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U.S. Department of Justice
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Technical Appendix

Drugs, Crime, and the Justice System

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Technical Appendix

Drugs, Crime, and the Justice System

June 1993, NCJ-139578

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U.S. Department of Justice
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Using this Technical Appendix

Finding Information in this appendix

This technical appendix contains the detailed references, supporting data, and methodology used in the BJS report, *Drugs, Crime, and the Justice System*. Most of the sources listed here are also listed in the Basic Source listings at the end of each chapter or section.

The sources of the information in the report are presented here under the bold headlines contained in the report. Where more than one source is listed, they are either identifiable from information in the report, in order of the paragraphs under the headline, or preceded by underlined text from the report to reflect exactly what section is being referred to.

Interpreting agency abbreviations

Many of the sources cited in this technical appendix are products of Federal agencies. To keep the size of this technical appendix to a minimum, the following agency names have been abbreviated:

ADAMHA	Alcohol, Drug Abuse, and Mental Health Administration
BJA	Bureau of Justice Assistance
BJS	Bureau of Justice Statistics
BLS	Bureau of Labor Statistics
BOP	Bureau of Prisons
DEA	Drug Enforcement Administration
DOJ	Department of Justice
FBI	Federal Bureau of Investigation
GAO	General Accounting Office
HHS	Department of Health and Human Services
HUD	Department of Housing and Urban Development
NCHS	National Center for Health Statistics
NIDA	National Institute on Drug Abuse
NIJ	National Institute of Justice
OJJDP	Office of Juvenile Justice and Delinquency Prevention
OJP	Office of Justice Programs
ONDCP	Office of National Drug Control Policy
OSAP	Office for Substance Abuse Prevention

If you are interested in contacting these agencies about the publications listed here, please note that several of the agencies listed above have the following new names:

ADAMHA	Substance Abuse and Mental Health Services Administration (SAMHSA)
OSAP	Center for Substance Abuse Prevention (CSAP)

Getting more information

Many of the sources cited here as well as more information on the subjects covered in this report are available from several Federally sponsored clearinghouses.

Drugs and crime data are available through:

Drugs & Crime Data Center & Clearinghouse (DCDCC)
1600 Research Boulevard
Rockville, MD 20850
800/666-3332

Drug-related information from other clearinghouses is available through:

Federal Drug, Alcohol, and Crime Network
800/788-2800

Crime and justice data and copies of *Drugs, Crime, and the Justice System* are available through:

Bureau of Justice Statistics Clearinghouse
Box 6000
Rockville, MD 20850
800/732-3277

Chapter I

Section 1. Consequences of illegal drug use

What relationships exist between drug use and crime?

page 2

The link between drug use and crime is complex

Eric D. Wish, "U.S. drug policy in the 1990s: Insights from new data from arrestees," *The International Journal of Addictions*, (1990-91), 25(3A):377-409, 393-395.

There is extensive evidence of the strong relationship between drug use and crime

A recent review of the evidence — Jan M. Chaiken and Marcia R. Chaiken, "Drugs and predatory crime," in *Drugs and crime*, Michael Tonry and James Q. Wilson, eds., volume 13, *Crime and Justice* (Chicago: University of Chicago Press, 1990), 203-239.

How strong is the drug use and crime relationship?

page 3

What proportion of arrestees recently used drugs?

NIJ, *1990 Drug use forecasting, annual report*, NIJ research in action, NCJ-130063, August 1991, 2-24

and

NIJ, *1988 Drug use forecasting, annual report*, NIJ research in action, NCJ-122225, March 1990, 2-24.

Inmates report very high rates of drug use

More than 3 out of 4 jail inmates... BJS, *Profile of jail inmates*, 1989, Special report, NCJ-129097, April 1991, table 13, 8.

The 1989 survey of convicted jail inmates —

BJS, *Drugs and jail inmates*, 1989, Special report, NCJ-130836, August 1991, 8.

About 2 out of 3 State prison inmates...

BJS, *Drug use and crime*, Special report, NCJ-111940, July 1988

and

BJS, *Profile of State prison inmates*, 1986, Special report, NCJ-109926, January 1988, 6.

In 1987, more than 60% of juveniles and young adults...

BJS, *Survey of youth in custody*, 1987, Special report, NCJ-113365, September 1988, 1, 7.

page 4

Most people in drug treatment report involvement in serious crimes

The Drug Abuse Reporting Program (DARP) —

D. Dwayne Simpson, George W. Joe, Wayne E. K. Lehman, and S. B. Sells, "Addiction careers: Etiology, treatment, and 12-year follow-up outcomes," *Journal of Drug Issues* (1986), 16(1):107-121, 111.

The Treatment Outcome Prospective Study (TOPS) —

Robert L. Hubbard, Mary Ellen Marsden, J. Valley Rachal, Henrick J. Harwood, Elizabeth R. Cavanaugh, and Harold M. Ginzburg, *Drug abuse treatment: A national study of effectiveness* (Chapel Hill: University of North Carolina Press, 1989), 75 and 128.

Crime commission rates for individuals rise and fall with involvement in drug use

A 1986 National Research Council panel report —

Alfred Blumstein, Jacqueline Cohen, Jeffrey A. Roth, and Christy A. Visher, eds., *Criminal careers and "Career criminals"*, volume 1 (Washington: National Academy Press, 1986), 74-75.

A study of a national sample of youth —

Bruce D. Johnson, Eric D. Wish, James Schmeidler, and David Huizinga, "Concentration of delinquent offending: Serious drug involvement and high delinquency rates," *Journal of Drug Issues* (Spring 1991), 21(2):205-229.

Studies of the number of crimes committed by heroin addicts during periods of addiction and nonaddiction in Baltimore —

John C. Ball, John W. Shaffer, and David N. Nurco, "The day to day criminality of heroin addicts in Baltimore — A study in the continuity of offense rates," *Drug and Alcohol Dependence* (1983), 12:119-142.

...and in Southern California —

William H. McGlothlin, M. Douglas Anglin, and Bruce D. Wilson, "Narcotic addiction and crime," *Criminology* (November 1978), 16(3):293-315.

People in drug treatment report frequent commission of crime when they are using drugs

DARP —

D. Dwayne Simpson, George W. Joe, Wayne E. K. Lehman, and S. B. Sells, "Addiction careers: Etiology, treatment, and 12-year follow-up outcomes," *Journal of Drug Issues* (1986), 16(1):107-121.

TOPS —

Robert L. Hubbard, Mary Ellen Marsden, J. Valley Rachal, Henrick J. Harwood, Elizabeth R. Cavanaugh, and Harold M. Ginzburg, *Drug abuse treatment: A national study of effectiveness* (Chapel Hill: University of North Carolina Press, 1989).

Interviews with 279 male heroin addicts admitted to methadone treatment in Southern California...

Elizabeth Piper Deschenes, M. Douglas Anglin, and George Speckart, "Narcotics addiction: Related criminal careers, social, and economic costs," *Journal of Drug Issues* (Spring 1991), 21(2):383-411

The chronology of initial drug use and other criminal behavior varies

Several studies...

David H. Huizinga, Scott Menard, and Delbert S. Elliott, "Delinquency and drug use: Temporal and developmental patterns," *Justice Quarterly* (September 1989), 6(3):419-455.

One recent study of drug use —

David M. Altschuler and Paul J. Brownstein, "Patterns of drug use, drug trafficking and other delinquency among inner-city adolescent males in Washington, D.C.," *Criminology* (1991), 29(4):589-621.

A review of the research on the drug-crime relationship —

Jan M. Chaiken and Marcia R. Chaiken, "Drugs and predatory crime," in *Drugs and crime*, Michael Tonry and James Q. Wilson, eds., volume 13, *Crime and Justice* (Chicago: University of Chicago Press, 1990), 203-239.

How are drug use and the illegal drug business linked to violent crime?

page 5

Drugs and violence are linked in multiple ways

Paul J. Goldstein, "The drugs/violence nexus: A tripartite conceptual framework," *Journal of Drug Issues* (Fall 1985), 15(4):493-506, 497-502.

The pharmacological effects of some drugs may lead to violence

Many studies have found a link between alcohol use and violence —

James J. Collins, "Alcohol and interpersonal violence: Less than meets the eye," in *Pathways to criminal violence*, Neil Alan Weiner and Marvin E. Wolfgang, eds. (Newbury Park, CA: Sage Publications, 1989), 49-67

and
James J. Collins, ed., *Drinking and crime: Perspectives on the relationships between alcohol consumption and criminal behavior* (New York: The Guilford Press, 1981), 152-206 and 288-316

and
Kai Pernanen, "Alcohol and crimes of violence," in *The biology of alcoholism, vol. IV: Social aspects*, Benjamin Kissin and Henri Begleiter, eds. (New York: Plenum Press, 1976), 351-444

and
William F. Wieczorek, John W. Welte and Ernest L. Abel, "Alcohol, drugs and murder: A study of convicted homicide offenders," *Journal of Criminal Justice* (1990), 18:217-227.

Many experts conclude...

Jeffrey Fagan, "Intoxication and aggression," in *Drugs and crime*, Michael Tonry and James Q. Wilson, eds., volume 13, *Crime and Justice*, (Chicago: The University of Chicago Press, 1990), 241-320.

In 1990, victims perceived that the offender was under the influence of drugs in more than 336,000 crimes of violence

BJS, *Criminal Victimization in the United States, 1990*, NCJ-134126, February 1992, table 42, 58.

At the time of the offense most imprisoned violent offenders were drinking or using drugs

BJS, 1989 Survey of Inmates of Local Jails, unpublished data.

Whether drug use is a direct factor in family violence is unclear

Alcohol use...

Jeffrey Fagan, "Intoxication and aggression," in *Drugs and crime*, Michael Tonry and James Q. Wilson, eds., volume 13, *Crime and Justice*, (Chicago: The University of Chicago Press, 1990), 241-320, 283-287.

A study of 1,243 female subjects from a prenatal clinic in Boston —

Hortensia Amaro, Lise E. Fried, Howard Cabral, and Barry Zuckerman, "Violence during pregnancy and substance use," *American Journal of Public Health* (May 1990), 80(5):575-579.

Another study in Marion County Indiana —

Albert R. Roberts, "Substance abuse among men who batter their mates," *Journal of Substance Abuse Treatment*, (1988), 5:83-87.

Violence in illegal drug networks is often called systemic

Systemic violence —

Paul J. Goldstein, "The drugs/violence nexus: A tripartite conceptual framework," *Journal of Drug Issues* (Fall 1985), 15(4):493-506, 497-502.

Some observers...

Mark H. Haller, "Bootlegging: The business and politics of violence" in *Violence in America*, Ted Robert Gurr, ed. (Newbury Park, CA: Sage, 1989), 146-162.

Violence is common in illegal drug distribution

Paul J. Goldstein, "The drugs/violence nexus: A tripartite conceptual framework," *Journal of Drug Issues* (Fall 1985), 15(4):493-506, 497-502.

Many homicides are related to drug trafficking

A study of 414 homicides in New York City in 1988 —

Paul J. Goldstein, Henry H. Brownstein, Patrick J. Ryan, and Patricia A. Bellucci, "Crack and homicide in New York City, 1988: A conceptually based event analysis," *Contemporary Drug Problems* (Winter 1990), 16(4):651-687.

24% of New York City homicides...

NIJ, Paul J. Goldstein and Henry H. Brownstein, *Drug related crime analysis — Homicide*, A report to the NIJ Drugs, Alcohol, and Crime Program, July 1987, 45.

In Washington, D.C. from 1987 to 1991...

Office of Criminal Justice Plans and Analysis, *Homicide Report, District of Columbia*, April 1992, table 9, 17.

A study of homicide in Miami —

Duane C. McBride, Cindy Burgman-Habermehl, Jeff Alpert, and Dale D. Chitwood, "Drugs and homicide," *Bulletin of the New York Academy of Medicine* (June 1986), 62(5):501.

347 drug-related homicides reported in New York City in 1984...

NIJ, Paul J. Goldstein and Henry H. Brownstein, *Drug related crime analysis — Homicide*, A report to the NIJ Drugs, Alcohol, and Crime Program, July 1987, 69-70.

Similarly, in the District of Columbia...

Office of Criminal Justice Plans and Analysis, *Homicide in the District of Columbia*, December 1988, 24.

One analysis suggests...

Margaret A. Zahn, "Homicide in the twentieth century United States," in *History and crime: Implications for criminal justice policy*, James A. Inciardi and Charles E. Faupel, eds. (Beverly Hills: Sage Publications, 1980), 111-132.

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Many homicide victims have drugs in their system

A study in Wayne County, Michigan —

Ian Hood, David Ryan, Joseph Monforte, and James Valentour, "Cocaine in Wayne County medical examiner's cases," *Journal of Forensic Sciences* (May 1990), 35(3):591-600.

A 1989 study in Fulton County, Georgia —

Randy Hanzlick and Gerald T. Gowitt, "Cocaine metabolite detection in homicide victims," *Journal of the American Medical Association* (February 1991), 265(6):760-761.

In New York City in 1981...

Kenneth Tardiff and Elliott M. Gross, "Homicide in New York City," *Bulletin of the New York Academy of Medicine* (1986), 62(5):413-426.

A National Institute of Justice (NIJ) report —

NIJ, *Nature and patterns homicide in eight American cities, 1978*, NCJ-115304, June 1988, 19, tables 3-10, 30.

A 15-year followup of 78 New York heroin addicts —

Edward Preble, "El Barrio revisited," paper presented at the annual meeting of the Society of Applied Anthropology, 1980, as reported in Paul J. Goldstein, "Drugs and violent crime," in *Pathways to Criminal Violence*, Neil Alan Weiner and Marvin E. Wolfgang, eds. (Newbury Park, CA: Sage, 1989), 22.

A study in Philadelphia —

Margaret A. Zahn and Mark Bencivengo, "Violent death: A comparison between drug users and nondrug users," *Addictive Diseases* (1974), 1:283-296.

Victims and assailants in drug-related homicides are often Hispanic or black males in their 20s or 30s

Duane C. McBride, Cindy Burgman-Habermehl, Jeff Alpert, and Dale D. Chitwood, "Drugs and homicide," *Bulletin of the New York Academy of Medicine* (June 1986), 62(5):497-508, 501-502.

NIJ, Paul J. Goldstein and Henry H. Brownstein, *Drug-related crime analysis — Homicide*, A report to the NIJ Drugs, Alcohol, and Crime Program, July 1987, 52 and 54.

In drug-related homicides, assailants are likely to know their victims and to use a handgun

Assailants in drug-related homicides in New York City in 1984...

NIJ, Paul J. Goldstein and Henry H. Brownstein, *Drug related crime analysis — Homicide*, A report to the NIJ Drugs Alcohol and Crime Program, July 1987, 49-50.

An analysis of homicides in Dade County (Miami) —

Duane C. McBride, Cindy Burgman-Habermehl, Jeff Alpert, and Dale D. Chitwood, "Drugs and homicide," *Bulletin of the New York Academy of Medicine* (June 1986), 62(5):497-508, table v, 504.

A Fulton County, Georgia, study —

Randy Hanzlick and Gerald T. Gowitt, "Cocaine metabolite detection in homicide victims," *Journal of the American Medical Association* (February 1991), 265(6):760-761.

How is drug use linked to income-generating crime?

page 7

Is drug use prevalent among arrestees charged with drug sales or possession, burglary, robbery, and theft?

NIJ, 1990 Drug use forecasting program, unpublished data.

Jail inmates convicted of property offenses were often influenced by drugs

BJS, *Profile of jail inmates, 1989*, Special report, NCJ-129097, April 1991, table 14, 8

and

BJS, *Drugs and jail inmates, 1989*, Special report, NCJ-130836, August 1991, table 14, 9.

Property offenders are more likely than violent offenders to be drug users

BJS, *Profile of State prison inmates, 1986*, Special report, NCJ-109926, January 1988, tables 11 and 12, 6

and

BJS, *Drug use and crime*, Special report, NCJ-111940, July 1988, table 1, 2; table 3, 3.

Prostitution is sometimes used to support drug use

One study of the relationship between drug use and prostitution —

James A. Inciardi, "Hooker, whore, junkie, thief; dealer, doper, cocaine freak," in *The war on drugs: Heroin, cocaine, crime, and public policy*, James A. Inciardi, ed. (Palo Alto, CA: Mayfield Publishing, 1986), 156-173.

A study of two samples of women in drug abuse treatment —

M. Douglas Anglin and Yih-Ing Hser, "Addicted women and crime," *Criminology* (1987), 25(2):359-397.

1990 DUF data —

NIJ, 1990 Drug use forecasting program, unpublished data.

A review of the drug-consensual crime relationship —

Dana E. Hunt, "Drugs and consensual crimes: Drug dealing and prostitution," in *Drugs and crime*, Michael Tonry and James Q. Wilson, eds. volume 13, *Crime and Justice* (Chicago: The University of Chicago Press, 1990), 191-202.

Drug users sometimes barter sex for drugs...

James A. Inciardi, "Trading sex for crack among juvenile drug users: A research note," *Contemporary Drug Problems* (Winter 1989), 16(4):695.

Sex for crack exchanges...

Birch and Davis Associates, Inc., *Crack pipe as pimp: An eight-city ethnographic study of the sex-for-crack phenomenon* (Silver Spring, MD: Birch and Davis Associates Inc., April 1991), Executive Summary.

Daily use of heroin or cocaine is highly associated with income-generating crimes

TOPS —

James J. Collins, Robert L. Hubbard, and J. Valley Rachal, "Expensive drug use and illegal income: A test of explanatory hypotheses," *Criminology* (1985), 23(4):743-763.

A study in New York City's Harlem —

Bruce Johnson, Paul J. Goldstein, Edward Preble, James Schmeidler, Douglas Lipton, Barry Spunt, and Thomas Miller, *Taking care of business: The economics of crime by heroin abusers* (Lexington, MA: Lexington Books, 1985), 98-102.

Drug users support themselves and their drug use in various ways

A study in Florida —

James A. Inciardi, "The impact of drug use on street crime," presented at the American Society of Criminology annual meeting, Washington, D.C., 1981, 10, table 10, 28.

A RAND study in Washington, D.C. —

Peter Reuter, Robert MacCoun, and Patrick Murphy, *Money from crime: A study of the economics of drug dealing in Washington, D.C.* (Santa Monica, CA: The RAND Corporation, June 1990), vi.

Many frequent drug users...

Dana E. Hunt, "Drugs and consensual crimes: Drug dealing and prostitution," in *Drugs and crime*, Michael Tonry and James Q. Wilson, eds. volume 13, *Crime and Justice* (Chicago: The University of Chicago Press, 1990), 159-202.

How do drug using and drug selling generate crime?

page 8

Drug use can attract other serious crime to a neighborhood

Drug users nodding in doorways...

William M. Rohe and Raymond J. Burby, "Fear of crime in public housing," *Environment and behavior* (November 1988), 20(5):700-720

and

Wesley G. Skogan and Michael G. Maxfield, *Coping with crime: Individual and neighborhood reactions* (Beverly Hills: Sage Publications, 1981)

and

Richard P. Taub, D. Garth Taylor, and Jan D. Dunham, *Paths of neighborhood change: Race and crime in urban America* (Chicago: The University of Chicago Press, 1984), 1-17

and

James Q. Wilson and George L. Kelling, "Broken windows," *Atlantic Monthly* (March 1982), 29-38

and

Wesley G. Skogan, *Disorder and decline: Crime and the spiral of decay in American neighborhoods* (New York: The Free Press, 1990).

Researchers summarizing results of their and others' work describe...

James Q. Wilson and George L. Kelling, "Broken windows," *Atlantic Monthly* (March 1982), 29-38.

Participants in the drug market are often attacked or robbed

Bruce D. Johnson, Terry Williams, Kojo A. Dei, and Harry Sanabria, "Drug abuse in the inner city: Impact on hard-drug users and the community," in *Drugs and crime*, Michael Tonry and James Q. Wilson, eds., volume 13, *Crime and Justice* (Chicago: The University of Chicago Press, 1990), 9-42.

Drug users are often victimized

Jan M. Chaiken and Marcia R. Chaiken, "Drugs and predatory crime," in *Drugs and crime*, Michael Tonry and James Q. Wilson, eds., volume 13, *Crime and Justice* (Chicago: University of Chicago Press, 1990), 203-239.

BJS, 1989 Survey of Inmates of Local Jails, unpublished data.

Open drug marketing can devastate neighborhood life

Around the country deaths and injuries of innocent bystanders...

Lawrence W. Sherman, Leslie Steele, Deborah Laufersweiler, Nancy Hoffer, and Sherry A. Julian, "Stray bullets and 'mushrooms': Random shootings of bystanders in four cities, 1977-88," *Journal of Quantitative Criminology* (1989), 5(4):300-316

and

Lawrence W. Sherman, "The drug battle doesn't need martyrs," *New York Times*, August 15, 1989, 300-316.

Residents of a Washington, D.C., apartment complex...

Lynne Duke, "Flurry of services, promises engulfs SE neighborhood," *The Washington Post*, December 4, 1989, D5.

Other parents described...

Lynda Richardson, "NW family holds its ground amid the violence," *The Washington Post*, February 4, 1990, A1.

People whose homes are not in the immediate vicinity...

Michele L. Norris, "Life in P.G. changes in the face of fear," *The Washington Post*, November 6, 1989, A1.

How does drug use harm families and schools?

page 9

Drug use adversely affects family relationships and finances

Elijah Anderson, *Streetwise: Race, class, and change in an urban community* (Chicago: The University of Chicago Press, 1990).

Drug use is associated with difficulty in forming families

Studies over the past 20 years —

NIDA, Barry S. Brown, Robert L. DuPont, and Nicholas J. Kozel, "Heroin addiction in the city of Washington," *Drug Forum* (Winter 1973), 22:187-190 and

NIDA, Lucy N. Friedman, *The wildcat experiment: An early test of supported work in drug abuse rehabilitation*, 1978, 70-71, 76-77, 86-89, 98-99, 110-113.

Drug use has negative effects on families in all racial and ethnic groups...

Elijah Anderson, *Streetwise: Race, class, and change in an urban community* (Chicago: The University of Chicago Press, 1990), 134-137.

Drug-using students disrupt school discipline and interfere with other students' learning

Gallup polls —

BJS, *Sourcebook of criminal justice statistics*, 1990, NCJ-130580, 1991, table 2.4, 156, compiled by Sourcebook staff from "The Gallup Report."

In some schools...

U.S. Department of Education, *What works: Schools without drugs*, 1987, 5, 9, 10.

Such fear is associated with difficulty in learning...

Joan McDermott, "High Anxiety: Fear of Crime in Secondary Schools," *Contemporary Education* (1980), 52(1):18-23.

Students report that some drugs are easy to get at school

BJS, *School crime: A National Crime Victimization Survey report*, NCJ-131645, September 1991, table 3, 3, table 5, 4.

Availability of drugs in school is linked with victimization and fear

BJS, *School crime: A National Crime Victimization Survey report*, NCJ-131645, September 1991, 5 and table 6.

How do illegal drugs threaten the health of users?

page 10

Illegal drugs can harm the health of users

NIDA, *Drug abuse and drug abuse research: The third triennial report to Congress from the Secretary, Department of Health and Human Services*, DHHS Publication No. (ADM)91-1704, 1991, 5-6, 14-17, 20-22, 24-25, 33, 93-102

and

Jonathan Shedler and Jack Block, "Adolescent drug use and psychological health," *American Psychologist* (May 1990), 45(5):612-630.

The effects of some drugs are toxic and life threatening

NIDA, Reese T. Jones, "The pharmacology of cocaine," in *Cocaine: Pharmacology, effects, and treatment of abuse*, John Grabowski, ed., NIDA research monograph 50, 1984, 45-48.

Joe D. Haines and Scott Sexter, "Acute myocardial infarction associated with cocaine abuse," *Southern Medical Journal* (October 1987), 80(10):1326-1327.

Marc A. Schuckit, *Drug and alcohol abuse: A clinical guide to diagnosis and treatment*, second edition (New York: Plenum Press, 1984).

Deaths directly attributable to drug use increased 58% between 1980 and 1989

Year	Drug abuse deaths
1980	6,900
1981	7,106
1982	7,310
1983	7,492
1984	7,892
1985	8,663
1986	9,976
1987	9,796
1988	10,917
1989	10,710

Source: NCHS, "Advance report of final mortality statistics, 1989," in *Monthly Vital Statistics Report*, V, 40(8), supplement (January 1991), table 18.

Long-term drug use can lead to illness or debilitation

Charles A. Dackis and Mark S. Gold, "Addictiveness of central stimulants," in *Addiction potential of abused drugs and drug classes*, Barry Stimmel, ed. (New York: Haworth Press, 1990), 9-26

and
NIDA, *Drug abuse and drug abuse research: The third triennial report to Congress from the Secretary, Department of Health and Human Services*, DHHS Publication No. (ADM)91-1704, 1991, 5-6, 93-102.

Drug use causes many deaths

NIDA, *Annual medical examiner data, 1990, Data from the Drug Abuse Warning Network*, series I, number 10-B, 1991, table 2.01, 11, table 2.03, 13, and table 2.06a, 16.

Adolescents who use drugs regularly tend to have a variety of problems

Frank E. Crumley, "Substance abuse and adolescent suicidal behavior," *Journal of the American Medical Association* (1990), 263(22):3051-3056.

NIDA, *Drug abuse and drug abuse research: The third triennial report to Congress from the Secretary, Department of Health and Human Services*, DHHS Publication No. (ADM) 91-1704, 1991, 131-144.

Intravenous drug use spreads AIDS among drug users and their sex partners

Needle-sharing is the most rapidly growing means of transmission... HHS, Centers for Disease Control, Center for Infectious Diseases, Division of HIV/AIDS, *HIV/AIDS surveillance report*, November 1990, table 10, 15.

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Hospital emergency rooms deal with many conditions resulting from drug use

NIDA, *Annual emergency room data, 1990, Data from the Drug Abuse Warning Network*, series I, Number 10-A, 1991, table 1.3, 9; table 2.03, 22; and table 2.06a, 34.

Cocaine has become the drug most frequently involved in emergency room mentions

Year	All barbiturates	Cocaine	Heroin/morphine	Marijuana	PCP & PCP combinations
1980	24,363	7,056	12,517	8,288	8,220
1981	23,210	8,298	15,330	8,470	5,185
1982	21,849	10,889	19,246	10,616	7,453
1983	18,434	12,945	21,967	10,082	8,909
1984	15,574	21,777	23,350	10,215	10,601
1985	13,717	24,734	26,635	11,896	8,870
1986	12,364	45,731	29,289	12,988	10,706
1987	9,912	85,159	34,089	18,539	13,328
1988	8,842	137,663	42,685	24,229	13,455
1989	9,829	167,904	46,816	25,437	9,285
1990	10,048	121,881	46,019	18,903	4,921

Source: DEA, Drug Abuse Warning Network, 1980-90.

In New York City between June 1988 and April 1989...

Joan Cleary, Alice Burns, and Philip Vernon, "Health care costs of Medicaid methadone maintenance treatment program recipients in New York State," presented at the American Public Health Association Annual Meeting, Chicago, 1989, 8.

Crack users often develop mouth and lip lesions...

James A. Inciardi, "Trading sex for crack among juvenile drug users: A research note," *Contemporary Drug Problems* (Winter 1989), 16(4):689-700.

Sexual activity in crackhouses ...

Peter Kerr, "Syphilis surge with crack use raises fears on spread of AIDS," *New York Times*, June 29, 1988, B1, B5.

What are the health consequences of drug use for nonusers?

page 12

Intravenous drug users can expose others to AIDS

Many heterosexual and pediatric AIDS cases...

HHS, Centers for Disease Control, Center for Infectious Diseases, Division of HIV/AIDS, *HIV/AIDS surveillance report*, November 1990, table 4, 9; and table 10, 15.

The rise in popularity of heroin...

NIDA, Don C. DesJarlais, Samuel R. Friedman, Jo L. Sotharan, and Rand Stoneburner, "The sharing of drug injection equipment and the AIDS epidemic in New York City: The first decade," in *Needle sharing among intravenous drug abusers: National and international perspectives*, Robert J. Battjes and Roy W. Pickens, eds., NIDA research monograph 80, 1988, 160-175, 167.

About 12,000 of the 43,000 persons...

HHS, Centers for Disease Control, "The HIV/AIDS epidemic: The first 10 years," *Morbidity and Mortality Weekly Report* (June 7, 1991), 40(22):358-369, table 1, 362.

The infants of drug-using women may have serious health problems

Drug use can affect development...

Scott N. MacGregor, Louis G. Keith, Ira J. Chasnoff, Marvin A. Rosner, Gay M. Chisum, Patricia Shaw, and John P. Minogue, "Cocaine use during pregnancy: Adverse perinatal outcome," *American Journal of Obstetrics and Gynecology* (September 1987), 157(3):686-690

and

Katherine M. Gillogley, Arthur T. Evans, Robin L. Hansen, Steven J. Samuels, and K. K. Patra, "The perinatal impact of cocaine, amphetamine, and opiate use detected by universal intrapartum screening," *American Journal of Obstetrics and Gynecology* (November 1990), 163(5 part 1):1535-1542

and

Barry Zuckerman, Deborah A. Frank, Ralph Hingson and others, "Effects of maternal marijuana and cocaine use on fetal growth," *New England Journal of Medicine* (March 23, 1989), 320(12):762-768

and

GAO, *Drug-exposed infants: A generation at risk*, GAO/HRD-90-138, June 1990, 24-20

and

Ciaran S. Phibbs, David A. Bateman, and Rachel M. Schwartz, "The neonatal costs of maternal cocaine use," *Journal of the American Medical Association* (September 18, 1991), 266(11):1521-1526.

The General Accounting Office (GAO) reported —

GAO, *Drug-exposed infants: A generation at risk*, GAO/HRD-90-138, June 1990, 24-40.

A later study of cocaine-exposed infants at an inner-city hospital in New York City —

Ciaran S. Phibbs, David A. Bateman, and Rachel M. Schwartz, "The neonatal costs of maternal cocaine use," *Journal of the American Medical Association* (September 18, 1991), 266(11):1521-1526.

Some drug-exposed children will suffer long-term effects

GAO, *Drug-exposed infants: A generation at risk*, GAO/HRD-90-138, June 1990

and

Judith Larsen, ed., *Drug exposed infants and their families: Coordinating responses of the legal, medical and child protection system. Executive summary* (Washington: American Bar Association Center on Children and the Law, 1990)

and

D.R. Neuspiel, S.C. Hamel, E. Hochberg, J. Greene, and D. Campbell, "Maternal cocaine use and infant behavior," *Neurotoxicology and Teratology* (1991), 13:229-223.

How many drug-exposed infants are there?

GAO, *Drug-exposed infants: A generation at risk*, GAO/HRD-90-138, June 1990, 4.

Higher estimates —

"The need for treatment," in *Treating drug problems*, Dean R. Gerstein and Henrick J. Harwood, eds. (Washington: National Academy Press, 1990), 85

and

Deanna S. Gomby and Patricia H. Shiono, "Estimating the number of substance-exposed infants," *The future of children* (1991), 1:17-25, 22-23.

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Drugs are directly and indirectly implicated in many accidental deaths each year

Andrew Skolnick, "Illicit drugs take still another toll: Death or injury from vehicle-associated trauma," *Journal of the American Medical Association* (June 1990), 263(23):3122, 3125.

National Transportation Safety Board, *Safety study: Fatigue, alcohol, other drugs, and medical factors in fatal-to-the-driver heavy truck crashes*, volume 1, 1990, Executive Summary, V, 24 and 28.

NIDA, Adrian K. Lund, David F. Preusser, Richard D. Blomberg, and Allan F. Williams, "Drug use by tractor-trailer drivers," in *Drugs in the workplace: Research and evaluation data*, Steven W. Gust and J. Michael Walsh, eds., NIDA research monograph 91, 1989, 47-67.

Drug abuse places additional burdens on already strained health care systems in major cities

Robert E. Hurley, Deborah A. Freund, and Donald E. Taylor, "Emergency room use and primary care case management: Evidence from four Medicaid demonstration programs," *American Journal of Public Health* (July 1989), 79(7):843-846.

How is the Nation's productivity affected by drug use?

page 14

Drug use harms business, industry, and workplaces

Drugs and alcohol are often used... Markku Linnoila, "Psychomotor effects of drugs and alcohol on healthy volunteers and psychiatric patients," in *Advances in pharmacology and therapeutics*, vol. 8. *Drug action modification — comparative pharmacology*, G. Olive, ed. (New York: Pergamon Press, 1979), 235-249.

However, the effects of either illegal drugs or alcohol...

Herbert Moskowitz, "Adverse effects of alcohol and other drugs on human performance," *Alcohol Health and Research World* (Summer 1985), 9(4):11-15.

A study of 2,500 postal employees —

Craig Zwerling, James Ryan, and Endel John Orav, "The efficacy of preemployment drug screening for marijuana and cocaine in predicting employment outcome," *Journal of the American Medical Association* (November 1990), 264(20):2639-2643.

Workplace-related drug use raises concerns about safety, productivity, and health

NIDA, Dean R. Gerstein and Esta Grossman, "Building a cumulative knowledge base about drugs and the workplace," in *Drugs in the workplace: Research and evaluation data*, Steven W. Gust and J. Michael Walsh, eds., NIDA research monograph 91, 1989, 322-323.

Many employed persons use drugs

NIDA, *Drug abuse and drug abuse research: The third triennial report to Congress from the Secretary, Department of Health and Human Services*, DHHS Publication No. (ADM)91-1704, 1991, table 8, 26

and

NIDA, *National Household Survey on Drug Abuse: Main findings 1990*, DHHS Publication No. (ADM)91-1788, 1991, table 1.2, 11, table 3.3, 40, table 4.3, 54.

Drug users are excluded from employment in many types of jobs

BLS, *Survey of employer anti-drug programs*, Report 760, January 1989, table 4, 8; and table 1, 6.

"Prevalence of drug use among applicants for military service — United States, June-December 1988," *Morbidity and Mortality Weekly Report* (August 25, 1989), 38(33):580-583.

Drug use by adolescents affects their participation in the labor force

Michael D. Newcomb and Peter M. Bentler, *Consequences of adolescent drug use: Impact on the lives of young adults* (Newbury Park, CA: Sage Publications, 1988), 216-225.

Chapter I

Section 2. Patterns of illicit drug use

Why do people use illicit drugs?

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What are some of the effects of illegal drugs?

Drug type	Short-term effects		Duration of acute effects	DEA view of risk of dependence ²
	Desired	Other		
Heroin	<ul style="list-style-type: none"> euphoria¹ pain reduction² 	<ul style="list-style-type: none"> respiratory depression¹ nausea¹ drowsiness¹ 	• 3 to 6 hours ²	<ul style="list-style-type: none"> physical - high psychological - high
Cocaine	<ul style="list-style-type: none"> excitement³ euphoria¹ increased alertness, wakefulness² 	<ul style="list-style-type: none"> increased blood pressure³ increased respiratory rate³ nausea³ cold sweats³ twitching³ headache³ 	• 1 to 2 hours ²	<ul style="list-style-type: none"> physical - possible psychological - high
Crack cocaine	<ul style="list-style-type: none"> same as cocaine more rapid high than cocaine⁴ 	<ul style="list-style-type: none"> same as cocaine 	• about 5 minutes ⁴	• same as cocaine
Marijuana	<ul style="list-style-type: none"> euphoria² relaxation² 	<ul style="list-style-type: none"> accelerated heartbeat⁵ impairment of perception, judgement, fine motor skills, and memory⁵ 	• 2 to 4 hours ²	<ul style="list-style-type: none"> physical - unknown psychological - moderate
Amphetamines	<ul style="list-style-type: none"> euphoria² excitement² increased alertness, wakefulness² 	<ul style="list-style-type: none"> increased blood pressure² increased pulse rate² insomnia² loss of appetite² 	• 2 to 4 hours ²	<ul style="list-style-type: none"> physical - possible psychological - high
LSD	<ul style="list-style-type: none"> illusions and hallucinations² excitement² euphoria² 	<ul style="list-style-type: none"> poor perception of time and distance² acute anxiety, restlessness, sleeplessness² sometimes depression² 	• 8 to 12 hours ²	<ul style="list-style-type: none"> physical - none psychological - unknown

¹ NIDA, "Heroin," *NIDA capsules*, August 1986.

