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Second Interim Report to

PRESIDENT'S DRUG ADVISORY COUNCIL

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INCREASING DEMAND ON LIMITED PRISON CAPACITY

I. INTRODUCTION

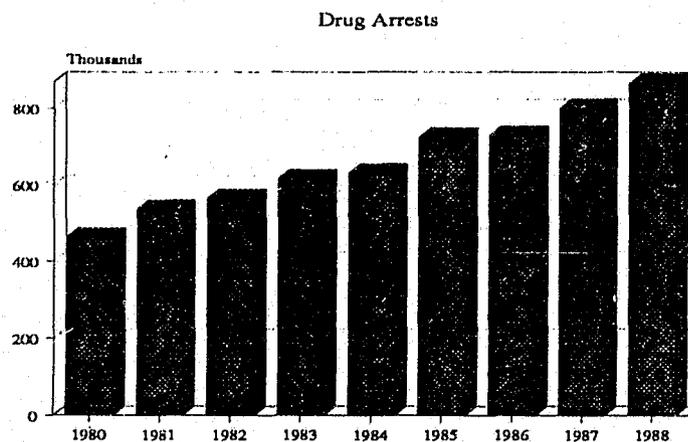
The President's Drug Advisory Council was established by an executive order of the President on November 13, 1989. The Council was charged with shaping the agenda and developing initiatives for the Office of the President regarding national strategy in the eradication of illegal drug use. In connection with this mandate, the Council made inquiries into the ability of the nation's prisons and jails to deal not only with current felony offenders, but the increasing number of drug defendants anticipated as a result of the National Drug Control Strategy. Our nation is in crisis as a consequence of the illegal drug trade. There has been a 177% increase in drug related offenses in the last four years leaving prison systems throughout the nation experiencing unprecedented overcrowding as prison population climbs far in excess of design capacity.

II. INCREASE IN CRIMINAL ACTIVITY

To obtain a perspective of the current situation facing our nation's prisons and jails, we must review what the last several years have meant with regard to pressure on the criminal justice system. Crime is up nationwide. In fact, between 1984 and 1988 violent crime increased 18.2% while during the same period of time property crime climbed almost 12%. (Crime in the U.S., 1988).

Not only has the crime rate risen, but arrests by police agencies have also increased in comparison. Arrests for all crimes have escalated 11.2%, but more significantly, drug arrests have increased over 50% in the last ten years. (Crime in the U.S., 1988).

Figure 1.



Source: Sourcebook 1988

In analyzing this alarming increase in drug activity, we note that the percentage of drug arrests, as a percentage of all arrests made during this period, has gone from 6.7% to 9.2%. These numbers are expected to increase as the President's National Drug Control Strategy begins to have an impact in the arena of drug trafficking. (Crime in the U.S., 1988).

As crime has gone up, arrests have followed and so have the adjudications that occur in the nation's courtrooms. This has, in turn, increased the number of prisoners we must house in our criminal justice system.

A review of statistics in five states show that indictments for felony crimes have climbed 61% over a three year period while convictions increased 71% and incarcerations jumped 104%. At the state level, where 95% of all drug offenses, arrests and prosecutions occur, 25% of all felony crimes were drug related offenses. (BJS, Criminal Cases in Five States., 1983-1986).

III. INCREASED ILLEGAL DRUG USE

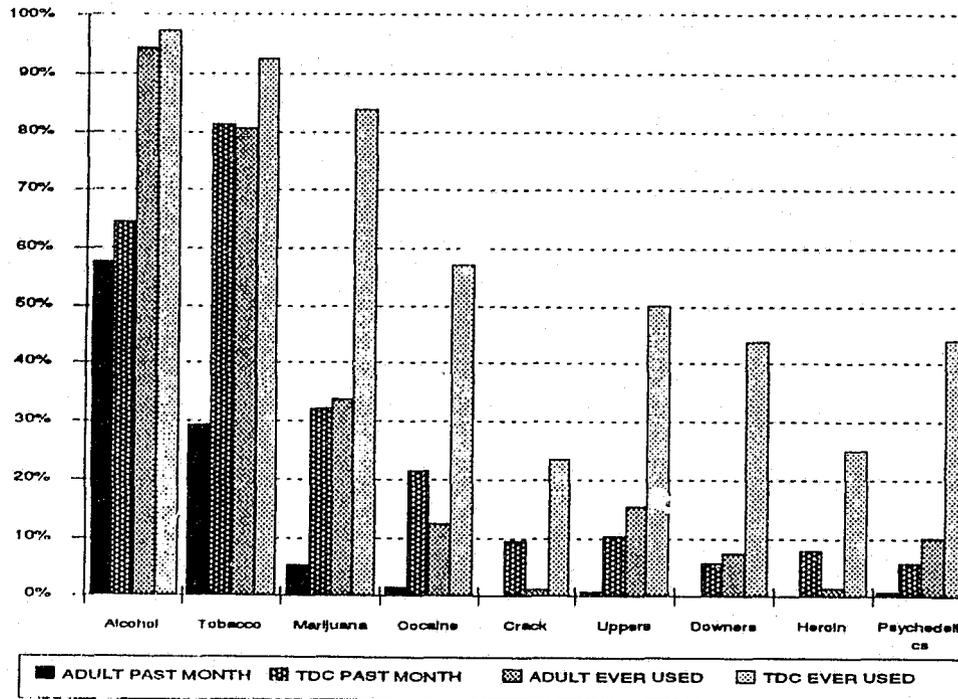
Long term threats to the nation's criminal justice infrastructure can be anticipated by examining the linkage between drug use and criminal offenses. Although recent National Institute of Drug Abuse (NIDA) studies have shown that recreational drug use in the country is down, it has also noted an alarming trend that routine usage is up. In fact, during the three years from 1985 to 1988, weekly usage of cocaine has climbed from a low of 5% to a current level of 11%, and daily use has also increased from 2% to 4% within the same time frame. (NIDA, 1988 Household Survey on Drug Abuse)

Drug use among the criminal population is substantially higher than drug use within the general public. According to the National Institute of Justice, in 1979 approximately 100,000 prisoners used major drugs regularly before being arrested. (NIJ Reports., July/August 1989). Major drugs were defined as heroin, cocaine, LSD or PCP. By 1986, the prisoners who reported regular use of major drugs before incarceration had risen to 150,000 inmates. (NIJ Reports., October 1989).

A 1988 survey of inmates incarcerated in the Texas Department of Corrections (TDC), now the Texas Department of Criminal Justice, Institutional Division, further illustrates the vast disparity between drug abuse within the criminal population as opposed to drug abuse within the general population. See Figure 2.

Over 80% of inmates in TDC reported using marijuana as opposed to 34% of the general population. Almost 60% of inmates reported cocaine abuse as opposed to only 30% in the general population. This wide disparity holds true for all other drug categories surveyed: crack, uppers, downers, heroin and psychedelic drugs, e.g., LSD, PCP, etc. (TCADA, Substance Abuse in Texas, October 27, 1989).

Figure 2 Comparison of Texas Adult Male and TDC Male Inmates:
Percentage Who Used Substances During Lifetime and Within Last Month

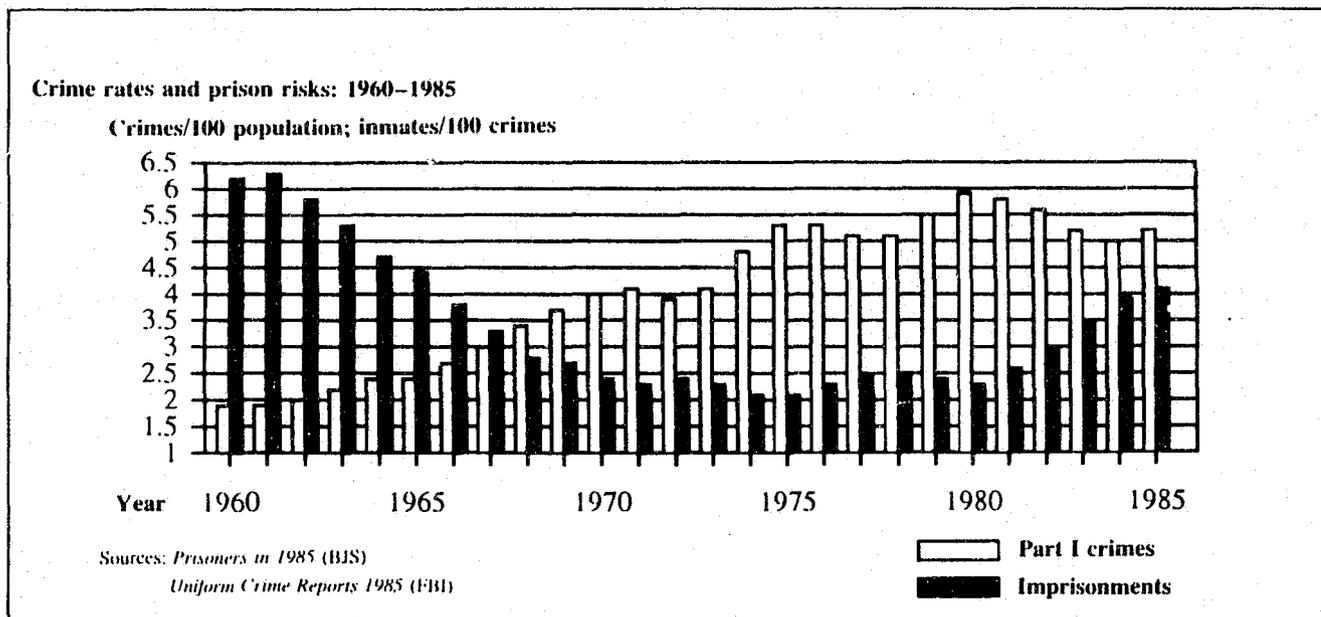


According to Drug Utilization Forecasting studies conducted by the National Institute of Justice (NIJ) during 1988 in 14 cities, the criminal population tested showed positive results for one or more drugs in 82% of arrestees taken into custody during the test. In Houston, for example, over 67% of the burglary defendants arrested tested positive for drug use. From 1984 to 1988, in Washington D.C., positive drug tests for cocaine increased from 50% to 74%. In New York City cocaine use doubled in the 17 to 25 age category of defendants during a similar time period. When these numbers are combined with research results showing that those addicted to narcotics commit four to six times more robberies during their period of addiction along with other high rates of crime, it is clear that the infusion of illegal drugs into society will continue to lead to increased pressure on all areas of the criminal justice system. (NIJ Reports., July/August 1989).

