



A Policy Research Partnership
to Reduce Youth Substance Use



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States' Attempts to Affect the Juvenile Drug-Crime Relationship Through Law and Policy

Deborah A. Reichmann, J.D., M.P.H.

Jamie F. Chriqui, Ph.D., M.H.S.

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Establishment of state-level legislative database

- Currently there is no comprehensive database of state laws dealing with illicit drugs
- Legislation is a part of the environment surrounding youth substance abuse
- Statutory information serves as a lens through which to study state action and reaction to illicit drugs as well as behavioral outcomes
- First year's data reflect laws in effect on January 1, 1999

Rationale for studying legislation

- The effects of illicit drug laws on youth are both direct and indirect
 - Direct effects include legislation establishing “drug-free” zones in schools and other locales
 - Indirect effects include the potential impact on drug availability and supply based on the severity of the laws and their enforcement

Research questions

- **How do states differ in their scheduling of selected controlled substances?**
- **What are the differences in the penalties assigned selected drugs for:**
 - **Sale**
 - **Possession**
 - **Manufacturing**
 - **Use**

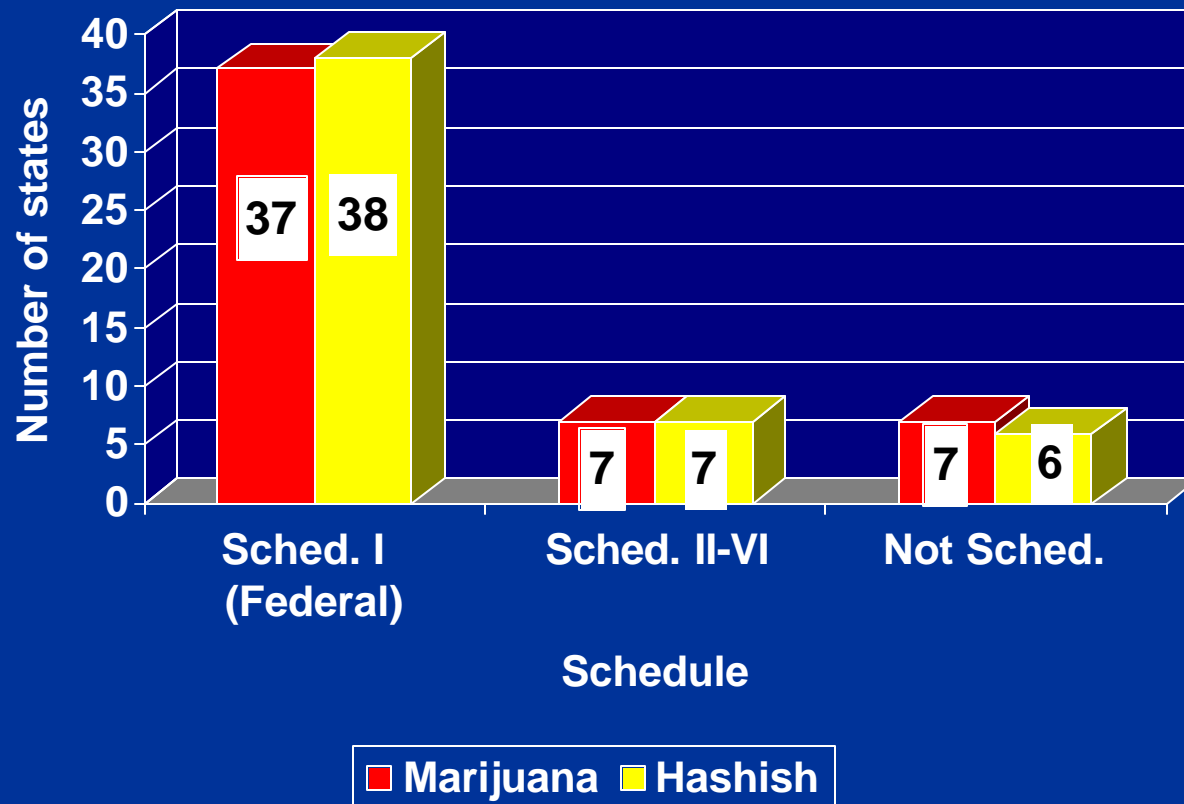
Controlled substances tracked

- Well-known drugs of abuse
 - cocaine, crack, methamphetamine, marijuana and hashish
- Club drugs
 - MDMA (ecstasy), GHB and Rohypnol (Flunitrazepam)