² DEA, *Drugs of abuse: 1989*

³ G.R. Gay, "Clinical management of acute and chronic cocaine poisoning: Concepts, components and configuration," *Annals of emergency medicine*, (1982) 11(10): 562-572 as cited in NIDA, Dale D. Chitwood, "Patterns and consequences of cocaine use," in *Cocaine use in America: Epidemiologic and clinical perspectives*, Nicholas J. Kozel and Edgar H. Adams, eds., NIDA research monograph 61, 1985.

⁴ NIDA, James A. Inciardi, "Crack-cocaine in Miami," in *The epidemiology of cocaine use and abuse*, Susan Schober and Charles Schade, eds., NIDA research monograph 110, 1991.

⁵ NIDA, "Marijuana," *NIDA capsules*, August 1986.

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The pharmacologic mechanisms through which various drugs exert their effects are only partially understood

NIDA, Roy A. Wise, "Neural mechanisms of the reinforcing action of cocaine," in *Cocaine: Pharmacology, effects, and treatment of abuse*, John Grabowski, ed., NIDA research monograph 50, 1984, 15-33

and
"Heroin," *NIDA capsules*, August 1986
and
DEA, *Drugs of abuse: 1989*, 12, 30-31, 37, 40, 45, 49-50

and
Dale D. Chitwood, "Patterns and consequences of cocaine use," in *Cocaine use in America: Epidemiologic and clinical perspectives*, Nicholas J. Kozel and Edgar H. Adams, eds., NIDA research monograph 61, 1985, 124

and
James A. Inciardi, "Crack-Cocaine in Miami," in *The epidemiology of cocaine use and abuse*, Susan Schober and Charles Schade, eds., NIDA research monograph 110, 1991, 268

and
"Marijuana," *NIDA capsules*, August 1986

and
"Methamphetamine abuse," *NIDA Capsules*, January 1990.

Persons with psychiatric disorders may use drugs to self-medicate

Richard J. Frances and Michael H. Allen, "The interaction of substance-use disorders with nonpsychotic psychiatric disorders," *Psychiatry*, volume 1, rev. (Philadelphia: J.B. Lippincott Company, 1990), chapter 42, 1-13

and
William Booth, "Crack cocaine's lock on synaptic space," *The Washington Post*, March 19, 1990, p. A3
and

Richard B. Resnick, Richard S. Kestenbaum, and Lee K. Schwartz, "Acute systemic effects of cocaine in man: A controlled study by intranasal and intravenous routes," *Science* (February 1977), 195:696-698.

Drugs often have undesired and unintended side-effects

For example, cocaine is a stimulant that usually elevates mood but...

Richard B. Resnick, Richard S. Kestenbaum, and Lee K. Schwartz, "Acute systemic effects of cocaine in man: A controlled study by intranasal and intravenous routes," *Science* (February 1977), 195:696-698

and
DEA, *Drugs of abuse: 1989*, 30-31, 45, 49-50

and
Marc A. Schuckit, *Drug and alcohol abuse: A clinical guide to diagnosis and treatment*, 2nd edition (New York: Plenum Press, 1984), 5.

Users often look to drugs, especially stimulants such as cocaine and amphetamines...

NIDA, Marian W. Fischman, "The behavioral pharmacology of cocaine in humans," in *Cocaine: Pharmacology, effects, and treatment of abuse*, John Grabowski, ed., NIDA research monograph 50, 1984, 79-82.

Drugs vary in the extent to which they result in physical and psychological dependence

Physical dependence —

Marc A. Schuckit, *Drug and alcohol abuse: A clinical guide to diagnosis and treatment*, 2nd edition (New York: Plenum Press, 1984).

Heroin has an extremely high potential...

DEA, *Drugs of abuse: 1988*, 30-31.

Inhalants may also...

Trevor G. Pollard, "Relative addiction potential of major centrally-active drugs and drug classes — Inhalants and anesthetics," *Advances in alcohol and substance abuse* (1990), 9(1/2):149-164.

Is cocaine addictive?

NIDA, Chris E. Johanson, "Assessment of the dependence potential of cocaine in animals," in *Cocaine: Pharmacology, effects, and treatment of abuse*, John Grabowski, ed., NIDA research monograph 50, 1984, 54-71.

What prompts people to use illicit drugs?

page 22

The onset and continuing use of illicit drugs depend on many factors

Jack H. Mendelson and Nancy K. Mello, "Commonly abused drugs," in *Harrison's principles of internal medicine*, 12th ed., Jean D. Wilson, Eugene Braunwald, et al., eds. (New York: McGraw-Hill Inc., 1991), 2155.

NIDA, J. David Hawkins, Denise Lishner, and Richard F. Catalano, Jr., "Childhood predictors and the prevention of adolescent substance abuse," in *Etiology of drug abuse: Implications for prevention*, Coryl LaRue Jones and Robert J. Battjes, eds., NIDA research monograph 56, 1985, 75-126.

What factors influence drug use?

Peers —

Denise B. Kandel, Ronald C. Kessler, and Rebecca C. Margulies, "Antecedents of adolescent initiation into stages of drug use: A developmental analysis," in *Longitudinal research on drug use: Empirical findings and methodological issues*, Denise B. Kandel, ed. (Washington: Hemisphere Publishing Corporation, 1978), 73-100.

Family —

Denise B. Kandel, "Drug and drinking behavior among youth," in *Annual review of sociology*, volume 6, Alex Inkeles, Neil J. Smelser, and Ralph H. Turner, eds., 1980, 235-285
and

NIDA, J. David Hawkins, Denise Lishner, and Richard F. Catalano, Jr., "Childhood predictors and the prevention of adolescent substance abuse," in *Etiology of drug abuse: Implications for prevention*, Coryl LaRue Jones and Robert J. Battjes, eds., NIDA research monograph 56, 1985, 75-126.

Personality—

Denise B. Kandel, "Drug and drinking behavior among youth," in *Annual review of sociology*, volume 6, Alex Inkeles, Neil J. Smelser, and Ralph H. Turner, eds., 1980, 235-285
and

NIDA, J. David Hawkins, Denise Lishner, and Richard F. Catalano, Jr., "Childhood predictors and the prevention of adolescent substance abuse," in *Etiology of drug abuse: Implications for prevention*, Coryl LaRue Jones and Robert J. Battjes, eds., NIDA research monograph 56, 1985, 75-126
and

Lee N. Robins, "Sturdy childhood predictors of adult antisocial behaviour: Replications from longitudinal studies," *Psychological medicine* (1978), 8:611-622.

School—

Denise B. Kandel, "Drug and drinking behavior among youth," in *Annual review of sociology*, volume 6, Alex Inkeles, Neil J. Smelser, and Ralph H. Turner, eds., 1980, 235-285.

Other factors—

Denise B. Kandel, "Drug and drinking behavior among youth," in *Annual review of sociology*, volume 6, Alex Inkeles, Neil J. Smelser, and Ralph H. Turner, eds., 1980, 235-285.

For many youth, drug use is part of a syndrome...

Richard Jessor and Shirley L. Jessor, *Problem behavior and psychosocial development: A longitudinal study of youth* (New York: Academic Press, 1977), 43-207.

Many begin to use drugs during early adolescence, but 18-year-olds have the highest risk of beginning to use most drugs

Age	Hazard rate*				
	Cigarettes	Alcohol	Marijuana	Psychedelics	Cocaine
1	0	0.0075	0	0	0
2	0	0.0083	0	0	0
3	0	0.0072	0	0	0
4	0.0023	0.0156	0	0	0
5	0.0022	0.0280	0	0.0013	0
6	0.0057	0.0120	0.0004	0	0
7	0.0038	0.0148	0	0.0005	0
8	0.0105	0.0314	0	0	0
9	0.0159	0.0290	0.0009	0	0
10	0.0278	0.0590	0.0035	0	0
11	0.0372	0.0487	0.0085	0.0031	0
12	0.0969	0.1078	0.0144	0	0.0005
13	0.1123	0.1482	0.0501	0.0059	0.0032
14	0.1561	0.1947	0.0812	0.0166	0.0023
15	0.1607	0.2975	0.1280	0.0316	0.0059
16	0.2167	0.5127	0.1362	0.0399	0.0116
17	0.1805	0.5788	0.1470	0.0650	0.0141
18	0.1843	0.8731	0.2049	0.0409	0.0405
19	0.1312	0.2745	0.1638	0.0243	0.0185
20	0.0811	0.3219	0.1071	0.0203	0.0355
21	0.0663	0.1794	0.0821	0.0144	0.0529
22	0.0291	0.1757	0.0618	0.0131	0.0541
23	0.0363	0.0291	0.0458	0.0082	0.0628
24	0.0030	0.0901	0.0486	0.0075	0.0674
25	0.0426	0.1665	0.0318	0.0077	0.0380

*The hazard rate is the proportion of nonusers at the beginning of each age who become users during that year.

Source: Denise B. Kandel and John A. Logan, "Patterns of drug use from adolescence to young adulthood: Periods of risk for initiation, stabilization and decline in use," *American Journal of Public Health* (1984), 74(7):662.

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Most people use alcohol, tobacco, and other legal drugs before they start to use illegal drugs

Denise B. Kandel, "Drug and drinking behavior among youth," in *Annual review of sociology*, volume 6, Alex Inkeles, Neil J. Smelser, and Ralph H. Turner, eds., 1980, 235-285.

NIDA, *National Household Survey on Drug Abuse: Population estimates 1991*, 1991, tables 3-A, 25; 6-A, 43; 12-A, 77; 7-A, 47; 4-A, 29; 17, 102; 8-A, 53.

Problems with drug use occur in the late teens and early 20s, while problems with alcohol use appear later

Kimberly Christie Burke, Jack D. Burke, Darrell A. Regier, and Donald S. Rae, "Age at onset of selected mental disorders in five community populations," *Archives of General Psychiatry* (June 1990), 47:511-518.

The average age at first use for State prison inmates was earlier than for the household population

BJS, *Drug use and crime*, Special report, NCJ-111940, July 1988, table 7, 5.

How are illegal drugs taken?

page 24

Drugs can be swallowed, sniffed, smoked, or injected

NIDA, *National Household Survey on Drug Abuse: Main findings 1990, 1991*, table 4.7, 58.

DEA, *Drugs of abuse*: 1989, 30-31.

In 1991, almost 2% of the household population —

NIDA, *National Household Survey on Drug Abuse: Population estimates 1991, 1991*, table 19, 106.

The onset, magnitude, and duration of drug effects differ by method of use

NIDA, Reese T. Jones, "The pharmacology of cocaine," *Cocaine: Pharmacology, effects, and treatment of abuse*, John Grabowski, ed., NIDA research monograph 50, 1984, 44.

The method of administering some drugs may change

Along with recent increases in heroin production...

National Narcotics Intelligence Consumers Committee, *The NNICC report 1989: The supply of illicit drugs to the United States*, June 1990, 36-37 and

National Narcotics Intelligence Consumers Committee, *The NNICC report 1988: The supply of illicit drugs to the United States*, April 1989, 70

The easy availability of crack...

NIDA, "Cocaine and other stimulants," in *Drug abuse and drug abuse research*, Third triennial report to Congress from the Secretary, Department of Health and Human Services, 1991, 111-113.

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Many people use additional drugs to counteract or heighten the effects of a particular drug

"Speedballing" —

Jack H. Mendelson and Nancy K. Mello, "Commonly abused drugs," in *Harrison's principles of internal medicine*, 12th ed., Jean D. Wilson, Eugene Braunwald, et al., eds. (New York: McGraw-Hill Inc., 1991), 2155-2158.

For example, the effects of alcohol and marijuana on impairing performance are additive...

Herbert Moskowitz, "Adverse effects of alcohol and other drugs on human performance," *Alcohol health and research world* (Summer 1985), 9(4):11-15.

...and the combination of cocaine, heroin, and alcohol substantially increases the risk of medical emergencies. —

Jack H. Mendelson and Nancy K. Mello, "Commonly abused drugs," in *Harrison's principles of internal medicine*, 12th ed., Jean D. Wilson, Eugene Braunwald, et al., eds. (New York: McGraw-Hill Inc., 1991), 2155-2158.

Many drug users have used more than one drug

Among members of the household population in 1990 —

NIDA, *National Household Survey on Drug Abuse: Highlights 1990, 1991*.

About 54% of the household population...

NIDA, *National Household Survey on Drug Abuse: Main findings 1990, 1991*, table 10.2, 128.

Treatment Outcome Prospective Study (TOPS) —

Robert L. Hubbard, Mary Ellen Marsden, J. Valley Rachal, Henrick J. Harwood, Elizabeth R. Cavanaugh, and Harold M. Ginzburg, *Drug abuse treatment: A national study of effectiveness* (Chapel Hill: University of North Carolina Press, 1989), 90-91.

A Research Triangle Institute study —

Mary Ellen McCalla and James J. Collins, "Patterns of drug use among male arrestees in three urban areas," unpublished paper, Research Triangle Institute, 1989, table 3,8.

Drug Use Forecasting Program (DUF) —

NIJ, *1990 Drug use forecasting annual report*, NIJ research in action, NCJ-130063, August 1991, 6.

How many people use illicit drugs?

page 26

More than 75 million persons in the U.S. household population have used illicit drugs

NIDA, *National Household Survey on Drug Abuse: Population estimates 1991*, tables 2-A, 4-A, 5-A, 6-A, 7-A, 8-A, 9-A, 10-A, 11-A, 12-A, 13-A, 16 and 17.

Little is known about the prevalence of drug use in some populations

For example, drug use is thought to be prevalent among the homeless...

Pamela J. Fischer, "Estimating the prevalence of alcohol, drug and mental health problems in the contemporary homeless population: A review of the literature," *Contemporary Drug Problems* (Fall 1989), 16(3):333-389.

...and among school truants...

Barbara F. Mensch and Denise B. Kandel, "Underreporting of substance use in a national longitudinal youth cohort," *Public Opinion Quarterly* (1988), 52:100-124.

The proportion of drug users varies across different populations

National Household Survey on Drug Abuse —

NIDA, *National Household Survey on Drug Abuse: Population estimates 1991*, 1991, table 1-A, 13; 2-A, 19.

High School Senior Survey —

University of Michigan News and Information Services, Press release of the results of the Monitoring the Future project, Ann Arbor, January 27, 1992, tables 1 and 3, 9.

Worldwide Survey of Substance Abuse and Health Behaviors Among Military Personnel —

Robert M. Bray, Mary Ellen Marsden, L. Lynn Guess, Sara C. Wheelless, Vincent G. Iannacchione, and S. Randall Keesling, *1988 Highlights: Worldwide Survey of Substance Abuse and Health Behaviors Among Military Personnel* (Research Triangle Park, NC: Research Triangle Institute, December 1988).

Survey of Jail Inmates —

BJS, *Profile of jail inmates, 1989*, Special report, NCJ-129097, April 1991; 1, table 13, 8.

Survey of State Prison Inmates —

BJS, *Profile of state prison inmates, 1986*, Special report, NCJ-109926, January 1988, 1, 2, table 10 and 11, 6-7.

page 27

Many Americans, particularly the young, have used illicit drugs

In 1991, according to the High School Senior Survey —

University of Michigan News and Information Services, Press release of the results of the Monitoring the Future project, Ann Arbor, January 27, 1992.

In the 1988 survey of military personnel —

Robert M. Bray, Mary Ellen Marsden, L. Lynn Guess, Sara C. Wheelless, Vincent G. Iannacchione, and S. Randall Keesling, *1988 Highlights: Worldwide Survey of Substance Abuse and Health Behaviors Among Military Personnel* (Research Triangle Park, NC: Research Triangle Institute, December 1988), 3, table 8, 44.

Marijuana is the most commonly used illicit drug

NIDA, *National Household Survey on Drug Abuse: Population estimates 1991*, 1991, tables 3A, 8A, 4A, 2A.

In the 1991 High School Senior Survey...

University of Michigan News and Information Services, Press release of the results of the Monitoring the Future project, Ann Arbor, January 27, 1992, tables 1-3.

What are the characteristics of illicit drug users?

page 28

Who is most likely to use illicit drugs?

NIDA, *National Household Survey on Drug Abuse: Population estimates 1991*, 1991, tables 2A-2D, 19-21.

Self-reported marijuana and cocaine use differs for white and black high school seniors

Jerald G. Bachman, John M. Wallace Jr., Patrick M. O'Malley, Lloyd D. Johnston, Candace L. Kurth and Harold W. Neighbors, "Racial/ethnic differences in smoking, drinking, and illicit drug use among American high school seniors, 1975-90," *American Journal of Public Health* (March 1991), 81(3):372-377

and
HHS, ADAMHA, Press release, Statement of Frederick K. Goodwin, Administrator, December 19, 1991.

How does drug use vary geographically?

page 29

The drug of choice differs among major cities in the U.S.

NIDA, *Epidemiologic trends in drug abuse: Proceedings*, Community Epidemiology Work Group, June 1991, 3-7.

The prevalence of drug use varies across urban and rural areas and regions of the U.S.

NIDA, *National Household Survey on Drug Abuse: Main findings 1990, 1991*, tables 2.14, 3.2, 4.2.

Drug and alcohol use among youth are similar in rural and nonrural areas

GAO, *Rural drug abuse: Prevalence, relation to crime, and programs*, GAO/PEMD-90-24, September 1990, table 11.1, 17.

How is drug use in the U.S. changing?

page 30

What are the trends in drug use for various populations?

Household population.

NIDA, *National Household Survey on Drug Abuse: Main findings 1990, 1991*, 13-18.

High school seniors.

NIDA, Lloyd D. Johnston, Patrick M. O'Malley, and Jerald G. Bachman, *Drug use among American high school seniors, college students and young adults, 1975-1990*, volume 1, 1991, table 10, 52; table 12, 54; and volume 2, 1991, 129-132.

College athletes.

William A. Anderson, Richard R. Albrecht, Douglas B. McKeag, David O. Hoogh, and Christopher A. McGrew, "A national survey of alcohol and drug use by college athletes," *The physician and sports medicine* (February 1991), 19(2):91-102.

Military personnel.

Robert M. Bray, Mary Ellen Marsden, L. Lynn Guess, Sara C. Wheelless, Vincent G. Iannachione, and S. Randall Keesling, *1988 Highlights: Worldwide Survey of Substance Abuse and Health Behaviors Among Military Personnel* (Research Triangle Park, NC: Research Triangle Institute, December 1988), 8.

Prison and jail inmates.

Law Enforcement Assistance Administration, *Profile of State prison inmates: Sociodemographic findings from the 1974 Survey of Inmates of State Correctional Facilities*, National Prisoner Statistics special report, NCJ-58257, August 1979, 19

and
BJS, *Profile of State prison inmates, 1986*, Special report, NCJ-109926, January 1988 table 11, 6

and
BJS, *Profile of jail inmates, 1989*, Special report, NCJ-129097, April 1991, table 13, 8.

**Illicit drug use decreased
in recent years for most
but not all groups**

Between 1985 and 1991, the percent
of the household population...

NIDA, *National Household Survey on Drug Abuse: Main findings 1988, 1990*, table 2.16

and
NIDA, *National Household Survey on Drug Abuse: Population estimates 1990, 1991*, table 2-A, 17

and
NIDA, *National Household Survey on Drug Abuse: Population estimates 1991, 1991*, table 2-A, 19.

Marijuana and cocaine use are declining for all age groups

Year	Use in past month of:					
	Marijuana			Cocaine		
	12-17	18-25	26+	12-17	18-25	26+
1972	7.0	27.8	2.5	.6		
1974	12.0	25.2	2.0	1.0	3.1	
1976	12.3	25.0	3.5	1.0	2.0	
1977	16.6	27.4	3.3	.8	3.7	
1979	16.7	35.4	6.0	1.4	9.3	.9
1982	11.5	27.4	6.6	1.6	6.8	1.2
1985	12.0	21.8	6.1	1.5	7.6	2.0
1988	6.4	15.5	3.9	1.1	4.5	.9
1990	5.2	12.7	3.6	.6	2.2	.6

Source: NIDA, *National Household Survey on Drug Abuse: Population estimates 1991, 1991*.

Despite statistics...

HHS, Press release, Statement of Louis W. Sullivan, Secretary of the Department of Health and Human Services, December 19, 1990, 1-5

and
ONDCP, *National drug control strategy: A Nation responds to drug use*, January 1992, 6-7.

Among those in the U.S. household
population who used cocaine...

NIDA, *National Household Survey on Drug Abuse: Population estimates 1990, 1991*, tables 20-A, 20-B, 20-C, 20-D, 111-113

and
NIDA, *National Household Survey on Drug Abuse: Population estimates 1991, 1991*, tables 21-A, 21-B, 21-C, 21-D, 115-117.

The percent of college students who
used cocaine or marijuana...

University of Michigan News and Information Services, Press release of the results of the Monitoring the Future project, Ann Arbor, January 27, 1992, table 10.

page 31

Use of specific illicit drugs and alcohol has decreased among the most drug-prone age group

NIDA, *National Household Survey on Drug Abuse: Main findings 1990, 1991*, table 2.11

and
NIDA, *National Household Survey on Drug Abuse: Population estimates 1991, 1991*.

Declines in drug-related medical emergencies reinforce the findings of household surveys

Drug Abuse Warning Network (DAWN) —

HHS, Press release, Statement of Louis W. Sullivan, Secretary of the Department of Health and Human Services, December 19, 1990.

CEWG —

NIDA *Epidemiologic trends in drug abuse: Proceedings*, Community Epidemiology Work Group, December 1989, viii, 2 and tables 1, 4, 7, and 10.

Chapter II

Dynamics of the illegal drug business

How big is the illegal drug business?

page 36

Thousands of tons of illegal drugs are produced and sold

Bureau of International Narcotics Matters, U.S. Department of State, *International narcotics control strategy report*, March 1991, 22.

Americans spend vast sums of money for illegal drugs

The White House, ONDCP, *What America's users spend on illegal drugs*, Technical Paper, June 1991, 3.

U.S. House of Representatives, *Fact sheet: The human costs of drug trafficking and abuse*, Select Committee on Narcotics Abuse and Control, August 1988.

For a discussion of the reliability of estimates of the size of the illicit drug industry see:
Peter Reuter, "The (continued) vitality of mythical numbers," *The Public Interest* (Spring 1984), 75:135-147.

Illegal drug ventures employ a great many people

In Peru, Bolivia, and Colombia...
Merrill Collett, *The cocaine connection: Drug trafficking and inter-American relations* (New York: Foreign Policy Association Headline Series, Fall 1989), 48.

In Peru...

Mary H. Cooper, *The business of drugs* (Washington: Congressional Quarterly Inc., 1990), 4, 11, 59.

The relative size of the illegal drug business...

U.S. Bureau of the Census, Census of manufacturers, as reported in *Statistical abstract of the United States*, 1990, 110th edition, 735-737, table 1296
and

National Narcotics Intelligence Consumers Committee, *The NNICC report 1990: The supply of illicit drugs to the United States*, June 1991, 34.

Where do illegal drugs come from?

page 37

Marijuana, cocaine, and opium are made from agricultural crops

In some countries...

Mary H. Cooper, *The business of drugs* (Washington: Congressional Quarterly Inc., 1990), 4-7.

In Turkey...

Peter T. White, "The poppy," *National Geographic*, February 1985, 167(2):142-189.

Large volumes of illegal drugs made from agricultural crops are smuggled into the U.S.

Bureau of International Narcotics Matters, U.S. Department of State, *International narcotics control strategy report*, March 1991, 22.

Opium-based drugs consumed in the U.S. come from Southeast and Southwest Asia and Mexico

Bureau of International Narcotics Matters, U.S. Department of State, *International narcotics control strategy report*, March 1991, 22.

Opium poppy fields tend...

Mary H. Cooper, *The business of drugs* (Washington: Congressional Quarterly Inc., 1990), 59-60.

Coca, the base plant for cocaine, is grown primarily in South America

Bureau of International Narcotics Matters, U.S. Department of State, *International narcotics control strategy report*, March 1991, 22.

Climate and soil conditions favor...

Merrill Collett, *The cocaine connection: Drug trafficking and inter-American relations* (New York: Foreign Policy Association Headline Series, Fall 1989), 35

and

Mary H. Cooper, *The business of drugs* (Washington: Congressional Quarterly Inc., 1990), 6-11.

Most marijuana consumed in the U.S. is from other countries in the Americas, but the U.S. also supplies much of its own market

National Narcotics Intelligence Consumers Committee, *The NNICC report 1990: The supply of illicit drugs to the United States*, June 1991, 30-34.

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Most hashish consumed in the U.S. comes from the Middle East and Southwest Asia

National Narcotics Intelligence Consumers Committee, *The NNICC report 1990: The supply of illicit drugs to the United States*, June 1991, 38.

Many other nations are involved in drug production and trafficking

National Narcotics Intelligence Consumers Committee, *The NNICC report 1990: The supply of illicit drugs to the United States*, June 1991, 8-12 and 24-26.

Where are illegal drug crops grown?1991 estimated drug production
in metric tons

Countries	Opium	Coca	Marijuana
SW Asia			
Afghanistan	400		
Iran	300		
Pakistan	125		
SE Asia			
Burma	2,250		
Laos	250		
Thailand	39		
Middle East			
Lebanon	40		
Central America			
Mexico	55		18,000
Jamaica			600
Belize			50
Guatemala	10		
South America			
Colombia		31,000	1,500
Bolivia		56,500	
Ecuador		100	
Peru		138,300	
North America			
United States*			5,500

*U.S. estimates are for 1990 and are from the National Narcotics Intelligence Consumers Committee, *The NNICC report 1990: The supply of illicit drugs to the United States*, June 1991, 32.

Source: Bureau of International Narcotics Matters, U.S. Department of State, *International narcotics control strategy report*, March 1991, 22.

How are illegal drugs made?

page 40

Cocaine and heroin are usually processed outside the U.S.**Coca —**

DEA, *Coca cultivation and cocaine processing: An overview*, February 1991.

Opium —

National Narcotics Intelligence Consumers Committee, *The NNICC report 1990: The supply of illicit drugs to the United States*, June 1991, 18.

Chemicals legally produced in the U.S. are frequently used to process illicit drugs**New chemicals are added...**

GSA, National Archives and Records Service, Office of the Federal Register, *Federal Register*, 56(187):48732.

The monitoring of chemicals...

The White House, ONDCP, *National drug control strategy: A nation responds to drug use*, January 1992, 88.

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Cannabis plants can be processed to produce hashish or hashish oil

DEA, *1990 Domestic Cannabis Eradication/Suppression Program*, December 1990, 2.

Some commonly used illegal drugs are produced in clandestine laboratories in the U.S.**Some of these drugs...**

National Narcotics Intelligence Consumers Committee, *The NNICC report 1988: The supply of illicit drugs to the United States*, April 1989, 55-59.

Most laboratories...

DEA, *Drugs of abuse: 1989*, 53.

The stimulant methamphetamine...

Karoline S. Puder, Doreen V. Kagan, and John P. Morgan, "Illicit methamphetamine: Analysis, synthesis, and availability," *American Journal of Drug and Alcohol Abuse* (1988), 14(4):463-465.

Setting up a lab...

U.S. House of Representatives, Committee on Government Operations, *Clandestine manufacturing of dangerous drugs*, House Report 99-70, 1986, 8.

Designer drugs are chemically similar to many controlled drugs**The fentanyl are...**

Gary L. Henderson, "Designer drugs: Past history and future prospects," *Journal of Forensic Sciences* (March 1988), 33(2):569-575

and

Jonathan Hibbs, Joshua Perper, and Charles L. Winek, "An outbreak of designer drug-related deaths in Pennsylvania," *Journal of the American Medical Association* (1991), 265(8):1011-1013.

As noted in Chapter III...

Clayton L. Smith, "The controlled substance analogue enforcement act of 1986: The compromising of criminalization," *American Journal of Criminal Law* (1988), 16(1):107-138.

449 methamphetamine laboratories were seized in the U.S. in 1990

Year	Methamphetamine labs seized
1975	11
1976	36
1977	46
1978	69
1979	137
1980	126
1981	87
1982	132
1983	119
1984	121
1985	257
1986	372
1987	561
1988	667
1989	683
1990	449

Source: DEA, as presented in BJS *Sourcebook of criminal justice statistics, 1990*, NCJ-130580, 1991, table 4.43.

How do illegal drugs reach the U.S.?

page 44

Drugs are smuggled into the U.S. by land, air, and sea

The U.S. has 88,633 miles of coastline and...

U.S. Department of Commerce, National Oceanic Atmospheric Administration, *The coastline of the United States*, Nautical Charting Branch, 1975 and

U.S. Department of Interior, Franklin K. Van Zandt, *Boundaries of the United States and the several States*, Geological Survey Bulletin 1212, 1966.

There are 300 ports of entry to the U.S....

U.S. Customs Service, Leo Morris, October 18, 1991, unpublished data.

The type of transportation used to smuggle drugs varies by drug type

GAO, *Drug smuggling: Large amounts of illegal drugs not seized by Federal authorities*, GAO/GGD-87-91, June 1987, 29.

Many ways are used to smuggle illegal drugs

Sources are presented for each entry in the original table

Cocaine and heroin

By courier

United Press International, "Suspect had cocaine surgically implanted in legs," press release, April 3, 1990.

Richard L. Berke, "New forms of interstate commerce: Drugs are stealing through U.S.," *New York Times*, August 27, 1989, 1.

Jack Kelly, "Narcotics smuggled internally," *USA Today*, February 1, 1990, 3A.

Richard L. Berke, "Drug rings turn border into a vast route to U.S.," *New York Times*, August 27, 1989, 1.

Richard L. Berke, "Drug rings turn border into a vast route to U.S.," *New York Times*, August 27, 1989, 1.

Nancy Lewis and Michael Isikoff, "By highway and air, California connection supplied D.C.," *The Washington Post*, September 4, 1989, A1.

Associated Press, "Agents find drug tunnel to U.S.," *New York Times*, May 19, 1990, 7.

Michael Isikoff, "Federal officials seize 12-ton cocaine shipment," *Washington Post*, December 3, 1991, A4.

Douglas Farah, "Ecuador is drawn deeper into cocaine trade," *Washington Post*, September 4, 1990, A12.

Mike McQueen, "Trial gives rare glimpse of coke cartel," *Miami Herald*, August 13, 1990, 1B.

Michael Isikoff and Tracy Thompson, "Getting too tough on drugs," *Washington Post*, November 4, 1990, C1.

Associated Press, "Cocaine bound for Baltimore is seized," *Baltimore Sun*, May 24, 1990, 8C.

Sandra Dibble, "Cocaine found in 6 bottles of Malta," *Miami Herald*, August 7, 1990, 1B.

Sallie Hughes, "Agents seize coke, cash, nab 6," *Miami Herald*, March 2, 1990, 5B.

Joseph B. Treaster, "Bypassing borders, more drugs flood ports," *New York Times*, April 29, 1990, 1.

Joseph B. Treaster, "Bypassing borders, more drugs flood ports," *New York Times*, April 29, 1990, 1.

Associated Press, "Drugs enter U.S. in the darnedest ways," *Washington Times*, August 10, 1989, A3.

Associated Press, "Drugs enter U.S. in the darnedest ways," *Washington Times*, August 10, 1989, A3.

Jack Sirica, "Super Mafia, more heroin seen in '90's," *Newsday*, August 22, 1990, 15.

DOJ, U.S. Attorneys, Joseph P. Russoniello, "Northern District of California," *A nationwide report on drug trafficking: A report to the Attorney General from the United States Attorneys*, 17.

Andres Oppenheimer, "Colombian drug operations spread to neighbor nations," *Miami Herald*, May 8, 1990, 1A.

"Cocaine smugglers conceal drugs in vinyl," *Drug Enforcement Report*, September 24, 1991.

Continued on next page.

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Many ways are used to smuggle illegal drugs, cont.

Smuggling in aircraft, boats, and motor vehicles

State of Texas, Office of the Governor, Criminal Justice Division, *Governor's Task Force on Drug Abuse*, January 1990, 10.

David Lyons, Former Eastern workers' drug-smuggling trial opens," *Miami Herald*, November 7, 1990, 38.

John Dillin, "Agents prowl for wily drug 'mules'," *Christian Science Monitor*, October 19, 1989, 7.

Edmund Mahony, "Agents seize drug," *Hartford Courant*, September 20, 1990, C9.

Paul Weingarten and James Coates, "Drugs blaze new paths," *Chicago Tribune*, September 12, 1989, 1.

Paul Weingarten and James Coates, "Drugs blaze new paths," *Chicago Tribune*, September 12, 1989, 1.

DOJ, U.S. Attorneys, Stephen M. McNamee, "District of Arizona," *A nationwide report on drug trafficking: A report to the Attorney General from the United States Attorneys*, 4.

Peter T. White, "The poppy," *National Geographic* (February 1985), 167:155.

Nancy Lewis and Michael Isikoff, "By highway and air, California connection supplied D.C.," *Washington Post*, September 4, 1989, A1.

Associated Press, "Drugs enter U.S. in the darnedest ways," *Washington Times*, August 10, 1989, A3.

Richard L. Berke, "Drug rings turn border into a vast route to U.S.," *New York Times*, August 27, 1989, 1.

Marijuana and other drugs

DOJ, U.S. Attorneys, Joseph P. Russoniello, "Northern District of California," *A nationwide report on drug trafficking: A report to the Attorney General from the United States Attorneys*, 11.

DOJ, U.S. Attorneys, Joseph P. Russoniello, "Northern District of California," *A nationwide report on drug trafficking: A report to the Attorney General from the United States Attorneys*, 11.

DOJ, U.S. Attorneys, J.B. Sessions III, "Southern District of Alabama," *A nationwide report on drug trafficking: A report to the Attorney General from the United States Attorneys*, 2 and

DOJ, U.S. Attorneys, Robert J. Wortham, "Eastern District of Texas," *A nationwide report on drug trafficking: A report to the Attorney General from the United States Attorneys*, 13-14.

DOJ, U.S. Attorneys, Stephen M. McNamee, "District of Arizona," *A nationwide report on drug trafficking: A report to the Attorney General from the United States Attorneys*, 5.

Mack Reed, "3 in Delaware held on charges of receiving drugs in mail," *Philadelphia Inquirer*, March 7, 1990, 3B.

DOJ, U.S. Attorneys, Frank W. Donaldson, "Northern District of Alabama," *A nationwide report on drug trafficking: A report to the Attorney General from the United States Attorneys*, 1.

DOJ, U.S. Attorneys, Frank W. Donaldson, "Northern District of Alabama," *A nationwide report on drug trafficking: A report to the Attorney General from the United States Attorneys*, 1.

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The routes for transporting drugs to the U.S. are sometimes called pipelines

Peter Reuter, "Eternal hope: America's quest for narcotics control," *The Public Interest* (Spring 1985), 79:79-95.

page 47

Cocaine trafficking to the U.S. originates in the Western Hemisphere

National Narcotics Intelligence Consumers Committee, *The NNICC report 1990: The supply of illicit drugs to the United States*, June 1991, 3-5.

page 48

Heroin is smuggled to the U.S. across the Atlantic and Pacific coasts and the southern border with Mexico

National Narcotics Intelligence Consumers Committee, *The NNICC report 1990: The supply of illicit drugs to the United States*, June 1991, 14-17.

page 50

Marijuana consumed in the U.S. comes primarily from Latin American and domestic sources

Marijuana is smuggled in bulk...

