

140090

**U.S. Department of Justice
National Institute of Justice**

This document has been reproduced exactly as received from the person or organization originating it. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the National Institute of Justice.

Permission to reproduce this ~~document~~ material has been granted by

Public Domain/OJP/NIJ

U.S. Department of Justice

to the National Criminal Justice Reference Service (NCJRS).

Further reproduction outside of the NCJRS system requires permission of the ~~document~~ owner.



NATIONAL INSTITUTE OF JUSTICE

Research in Brief

Charles B. DeWitt, Director

January 1993

NCJRS

The Effect of Drug Testing in New Orleans

by Charles C. Foti, Jr.

ACQUISITIONS

The National Institute of Justice (NIJ) initiated its Drug Use Forecasting (DUF) program in 1987, and in the intervening years it has come to be recognized as one of the Nation's leading indicators of drug use among arrestees in urban areas. By detecting and measuring drug use among those arrested and charged with criminal offenses, the DUF program sheds new light on an element long believed to drive criminal behavior.

New Orleans was one of the earliest and has been one of the most consistent participants in NIJ's DUF program. The Orleans Parish Criminal Sheriff's office joined the DUF program in 1987 and has never missed a quarterly data collection. The DUF program has been invaluable in documenting the relationship between drug use and crime and has proved what criminal justice professionals had long suspected—that drugs play at least an underlying role in most serious crime.

NIJ's DUF program has had a positive impact on law enforcement, citizens' understanding of the extent of the drug problem, and State legislation aimed at curbing drug abuse. In 1990, after years of rejecting all tax increase proposals—including those for police and fire services—Orleans Parish voters approved a bond issue to finance a \$34 million, 2,000-bed jail expansion program. In my opinion, data on the percentage of arrestees testing positive in our DUF program made the critical difference.

Also, the DUF program was primarily responsible for the State legislature's enactment of laws mandating drug testing for all pretrial felony arrestees, requiring the presence of an assistant District Attorney at bail reduction hearings, the admission of drug possession as a factor in setting bail amounts, and a requirement that drug-use second offenders complete a drug treatment program.

Drugs and juvenile crime

The incidence of juvenile crimes in New Orleans has substantially increased in recent years, and young persons are committing more violent acts at an alarming rate. A January 1992 Office of Juvenile Justice and Delinquency Prevention *Update on Statistics* reports that between 1981 and 1990, arrests of juveniles for violent crime increased 29 percent in the United States. The rise in juvenile crime in New Orleans has reflected this national trend.

NIJ's DUF program has focused the community's attention on the direct linkage between drugs and crime, and this holds true for the juvenile offender population as well. According to the New Orleans Police Department, juvenile drug arrests increased by 150 percent between the years 1985 and 1990—and almost 160 percent for arrests involving marijuana or cocaine use (exhibit 1).

From the Director

NIJ's Drug Use Forecasting (DUF) program uses drug tests and interview data to estimate the levels and types of drugs used by booked arrestees in 24 urban sites across the Nation. The DUF program, recognized as a leading drug use indicator by the Office of National Drug Control Policy, has proved its worth. In Illinois, for example, success of the DUF program led to a State-funded replication of the Chicago DUF effort in seven counties. In Florida, DUF was the model for a new drug testing program established in Pinellas County and, most recently, in Maryland for drug testing of juveniles in Baltimore County.

As a practical tool, DUF findings have shown that the use of cocaine among arrestees in many major cities remains high despite the general decline in cocaine use that has been noted among the overall population. And DUF data have shown that arrestee drug test results have improved the ability of local officials to forecast drug-related community problems.

Among the goals of the DUF program is to help local governments plan and develop programs within their communities to combat drug use and establish treatment programs. Fostering cooperation between Federal, State, and local criminal justice agencies in the struggle against one of the

Nation's greatest social problems is an important part of the DUF mission.

This *Research in Brief* describes ways in which NIJ's DUF program has proved useful both to law enforcement in Orleans Parish, Louisiana—by informing local citizens of the extent of the drug problem there—and to the Louisiana State legislature when framing laws that will aid in curbing drug abuse.

Charles B. DeWitt
Director
National Institute of Justice

How DUF Works

DUF data are collected in booking facilities throughout the United States. For approximately 14 consecutive evenings each quarter, trained local staff obtain voluntary and anonymous urine specimens and interviews from a new sample of booked arrestees. In each site, approximately 225 males are sampled. In some sites, female arrestees and juvenile arrestees/detainees are also sampled. More than 90 percent of the arrestees approached agree to be interviewed, and approximately 80 percent of those interviewed provide urine specimens.