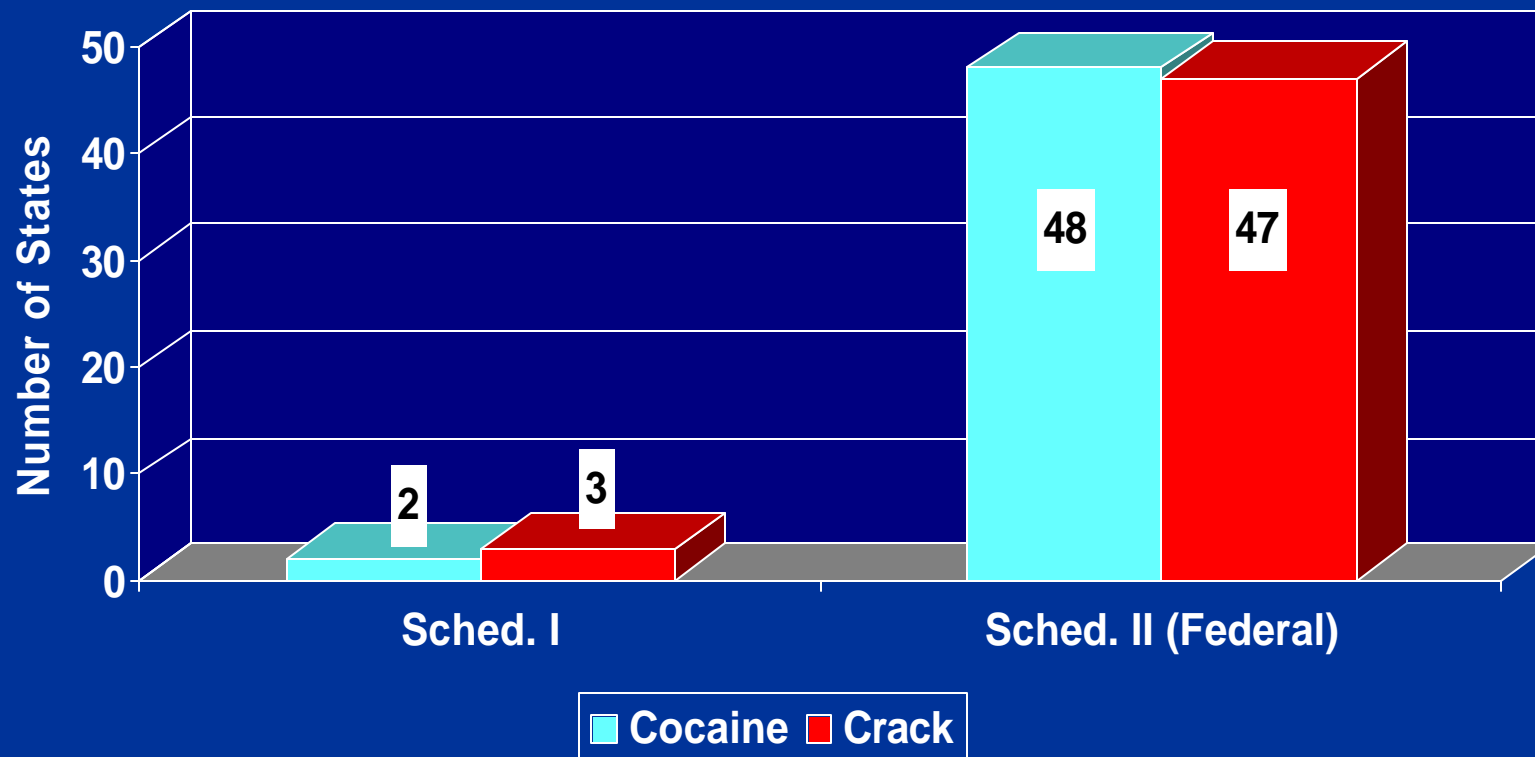
Federal drug schedules

- The “standard” drug schedule for the drugs being tracked, as determined by the federal controlled substance schedules, is the following:
 - Schedule I: GHB, Marijuana/Hashish, MDMA
 - Schedule II: Cocaine/Crack, Methamphetamine
 - Schedule IV: Rohypnol