IV. INCREASED PERIODS OF INCARCERATION

There is rising public sentiment that we must ensure the certainty and severity of punishment for drug offenders. A 25 year study by NIJ, from 1960 to 1985, suggests that there might be an inverse correlation between crime rates and incarceration rates. (NIJ Reports., Research in Brief., July 1987).

Figure 3.



In 1960 there were just under two crimes committed for every hundred people in the U.S., and for every one hundred crimes committed, a little over six inmates were incarcerated. In 1975 the situation was reversed with over five crimes per one hundred people and an incarceration rate of only two inmates per one hundred crimes. This would suggest that there is a correlation between the incarceration rate and the crime rate and that increasing the certainty and severity of punishment is, in fact, an effective deterrent to the commission of crime. (NIJ., Research in Brief, July 1987).

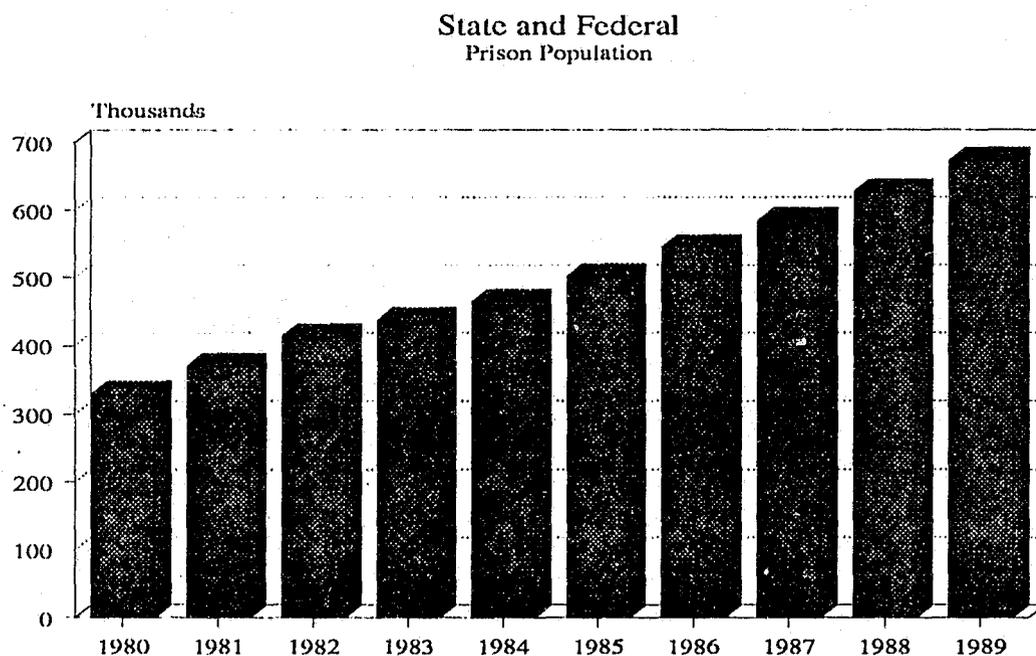
The sentences being returned by courts and juries have increasingly included periods of confinement. For instance, in the last three years, incarceration of drug traffickers has climbed from 64% to 75% of all felons indicted for that offense. The average prison term for a convicted drug trafficker is approximately five years. Of felons found guilty of trafficking drugs other than marijuana, almost 83% have been sentenced to prison or jail. (NACJP., Bulletin, Drug Trafficking: A Sentencing Perspective, Sept. 30, 1989).

In the United States District Courts, total convictions have increased almost 50% in the last seven years. When we analyze only the drug convictions in the federal courts, the increase has been a significant 160% during the same period of time. The percentage of drug offenders convicted and incarcerated has risen from 27% to 43%. The administrative office of the United States Court indicates that drug indictments in federal district courts have ballooned by more than 275% over the last ten years and reached almost 12,000 filings in 1989. (BJS., Federal Criminal Cases, 1980 - 1987).

V. IMPACT OF INCREASED INTERDICTION ON THE CRIMINAL JUSTICE SYSTEM

In terms of pressure on the penitentiary systems of state and federal governments, increasing crime rates, increasing drug problems, and increased interdiction efforts all translate into an almost 51% increase in the number of convicted felons during the four year period from 1984 to 1988. In 1989, prison population in the nation's prisons has risen to 673,565 prisoners, up from just over 300,000 in 1980.

Figure 4.



Source: Sourcebook 1988

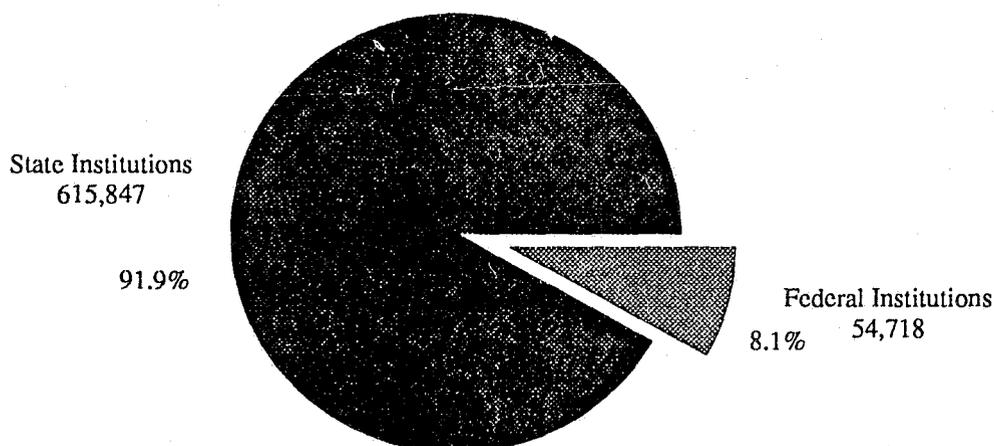
During the same period, the overall national crime rate has escalated to almost 5,664 crimes per 100,000 inhabitants. When this is factored with the incarceration rate nationwide we can see that less than 5% of those who commit crimes are incarcerated in our nation's prisons. Simply stated, over 95% of those who choose to violate the criminal statutes of this nation, or its states, are either not apprehended, not prosecuted, or receive a sentence which allows them to remain free of incarceration. This type of pressure on our criminal justice system allows us to use incarceration only in very extreme cases and only for the particularly violent or habitual offenders. As a result, we are being forced to place criminals back into society that should still remain in a restricted setting.

(Crime in the U.S., 1988).

The current state prison overcrowding situation, even without the influx of those convicted of drug offenses, is at a critical level. Currently our state prisons are functioning at an average of 123% of their design capacity. The federal system, by contrast, has expanded to over 167% of its design capacity. Only a little over 8% of the total prisoners in the country were found in federal institutions. **Figure 5.**

This means 92% are housed in state prisons which must bear the burden of increased demands for prison space.

Nationwide Incarcerated Population 1989



Source: Sourcebook 1988

Almost every state in the nation is currently experiencing unprecedented overcrowding as the prison population climbs far in excess of design capacity. As increased funding for law enforcement becomes available, drug arrests should increase even further, as should total arrests. The National Council on Crime and Delinquency (NCCD) has had to revise their projections for prison population due to increased law enforcement efforts, particularly at the street level. New NCCD forecasts project annual average prison population growth to be more than twice what it had

originally been forecast. (NCCD., Focus, The Impact, Dec. 1989).

The percentage of inmates in the federal system currently serving sentences for trafficking or drug violations is 47% and is projected to increase to 69% by 1995. This indicates a priority in the federal system for the major trafficking offenses and reflects the growing case load currently seen in the federal system. (Governor's Briefing, FBP, Jan. 1989).

State prisons were estimated to be operating at approximately 107% of their highest reported capacity and 123% of their lowest reported capacity in 1988. At the end of 1989 there were 615,847 prisoners housed in the state department of corrections facilities around the nation. As a result prison population is 23% greater than the stated cumulative design capacities. Not surprisingly, the highest increase in arrests (56%) reported, between 1984, and 1988, were for drug offenses. (BJS, Prisoners in 1988).