National Narcotics Intelligence Consumers Committee, *The NNICC report 1990: The supply of illicit drugs to the United States*, June 1991, 35-38.

Domestically, marijuana is grown...

DEA, *Domestic Cannabis Eradication/Suppression Program*, December 1990, 25-26.

Growers use modern technology...

"The pothouse effect," *The Economist* (December 15, 1990), 24.

DEA recently seized...

DEA, *1990 Domestic Cannabis Eradication/Suppression Program*, December 1990, 31.

How are illegal drugs sold?

page 52

Illegal drugs are broken into smaller units and distributed domestically through "chains"

Clifford L. Karchmer, *Strategies for combatting narcotics wholesalers*, (Washington: Police Executive Research Forum, forthcoming).

Buying and selling drugs often involve complex exchange schemes and a variety of roles

Bruce D. Johnson, Terry Williams, Kojo A. Dei, and Harry Sanabria, "Drug abuse in the inner city: Impact on hard-drug users and the community," in *Drugs and crime*, volume 13, *Crime and justice*, Michael Tonry and James Q. Wilson, eds. (Chicago: The University of Chicago Press, 1990), 19.

Illegal drug dealers try to win sales by differentiating their products

Paul J. Goldstein, Douglas S. Lipton, Edward Preble, Ira Sobel, Tom Miller, William Abbott, William Paige, and Franklin Soto, "The marketing of street heroin in New York City," *Journal of Drug Issues* (Summer 1984), 553-566.

"New Jack City" and "Tango and Cash" —

"Potent heroin hitting streets of Baltimore," *Narcotics Control Digest* (October 9, 1991), 21(21):6 and

David Zucchini, Amy Rosenberg, Thomas J. Gibbons, Jr., "U.S. probes drug deaths in region," *Philadelphia Inquirer*, March 8, 1991, 1.

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Retail drug markets operate in various private and public places

Patricia A. Adler, *Wheeling and dealing: An ethnography of upper-level drug dealing and smuggling community* (New York: Columbia University Press, 1985).

Drugs are sometimes used and exchanged in "shooting galleries" or "crack houses"

Places where heroin users gather... Sheigla Murphy and Dan Waldorf, "Kickin' down to the street doc: Shooting galleries in the San Francisco Bay area," *Contemporary Drug Problems* (Spring 1991), 18(1):9-29.

Research in Detroit —

Thomas Mieczkowski, "Crack distribution in Detroit," paper presented at the American Society of Criminology Annual Meeting, Chicago, 1988, 7-8.

What affects the prices for illegal drugs?

page 54

Losses from law enforcement and other factors increase the price of drugs

The White House, ONDCP, *National drug control strategy* 1991, February 1991, 96-98.

Illegal drug prices increase at each stage of trafficking

Price increases of illegal drugs...

Peter Reuter and Mark A. R. Kleiman, "Risks and prices: An economic analysis of drug enforcement," in *Crime and justice*, Michael Tonry and Norval Morris, eds., volume 7 (Chicago: The University of Chicago Press, 1986), 289-340.

For example...

DEA, "From the source to the street: Mid-1991 prices for cannabis, cocaine, and heroin" *Intelligence trends*, forthcoming, 7.

Illegal drug prices vary greatly from one place to another

DEA, *Illicit drug wholesale/retail price report, United States*, July-September, 1990. The DEA produces this report quarterly and it is available from the DEA's Public Information Section. Price levels are established by combining different price information sources. These sources include: DEA Intelligence, prices paid for drugs by the DEA, price reports from local police departments, price information from informants, and price information from arrested drug dealers. (Source: Personal communication with DEA Public Information Office.)

DEA, *Domestic Monitor Program: A fiscal year 1990 report on the source, cost and purity of retail level heroin*, July 1991, 19-22.

Why do illegal drug prices vary?

DEA, *Illicit drug wholesale/retail price report, United States*, July-September, 1990.

How do illegal drug prices affect the extent of use?

page 55

How do price changes affect illegal drug buying?

Mark H. Moore, "Policies to achieve discrimination on the effective price of heroin," *American Economic Review* (May 1973) 63(2):270-277 and

Mark H. Moore, "Limiting supplies of drugs to illicit markets," *Journal of Drug Issues* (Spring 1979), 9:291-308.

The price elasticity of demand varies from drug to drug

The demand for cocaine...

Karl Verebey and Mark S. Gold, "From coca leaves to crack: The effects of dose and routes of administration in abuse liability," *Psychiatric Annals* (September 1988), 18(9):513-520 and

Norman S. Miller, Mark S. Gold, and Robert B. Millman, "Cocaine: General characteristics, abuse, and addiction," *New York State Journal of Medicine* (July 1989), 89(7):390-395.

The average price of a marijuana cigarette...

Mark A. R. Kleiman, *Marijuana: Cost of abuse, cost of control* (New York: Greenwood Press, 1989), 93.

What roles do violence and corruption play in the distribution and sale of drugs?

page 56

Violence may result from revolving credit arrangements to finance drug transactions

Bruce D. Johnson, Terry Williams, Kojo A. Dei, and Harry Sanabria, "Drug abuse in the inner city: Impact on hard-drug users and the community," in *Drugs and crime*, volume 13, *Crime and justice*, Michael Tonry and James Q. Wilson, eds. (Chicago: The University of Chicago Press, 1990), 30-67.

Firearm violence has become a key feature of drug trafficking

Paul J. Goldstein, Henry H. Brownstein, Patrick J. Ryan, and Patricia A. Bellucci, "Crack and homicide in New York City, 1988: A conceptually based event analysis," *Contemporary Drug Problems* (Winter 1989), 16(4):651-687.

BATF, *Weapons seizures report*, no date.

DEA, *Firearms seizure report, fiscal year 1991*, January 1992.

Countries around the world are affected by drug trafficking violence

According to a DEA report...
DEA, unpublished data, 1991.

The Justice Minister was gunned down...

Bruce M. Bagley, "Colombia and the war on drugs," *Foreign Affairs* (1988), 70-92.

In 1985 a terrorist group...

Carl Manning, "Army rescues hostages, but 12 judges reported dead in ministry siege," *The Associated Press*, November 8, 1985.

The DEA has documented cases...
David L. Westrate, Drug Enforcement Administration, testimony before the Select Committee on Narcotics Abuse and Control, November 1, 1989, 1-6.

BATF investigations in Latin America revealed...

Phil A. Orsini, Bureau of Alcohol, Tobacco and Firearms, testimony before the Select Committee on Narcotics Abuse and Control, November 1, 1989, 1-10.

To facilitate their activities drug traffickers attempt to corrupt public servants

...one study identified...

Kevin B. Zeese, "Drug-related corruption of public officials," *Drug Law Report* (March-April 1986), 1(20):229-237.

Examples of police corruption identified by one researcher...

David L. Carter, "Drug-related corruption of police officers: A contemporary typology," *Journal of Criminal Justice*, 18(1990):88, 90.

How is the illegal drug business organized?

page 57

Is drug trafficking "organized crime?"

Mary H. Cooper, *The business of drugs* (Washington: Congressional Quarterly Inc., 1990), 12.

Traditional organized crime is heavily involved in drug trafficking in the U.S.

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Chapter III

Section 1. History of drug control

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Chapter III

Section 2. Public Opinion

What role does public opinion play in drug control policy?

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Public opinion both shapes public policy and is shaped by public policy

Michael R. Kagay, "As candidates hunt the big issue, polls can give them a few clues," *New York Times*, October 20, 1991, 3.

Events affect public attitudes and behavior

NIDA, Steven W. Gust and J. Michael Walsh, "Research on the prevalence, impact, and treatment of drug abuse in the workplace," in *Drugs in the workplace: Research and evaluation data*, Steven W. Gust and J. Michael Walsh, eds., NIDA research monograph 91, 1989, 3-13, 3.

How does public policy about drugs affect public opinion and behavior?

Jerald G. Bachman, Lloyd D. Johnston, and Patrick M. O'Malley, "Explaining the recent decline in cocaine use among young adults: Further evidence that perceived risks and disapproval lead to reduced drug use," *Journal of Health and Social Behavior* (1990), 31:173-184.

NIDA, Robert W. Taggart, "Results of the drug testing program at Southern Pacific Railroad," in *Drugs in the workplace: Research and evaluation data*, Steven W. Gust and J. Michael Walsh, eds., NIDA research monograph 91, 1989, 97-108.

As the percentage of high school seniors perceiving risks...

Class	Percent of respondents		
	Used in prior month	Risk	Availability
1975	27.1%	43.3%	87.8%
1976	32.2	38.6	87.4
1977	35.4	36.4	87.9
1978	37.1	34.9	87.8
1979	36.5	42.0	90.1
1980	33.7	50.4	89.0
1981	31.6	57.6	89.2
1982	28.5	60.4	88.5
1983	27.0	62.8	86.2
1984	25.2	66.9	84.6
1985	25.7	70.4	85.5
1986	23.4	71.3	85.2
1987	21.0	73.5	84.8
1988	18.0	77.0	85.0
1989	16.7	77.5	84.3
1990	14.0	77.8	84.4

Source: NIDA, Lloyd D. Johnston, Patrick M. O'Malley, and Jerald G. Bachman, *Drug use among American high school seniors, college students and young adults, 1975-1990*, volume 1, High School Seniors, DHHS Publication No. (ADM)91-1813, 1991, 131.

How serious is drug use perceived to be?

page 92

Drug abuse has been a common public concern in recent years

The Gallup Report (Princeton, NJ: The Gallup Poll, June 1989), 285, as presented in BJS, *Sourcebook of criminal justice statistics 1989*, NCJ-124224, 1990, 152.

"Surveys of the attitudes of American adults and teenagers towards the drug crisis and drug policy," Press release (Princeton, NJ: The George H. Gallup International Foundation, August 4, 1989), 6.

Stanley M. Elam, "The 22nd annual Gallup Poll of the public's attitudes toward the public schools," *Phi Delta Kappan* (September 1990), 72(1):41-55, 53.

Stanley M. Elam, Lowell C. Rose, and Alec M. Gallup, "The 23rd annual Gallup Poll of the public's attitudes toward the public schools," *Phi Delta Kappan* (September 1991), 73(1):41-56.

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The public thinks that drugs are the major cause of crime in our Nation today

The Gallup Report (Princeton, NJ: The Gallup Poll, June 1989), 285:25 as presented in BJS, *Sourcebook of criminal justice statistics 1989*, NCJ-124224, 1990, table 2.23, 144.

How many Americans see drug-related crime as a serious problem in their neighborhoods?

The Gallup Report (Princeton, NJ: The Gallup Poll, September 1988), 276:31 as presented in the BJS, *Sourcebook of criminal justice statistics, 1988*, NCJ-118318, 1989, tables 2.93 and 2.94.

How available and risky are illegal drugs thought to be?

page 94

Drugs are seen to be readily available

In a 1988 poll, 20% of the American... New York Times/CBS News Poll, 1986 as presented in the BJS, *Sourcebook of criminal justice statistics, 1987*, NCJ-111612, 1988, table 2.82, 192.

Almost 50% of adults...

ABC News Polling Unit, 1986 as presented in the BJS, *Sourcebook of criminal justice statistics, 1987*, NCJ-111612, 1988, table 2.83, 193.

A third of adults said...

Media General/Associated Press Poll #30, May 11-20, 1990, questions 3a, 3b, and 3c.

In the 1990 National Household Survey on Drug Abuse —

NIDA, National Household Survey on Drug Abuse: Main findings, 1990, DHHS Publication No. (ADM)91-1788, 1991, 130.

More high school seniors thought...
NIDA, Lloyd D. Johnston, Patrick M. O'Malley, and Jerald G. Bachman, *Drug use among American high school seniors, college students and young adults, 1975-1990*, volume 1, High School Seniors, DHHS Publication No. (ADM)91-1813, 1991, 164.

About 20% of fifth and sixth graders...
NFO Research, Inc., *Final report, Drug Awareness and Attitude Study* (Chicago: NFO Research, Inc., 1990), 14, 15.

One teen in four...
"Surveys of the attitudes of American adults and teenagers towards the drug crisis and drug policy," Press release, (Princeton, NJ: The George H. Gallup International Foundation, August 4, 1989), 16.

The public thinks that illegal drug use is risky

NIDA, National Household Survey on Drug Abuse: Main findings, 1990, DHHS Publication No. (ADM)91-1788, 1991, 138.

Youth perceive regular drug use to be very risky

NIDA, Lloyd D. Johnston, Patrick M. O'Malley, and Jerald G. Bachman, *Drug use among American high school seniors, college students and young adults, 1975-1990*, volume 1, High School Seniors, DHHS Publication No. (ADM)91-1813, 1991, 127.

Does the public think the drug problem is more important than other public policy issues?

page 95

When did the public first perceive drug abuse as the most important problem facing the country?

The Gallup Poll as presented in BJS, *Sourcebook of criminal justice statistics, 1990*, NCJ-130580, 1991, table 2.1, 152 and *The Gallup Poll Monthly* (Princeton, NJ: The Gallup Poll, May 1991), 308.

Concern about drug abuse is related to media coverage

Pamela J. Shoemaker, Wayne Wanta, and Dawn Leggett, "Drug coverage and public opinion, 1972-1986," in *Communication campaigns about drugs: Government, media, and the public*, Pamela J. Shoemaker, ed. (Hillsdale, NJ: Lawrence Erlbaum Associates, Publishers, 1989), 67-80.

The opinion that drug abuse is the Nation's most important problem grew rapidly in the late 1980s, peaking in 1989

<u>Date of poll</u>	<u>Percent believing drug abuse most important problem</u>
January 1985	2%
May 1985	6
July 1986	8
May 1987	11
September 1988	11
May 1989	27
September 1989	63
November 1989	38
April 1990	30
October 1990	10
November 1990	8
January 1991	9
February 1991	5
March 1991	11
April 1991	10

Source: The Gallup Poll as presented in BJS, *Sourcebook of criminal justice statistics, 1990*, NCJ-130580, 1991, table 2.1, 152; and *The Gallup Poll Monthly* (Princeton, NJ: The Gallup Poll, May 1991), 308.

What strategies are perceived to be effective in combatting the drug problem?

page 96

The public favors both supply restriction and demand reduction strategies to combat drugs

Diane Colasanto, "Widespread public opposition to drug legalization," *The Gallup Poll Monthly* (Princeton, NJ: The Gallup Poll, January 1990), 292:2-8, 4.

Media General/Associated Press Poll #30, May 11-20, 1990, questions 4, 5, and 8b.

Many favor drug testing of workers

The Gallup Organization for the Institute for a Drug-free Workplace, December 1989.

Most people do not favor the legalization of drugs

<u>Year</u>	<u>Percent of respondents who answered "Do you think the use of marijuana should be made legal or not?"</u>		
	<u>Should</u>	<u>Should not</u>	<u>Don't know</u>
1973	18%	80%	2%
1975	20	75	5
1976	28	69	3
1978	30	67	3
1980	25	72	3
1983	20	76	3
1984	23	73	4
1986	18	80	2
1987	16	81	3
1988	17	79	4
1989	16	81	3
1990	16	81	3

Source: Data from the National Opinion Research Center are made available through the Roper Public Opinion Research Center as presented in BJS, *Sourcebook of criminal justice statistics, 1990*, NCJ-130580, 1991, table 2.87, 228.

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**The public increasingly
sees restricting the supply
of drugs as a major way
to combat crime**

The Gallup Report (Princeton, NJ:
The Gallup Poll, June 1989), 285:26
as presented in BJS, *Sourcebook of
criminal justice statistics 1989*,
NCJ-124224, 1990, table 2.28, 175.

**The public feels too little money
is being spent on dealing
with illegal drug use**

The National Opinion Research Center
data were made available through the
Roper Public Opinion Research Center
as presented in the BJS, *Sourcebook
of criminal justice statistics, 1989*, NCJ-
124224, 1990, table 2.31, 178-179.

The percentage of the population...
General Social Survey Trend Data,
1984 to 1990, unpublished data.

In 1989, 62% of the population...
Andrew Kohut and Larry Hugick,
"Colombians question worth of drug
war; Americans skeptical it can be
won," *The Gallup Report* (Princeton,
NJ: The Gallup Poll, September 1989),
288:2-11, 5.

Chapter III

Section 3. Current laws, policies, and programs

What type of substance abuse control laws have Federal, State, and local governments enacted? page 99	What other laws cover drug control activities? page 101	What are the drug control aspects of U.S. foreign policy? page 102
Federal and State laws schedule drugs that are likely to be abused <i>A guide to State controlled substances acts</i> (Washington: National Criminal Justice Association, January 1991), 1, 7, 19, 20, Glossary, 25, 29, and 31 and DEA, <i>Drugs of abuse: 1989</i> , 4-6, 30-31, and 45-46.	Most States have adopted laws that make the possession or sale of drug paraphernalia illegal <i>A guide to State controlled substances acts</i> (Washington: National Criminal Justice Association, January 1991), 2, 12, 21, and Glossary and DEA, <i>Drugs of abuse: 1989</i> , 45. Some State laws address diverting legally manufactured drugs to the illegal drug market DEA, Office of Diversion Control, <i>Multiple copy prescription program resource guide</i> , March 1990, IV-V and <i>A guide to State controlled substances acts</i> (Washington: National Criminal Justice Association, January 1991), 25-28 and DEA, <i>Drugs of abuse: 1989</i> , 7. At least 37 States regulate precursor chemicals <i>A guide to State controlled substances acts</i> (Washington: National Criminal Justice Association, January 1991), 25-26 and DEA, <i>Drugs of abuse: 1989</i> , 7-8. Money laundering became a crime under Federal law in 1986 John K. Villa, <i>Banking crimes: Fraud, money laundering and embezzlement</i> (New York: Clark Boardman, Co., Ltd., 1988), 8-3 to 8-4.1. <i>A guide to State controlled substances acts</i> (Washington: National Criminal Justice Association, January 1991), 29-30.	The international drug control strategy aims to reduce production and destabilize trafficking GAO, <i>Drug control: U.S. international narcotics control activities</i> , GAO/NSI-AD-88-114, March 1988, 15-23 and Bureau of International Narcotics Matters, U.S. Department of State, <i>International narcotics control strategy report</i> , March 1991, 19-20. The U.S. Department of State has lead responsibility for international drug control policy The White House, ONDCP, <i>National drug control strategy</i> , February 1991, 90, 140. "USIA Anti-Drug Programs for the Andes in the year since the Cartagena Summit" (transmitted by memorandum on May 8, 1991) and "USIA and the War on Drugs" (January 25, 1991). Telephone contact between Ann McDonald, AID and Anita Timrots, DCDCC, on November 5, 1991. The United Nations has adopted three major international conventions on controlling drugs United Nations, <i>Report of the International Narcotics Control Board for 1990</i> , New York, 1990, i-ii, 2-3, and 6-8 and Bureau of International Narcotics Matters, U.S. Department of State, <i>International narcotics control strategy report</i> , March 1989, 11-12, and 18-19.
page 100 Designer drugs are banned <i>A guide to State controlled substances acts</i> (Washington: National Criminal Justice Association, January 1991), 3-4, and 16-18 and DEA, <i>Drugs of abuse: 1989</i> , 6 and DEA Drug Scheduling Actions, unpublished memo, October 2, 1990. The Federal Government and many States now include steroids under their drug laws <i>A guide to State controlled substances acts</i> (Washington: National Criminal Justice Association, January 1991), 13, 15-16, and 25. Most States have passed new laws to address the drug problem <i>A guide to State controlled substances acts</i> (Washington: National Criminal Justice Association, January 1991), 2-3, 3-4, 10-12, 16, 18-20, 23-24, and 31 and Constance Thomas, <i>1990 State substance abuse laws</i> , Intergovernmental Health Policy Project (Washington: George Washington University, March 1991), 1, 2-5.		

page 103	Who provides for drug prevention activities?	page 105
<p>Federal drug control laws tie foreign assistance to cooperation in controlling illegal drugs</p>	<p>page 104</p>	<p>Some prevention efforts are community-based</p>
<p>The Anti-Drug Abuse Act of 1986... GAO, <i>Drug Control: U.S. international narcotics control activities</i>, GAO/NSI-AD-88-114, March 1988, 10.</p>	<p>Drug prevention programs seek to delay the onset of drug use and to deter casual drug use</p>	<p>Some community-based prevention efforts are specific programs... OJJDP, <i>OJJDP and Boys and Girls Clubs of America: Public housing and high-risk youth</i>, Juvenile justice bulletin, July 1991, 1-5</p>
<p>This act was amended in 1988... Bureau of International Narcotics Matters, U.S. Department of State, <i>International narcotics control strategy report</i>, March 1989, 1.</p>	<p>"Drug abuse prevention strategies: Board of Trustees report," <i>Journal of the American Medical Association</i> (April 24, 1991), 265(16):2102-2107, 2104.</p>	<p>and The White House, ONDCP, <i>National drug control strategy: A Nation responds to drug use</i>, January 1992, 38.</p>
<p>In 1990, of the 24 major narcotics-producing... BJS, Drugs & Crime Data Center & Clearinghouse, <i>Federal drug data for national policy</i>, NCJ-122715, April 1990, 11, verified as still current with the Bureau of International Narcotics Matters, U.S. Department of State, Spring 1992.</p>	<p>Schools are often the focal point for drug prevention programming</p>	<p>Other community-based efforts... HHS, OSAP, Bonnie Benard, "An overview of community-based prevention," in <i>Prevention research findings: 1988</i>, Ketty H. Rey, Christopher L. Faegre, and Patti Lowery, eds., OSAP prevention monograph 3, 1990, 126-127.</p>
<p>In 1990, the U.S. provided almost \$82 million in direct financial drug control assistance</p>	<p>BJS, <i>School crime: A National Crime Victimization Survey Report</i>, September 1991, NCJ-131645.</p>	<p>Two examples of comprehensive programs... Paul S. Jellinek and Ruby P. Hearn, "Fighting drug abuse at the local level," <i>Issues in science and technology</i> (Summer 1991), 7(4):78-84</p>
<p>Bureau of International Narcotics Matters, U.S. Department of State, <i>International narcotics control strategy report</i>, March 1991, 43-44.</p>	<p>Judy M. Thorne, Judy A. Holley, Jennifer Wine, Becky J. Hayward, and Christopher L. Ringwalt, <i>A study of the Drug-Free Schools and Communities Act: Report on State and local programs</i>, U.S. Department of Education Contract LC88028001 (Research Triangle Park, NC: Research Triangle Institute, 1991), 1-2.</p>	<p>and Dorothy Wodraska, "Project I-Star," <i>Juvenile justice digest</i> (August 21, 1991), 19(16):2-4</p>
<p>The President's Andean Counterdrug Initiative targets some countries where cocaine is produced</p>	<p>Law enforcement agencies provide drug prevention programs</p>	<p>and HHS, OSAP, "Little Rock and 12 other cities receive Robert Wood Johnson Foundation grants" <i>The OSAP prevention pipeline</i> (May/June 1992), 5(3):20-21.</p>
<p>Bureau of International Narcotics Matters, U.S. Department of State, <i>International narcotics control strategy report</i>, March 1991, 14-15</p>	<p>BJA, <i>Fact sheet: Drug Abuse Resistance Education (DARE) Program</i>, October 1991.</p>	<p>The Federal Government provides State and local governments with support for drug prevention</p>
<p>and The White House, ONDCP, <i>National drug control strategy: A Nation responds to drug use</i>, January 1992, 168.</p>	<p>Executive Office for United States Attorneys, "FBI Demand Reduction Programs: 'Drug-free America: The right choice,'" <i>Drug demand reduction NETWORK</i> (March/April 1992), 1(2):2 and</p>	<p>The Department of Education (ED) sponsors...</p>
<p>The U.S. also participates in international efforts to curb money laundering and chemical diversion</p>	<p>Executive Office for United States Attorneys, "DEA Demand Reduction Programs: Full-time coordination," <i>Drug demand reduction NETWORK</i> (March/April 1992), 1(2):2-3 and 9.</p>	<p>The White House, ONDCP, <i>National drug control strategy: A Nation responds to drug use</i>, Budget summary, January 1992, 30-34, 38-45, 201, 210, and 214</p>
<p>Bureau of International Narcotics Matters, U.S. Department of State, <i>International narcotics control strategy report</i>, March 1991, 16-18.</p>		<p>and The White House, ONDCP, <i>National drug control strategy: A Nation responds to drug use</i>, January 1992, 35.</p>

The Department of Health and Human Services (HHS) through its Office for Substance Abuse Prevention (OSAP) funds...

HHS, OSAP, Judith E. Funkhouser, Eric N. Goplerud, and Rosalyn O. Bass, "Current status of prevention strategies," in *A promising future: Alcohol and other drug problem prevention services improvement*, Mary A. Jansen, ed., OSAP prevention monograph 10, 1992, 84-87.

"Weed and Seed" is a new comprehensive Federal initiative to help local communities become and stay free of drugs and crime

The White House, ONDCP, *National drug control strategy: A Nation responds to drug use*, Budget summary, January 1992, 197-198

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The Federal Government develops prevention materials and provides them to local prevention programs

The White House, ONDCP, *National drug control strategy: A Nation responds to drug use*, January 1992, 162.

HHS, OSAP, "There are specialized mutual-help groups for those with alcohol and drug problems" in *The Fact Is...*, September 1989.

HHS, OSAP, *Skyshapers National Youth Fitness Program*, 1990; and OSAP, "Turning prevention into entertainment," *The OSAP prevention pipeline* (January/February 1991), 4(1):29-30.

Executive Office for United States Attorneys, "Office of Justice Programs: Working to foster partnerships," *Drug demand reduction NETWORK* (March/April 1992), 1(2):4.

Executive Office for United States Attorneys, "FBI Demand Reduction Programs: 'Drug-free America: The right choice,'" *Drug demand reduction NETWORK* (March/April 1992), 1(2):2, 4.

HUD, Office of Policy Development and Research and Office of Public and Indian Housing, *Together we can meet the challenge: Winning the fight against drugs*, April 1991

HHS, OSAP, Judith E. Funkhouser, Eric N. Goplerud, and Rosalyn O. Bass, "Current status of prevention strategies," in *A promising future: Alcohol and other drug problem prevention services improvement*, Mary A. Jansen, ed., OSAP prevention monograph 10, 1992, 46-47.

State level agencies have a substantial role in drug prevention

OSAP, Janet A. Zwick, "The role of State alcohol and other drug agencies in prevention" in *Prevention research findings: 1988*, Ketty H. Rey, Christopher L. Faegre, and Patti Lowery, eds., OSAP prevention monograph 3, 1990, 9-10.

Private sector foundations and corporations provide funds for prevention programs

Loren Renz, *Alcohol & drug abuse funding: An analysis of foundation grants*, The Foundation Center, 1989, 33-34.

How effective is drug prevention?

One review summarized the literature on school-based drug prevention — Dennis Rosenbaum, Chris Ringwalt, Thomas R. Curtin, Deanna Wilkinson, Brenda Davis, and Chet Taranowski, *A second year evaluation of D.A.R.E. in Illinois* (Springfield, IL: Illinois State Police, 1991), Evaluation summary, i-iii, and 1-40.

Another recent literature review — Gilbert J. Botvin, "Substance abuse prevention: Theory, practice and effectiveness," in *Drugs and crime*, Michael Tonry and James Q. Wilson, eds., volume 13, *Crime and justice* (Chicago: The University of Chicago Press, 1990), 461-512.

What types of drug treatment exist?

page 107

There is no single "treatment" for "drug abuse"

Robert L. Hubbard, Mary Ellen Marsden, J. Valley Rachal, Henrick J. Harwood, Elizabeth R. Cavanaugh, and Harold M. Ginzburg, *Drug abuse treatment: A national study of effectiveness* (Chapel Hill: University of North Carolina Press, 1989), 13-42.

A small percentage of these offenders... Jan M. Chaiken and Marcia R. Chaiken, "Drugs and predatory crime," in *Drugs and crime*, Michael Tonry and James Q. Wilson, eds., volume 3, *Crime and justice* (Chicago: The University of Chicago Press, 1990), 203-239.

Most treatment programs provide a combination of services

M. Douglas Anglin, and Yih-ing Hser, "Treatment and drug abuse," in *Drugs and crime*, Michael Tonry and James Q. Wilson, eds., volume 13, *Crime and justice* (Chicago: The University of Chicago Press, 1990), 393-460.

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Treatment programs usually serve both alcohol and drug dependent clients

HHS, ADAMHA, *National Drug and Alcoholism Treatment Unit Survey (NDA-TUS): 1989 Main findings report*, 1990, table 15, 26.

Self-help groups are usually free and readily accessible

Self-help groups include...

NIDA, Leonard Saxe and Gila Shusterman, "Drug treatment modalities: A taxonomy to aid development of services research," in *Drug abuse services research series: Background papers on drug abuse financing and services research*, 1991, 1:6-7

and

Francis S. Gilbert, "Development of a 'Steps questionnaire,'" *Journal of studies on alcohol* (1991), 52(4):353-360

and

Edgar P. Nace, "Alcoholics anonymous," in *Substance abuse: A comprehensive textbook*, Joyce H. Lowinson, Pedro Ruiz, and Robert B. Millman, eds. (Baltimore: Williams & Wilkins, 1992), 486-495

and

Alcoholics Anonymous: The story of how many thousands of men and women have recovered from alcoholism (New York: Alcoholics Anonymous World Services, Inc., 1976), xxii.

Narcotics Anonymous (NA) —

Narcotics Anonymous, 5th edition (Van Nuys, CA: World Service Office, Inc., 1988), 35

and

OSAP, "There are specialized mutual help groups for those with alcohol and drug problems" in *The Fact Is...*, September 1989, 2-3

and

Telephone conversation with Carl 8/24/92 at Narcotics Anonymous World Services Office, P.O. Box 9999, Van Nuys, CA 91409, (818) 780-3951.

What is a therapeutic community?

Therapeutic communities (TCs) —

The American Medical Association, *Home medical encyclopedia: Volume 2, I - Z*, (New York: Random House, 1989), 978

and

Dean R. Gerstein and Henrick J. Harwood, eds., *Treating drug problems*, volume 1, (Washington: National Academy Press, 1990), 154-156.

Several States have established therapeutic communities within prisons...

Foundation for Health Services Research, "New data available from 1990 Drug Services Research Survey," *Connection* (June 1992), 1(2):5.

Treatment is provided for criminal offenders in the community and in jails and prisons

Foundation for Health Services Research, "New data available from 1990 Drug Services Research Survey," *Connection* (June 1992), 1(2):5.

Some heroin addicts are treated with methadone

Food and Drug Administration and NIDA, "National Institute on Drug Abuse; Methadone in maintenance and detoxification; Joint revision of conditions for use," *Federal Register* (March 2, 1989), 54(40):8954.

Cocaine has recently passed heroin as the primary drug of abuse of those in treatment programs

State resources and services related to alcohol and other drug abuse problems for fiscal year 1990 (Washington: National Association of State Alcohol and Drug Abuse Directors, November 1991), 38.

Treating users of multiple drugs is very difficult

M. Douglas Anglin and Yih-Ing Hser, "Treatment of drug abuse," in *Drugs and crime*, Michael Tonry and James Q. Wilson, eds., volume 13, *Crime and justice* (Chicago: The University of Chicago Press, 1990), 402.

Many drug treatment programs focus on particular groups

HHS, ADAMHA, *National Drug and Alcoholism Treatment Unit Survey (NDATUS): 1989 Main findings report*, 1990, table 14, 25.

What drug treatment programs are used and who provides them?

page 109

Drug treatment involves a variety of modalities and environments

HHS, ADAMHA, *National Drug and Alcoholism Treatment Unit Survey (NDATUS): 1989 Main findings report*, 1990, A-9.

Note: Number of clients is the "annual unduplicated drug client count" used by the source.

Most people in drug treatment are in outpatient programs

HHS, ADAMHA, *National Drug and Alcoholism Treatment Unit Survey (NDATUS): 1989 Main findings report*, 1990, table 50, 72 and A-7 to A-8.

Half of the people in drug treatment are in drug-free treatment programs

HHS, ADAMHA, *National Drug and Alcoholism Treatment Unit Survey (NDATUS): 1989 Main findings report*, 1990, table 50, 72.

Are treatment facilities fully utilized?

Foundation for Health Services Research, "New data available from 1990 Drug Services Research Survey," *Connection* (June 1992), 1(2):4-5

and

Helen Batten, Brandeis University, paper presented at the American Public Health Association Annual Meeting, Atlanta, Georgia, November 1991.

How many people who need drug treatment are receiving it?

HHS, ADAMHA, *Highlights from the 1989 National Drug and Alcoholism Treatment Unit Survey (NDATUS)*, July 1990, 3, 4, and 14.

Dean R. Gerstein and Henrick J. Harwood, eds., *Treating drug problems*, volume 1 (Washington: National Academy Press, 1990), 88-92.

HHS, ADAMHA, *National Drug and Alcoholism Treatment Unit Survey (NDATUS): 1987 Final report*, 31

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Private organizations and individuals and all levels of government provide drug treatment

HHS, ADAMHA, *National Drug and Alcoholism Treatment Unit Survey (NDATUS): 1989 Main findings report*, 1990, 4-5, 34, and 64.

The White House, ONDCP, *National drug control strategy: A Nation responds to drug use*, January 1992, 63.

The Federal Government directly treats drug users under its jurisdiction

Robert M. Bray, Mary Ellen Marsden, John R. Herbold, and Michael R. Peterson, "Progress toward eliminating drug and alcohol abuse among U.S. military personnel," *Armed Forces and Society*, July 1991, 16.

The White House, ONDCP, *National drug control strategy: A Nation responds to drug use*, January 1992, 61-62.

State laws address treatment issues

Constance Thomas, *1990 State substance abuse laws*, Intergovernmental Health Policy Project, (Washington: George Washington University, March 1991), 1-5.

The private sector is also trying to expand and improve drug treatment

Loren Renz, *Alcohol & drug abuse funding: An analysis of foundation grants*, The Foundation Center, 1989, xii-xiii.

Is drug treatment effective?

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Drug treatment has multiple goals

Dean R. Gerstein and Henrick J. Harwood, eds., *Treating drug problems*, volume 1 (Washington: National Academy Press, 1990), 12-17, 129 and

The White House, ONDCP, *Understanding drug treatment*, White paper, June 1990, 13

and
NIDA, Drug abuse and drug abuse research: The third triennial report to Congress from the Secretary, Department of Health and Human Services, 1991, 58.

Drug treatment has positive effects on drug users

Dean R. Gerstein and Henrick J. Harwood, eds., *Treating drug problems*, volume 1 (Washington: National Academy Press, 1990), 13-15, 135.

Legal pressure can encourage people to enter and stay in drug treatment

Robert L. Hubbard, Mary Ellen Marsden, J. Valley Rachal, Henrick J. Harwood, Elizabeth R. Cavanaugh, and Harold M. Ginzburg, *Drug abuse treatment: A national study of effectiveness* (Chapel Hill: University of North Carolina Press, 1989), 126-134.

Chapter III

Section 4. Drug testing

Who is tested for drugs and why?

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Drug testing may help to deter drug use

Jerome H. Jaffe, "Footnotes in the evolution of the American national response: Some little known aspects of the first American Strategy for Drug Abuse and Drug Traffic Prevention," The Inaugural Thomas Okey Memorial Lecture, *British Journal of Addiction* (1987), 82:587-600.

The criminal justice system tests offenders for recent drug use in order to reduce criminal behavior

The White House, ONDCP, "Cost of drug testing," ONDCP Bulletin No. 3, August 1991, 1-4.