Variation in state scheduling: marijuana and hashish

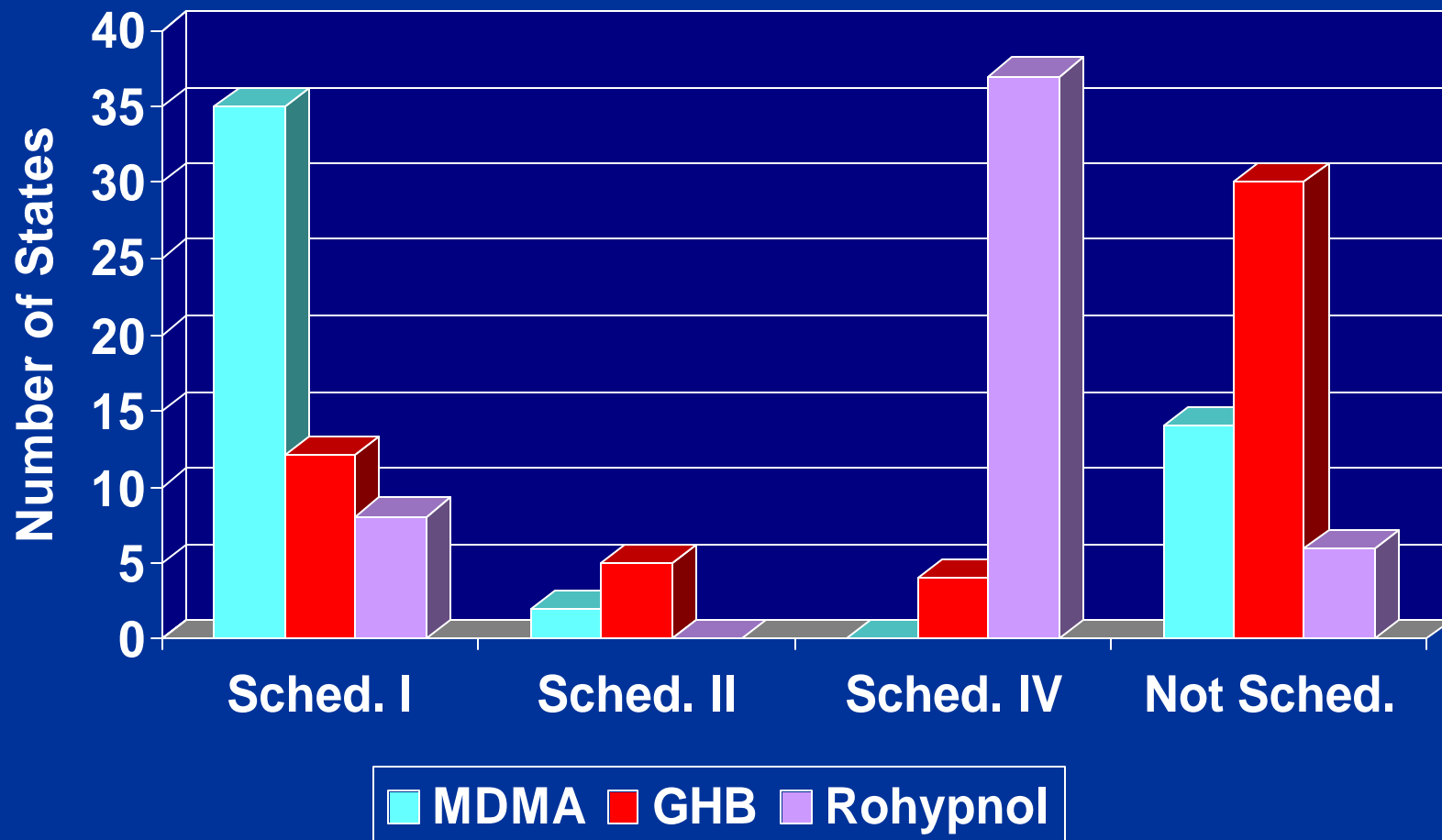


Variation in state scheduling: cocaine/crack



Cocaine base (crack) is scheduled separately from cocaine in only one state (California).