All urine specimens are sent to a central laboratory for analysis. The specimens are analyzed by EMIT™ for 10 drugs: cocaine, opiates, marijuana, PCP, methadone, benzodiazepines, methaqualone, propoxyphene, barbiturates, and amphetamines. All positive results for amphetamines are confirmed by gas chromatography to eliminate positives that may be caused by over-the-counter drugs. For most drugs, the urine test can detect use in the previous 2 to 3 days. Exceptions are marijuana and PCP, which can sometimes be detected several weeks after use.

In 1990, the sheriff's office introduced the nationally known Project DARE (Drug Abuse Resistance Education) to area schools. Now our office is pressing a "juvenile agenda" that will include drug intervention programs for youngsters aged 7 through 10—the age when children are most receptive to drug intervention—and drug testing of juveniles on arrest.

"Test free—Live free"

Data collected through the DUF program in Orleans Parish were also responsible for the creation of "Drugs Off The Streets" (DOTS), a volunteer group formed to support the anti-drug programs of such area officials as the sheriff, the district attorney, the city police department, district court judges, the clerk of court, the coroner, and State legislators. The DOTS motto is "Test free—Live free."

DOTS promotes a comprehensive plan to reduce drug activity and crime in New Orleans; it begins with drug testing for all persons arrested, includes initiatives against crack houses and drugs in public housing, and involves efforts to prevent the use of drugs by jail inmates.

The DUF program in Orleans Parish

When Orleans Parish began its voluntary urinalysis screening of non-drug-felony arrestees as part of the DUF program, 70 percent of male and female arrestees showed the use of some illegal drug. Of these, 36 percent tested positive for cocaine, 55 percent for marijuana, and 22 percent for PCP. Two years later, in 1989, cocaine use had increased to the point where more than 60 percent of male arrestees and more than half the females tested positive. And by 1992, figures showed that more female arrestees than males were using cocaine. Marijuana use among both sexes had declined (exhibits 2 and 3).

Nationwide, all DUF sites test males, some test females, some test juveniles, and some test all three categories. In Orleans Parish, we have consistently tested both male and female adult arrestees charged primarily with nondrug crimes. (To guarantee a vari-

ety of offenses in each sample of males, NIJ's DUF program is designed so that the number of arrestees charged with drug offenses is limited, while the inclusion of persons charged with serious non-drug offenses is emphasized; *all* female arrestees are tested.)

In its first 4 years as a DUF program site, Orleans Parish screened approximately 5,600 arrestees and continues to screen 250 males and 100 females each quarter.

Determining release conditions

In November 1991, our office began testing for marijuana, PCP, cocaine, and opiates for all pretrial release recommendations, DUF data having shown these drugs to be those most frequently abused in New Orleans. Forty-five percent of all those released tested positive for at least one drug, with cocaine most common at 31 percent. Marijuana usage tested at 22 percent. Opiates and PCP showed only negligible positive results.

After testing, some 327 persons had their pretrial releases revoked; arrest warrants were issued for those failing to appear for retesting or for continuing to test positive.

Showing positive results

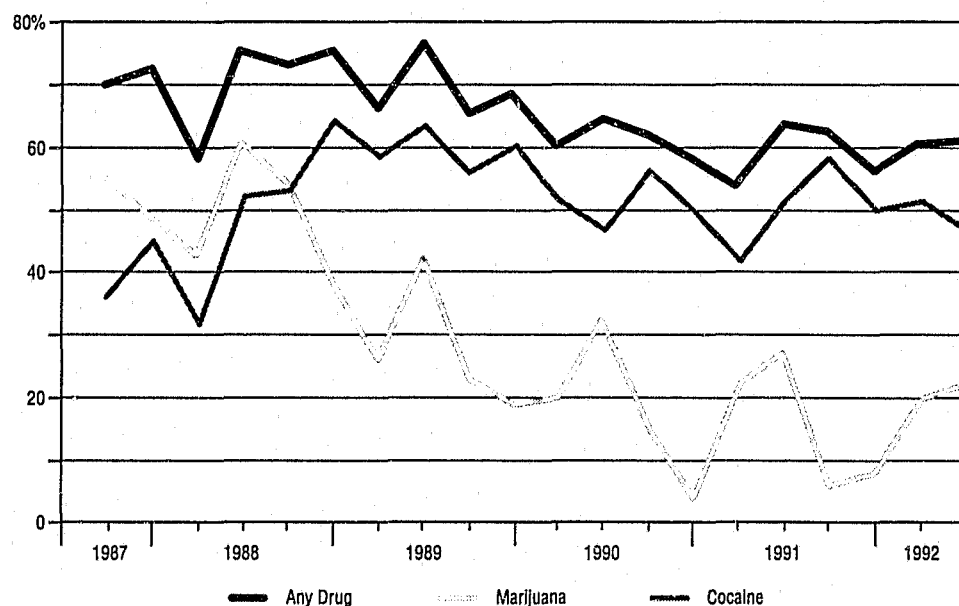
The good news in all these results lies in the way DUF statistics have alerted our citizens generally to the prevalence of drug use among those arrested and charged with serious crimes. And while the declining rate of drug use that appeared to be emerging in 1991 has not continued in 1992, the increases noted of late have taken place at a far lesser rate than in 1988 and 1989. New Orleans citizens, however, are more aware of drug use and how it fuels criminal activity—and law enforcement efforts to combat it—than ever before.