Workplace drug testing aims to reduce or prevent drug use and impairment

The APT Foundation Task Force, *Report on drug and alcohol testing in the workplace* (New Haven, CT: The APT Foundation, 1988), 23 and

Eric D. Wish and Bernard A. Gropper, "Drug testing by the criminal justice system: Methods, research, and applications," in *Drugs and crime*, Michael Tonry and James Q. Wilson, eds., volume 13, *Crime and justice* (Chicago: University of Chicago Press, 1990), 321-391

and
NIJ, Barbara A. Manili, Edward F. Connors III, Darrel W. Stephens, and John R. Stedman, *Police drug testing*, NIJ issues and practices, NCJ-105191, May 1987, v, 1-3

and
NIJ, Randall Guynes and Osa Coffey, *Employee drug-testing policies in prison systems*, NIJ research in action, NCJ-112824, August 1988, 1.

A 1988 Gallup survey —
Gallup Organization, *Drug testing at work: A survey of American corporations*, 1988, 17.

As of spring 1991 —

Nancy N. Delogu, "ACLU targets State legislatures," *The drug-free workplace report* (1991), III(1):13.

Criminal justice employees are subject to drug tests to ensure public safety and public confidence

Police administrators —

NIJ, Barbara A. Manili, Edward F. Connors III, Darrel W. Stephens, and John R. Stedman, *Police drug testing*, NIJ issues and practices, NCJ-105191, May 1987, 5

and
NIJ, Barbara Webster and Jerrold G. Brown, *Mandatory and random drug testing in the Honolulu Police Department*, NIJ research in action, NCJ-117718, October 1989, 1.

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NIJ, Randall Guynes and Osa Coffey, *Employee drug-testing policies in prison systems*, NIJ research in action, NCJ-112824, August 1988, 1.

A growing number of police agencies and prison systems...

NIJ, Barbara A. Manili, Edward F. Connors III, Darrel W. Stephens, and John R. Stedman, *Police drug testing*, NIJ issues and practices, NCJ-105191, May 1987, 1 and 5

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NIJ, Randall Guynes and Osa Coffey, *Employee drug-testing policies in prison systems*, NIJ research in action, NCJ-112824, August 1988, 1.

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BJS, Law Enforcement Management and Administrative Statistics Survey, 1990, unpublished data.

1988 survey of State prison systems —

NIJ, Randall Guynes and Osa Coffey, *Employee drug-testing policies in prison systems*, NIJ research in action, NCJ-112824, August 1988, 1.

The Federal Government has many goals in testing its workforce for drugs

James M. Sokolowski, "Government drug testing: A question of reasonableness," *Vanderbilt Law Review* (May 1990), 43(4):1343-1376.

Federal executive branch employees are subject to various testing programs

Drug Free Federal Workplace, Executive Order 12564, September 17, 1986, as cited in Congressional Research Service, Sharon S. Gressle, *Drug testing in the workplace: Federal programs*, March 8, 1989, 1-6, 3, 9, 14.

Department of Transportation testing —
Congressional Research Service, Sharon S. Gressle, *Drug testing in the workplace: Federal programs*, March 8, 1989, 1, 3, 9, 14.

Military testing —

Robert M. Bray, Mary Ellen Marsden, L. Lynn Guess, Sara C. Wheelless, Vincent G. Iannacchione, and S. Randall Keesling, *Highlights 1988 Worldwide Survey of Substance Abuse and Health Behaviors Among Military Personnel* (Research Triangle Park, NC: Research Triangle Institute, 1990), Chapter 10, 46-48.

Employees in sensitive positions...
Congressional Research Service, Sharon S. Gressle, *Drug testing in the workplace: Federal programs*, March 8, 1989, 1, 4-6, 14.

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The Federal Government requires testing in many regulated industries

GAO, *Drug testing: Management problems and legal challenges facing DOT's industry programs*, November 1989, 2.

State laws also allow employee testing

Constance Thomas, *1990 State substance abuse laws*, Intergovernmental Health Policy Project, (Washington: George Washington University, March 1991), 149-150.

Some private businesses test their employees for drug use

BLS, *Survey of employer anti-drug programs*, Report 760, January 1989, table 4, 8.

Relatively few workers for private businesses are actually tested

BLS, *Survey of employer anti-drug programs*, Report 760, January 1989, 4, table 1, 6, and table 6, 9.

Private business in industries that can affect employee or public safety are more apt to have drug testing programs

BLS, *Survey of employer anti-drug programs*, Report 760, January 1989, table 2.

How did drug testing develop?

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The development of urine testing helped make outpatient methadone treatment feasible

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Criminal justice system testing — NIDA, Herman Joseph, "The criminal justice system and opiate addiction: A historical perspective," in *Compulsory treatment of drug abuse: Research and clinical practice*, Carl G. Leukefeld and Frank M. Tims, eds., NIDA research monograph 86, 1988, 106-125.

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Lee N. Robins, Darlene H. Davis, and David N. Nurco, "How permanent was Vietnam drug addiction?" *American Journal of Public Health Supplement* (1974), 64:38-43.

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BJA, *Urinalysis as part of a Treatment Alternatives to Street Crime (TASC) program*, BJA monograph, July 1988, 4 and

David F. Musto, *The American disease: Origins of narcotics control* (New York: Oxford University Press, 1987), 258-259.

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Rising public concern about the consequences of drug use in the 1980s...

Robert M. Bray, Mary Ellen Marsden, L. Lynn Guess, Sara C. Wheelless, Vincent G. Iannacchione, and S. Randall Keesling, *Highlights 1988 Worldwide Survey of Substance Abuse and Health Behaviors Among Military Personnel* (Research Triangle Park, NC: Research Triangle Institute, 1990), 1 and 7

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Robert M. Bray, Mary Ellen Marsden, L. Lynn Guess, Sara C. Wheelless, Vincent G. Iannacchione, and S. Randall Keesling, *Highlights 1988 Worldwide Survey of Substance Abuse and Health Behaviors Among Military Personnel* (Research Triangle Park, NC: Research Triangle Institute, 1990).

Drug Free America Campaign — *Drug Free Federal Workplace*, Executive Order 12564, September 17, 1986 and

The White House, ONDCP, *National Drug Control Strategy*, September 1989, January 1990, February 1991, January 1992.

Rising demand spurred advances in testing technology

New techniques were developed...

Vicent P. Dole, Wan Kyun Kim, and Ilze Eglitis, "Detection of narcotic drugs, tranquilizers, amphetamines, and barbiturates in urine," *Journal of the American Medical Association* (1966), 198(4):115-118

Thin-layer chromatography (TLC) and gas chromatography (GC) —

The White House, Don H. Catlin, *A guide to urine testing for drugs of abuse*, Special Action Office Monograph, series B, number 2, November 1973, 7-10

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Raana Beckwith, Ann McClelland, and Walton Geiger, "Instant Kokowski," *Proceedings of the Fifth National Conference on Methadone Treatment*, 2(1973): 1060-1063

and
J. Cochin and J. W. Daly, "Rapid identification of analgesic drugs in urine with thin-layer chromatography," *Experientia* (1962), 18:294-295

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Vincent P. Dole, Wan Kyun Kim, and Ilze Eglitis, "Detection of narcotic drugs, tranquilizers, amphetamines, and barbiturates in urine," *Journal of the American Medical Association* (1966), 198(4):115-118

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Walton Geiger, "Cocaine — with speed," *Proceedings of the Fifth National Conference on Methadone Treatment*, 2(1973): 1064-1065

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The White House, Special Action Office, Don H. Catlin, *A guide to urine testing for drugs of abuse*, Special Action Office Monograph, series B, number 2, November 1973

and

Sydney Spector and Charles W. Parker, "Morphine: Radioimmunoassay," *Science* (June 1970), 168(3937):1347-1348.

Researchers are studying alternatives to urine for detecting drugs of abuse

David N. Bailey, "Drug screening in an unconventional matrix: Hair analysis," (editorial), *Journal of the American Medical Association* (1989), 262(23):3331

and

NIJ, *Conference on Hair Analysis for Drugs of Abuse, Final report*, Society of Forensic Toxicologists, Inc. (SOFT) and National Institute on Drug Abuse in collaboration with NIJ, 1990, 2-3

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Eric D. Wish and Bernard A. Gropper, "Drug testing by the criminal justice system: Methods, research, and applications," in *Drugs and crime*, Michael Tonry and James Q. Wilson, eds., volume 13, *Crime and Justice* (Chicago: University of Chicago Press, 1990), 321-391.

Some researchers aim to adapt or refine specific techniques

NIDA, Richard L. Hawks, "Analytical methodology," in *Urine testing for drugs of abuse*, Richard L. Hawks and C. Nora Chiang, eds., NIDA research monograph 73, 1986, 30-42, 38.

How do drug tests work?

page 118

What are the most common drug testing technologies?

Immunoassays —

The White House, Special Action Office, Don H. Catlin, *A guide to urine testing for drugs of abuse*, Special Action Office Monograph, series B, number 2, November 1973, 5, 7-20

and

Richard L. Hawks and C. Nora Chiang, eds., *Urine testing for drugs of abuse*, NIDA research monograph 73, 1986, 19

and

The White House, Special Action Office, Don H. Catlin, *A guide to urine testing for drugs of abuse*, Special Action Office Monograph, series B, number 2, November 1973, 5

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Eliot Marshall, "Testing urine for drugs" *Science* (1988), 241(4862):150-152.

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NIDA, Richard L. Hawks, "Analytical methodology," in *Urine testing for drugs of abuse*, Richard L. Hawks and C. Nora Chiang, eds., NIDA research monograph 73, 1986, 30-42.

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NIDA, Richard L. Hawks, "Analytical methodology," in *Urine testing for drugs of abuse*, Richard L. Hawks and C. Nora Chiang, eds., NIDA research monograph 73, 1986, 30-42

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NIDA, Joseph E. Manno, "Specimen collection and handling," in *Urine testing for drugs of abuse*, Richard L. Hawks and C. Nora Chiang, eds., NIDA research monograph 73, 1986, 24-29.

Specificity —

NIDA, Richard L. Hawks and C. Nora Chiang, "Examples of specific drug assays," in *Urine testing for drugs of abuse*, Richard L. Hawks and C. Nora Chiang, eds., NIDA research monograph 73, 1986, 84-122, 98

and

Richard L. Hawks, "Analytical methodology," in *Urine testing for drugs of abuse*, Richard L. Hawks and C. Nora Chiang, eds., NIDA research monograph 73, 1986, 36-37.

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NIDA, Robert V. Blanke, "Accuracy in urinalysis," in *Urine testing for drugs of abuse*, Richard L. Hawks and C. Nora Chiang, eds., NIDA research monograph 73, 1986, 43-53

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NIDA, "Mandatory guidelines for Federal workplace drug testing programs," *Federal Register*, 11970 (April 11, 1988), 53(69):11983

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BJA, American Probation and Parole Association, *American Probation and Parole Association's drug testing guidelines and practices for adult probation and parole agencies*, prepared in cooperation with the Council of State Governments, BJA monograph, NCJ-129199, July 1991, 26-27.

Several factors can affect the outcomes of drug tests

NIDA, Joseph E. Manno, "Interpretation of urinalysis results," in *Urine testing for drugs of abuse*, Richard L. Hawks and C. Nora Chiang, eds., NIDA research monograph 73, 1986, 54-61, 55

and

AMA Council on Scientific Affairs, "Scientific issues in drug testing," *Journal of the American Medical Association* (1987), 257(22):3110-3114, table 2, 3112

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NIDA, Richard L. Hawks and C. Nora Chiang, "Examples of specific drug assays," in *Urine testing for drugs of abuse*, Richard L. Hawks and C. Nora Chiang, eds., NIDA research monograph 73, 1986, 84-112, 85 & 93.

Drug tests detect drug use but not impairment

AMA Council on Scientific Affairs, "Scientific issues in drug testing," *Journal of the American Medical Association* (1987), 257(22):3110-3114, 3111.

How do drug testing programs work?

page 120

Programs that monitor over time can test on an unscheduled basis or according to a preset schedule

BJA, American Probation and Parole Association, *American Probation and Parole Association's drug testing guidelines and practices for adult probation and parole agencies*, prepared in cooperation with the Council of State Governments, BJA monograph, NCJ-129199, July 1991, 33.

Some programs combine collection methods...

American Correctional Association, *Drug abuse testing: Successful models for treatment and control in correctional programs*, second edition, 1981, chapters 4 and 5.

Confirmatory tests may be done to verify positive results of screenings

NIDA, "Mandatory guidelines for Federal workplace drug testing programs," *Federal Register*, 11970 (April 11, 1988), 53(69):11983.

NIJ, Christy Visser and Karen McFadden, *A comparison of urinalysis technologies for drug testing in criminal justice*, NIJ research in action, NCJ-129292, June 1991, 1.

Most drug testing programs use chain of custody procedures

BJA, American Probation and Parole Association, *American Probation and Parole Association's drug testing guidelines and practices for adult probation and parole agencies*, prepared in cooperation with the Council of State Governments, BJA monograph, NCJ-129199, July 1991, 41-46.

Testing programs may use on-site analysis or send samples to an external or commercial laboratory

BJA, *Urinalysis as part of a Treatment Alternatives to Street Crime (TASC) program*, BJA monograph, July 1988, 10.

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Many drug test manufacturers will train laboratory staff

BJA, *Urinalysis as part of a Treatment Alternatives to Street Crime (TASC) program*, BJA monograph, July 1988, 11

and
BJA, American Probation and Parole Association, *American Probation and Parole Association's drug testing guidelines and practices for adult probation and parole agencies*, prepared in cooperation with the Council of State Governments, BJA monograph, NCJ-129199, July 1991, 71-72.

On-site or external laboratories can maintain the credibility of their testing programs by following established quality assurance procedures

BJA, American Probation and Parole Association, *American Probation and Parole Association's drug testing guidelines and practices for adult probation and parole agencies*, prepared in cooperation with the Council of State Governments, BJA monograph, NCJ-129199, July 1991, 65.

Immunoassay screening can now be done on-site without instruments or laboratory analysis

BJA, American Probation and Parole Association, *American Probation and Parole Association's drug testing guidelines and practices for adult probation and parole agencies*, prepared in cooperation with the Council of State Governments, BJA monograph, NCJ-129199, July 1991, 64-65, 77, 125.

The National Highway Traffic Safety Administration is training police to recognize drug-impaired drivers

BJA, *Drug recognition program*, BJA monograph, April 1989, 1, 3 and 5.

Many workers found to be illegal drug users are referred to programs for counseling or rehabilitation

Congressional Research Service, Sharon S. Gressle, *Drug testing in the workplace: Federal programs*, March 8, 1989, 7

and
James M. Sokolowski, "Government drug testing: A question of reasonableness," *Vanderbilt Law Review* (May 1990), 43(4):1343-1376

and
BLS, *Survey of employer anti-drug programs*, Report 760, January 1989, table 8, 11.

The criminal justice system uses a variety of sanctions for offenders who test positive

BJA, American Probation and Parole Association, *American Probation and Parole Association's drug testing guidelines and practices for adult probation and parole agencies*, prepared in cooperation with the Council of State Governments, BJA monograph, NCJ-129199, July 1991, 49.

State laws regulate employee testing

Constance Thomas, *1990 State substance abuse laws*, Intergovernmental Health Policy Project, (Washington: George Washington University, March 1991), 149-150.

**Has drug testing been
challenged in court?**

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**Legal protections vary for persons
subject to drug testing**

Cathryn Jo Rosen and John S. Goldkamp, "The constitutionality of drug testing at the bail stage," *Journal of Criminal Law & Criminology* (1989), 80(1):114-176

and

The APT Foundation Task Force, *Report on drug and alcohol testing in the workplace* (New Haven, CT: The APT Foundation, 1988), 114-176.

**Different categories of employees
have different rights regarding
workplace testing**

The APT Foundation Task Force, *Report on drug and alcohol testing in the workplace* (New Haven, CT: The APT Foundation, 1988), 33-39

and

U.S. Congress, Congressional Research Service, Gail McCallion, *Drug testing in the workplace: An overview of employee and employer interests*, February 8, 1989, 4.

**The courts have ruled that drug
testing implicates the fourth amend-
ment protection from unreasonable
search and seizure**

With little disagreement...

Cathryn Jo Rosen and John S. Goldkamp, "The constitutionality of drug testing at the bail stage," *Journal of Criminal Law & Criminology* (1989), 80(1):114-176, 129, 132.

In decisions on the reasonableness...

The APT Foundation Task Force, *Report on drug and alcohol testing in the workplace* (New Haven, CT: The APT Foundation, 1988), 32.

Government agencies...

James M. Sokolowski, "Government drug testing: A question of reasonableness," *Vanderbilt Law Review* (May 1990), 43(4):1343-1376, 1347.

**Recent U.S. Supreme Court rulings
allow government testing of workers
whether or not there is individualized
suspicion of drug use**

Skinner v. Railway Labor Executive's Association, 489 U.S. 602, 109 S. Ct. 1402, 103 L.Ed. 2d 639 as cited in NIJ, Barbara Webster and Jerrold B. Brown, *Mandatory and random drug testing in the Honolulu Police Department*, NIJ research in action, NCJ-117718, October 1989, 6

and

National Treasury Employees' Union v. Von Raab, 489 U.S. 656, 109 S. Ct. 1384, 103 L.Ed. 2d 685 (1989) as cited in NIJ, Barbara Webster and Jerrold G. Brown, *Mandatory and random drug testing in the Honolulu Police Department*, NIJ research in action, NCJ-117718, October 1989, 6

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Congressional Research Service, Charles V. Dale, *Federally mandated drug testing of transportation workers*, June 16, 1989, 1, 2.

Chapter III

Section 5. The costs of illegal drug use

What are the costs of illegal drug use?

page 126

HHS, ADAMHA, Dorothy P. Rice, Sander Kelman, Leonard S. Miller, and Sarah Dunmeyer, *The economic costs of alcohol and drug abuse and mental illness: 1985, 1990*

and
The White House, ONDCP, *National drug control strategy: A Nation responds to drug use*, Budget summary, January 1992, 212-214

and
BJS, Justice Expenditure and Employment Survey, 1988, unpublished data. The estimation procedures are discussed beginning on page 44 of this Technical Appendix.

How much does the Federal Government spend on the drug problem?

page 128

Many Federal departments and agencies are involved in drug control

The White House, ONDCP, *National drug control strategy: A Nation responds to drug use*, Budget summary, January 1992, 6-7, 22, 35-55, 75-124, 146, 173-174.

The Federal drug control budget was \$42.78 per capita in 1991

The White House, ONDCP, *National drug control strategy: A Nation responds to drug use*, Budget summary, January 1992.

Total resident population including armed forces as of 9/30/91 from U.S. Bureau of the Census, *Estimates of the population of the United States to April 1, 1992*, Series P-25, No. 1087, June 1992.

Drug interdiction efforts and corrections account for two-fifths the Federal drug law enforcement budget

Activity	Dollars in millions			Percent change 1981-91	Percent distribution 1991
	1981	1991	1981-91 change		
Total law enforcement*	\$855.2	\$7,156.5	\$6,301.3	736.8%	100.0%
Interdiction	349.7	2,027.9	1,678.2	479.9%	28.3%
Investigations	211.3	1,288.2	1,076.9	509.7%	18.0%
International	66.8	639.6	572.8	857.5%	8.9%
Prosecution	70.6	583.7	513.1	726.8%	8.2%
Corrections	87.6	1,265.1	1,177.5	1,344.2%	17.7%
Intelligence	23.1	104.1	81.0	350.6%	1.5%
State & local assistance	27.6	1,015.5	987.9	3,579.3%	14.2%
Regulatory	18.5	31.4	12.9	69.7%	.4%
Other law enforcement	0	201	201.0		2.8%

*Excludes research and development, which accounted for \$4.9 billion in 1981 and \$111.4 billion in 1991. Report text incorrectly states that research and development is included in the 4.7% in the final bullet.

Source: The White House, ONDCP, *National drug control strategy: A Nation responds to drug use*, Budget summary, January 1992, 212-214.

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The INM provided \$150 million for international drug control in 1991

U.S. Department of State, Bureau of International Narcotics Matters, *International narcotics control strategy report*, March 1991, 45.

Most direct financial drug control assistance goes to Latin America

U.S. Department of State, Bureau of International Narcotics Matters, *International narcotics control strategy report*, March 1991, 43.

How much do State and local justice systems spend on drug crime?

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RTI and BJS developed estimates of the cost of drug law enforcement and the adjudication and correctional supervision of drug law violators for *Drugs, Crime, and the Justice System* using the following methodology.

State and local justice systems typically do not report costs by type of crime. Therefore, total justice expenditure data collected by the U.S. Bureau of the Census for the Bureau of Justice Statistics (BJS) is adjusted using statistical indicators of the proportion of total justice system activity due to drug law violations. This methodology is based, in part, on that used by Cruze et al. (1981), Harwood et al. (1984), and Rice

What are the trends in Federal Spending on the drug problem?

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Although the Federal drug law enforcement budget increased rapidly from 1981 to 1991...

Expenditures in millions of dollars

Year	Law enforcement	Drug abuse prevention	Drug abuse treatment	Total
1981	\$860.1	\$116.5	\$487.5	\$1,464.1
1982	\$1,052.0	\$126.0	\$473.9	\$1,651.9
1983	\$1,258.9	\$151.3	\$524.5	\$1,934.7
1984	\$1,579.0	\$160.1	\$558.8	\$2,297.9
1985	\$1,895.6	\$181.8	\$602.2	\$2,679.6
1986	\$2,012.8	\$185.8	\$627.7	\$2,826.3
1987	\$3,378.9	\$510.2	\$897.6	\$4,786.7
1988	\$3,224.7	\$538.1	\$939.6	\$4,702.4
1989	\$4,584.3	\$806.4	\$1,201.7	\$6,592.4
1990	\$6,594.2	\$1,365.7	\$1,733.2	\$9,693.1
1991	\$7,267.9	\$1,633.3	\$1,939.9	\$10,841.1

Percent of total for:

Year	Total drug control budget	Law enforcement	Drug abuse prevention	Drug abuse treatment
1981	\$1,464.1	58.7%	8.0%	33.3%
1982	\$1,651.9	63.7	7.6	28.7
1983	\$1,934.7	65.1	7.8	27.1
1984	\$2,297.9	68.7	7	24.3
1985	\$2,679.6	70.7	6.8	22.5
1986	\$2,826.3	71.2	6.6	22.2
1987	\$4,786.7	70.6	10.7	18.8
1988	\$4,702.4	68.6	11.4	20
1989	\$6,592.4	69.5	12.2	18.2
1990	\$9,693.1	68	14.1	17.9
1991	\$10,841.1	67	15.1	17.9

Source: The White House, ONDCP, *National drug control strategy: A Nation responds to drug use*, Budget summary, January 1992, 212-214.

et al. (1990) for the U.S. Department of Health and Human Services (HHS), Alcohol, Drug Abuse, and Mental Health Administration (ADAMHA). The ADAMHA methodology used —

- FBI arrest statistics to estimate police protection and adjudication expenditures resulting from drug law violations
- BJS prison and jail inmate survey data to estimate corrections caseload and expenditures.

The methodology used by RTI and BJS in developing the current State and local estimates for 1988 deviates from the ADAMHA methodology in several important respects:

- No attempt is made here to estimate the costs of *drug-related* crime to the justice system
- Unlike the earlier estimates which adjusted *total* State and local expenditures, the approach here is to disaggregate the expenditure data and the indicator data as much as possible to more closely match one another. This is described in the detailed discussion of the computations that follows.
- The current estimates rely on a greater variety of indicators than the earlier estimates. This is possible because of the creation of several new data sets, most notably the BJS judicial series, which began in 1986.

Because of these deviations from the original ADAMHA methodology, the current estimates are more refined but are not comparable to the earlier estimates.

Since these estimates were developed, the U. S. Census Bureau has collected 1990 and 1991 State and local drug law enforcement, adjudication, and corrections expenditure data for the Office of National Drug Control Policy. The data have not yet been published, but it is expected that any reports will be available through the BJS Clearinghouses and any data tapes through the National Archive of Criminal Justice Data. How to contact these resources is described elsewhere in this technical appendix. Those survey results have not been examined by BJS, but it is unlikely that they would be directly comparable to the estimates developed here.

General procedures

For each of the major justice areas (police protection, judicial, and corrections), available indicators of the proportion that drug law violations account for of total activity were identified. In identifying data sources for this purpose, strong preference was given to nationally representative data sets, particularly those produced by BJS. The selected drug indicators in terms of proportions were then multiplied by the 1988 justice expenditures reported by BJS in *Justice Expenditure and Employment in the U.S., 1988*. The calculations were performed by type and size of government to control for variations in expenditures and drug violation workload by those variables. In general, where more than one drug law indicator was available, estimates were developed for all available indicators.

Matching the indicator data to the expenditure data requires certain assumptions about the relationship between the two. For each of the three major justice areas adjusted, these assumptions and their probable accuracy are discussed after the estimation procedure is described.

Expenditure data

"Direct justice expenditure," which excludes intergovernmental expenditure, was selected because the adjustments were disaggregated by government type and size and could not be summed if the intergovernmental amounts were included because it would result in double counting. Thus, the totals for any particular level or type of government are an understatement of the cost because intergovernmental expenditures are excluded. In 1988, State government intergovernmental expenditure for all justice activities was 8.6% of total State expenditure; the figure for county governments was .8%, and for municipalities it was 2.6%. This does not affect the totals for all State and local governments and for all local governments because the intergovernmental amounts are included as direct expenditures when the recipient government spends the money.

Another source of underestimation in the justice expenditure data is the exclusion of employee pension payments and government contributions to retirement systems. These are not included because State and local agencies cannot always report them separately for justice agencies.

In some instances, the justice expenditure data were adjusted to more closely align them with the drug indicators being used. This is discussed as appropriate in the detailed discussion of each justice sector that follows.

Police drug law enforcement expenditure estimates

Available police protection indicators

Two indicators of drug law enforcement activity exist:

- arrests for drug law violations as reported by the FBI's Uniform Crime Reporting (UCR) Program (table A1)
- estimated drug law enforcement expenditures from a survey of State and local law enforcement agencies conducted for the United States Customs Service in 1986 (table A2).

Both sources provide data by type and size of government. However, the FBI does not report arrest data separately for State law enforcement agencies. Moreover, State agencies are not coded on the data tapes in a way that they could be identified. According to the Uniform Crime Reporting staff, most State police agency arrests are coded to rural counties. Other State law enforcement agencies may have other codes. For example, State university police forces are coded as small cities. In the absence of a method of separating out the State agency arrests, the percent of rural county arrests that are drug law violations is used to adjust the State police expenditures.

Available State and local police protection expenditure data

Police protection expenditure data are available separately for State and local governments by the type and size categories shown in table A3.

Table A1. Arrests, 1988

Size and type	All arrests	Drug arrests	
		Number	Percent
Total State and local	10,138,830	850,034	8.38%
State police	•	•	•
Local total	10,138,830	850,034	8.38%
All cities	7,928,568	686,841	8.66%
>250,000	2,903,162	347,000	11.95%
<250,000	5,025,404	339,841	6.76%
Counties	2,210,264	163,193	7.38%
Suburban	1,372,807	105,916	7.72%
Rural	837,457	57,277	6.84%

*Not available.

Source: FBI, *Crime in the U.S.*, 1988, August 1989, table 26.**Table A3. Direct police protection expenditures, 1988**

Size and type	Police protection in thousands
Total State and local	\$24,401,413
State	\$4,078,136
Local total	\$20,323,277
All cities	\$15,622,542
>300,000	\$6,391,257
<300,000	\$9,231,285
All counties	\$4,700,735
>500,000	\$2,161,148
<500,000	\$2,539,587

Source: BJS, *Justice Expenditure and Employment in the U.S.*, 1988, NCJ-125619, August 1991, tables 5, 12, 17.**Estimating police protection expenditures for enforcing drug laws**

The computations and results are shown in table A4.

Police protection assumptions and commentary

• **Assumption:** Arrests for drug law violations are an accurate reflection of police workload and related expenditures for enforcing drug laws. Hundreds of drug arrests may be made with minimal police resources in street sweeps of retail drug markets. On the other hand, the arrest of one major drug wholesaler may require hundreds of police hours spent investigating and additional police

hours spent serving as witnesses in lengthy judicial proceedings. Wide variations in enforcement resources for drug law violations are not uncommon, but on average, arrest information may be an accurate indicator of drug law enforcement expenditures.

• **Assumption:** Differences in the location sizes for which indicator and expenditure data were collected do not affect the suitability of the indicator for use with the expenditure data. Large city arrest data are for cities with populations over 250,000. These data are applied to expenditure data for cities with populations of 300,000 or more. The UCR county data are for suburban and

Table A2. Percent expenditures for drug law enforcement, 1986

Size and type	Percent drug expenditures
Total State and local	
State police	20.0%
Local total	•
All cities	•
>100,000	18.4%
<100,000	17.1%
Counties	•
>100,000	19.5%
<100,000	17.4%

*Not available.

Source: Wharton Econometrics, for the U.S. Customs Service, "Anti-drug Law Enforcement Efforts and Their Impact," 1987, (unpublished), table 3.

rural counties, and these are used for the large and small county expenditure data respectively (above or below 500,000 population). Similarly, the Customs Service survey data are for cities and counties with populations over 100,000 and are applied to expenditure data for cities with populations of 300,000 or more and counties with populations over 500,000. Despite these size differences, the aggregation of State and local drug law enforcement expenditure estimates at each disaggregate level may be more accurate

Table A4. Police protection drug law enforcement indicators and estimated drug expenditure

Government size and type	Total expenditure in thousands of dollars	Percent drugs from sources:		Estimated drug expenditures in thousands using:	
		Customs	Arrests	Customs	Arrests
Total	\$24,401,413	•	8.38%	\$4,433,480	\$2,007,283
State	\$4,078,136	20.00%	6.84%	\$815,627	\$278,945
Local total	\$20,323,277	•	8.38%	\$3,617,853	\$1,728,338
All cities	\$15,622,542	•	8.66%	\$2,754,541	\$1,387,790
Large	\$6,391,257	18.40%	11.95%	\$1,175,991	\$763,755
Small	\$9,231,285	17.10%	6.76%	\$1,578,550	\$624,035
All counties	\$4,700,735	•	7.38%	\$863,312	\$340,548
Large	\$2,161,148	19.50%	7.72%	\$421,424	\$168,841
Small	\$2,539,587	17.40%	6.84%	\$441,888	\$173,708

*Not available.

Note: Total cells are sums of data shown by size and type breaks and not the result of applying the percents shown, which produce different totals due to rounding in the computer program. Percent used for State police arrests is that for rural counties.

than a total State and local drug law enforcement expenditure estimate calculated using the overall proportion of drug arrests. In fact, they come out about the same using the two methods.

• **Assumption:** *State law enforcement agencies make the same proportion of drug arrests as do rural county police.* There is no information on a national basis on this. State police responsibilities vary across States. Those State law enforcement agencies that have broad-based investigative powers probably make proportionally more drug arrests than a typical rural county sheriff, but this may be offset by State police in other States where they have more limited responsibilities.

• **Assumption:** *The Customs Service survey data are not biased by a low response rate.* The Customs Service sponsored the survey of State and local police departments as a part of a larger study of the cost-effectiveness of drug interdiction vs. State and local investigation and apprehension of drug law violators. The study has been criticized on a number of dimensions, although no reviews have been published — perhaps because the study itself has not been published and is not widely available. Specifically, the study's survey has been criticized for a low overall response rate (34%). However, the response rates for State police, large cities, and large counties were considerably higher — 78%, 68%, and 59%, respectively. These jurisdictions account for about half of total police protection expenditures. In addition, the authors of the Customs Service study examined the responding and nonresponding agencies from several different perspectives, including geographic region and size of the surrounding area, and concluded that there was no reason to expect that the results were biased by nonresponse.

• **Assumption:** *The 1986 Customs Service survey data accurately measure State and local drug law enforcement expenditures.* A second question regarding the Customs Service survey is to what extent the battery of questions on drug law enforcement expenditures accurately measured actual expenditures for drug law enforcement. The authors compared the responses to the drug law enforcement expenditure and

employment questions and adjusted for inconsistencies. These adjustments are described in the study report. However, no public-use tape or hard-copy records of the actual data are available to examine the reasonableness of these adjustments. One of the adjustments was to "cap" drug law enforcement expenditures at 20% for the 30 departments that reported a higher percent (less than 1% of total departments reporting).

• **Assumption:** *The 1986 Customs Service survey data reflect the proportion of police expenditures for drug law enforcement in 1988.* Since 1986, there is reason to believe that police departments have increased the proportion of resources used for drug law enforcement in many communities. This trend is particularly strong in areas severely affected by "crack" cocaine and in new transshipment locations as intensive surveillance along old routes causes drug traffickers to seek less heavily monitored means of transporting drugs. The quantitative impact of these changes on law enforcement expenditures is unknown, but would be expected to increase the cost of drug law enforcement.

Adjudication of drug law violators expenditure estimates

Available State and local drug adjudication cost indicators

Three indicators of the prosecution and adjudication of drug cases were considered; these are displayed in table B1:

- 1988 data on State felony court convictions from BJS's National Judicial Reporting Program (NJRP)
- 1988 data for defendants in the 75 largest counties from BJS's National Pretrial Reporting program (NPRP)
- 1988 arrests for drug law violations, as reported by the FBI's Uniform Crime Reporting (UCR) Program.

The NPRP data were not used because they are not nationally representative.

Some geographic breaks are available from the NJRP, basically counts of felony convictions for all felony courts and for large counties, which allows the computation of a residual of cases outside of large counties.

Table B1. Available Indicators of drug cases in State and local court systems

Government size and type	NJRP	NPRP	Arrests
Total State and local	34.4%	*	8.38%
State	*	*	*
Local total	*	*	8.38%
All cities	*	*	8.66%
Large	*	*	11.95%
Small	*	*	6.76%
All counties	*	*	7.38%
Large	37.7%	34.7%	7.72%
Small	30.4%	*	6.84%

*Not available.

Note: Half (17% of THE NJRP total) are drug trafficking convictions; the remainder are estimated by the source to be felony drug possession convictions.

Sources: BJS, NJRP, *Felony Sentences in State Courts, 1988*, 1; BJS, NPRP, *Felony Defendants in Large Urban Counties, 1988*, table 1; and FBI, *Crime in the U.S., 1988*, table 26.

Available adjudication expenditure data

The Justice Expenditure and Employment Survey produces data on expenditures for the judicial activities of:

- courts
- prosecution and legal services
- public defense.

Data are available for each of these categories, as displayed in table B2.

Each of these categories contains data for activities at all levels of court jurisdiction. In the absence of data, no attempt is made here to prorate data for limited, general, or appellate jurisdiction courts, although the data are available separately for these court levels for State governments and for large county governments.

The judicial data also contain data for civil actions; as discussed below, the data are prorated to discount for these activities.

Adjusting court expenditure data for civil and traffic cases

Reported court expenditure data include not only criminal and juvenile delinquency court costs, which are pertinent to this study, but also civil and traffic case costs. The National Center for State Courts reports that in 1988, civil case filings were 17.2% of all trial case filings and traffic cases were 69.2%. Clearly to apply the indicator percents to all court expenditures would overestimate the amount of court expenditures for drug cases. Consequently, the judicial expenditure data were adjusted to exclude civil and traffic cases.

The 13.6% of all trial court filings that were for criminal and juvenile cases percentage was applied to judicial expenditures to estimate the adjudication expenditures that are related to criminal and juvenile delinquency cases, as shown in table B2. In method I, all judicial data, including prosecution and public defense, are discounted by the 13.6%. In method II, only the court portion is discounted before summing it with all prosecution and public defense expenditures. Two methods were used because neither one is entirely satisfactory and the use of two methods will allow the development of a range of expenditure that could be attributable to the adjudication of all criminal and delinquency cases and the subset of drug cases.

Estimating expenditures for adjudicating drug law violation cases

Applying the drug adjudication indicators discussed above to the adjusted expenditure data results in the estimates of drug law violation adjudication shown in table B3.