VI. CONCLUSION

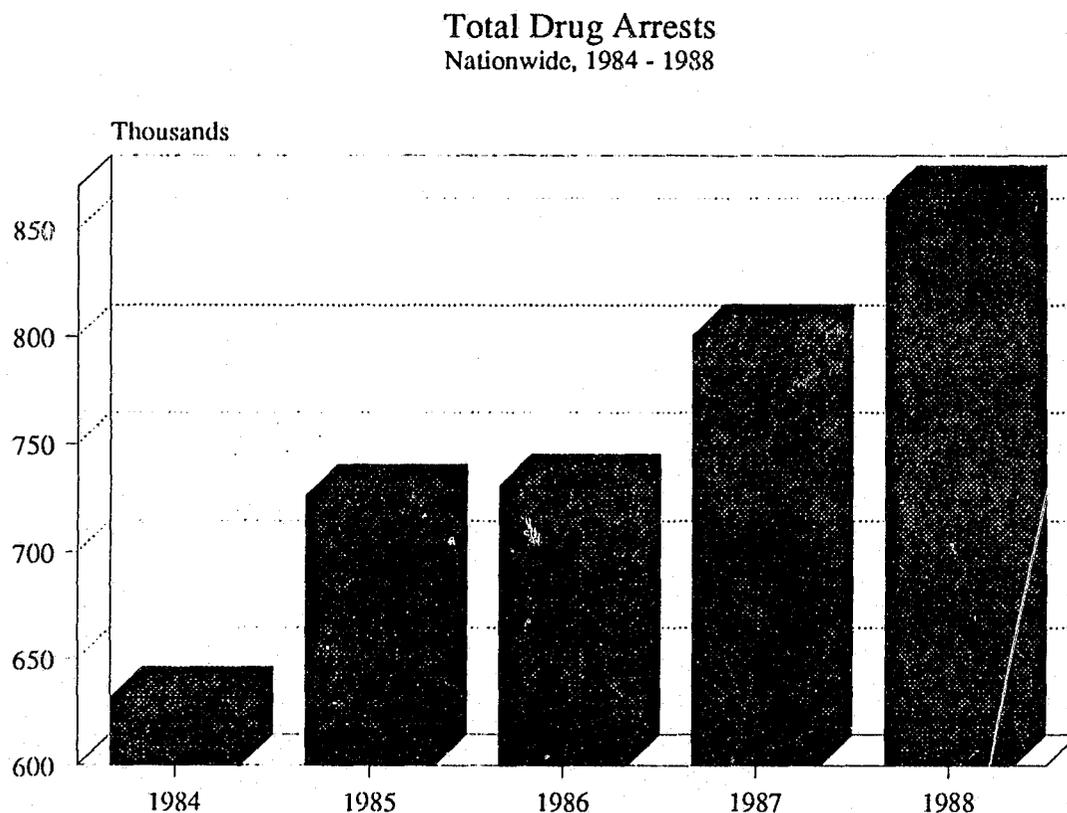
Public tolerance for illegal drug activity has steadily diminished resulting in tougher laws at the state and federal level, increased funding for interdiction, and longer prison terms for drug offenders. These demands are in excess of normal pressures to an already overburdened criminal justice system and thereby compounding the already significant gap between prison population and design capacity. Closing the gap is one of the most pressing battles we must fight in the war against illegal drug use. Increased interdiction goes for naught if we have no room to house convicted offenders.

IMPACT OF ANTI-DRUG ABUSE ACT OF 1988: ACCELERATION OF CRIMINAL JUSTICE CORRECTIONAL CAPACITY PROBLEMS

I. INTRODUCTION

The use and sale of illicit drugs has become one of the most salient issues on the nation's agenda. Attempting reductions in both the demand for and supply of illegal drugs is affecting social policies, law enforcement, economic policies, and even international trade. An increased focus on both law enforcement and drug treatment efforts has been necessary to face the increase in the amount of drug activity nationwide. Chart 1 below shows the increase in nationwide drug arrests between 1984-1988. Arrests during this period increased by 37.0%, from 631,802 to 865,599. Not only has the number of drug arrests nationwide increased but also these arrests represent a higher percentage of total arrests. As seen in Chart 2, the percent of drug arrests out of total arrests nationwide increased from 7.08% in 1984 to 8.64% in 1988.

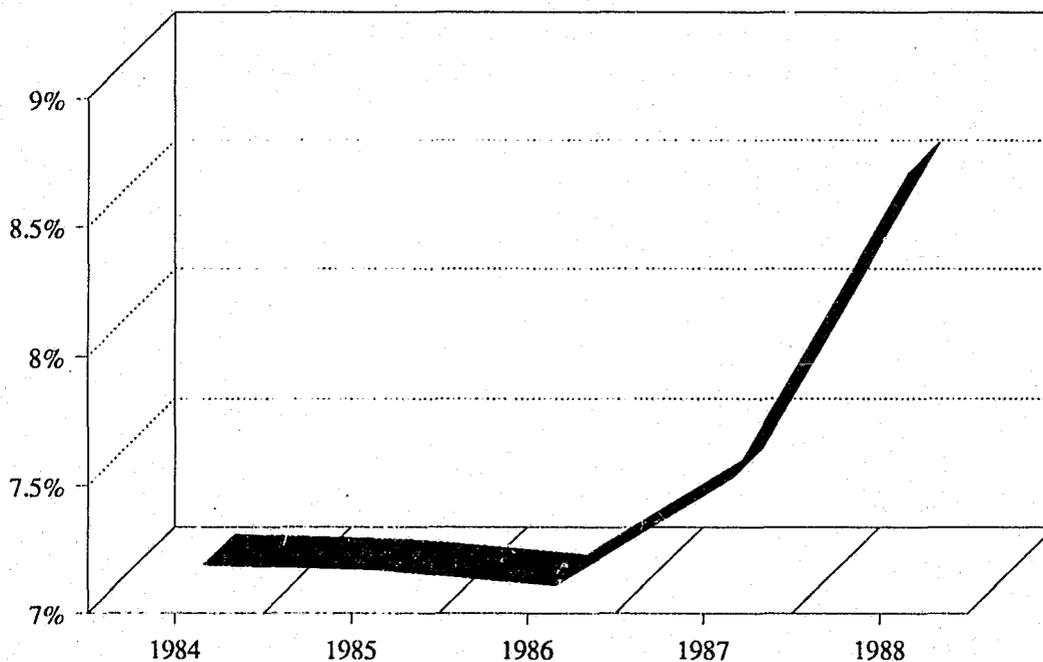
Chart 1.



Source: Sourcebook 1988

Chart 2.

Percentage of Drug Arrests
Out Of Total Arrests Nationwide,
1984 - 1988



Source: Sourcebook 1988

The higher number of crimes in general and the higher number of drug arrests in particular, along with tougher sentencing laws in the state and the federal government, have brought on an increase in the total prison population in the nation. According to figures from the U.S. Bureau of Justice Statistics, in the period between 1984 and 1989 the total nationwide prison population increased by 51.9% from 443,398 to 673,565. The incarceration rate per 100,000 resident population increase from 188 in 1984 to 260 in 1989. At year end 1988, state prisons were estimated to be operating at approximately 107% of their highest reported capacity and at 123% of their lowest reported capacity. Moreover, local jails in the U.S. held a record 343,569 people on June 30, 1988, more than double the number held a decade earlier. The jails were operating at 101% over capacity. (BJS. Census of Local Jails, February, 1990.) The Anti-Drug Abuse Act of 1988 is projected to further aggravate the gap between demand for and supply of the prison capacity in the states.

II. PRELIMINARY DATA: IMPACT OF ANTI-DRUG ABUSE ACT OF 1988 ON STATE PRISONS SYSTEMS

The Office of National Drug Control Policy (ONDCP), the federal office charged with coordinating the nation's anti-drug campaign as mandated by the Anti-Drug Abuse Act of 1988, has called for an increase in federal grants to state and local governments for drug enforcement purposes. This has resulted in a doubling of the appropriations for the U.S. Bureau of Justice Assistance Drug Control and System Improvement Formula Grant Program, from \$118.8 million in 1989 to \$395.1 million in 1990, with an administration proposal for an increase to \$440 million in 1991. The overall drug strategy's federal budget authority in 1990 was close to \$8 billion, an increase of 39 percent over the 1988 fiscal year. Approximately \$10.6 billion has been requested in 1991, with added emergency spending to designated high-intensity drug activity areas (Houston, Miami, Los Angeles, New York and the Southwestern border states).

Increased drug law enforcement efforts, particularly at the street level, are projected to have a tremendous impact in accelerating the gap between increasing prison populations in the states and the prison capacity available to properly house these offenders. Complete state data are not available yet to determine the full impact of the increased drug law enforcement on the workload of the criminal justice system. However, some projections already show the direction and the magnitude of the expected impact. For example, in December 1989 the National Council on Crime and Delinquency (NCCD), a non-profit criminal justice research institute that conducts prison population forecast for twelve states, revised projections in those states to account for the impact of the increased emphasis on drug enforcement. The new NCCD forecast for these states projects an annual average prison population growth rate that is more than twice that projected in the 1988 forecast (FOCUS: The Impact of the War on Drugs. NCCD, December, 1989.)

Preliminary data is also available from the Consortium for Drug Strategy Impact Assessment to determine the impact on state correctional populations of the multi-jurisdictional drug law enforcement task forces funded under the National Drug Strategy by the U.S. Bureau of Justice Assistance. The Consortium for Drug Strategy Impact Assessment of the Criminal Justice Statistics Association, on contract with the U. S. Bureau of Justice Assistance, has collected and analyzed data from 202 drug control task forces and 62 crime laboratories from 14 states that received formula grant funds from BJA in 1988. (CJSA, Multi-jurisdictional Drug Control Task Forces 1988: A Key Program of State Drug Control Strategies January, 1990.) These states are: Arizona, Connecticut, District of Columbia, Indiana, Michigan, Montana, New Jersey, Pennsylvania, Ohio, South Dakota, Texas, Utah, Virginia, Washington. Data from the Consortium show that:

* A total of 12,849 drug arrests in calendar year 1988. For 1989, complete arrests information is not available but preliminary projections done by CJSA show the number of task force arrests increasing by 34%, to 17,219 (based on preliminary data for the first half of 1989).

* Most arrests are for offenses involving Cocaine (51%), Cannabis (30%), and Amphetamines (9%). Among offense categories, distribution offenses (40%) are most prevalent, followed by possession offenses (31%).

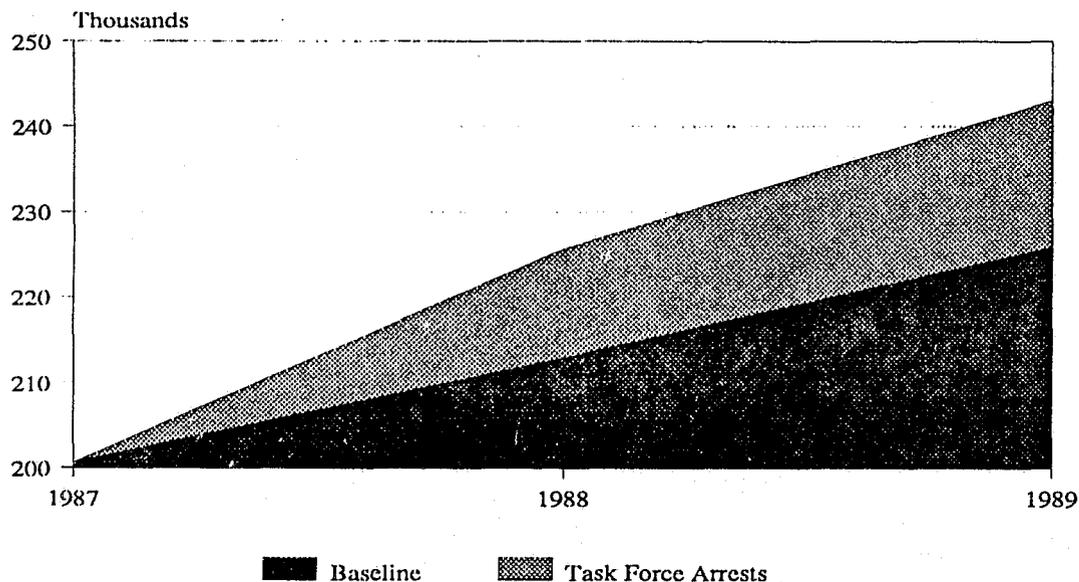
* Consortium-state task forces report removing over 5,243 kilograms of cocaine during 1988, 174,887 pounds of marijuana (87 tons), 40,555 dosage units of hallucinogens, and 611 kilograms of amphetamines.