Exhibit 1. Number of Juvenile Drug Arrests in New Orleans by Charge, 1985-1990

	1985	1986	1987	1988	1989	1990
Distribution of cocaine	4	0	22	101	143	110
Distribution of marijuana	19	35	20	30	16	7
Possession of cocaine	7	6	26	71	162	172
Possession of marijuana	91	69	62	86	58	25

Source: New Orleans Police Department

Exhibit 2. Drug Use Among Male Booked Arrestees in New Orleans



Note: Positive by urinalysis, quarterly results, 1987 through 1992.

Source: National Institute of Justice/Drug Use Forecasting Program

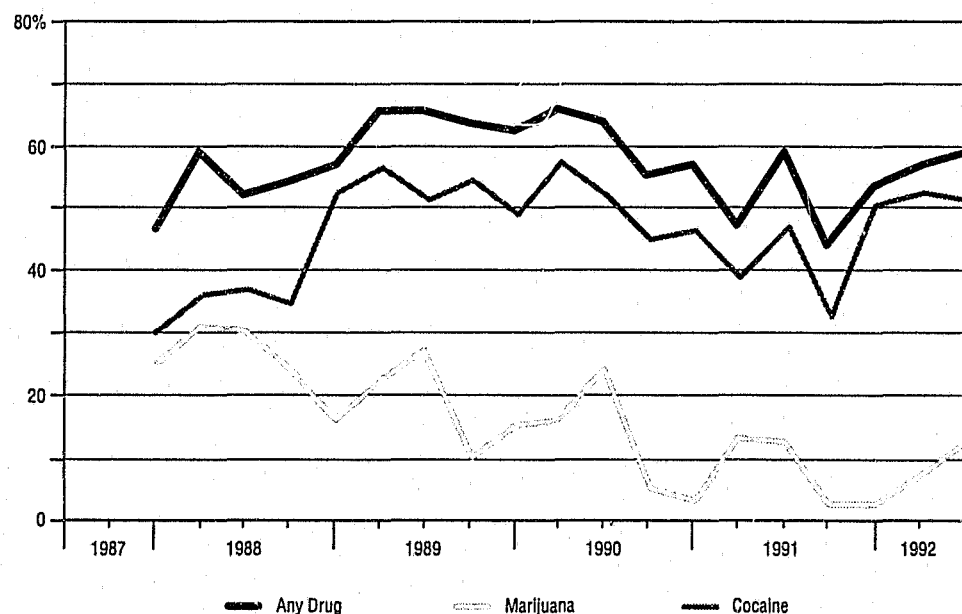
Charles C. Foti, Jr., has served as Criminal Sheriff of Orleans Parish, Louisiana, since 1974. Earlier, he was a litigation attorney with the Federal Housing Authority, a trial attorney with the New Orleans District Attorney's office and the Legal Aid Bureau, and an attorney for the New Orleans Police Department.

Sheriff Foti is a member of numerous professional organizations, among them the National Sheriff's Association and the American Bar Association. He is an Advisory Board Member of NIJ's Crime Abatement Committee and a member of the New Orleans Coordinating Council on the Prevention of Drug Use and Treatment of Drug Abuse.

This *Research in Brief* was adapted (and updated) from a report Sheriff Foti prepared for the 1991 annual NIJ meeting of Drug Use Forecasting (DUF) site directors.

Points of view or opinions expressed in this publication are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.

Exhibit 3. Drug Use Among Female Booked Arrestees in New Orleans



Note: Positive by urinalysis, quarterly results, 1987 through 1992.

Source: National Institute of Justice/Drug Use Forecasting Program

The National Institute of Justice is a component of the Office of Justice Programs, which also includes the Bureau of Justice Assistance, Bureau of Justice Statistics, Office of Juvenile Justice and Delinquency Prevention, and the Office for Victims of Crime.

NCJ 140090

U.S. Department of Justice
Office of Justice Programs
National Institute of Justice

Washington, D.C. 20531

Official Business
Penalty for Private Use \$300

BULK RATE
POSTAGE & FEES PAID
DOJ/NIJ
Permit No. G-91