The adjudication expenditure data produced by method I described above are prorated by the proportion of all arrests that are for drug law violations. This produces what is probably the lowest estimate of expenditure for adjudicating drug law violators. The alternative method II prorates only the court data and adds it to the prosecution and public defense expenditures before applying the higher NJRP indicator to set an upper bound on drug adjudication expenditure, as shown in table B3.

Table B3 displays the geographic detail available. This is considered less reliable than the State and local totals because the indicators by level of government are inconsistent in some areas with the level of government spending. For example, cases begun by a city arrest are often heard in a State or county court.

Adjudication assumptions and commentary

Of the three areas of justice system drug control activities studied here — police, adjudication, and corrections —

the adjudication cost estimates are the least credible. As the technical discussion shows, the available workload indicators are not well suited to the task of being surrogates for court caseload.

• **Assumption:** *The UCR arrest data are representative of court workload distribution.* There is no way to know the accuracy of this assumption. Not all arrests result in court cases, and those that do can vary widely in complexity and the amount of time the judicial system must devote to them.

• **Assumption:** *The BJS felony case data are representative of misdemeanor cases.* About 73% of all drug arrests reported in the Uniform Crime Reports (UCR) are for possession offenses which are likely to be misdemeanors, but the FBI does not know whether agencies are reporting arrests for possession with intent to sell/distribute as possession or sale arrests. Possession with intent to sell/distribute is considered to be more serious than simple possession and most likely carries higher penalties; they may be reported in court statistics as felony cases. No national information exists on the proportion of misdemeanor court cases that are drug cases, so felony case figures must be used.

• **Assumption:** *On average, a court case for a drug offense costs no more or less than any other type of criminal court case.* This is tantamount to assuming that drug cases are no more or

Table B2. Adjudication expenditure data, 1988 (thousands of dollars)

Size and type	All judicial as reported	Estimated criminal		Detailed judicial as reported		
		Method I	Method II	Courts only	Prosecution	Public defense
Total State and local	\$10,749,475	\$1,461,929	\$5,168,189	\$6,459,822	\$3,276,822	\$1,012,331
State	\$4,235,828	\$576,073	\$1,816,521	\$2,800,124	\$1,040,341	\$395,363
Local total	\$6,513,647	\$885,856	\$3,351,668	\$3,659,698	\$2,236,481	\$617,468
All cities	\$1,787,377	\$243,083	\$1,155,225	\$731,657	\$917,052	\$138,668
>300,000	\$993,548	\$135,123	\$641,044	\$407,991	\$456,625	\$128,932
<300,000	\$793,829	\$107,961	\$514,182	\$323,666	\$460,427	\$9,736
All counties	\$4,726,272	\$642,773	\$2,196,445	\$2,928,041	\$1,319,430	\$478,801
>500,000	\$2,590,110	\$352,255	\$1,209,755	\$1,597,633	\$680,888	\$311,589
<500,000	\$2,136,162	\$290,518	\$986,689	\$1,330,408	\$638,542	\$167,212

Sources: BJS, *Justice Expenditure and Employment in the U.S., 1988*, NCJ-125619, August 1991, table 5, and National Center for State Courts, *State court caseload statistics: Annual report 1988*, page 5.

Table B3. Adjudication drug case indicators and estimated drug expenditure (thousands of dollars)

Government size & type	Adjusted judicial expenditure		Percent drugs from sources:		Estimated drug expenditures using:	
	Method I	Method II	NJRP	Arrests	NJRP	Arrests
Total State and local	1,461,929	\$5,168,189	34.40%	8.38%	\$1,777,857	\$122,510
State	576,073	\$1,816,521	*	6.84%	\$0	\$39,403
Local total	885,856	\$3,351,668	*	8.36%	\$0	\$74,235
All cities	243,083	\$1,155,225	*	8.66%	\$0	\$21,051
>300,000	135,123	\$641,044	*	11.95%	\$0	\$16,147
<300,000	107,961	\$514,182	*	6.76%	\$0	\$7,298
All counties	642,773	\$2,196,445	*	7.38%	\$0	\$47,437
>500,000	352,255	\$1,209,755	37.7%	7.72%	\$456,078	\$27,194
<500,000	290,518	\$986,689	30.4%	6.84%	\$299,954	\$19,871

*Not available.

Note: Percent used for State police arrests is that for rural counties.

less likely, on average, than other cases to be disposed of by trials vs. guilty pleas vs. dismissals. Clearly, cases that go to trial (either bench or jury) cost more than those that are disposed of by a guilty plea entered at the beginning of trial. Likewise, those disposed of by a guilty plea are likely to cost more than those that are dismissed. According to BJS's report, *Felony Case Processing in State Courts, 1988*, drug trafficking cases are settled by a guilty plea about as often as all felony cases, 92% and 91% respectively, so this assumption appears warranted.

• **Assumption:** *On average, a traffic or civil case costs no more or less than a criminal or juvenile case, and the distribution of filings for these cases reflect court caseload and expenditures.* The Census Bureau has determined that no consistent basis exists for prorating court expenditures by traffic, civil, criminal, and juvenile. The data on cases filed (particularly for civil cases where many cases are filed but settled by the parties with little or no court involvement) are probably a poor indicator of the impact of civil cases on court resources. Criminal and civil case disposition data would be a better indicator of court workload, but are unavailable. The volume of traffic case filings is a poor indicator of court workload as such cases take considerable less time than the other types of court filings. Discounting adjudication costs using the 13.6% of

cases filed that are criminal or juvenile most likely results in an under estimate of actual costs for criminal cases and for drug cases. However, this is offset somewhat by incomplete reporting by the States to the National Center for State Courts on traffic filings — only 15 States included them.

• **Assumption:** *The proportion of drug offenses of total offenses is the same for juveniles and adults.* Adjudication expenditure data include juvenile court costs. *State Court Caseload Statistics: Annual Report, 1988*, by the National Center for State Courts, reports that approximately 1.5% of all trial court filings in 1988 were for juvenile cases. Also, the National Center for Juvenile Justice reports that in 1988, around 7% of total juvenile delinquency cases processed were for drug offenses. Adjudication expenditure can not be separated out by criminal and juvenile cases. Thus, to use the higher adult felony indicator for all expenditures tends to overestimate total drug-case court costs somewhat. Juvenile expenditure data are further complicated by the inability of the Justice Expenditure Survey to report on a national basis to what extent non-court-hearing juvenile workload was included in court expenditures or probation (corrections) expenditures. Examples of such non-court-hearing functions are intake, non petitioned cases, and informal dispositions.

Corrections expenditure estimates for convicted drug law violators

Available State and local corrections cost indicators

Several indicators of drug offender correctional activity exist:

- BJS surveys of State prison and local jail inmates that report on the incarceration offense
- the *Children in Custody* series that reports on the number of juveniles in detention for drug offenses
- BJS judicial surveys that report on sentences to incarceration and probation for drug offenders
- smaller research studies on pardons.

Available corrections expenditure data

State and local corrections expenditure is reported by BJS in similar categories as shown in tables C1 and C2:

- institutions for adults and juveniles, separately
- probation, pardon, and parole combined
- other corrections.

In the adjustments and estimates discussed below, each corrections component is discussed separately.

Adjusting corrections expenditure data for institutions

The BJS Survey of Justice Expenditure and Employment presents only *direct current* expenditure by type of institution as displayed in table C2. Direct current expenditure excludes capital outlays. The survey provides direct current expenditure data for institutions for State governments and for the 72 largest counties.

The survey does report total institution direct expenditures used in the rest of this analysis, but does not report them by type of institution. In order to estimate the total direct expenditure for institutions by type of institution, the following adjustments were made.

First, as shown in table C3, the distribution of direct current expenditure across

Table C1. Direct corrections expenditures, 1988 (thousands of dollars)

Size and type	Total corrections	All correctional institutions			Probation parole pardon	Other
		All	Adult	Juvenile		
Total State and local	\$17,982,276	\$15,262,966	*	*	\$2,004,293	\$715,017
State	11,661,100	9,867,736	*	*	1,078,347	715,017
Local total	6,321,176	5,395,230	*	*	925,946	*
Cities	1,582,513	1,470,348	*	*	112,165	*
Counties	4,738,663	3,924,882	*	*	813,781	*

*Not available.

Note: "Other corrections" available only for State governments.

Source: BJS, *Justice Expenditure and Employment in the U.S., 1988*, NCJ-125619, August 1991, table 41.**Table C2. Direct current expenditures for institutions, 1988 (thousands of dollars)**

Size and type	All	Adult	Juvenile	Other and combined
State	\$8,152,547	\$6,260,142	\$1,186,357	\$706,046
Percent	100.00%	76.79%	14.55%	8.66%
72 largest counties	1,645,338	1,330,158	315,180	*
Percent	100.00%	80.84%	19.16%	*

*Not available.

Note: Adult institutions summed from institutions for men and women in text.

Source: BJS, *Justice Expenditure and Employment in the U.S., 1988*, NCJ-125619, August 1991, tables 47 and 50.**Table C3. Estimated direct expenditures for institutions, 1988 (thousands of dollars)**

Size & type	All institutions	Adult	Juvenile	Other and combined
State	\$9,867,736	\$7,577,194	\$1,435,951	\$854,589
Percent	100.00%	76.79%	14.55%	8.66%
Prorated combined	\$9,867,734	\$8,295,632	\$1,572,102	0
Percent	100%	84.07%	15.93%	0.00%
All local	\$5,395,230	\$4,361,723	\$1,033,507	*
Percent	100.00%	80.84%	19.16%	*

*Not available.

Source: BJS, *Justice Expenditure and Employment in the U.S., 1988*, NCJ-125619, August 1991, tables 47 and 50.

institution type from table C2 was applied to total direct expenditures for State governments and for all local governments from table C1. Then, the residual "other and combined institution" category was prorated between adult and juvenile institutions for State expenditures; this was not necessary for local expenditures.

Available indicators of proportion of incarcerated population that is for drug offenses

BJS conducts quinquennial surveys of State prison inmates and inmates of local jails. These surveys are the best source of estimates on the offense distribution of the adult incarcerated population. The Office of Juvenile Justice

and Delinquency Prevention (OJJDP) periodically surveys juvenile detention facilities. None of these was conducted for 1988, the year of the expenditure data being adjusted. Thus, it was necessary to prorate the survey data to 1988 as shown in table C4.

Table C4. Proration of jail and prison inmate survey data and juvenile public detention data to 1988

Jail inmate data proration

Year	Percent in jail for drug offense
1983	10.0%
1984	12.1
1985	14.2
1986	16.2
1987	18.3
1988	20.4
1989	22.5

Note: Data were collected in 1983 and 1989; the rest are prorated.

Prison inmate data proration

Year	Percent in prison for drug offense
1986	8.60%
1987	11.28
1988	13.96
1989	16.64
1990	19.32
1991	22.00

Note: Data were collected for 1986 and 1991; the rest are prorated.

Juveniles in public facilities data proration

Year	Percent for drug offense
1987	10.6%
1988	8.6
1989	6.6

Note: Data were collected for 1987 and 1989; percent for 1988 was prorated.

Sources: BJS, *Profile of jail inmates, 1989*, *Profile of State prison inmates, 1986*, and *Prisons and prisoners in the United States*; and OJJDP, *Public Juvenile Facilities: Children in Custody 1989*, table 3, page 5 text, and footnote 3 on page 5.

Probation, parole, and pardon indicators

There are no national counts of probation, parole, or pardon drug offender populations, so they were estimated as described below.

The proportion of probationers who were drug offenders was estimated using the numbers sentenced to probation from the National Judicial Reporting Program (NJRP) as seen in table C5.

Table C5. Estimating the number and percent of the probation population

Sentenced felons

All felons 667,366

Percent to probation 30%

Estimated number to probation 200,210

Drug traffickers 111,950

Percent to probation 28%

Estimated number to probation 31,346

All felons 667,366

Percent possessors 17%

Estimated drug possessors 113,452

Percent to probation (all other felons) 37%

Estimated number to probation 41,977

Drug offenders:

Drug traffickers 111,950

Estimated drug possessors 113,452

Estimated total drug felons 225,402

Sentenced to probation:

Drug traffickers 31,346

Estimated drug possessors 41,977

Estimated total to probation 73,323

Est. total drug offenders to probation 73,323

Est. total felons to probation 200,210

Est. percent drug offenders 36.62%

Source: BJS, *Felony Sentences in State Courts*, 1988, 2.

Table C6. Estimating the number and percent of the pardon workload that is drug offenders

State	Applications received					Total if drugs available
	Total	Pardon	Commutation	Percent drugs	Number drugs	
AR	276	86	190			
CA	213	213		75.0%	159.75	213
CO	0			80.0%		
DE	68	59	9			
FL	0					
GA	0					
HI	17	16	1	10.0%	1.70	17
ID	176	4	172	14.5%	25.52	0
LA	1,493		1,493			
ME	0					
MD	167	167				
MA	135	100	35	10.5%	14.18	135
MN	27	3	24			
MO	175	168	7			
MT	11	11				
NE	68	17	51			
NV	167	10	157	1.0%	1.67	167
NH	18	18				
NJ	84	14	70			
NY	265	1	264	89.0%	235.85	265
NC	309	37	272	5.0%	15.45	309
ND	3	3				
OH	368	56	312	15.0%	55.20	368
PA	114	31	83	5.0%	5.70	114
RI	0					
SC	238	238				
SD	193	13	180			
VT	16	16		27.0%	4.32	16
VA	0					
WA	75	75				
WV	212	212		13.4%	28.41	212
WY	45	45		25.0%	11.25	45
Totals	4,933				559	1,861

Percent of total with drugs: 30.04%

Estimated number of all drug pardon applications: 1,482

Source: National Institute of Corrections and National Governors Association, *Guide to Executive Clemency Among the American States*, tables 3 and 6.

The proportion of drug parolees was estimated from BJS, *National Corrections Reporting Program (NCRP)* by Dr. Allen Beck of BJS's Corrections Statistics unit, using the proportion of drug offenders in releases and admissions to parole supervision from 1985 to 1988.

The pardon indicator was estimated using data from a survey of governors on the use of pardons and commutations, as seen in table C6, and applied to all reported applications for pardon or commutation to estimate the number of drug offenders. The proportion of those that were drug offenders was estimated for only those States that provided drug offense data.

The proportions derived in this way were then applied to the 1988 probation and parole populations as reported by BJS in *Probation and Parole 1988* to estimate the number of drug offenders on probation and parole, as seen in table C7. The numbers of drug offenders were summed to estimate the number and percent of drug offenders in all three groups. This was done because the BJS expenditure data combine costs for probation, pardon, and parole and report these costs for the total of all State and local governments.

Estimating corrections expenditures for drug law violators

The computations and results are shown in table C8. The proportions of each offender population estimated above to be drug law violators was applied to total State or local expenditure responsible for that population. State institutions for adults were considered to be State prisons and State prison inmate survey data were used for them.

Local institutions were considered to be local jails and jail inmate survey data were used for them. Only one figure was available for juveniles, and it was used for both State and local juvenile institutions.

Table C7. Weighting the probation, parole, and pardon indicators

Activity	Number of persons	Percent distribution	Percent drugs	Estimated drugs	
				Number	Percent distribution
Total	2,688,372	100.00%	33.78%	908,089	100.00%
Probation	2,295,949	85.40%	36.62%	840,850	92.60%
Parole	387,490	14.41%	16.97%	65,757	7.24%
Pardons	4,933	0.18%	30.04%	1,482	0.16%

Sources: BJS, *Probation and parole 1988*, tables 1 and 2 (used 12/31/88 populations); BJS, NCRP parole estimates by Allen Beck of the BJS Corrections program, and results of computations in table C6.

Table C8. Corrections drug offender indicators and estimated drug expenditures (thousands of dollars)

Correctional program	Percent drugs	Total corrections expenditure	Estimated drugs expenditures	
			Amount	Percent distribution
Institutions				
Adult	16.18%	\$12,657,355	\$2,047,862	66.7%
State prisons	13.96%	\$8,295,632	\$1,158,070	37.7%
Local jails	20.40%	\$4,361,723	\$889,791	29.0%
Juveniles	8.60%	\$2,605,609	\$224,082	7.3%
State institutions	8.60%	\$1,572,102	\$135,201	4.4%
Local institutions	8.60%	\$1,033,507	\$88,882	2.9%
Total institutions	14.89%	\$15,262,964	\$2,271,944	74.0%
Probation, parole, and pardon				
Subtotal	17.08%	\$17,267,257	\$2,948,962	96.0%
Other corrections	17.08%	\$715,017	\$122,113	4.0%
Total corrections	17.08%	\$17,982,274	\$3,071,075	100.0%

Note: Detail may not add due to rounding and the number of decimal places used in computations versus the number displayed.
Sources: Tables C1 to C7.

The BJS Survey of Justice Expenditure and Employment includes a residual "other corrections" expenditure, which constitutes about 4% of total direct corrections expenditure. This category includes nonresidential resettlement or halfway houses, correctional administration not directly attributable to institutions, and miscellaneous items that cannot be classified under the other corrections subcategories. In the computations shown on table C8, these expenditures are estimated for drug law violations in the same proportion as they are for institutions and for probation/parole/pardon.

Corrections assumptions and commentary

• **Assumption:** On average, incarcerating or supervising a drug offender is no more or less costly than incarcerating or supervising any other type of offender. The cost of incarcerating an individual depends on the custody/security level of the facility and on the services provided the individual. There is no reason to believe that drug law offenders are systematically housed in higher or lower security facilities than other types of inmates.

However, recent data indicate that persons on probation for drug trafficking are subject to more drug treatment and drug testing than other felons sentenced to probation. BJS reports in *Recidivism of Felons on Probation, 1986-89*, January 1992, that 33% of persons on probation for drug trafficking had drug treatment as a condition of their probation compared to 23% of felons on probation overall. For drug testing, 41% of those on probation for drug trafficking were ordered by the court to be tested compared to 31% of all felons on probation. It is unknown to what extent probation offices complied with these conditions of probation (for example, how frequently the probationers were tested or what form drug treatment took). It is also unknown whether the justice system, the health care system, or private health insurance or other private funds bore the costs of the treatment.

In addition, recent "intermediate sanctions," such as house arrests, electronic monitoring, and intensively supervised probation, are thought to be well suited to drug offenders and are more expensive to administer than regular probation (although less expensive than incarceration). What limited information is available on these programs is presented on page 182 of *Drugs, Crime and the Justice System: A National Report*. In general, the use of such programs is limited to such a small proportion of offenders that they are likely to have little if any impact on overall costs on a national basis. BJS's Probation and Parole Survey reports that about 2% of all adults on probation were on intensive probation in 1990.

• **Assumption:** *The growth in drug offenders in prison and jail populations between the quinquennial survey years and the in public juvenile detention facilities between 1987 and 1989 was monotonic and the prorations between the years produces accurate figures for 1988.* This assumption is probably right. There is no reason to expect that there was a markedly uneven growth in the proportion of persons incarcerated for drug offenses during the period.

• **Assumption:** *The "other and combined institutions" expenditure is distributed across adult/juvenile institutional costs the same as these*

costs are distributed without the "other corrections" expenditure. There is a relatively small amount (8.7%) of expenditures reported by BJS in the "other and combined institutions" category of corrections costs. This category includes institutions holding a combination of inmates. There is no information on which to base a distribution of these costs other than to assume they are distributed in the same way as reported data for adult/juvenile institutions.

• **Assumption:** *Total State direct expenditures for institutions are distributed across type of facility as are direct current expenditures for institutions.* Direct current expenditures include all direct expenditures with the exception of capital outlay. There is no information as to whether there is a disproportionate distribution of capital outlay relative to current direct expenditures between adult and juvenile facilities.

• **Assumption:** *All local facilities have the same proportion of adults vs. juveniles as in the 72 largest counties.* The only data available on the ratio of adult to juvenile local facilities are for the 72 largest counties. These counties account for 37% of all local direct current institutions costs.

• **Assumption:** *The "other corrections" expenditure is distributed across institutions and probation/parole/pardon costs the same as these costs are distributed without the "other corrections" expenditure.* There is a relatively small amount (4.0%) of expenditures reported by BJS in the "other corrections" category of corrections costs. This category includes nonresidential resettlement or halfway houses, correctional administration not directly attributable to institutions, and miscellaneous items that cannot be classified under the other corrections subcategories. There is no information on which to base a distribution of these costs other than the subcategories used in the estimation of institutional and probation/parole/pardon costs.

• **Assumption:** *The State felony probation data are representative of misdemeanors.* Misdemeanants placed on probation may be required to report to their probation officers less frequently than felons and may be ordered to participate less frequently (or more frequently) in drug testing or treatment

than felons on probation or parole. If so, the supervision cost per case might differ. No national information exists on misdemeanor probationers, although costs for their probation services are included in the BJS corrections expenditure data.

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Dorothy P. Rice, Sander Kelman, Leonard S. Miller, and Sarah Dunmeyer, *The economic costs of alcohol and drug abuse and mental illness: 1985, 1990.*

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Crime in the U.S., 1988, August 1989.

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National Center for State Courts, State court caseload statistics: Annual report 1988, (Williamsburg, VA: National Center for State Courts), February 1990.

What are the public and private health care costs of illegal drug use?

page 132

Health care to diagnose, treat, and rehabilitate illegal drug users cost more than \$2.2 billion in 1985

HHS, ADAMHA, Dorothy P. Rice, Sander Kelman, Leonard S. Miller, and Sarah Dunmeyer, *The economic costs of alcohol and drug abuse and mental illness: 1985, 1990*, 8, 63, 70, 86, 89, 152.

Notes:

Crack-cocaine costs are not included in estimates because this epidemic emerged after 1985.

Percentages do not apply to personal medical care for drug-related AIDS.

Health care for drug-related AIDS cases cost \$190 million in 1985

HHS, ADAMHA, Dorothy P. Rice, Sander Kelman, Leonard S. Miller, and Sarah Dunmeyer, *The economic costs of alcohol and drug abuse and mental illness: 1985, 1990*, 152 and

HHS, Centers for Disease Control, Division of HIV/AIDS, *HIV/AIDS surveillance*, July 1991, table 3.

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GAO, *Drug exposed infants: A generation at risk*, GAO/THRD-90-46, June 1990, 18, 28.

Other estimates —

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Deanna Gomby and Patricia H. Shiono, "Estimating the number of substance-exposed infants," *The future of children*, (Spring 1991), 1:17-25.

Illegal drug users are more prone than nonusers to occupational accidents

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A similar study —

Craig Zwerling, James Ryan, and Endel John Orav, "The efficacy of preemployment drug screening for marijuana and cocaine in predicting employment outcome," *Journal of the American Medical Association* (November 28, 1990), 264(20):2639-2643.

A study done by the Care Institute —

John Krizay, *The fifty billion dollar drain* (Irvine, CA: Care Institute, 1986), 29.

How much does drug treatment cost?

page 133

Drug treatment costs were reported to be \$1.73 billion in 1989

Survey response rates were computed as follows:

Overall survey response	Number of units	Percent
Known active drug and alcohol units	12,330	
Number responding	9,608	
Overall response rate		77.9%
Overall nonresponse rate		22.1

Source: HHS, ADAMHA, *National Drug and Alcoholism Treatment Unit Survey (NDATUS): 1989 Main findings report*, 1990, table 1.

All responding units by type of unit	Number of units	Percent
All responding units	9,608	
Treatment only	7,759	
Alcohol only	1,782	
Treatment only	1,472	
Drugs only	1,449	
Treatment only	1,266	
Both alcohol and drugs	6,377	
Treatment only	5,021	
Total with drugs	7,826	
Treatment only	6,287	
Percent of all units with drugs		81.5%
Percent of treatment units with drugs		81.0

Note: "Total with drugs" is sum of "drugs only" and "both alcohol and drugs." Nontreatment units include prevention/education and "other" such as administration, employee assistance programs, DWI programs, and central intake. (Source page 3)

Source: HHS, ADAMHA, *National Drug and Alcoholism Treatment Unit Survey (NDATUS): 1989 Main findings report*, 1990, tables 2-4.

Drug treatment units reporting funding data	Number of units	Percent
All treatment units with drugs	6,287	
Treatment units reporting drug funds	4,429	
Response rate		70.4%
Nonresponse rate		29.6

Source: HHS, ADAMHA, *National Drug and Alcoholism Treatment Unit Survey (NDATUS): 1989 Main findings report*, 1990, tables 2-4 and

State-supported spending for alcohol and other drug abuse prevention and treatment expenditures was \$9.65 per capita in 1989

State	Per capita treatment dollars	State	Per capita treatment dollars
Alabama	\$2.21	Missouri	\$3.94
Alaska	56.49	Montana	17.39
Arizona	7.82	Nebraska	5.65
Arkansas	3.58	Nevada	7.51
California	11.56	New Hampshire	4.02
Colorado	9.53	New Jersey	7.72
Connecticut	21.09	New Mexico	10.04
Delaware	7.06	New York	30.17
District of Columbia	56.40	North Carolina	5.81
Florida	6.98	North Dakota	5.02
Georgia	6.99	Ohio	4.26
Hawaii	4.70	Oklahoma	5.49
Idaho	3.56	Oregon	28.68
Illinois	6.60	Pennsylvania	7.44
Indiana	5.50	Rhode Island	14.19
Iowa	7.06	South Carolina	9.31
Kansas	5.95	South Dakota	6.09
Kentucky	4.07	Tennessee	5.46
Louisiana	2.65	Texas	1.80
Maine	8.32	Utah	9.44
Maryland	12.38	Vermont	8.32
Massachusetts	10.10	Virginia	7.68
Michigan	9.05	Washington	10.27
Minnesota	11.83	West Virginia	4.12
Mississippi	3.37	Wisconsin	17.01
		Wyoming	*

*Data not available.

Note: Data are included for "...only those programs which received at least some funds administered by the State alcohol/drug agency during the State's fiscal year 1989."

Source cannot separate drug treatment and alcohol treatment expenditures. Data for Arizona and New York are allocated funds rather than actual expenditures.

Source: HHS, ADAMHA, National Association of State Alcohol and Drug Abuse Directors, Inc., *State resources and services related to alcohol and other drug abuse problems: Fiscal year 1989: An analysis of State alcohol and drug abuse profile data*, August 1990, table 2, 10 and B-1.

**Drug treatment cost an average
of \$1,950 per client in 1989**

**Per client treatment costs vary by
modality and environment...**

<u>Modality and environment</u>	<u>Dollars per client</u>
All modalities	\$1,950
Hospital inpatient	4,137
Residential	3,247
Outpatient	1,053
Multiple environments	2,584
Detoxification	\$1,753
Hospital inpatient	1,860
Residential	1,608
Outpatient	338
Multiple environments	3,073
Maintenance	\$2,048
Hospital inpatient	2,831
Residential	1,824
Outpatient	2,040
Multiple environments	760
Drug free	\$1,799
Hospital inpatient	6,721
Residential	3,592
Outpatient	845
Multiple environments	2,890
Multiple modalities	\$2,172
Outpatient	1,136
Hospital inpatient	5,569
Residential	3,015
Multiple environments	2,439

Source: HHS, ADAMHA, *National Drug and
Alcoholism Treatment Unit Survey (NDATUS):
1989 Main findings report*, 1990, table 50.

Chapter IV

Section 1. Overview

How are drug crimes and drug-using offenders processed within the justice system?

page 136

Drug offenses come under the jurisdiction of more than one level of government

Attorney General's Task Force on Violent Crime: Final Report, August 17, 1981, 1-2.

FBI, Crime in the United States 1990, 1991, 173.

DEA, Annual statistical report FY1990, December 1990, 19.

The criminal justice system also deals with drug-related crime and drug-using offenders

NIJ, Drugs and crime 1990: Drug Use Forecasting (DUF) annual report, NIJ research in action, NCJ-130063, August 1991, 2 and 5

and

BJS, Drug use and crime, Special report, NCJ-111940, July 1988, 1

and

BJS, Profile of jail inmates, 1989, Special report, NCJ-129097, April 1991, 8

and

BJS, Drugs and jail inmates, 1989, Special report, NCJ-130836, August 1991, 9.

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Discretion is exercised throughout the criminal justice system

Discretion is...

Roscoe Pound, "Discretion, dispensation and mitigation: The problem of the individual special case," *New York University Law Review* (1960), 35:925, 926, as presented in *BJS, Report to the Nation on crime and justice: Second edition*, NCJ-105506, March 1988, 59.

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Wayne R. LaFave, *Arrest: The decision to take a suspect into custody* (Boston: Little, Brown & Co., 1964), 63-184, as presented in *BJS, Report to the Nation on crime and justice: Second edition*, NCJ-105506, March 1988, 59.

Basically, they must decide...

Memorandum of June 21, 1977, from Mark Moore, Kennedy School of Government, Harvard University, to James Vorenberg, "Some abstract notes on the issue of discretion."

Chapter IV

Section 2. Drug law enforcement

What is the role of enforcement in drug control policy?

page 141

What are the drug control goals of law enforcement?

NIJ, *Searching for answers: Research and evaluation on drugs and crime*, July 1990, 30

and

Mark A. R. Kleiman and Kerry D. Smith, "State and local drug enforcement: In search of a strategy," in *Drugs and crime*, Michael Tonry and James Q. Wilson, eds., volume 13, *Crime and justice* (Chicago: The University of Chicago Press, 1990), 69-108, 71.

Law enforcement targets all stages of drug manufacturing and distribution

Mark A. R. Kleiman and Kerry D. Smith, "State and local drug enforcement: In search of a strategy," in *Drugs and crime*, Michael Tonry and James Q. Wilson, eds., volume 13, *Crime and justice* (Chicago: The University of Chicago Press, 1990), 69-108, 78-81.

Drug control also discourages drug users from buying drugs

Mark Harrison Moore, *Buy and bust: The effective regulation of an illicit market in heroin* (Lexington, MA: Lexington Books, 1977).

Recently, law enforcement has targeted the profits and assets of the illegal drug business

Clifford L. Karchmer, "Money laundering and the organized underworld," in *The politics and economics of organized crime*, Herbert E. Alexander and Gerald E. Caiden, eds. (Lexington, MA: Lexington Books, 1985), 37-48.

Dealers change tactics in response to drug enforcement efforts

Frederick T. Martens, "Narcotics enforcement: What are the goals and do they conflict?" Villanova University, Organized Crime Narcotics Enforcement Symposium, May 1988

and

Mark Kleiman, "Organized crime and drug abuse control," in *Major issues in organized crime control*, Herbert Edelhurtz, ed. (Bellevue, WA: Northeast Policy Studies Center, 1987).

What agencies enforce drug laws?

page 142

Many Federal departments and agencies work to reduce the supply of illegal drugs

FBI, *The FBI drug program: Contributing to a drug-free America*, 4-5

and

GAO, *Drug smuggling: Large amounts of illegal drugs not seized by Federal authorities*, GAO/GGD-87-91, June 1987, 8, 21.

What laws are law enforcement officers authorized to enforce?

NIJ, Jan Chaiken, Marcia Chaiken, and Clifford Karchmer, *Multijurisdictional drug law enforcement strategies: Reducing supply and demand*, NIJ issues and practices, December 1990, 46.

Coordination is a key to effective drug control

1990 BJS Law Enforcement Management and Administrative Statistics Survey (LEMAS) —

BJS, *Drug enforcement by police and sheriffs' departments, 1990*, Special report, NCJ-134505, May 1992, table 4.

Law Enforcement Coordinating Committees (LECCs) —

BJS, *Report to the Nation on crime and justice: Second edition*, NCJ-105506, March 1988, 60.

Organized Crime Drug Enforcement Task Forces (OCDEF) —

NIJ, Jan Chaiken, Marcia Chaiken, and Clifford Karchmer, *Multijurisdictional drug law enforcement strategies: Reducing supply and demand*, NIJ issues and practices, December 1990, 47

and

Howard Abadinsky, *Drug abuse: An introduction* (Chicago: Nelson-Hall, Inc., 1989), 256.

DEA State and local task forces —

NIJ, Jan Chaiken, Marcia Chaiken, and Clifford Karchmer, *Multijurisdictional drug law enforcement strategies: Reducing supply and demand*, NIJ issues and practices, December 1990, 43-47.

page 143

Information sharing among agencies is another important element of cooperation in drug enforcement

Eleven agencies participate at EPIC... Personal communication with DEA, Office of Public Affairs, June 19, 1992.

Counternarcotics Center (CNC) —

Michael Isikoff, "CIA creates narcotics unit to help in drug fight," *The Washington Post*, May 28, 1989, A12.

The military provides support to drug law enforcement

President's Commission on Organized Crime, *America's habit: Drug abuse, drug trafficking, and organized crime*, 1986, 267

and

Richard Bocklet, "National Guard drug mission help to law enforcement," *Law and Order* (June 1990), 38(6):71-77.

What Is the Federal Government's role in reducing international drug production and trafficking?

page 144

The international drug control strategy aims to reduce production and destabilize trafficking

GAO, *Drug control: U.S. international narcotics control activities*, GAO/NSI-AD-88-114, March 1988, 15-23.

The U.S. Department of State has lead responsibility for international drug control policy

GAO, *Drug control: U.S. international narcotics control activities*, GAO/NSI-AD-88-114, March 1988, 9 and

Bureau of International Narcotics Matters, U.S. Department of State, *International narcotics control strategy report*, March 1991, 51.

DEA is directly involved in the international narcotics control effort

The White House, ONDCP, *National drug control strategy: A Nation responds to drug use*, Budget summary, January 1992, 92.

Other Department of Justice agencies also have international drug control responsibilities

DOJ, Justice Management Division, Management and Planning Staff, *Options for establishing an Office of International Affairs: Policy options paper*, draft, December 1989.

The U.S. participates in international efforts to promote cooperation in enforcing drug controls

The U.S. Attorneys and the Attorney General, *Drug trafficking: A report to the President of the United States*, August 3, 1989, 59.

Through extradition treaties, the U.S. tries to bring international narcotics traffickers to justice

As of 1988, the U.S. had...
GAO, *Drug control: U.S. international narcotics control activities*, GAO/NSI-AD-88-114, March 1988, 21.

In fiscal 1990, 179 fugitives were...
U.S. Marshals Service, personal communication with Pat O'Grady, Information Resource Management Division, July 16, 1992.

page 145

Mutual Legal Assistance Treaties aid enforcement efforts involving foreign countries

Mutual Legal Assistance Treaties (MLATs) —

David O. Stewart, "The drug exception," *ABA Journal* (May 1990), 42-48.

The use of MLATs...

The U.S. Attorneys and the Attorney General, *Drug trafficking: A report to the President of the United States*, August 3, 1989, 59.

Crop eradication efforts bring uncertain results

Many countries are not...
GAO, *Drug control: U.S. international narcotics control activities*, GAO/NSI-AD-88-114, March 1988, 15.

Critics of crop eradication efforts...

Peter Reuter, "Eternal hope: America's quest for narcotics control," *Public Interest* (Spring 1985), 79:79-95.

Supporters point to...

Mark H. Moore, "Supply reduction and drug law enforcement," in *Drugs and crime*, Michael Tonry and James Q. Wilson, eds., volume 13, *Crime and justice* (Chicago: The University of Chicago Press, 1990), 109-157, 140.

The U.S. encourages foreign governments to control cultivation and production of illegal drugs

Bureau of International Narcotics Matters, U.S. Department of State, *International narcotics control strategy report*, March 1991, 21.

Foreign governments assist in worldwide efforts to reduce the supply of illegal drugs

Bureau of International Narcotics Matters, U.S. Department of State, *International narcotics control strategy report*, March 1991, 27, 31, 89, 212, 312.

The import and export of precursor and essential chemicals is regulated

DEA, *Briefing book*, September 1990 and

The White House, ONDCP, *National drug control strategy: A Nation responds to drug use*, January 1992, 87-88.

What Is Involved in Illegal drug Interdiction?

page 146

What agencies are responsible for drug interdiction?