* Consortium drug control task forces report 4,563 instances of asset seizures in 1988, for a total estimated value of \$17,739,771.

The impact of multi-jurisdictional drug law enforcement task force arrests on increasing total drug arrests in the states is significant. Using the consortium states as a case study, chart 3 shows the projected baseline drug arrests in the consortium states assuming that the multi-jurisdictional drug law enforcement task forces would not have been operational, and the actual (for 1988) and projected drug arrests (for 1989) taking in consideration the impact of the task forces. As can be seen, by the shaded area, the task force arrests account for an increasing proportion of the drug arrests in the states and have accelerated the prior trend towards increasing drug arrests.

Chart 3.

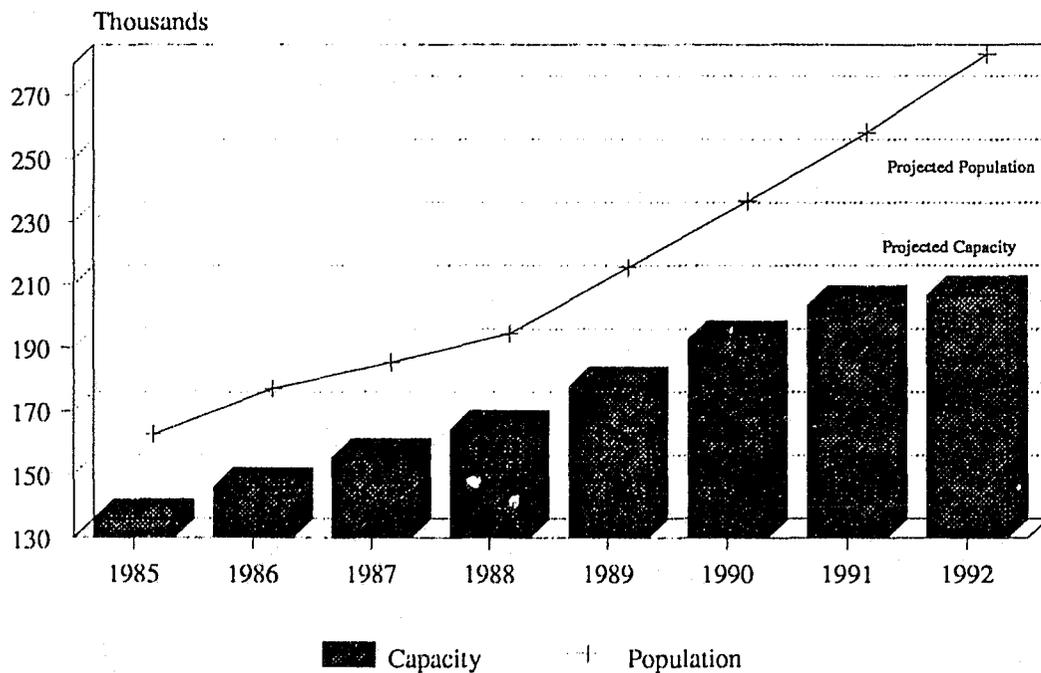
Drug Arrests in Consortium States
As A Total For All Consortium States



The direction and magnitude of the trends discussed here show that the states' criminal justice systems will face unprecedented demand for prison space. Chart 4 below shows the prison population and capacity in the consortium states between 1984 and 1989 and the projection for 1990 and 1991. As can be seen, the gap between prison population and prison capacity that has historically existed will continue to increase in the future. Projections for 13 of the consortium states named above show that these states will have a shortfall between projected prison population and capacity of 40,247 beds in 1990 and 51,131 in 1991 (survey of the Consortium states done by the Texas Office of the Governor during March 1990). This shortfall is projected to occur even after most of these states have substantially expanded capacity in the last four years and it is a clear sign that for the war on drugs to succeed innovative strategies to enhance prison capacity in the states will have to be considered.

Chart 4.

Prison Population vs Capacity
for Consortium States



DRUG OFFENDERS IN TEXAS PRISONS: LOOKING AT A TARGET POPULATION FOR PRIVATE PRISON PLACEMENT

I. INTRODUCTION

The private sector has become involved in the financing and operation of a variety of correctional facilities in Texas. In general, the scope of the private sector involvement includes the management of correctional facilities as well as the contracting for specific services. Advocates for the increased involvement of the private sector in corrections argue that the private sector can rapidly enhance the prison capacity of the states while meeting the full range of offender needs and complying with any federal court order. These services can be provided by private financing that is not restricted by debt limits, by providing an annually renewable lease subject to cancellation, by quickly building modern units and by operating the facilities at a lower cost to the state. (NIJ The Privatization of Corrections February, 1985; National Criminal Justice Association, Private Sector Involvement in Financing and Managing Correctional Facilities, April 1987.) Preliminary evaluations of private prison management support the advocates arguments. (Charles H. Logan. Private Prisons: Cons and Pros NIJ, December 30, 1989.)

The possibility of using the private sector to rapidly provide an increase in prison capacity has become an issue of serious policy consideration. This is particularly the case with the projected increase in prison population in the states due to the increased drug activity and the expansion of law-enforcement efforts in this area. The projected increase in the number of drug offenders sentenced to prison, combined with the high recidivism potential of these offenders, presents not only capacity and management problems but also serious social and public safety problems. Perhaps, in addition to enhancing capacity rapidly, private corrections can provide more efficient drug treatment at lower costs to a selected "lightweight" population of drug offenders.

In evaluating the role of private corrections in enhancing state prison capacity, one issue for examination is to determine the potential eligible population of drug offenders presently in state prisons who could be placed in private correctional facilities. Texas, with 2,000 private prison beds out of a total prison capacity of 46,500, provides a case for study.

The Texas Criminal Justice Policy Council, which serves as the Statistical Analysis Center for the state, conducted in March 1990 a study of the criminal history, offense characteristics and institutional disciplinary record of a sample of 400 drug offenders admitted to Texas prisons in August 1989, in order to identify the target population of drug offenders that could be placed in private correctional facilities (this data set is referred here as the 1989 sample). Other data sources analyzed for this study included the following:

- Information from a random sample of 972 inmates admitted to Texas prisons in late 1988. This data is compared with a similar study of prison admissions conducted in 1986.

These data sets are referred to as the 1986 and 1988 sample.

- Computerized records of all the drug admissions and releases to Texas prisons in 1989.

This report presents an overview of the trends concerning arrests, convictions, and incarcerations of drug offenders in the state; an overview of the characteristics of drug offenders admitted to Texas prisons and the identification of a group of drug offenders admitted to prison that could potentially be eligible for private prison placement.

II. OVERVIEW OF TRENDS

The scope of drug activity in Texas has increased to record levels in recent years. The increased drug activity in the state and the corresponding increase in drug law enforcement efforts has had a tremendous impact on the state criminal justice system. Recent trends highlight the effect of the drug problem on the Texas criminal justice system.

* Arrests of drug offenders in Texas have increased by 45.9% between 1980 and 1988, from 41,370 arrests to 60,377. This figure will continue to grow due to the impact of new law enforcement efforts in the state financed through federal funding. Of all the drug arrests in 1988, 8.8% were arrests by multi-jurisdictional drug control task forces federally funded through the Texas Narcotics Control Program.

* The Texas court system has become more efficient with the conviction and incarceration of drug offenders. In 1988, cases convicted for drug violations represented 27.9% of drug arrests compared to 19.5% in 1980. The number of convictions for drug violations also increased by 185%, from 8,103 drug convictions in 1980 to 23,126 in 1989. It should be noted that an arrest count is for individual defendants while conviction counts are for violations of the law and may result in multiple cases. Data is not available to indicate the number of multiple cases that have been filed against individual defendants.

* More of the convictions have led to incarceration, which has had a significant impact on the number of drug offenders admitted to prison. In 1989, prison admissions for offenders with a drug violation represented 31% of the drug cases convicted compared to 15% in 1980. The number of admissions for this group increased by 487% during the same period, from 1,248 drug offenders admitted to prison in 1980 to 7,327 admitted in 1989.

III. CHARACTERISTICS OF DRUG OFFENDERS ADMITTED TO PRISON IN TEXAS

A. Offense of Record and Criminal History

Drug offenders represent the second largest offense group admitted to prison, after property offenders. Of all the prison admissions in 1989 (33,303), 22% or 7,327 were admissions for drug offenses. According to the computerized prison admission records, 59.7% (4,376) of the drug offenders were admitted to prison for a possession violation, which includes possession with the intent to deliver, and 36.6% (2,684) for a distribution violation (the rest were drug violations that were classified in other general categories). The prevalent drug involved in the offense was cocaine for 50.2% of those admitted for a possession and for 44.5% of those admitted for a distribution violation.

A more detailed description of the characteristics of drug offenders admitted to prison follows:

* A majority of the offenders admitted to prison in Texas are admitted for a probation or parole revocation. Offenders can be admitted to Texas prisons directly from the sentencing court for new convictions, or can be admitted for a probation or parole revocation. Probation or parole revocations can be for a technical violation of the conditions of supervision or for a conviction of a new offense. Overall, admissions to prison directly from the courts have declined and revocation admissions have become a higher proportion of all admissions, representing over three-fourths of all admissions in 1989.