Variation in state scheduling: club drugs



Penalties for sale, manufacturing, possession and use

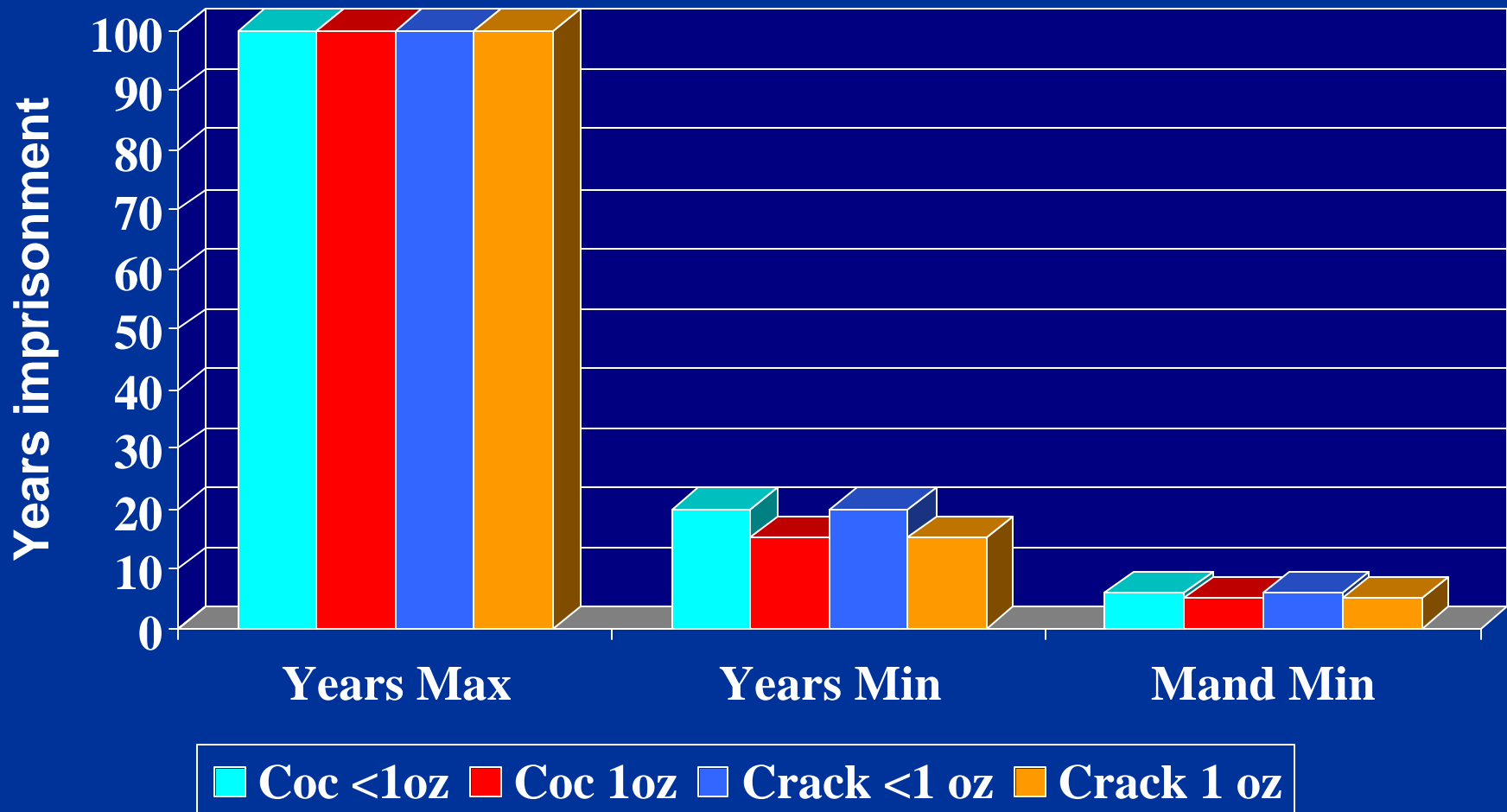
- Most states do not legislate sanctions for all four categories
- Sale and manufacturing penalties are the most common
- Use penalties are the least common
- Penalties for each category vary by substance

Federal terms of imprisonment for sale of selected drugs

Drug	Schedule	First Offense	Second Offense
Cocaine	II	5-40	10-life
Crack	II	5-40	10-life
Meth.	II	5-40	10-life
MDMA	I	up to 20	up to 30
GHB	I	up to 20	up to 30
Rohypnol	IV	up to 3	up to 6