GAO, *Drug smuggling: Large amounts of illegal drugs not seized by Federal authorities*, GAO/GGD-87-91, June 1987

and

The White House, ONDCP, *National drug control strategy: A Nation responds to drug use*, Budget summary, January 1992, 22-24

and

U.S. Department of the Treasury, U.S. Customs Service, *U.S. Customs — Update 1990*, 4.

Intelligence and communications programs support interdiction efforts

The White House, ONDCP, *National drug control strategy: A Nation responds to drug use*, January 1992, 102.

How are illegal drugs interdicted at ports of entry to the U.S.?

U.S. Department of the Treasury, U.S. Customs Service, *U.S. Customs — Update 1990, 10, 14, 40* and

The White House, ONDCP, *National drug control strategy: A Nation responds to drug use*, January 1992, 106.

Efforts to prevent land smuggling are centered on the Mexican border

The White House, ONDCP, *National drug control strategy*, February 1991, 98.

Air interdiction involves detecting, tracking, intercepting, and apprehending smugglers' aircraft

The White House, ONDCP, *National drug control strategy: A Nation responds to drug use*, January 1992, 104.

U.S. Customs Service, *Monthly aircraft deployment report*, October 1991, per Jan Culbertson, U.S. Customs, October 23, 1991.

GAO, *Drug interdiction: Funding continues to increase but program effectiveness is unknown*, GAO/GGD-91-10, December 1990.

page 147

Marine interdiction targets smugglers' ships

U.S. Coast Guard Register of Cutters, 1990, as per LTJG Cox, USCG, October 17, 1991 and U.S. Coast Guard, Commander Holmes, October 25, 1991 and

GAO, *Drug smuggling: Large amounts of illegal drugs not seized by Federal authorities*, GAO/GGD-87-91, June 1987, 28

and
The White House, ONDCP, *National drug control strategy*, February 1991, 97-98.

Most interdiction seizures are of cocaine and marijuana

Year	Pounds of marijuana seized by:		Pounds of cocaine seized by:	
	Coast Guard	Customs	Coast Guard	Customs
1976	183,168	759,360	62	1,030
1977	1,032,609	1,652,773	0	952
1978	3,321,035	4,616,884	0	1,419
1979	2,682,586	3,583,556	0	1,438
1980	2,494,774	2,361,142	0	4,743
1981	2,643,043	5,109,793	40	3,741
1982	3,525,775	3,958,871	9	11,150
1983	2,448,940	2,732,975	46	19,602
1984	2,505,357	3,274,927	1,967	27,526
1985	2,142,133	2,389,704	6,547	50,506
1986	1,523,070	2,211,068	10,334	52,521
1987	1,212,963	1,701,150	14,723	87,898
1988	448,894	969,967	12,826	137,408
1989	224,806	645,858	32,896	129,493
1990	62,279	222,274	16,803	164,703

Source: U.S. Department of Transportation, U.S. Coast Guard, and U.S. Department of the Treasury, U.S. Customs Service, as presented in BJS, *Sourcebook of criminal justice statistics, 1990*, NCJ-130580, 462-468.

Coastal interdiction relies on investigations of smugglers and radar detection

GAO, *Drug interdiction: Funding continues to increase but program effectiveness is unknown*, GAO/GGD-91-10, December 1990.

Most successful marine and coastal interdictions seize marijuana or cocaine

U.S. Coast Guard, *Digest of law enforcement statistics*, March 31, 1991, 4-8.

How do State, local, and Federal agencies disrupt the domestic distribution of illegal drugs?

page 148

Major investigations of domestic distribution aim to disrupt major drug organizations

The White House, ONDCP, *National drug control strategy: A Nation responds to drug use*, January 1992, 79-80.

The U.S. Attorneys and the Attorney General, *Drug trafficking: A report to the President of the United States*, August 3, 1989, 44.

What are the effects of tactics and strategies that disrupt drug distribution networks?

A review of State and local drug enforcement strategies —

Mark A. R. Kleiman and Kerry D. Smith, "State and local drug enforcement: In search of a strategy," in *Drugs and crime*, Michael Tonry and James Q. Wilson, eds., volume 13, *Crime and justice* (Chicago: The University of Chicago Press, 1990), 69-108, 84-85.

Others suggest...

Mark H. Moore, "Supply reduction and drug law enforcement," in *Drugs and crime*, Michael Tonry and James Q. Wilson, eds., volume 13, *Crime and justice* (Chicago: The University of Chicago Press, 1990), 109-157.

Law enforcement uses various strategies to disrupt illegal drug distribution

NIJ, Jan Chaiken, Marcia Chaiken, and Clifford Karchmer, *Multijurisdictional drug law enforcement strategies: Reducing supply and demand*, NIJ issues and practices, December 1990, ix.

Law enforcement uses undercover operations to infiltrate drug networks

For more information about undercover operations see Gary T. Marx, *Undercover: Police surveillance in America*, A Twentieth Century Fund book (Berkeley, CA: University of California Press, 1988).

FBI, *The FBI drug program: Contributing to a drug-free America*, 9.

Administrative Office of the U.S. Courts, *Report on applications and orders authorizing or approving the interception of wire, oral, or electronic communications for the period January 1, 1989 to December 31, 1989* as presented in BJS, *Sourcebook of criminal justice statistics 1990*, NCJ-130580, 1991, 472.

page 149

Some illegal drug investigations are very complex

FBI, *The FBI drug program: Contributing to a drug-free America*, 45 and

The U.S. Attorneys and the Attorney General, *Drug trafficking: A report to the President of the United States*, August 3, 1989, 47.

Intelligence is a critical element in disrupting drug distribution networks

The White House, ONDCP, *National drug control strategy: A Nation responds to drug use*, January 1992, 175 and

The White House, ONDCP, *National drug control strategy: A Nation responds to drug use*, Budget summary, January 1992, 97.

Coordination of law enforcement agencies is essential to disrupt illegal drug networks

NIJ, Jan Chaiken, Marcia Chaiken, and Clifford Karchmer, *Multijurisdictional drug law enforcement strategies: Reducing supply and demand*, NIJ issues and practices, December 1990, ix.

Joint task forces are used in many drug distribution investigations

The U.S. Attorneys and the Attorney General, *Drug trafficking: A report to the President of the United States*, August 3, 1989, 46, 48 and

BJA, James "Chip" R. Coldren Jr., Kenneth R. Coyle, and Sophia D. Carr, *Multijurisdictional drug control task forces 1988: Critical components of State drug control strategies*, Criminal Justice Statistics Association, May 1990, 1 and

The White House, ONDCP, *National drug control strategy: A Nation responds to drug use*, January 1992, 131-136.

The amount of illegal drugs removed by DEA has declined recently

Year	DEA removals of:			
	Marijuana in pounds	Cocaine in pounds	Heroin in pounds	Stimulants in dosage units
1978	1,117,422	1,009	442	2,901,948
1979	887,302	1,139	160	7,711,628
1980	994,468	2,590	201	6,434,742
1981	1,935,202	4,352	332	47,475,580
1982	2,814,787	12,493	608	4,482,404
1983	1,795,875	19,625	662	11,345,783
1984	2,909,393	25,344	850	16,500,791
1985	1,641,626	39,969	985	20,709,871
1986	1,819,764	59,699	801	27,848,419
1987	1,429,339	81,823	804	26,929,899
1988	1,241,830	127,967	1,841	95,972,547
1989	747,510	182,357	1,554	94,343,491
1990	311,247	160,097	1,405	143,866,393

Source: DEA as presented in BJS, *Sourcebook of criminal justice statistics, 1990*, NCJ-130580, 484.

How do State, local, and Federal agencies disrupt the domestic production of illegal drugs?

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DEA works with States and localities to eradicate domestic cannabis

DEA, *1989 Domestic Cannabis Eradication/Suppression Program*, 1990.

DEA, States, and localities eradicated over 29,000 cannabis plots and 7.3 million cultivated plants in 1990

DEA, *1990 Domestic Cannabis Eradication/Suppression Program*, 1991, 4-8.

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Cannabis eradication efforts also target indoor cultivation

DEA, *1989 Domestic Cannabis Eradication/Suppression Program*, 1990, 1, 22, and 34

and

DEA, *1990 Domestic Cannabis Eradication/Suppression Program*, 1991, 41.

Law enforcement seizes clandestine drug laboratories to halt domestic production

Anna T. Laszlo, "Clandestine drug laboratories: Confronting a growing National crisis," *The National Sheriff* (August-September 1989), 9-14

and

DEA, *Annual statistical report, FY 1990*, December 1990, 49-55.

Clandestine laboratories pose a danger to law enforcement and the community

One of five laboratories...
BJA, *FY 1988 Report on drug control*, NCJ-117435, 1989, 59.

These laboratories can also pose...
Joint Federal Task Force of the Drug Enforcement Administration, the U.S. Environmental Protection Agency, and the U.S. Coast Guard, *Guidelines for the cleanup of clandestine drug laboratories*, March 1990, 3.

Seizures of methamphetamine laboratories in California...

U.S. Senate, Testimony on "Drug production and the environment" to the Committee on the Judiciary, April 11, 1991.

DEA chemists are actively involved...

DEA, Memorandum from Aaron P. Hatcher, III, Deputy Assistant Administrator, Office of Forensic Sciences, to Sidney Hinkley, Chief, Statistical Planning and Policy Analysis, March 27, 1991.

In 1990, the DEA, U.S. Coast Guard,...
Joint Federal Task Force of the Drug Enforcement Administration, the U.S. Environmental Protection Agency, and the U.S. Coast Guard, *Guidelines for the cleanup of clandestine drug laboratories*, March 1990.

How many clandestine laboratories has DEA seized?

Year	Clandestine labs seized by DEA
1975	32
1976	97
1977	148
1978	180
1979	235
1980	234
1981	182
1982	224
1983	226
1984	197
1985	419
1986	509
1987	682
1988	810
1989	852
1990	549

Source: DEA as presented in BJS, *Sourcebook of criminal justice statistics*, 1990 NCJ-130580, 467.

What actions do law enforcement agencies and communities take to combat the retail sale of drugs?

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Law enforcement uses many strategies to control street sale of drugs

Mark A. R. Kleiman and Kerry D. Smith, "State and local drug enforcement: In search of a strategy," in *Drugs and crime*, Michael Tonry and James Q. Wilson, eds., volume 13, *Crime and justice* (Chicago: The University of Chicago Press, 1990), 69-108

and

Roger Conner and Patrick Burns, *The winnable war: A community guide to eradicating street drug markets* (Washington: American Alliance for Rights & Responsibilities, 1991) 45-49.

Street sweeps and focused crack-downs have had mixed results

A study of street sweeps in heroin markets in three jurisdictions —
NIJ, Mark A. R. Kleiman, "Crackdowns: The effects of intensive enforcement on retail heroin dealing" in *Street-level drug enforcement: Examining the issues*, Marcia R. Chaiken, ed., NIJ issues and practices, September 1988.

A study of Operation Pressure Point in New York City's lower East Side —
Lynn Zimmer, "Proactive policing against street-level drug trafficking," *American Journal of Police* (1990), 9(1):43-74.

A RAND study found that Washington D.C.'s Operation Clean Sweep —
Peter Reuter, John Haaga, Patrick Murphy, and Amy Praskac, *Drug use and drug programs in the Washington metropolitan area* (Santa Monica: The RAND Corporation, 1988).

Critics of these tactics...
NIJ, Anthony V. Bouza, "Evaluating street level drug enforcement," in *Street-level drug enforcement: Examining the issues*, Marcia R. Chaiken, ed., NIJ issues and practices, September 1988, 43-47, 47.

Some critics...

Robert Barr and Ken Pease, "Crime placement, displacement, and deflection," in *Crime and justice: A review of research*, Michael Tonry and Norval Morris, eds., volume 12, *Crime and justice* (Chicago: The University of Chicago Press, 1989).

Traditionally, local law enforcement relies on special narcotics units for drug enforcement

BJS, *Drug enforcement by police and sheriffs' departments, 1990*, Special report, NCJ-134505, May 1992, tables 3 and 7.

Many researchers and law enforcement administrators...

John E. Eck, *Police and drug control: A home field advantage* (Washington: Police Executive Research Forum, 1989)

and

Robert Trojanowicz and Bonnie Bucqueroux, *Community policing: A contemporary perspective* (Cincinnati: Anderson Publishing Co., 1990), 277-310.

Many communities have shifted to community policing and problem-oriented policing

Deborah Lamm Weisel, "Playing the home field: A problem-oriented approach to drug control," *American Journal of Police* (1990), 9(1):75-95.

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Citizens and community groups have joined with police to eliminate drug markets

Roger Conner and Patrick Burns, *The winnable war: A community guide to eradicating street drug markets* (Washington: American Alliance for Rights & Responsibilities, 1991) 21-32 and 43-44

and

Deborah Lamm Weisel, *Tackling drug problems in public housing: A guide for police* (Washington: Police Executive Research Forum, 1990), 100 and 105.

What is the role of citizen reporting in enforcing drug laws?

With the disruption of neighborhoods... Michael A. Cushing, "Combating street level narcotics," *Police Chief* (October 1989), LVI(10):113-116.

Many police agencies support hot lines...

Mark A. R. Kleiman and Kerry D. Smith, "State and local drug enforcement: In search of a strategy," in *Drugs and crime*, Michael Tonry and James Q. Wilson, eds., volume 13, *Crime and justice* (Chicago: The University of Chicago Press, 1990), 69-108, 88-90.

Many jurisdictions target locations used by drug dealers

Law enforcement agencies in cities such as Ft. Lauderdale, Florida... National League of Cities, *Front line reports: Local strategies in the war against drugs*, November 1989, 123-155.

Under a pilot program...

NIJ, Craig Uchida, "NIJ sponsors system to speed information to police on drug hotspots," *NIJ reports* (Summer 1990), 221:8-9 and 36.

Local law enforcement agencies target drug problems in public housing complexes

Evict tenants involved in the drug trade...

NIJ, David W. Hayeslip Jr., *Local-level drug enforcement: New strategies*, NIJ research in action, NCJ-116751, March/April 1989

and

Deborah Lamm Weisel, *Tackling drug problems in public housing: A guide for police* (Washington: Police Executive Research Forum, 1990), 103-104.

Carefully screen applicants...

HUD, Office of Policy Development and Research and Office of Public and Indian Housing, *Together we can meet the challenge: Winning the fight against drugs*, April 1991, 3-8.

Improve the physical facilities...

Deborah Lamm Weisel, *Tackling drug problems in public housing: A guide for police* (Washington: Police Executive Research Forum, 1990), 99-101.

Limit access to residents...

Roger Conner and Patrick Burns, *The winnable war: A community guide to eradicating street drug markets* (Washington: American Alliance for Rights & Responsibilities, 1991) 35-37.

Create command centers or police substations...

Roger Conner and Patrick Burns, *The winnable war: A community guide to eradicating street drug markets* (Washington: American Alliance for Rights & Responsibilities, 1991) 50.

Conduct community surveys...

Deborah Lamm Weisel, *Tackling drug problems in public housing: A guide for police* (Washington: Police Executive Research Forum, 1990), 107-108.

Some jurisdictions have user accountability programs

Some jurisdictions such as Miami, Florida, and Birmingham, Alabama... Deborah Lamm Weisel, *Tackling drug problems in public housing: A guide for police* (Washington: Police Executive Research Forum, 1990), 105.

In Maricopa County, Arizona...

NIJ, Jan Chaiken, Marcia Chaiken, and Clifford Karchmer, *Multijurisdictional drug law enforcement strategies: Reducing supply and demand*, NIJ issues and practices, December 1990, 7-22.

Many police agencies are also trying to reduce demand for drugs by preventing drug use

According to the 1990 LEMAS survey BJS, *State and local police departments, 1990*, Bulletin, NCJ-133284, February 1992, 9, 13

and

BJS, *Sheriffs' departments, 1990*, Bulletin, NCJ-133283, February 1992, 10.

At the Federal level...

FBI, *Drug Demand Reduction Program*, May 1991.

Drug Abuse Resistance Education (DARE) —

Daryl F. Gates, "Project DARE — A challenge to arm our youth," *The Police Chief* (October 1987), 50(10):100-101 and

BJA, *Fact sheet: Drug Abuse Resistance Education (DARE) Program*, October 1991.

How does law enforcement target the profits and assets of the illegal drug trade?

page 154

Drug activity can be detected by the large amounts of cash it generates

"Getting the banks to just say 'no'," *Business Week*, April 17, 1989, 16-17.

The Federal Government has taken the lead in targeting drug money

John K. Villa, *Banking crimes: Fraud, money laundering, and embezzlement* (New York: Clark Boardman Co., Ltd., 1988), 1-10.

Currency transactions of \$10,000 or more must be reported to the U.S. Treasury Department

John K. Villa, *Banking crimes: Fraud, money laundering, and embezzlement* (New York: Clark Boardman Co., Ltd., 1988), Chapter 6.

Enforcement agencies encourage U.S. financial institutions to report suspicious activity

Maggie Mahar, "Dirty money: It triggers a bold, new attack in the war on drugs," *Barron's*, June 26, 1989, 34 and

John K. Villa, *Banking crimes: Fraud, money laundering, and embezzlement* (New York: Clark Boardman Co., Ltd., 1988), 8-4.

Financial institutions also are subject to prosecution for money laundering

Jeff Gerth, "Bank's \$15 million penalty for laundering is largest ever," *New York Times*, February 6, 1990, D24.

The volume of currency reports is large and growing

Year	Currency transaction reports received by the IRS
1979	121,000
1980	241,850
1981	352,112
1982	405,213
1983	513,782
1984	706,000
1985	1,871,000
1986	3,672,000
1987	4,974,000
1988	5,806,000
1989	6,502,000
1990	7,300,000

Source: U.S. Department of the Treasury, 1991.

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The Financial Crimes Enforcement Network (FinCEN) was created in 1990

The White House, ONDCP, *National drug control strategy: Budget summary*, February 1991, 86-89.

What techniques are used in financial investigations?

Drug-related financial investigations rely on...

Clifford L. Karchmer, *Illegal money laundering: A strategy and resource guide for law enforcement agencies* (Washington: Police Executive Research Forum, April 1988), 54-57.

Such operations benefit law enforcement...

Clifford L. Karchmer, "Money laundering and the organized underworld," in *The politics and economics of organized crime*, Herbert E. Alexander and Gerald E. Caiden, eds. (Lexington, MA: Lexington Books, 1985), 37-48.

Federal agencies that are experienced...

The White House, ONDCP, *National drug control strategy: A Nation responds to drug use*, January 1992.

Many money laundering investigations require evidence from foreign financial institutions

Ethan Nadelmann, "Unlaundering dirty money abroad: U.S. foreign policy and Financial Secrecy Jurisdictions," *Inter-American Law Review* (1986), 18(1):33-81.

How do investigators get information from foreign sources?

Ethan Nadelmann, "Unlaundering dirty money abroad: U.S. foreign policy and Financial Secrecy Jurisdictions," *Inter-American Law Review* (1986), 18(1):33-81.

The U.S. has participated in international initiatives to curb drug-related money laundering

Bureau of International Narcotics Matters, U.S. Department of State, *International narcotics control strategy report: Mid-year update*, September 1990, 29-90

and
The Financial Action Task Force on Money Laundering Report, 1990-1991 (Paris: May 13, 1991), 3

and
Bureau of International Narcotics Matters, U.S. Department of State, *International narcotics control strategy report*, March 1991, 341.

How does law enforcement use asset forfeiture to combat the illegal drug trade?

page 156

The use of forfeiture varies greatly among jurisdictions

A guide to State controlled substances acts (Washington: National Criminal Justice Association, January 1991).

Attorneys fees paid for with illegal drug money are subject to forfeiture

Maggie Mahar, "Dirty money: It triggers a bold, new attack in the war on drugs," *Barron's*, June 26, 1989, 38.

In 1990, DEA seized assets valued at more than \$1 billion

DEA, *Annual statistical report, FY 1990*, December 1990, 44-47.

Not all property that is seized is eventually forfeited

Maggie Mahar, "Dirty money: It triggers a bold, new attack in the war on drugs," *Barron's*, June 26, 1989, 36.

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What happens to forfeited property?

DOJ, Office of the Attorney General, *Annual report of the Department of Justice Asset Forfeiture Program, 1990*, 31, 32, 41-51.

Who handles the proceeds of forfeited assets seized by the Federal Government?

DOJ, Office of the Attorney General, *Annual report of the Department of Justice Asset Forfeiture Program, 1990*, 1.

What happens to the proceeds of Federal asset forfeiture?

DOJ, Office of the Attorney General, *Annual report of the Department of Justice Asset Forfeiture Program, 1990*, 32-33.

The largest dispersal from the Department of Justice Asset Forfeiture Fund went to equitable sharing programs

DOJ, Office of the Attorney General, *Annual report of the Department of Justice Asset Forfeiture Program, 1990*, 32 and

Bureau of International Narcotics Matters, U.S. Department of State, *International narcotics control strategy report: Mid-year update*, September 1990, 89-90.

What happens to the proceeds of assets seized by State and local governments?

A guide to State controlled substances acts (Washington: National Criminal Justice Association, January 1991).

BJS, *Drug enforcement by police and sheriffs' departments, 1990*, Special report, NCJ-134505, May 1992, table 5.

Have drug arrests increased in recent years?

page 158

How many drug offense arrests were made in 1990?

FBI, *Crime in the United States 1990*, 1991, 173-174.

DEA, *Annual statistical report, FY 1990*, December 1990, 22.

State and local agencies are making more arrests for manufacturing and sale of drugs

FBI, *Crime in the United States 1980*, 1981, 189

and

FBI, *Crime in the United States 1990*, 1991, 173.

Drug arrests make up 8% of all State and local arrests

FBI, *Crime in the United States, 1980*, 1981, 191

and

FBI, *Crime in the United States 1990*, 1991, 174.

Since 1965, arrests for drug offenses have made up an increasingly larger proportion of all State and local arrests

Drug abuse violation arrests as a percent of total UCR arrests

Year	Drug abuse violation arrests as a percent of total UCR arrests
1965	.9%
1966	1.2
1967	1.9
1968	2.9
1969	4.0
1970	5.1
1971	5.7
1972	6.1
1973	7.0
1974	7.1
1975	6.5
1976	6.3
1977	6.3
1978	6.1
1979	5.5
1980	5.6
1981	5.2
1982	5.6
1983	5.7
1984	6.1
1985	6.8
1986	6.6
1987	7.4
1988	8.4
1989	9.5
1990	7.7

Source: FBI, *Crime in the United States*, 1965 through 1990.

In the 1980s, DEA arrests for all types of drug offenses increased; the greatest increase was in arrests for cocaine violations

Year	DEA arrests involving:				DEA arrests for:		
	Heroin	Cocaine	Marijuana	Other	Distribution	Possession	Conspiracy
1979	1,992	3,326	2,386	2,264	4,003	2,328	3,637
1980	1,981	3,966	2,742	2,990	5,074	4,111	2,494
1981	2,392	5,293	3,549	2,281	5,015	5,527	2,973
1982	3,312	4,338	3,488	2,341	5,058	3,934	4,487
1983	2,046	4,978	3,519	1,813	5,620	3,338	3,398
1984	2,012	5,287	3,429	1,837	4,919	4,386	3,260
1985	2,059	7,755	3,332	2,576	5,780	5,092	4,850
1986	2,012	10,808	3,409	2,556	7,010	6,469	5,306
1987	1,963	11,812	4,201	3,173	7,902	7,950	5,297
1988	2,160	13,495	4,402	3,272	7,510	8,889	6,930
1989	2,097	13,710	3,737	2,385	5,684	10,469	5,776
1990	1,856	10,937	3,995	2,371	4,122	8,107	6,930

Source: DEA, unpublished data, 1991.

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Where are most State and local drug arrests made?

The data for this map were developed from a file of 1989 Uniform Crime Reports (UCR) data supplied by the FBI that contained arrests by offense, number of months of reporting, and population by reporting agency grouped by county and State. Data were aggregated to the county level for mapping with the following limitations:

- 1) Jurisdictions reporting for less than 12 months but for at least 6 months were weighted up to a 12 month total. Thus a jurisdiction reporting for 6 months would have its number of reported arrests multiplied by 2. Jurisdictions reporting for less than 6 months were deleted, and county rates were calculated on a population base which excluded the nonreporting jurisdiction.
- 2) In a State in which the State police or other police units do not submit reports which can be assigned to a particular county, these reports were allocated to all counties in the State, proportional to county population.

- 3) In some States, townships, boroughs, or divisions were treated like counties.

The data were aggregated and mapped using SAS and SAS Graph. FIPS codes were added to the FBI data files. To accommodate differences between the geographic areas covered by the mapping program and the UCR files in a few States, arrest numbers had to be allocated to counties. For example, the New York City data were reported as a total and had to be allocated to the five boroughs by population. Also, Virginia reported arrest data for colleges, national parks, bridges, and tunnels separately. We allocated those data to the appropriate counties.

Both the original UCR files and the aggregated county level files are available from the Research Triangle Institute. The National Criminal Justice Data Archive at the Inter-University Consortium for Political and Social Research at the University of Michigan performs similar procedures on the UCR data and distributes similar files.

Is forensic evidence a critical factor in prosecuting drug cases?

page 160

About 250 State and local forensic laboratories conduct tests on seized substances

DEA, James J. Collins, Mary Ellen McCalla, J. Valley Rachal, Elizabeth R. Cavanaugh, and Barbara S. Bentley, "System to retrieve information from drug evidence in State and local crime laboratories," Phase I, Feasibility Report, Research Triangle Institute for the Drug Enforcement Administration, April 15, 1987.

According to the 1990 LEMAS survey... BJS, *State and local police departments, 1990*, Bulletin, NCJ-133284, February 1992

and
Sheriffs' departments, 1990, Bulletin, NCJ-133283, February 1992.

A CJSA study of 66 crime laboratories in 1988 —

BJA, James "Chip" R. Coldren Jr., Kenneth R. Coyle, and Sophia D. Carr, *Crime laboratories 1988: A key program of State drug control strategies*, Criminal Justice Statistics Association, May 1990.

DEA operates forensic laboratories to analyze seized drug evidence

DEA Laboratories, Office of Forensic Sciences, November 19, 1990

and
DEA, Memorandum from Aaron P. Hatcher, III, Deputy Assistant Administrator, Office of Forensic Sciences, to Sidney Hinkley, Chief, Statistical Planning and Policy Analysis, March 27, 1991.

What is the trend in the number of drug exhibits analyzed by DEA?

Year	Number of exhibits analyzed by DEA labs
1974	27,299
1975	41,607
1976	35,410
1977	30,993
1978	29,944
1979	30,014
1980	33,209
1981	31,748
1982	32,047
1983	35,395
1984	36,676
1985	40,217
1986	41,701
1987	44,048
1988	43,564
1989	42,630
1990	36,782

Source: DEA, Office of Forensic Sciences, March 27, 1991.

Most exhibits analyzed by DEA laboratories are cocaine

DEA, Memorandum from Aaron P. Hatcher, III, Deputy Assistant Administrator, Office of Forensic Sciences, to Sidney Hinkley, Chief, Statistical Planning and Policy Analysis, March 27, 1991.

Chapter IV

Section 3. Prosecution and adjudication

How are drug cases handled?

page 165

Some drug cases are felonies, others are misdemeanors

BJS, *Report to the Nation on crime and justice: Second edition*, NCJ-105506, March 1988, 3, 56-57.

Like all criminal cases, drug cases are subject to case attrition

Percent of matters opened by U.S. attorneys involving:

	Drug offenses	Violent offenses	Property offenses	
			Fraud	Other
Investigated	100	100	100	100
Prosecuted	81	72	55	65
Convicted	65	56	46	48
Prison	53	47	19	19

Source: BJS, *Compendium of Federal justice statistics*, 1989, NCJ-134730, May 1992.

What is the role of the prosecutor in drug control?

page 166

Who prosecutes drug cases?

BJS, *Prosecutors in State courts, 1990*, Bulletin, NCJ-134500, March 1992.

Because of the complexity of many drug cases, prosecutors are often involved during the investigation

They work with law enforcement...
NIJ, Jan Chaiken, Marcia Chaiken, and Clifford Karchmer, *Multijurisdictional drug law enforcement strategies: Reducing supply and demand*, NIJ issues and practices, December 1990, 47.

The number of suspects investigated for drug offenses by U.S. attorneys increased 235% from 1980 to 1989

Number of suspects investigated by U.S. attorneys for:

	Violent offenses	Property offenses	Drug offenses	Public order offenses
1980	3,861	21,429	9,546	32,622
1981	4,000	21,985	9,668	31,240
1982	4,674	27,148	12,186	31,799
1983	4,048	25,328	12,647	32,931
1984	3,866	24,711	13,993	33,866
1985	3,828	23,508	15,669	33,845
1986	4,040	26,081	18,633	36,099
1987	4,460	28,900	22,729	33,606
1988	4,480	27,468	25,801	35,783
1989	5,074	31,844	31,954	34,068
Change from 1980-89	31.4%	48.6%	234.7%	4.4%

Source: BJS, *Federal criminal case processing, 1980-89: With preliminary data for 1990*, NCJ-130256, October 1991, table 1, 5 and table 1, 1.

They also are involved in DEA State and local task forces...

The U.S. Attorneys and the Attorney General, *Drug trafficking: A report to the President of the United States*, August 3, 1989, 48.

State and local prosecutors...

BJA, James "Chip" R. Coldren Jr., Kenneth R. Coyle, and Sophia D. Carr, *Multijurisdictional drug control task forces 1988: Critical components of State drug control strategies*, Criminal Justice Statistics Association, May 1990, 5 and 11.

In multijurisdictional cases, prosecutors are often cross-designated

Cross-designation allows...

The U.S. Attorneys and the Attorney General, *Drug trafficking: A report to the President of the United States*, August 3, 1989, 46.

In 1990, 69% of the chief prosecutors...
BJS, *Prosecutors in State courts, 1990*, Bulletin, NCJ-134500, March 1992.

Prosecutors also participate in other coordinated drug control efforts

NIJ, Jan Chaiken, Marcia Chaiken, and Clifford Karchmer, *Multijurisdictional drug law enforcement strategies: Reducing supply and demand*, NIJ issues and practices, December 1990, 7-22.

Some drug cases are initiated by special grand jury investigations

Howard Abadinsky, *Drug abuse: An introduction* (Chicago: Nelson-Hall Inc., 1989), 247

and

BJS, *Report to the Nation on crime and justice: Second edition*, NCJ-105506, March 1988, 56-57, 72.

The decision to charge is generally a function of the prosecutor

BJS, *Prosecutors in State courts, 1990*, Bulletin, NCJ-134500, March 1992, 4.

How often are drug cases rejected or dismissed?

page 167

What happens to cases that are not prosecuted?

BJS, *Report to the Nation on crime and justice: Second edition*, NCJ-105506, March 1988, 73.

Why are cases rejected or dismissed?

BJS, *Report to the Nation on crime and justice: Second edition*, NCJ-105506, March 1988, 73.

Insufficient evidence is the most common reason for rejection and dismissal of State and local drug cases

Michael D. Lyman, *Practical drug enforcement: Procedures and administration* (New York: Elsevier Science Publishing Co., Inc., 1989), 59-78.

BJS, Barbara Boland, Catherine H. Conly, Paul Mahanna, Lynn Warner, and Ronald Sones, Abt Associates, *The prosecution of felony arrests, 1987*, NCJ-124140, August 1990, 36-50.

How many Federal drug cases are rejected or dismissed?

BJS, *Compendium of Federal justice statistics, 1989*, NCJ-134730, May 1992, 12, table 1.4, 14 and data notes #2 and #3, 61

and

BJS, *Federal criminal case processing, 1980-89: With preliminary data for 1990*, NCJ-130526, October 1991, 12.

Are defendants charged with drug offenses released or held pending adjudication?

page 168

The traditional objective of bail and other pretrial release options is to assure appearance at trial

BJS, *Report to the Nation on crime and justice: Second edition*, NCJ-105506, March 1988, 76.

The Bail Reform Act of 1984 changed the bail provisions for many Federal drug defendants

BJS, *Pretrial release and detention: The Bail Reform Act of 1984*, Special Report, NCJ-109929, February 1988, 2.

page 169

What is the average bail amount for drug defendants?

BJS, *Felony defendants in large urban counties, 1988*, NCJ-122385, April 1990, 10.

BJS, *Pretrial release of felony defendants, 1988*, Bulletin, NCJ-127202, February 1991, 1.

BJS, *Compendium of Federal justice statistics, 1986*, NCJ-125617, November 1990, 23.

Almost half the juveniles charged with drug trafficking were detained before court disposition in 1988

Melissa Sickmund, *Juvenile court drug and alcohol cases, 1985-88*, (Pittsburgh: National Center for Juvenile Justice, September 1990), 2, 3, table 4.

Defendants charged with drug offenses and released before trial are less likely to appear for trial than other released defendants

BJS, *Pretrial release of felony defendants, 1988*, NCJ-127202, February 1991, 1.

BJS, *Compendium of Federal justice statistics, 1989*, NCJ-134730, May 1992, 20-21, table 2.4, 25.

BJS, *Felony defendants in large urban counties, 1988*, NCJ-122385, April 1990, 11.

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How often are released drug defendants rearrested?

BJS, *Pretrial release of felony defendants, 1988*, Bulletin, NCJ-127202, February 1991, 6-7.

Most Federal drug defendants do not violate the conditions of their release

BJS, *Compendium of Federal justice statistics, 1989*, NCJ-134730, May 1992, table 2.4, 25.

Drug use increases the likelihood of pretrial misconduct

BJS, *Pretrial release and misconduct*, Special report, NCJ-96132, January 1985, 4.

NIJ, Mary A. Toborg, John P. Bellasai, Anthony M. J. Yezer, and Robert P. Trost, *Assessment of pretrial urine testing in the District of Columbia*, NIJ issues and practices, December 1989, 12-16.

Another study of the same population — Christy A. Visher and Richard L. Linster, "A survival model of pretrial failure," *Journal of Quantitative Criminology* (1990), 6(2):153-184, 168-170, 174-176.

A 1984 study in Manhattan —

Douglas A. Smith, Eric D. Wish, and G. Roger Jarjoura, "Drug use and pretrial misconduct in New York City," *Journal of Quantitative Criminology* (1989), 5(2):101-126, 107-111.

Routine drug testing of new arrestees before the pretrial release decision is recent

In 1984 the District of Columbia Pretrial Services Agency...

Cathryn Jo Rosen and John S. Goldkamp, "The constitutionality of drug testing at the bail stage," *The Journal of Criminal Law and Criminology* (1989), 80(1):114-176.

The program also monitored...

BJA, *Estimating the costs of drug testing for a pretrial services program*, June 1989, 1 and 31, and Appendix A: Program announcement, Drug testing and Intensive Supervision (DTIS) Program, 21-24.

Law Enforcement Management and Administrative Statistics Survey —

BJS, *Drug enforcement by police and sheriffs' departments*, 1990, Special report, NCJ-134505, April 1992, table 8.

The Administrative Office of the U.S. Courts began a demonstration project...

U.S. Supreme Court, *Final report of the Director of the Administrative Office of the United States Courts on the demonstration program of mandatory drug testing of criminal defendants*, March 29, 1991, Executive summary, ii-iv, 1-4, and 16-20.

As compared to convicted offenders...

BJA, *Urinalysis as part of a Treatment Alternatives to Street Crime (TASC) program*, July 1988, 5

and

Cathryn Jo Rosen and John S. Goldkamp, "The constitutionality of drug testing at the bail stage," *The Journal of Criminal Law and Criminology* (1989), 80(1):114-176, 161.

Most courts that have considered...

Cathryn Jo Rosen and John S. Goldkamp, "The constitutionality of drug testing at the bail stage," *The Journal of Criminal Law and Criminology* (1989), 80(1):114-176, 161.

How often do drug cases result in convictions?

page 171

Conviction rates in U.S. district court have been increasing since 1980

BJS, *Federal criminal case processing, 1980-89: With preliminary data for 1990*, NCJ-130526, October 1991, 10.