* Admission of drug offenders revoked to prison have increased following the general trend described above. Drug offenders who had their supervision status revoked represented 46.8% of all drug admissions in the 1986 sample, compared to 57.3% in the 1988 and 1989 sample. Not only were a higher proportion of drug offenders who were recidivists admitted to prison, but also a higher percentage of these recidivists were admitted for a supervision violation in which a new offense was involved. However, most of the revocation admissions with new sentences in the 1989 sample (72.5%) were serving concurrent sentences no longer than the original probation or prison sentence. In other words, the new offense of revocation did not lead to a sentence longer than the original sentence.

* In the 1988 sample, 78.2% of drug offenders admitted for a probation revocation were admitted for the conviction of a new offense. By contrast the sample revealed 49.8% of all offenders admitted to prison for a probation revocation were admitted for the conviction of a new offense.

* The percentage of drug offenders who were admitted with a sentence of five years or less was 51.3% or 3,761 offenders in 1989. The sentence length may sometimes be used as

an indicator of the relative severity of the offense and the criminal characteristics of the offender. Offenders with sentences of five years or less are usually viewed as "lightweight" in relation to those admitted in higher sentence categories.

* Between 8% (in the 1989 sample) and 11% (in the 1988 sample) of all drug offenders admitted to prison are admitted for an aggravated drug offense (a more serious offense due to the large quantity of drugs involved). These offenders have longer sentences than other drug offenders: a median sentence of 15 years (1989 sample) compared to 5 years for all drug admissions (computerized records of all admissions).

* Overall, most drug offenders in 1989 served less than a year of calendar time in prison. An analysis of the computerized records of all drug offenders released from prison in 1989 shows that the average time served was 12.8 months. However, drug offenders with sentences of five years or less served an average of 8.3 months. Drug offenders with a sentence of five years or less represent most of the drug offenders released from prison (51.3% of all drug offenders released in 1989). Some of the reasons for the relatively short time spent in prison by drug offenders are the following:

- Over half of all drug offenders in 1989 were admitted with a sentence of five years or less (51.3% or 3,761 offenders). Offenders with shorter sentences are eligible for parole release consideration more rapidly. Under present parole policies and prison capacity limitations, it is possible for convicted felons with sentences of two or three years to be released on parole in a few months because of time credits accumulated in jail while awaiting transfer.

- One third of all drug offenders admitted to prison and over one-half of drug offenders admitted with sentences of five years or less in the 1989 sample were eligible for extra good time credits in times of emergency overcrowding under the provisions of the Texas Prison Management Act (PMA). By state law the offenders eligible for PMA credits cannot have a history of violence, assaultive behavior or be an aggravated drug offender.

- Drug offenders admitted to prison for a probation revocation have a shorter criminal history record than other types of admissions are revoked for technical violations or are sentenced to concurrent sentences if they committed a new offense. All of these factors contribute to this category of offenders being eligible for release relatively quickly.

* More than one-half of the drug offenders in the 1989 sample were convicted for multiple offenses (53%). However, almost all of these offenders were serving concurrent sentences for these offenses (96.7%) and the drug offense of admission was their "worst" offense according to the offense classification used by Texas prison officials. All concurrent sentences are served simultaneously reducing the potential time that offenders would have had to serve if they were serving consecutive sentences for multiple offenses.

* In terms of behavior in prison, 78.5% of the drug offenders in the 1989 sample had no disciplinary action adjudicated, 7.3% had one case tried, and 14.2% had more than one case tried while in prison. Most of the offenders that had disciplinary cases tried were tried for level two or three disciplinary infractions like contraband, failure to work, lying to an officer and other minor rules. Only 9.3% of those that were tried were tried for major disciplinary offenses such as escape, fighting with a weapon, striking an officer, possession of a weapon or sexual abuse.

B. Drug Use of Drug Offenders

The 1988 sample indicated that 47.7% of the offenders admitted to prison reported using one or more drugs within the last month prior to arrest. This compares to 5.8% of the Texas public that admitted current drug use according to a statewide survey conducted by the Texas Commission on Alcohol and Drug Abuse. Moreover, the prevalence of drug use by defendants sentenced for offenses and in prison is higher than that of other offenders in prison. Offenders admitted to prison for a drug violation in the 1988 sample used drugs more frequently (62%) than offenders admitted for other types of violations (i.e. 44.5% of property offenders). Also, a higher percentage of drug offenders reported selling drugs compared to offenders admitted to prison for other crimes.

Current drug use may be a factor affecting the potential success of drug offenders on probation or parole. In the 1988 sample, a majority (61.3%) of drug offenders that claimed current use of drugs were admitted to prison for a revocation of their probation, parole or mandatory supervision release conditions. Drug use, therefore, seems to be a factor contributing to a revocation. This is further corroborated by the fact that 35.7% of drug offenders admitted to prison for a technical probation or parole revocation in the 1988 sample tested positive for drugs in urine tests conducted while under supervision. This underscores the need to manage this population of offenders with comprehensive intervention strategies dealing with treatment, intensive supervision, and drug testing.

IV. INCARCERATION IN PRIVATE CORRECTIONS: LOOKING AT A POTENTIALLY ELIGIBLE INMATE POPULATION OF DRUG OFFENDERS

To identify an inmate population of drug offenders that could potentially be eligible for private prison placement the assumption is made that private prisons should manage only that population of offenders that is "lightweight." That is, the best of the inmate population relatively speaking. The worst offenders, on the other hand, are assumed to be the direct responsibility of state prisons since these offenders probably require more extensive custody and security supervision than what private prisons are expected to provide under current privatization practices. Based on this assumption and using all the information analyzed above, it is estimated that one-fourth of the drug prison admissions in Texas could be eligible for private correctional facilities (1,770 offenders in 1989).

This potential group, eligible for private prison placement, includes offenders with short sentences (five years or less) that have been admitted to prison for non-aggravated drug possession offenses. These offenders have a relatively less severe offense and criminal history than the rest of the drug offenders sentenced to prison. A short prison sentence is a common indicator of the relative severity of the offense and the criminal characteristics of the offender. Offenders with sentences of five years or less serve less than a year in prison and have a relatively good disciplinary record. Therefore, by these indicators this population may be considered a "lightweight" offender population that could be properly managed in a medium or minimum security private prison setting. Some of the details of the analysis that sustain the above finding are the following:

* Offenders with sentences of five years or less do not stay in prison longer than a year with present capacity restrictions and policies. The analysis of the computerized records of all offenders released from prison in 1989 shows that the average time served of drug offenders was 12.8 months. Those with sentences of five years or less served an average of 8.3 months.

* Of the drug offenders admitted with sentences of five years or less, only 39.9% were convicted of multiple offenses compared to 55.1% of offenders with sentences of 6 to 10 years and 69.2% of offenders with sentences of more than 10 years. This is another indicator that shows, compared to all the drug admissions, drug offenders admitted with sentences of five years or less have a less extensive criminal record or the circumstances of the offenses that they committed were less severe than offenders with higher sentences.

* Drug offenders admitted for a possession offense have a better disciplinary record in prison than those admitted for a distribution or delivery offense. In the 1989 sample, 17.5% of the offenders admitted for a possession offense had one or more disciplinary sanctions assessed compared to 28.5% of those admitted for a distribution offense.

* Non-aggravated drug offenders are better behaved prisoners. In the seven month period under study in the 1989 sample of admissions, 13.8% of the non-aggravated drug offenders had more than one disciplinary violation adjudicated compared to 18.8% of the aggravated drug offenders.

* Non-aggravated drug offenders admitted to prison for a possession offense and a sentence of 5 years or less are the "lightweight" offenders in relation to all the other drug offenders admitted to prison. These offenders also have a better disciplinary record in prison due to the short time they stay in prison compared to other categories of offenders. The great majority of the "lightweight" offenders defined in the above category did not have a disciplinary action in prison (91.2%) compared to less than three-fourth (73.7%) of the offenders that were not in the above category.

V. CONCLUSION

The possibility of using the private sector to augment prison capacity has become an issue of timely consideration. This is particularly the case with the anticipated increase in prison population in the states due to the increase in drug related criminal activity and the expansion of law-enforcement efforts in this area. It is apparent after review of specific prison admission data that a segment of the offender population is exceptionally well suited for incarceration in private correctional facilities.

The analysis presented in this report shows that approximately one-fourth of the drug-offense admissions in Texas could be eligible for private correctional facilities (1,770 offenders in 1989). The target group identified for private prison placement are offenders with short sentences (five years or less) that have been admitted to prison for non-aggravated drug possession offenses. These offenders, relatively speaking, are sentenced for less severe offenses and have less severe criminal histories than the rest of the drug offenders admitted to prison. This population can be considered a "lightweight" offender population that can be properly managed in a medium or minimum security prison setting.

As indicated in the preceding pages, extraordinary demands on Texas prison capacity are anticipated in the near future. The Texas experience is not atypical of that of most other states as drug related criminal activity increases. The type of inmates involved in the expected influx, along with the immediacy of their impact, call for a specialized response capability.

The opportunity for private sector involvement in addressing this critical problem is clearly indicated. Private entities have demonstrated the ability to respond with expedience to the challenge of developing and implementing a problem solving strategy. With the commitment of the private sector to join the war on drugs, there appears to be a perfect matching in this context of a problem requiring specialized response and an entity uniquely qualified to meet the challenge.

SURVEY OF PRIVATE SECTOR PRISONS AND JAILS

The ability of private contractors to engage successfully and efficiently in correctional tasks has been established over the last several years. On the following pages, a survey of private sector firms and their operations is provided. Although we believe it to be a thorough, up-to-date listing, it is not represented to be totally complete. It has been included to provide background information expansion of the private sector involvement in the war on drugs.