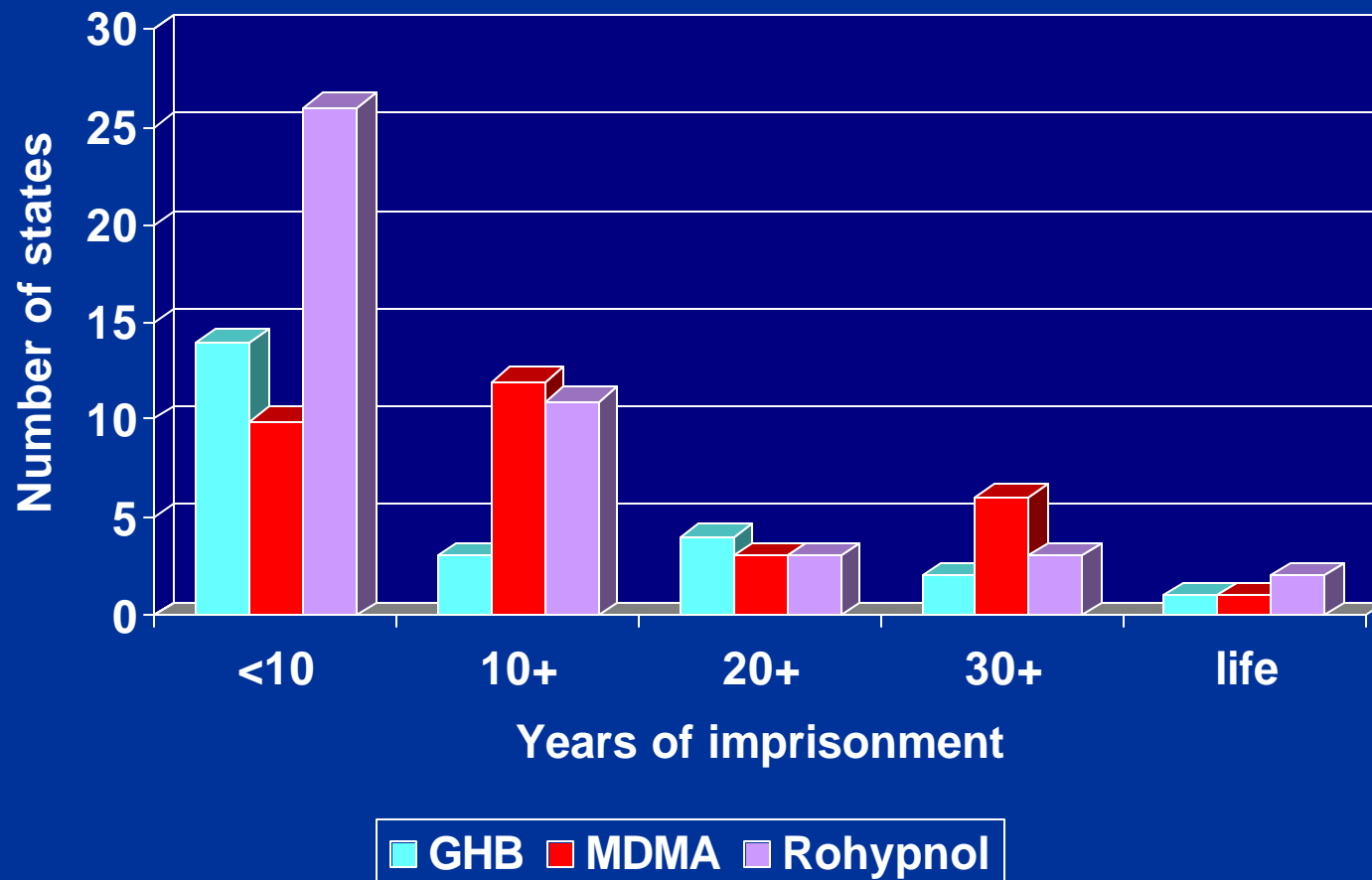
Source: Drug Enforcement Administration, *Drugs of Abuse*, 1997.