Most drug cases result in a guilty plea

BJS, *Felony defendants in large urban counties, 1988*, NCJ-122385, April 1990, table 13, 12.

BJS, *Compendium of Federal justice statistics, 1989*, NCJ-134730, May 1992, 31.

A study in Connecticut —

M. Heumann, *Plea bargaining* (Chicago: The University of Chicago Press, 1978) as cited in BJS, *Report to the Nation on crime and justice: Second edition*, NCJ-115506, March 1988, 83.

Most Federal convictions are for offenses involving heroin or cocaine

Memorandum from Ken Carlson, Abt Associates, to Carol Kaplan, BJS, March 18, 1991 updating material from BJS, *Federal offenses and offenders: Drug law violators, 1980-86*, Special report, NCJ-111763, June 1988, 4.

Are drug defendants convicted of the same offense for which they are charged?

BJS, *Felony defendants in large urban counties, 1988*, NCJ-122385, April 1990, 13.

How many people are convicted of drug offenses?

BJS, *Felony sentences in State courts, 1988*, NCJ-126923, December 1990.

BJS, *Federal criminal case processing, 1980-89: With preliminary data for 1990*, NCJ-130526, October 1991, 9.

Few drug cases result in a jury trial

In 1989, 16% of all defendants...

BJS, *Compendium of Federal justice statistics, 1989* NCJ-134730, May 1992, 31.

Offense type	Total cases	Total to trial	Total convicted		Total not convicted		Total jury	Total nonjury
			Jury	Nonjury	Jury	Nonjury		
Violent	2,804	510	348	45	102	15	450	60
Property	16,188	1,428	921	143	280	84	1,201	227
Drug	19,750	3,491	2,713	196	537	45	3,250	241
Public order	18,916	2,528	875	760	362	531	1,237	1291

Percent of total cases that
Went to trial Were jury trials

Violent	18%	16%
Property	9	7
Drug	18	16
Public order	13	7

Percent of jury trial drug cases that resulted in conviction = $2,713/3,250 = 83\%$

Percent of judge tried drug cases that resulted in conviction = $196/241 = 81\%$

In State courts in 1988...

BJS, *Felony sentences in State courts, 1988*, NCJ-126923, December 1990.

Have drug caseloads increased In State and Federal courts?

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The number of drug cases in U.S. district court has risen dramatically since 1980

Year	Drug cases commenced in U.S. District Court
1971	328
1972	5,993
1973	8,676
1974	7,294
1975	7,298
1976	6,132
1977	4,831
1978	3,745
1979	3,277
1980	3,130
1981	3,697
1982	4,192
1983	5,094
1984	5,606
1985	6,690
1986	7,893
1987	8,878
1988	10,292
1989	11,858
1990	12,592

Source: Annual report of the Director of the
Administrative Office of the U.S. Courts,
1971-90.

The number of drug cases in State courts is also increasing

BJS, *Criminal cases in five States, 1983-86*, Special report, NCJ-118798, September 1989, 1.

BJS, *Felony sentences in State courts, 1988*, NCJ-126923, December 1990.

A study of 26 urban felony courts — John A. Goerdts and John A. Martin, "The impact of drug cases on case processing in urban trial courts," *State Court Journal* (Fall 1989), 13(4):4-12, 7.

How long does it take to process drug cases?

For defendants in Federal drug cases... BJS, *Compendium of Federal justice statistics, 1989*, NCJ-134730, May 1992, 32.

This difference may be due to the complexity of drug cases... U.S. Supreme Court, *Report of the Judicial Conference of the United States to Congress: Impact of drug related activity on the Federal judiciary*, March 1989, cover page

and

BJS, *Compendium of Federal justice statistics, 1989*, NCJ-134730, May 1992, 32.

In the study of 26 large urban trial courts —

John A. Goerdts and John A. Martin, "The impact of drug cases on case processing in urban trial courts," *State Court Journal* (Fall 1989), 13(4):4-12, 7.

What is the impact of the increase of drug cases on court delay?

The study of 26 urban trial courts — John Goerdts, Chris Lomvardias, Geoff Gallas, and B. Mahoney, *Examining court delay: The pace of litigation in 26 urban trial courts, 1987* (Williamsburg, VA: National Center for State Courts, 1989), 97-99.

Some research reports...

Robert D. Lipscher, "The judicial response to the drug crisis," *State Court Journal* (Fall 1989), 13(4):13-17.

The Federal Courts Study Committee — U.S. Supreme Court, Federal Courts Study Committee, "Unprecedented study of Federal courts released today," News release, April 2, 1990

and

Ruth Marcus, "Panel advises changes in hearing drug cases," *The Washington Post*, April 3, 1990, A17.

Courts are using a variety of management techniques to handle the influx of drug cases

Special drug courts —

Steven Belenko, "The impact of drug offenders on the criminal justice system," in *Drugs, crime and the criminal justice system*, Ralph Weisheit, ed. (Cincinnati: Anderson Publishing Co. and the Academy of Criminal Justice Sciences, 1990), 27-78, 35-37, 64-65.

In Orleans Parish, Louisiana...

Thomas A. Henderson, "Judicial management strategies for addressing drug caseload," a paper presented to *Managing drug-related cases in urban trial courts*, National Center for State Courts, July 17-18, 1989, 13.

Early case disposition —

Thomas A. Henderson, "Judicial management strategies for addressing drug caseload," a paper presented to *Managing drug-related cases in urban trial courts*, National Center for State Courts, July 17-18, 1989, 11-12.

Motions management —

Thomas A. Henderson, "Judicial management strategies for addressing drug caseload," a paper presented to *Managing drug-related cases in urban trial courts*, National Center for State Courts, July 17-18, 1989, 12-13.

Differentiated case management —

Thomas A. Henderson, "Judicial management strategies for addressing drug caseload," a paper presented to *Managing drug-related cases in urban trial courts*, National Center for State Courts, July 17-18, 1989, 13-14.

**How do the juvenile courts deal
with drug offenses and drug
abusing juveniles?**

page 173

**Juvenile courts are very different
from criminal courts**

BJS, *Report to the Nation on crime and
justice: Second edition*, NCJ-105506,
March 1988, 78.

**At what age do offenders come
under criminal court jurisdiction?**

BJS, *Report to the Nation on crime and
justice: Second edition*, NCJ-105506,
March 1988, 79.

**Juvenile courts have changed
their approach to drug cases**

Anne L. Schneider, "A comparative
analysis of juvenile court responses to
drug and alcohol offenses," *Crime and
delinquency* (January 1988), 34(1):103-
124, 103-105, 113-121.

**The drug case rate in juvenile
courts has been rising**

Melissa Sickmund, *Juvenile court drug
and alcohol cases, 1985-88* (Pittsburgh:
National Center for Juvenile Justice,
September 1990), 1-3.

**How do drug cases differ from
other types of delinquency?**

OJJDP, Howard N. Snyder, Terrance A.
Finnegan, Ellen H. Nimick, Melissa H.
Sickmund, Dennis P. Sullivan, and
Nancy J. Tierney, *Juvenile court
statistics 1987*, September 1990, 5-7.

Chapter IV

Section 4. Sentencing and sanctions

What sanctions and sanctioning strategies are used for drug law violations?

page 177

Sentencing guidelines have been established for Federal judges

The 1984 Comprehensive Crime Control Act established...

U.S. Sentencing Commission, *Special report to the Congress: Mandatory minimum penalties in the Federal criminal justice system*, August 1991, i.

The prime objective of the guidelines...
Ronnie M. Scotkin, "The development of the Federal sentencing guidelines for drug trafficking offenses," *Criminal law bulletin* (January/February 1990), 26:50-59, 53-54

and

U.S. Sentencing Commission, *Special report to the Congress: Mandatory minimum penalties in the Federal criminal justice system*, August 1991, 20.

The U.S. Sentencing Commission reports...

U.S. Sentencing Commission, *Annual report, 1990*, table S, 74.

The guidelines require an offender...

Deborah G. Wilson, "The impact of Federal sentencing guidelines on community corrections and privatization," in *The U.S. sentencing guidelines: Implications for criminal justice*, Dean J. Champion, ed., (New York: Praeger, 1989), 168-171.

The U.S. Sentencing Commission reported that during 1989...

U.S. Sentencing Commission, *Annual report 1990*, 38.

Sentencing guidelines are also used by some State courts

State sentencing guidelines status

% = Sentencing commission in the State

Sentencing guidelines were created by:

* = Statute

I = Administrative rule

& = Judiciary

Written into statute in...

* I Florida: established by statute at Fla. Stat. Ann. 921.001 (West 1985 and Supp. 1989), Fla. R. Crim. P. 3.701 and 3.988.

* % Louisiana: established by statute at La. Code Crim. Proc. Ann. Art. 894.1 (West 1984 and Supp. 1989).

& % Maryland: judicially created, non-mandatory guidelines set out in the *Maryland Sentencing Guidelines Manual* published by the Maryland Administrative Office of the Courts (1982 revised edition).

* % Minnesota: presumptive sentencing guidelines established by statute at Minn. Stat. Ann. 244 app. (West Supp. 1990) and in *Sentencing Guidelines and Commentary*.

New Jersey: presumptive sentences, not guidelines, in N.J. Rev. Stat. 2C: 44-1 (West 1982 and Supp. 1989). Current presumptive sentences replaced short-lived sentencing matrix in 1979.

Ohio: guidelines in development. Sentencing Commission created at Ohio Rev. Code Ann. 181.23.

* % Pennsylvania: presumptive sentencing guidelines established by 204 Pa. Admin. Code 303.1 *et seq.* (Shepard's 1988) and in the *Sentencing Guidelines Implementation Manual* (3d ed.).

* % Tennessee: presumptive sentencing guidelines established by Tenn. Code Ann. 40-37-203 (1991), Sentencing Commission created at Tenn. Code Ann. 40-37 — 201 (1991).

Used systemwide but not mandated by law...

* Utah: established by Utah Code Ann. 76-3-201 (1992), Sentencing Commission created at Utah Code Ann. 63-25-4 (1992).

Applied selectively...

Massachusetts: statewide system of voluntary guidelines established by the Superior Court of Massachusetts. Guidelines are used only by the superior court system.

& Michigan: determinate sentencing judicially mandated by Supreme Court administrative order 1988-4, 430 Mich. cl (1988). Text of the guidelines published by the Sentencing Guidelines Advisory Committee, *Sentencing Guidelines Manual*, Lansing.

* Rhode Island: indeterminate sentencing at R.I. Gen. Laws 12-9-2 *et seq.* (1981 and Supp. 1989) but sentencing "benchmarks" have been established by the Rhode Island Supreme Court, and appear in the *Report of the Sentencing Study Committee*, Rhode Island Supreme Court, Sentencing Study Committee, Providence, 1981.

* I Wisconsin: Sentencing Commission promulgated non-mandatory guidelines at Wis. Admin. Code SC 1.01 *et seq.* (1985). The sentencing judge must provide reasons for not following the guidelines. Wis. Stat. Ann. 973.012 (West 1985 and Supp. 1989).

Additional States:

Alabama: no guidelines

* Alaska: presumptive sentences, mandatory in certain cases, are considered to be guidelines. Alaska Stat. 12.55.125 - 12.55.175 (1984 and Supp. 1988). Alaska does have a sentencing commission, established July, 1990, considering guidelines.

Arizona: (determinate sentencing, specifies only very general standards. No guidelines) Ariz. Rev. Stat. Ann. 13-701 *et seq.* (West 1989).

Arkansas: guidelines in development by the Arkansas Corrections Resource Commission for 1993 session; Act 568 of 1991 created Commission (Leslie Powell, 270 State Capitol-Little Rock, ARK 72201 (501)682-5959).

* California: Determinate Sentencing Law at Cal. Penal Code 1170-1170.95, is, in effect, a form of legislative sentencing guidelines. California Blue Ribbon Commission on Inmate Population Management in 1990 recommended formation of a Sentencing Law Review Commission to develop a guidelines grid or similar approach.

Colorado: no guidelines

Connecticut: no guidelines; Sentencing Commission was created but subsequently recommended against guidelines and in favor of determinate sentencing, which was enacted (Public Act 80-442, effective July 1, 1981).

& % Delaware: accountability levels implemented in 1987 are judicially mandated but considered voluntary. Sentencing Accountability Commission was created by General Assembly.

District of Columbia: no guidelines; recommendations of the D.C. Superior Court, Sentencing Guidelines Commission (1987) rejected by the city council because of projected increased demand for prison beds.

* Georgia: no guidelines

Hawaii: no guidelines

Continued on the next page...

Sentencing guidelines are also used by some State courts, cont.

Idaho: no guidelines

Illinois: determinate sentencing, only general standards, no guidelines.

Indiana: determinate sentencing, only general standards, no guidelines.

Iowa: no guidelines

* **Kansas:** guidelines grid has been enacted in Kansas Senate Bill 479, 1992 Session, and will take effect as of July 1, 1993. [Legislative Information (913)296-2391]

Kentucky: no guidelines

Maine: no guidelines; sentencing commission was appointed in 1983, but recommended against guidelines. Commission no longer active with new members not appointed, no funds appropriated.

Missouri: guidelines in development, sentencing commission established August 1990.

Montana: no guidelines; Sentencing Commission established in 1967.

Nebraska: no guidelines

Nevada: no guidelines

New Hampshire: no guidelines

New Jersey: voluntary guidelines system no longer in effect

New Mexico: no guidelines; a sentencing commission was created by statute, the Sentencing Guidelines Act, N.M. Stat. Ann. 31-18A-1 through 31-18A-9 (1989 Supp.). The Commission was subsequently defunded, and the legislature rejected commission recommendations.

New York: no guidelines; recommendations of the New York State Committee on Sentencing Guidelines (1985) was rejected by the legislature.

North Carolina: determinate sentencing similar to guidelines (as is California). Sentencing Commission established July 1990. Guidelines in development, draft matrix completed; to be submitted to NC General Assembly in 1993 session.

North Dakota: no guidelines

Ohio: guidelines in development, Sentencing Commission established February 1991.

Oklahoma: no guidelines

* **% Oregon:** presumptive guidelines grid is mandatory, adopted by the Oregon Sentencing Guidelines Board as Oregon Administrative Rules in December, 1988, (OAR 253-01-000 et seq.) and subsequently approved by the Legislative Assembly (Section 87, Chapter 790, Oregon Laws 1989). Reviewed periodically by the Criminal Justice Council; judges may deviate, but must give explanation why.

South Carolina: guidelines in development, reclassification of felonies and misdemeanors enacted this summer; guidelines grid with "advisory" sentences to be submitted to General Assembly next year. (Sentencing Commission, Columbia, SC (803)734-1051)

Texas: no guidelines

* **Utah:** guidelines are voluntary guidelines matrix, established by legislative statute

Vermont: no guidelines. Voluntary guidelines created by judiciary through the Sentencing Guidelines Steering Committee are no longer in effect.

& **% Virginia:** voluntary guidelines promulgated by the VA Supreme Court in 1988, amended in 1989, endorsed by legislature in S. J. Res. 46, 1990 Session. Periodic revisions established by the Judicial Sentencing Guidelines Committee.

* **% Washington:** presumptive sentencing guidelines established by Wash. Rev. Code 9.94A.310 - 9.94A.390 (West 1988 and Supp. 1989)

West Virginia: no guidelines

Wyoming: no guidelines

Sources:

NIJ, *Sentencing Reform in the United States: History, Content, and Effect*, 1985.

Judicial Sentencing Guidelines Committee, *Profiles of sentencing guidelines systems*, Department of Criminal Justice Services, Richmond, Virginia, 1987.

Michael Tonry, "The politics and processes of sentencing commissions", *Crime and Delinquency*, (July 1991) 37(3).

Michael Tonry, "Structured sentencing", *Crime and Justice: A review of research*, vol. 10, (Chicago: University of Chicago Press, 1988).

JSRA, based on submissions from the State Statistical Analysis Centers, 1992.

Jane Williams, "Sentencing guidelines — A selective bibliography of State materials", *Legal reference services quarterly*, (1990) 10(1/2).

LEXIS/NEXIS "codes" library, "ailcodes" file.

Telephone calls: Kay Knapp; Rick Kern, VA Judicial Sentencing Guidelines Committee; SC Sentencing Guidelines Commission; NC Dept. of Crime Control & Public Safety; GA General Assembly staff; Kansas legislative information, state legislative staff; and Oregon Dept. of Corrections.

What are the penalties for illegal drug offenses?

page 178

Federal drug possession penalties generally consider only the drug violation history of the offender

With one exception...

21 USCA 844(a)(West 1981 and Supp. 1992)

As discussed later in this section...

A guide to State controlled substances acts (Washington: National Criminal Justice Association, January 1991), 3-5, 7-13

and
21 USCA 844(a)(West 1981 and Supp. 1992) for possession of a mixture or substance containing cocaine base, if first conviction and more than 5 grams, or second conviction and more than 3 grams, or third conviction and more than 1 gram, then sentence is not less than 5 years minimum, 20 years maximum prison, and a minimum fine of \$1,000. Cocaine as used in 21 USC 841 includes the substance known as cocaine freebase, commonly referred to as "crack". *United States v. Pinto*, 905 F.2d 47 (CA4 Md., 1990).

Federal drug trafficking penalties consider the type and amount of the drug involved, the offender's drug violation history, and other factors

The law provides for longer sentences for Schedule I and II offenders...

21 USCA 841(b)(West 1981 and Supp. 1992).

When death or serious bodily injury results from use of the drugs...

21 USCA 841(b)(C)(West 1981 and Supp. 1992).

Penalties for trafficking in small amounts of drugs...

21 USCA 841(b)(D)(West 1981 and Supp. 1992).

The law provides for stiffer fines for offenders other than individuals...

21 USCA 841(b)(C)(West 1981 and Supp. 1992)
\$1,000,000 versus \$5,000,000 for first offense with death or serious bodily harm; \$2,000,000 versus \$10,000,000 for second offense and death or serious bodily harm.

...for Schedules III and IV they are four times greater...

21 USCA 841(b)(C),(C)(2)(West 1981 and Supp. 1992)
\$250,000 versus \$1,000,000 for first offense; \$500,000 versus \$1,000,000 for second offense.

...for Schedule V, they are two and one-half times greater

21 USCA 841(b)(C)(3)(West 1981 and Supp. 1992)
\$100,000 versus \$250,000 for first offense; \$200,000 versus \$500,000 for second offense.

State and Federal sentencing structures are similar

A guide to State controlled substances acts (Washington: National Criminal Justice Association, January 1991), 15, 19.

page 179

Federal and State laws provide special penalties for various drug offense circumstances

Drug offenses involving minors —

21 USCA 859, 861 (West 1981 and Supp. 1992)

and

U.S. House of Representatives, Select Committee on Narcotics Abuse and Control, *Narcotic and dangerous drug control: Penalties under the Controlled Substances Act and other Federal statutes*, 1990, CRS-7

and

A guide to State controlled substances acts (Washington: National Criminal Justice Association, January 1991), 23 and Elements of controlled substances acts table, Appendix B.

Drug offenses that result in serious bodily injury or death —

Under Federal law...

21 USCA 841(1)(A)(West 1981 and Supp. 1992)

6 of the 15 States revising statutory provisions to the death penalty...

BJS, *Capital punishment 1989*, Bulletin, NCJ-124545, October 1990, 3

and

Arkansas Stat. Ann. 5-10-101(a)(1) (1979 and Supp. 1992)

and

Illinois Ann. Stat. ch.38, 9-1(6)(c),(9) (Smith Hurd 1979 and Supp. 1992)

and

Indiana Code Ann. 35-50-2-9(b)(1)(H) (West 1985 and Supp. 1991)

and

Louisiana Code Crim. Proc. Ann. art. 905.4(11)(West 1984 and Supp. 1992)

and

Pennsylvania Stat. Ann. tit.42, 9711(14) (Purdon 1982 and Supp. 1992)

and

South Dakota Codified Laws Ann. 23A-27A.1(10)(1988 and Supp. 1992)

and

Nevada Rev. Stat. 453.333 (1986 and Supp. 1991).

Nevada became the seventh State...

A guide to State controlled substances acts (Washington: National Criminal Justice Association, January 1991), 28.

Washington State provides for...

Washington Rev. Code Ann. 69.50.415 (1985 and Supp. 1992)
Controlled substance homicide is a class B felony, punishable as prescribed in Wash. Rev. Code Ann. 9A.20.021, which provides for a maximum 10 years and/or \$20,000.

Drug offenses in specific locations —

U.S. House of Representatives, Select Committee on Narcotics Abuse and Control, *Narcotic and dangerous drug control: Penalties under the Controlled Substances Act and other Federal statutes*, 1990, CRS-5

and

A guide to State controlled substances acts (Washington: National Criminal Justice Association, January 1991), 24-25, and Elements of controlled substance acts table, Appendix B.

Near schools —

21 USCA 860 (West 1981 and Supp. 1992).

Safe house —

21 USCA 856 (West 1981 and Supp. 1992); and D.C. Code Ann. 22-1515 (1992)(Section entitled "Presence in illegal establishments").

Booby traps —

21 USCA 841(e)(1),(2),(3)(West 1981 and Supp. 1992).

Drug offenses involving specific drugs —

21 USCA 844(a)(West 1981 and Supp. 1992)

and

A guide to State controlled substances acts (Washington: National Criminal Justice Association, January 1991), 12-13 and 21-35, and Elements of controlled substance acts table, Appendix B.

Drug offenses that result in environmental damage —

U.S. House of Representatives, Select Committee on Narcotics Abuse and Control, *Narcotic and dangerous drug control: Penalties under the Controlled Substances Act and other Federal statutes*, 1990, CRS-5

and

21 USCA 841 (D)(6)(A),(B),(C)(West 1981 and Supp. 1992)

Five year prison term and fines according to 18 USCA for knowingly or intentionally using a poison, chemical, or other hazardous substance on Federal land in violation subsection (a) of 21 USC 841, and in so doing:
(A) creating a serious hazard to humans, wildlife or domestic animals;
(B) degrading or harming the environment or natural resources; or
(C) polluting an aquifer, spring stream river, or body of water

and

18 USCA 41 (West Supp. 1992)
\$500 fine for willfully disturbing or killing
any wild animal on United States
lands...

page 180

**The Federal Government
can request civil penalties
for drug possession**

The Anti-Drug Abuse Act of 1988 allows
DOJ to request a civil penalty...

U.S. House of Representatives, Select
Committee on Narcotics Abuse and
Control, *Summary of Anti-Drug Abuse
Act of 1988*, November 28, 1988

and
21 USCA 844a(a),(c)(West 1981 and
Supp. 1992).

After 3 years, the individual's records...
21 USCA 844a(j)(1)-(5)(West 1981
and Supp. 1992), 28 CFR 76.41
(1991).

Amounts collected through...
28 CFR 76.38 (1991).

The regulations implementing the
program...

"Regulations implementing civil
penalties under the Anti-Drug Abuse
Act of 1988," *Federal Register*, January
11, 1991, 1086-1097

and
"Delegation of authority to Assistant
Attorney General, Civil Division,"
Federal Register, November 6, 1991,
28 or 56578

and
CFR Part 76 (Order No. 1462-90) and
23 CFR Part O (Order No. 1544-91).

To date, no cases have been...
Personal communication, Margaret
Plank, Civil Division, Department of
Justice, February 1992.

**Federal law establishes
penalties for illegal use
of precursor chemicals**

Some chemicals that are precursors...
21 CFR 1308.12(e)(2)(1991)

and
21 CFR 1308.12(e)(1)(1991)

Other precursor chemicals were
added...
21 USCA 802(34)(West 1981 and
Supp. 1992)

Possession of them with the intent to
manufacture...

*A guide to State controlled substances
acts* (Washington: National Criminal
Justice Association, January 1991),
12-13

and
21 USCA 841(d)(West 1981 and Supp.
1992) for the 10 year penalty

and
18 USCA 3571(b)(West Supp. 1992)
for the fine —an individual found guilty
of a felony may be fined not more than
\$250,000.

**Federal and State courts
can fine and imprison
money launderers**

Persons convicted under the Federal
money laundering laws...

18 USCA 1956(a)(1),(a)(2),(b)(West
Supp. 1992)

and
John K. Villa, *Banking crimes: Fraud,
money laundering, and embezzlement*
(New York: Clark Boardman, Co., Ltd.,
1988), 8-28 to 8-29, 8-37 to 8-38.

Financial institutions are also...
12 USCA 1829b(j) (West 1989 and
Supp. 1992).

Bank officers and directors also...
U.S. House of Representatives, Select
Committee on Narcotics Abuse and
Control, *Summary of Anti-Drug Abuse
Act of 1988*, November 28, 1988.

At least 14 States have enacted laws
aimed at money laundering...

*A guide to State controlled substances
acts* (Washington: National Criminal
Justice Association, January 1991), 29

and
Louisiana Rev. Stat. Ann. 40:1049(E)
(West 1977 and Supp. 1992)

and
Oklahoma Stat. Ann. tit. 63, 2-
503.1(E)(West 1984 and Supp. 1992).

**What are the sanctions
for violations of the drug
paraphernalia laws?**

21 USCA 863(b) (West 1981 and
Supp. 1992).

**How do Federal mandatory
minimum sentences apply to drug
offenders?**

page 181

**Mandatory minimum sentences limit
the sentencing discretion of judges**

First-time offenders facing a 10-year
mandatory minimum...

21 USCA 841(b)(1)(A)(West 1981 and
Supp. 1992).

...and someone eligible for a 5-year
mandatory minimum...

21 USCA 841(b)(1)(B)(West 1981 and
Supp. 1992).

**The law establishes mandatory
minimum sentences for possession
of crack cocaine**

21 USCA 844(a)(West 1981 and Supp.
1992)

and
U.S. House of Representatives, Select
Committee on Narcotics Abuse and
Control, *Summary of Anti-Drug Abuse
Act of 1988*, November 28, 1988

and
*A guide to State controlled substances
acts* (Washington: National Criminal
Justice Association, January 1991), 21
and Elements of controlled substances
acts table, Appendix B and Alaska State
summary.

**Federal law also provides
for harsher sentences under
some circumstances**

For first offenders...
21 USCA 841(b)(1)(A),(B),(C) (West
1981 and Supp. 1992).

For second offenders...
21 USCA 841(b) (West 1981 and
Supp. 1992).

Third-time offenders...

21 USCA 841(b) (West 1981 and Supp. 1992).

The laws also establish minimum periods of supervised release after the full prison sentence has been served

These periods range from 1 to 10 years...

21 USCA 841(b)(1)(A),(B),(C),(D)(West 1981 and Supp. 1992) and

A guide to State controlled substances acts (Washington: National Criminal Justice Association, January 1991), 10-11.

The purpose of supervised release...

Deborah G. Wilson, "The impact of federal sentencing guidelines on community corrections and privatization," in *The U.S. sentencing guidelines: Implications for criminal justice*, Dean J. Champion, ed. (New York: Praeger, 1989).

A judge can order a lesser sentence only if the prosecutor recommends it

U.S. Sentencing Commission, *Annual report, 1990*, 70, 74, table S.

How are intermediate sanctions applied to drug law violators?

page 182

Intermediate sanctions are a mix of old and new penalties

OJP, *A survey of intermediate sanctions*, September 1990, 3-17.

Nonincarcerative intermediate sanctions are often used in conjunction with intensively supervised probation

BJS, *Probation and parole, 1989*, Bulletin, NCJ-125833, November 1990, 4.

Day Reporting Centers are a variant of intensively supervised probation

NIJ, Dale G. Parent, *Day reporting centers for criminal offenders — A descriptive analysis of existing programs*, September 1990, 1-8.

House arrest is used in many jurisdictions

BJS, *Recidivism of felons on probation, 1986-89*, Special report, NCJ-134177, February 1992, table 2 and 5.

How is electronic monitoring used in supervising offenders?

Belinda R. McCarthy, ed., *Intermediate punishments: Intensive supervision, home confinement, and electronic surveillance* (Monsey, N.Y.: Criminal Justice Press, 1987), 1-12

and
BJA, *Electronic monitoring in intensive probation and parole programs*, Monograph, NCJ-116319, February 1989, 1

and
Tracy Thompson, "Electronically monitored house arrest far from perfect," *The Washington Post*, December 10, 1990, D1.

page 183

Electronic monitoring devices were first used in 1984

NIJ, Annesley K. Schmidt, *The use of electronic monitoring by criminal justice agencies 1988*, Discussion paper 4-88, 1988, 2, 4, 10-11, 14.

NIJ, Marc Renzema and David T. Skelton, *Use of electronic monitoring in the United States: 1989 update*, NIJ research in action, November/ December 1990, 9-13.

National Narcotics Intervention Project, American Probation and Parole Association/National Association of Probation Executives, unpublished data, 2.

BJS, *Probation and parole, 1990*, Bulletin, NCJ-133285, November 1991, tables 1 and 3.

Electronic monitoring devices are used for a wide variety of offenders

NIJ, Marc Renzema and David T. Skelton, *Use of electronic monitoring in the United States: 1989 update*, NIJ research in action, November/December 1990, 9-13.

NIJ, Annesley K. Schmidt, *The use of electronic monitoring by criminal justice agencies 1988*, Discussion paper 4-88, 1988, 11.

The Federal system is testing electronic monitoring devices

Administrative Office of the U.S. Courts, *Annual report of the Director of the Administrative Office of the United States Courts, 1989*, 70

and
Administrative Office of the U.S. Courts, *Annual report of the Director of the Administrative Office of the United States Courts, 1990*, 87.

Drug offenders may be sentenced to shock incarceration programs

NIJ, Doris Layton MacKenzie and Deanna Bellew Ballow, *Shock incarceration programs in State correctional jurisdictions — An update*, NIJ research in action, May/June 1989.

NIJ, Dale G. Parent, *Shock incarceration: An overview of existing programs*, NIJ issues and practices, NCJ-114902, June 1989, 27-28 and 57-58.

Administrative Office of the U.S. Courts, Doris Layton MacKenzie, "Boot camp prisons: Components, evaluations, and empirical issues," *Federal probation*, September 1990, 44-52.

The White House, ONDCP, *State drug control status report*, November 1990, 13, 14, and chart at end.

BJS, *Census of State and Federal Correctional facilities 1990*, NCJ-137003, May 1992, table 18.

What government benefits can be denied to drug offenders?

page 184

460 Federal benefits may be denied or revoked

The White House, ONDCP, *National drug control strategy: A Nation responds to drug use*, January 1992, 126.

OJP, "Denial of Federal Benefits Project Information Kit," September, 1990.

Courts are beginning to deny Federal benefits to drug offenders

OJP, "Summary of sentences entered into the Denial of Federal Benefits Database," Denial of Federal Benefits Project, November 1991.

Public housing can be denied to drug users

HUD, Office of Policy Development and Research and Office of Public and Indian Housing, *Together we can meet the challenge: Winning the fight against drugs*, April 1991, 3-17.

page 185

The Federal Government can deny other benefits and services to drug offenders

The Department of State must deny or revoke passports...
22 USCA 2714(West 1981 and Supp. 1992).

The Federal Aviation Administration may assess civil penalties...
49 USCA App. 1471(a), 1472(b)(West 1981 and Supp. 1992)

and
Office of the Attorney General, *Capsule summary of major provisions of the Anti-drug Abuse Act of 1988*, 31-32.

Some States have enacted similar legislation revoking State benefits for those convicted of drug offenses

The White House, ONDCP, *State drug control status report*, November 1990, 10-11, and chart at end

and
Department of Transportation and Related Agencies Appropriation Act, 1992, Pub. L. 102-143, 333, 105 Stat. 917, 944-47 (1991)(codified at 23 USCA 159 (West 1981 and Supp. 1992))

and
The White House, ONDCP, *National drug control strategy: A Nation responds to drug use*, January 1992, 154.

How is asset forfeiture being used in drug cases?

page 186

Asset forfeiture is a powerful sanction against illegal drugs

NIJ, Jan Chaiken, Marcia Chaiken, and Clifford Karchmer, *Multijurisdictional drug law enforcement strategies: Reducing supply and demand*, NIJ issues and practices, NCJ-126658, December 1990, 7-9, 22.

Most jurisdictions permit civil forfeiture

A guide to State controlled substances acts (Washington: National Criminal Justice Association, January 1991), 11-12, 21-22.

Jurisdictions vary in terms of what is forfeitable

A guide to State controlled substances acts (Washington: National Criminal Justice Association, January 1991), 11-12, 21-22, and State-by-State summaries

and
HUD, *Asset forfeiture*, undated paper.

Criminal forfeiture occurs after conviction

Office of the Attorney General, *Annual report of the Department of Justice Asset Forfeiture Program, 1990*, 17-18.

Forfeiture funds are increasing

U.S. Marshals Service, *Annual report: Department of Justice Assets Forfeiture Fund, Fiscal year, 1986, 3 and 1987*, appendix A, 39

and
Office of the Attorney General, *Annual report of the Department of Justice Asset Forfeiture Program, 1990*

and
The White House, ONDCP, unpublished data.

How do States use tax codes to sanction drug offenders?

page 187

At least 21 States levy a tax on drugs possessed or sold illegally

A guide to State controlled substances acts (Washington: National Criminal Justice Association, January 1991), 31 and State Tax tables, Appendix B.

Drug tax laws target drug dealer assets

Constance Thomas, *1990 State substance abuse laws*, Intergovernmental Health Policy Project (Washington: George Washington University, March 1991), 2-5.

How often are taxes assessed on illegal drugs?

Texas Comptroller of Public Accounts, Economic Analysis Center, "Texas drug tax sets new trap for drug dealers," in *Fiscal Notes*, October 1989, 6-7.

State tax rates for illegal drugs vary widely

In **Florida** the tax is 50% of the estimated price of transactions, medicinal drugs, marijuana, and other controlled substances, plus a surcharge of 25% of estimated price. The penalty is a late fee of 5% of tax per month up to 25%, plus 12% interest; for willful nonpayment, the fee is 50% of tax.

In **Montana** the tax may be 10% of the assessed market value of the drugs, or \$100/oz. of marijuana, \$250/oz of hashish, \$200/g of any drug on Schedule I or II, \$10/100 mcg of LSD, \$100/oz of immediate precursors. Civil penalties are 10% of the tax and 1% interest per month. Criminal penalties of a \$1,000 fine and imprisonment for up to 1 year have been declared unconstitutional (per the Montana Department of Revenue).

In **New Mexico** the fines are: \$300/g of Schedule I and II narcotics, \$100/g of amphetamines, \$150/g of Schedule I and II nonnarcotics, \$200/oz of marijuana over 8 ounces, \$1/25 mcg of LSD, \$50/g of drugs on Schedules III through V and \$300/g of PCP.

Texas criminal penalties from Bob Bullock, "Texas drug tax sets new trap for dealers" in *Fiscal Notes*, (Austin: Texas Comptroller of Public Accounts, Economic Analysis Center, October 1989) 6-7.

What is the probability of being sentenced to incarceration?

page 188

Of those convicted of drug trafficking in Federal courts, 81% were sentenced to prison

BJS, *Federal criminal case processing, 1980-89: With preliminary data for 1990*, NCJ-130526, October 1991, table 16.

Federal drug law offenders are most often involved with narcotics

Administrative Office of the U.S. Courts, *Annual report of the Director of the Administrative Office of the United States Courts, 1990*, Appendix I, table D-4, 197, and table D-5, 200.

Almost three of four drug traffickers convicted in State courts were sentenced to incarceration

BJS, *Felony sentences in State courts, 1988*, Bulletin, NCJ-126923, December 1990.

Drug offenders are sentenced to incarceration in conjunction with other sanctions

U.S. Sentencing Commission, *Annual report, 1990*, National data, fiscal year 1990 guideline sentences table, Appendix B.

BJS, *Felony sentences in State courts, 1988*, Bulletin, NCJ-126923, December 1990.