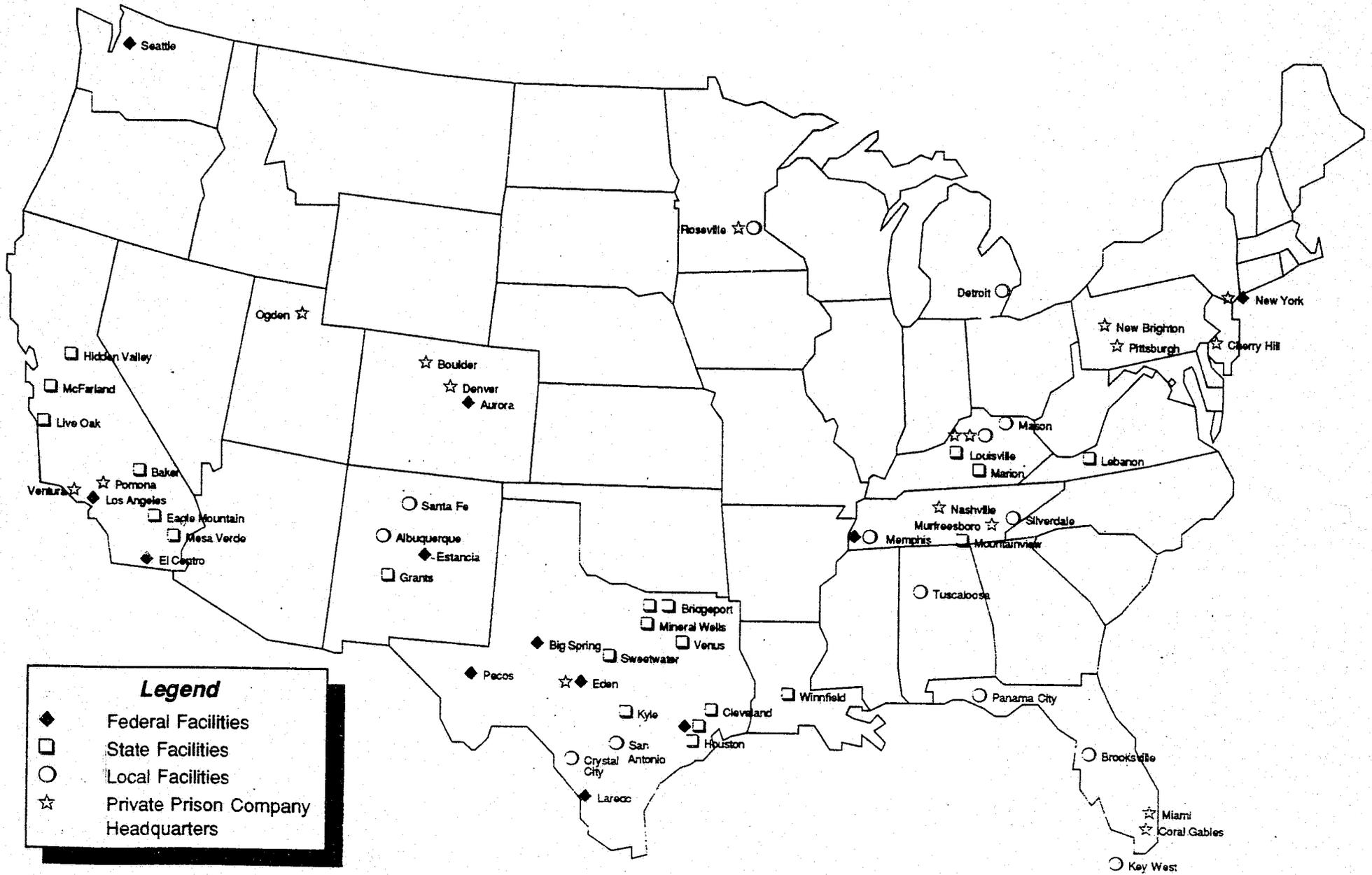
The table of private sector facilities is a brief outline which will be followed up in significantly greater detail in a later report. The cursory review it provides indicates the range of populations served by private facilities; including juvenile and adult, with offenses ranging from misdemeanors to felonies, and security levels from minimum to maximum. A range of costs is indicated, as is a wide variety of programmatic components. All these factors illustrate the emerging trend toward private sector involvement in a wide variety of criminal justice settings.

The list of private sector companies is included to provide a resource for those wishing to make further inquiries.

Special thanks is due Charles Logan, Visiting Fellow at the National Institute of Justice, whose document served as the starting point for this survey.

Privately Operated Prisons in the United States

Spring 1990



Legend

- ◆ Federal Facilities
- State Facilities
- Local Facilities
- ☆ Private Prison Company Headquarters

Survey of Privately Operated Prisons and Jails

Facility/Vendor	Date Completed	Date Occupied	Rated Cap/ Current Pop	Cost(\$)	Inmate Type/ Classification	Contracting Agency
Bay County Jail (FL) Corrections Corporation of America	Takeover	10/85	204/221	34.42/day	County Jail	Bay County U.S. Marshals Service
Bay County Annex (FL) Corrections Corporation of America	5/86	5/86	255/241	34.42/day	Jail Annex Work camp	Bay County U.S. Marshals Service
Houston Processing Center (TX) Corrections Corporation of America	4/84	5/84	350/317	34.29/day (INS) 33.00/day (BPP)	Detention & Return-to-Custody	Immigration and Naturalization Service/Texas Board of Pardons and Paroles
Laredo Processing Center (TX) Corrections Corporation of America	3/85	3/85	258/219	31.00/day (INS) 47.00/day (Oregon) 47.00/day (BOP)	Detention	Immigration and Naturalization Service/State of Oregon/Federal Bureau of Prisons
Santa Fe Detention Facility (NM) Correction Corp. of America	Takeover	8/86	201/189	48.75/day(Santa Fe Co.) 62-70/day(others)	County Jail	Santa Fe County, NM U.S. Marshals Service Bureau of Prisons Inter Mountain Youth Cibola County, NM Colfax County, NM Guadalupe County, NM Los Alamos County, NM Rio Arriba County, NM San Juan County, NM San Miguel County, NM Sandoval County, NM Union County, NM City of Bernalillo, NM City of Las Vegas, NV City of Santa Fe, NM Village of Pecos, TX Torrance County, NM
Shelby Training Center (TN) Corrections Corporation of America	5/86	5/86	150/154	72.00/day (county) 85.00/day (BOP & Nevada)	Secure Juvenile Training Center	Shelby County, TN Bureau of Prisons State of Nevada

Survey of Privately Operated Prisons and Jails

Facility/Vendor	Date Completed	Date Occupied	Rated Cap/ Current Pop	Cost(\$)	Inmate Type/ Classification	Contracting Agency
Tall Trees (TN) Corrections Corporation of America	Takeover	1/85	50/50	43.29/day	Juvenile Residential Center	Shelby County, TN State of Tennessee
Silverdale Unit #1 (TN) Corrections Corporation of America	Takeover	9/84	320/328	22.66/day	County Work House	Hamilton County, TN U.S. Marshals Service
Silverdale Unit #2 (TN) Corrections Corporation of America	Takeover	9/84	117/46	22.66/day	County Work House	Hamilton County, TN U.S. Marshals Service
Reeves County Law Enforcement Center (TX) Corrections Corporation of America	Takeover	9/88	532/499	36,000/mo.	Detention Facility	Reeves County, TX U.S. Marshals Service
Hernando County (FL) Corrections Corporation of America	UNK	10/88	252/231	29.72/day (Hernando Co.) 40.50/day (USMS) 32.84/day (Citrus Co.)	County Jail & Federal Detainees	Hernando County, FL U.S. Marshals Service Citrus County, FL
New Mexico Women's Correction Facility Corrections Corporation of America	5/89	6/89	200/192	69.75/day	State Prison	State of New Mexico
Venus Pre-Release Center (TX) Corrections Corporation of America	7/89	8/89	500/500	35.25/day	Minimum Security State Prison	State of Texas
Cleveland Pre-Release Center (TX) Corrections Corporation of America	8/89	9/89	500/500	35.25/day	Minimum Security State Prison	State of Texas
Borallon Correctional Centre (Queensland, Australia) Corrections Corporation of America	11/89	1/90	244/236	92.07/day (AUS)	Prison	Queensland Correctional Services Commission
Winn Parish Correctional Facility (LA) Corrections Corporation of America	Takeover	3/90	610/570	26.47/day	State Prison	State of Louisiana

Survey of Privately Operated Prisons and Jails

Facility/Vendor	Date Completed	Date Occupied	Rated Cap/ Current Pop	Cost(\$)	Inmate Type/ Classification	Contracting Agency
Mountain View Youth Development Center (TN) Corrections Corporation of America	3/90	4/90	144/63	92.44	Juvenile Training Center	State of Tennessee
Mason Tennessee Regional Correctional Facility (TN) Corrections Corporation of America	Under Construction	9/90 (est.)	256/na	Pending	Detention Facility	U.S. Marshals Service
Estancia Regional Correctional Facility (NM) Corrections Corporation of America	Under Construction	10/90 (est.)	256/na	Pending	Detention Facility	U.S. Marshals Service
Mineral Wells Pre-Parole Transfer Facility (TX) Concepts, Inc.	7/89	7/89	500/502	32.00/day	Pre-Parole Transfers	Texas Board of Pardons and Paroles
Bridgeport Pre-Parole Transfer Facility (TX) Concepts, Inc.	11/87	11/87	63/63	32.00/day	Pre-Parole Transfers	Texas Board of Pardons and Paroles
Baker Return-to-Custody Facility (CA) Eclectic Communications, Inc. (ECI)	*	*	200/*	*	Parole violators	(State of California)
Hidden Valley Ranch (CA) Eclectic Communications, Inc. (ECI)	*	*	88/*	*	Parole violators	(State of California)
Leo Chessley Center (CA) Eclectic Communications, Inc. (ECI)	*	*	100/*	*	Parole violators	(State of California)
Los Angeles (CA) Eclectic Communications, Inc. (ECI)	*	*	100/*	*	INS detainees	Immigration and Naturalization Service
El Centro (CA) Eclectic Communications, Inc. (ECI)	*	*	65/*	*	INS Detainees (juvenile)	Immigration and Naturalization Service
Eden Detention Center (TX) Eden Detention Center, Inc.	1/89	1/89	324/322	32.14/day	Minimum to Light- Medium Federal Prisoners	Bureau of Prisons/ Immigration and Naturalization Service

* Indicates information not available.