Range of imprisonment for sale of powder and crack cocaine



100= life imprisonment

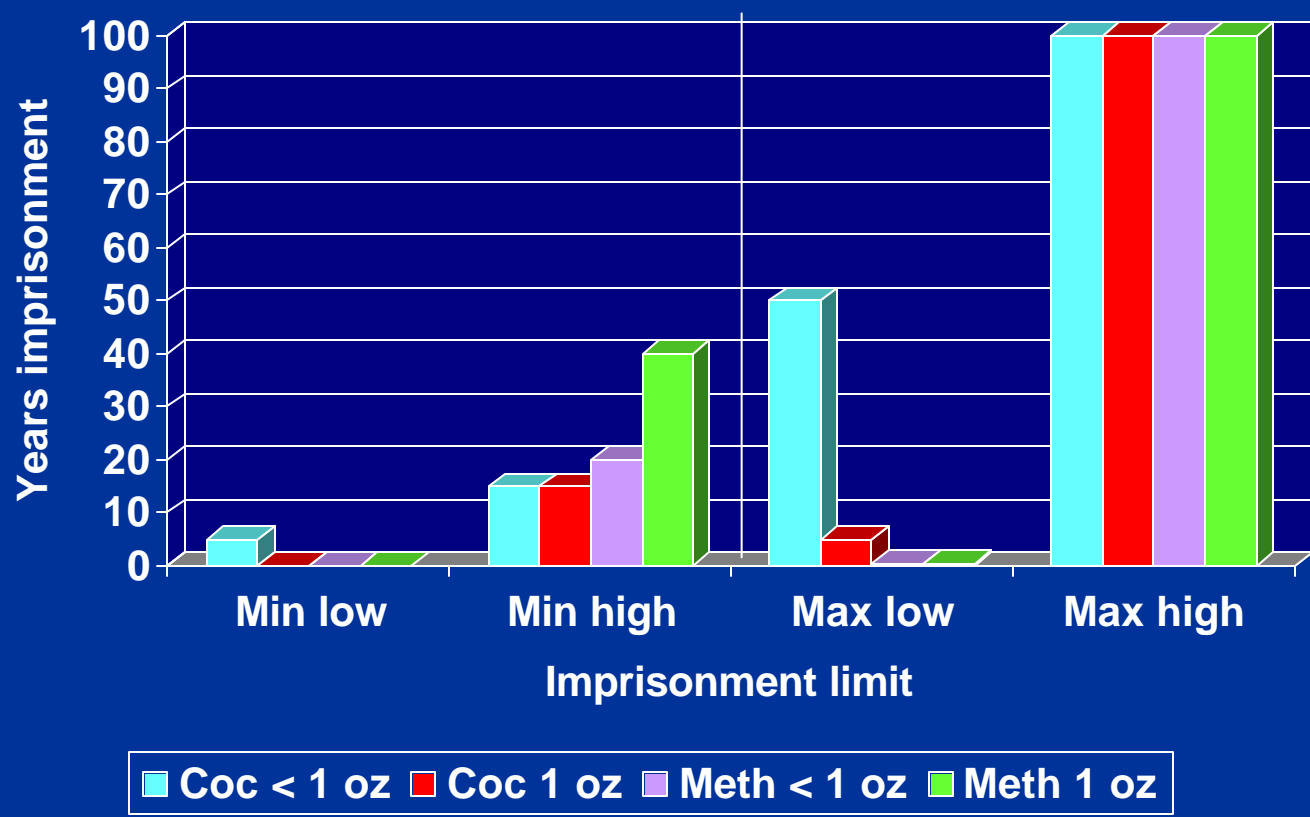
Range of imprisonment for sale of “any” amount of GHB, MDMA, or Rohypnol



Manufacturing penalties: cocaine, crack, & methamphetamine (by quantity)

