salient dimensions. First, to display manliness, men are expected to be able to avenge offenses without the help of authorities and to avoid contact with police forces in every situation, including when they are victims of a crime. Second, individuals must display indifference toward others' illegal activities. Those who collaborate with police, report a crime, or meddle in other people's business lose value and respect from others and may even incur sanctions'.

286 McDonnell, 'Anti-Steroid Message', *The Times* (London), October 28, 1988.

287 Kelvan Howard in interview with author, August 12, 2019.

288 Murray, 'Authorities Smashed', *United Press International*, May 21, 1987; Jim Schachter, 'Ex-Olympian Arrested in Steroid Crackdown', *The Los Angeles Times*, May 22, 1987; and Phillip Halpern in interview with author, August 24, 2019.

289 Davis, 'Operation Overlord', *The Times* (London), February 11, 1988.

290 William Llewellyn with Ronny Tober, *Underground Anabolics: By the Author of the #1 Anabolic Steroids Reference Guide* (Jupiter, FL: Body of Science, 2009), 15.

291 Several authors and journalists have made the claim that Mexican Cartels are professional, corporation-like entities. See for reference Guadalupe Correa-Cabrera, *Criminal Corporations: Energy and Civil War in Mexico* (Austin, TX: The University of Texas Press, 2017), 56–85; Robert J. Bunker and John P. Sullivan, 'Cartel Evolution Revisited: Third-Phase Cartel Potentials and Alternative Futures in Mexico', in *Narcos Over the Border: Crimes, Cartels and Mercenaries*, ed. Robert J. Bunker (New York, NY: Routledge, 2011), 30–54; E. Eduardo Castillo, 'Mexican Drug Cartels are Becoming Diversified Multinational Corporations', *The Associated Press*, March 17, 2014; and Patrick Radden Keefe, 'How a Mexican Drug Cartel Makes Its Billions', *The New York Times*, June 15, 2012.

292 Julie Marie Bunck and Michael Ross Fowler, *Bribes, Bullets, and Intimidation: Drug Trafficking and the Law in Central America* (University Park, PA: The Pennsylvania State University Press, 2012), 61.

293 Ibid.; and Ron Chepesiuk, *The War on Drugs: An International Encyclopedia* (Santa Barbara, CA: ABC-CLIO LLC, 1999), 133.

294 Sonia Moghe, 'Traffickers at the El Chapo Trial Say Drugs Aren't Smuggled Through Open Parts of the Border', <https://fox2now.com/2019/01/12/traffickers-at-the-el-chapo-trial-say-drugs-arent-smuggled-through-open-parts-of-the-border/> (accessed October 19, 2019).

295 This may be a conservative estimate. Several sources value the US black market at the time at between \$200 million and \$300 million. See for example Murray, 'Authorities Smashed', *United Press International*, May 21, 1987; and Davis, 'Operation Overlord', *The Times* (London), February 11, 1988.

296 Alfano and Janofsky, 'Weight on Black Market', *The New York Times*, November 18, 1988.

297 Goodbody and Davis, 'Drugs Charge Alerts Sports Council', *The Times* (London), May 23, 1987.

298 Mitchel P. Roth, *Organized Crime: A 21<sup>st</sup> Century Approach*, 2nd ed. (London: Routledge, 2017), 146.

299 Ibid.

300 Lawrence J. Kaplan and Dennis Kessler, *An Economic Analysis of Crime: Selected Readings* (New York: Thomas Publishing, 1976), 26.

301 Wayne Hall, 'What Are the Policy Lessons of National Alcohol Prohibition in the United States, 1920-1933?', *Addiction* 105 (2010): 1170.

302 Phillip Halpern in interview with author, August 24, 1987; Halpern notes in several interviews that anabolic steroids were 'low priority' for federal agencies, particularly the DEA. See also Alfano and Janofsky, 'Weight on Black Market', *The New York Times*, November 18, 1988.

303 Phillip Halpern in interview with author, August 24, 2019.

304 Kenneth B. Nunn, 'Race, Crime and the Pool of Surplus Criminality: Or Why the 'War on Drugs' was a 'War on Blacks'', *The Journal of Gender, Race & Justice* 6 (2002): 387-8.

305 Lisa N. Sacco, *Drug Enforcement in the United States: History, Policy, and Trends* (Washington, DC: The Congressional Research Service, 2014), 13.

306 Katherine Beckett, *Making Crime Pay: Law and Order in Contemporary American Politics* (London: Oxford University Press, 1997), 52-3, 167.

307 Gerald Boyd, 'Reagans Advocate Crusade on Drugs', *The New York Times*, September 15, 1986.

308 The Anti-Drug Abuse Act of 1988, sec. 2402, 4230.

309 In fact, the movement to codify anabolic steroids as Schedule II substances persisted after the 1988 legislation. Both the DEA and American Medical Association lobbied against their inclusion in the CSA, but ultimately, they were listed under Schedule III of the Controlled Substances Act.

310 The Anti-Drug Abuse Act of 1988, sec. 2402, 4230.

311 The Anabolic Steroid Control Act of 1990, sec. 2(A-C), 3(B).

312 Under the FDCA traffickers faced a maximum of one year in prison and a \$1,000 fine. While Fitton spent one year in prison for trafficking, according to Halpern, he would have received probation had he not jumped bail. On penalties promulgated under the FDCA, see Federal Food, Drug and Cosmetic Act of 1938, 49, 396; for 'ill-defined' penalties see Alfano and Janofsky, 'Weight on Black Market', *The New York Times*, November 18, 1988.

313 Assael, *Steroid Nation*, 15.

314 Phillip Halpern in interview with author, August 26, 2019.

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