Survey of Privately Operated Prisons and Jails

Facility/Vendor	Date Completed	Date Occupied	Rated Cap/ Current Pop	Cost(\$)	Inmate Type/ Classification	Contracting Agency
Esmore (WA) Esmore, Inc.	5/89	7/89	80/63 (increasing to 98)	1-45 90.08/day over 45 45.00/day	INS detainees	Immigration and Naturalization Service
Brooklyn Correctional Center (NY) Esmore, Inc.	3/89	7/89	120/100	56.00/day	Federal prisoners	Bureau of Prisons
Eagle Mountain Return-to-Custody Facility (CA) Management and Training Corp.	9/88	9/88	200/196	36.00/day	Minimum-security Parole violators	California Department of Corrections
City of Big Spring Correctional Center (TX) Mid-Tex Detention, Inc.	5/89	5/89	350/322	33.75/day	Medium-security Federal prisoners	Bureau of Prisons through City of Big Spring
Upper East Tennessee Regional Juvenile Detention Facility (TN) Pricor		11/85	11	106.00/day	Maximum-security juvenile pre-trial	Carter County, TN Green County, TN Hawkins County, TN Johnson County, TN Sullivan County, TN Unicoi County, TN Washington County, TN
Tuscaloosa Juvenile Facility (AL) Pricor		9/89	27	57.83/day (avg.) (570,000/yr.)	Maximum-security Pre-trial residential	Tuscaloosa County, AL
Tuscaloosa Metropolitan Detention Facility (AL) Pricor		6/86	144	20.80/day (avg.) (89,867.14/mo.)	Minimum-security	Tuscaloosa County, AL City of Tuscaloosa, AL City of Northport, AL
Houston Reintegration Center (TX) Pricor		7/87	223	32.60/day	Pre-Parole Transfers	Texas Board of Pardons and Paroles
Sweetwater Pre-Parole Center (TX) Pricor		7/89	210	33.00/day	Pre-Parole Transfers	Texas Board of Pardons and Paroles
Lebanon Community Corrections Center (VA) Pricor		7/86	26	34.00/day	Residential Rehab	Tazewell-Bland Comm. Corr. Southwest Va. Comm. Corr. Va. Highlands Comm. Corr. Court Comm. Corrections Virginia Dept. Corrections Wythe County, VA Piedmont Court Services Bureau of Prisons

Survey of Privately Operated Prisons and Jails

Facility/Vendor	Date Completed	Date Occupied	Rated Cap/ Current Pop	Cost(\$)	Inmate Type/ Classification	Contracting Agency
Pecos County (TX) Prigor	Late 1990	Late 1990	500	Pending	Pending	Pecos County, TX
San Saba County (TX) Prigor	Late 1990	Late 1990	500	Pending	Pending	San Saba County, TX
Swisher County (TX) Prigor	Late 1990	Late 1990	500	Pending	Pending	Swisher County, TX
Angelina County (TX) Prigor	Late 1990	Late 1990	500	Pending	Pending	Angelina County, TX
La Salle County (TX) Prigor	Late 1990	Late 1990	500	Pending	Pending	La Salle County, TX
Falls County (TX) Prigor	Late 1990	Late 1990	500	Pending	Pending	Falls County, TX
Marion Adjustment Center (KY) U.S. Corrections Corp.	12/85	1/86	500/484	26.89/day	Minimum-security state prisoners	Commonwealth of Kentucky
River City Correctional Center (KY) U.S. Corrections Corp.	1/90	1/90	350/320	27.50/day	Minimum-security county misdemeanors	Jefferson County, KY
Lee Adjustment Center (KY) U.S. Corrections Corp.	7/90 (est.)	8/90 (est.)	400/na	26.00/day	Minimum-security state prisoners	Commonwealth of Kentucky
Volunteers of America Regional Corrections Center (MN) Volunteers of America	1984	1984	74/72	34/day	Short-term incarceration (females)	Ramsey County, MN Dakota County, MN Bureau of Prisons
Central Texas Parole Violator Facility (TX) Wackenhut		1/89	619/580	35.52/day	Parole violators/ Federal prisoners	Texas Board of Pardons U.S. Marshals Service
Kyle Pre-Release Center (TX) Wackenhut		6/89	500/495	30.68/day	State prisoners	State of Texas Dept. of Corrections
Bridgeport Pre-Release Center (TX) Wackenhut		8/89	500/500	30.68/day	State prisoners	State of Texas Dept. of Corrections
McFarland Return-to-Custody Facility (CA) Wackenhut		1/89	200/191	31.55/day	State prisoners	California Department of Corrections

Survey of Privately Operated Prisons and Jails

Facility/Vendor	Date Completed	Date Occupied	Inmate Rated Cap/ Current Pop	Cost(\$)	Type/ Classification	Contracting Agency
Aurora/INS Processing Center (CO) Wackenhut		5/87	200/191	36.69	INS detainees	Immigration and Naturalization Service
New York/INS Processing Center (NY) Wackenhut		10/89	100/95	141.82	INS detainees	Immigration and Naturalization Service
City of Detroit 36th District Court (MI) Wackenhut		4/87	400	11.65 (based on full occup'cy)	Pre-Arraignment	City of Detroit
Monroe County Correctional System (FL) Wackenhut		2/90	274/267	1-266 47.60/day over 266 5/day	County Jail	Monroe County, FL
Job Corps Training Center (OK) Wackenhut		7/85	650	21.07	Disadvantaged youth training	U.S. Dept. of Labor
Mesa Verde Return-to-Custody Facility (CA) Gary White and Associates	4/89	5/89	380/220	32.76 (+ lease costs)	Parole violators	California Department of Corrections

Private Prison Companies

Behavioral Systems Southwest
300 Park Avenue South, Suite 750
Post Office Box 558
Pomona, CA 91766
(714) 623-0604
Ted Nissen

Concepts, Inc.
Post Office Box 3333
Louisville, KY 40201
(502) 585-5023
Bill Sandbach, CEO: Jack Smith, President

Continental Corrections Group, Ltd.
1 Continental View Drive
Boulder, CO 80303
Mark Van Ark

Corrections Corporation of America
102 Woodmont Boulevard
Nashville, TX 37205
(615) 292-3100
Doctor R. Crants, President

Eclectic Communications, Inc.
1823 Knoll Drive, Suite 8
Ventura, CA 93003
(805) 644-8700
Art McDonald, President

Eden Detention Center, Inc.
Post Office Drawer F, Hwy 87 East
Eden, Texas 76837
(915) 869-5306
Roy Burnes, President

Esmore, Inc.
18th Floor
99 Park Avenue
New York City, NY 10016
Richard Staley
(615) 371-9046

Charles Fenton
Penn Pavilion
700 Penn Avenue
New Brighton, PA 15066

General Electric Government Operations
Route 38
Cherry Hill, NJ 08358
(609) 486-5042
James Becker

International Corrections Corporation
One Northshore Center
Pittsburgh, PA 15212
(412) 323-4789
David F. Figgins, Chairman, Charles R. Zappala, President

Management and Training Corporation
3340 Harrison Boulevard
Post Office Box 9935
Ogden, UT 94409
(801) 621-5748
Rex Barber

Mid-Tex Detention, Inc.
Route 2, Box 7
Big Spring, TX 79720
Chuck Haugh, Warden

National Corrections Management, Inc.
1414 Coral Way
Miami, FL 33145
Mr. Robert Turner, President
Delores Hirsh, contact person
(305) 858-9020

Pricor, Inc.
745 South Church Street
Post Office Box 8
Murfreesboro, TN 37133-0008
(615) 896-3100
Gil R. Walker, President

Rebound, Inc.
Denver, CO
(303) 292-9717

U.S. Corrections Corporation
Suite 805, Kentucky Home Life Building
239 South Fifth Street
Louisville, KY 40202
(502) 585-2212
Michael Montgomery, V.P., Operations
J. Clifford Todd, President

Wackenhut Corrections Corporation
(subsidi. of The Wackenhut Corp.)
1500 San Remo Avenue
Coral Gables, FL 33146-3009
(305) 666-5656
George C. Zoley, President

Gary White Associates
425 Golden State Avenue
Bakersfield, CA 93301
Richard Millwee, Director
(805) 326-0411

Volunteers of America
1771 Kent Street
Roseville, MN 55113
Bill Nelson, Director
Bob Denkmann, Program Manager
(612) 488-2073

ALL STATES Drug - Related Arrests

State	1980	1981	1982	1983	1984	1985	1986	1987	1988
Alabama	9,610	8,822	8,343	6,539	7,096	7,253	5,775	6,826	8,692
Alaska	220	509	704	590	313	367	283	1,373	826
Arizona	7,393	9,983	10,410	10,315	11,047	12,069	11,914	14,408	12,905
Arkansas	2,576	5,429	5,912	5,027	5,299	5,910	5,143	5,664	5,413
California	99,019	88,630	99,391	134,897	128,687	174,839	182,127	201,090	213,130
Colorado	2,619	3,593	7,331	6,616	7,072	7,530	6,667	7,379	8,800
Connecticut	2,466	3,587	6,436	6,488	9,330	10,472	9,811	13,102	18,983
Delaware	397	604	1,063	1,214	1,397	1,325	1,192	699	1,504
District of Columbia	3,237	5,011	N/A	8,962	8,448	9,085	13,228	12,963	10,415
Florida	31,141	33,908	34,417	35,658	38,327	41,354	53,824	63,231	N/A
Georgia	16,108	17,760	16,801	14,063	13,204	15,026	16,018	13,130	25,952
Hawaii	1,870	3,161	3,324	4,205	3,967	5,132	3,649	3,929	3,791
Idaho	1,058	1,570	1,428	1,501	1,300	1,408	1,402	1,517	1,575
Illinois	24,192	25,956	22,756	24,775	22,384	31,472	29,811	34,513	43,958
Indiana	4,275	6,664	8,644	7,815	6,703	4,972	4,283	4,228	8,310
Iowa	2,390	3,066	1,435	2,728	2,573	2,725	2,408	2,264	2,482
Kansas	1,799	2,696	3,468	3,176	3,404	3,510	2,986	3,431	2,989
Kentucky	11,379	10,625	10,008	7,703	9,912	8,512	4,915	N/A	N/A
Louisiana	1,156	7,290	8,978	8,059	8,851	6,235	7,881	6,431	12,292
Maine	1,265	1,906	1,407	1,451	1,522	1,723	1,722	1,853	1,822
Maryland	10,425	15,383	16,251	17,195	15,957	18,970	18,208	19,002	24,752
Massachusetts	6,646	8,499	9,796	11,300	13,637	10,534	7,851	6,471	13,080
Michigan	14,121	15,802	5,495	13,610	15,714	15,477	15,661	19,556	25,736
Minnesota	3,435	4,186	3,991	3,372	4,955	5,510	4,654	5,295	6,406
Mississippi	1,870	2,464	3,280	3,249	3,135	3,322	2,775	2,827	3,823
Missouri	2,065	5,378	7,872	6,649	7,049	7,243	7,543	8,149	8,771
Montana	457	45	198	637	922	878	169	N/A	489
Nebraska	2,313	2,565	736	2,229	2,232	2,096	2,231	2,243	2,761
Nevada	1,004	3,451	3,786	4,240	3,568	5,113	5,280	5,737	6,738
New Hampshire	2,362	2,238	1,504	1,695	1,261	1,818	1,272	2,062	2,218
New Jersey	23,139	30,032	29,177	29,079	26,328	35,367	30,418	41,373	54,042
New Mexico	1,990	N/A	2,864	2,485	2,155	4,146	3,826	3,625	4,595