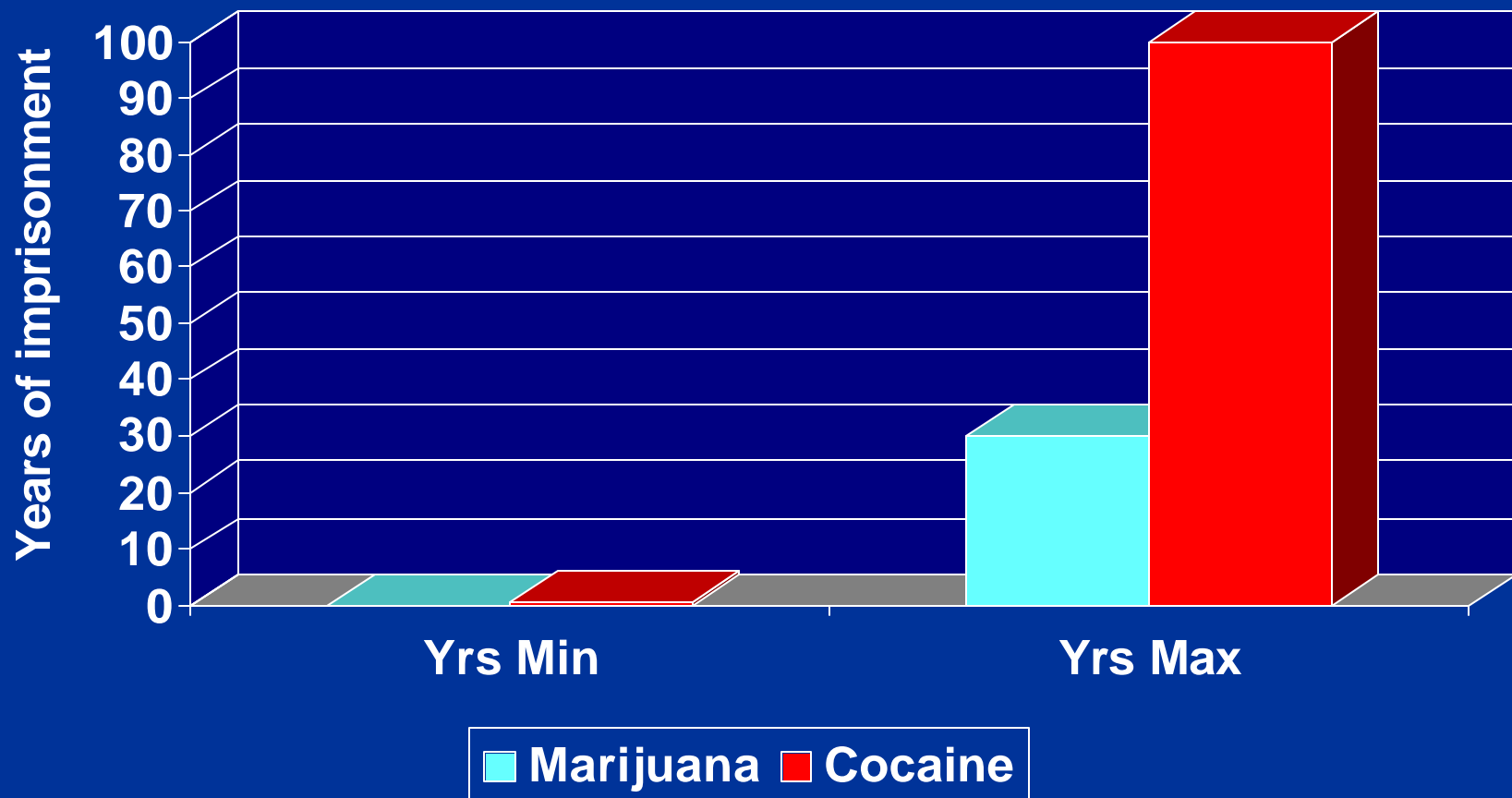
Drug	Yrs Min	Yrs Max	Fine Max
Cocaine 1 oz	5-15	50-life	\$500,000
Crack 1 oz	5-15	50-life	\$500,000
Meth. 1 oz	0-15	5-life	\$300,000
Cocaine <1 oz	0-20	.5-life	\$1,000,000
Crack < 1 oz	0-20	.5-life	\$1,000,000
Meth. < 1 oz	0-40	.5-life	\$1,000,000