A guide to State controlled substances acts (Washington: National Criminal Justice Association, January 1991), 10-11

Do State and Federal prison sentences for drug traffickers differ?

page 189

Most Federal prison sentences for drug offenders are long

U.S. Sentencing Commission, *Annual report, 1990*, National data, fiscal year 1990, guideline sentences table, Appendix B.

Administrative Office of the U.S. Courts, *Annual report of the Director of the Administrative Office of the United States Courts, 1990*, Appendix I, table D-5, 200.

Offenders usually serve only a portion of the sentence length in confinement

BJS, *Felony sentences in State courts, 1988*, Bulletin, NCJ-126923, December 1990.

Are sentences for drug law violators generally becoming more severe?

page 190

The number of drug offenders sentenced to Federal prison has risen since 1980

BJS, *Federal criminal case processing, 1980-89: With preliminary data for 1990*, NCJ-130526, October 1991, tables 15 and 17.

Federal sentence lengths for drug offenders have also increased

BJS, *Federal criminal case processing, 1980-89: With preliminary data for 1990*, NCJ-130526, October 1991, table 15.

State courts were more likely to sentence drug traffickers to incarceration in 1988 than in 1986

BJS, *Felony sentences in State courts, 1988*, Bulletin, NCJ-126923, December, 1990

and

BJS, *Felony sentences in State courts, 1986*, Bulletin, NCJ-115210, February 1989.

The Federal courts have begun sentencing under the Federal drug laws with death penalty provisions

The Anti-Drug Abuse Act of 1988 allows imposition...

U.S. House of Representatives, Select Committee on Narcotics Abuse and Control, *Summary of Anti-Drug Abuse Act of 1988*, November 28, 1988, CRS-7

and

Office of the Attorney General, *Capsule summary of major provisions of the Anti-drug Abuse Act of 1988*, 23-26.

In May 1991, a Federal court in Birmingham, Alabama...

"Jury recommends execution under new U.S. drug law," *The Washington Post*, April 4, 1991, A10

and

"Drug lord sentenced to death," *USA Today*, May 15, 1991, 3a.

Since 1987, States have increased drug law violation penalties

A guide to State controlled substances acts (Washington: National Criminal Justice Association, January 1991), 19-20, 23-24 and Elements of controlled substances acts table, Appendix B.

What sanctions are applied to juvenile drug offenders?

page 191

Even juvenile cases handled informally may result in sanctions

Melissa Sickmund, *Juvenile court drug and alcohol cases, 1985-88* (Pittsburgh: National Center for Juvenile Justice, September 1990), 1-4 and 6-8.

Juvenile offenders may be subject to drug testing as a condition of release

Ann H. Crowe, *Drug testing in the juvenile justice system: The necessary correlation between agency mission, program purpose, and use of test results*, American Probation and Parole Association.

Are juvenile drug law violators being treated more severely?

Melissa Sickmund, *Juvenile court drug and alcohol cases, 1985-88* (Pittsburgh: National Center for Juvenile Justice, September 1990), figure 5, 7, and figures 6-A and 6-B, 8.

Juvenile offenders are also monitored electronically

Joseph B. Vaughn, "A survey of juvenile electronic monitoring and home confinement programs," *Juvenile & family court journal* (1989), 1-36.

Convicted Federal drug traffickers were more likely to be sentenced to prison in 1989 than in 1980...

Year	Percent of convicted Federal drug offenders sentenced to prison		Average sentence length of Federal drug offenders in months	
	Possession	Trafficking	Possession	Trafficking
1980	22.9%	76.8%	14.7 mos.	48.1 mos.
1981	41.8	79.7	28	52.6
1982	44.9	82.1	26.2	59.3
1983	33.9	82.9	25.1	58.5
1984	41	81	26.6	59.5
1985	43	82.3	34.5	60.8
1986	41.5	83.1	41	63.9
1987	27.8	85.4	48	69.1
1988	22.1	88.2	13.6	73.6
1989	28.7	91.5	8.1	77.3

Source: BJS, *Federal criminal case processing, 1980-89*; With preliminary data for 1990, October 1991, tables 15 and 17.

Chapter IV

Section 5. Correctional populations

What happens to sentenced drug offenders?

page 194

Drug offenders are supervised in institutions or in the community

BJS, *Probation and parole 1990*, Bulletin, NCJ-133285, November 1991, 4.

Many adult and juvenile drug offenders are supervised in the community

BJS, *Probation and parole, 1990*, Bulletin, NCJ-133285, November 1991.

Administrative Office of the U.S. Courts, *Annual report of the Director of the Administrative Office of the United States Courts, 1985-1989*.

BJS, *Felony sentences in State courts, 1988*, Bulletin, NCJ-126923, December 1990.

Melissa Sickmund, *Juvenile court drug and alcohol cases, 1985-1988*, (Pittsburgh: National Center for Juvenile Justice, September 1990), figure 5.

Many jurisdictions are using intermediate sanctions for drug offenders

BJS, *Probation and parole, 1990*, Bulletin, NCJ-133285, November 1991, 4.

NIJ, Doris Layton MacKenzie, " 'Boot camp' programs grow in number and scope," *NIJ reports*, November/December 1990, 6-8.

How many inmates are drug offenders?

BJS, *Profile of jail inmates, 1989*, Special report, NCJ-129097, April 1991.

BJS, *State Prison Inmate Survey, 1991*, forthcoming.

BOP, *State of the Bureau, 1990*, 26.

Estimates of total number of incarcerated drug offenders are based on data from several sources.

Number	Description	Source
22.5%	% of total convicted jail inmates incarcerated for drug offenses for 1989	BJS, <i>Profile of jail inmates, 1989</i> , Special report, NCJ-129097, April 1991.
195,661	estimated number of convicted jail inmates 6/30/90, from survey	BJS, <i>Jail inmates, 1990</i> Bulletin, NCJ-129756, June 1991, table 2.
22%	% of total State prison inmates incarcerated for drug offenses in 1991 from national sample	BJS, <i>State Prison Inmate Survey, 1991</i> , forthcoming.
684,406	total State prisoners in 1990 (12/31/90)	BJS, unpublished data table 2.
50,388	total Federal sentenced prisoners 9/30/90	BOP, <i>State of the Bureau, 1990</i> , 26.
25,037	Federal sentenced drug prisoners 9/30/90	BOP, unpublished data.

The following calculations were used to estimate the total number incarcerated for drug offenses in 1990.

195,661 X .225 = 44,024	jail inmates times the proportion drug offenders
684,406 X .22 = 150,569	State prison inmates
25,037	count of Federal drug inmates
219,630	estimated total drug inmates

Total 1990: population estimates (all sentenced inmates)

Jails	195,661
State prisons	684,406
Federal prisons	50,388
total population	930,455

Drug inmates

	Number	Percent
All	219,630	100%
Prison	150,569	69
Jail	44,024	20
Federal	25,037	11

Population figures for State prisons are estimates that combine information from different sources. Therefore, the figures presented in the report are estimates with an unknown margin of error. They should be used as rough approximations only.

Is the proportion of drug offenders in jails and prisons increasing?

page 195

Why are drug offenders becoming a larger share of the prison population?

BJS, *Felony sentences in State courts, 1988*, Bulletin, NCJ-126923, December 1990

and

BJS, *Felony sentences in State courts, 1986*, Bulletin, NCJ-115210, February 1989

and

BJS, *Federal criminal case processing, 1980-89: With preliminary data for 1990*, NCJ-130526, October 1991, table 17.

In Federal prisons, the rising proportion of offenders committed for drug offenses exceeded 50% in 1990

Year	Percent of Federal inmates committed for drug offenses
1970	16.3%
1971	17
1972	16.9
1973	25.6
1974	28.4
1975	26.7
1976	26.6
1977	26.2
1978	25.4
1979	25.3
1980	24.9
1981	25.6
1982	26.3
1983	27.6
1984	29.5
1985	34.3
1986	38.1
1987	42
1988	44.8
1989	49.9
1990	52.3

Source: Bureau of Prisons, May 1991.

In State prisons, the proportion of inmates admitted for drug offenses has increased

Year	Percent of total State inmates admitted for drug offenses
1980	4.2%
1984	4.1
1970	9.8
1974	12.0
1978	8.4
1981	7.7
1982	8.1
1983	8.2
1984	11.1
1985	13.2
1986	16.3
1987	20.4
1988	25.1
1989	29.5

Source: BJS, *Prisoners in 1991*, Bulletin, NCJ-134724, May 1992, table 11.

What are offenders' drug-use patterns?

page 196

A large percentage of offenders have drug problems

BJS, *Recidivism of felons on probation, 1986-89*, Special report, NCJ-134177, February 1992.

BOP, *Drug abuse problems of inmates in the U.S. Bureau of Prisons, 1988*, unpublished report.

BJS, *Drug use and crime*, Special report, NCJ-111940, July 1988.

BJS, *Jail inmates, 1989*, Special report, NCJ-123264, June 1990.

BJS, *Survey of youth in custody, 1987*, Special report, NCJ-113365, September 1988, 6.

State inmates who used drugs before entering prison were more likely than nondrug users to break prison rules

BJS, *Prison rule violators*, Special report, NCJ-120344, December 1989, table 4

and

BJS, *Census of State and Federal correctional facilities, 1990*, NCJ-137003, May 1992, 6.

Is drug testing used in correctional systems?

page 197

Correctional populations are tested for drug use

BJA, *American Probation and Parole Association's drug testing guidelines and practices for adult probation and parole agencies*, prepared in cooperation with the Council of State Governments, Monograph, NCJ-129199, July 1991, 1.

Cathryn Jo Rosen and John S. Goldkamp, "The constitutionality of drug testing at the bail stage," *The journal of criminal law and criminology* (1989), 80(1):114-176, 140-141.

Drug testing has a number of uses in correctional settings

BJA, *American Probation and Parole Association's drug testing guidelines and practices for adult probation and parole agencies*, prepared in cooperation with the Council of State Governments, Monograph, NCJ-129199, July 1991, 1, 2, 7.

Dean V. Babst, *Drug abuse testing: Successful models for treatment and control in correctional programs, 2nd edition* (College Park, MD: American Correctional Association, July 1981), 3.

The privacy and other rights of offenders differ from those of other citizens

Cathryn Jo Rosen and John S. Goldkamp, "The constitutionality of drug testing at the bail stage," *The journal of criminal law and criminology* (1989), 80(1):114-76, 161-164.

NIC, Rolando V. del Carmen and Jonathan R. Sorensen, *Legal issues in drug testing probation and parole clients and employees*, January 1989, 2, 18-20.

Probationers and parolees are tested for drug use

Convicted offenders under supervision in the community...

A guide to State controlled substances acts (Washington: National Criminal Justice Association, 1991), 26 and

NIC, Rolando V. del Carmen and Jonathan R. Sorensen, *Legal issues in drug testing probation and parole clients and employees*, January 1989, 18.

Urine surveillance for probationers and parolees...

James J. Collins, "Policy choices in urine testing of probationers and parolees," Paper presented at the American Society of Criminology, Annual Meeting in Reno, Nevada, November 1989, 1.

The Corrections yearbook—George M. Camp and Camille Graham Camp, *The corrections yearbook 1991: Probation and parole* (South Salem, NY: Criminal Justice Institute, 1991), 30, 59.

The States revoked the community supervision of more than...

	Tests administered to			Revocations		
	Parole & probation combined*	Probationers	Parolees	Parole & probation combined	Probation	Parole
Federal	600,000			2,055		
Alabama	31,418					
Alaska	9,708					
Arizona		29,500	75,101			
California			519,496			10,848
Colorado			8,722			
Connecticut						14
Delaware	3,323					
Dist. of Col.		18,667	14,840			
Florida	112,554					
Georgia		17,769	11,329	1,534		
Hawaii			2,651			159
Illinois			2,190			
Indiana			100			
Kentucky	1,500					
Kansas			6,976			
Maryland	21,794					
Minnesota		600			5	
Missouri	19,371					
Nevada	18,000			454		
New Hampshire	4,707					
New Mexico	6,600					
New York			100,000			
North Carolina		7,025	45		256	16
Ohio		500			100	
Oklahoma	44,000					
South Carolina	68,268					
South Dakota			315			17
Tennessee		3,364			430	
Texas		95,794			196	
Utah	4,860			243		
Virginia			67,567			
West Virginia			280			5
Washington		150				
Wisconsin	33,000					
Wyoming	2,665					
Total	981,768	173,369	809,612	2,752	2,521	

*These jurisdictions do not distinguish between probationers and parolees in reporting on testing.

Source: George M. Camp and Camille Graham Camp, *The corrections yearbook 1991: Probation and parole* (South Salem, NY: Criminal Justice Institute, 1991), 30, 59.

Of felons placed on probation in 32 large urban counties in 1986... BJS, *Recidivism of felons on probation, 1986-1989*, Special report, NCJ-134177, February 1992, table 2 and table 3.

In the Federal system... Administrative Office of the U.S. Courts, *Final report of the Director of the Administrative Office of the United States Courts on the Demonstration Program of Mandatory Drug Testing of Criminal Defendants*, March 29, 1991, ii-iii, 5.

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Many correctional systems test incarcerated offenders for drugs

BJS, *Drug enforcement and treatment in prisons, 1990*, Special report, NCJ-134724, July 1992.

George M. Camp and Camille Graham Camp, *The corrections yearbook, 1991: Adult corrections* (South Salem, NY: Criminal Justice Institute, 1991), 64.

The Federal prison system tests inmates for drug use

BOP, Urine Surveillance Program, 1987-1990, unpublished data.

All initial positive results...
Pharmchem, April 28, 1989.

Drug use among Federal inmates is relatively low

BOP, Urine Surveillance Program, 1988-1990, unpublished data.

What drug treatment programs are available to offenders?

page 199

Many offenders supervised in the community are referred to drug treatment

About 23% of felony probationers...
BJS, *Recidivism of felons on probation, 1986-1989*, Special report, NCJ-134177, February 1992.

The extent of legal pressure...
NIDA, George DeLeon, "Legal pressure in therapeutic communities," in *Compulsory treatment of drug abuse: Research and clinical practice*, Carl G. Leukefeld and Frank M. Tims, eds., NIDA research monograph 86, 1988, 160-177.

Most offenders in the community...
Carl G. Leukefeld, "Opportunities for strengthening community corrections with coerced drug abuse treatment," *Perspectives*, Fall 1990, 8.

Many programs serve offenders in the community

BJA, *Directory of State-identified intervention treatment programs for drug dependent offenders*, NCJ-130581, July 1991, ii-iii.

BJA, *Treatment alternatives to street crime (TASC)*, Resource catalog, October 1989.

George M. Camp and Camille Graham Camp, *The corrections yearbook 1991: Probation and parole* (South Salem, NY: Criminal Justice Institute, 1991), 31 and 61.

page 200

Conducting comprehensive treatment programs in local jails is difficult because of short jail stays

NIJ, Harry K. Wexler, Douglas S. Lipton, and Bruce D. Johnson, *A criminal justice system strategy for treating cocaine-heroin abusing offenders in custody*, NCJ-113915, March 1988.

"Interview with American Jail Association (AJA) Special Projects Director," *American jails* (Fall 1988), 54-56.

Prison treatment programs can have a variety of components

Marjorie Marlette, "Drug treatment programs for inmates," *Corrections compendium* (August 1990), 15(6):5-6.

The Federal Bureau of Prisons began drug treatment in the 1930s

BOP, *Drug abuse problems of inmates in the U.S. Bureau of Prisons*, 1988, unpublished report.

Marjorie Marlette, "Drug treatment programs for inmates," *Corrections compendium* (August 1990), 15(6):6-13.

How many incarcerated offenders are in drug treatment?

NIDA, Frank M. Tims, *Drug abuse treatment in prisons*, Treatment research report, 1981, 1-2.

BJS, *Drug use and crime*, Special report, NCJ-111940, July 1988.

BJS, *Census of State and Federal correctional facilities, 1990*, NCJ-137003, May 1992, tables 1, 11, and 18.

Is treatment of drug offenders effective?

page 201

When is drug treatment considered successful?

NIDA, M. Douglas Anglin, "The efficacy of civil commitment in treating narcotic addiction," in *Compulsory treatment of drug abuse: Research and clinical practice*, Carl G. Leukefeld and Frank M. Tims, eds., NIDA research monograph 86, 1988, 8-34

and
Robert L. Hubbard, Mary Ellen Marsden, J. Valley Rachal, Henrick J. Harwood, Elizabeth R. Cavanaugh, and Harold M. Ginzburg, *Drug abuse treatment: A national study of effectiveness* (Chapel Hill, NC: University of North Carolina Press, 1989).

Are those who are compelled to enter treatment as successful as voluntary entrants?

Several evaluations conducted from 1977 to 1981 —

BJA, *Treatment alternatives to street crime: TASC Programs*, Program brief, NCJ-116323, January 1988, 3-7
and

NIDA, L. Foster Cook and Beth A. Weinman, et al., "Treatment alternatives to street crime," in *Compulsory treatment of drug abuse: Research and clinical practice*, Carl G. Leukefeld and Frank M. Tims, eds., NIDA research monograph 86, 1988, p. 99-105.

The Treatment Outcome Prospective Study (TOPS) —

NIDA, George DeLeon, "Legal pressure in therapeutic communities," in *Compulsory treatment of drug abuse: Research and clinical practice*, Carl G. Leukefeld and Frank M. Tims, eds., NIDA research monograph 86, 1988, 162-167 and

Robert L. Hubbard, Mary Ellen Marsden, J. Valley Rachal, Henrick J. Harwood, Elizabeth R. Cavanaugh, and Harold M. Ginzburg, *Drug abuse treatment: A national study of effectiveness* (Chapel Hill, NC: University of North Carolina Press, 1989), 22-23 and

James J. Collins, Robert L. Hubbard, J. Valley Rachal, Elizabeth R. Cavanaugh, and S. Gail Craddock, *Criminal justice clients in drug treatment* (Research Triangle Park, NC: Research Triangle Institute, 1982), iii-99 and

James J. Collins and Margaret Allison, "Legal coercion and retention in drug abuse treatment," *Hospital and Community Psychiatry* (1983), 34(12):1145-1149.

Does legal supervision improve the treatment success rate of offenders who are released from prison?

A national survey conducted...

Timothy H. Matthews, "The National Narcotics Intervention Training Program: Say yes to drug intervention," *Perspectives* (Summer 1988), 12(3):16-27.

Early results from an evaluation of the Surveillance and Treatment on Probation (STOP) Program...

Richard R. Clayton, Katherine P. Walden, and Gary T. Bennett, *Surveillance and Treatment on Probation (STOP) in Kentucky: An evaluation*, Revised summary (Lexington, KY: Center for Prevention Research, June 1990), 1-12.

The treatment program available in California...

NIDA, M. Douglas Anglin, "The efficacy of civil commitment in treating narcotic addiction," in *Compulsory treatment of drug abuse: Research and clinical practice*, Carl G. Leukefeld and Frank M. Tims, eds., NIDA research monograph 86, 1988, 8-34.

Other studies have shown...

Maxine L. Stitzer and Mary E. McCaul, "Criminal justice interventions with drug and alcohol abusers: The role of compulsory treatment," in *Behavioral approaches to crime and delinquency: A handbook of application, research, and concepts*, Edward K. Morris and Curtis J. Braukmann, eds. (New York: Plenum Press, 1987), 331-361, 336.

According to studies in the early 1970s...

NIDA, Herman Joseph, "The criminal justice system and opiate addiction: A historical perspective," in *Compulsory treatment of drug abuse: Research and clinical practice*, Carl G. Leukefeld and Frank M. Tims, eds., NIDA research monograph 86, 1988, 106-125.

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How effective is treatment in jails and prisons?

An Institute of Medicine (IOM) assessment —

Dean R. Gerstein and Henrick J. Harwood, eds., *Treating drug problems*, volume 1 (Washington: National Academy Press, 1990), 191.

Some evidence from individual programs...

Jerome J. Gallagher and Joseph C. Manary, *Treatment of the heroin addict: A correction-rehabilitation model* (Mason, MI: Ingham County Jail, no date).

Evaluations of long-term intensive therapeutic communities —

NIJ, Marcia R. Chaiken, *In-prison programs for drug-involved offenders*, NIJ issues and practices, NCJ-117999, July 1989, 23

and

Harry K. Wexler, Gregory P. Falkin, Douglas S. Lipton, "Outcome evaluation of a prison therapeutic community for substance abuse treatment," *Criminal justice and behavior*, 17(1):71-92.

Cornerstone —

Administrative Office of the U.S. Courts, Gary Field, "The effects of intensive treatment on reducing the criminal recidivism of addicted offenders," *Federal probation* (December 1989), 53(4):51-56, 51-53.

An examination of the New York Department of Correctional Services' Stay 'n Out program —

Harry K. Wexler, Gregory P. Falkin, Douglas S. Lipton, "Outcome evaluation of a prison therapeutic community for substance abuse treatment," *Criminal justice and behavior*, 17(1):71-92.

Are drug-using offenders and drug law violators likely to recidivate?

page 203

Drug users are more likely than nonusers to commit new crimes after release from prison

A RAND Corporation study —

Stephen P. Klein and Michael N. Caggiano, *The prevalence, predictability, and policy implications of recidivism* (Santa Monica: The RAND Corporation, 1986), 31.

Another study in North Carolina —

Peter Schmidt and Ann Dryden Witte, *Predicting recidivism using survival models* (New York: Springer-Verlag, 1988), 131-133.

The BJS National Recidivism Reporting Program (NRRP) —

BJS, *Examining recidivism*, Special report, NCJ-96501, February 1985.

**Federal drug law violators
are no more likely to recidivate
than Federal offenders overall**

BJS, *Sentencing and time served:
Federal offenses and offenders*, Special
report, NCJ-101043, June 1987.

**Released Federal drug offenders
were less likely than all other types
of offenders to be returned to prison**

BJS, *Sentencing and time served:
Federal offenses and offenders*, Special
report, NCJ-101043, June 1987.

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**Recidivism rates of drug law
violators released from State prisons
were lower than the rates for
other types of offenders**

BJS, *Recidivism of prisoners released
in 1983*, Special report, NCJ-116261,
April 1989, table 7, 5, and table 19, 10.

Michael Eisenberg, *Factors associated
with recidivism* (Austin, TX: Texas
Board of Pardons and Paroles, 1985),
36-38.

**Drug offenders released from
State prisons were less likely to be
rearrested for a similar crime**

BJS, *Recidivism of prisoners released
in 1983*, Special report, NCJ-116261,
April 1989, table 10.

Likelihood of rearrest: For each type of
rearrest charge, the numerator is the
odds of rearrest for that charge among
prisoners released for the same type of
offense; the denominator is the odds of
rearrest for that charge among prison-
ers released for a different type of of-
fense. Each ratio expresses the odds
of rearrest among prisoners released on
a similar offense relative to the odds of
rearrest among those released on a dif-
ferent type of offense.

**What effect does the type
of community supervision
have on recidivism?**

Joan Petersilia, Joyce Peterson, and
Susan Turner, *Intensive probation and
parole: Research findings and policy
implications* (Santa Monica: The RAND
Corporation, forthcoming), 12-43.

**What effect do shock incarceration
programs have on recidivism?**

Administrative Office of the U.S. Courts,
Doris Layton MacKenzie, "Boot camp
prisons: Components, evaluations, and
empirical issues," *Federal probation*,
September 1990, 49-51

and
Administrative Office of the U.S. Courts,
Dale K. Sechrest, "Prison 'boot camps'
do not measure up," *Federal probation*
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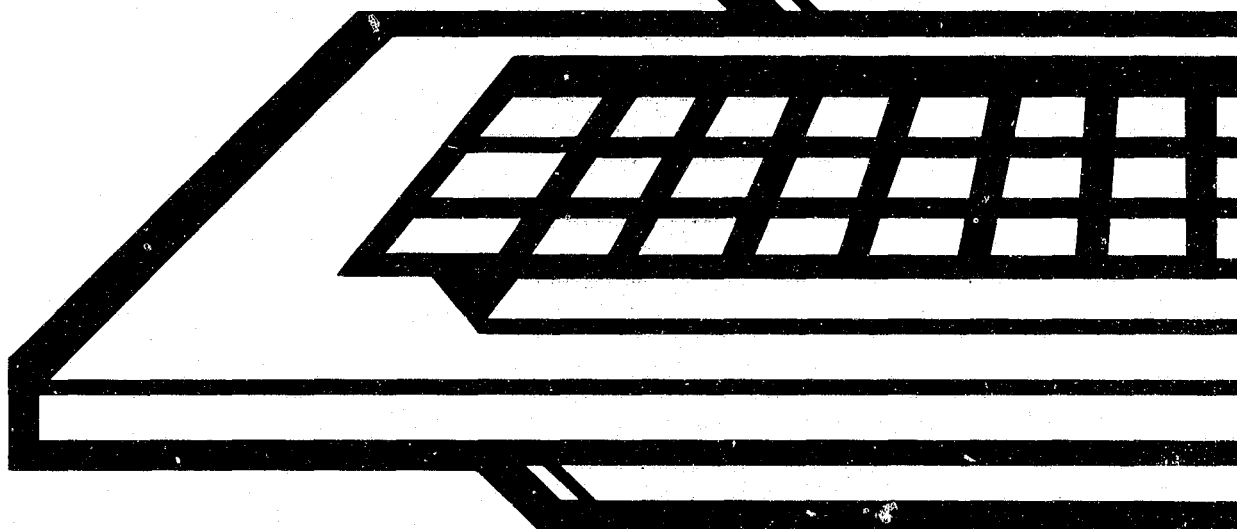
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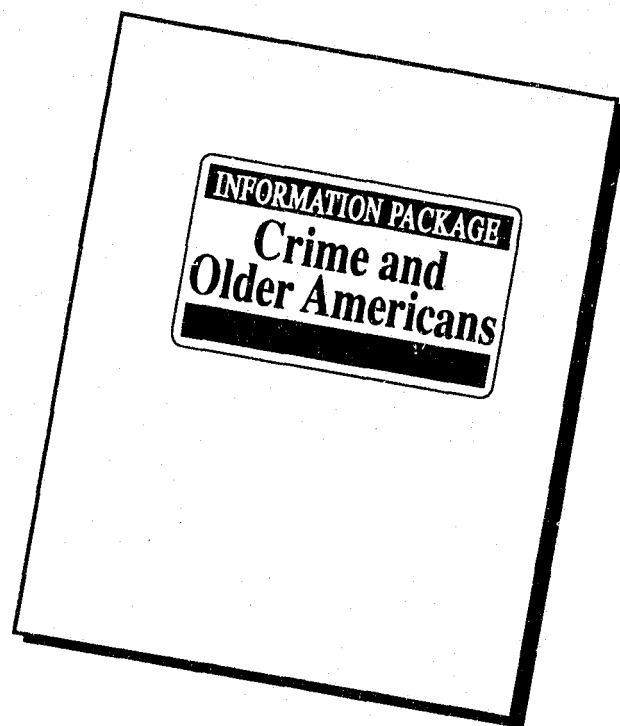
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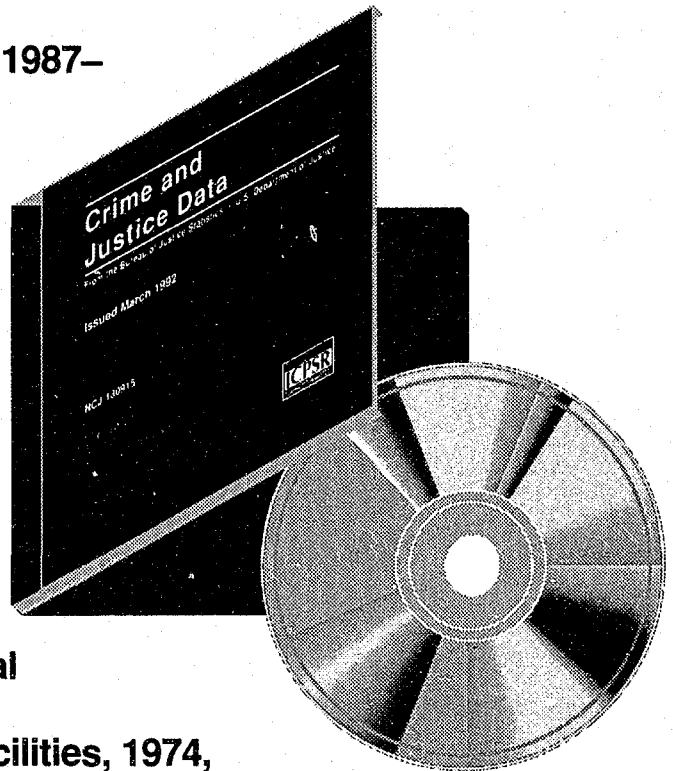
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The Bureau of Justice Statistics (BJS) presents crime and justice data on CD-ROM. Prepared by the Inter-University Consortium for Political and Social Research (ICPSR) at the University of Michigan, the CD-ROM contains 24 data sets, including the following:

- National Crime Victimization Surveys: 1987–1989 Incident File
- National Crime Victimization Surveys: 1989 Full File
- Law Enforcement Management and Administrative Statistics, 1987
- National Pretrial Reporting Program, 1988–1989
- National Judicial Reporting Program, 1986 and 1988
- Survey of Inmates of Local Jails, 1983 and 1989
- National Jail Census, 1978, 1983, and 1988
- Survey of Inmates of State Correctional Facilities, 1974, 1979, and 1986
- Census of State Adult Correctional Facilities, 1974, 1979, and 1984
- Survey of Youth in Custody, 1987
- Expenditure and Employment Data for the Criminal Justice System, 1971–79, 1985, and 1988



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The BJS CD-ROM can be purchased from the Bureau of Justice Statistics Clearinghouse for \$15. It is available free through ICPSR member institutions. For more information, call 1-800-732-3277.

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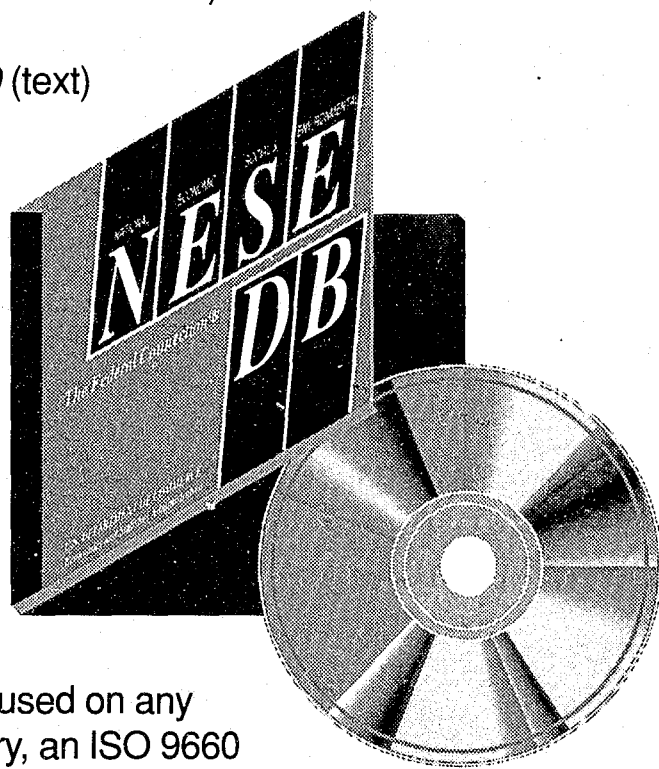
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- *Criminal Victimization in the U.S., 1990* (text and tables)
- *Capital Punishment, 1990* (text)
- *Crime and the Nation's Households, 1990* (text)
- *Drugs and Jail Inmates, 1989* (text)
- *Felony Sentences in State Courts, 1988* (text)
- *Female Victims of Violent Crime* (text)
- *Jail Inmates, 1990* (text)
- *Prisoners in 1990* (text)
- *Profile of Jail Inmates* (text)
- *Probation and Parole, 1990* (text)
- *School Crime* (text)
- *Women in Prison* (text)



The CD-ROM includes ASCII text, Lotus tables, and updated Browse software. It can be used on any IBM-compatible PC with at least 640K of memory, an ISO 9660 (standard) CD-ROM reader, and Microsoft CD-ROM extensions (version 2.0 or higher).

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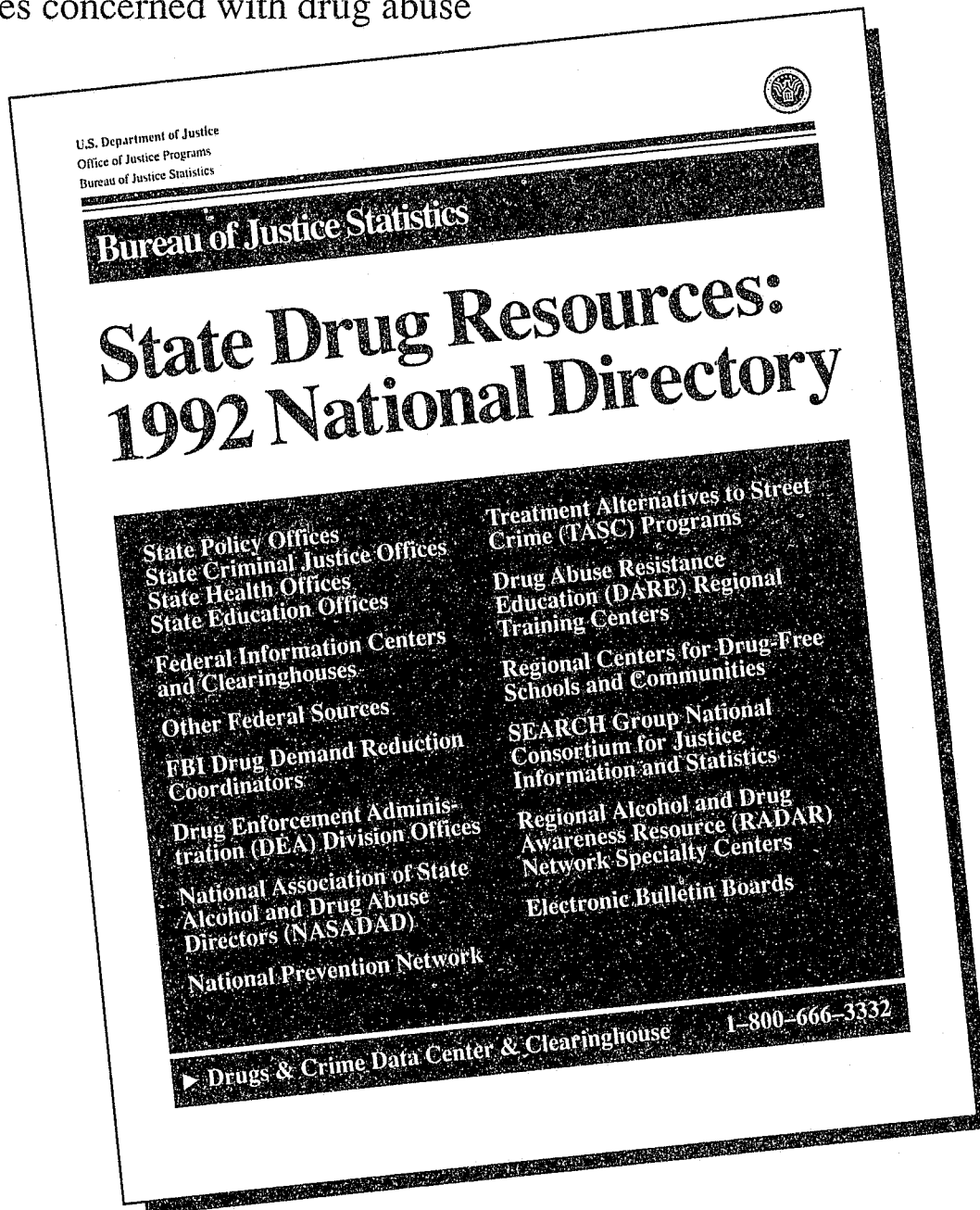
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