ALL STATES Drug - Related Arrests

New York	42,338	51,769	59,937	66,690	79,026	88,578	95,948	112,890	122,866
North Carolina	16,591	18,382	16,223	14,196	15,513	16,623	16,123	17,363	22,422
North Dakota	569	1,016	809	800	639	885	538	684	518
Ohio	9,369	9,515	16,113	14,553	13,418	14,222	14,196	14,238	16,978
Oklahoma	8,238	11,253	11,519	8,997	8,736	8,995	8,948	8,994	9,332
Oregon	6,021	8,340	6,886	7,356	6,412	6,314	7,044	7,450	10,495
Pennsylvania	13,129	13,303	3,028	12,302	13,572	16,108	17,542	15,548	20,893
Rhode Island	1,644	2,527	13,546	3,226	2,825	2,730	3,057	3,598	4,036
South Carolina	7,568	9,638	9,419	8,854	9,617	10,738	10,401	131	13,876
South Dakota	402	820	864	846	860	929	532	189	163
Tennessee	4,858	5,357	6,205	9,468	6,334	4,077	4,206	6,964	7,986
Texas	25,953	41,247	49,025	48,732	54,681	58,674	56,131	60,665	54,638
Utah	2,786	3,907	4,284	4,558	4,362	5,482	5,035	4,186	4,394
Vermont	N/A	369	340	358	N/A	514	570	578	816
Virginia	12,305	14,303	13,054	10,590	11,234	12,347	10,863	12,788	15,974
Washington	3,669	3,857	4,388	6,470	5,242	6,197	7,207	10,303	12,964
West Virginia	1,516	1,892	2,270	1,506	1,629	1,415	1,320	1,598	1,124
Wisconsin	12,046	7,938	8,736	8,868	9,048	8,884	5,510	7,157	8,063
Wyoming	774	1,297	1,330	1,044	905	949	684	724	811
TOTAL	463,773	537,543	565,182	616,936	631,802	726,054	730,782	800,419	865,599

ALL STATES Drug - Related Arrests as Percent of Total Arrests

State	1980	1981	1982	1983	1984	1985	1986	1987	1988
Alabama	5.04%	4.60%	4.44%	3.63%	3.92%	4.03%	3.58%	4.38%	5.01%
Alaska	0.89%	1.87%	3.62%	4.12%	3.72%	3.86%	1.74%	2.76%	2.91%
Arizona	3.33%	4.69%	6.62%	6.46%	7.08%	7.05%	5.85%	6.81%	6.18%
Arkansas	2.96%	6.23%	4.87%	4.20%	4.51%	4.91%	4.26%	4.83%	4.50%
California	5.37%	4.83%	6.81%	9.06%	9.77%	11.26%	11.20%	11.82%	12.52%
Colorado	1.24%	1.65%	3.86%	3.30%	3.27%	3.21%	3.20%	3.12%	3.88%
Connecticut	1.35%	1.96%	6.05%	5.75%	7.44%	7.09%	7.11%	7.39%	9.53%
Delaware	0.98%	1.51%	4.27%	5.00%	5.02%	4.91%	4.06%	3.37%	4.83%
District of Columbia	4.98%	7.21%		19.78%	19.59%	20.54%	27.59%	26.03%	24.49%
Florida	3.87%	4.15%	6.79%	7.16%	7.51%	7.48%	8.57%	9.31%	
Georgia	5.32%	5.67%	5.81%	5.19%		7.24%	7.15%	6.97%	8.37%
Hawaii	2.59%	4.93%	8.46%	10.33%	10.16%	11.09%	8.23%	7.17%	6.38%
Idaho	2.34%	3.61%	3.61%	4.03%	3.85%	3.93%	3.79%	3.99%	4.19%
Illinois	4.04%	4.58%	4.26%	4.79%	24.07%	13.32%	12.75%	7.21%	8.31%
Indiana	1.59%	2.69%	6.16%	5.43%	4.79%	3.94%	3.68%	3.48%	4.93%
Iowa	1.73%	2.24%	4.94%	3.48%	3.08%	3.20%	2.59%	2.58%	2.55%
Kansas	1.42%	2.10%	4.50%	4.22%	4.32%	4.05%	3.78%	3.79%	4.32%
Kentucky	9.10%	8.22%	5.40%	4.77%	4.81%	5.07%	5.09%		
Louisiana	0.50%	3.21%	5.14%	4.94%	7.63%	5.22%	6.86%	5.28%	7.68%
Maine	2.58%	3.97%	3.57%	3.56%	3.76%	4.11%	4.09%	4.33%	4.21%
Maryland	3.75%	5.51%	8.01%	8.32%	8.60%	9.42%	8.77%	11.59%	12.66%
Massachusetts	1.91%	2.52%	7.68%	9.02%	10.77%	9.67%	7.53%	11.44%	13.17%
Michigan	2.29%	2.51%	6.46%	5.26%	4.98%	4.92%	4.71%	5.72%	7.15%
Minnesota	1.76%	2.16%	3.61%	3.96%	3.97%	4.07%	3.27%	3.44%	5.36%
Mississippi	2.18%	2.75%	4.38%	4.35%	4.56%	5.04%	4.97%	5.41%	6.20%
Missouri	0.78%	2.04%	3.97%	3.68%	4.08%	4.01%	3.96%	4.27%	4.43%
Montana	1.16%	0.11%	4.85%	3.24%	3.11%	2.98%	2.16%		3.14%
Nebraska	3.44%	3.90%	4.58%	4.20%	4.16%	3.79%	3.84%	3.86%	4.39%
Nevada	1.42%	4.75%	5.00%	5.83%	7.01%	6.46%	6.93%	7.73%	8.78%
New Hampshire	5.49%	5.54%	4.38%	5.06%		5.24%	3.39%	5.32%	5.88%
New Jersey	4.92%	6.57%	8.86%	9.16%	10.35%	10.42%	10.19%	12.11%	14.40%
New Mexico	2.57%	0.00%	5.26%	4.20%	4.90%	6.52%	6.22%	6.69%	6.53%

ALL STATES Drug - Related Arrests as Percent of Total Arrests

New York	3.50%	4.26%	5.66%	6.51%	7.58%	8.18%	8.52%	9.49%	12.28%
North Carolina	6.12%	6.83%	4.40%	4.13%		4.60%	4.27%	4.60%	5.46%
North Dakota	2.94%	5.16%	3.95%	3.48%	4.13%	3.43%	2.94%	3.24%	3.05%
Ohio	1.60%	1.62%	5.38%	4.68%	5.22%	4.97%	4.28%	4.66%	5.80%
Oklahoma	5.43%	7.51%	6.46%	5.54%	5.77%	5.85%	5.73%	6.41%	6.74%
Oregon	3.45%	4.48%	5.93%	6.07%	5.28%	5.27%	5.90%	6.66%	8.28%
Pennsylvania	2.97%	3.04%	0.74%	3.35%	3.77%	4.62%	4.84%	4.97%	14.86%
Rhode Island	2.93%	4.54%	34.33%	8.66%	9.49%	7.96%	7.66%	8.76%	9.91%
South Carolina	4.54%	5.72%	6.85%	6.31%	7.13%	7.30%	6.53%	0.09%	8.45%
South Dakota	1.80%	3.97%	5.17%	4.15%	4.05%	3.98%	2.30%	1.38%	1.71%
Tennessee	2.38%	2.70%	4.79%	5.05%	4.59%	4.17%	3.94%	5.22%	6.64%
Texas	2.98%	4.62%	5.77%	5.63%	6.34%	6.71%	6.37%	7.07%	7.23%
Utah	3.25%	4.48%	5.59%	5.79%	6.05%	5.84%	5.08%	5.00%	5.38%
Vermont	0.00%	1.42%	6.76%	5.70%		5.89%	6.63%	6.00%	8.48%
Virginia	5.00%	5.64%	3.91%	3.45%	3.65%	3.84%	3.27%	3.74%	4.30%
Washington	1.29%	1.36%	5.57%	4.85%	4.44%	3.89%	4.45%	5.90%	6.86%
West Virginia	3.08%	3.70%	2.91%	2.58%	2.61%	2.32%	2.02%	2.53%	0.59%
Wisconsin	5.36%	3.51%	4.38%	4.14%	3.74%	3.39%	2.60%	2.44%	13.63%
Wyoming	3.31%	5.14%	4.99%	4.12%	3.68%	3.73%	2.79%	3.35%	3.66%
TOTAL	3.49%	4.04%	5.62%	6.00%	7.08%	7.06%	7.00%	7.42%	8.64%

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