Imprisonment for manufacturing: cocaine vs. methamphetamine



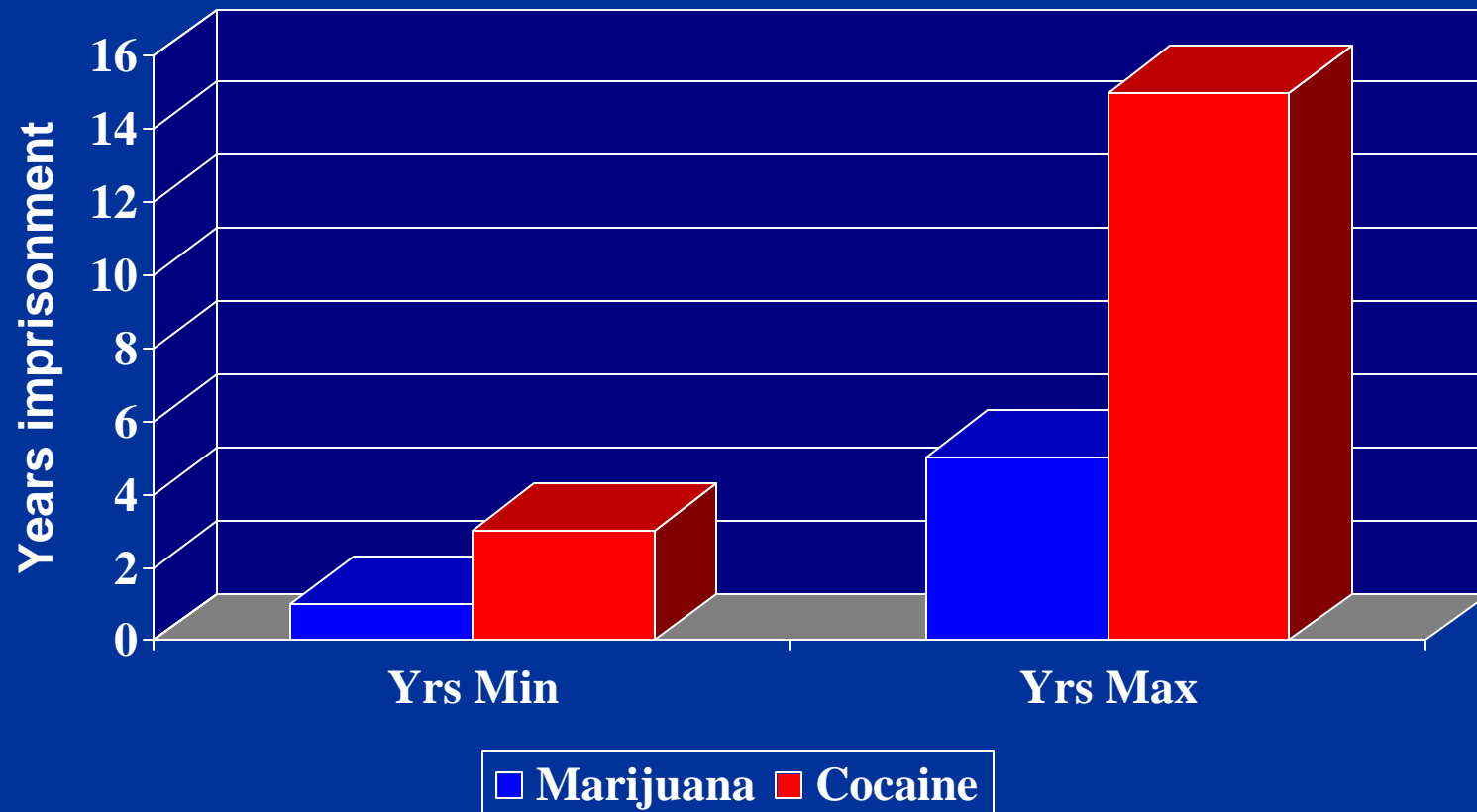
100 = life imprisonment

Imprisonment for manufacturing: marijuana vs. cocaine (Quantity: # 1 ounce)



100 = life imprisonment

Imprisonment for possession: marijuana vs. cocaine



Use penalties-1

- Nine states have sanctions for use of any quantity of illicit drugs
 - One state (Ohio) has sub-divided its use penalties into amount-based penalties which vary based on substance
 - For example: 1 gram of crack cocaine has the same penalty as 5 grams of cocaine powder

Use penalties-2

- Imprisonment for use of illicit drugs ranges from .13 years (approx. 48 days) to 10 years
- No state has a mandatory minimum imprisonment term for use violations

Year 2 plans for legislative database

- Update year 1 topics to include data through January 1, 2000
- Add additional topics (to be determined)
- Expand the ability to use the legislative data for analytic purposes