



A Policy Research Partnership
to Reduce Youth Substance Use



Supported by
The Robert Wood Johnson Foundation

Access to Treatment for Juvenile First-Time Drug Offenders

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Beyond the Clinic Walls

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Purpose of the study

This analysis is a part of a broader study supported by the Robert Wood Johnson Foundation examining the relationship between state and local drug policy and 1) access to treatment services, and 2) youth drug perceptions and behaviors.

This specific analysis examines the role of local prosecutors in providing access to treatment services for juveniles charged with the possession or sales of specific drugs.



Sampling Procedures and Methodology


- Sampling framework:
 - a. 173 communities in catchment areas surrounding public schools in nationally representative samples of 8th, 10th and 12th grade students in the coterminous U.S. in 2000 (Monitoring the Future study, NIDA).
- Respondents:
 - a. Prosecutors handling the majority of juvenile cases in these communities (N=135; 78% response rate).
- Variables used in this analysis focus on “typical processing” of first-time juvenile offenders charged with possession or sales of marijuana, cocaine, or crack as the most serious charge:
 - Diversion to treatment
 - Transfer to adult criminal court
 - Community socio-demographic characteristics used as controls



Conceptual Framework


- This analysis is guided by the work of Aday and her colleagues in their focus on individual characteristics that effect equity of access to needed treatment services
- Particular attention is paid to realized access; that is, how does type of drug charge relate to juvenile drug user access to treatment services
- The current drug policy debate focusing on treatment vs. deterrence also guides the analysis and data interpretation

Specific Research Question Addressed:

1. What is the relationship between drug charge (possession/sales for marijuana, cocaine or crack) and treatment access vs. a high deterrence approach (transfer to adult criminal court)?
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The Role of the Criminal Justice System in Treatment Access

- ADAM data show 62.6% of arrestees sampled had an illicit drug in urine; 40% classified as heavy users. Only 11.5% had been in treatment in past year (ADAM Preliminary Report January-September 2001).
 - Research data suggest declines in the availability of jail/prison treatment services; most available services are self-help (Belenko, 1998; Wilson, 2000; Terry-McElrath et al., 2002; McBride et al., 2002).
 - Marijuana is the primary substance found when testing juvenile and young adult arrestees (ADAM Preliminary Report). The percent of marijuana users among young arrestees has increased (Golub & Johnson, 2001).
 - The criminal justice system is the primary source of treatment referral (36.9%) for all TEDS clients and the majority source (57%) for marijuana referrals (SAMHSA TEDS Report, 2001).
 - Marijuana is the primary drug of the majority TEDS clients under 18 (SAMHSA TEDS Report, 2001).
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Methods Used in Analysis

- Independent variable
 - Drug charge
- Dependent variables
 - General diversion availability and frequency of use
 - Diversion with expungement availability and frequency of use
 - Frequency of transfer to adult court
- Control variables
 - Community socio-demographic data from 2000 U.S. Census (median household income, ethnicity, and age distribution)
 - Community population density (NCES)
 - Region of the US (US Census)
- Completed bivariate analyses specifying Pearson's chi square and Fisher's Exact in SAS v.8. Multivariate analyses conducted in STATA: logistic and ologit models, clustering by community, and requesting contrast models.



Community Demographics

Age distribution:

% above U.S. national adolescent population (8.6%)	56.7%
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Ethnicity:

>U.S. average Asian population (4.1)	26.7%
>U.S. average African American population (12.8%)	27.4
>U.S. average Hispanic population (11.9)	23.3
>U.S. average White population (82.2)	68.2

Median household income:

>U.S. median income (\$40,816)	48.5%
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Sample distribution by region:

West	21.9%
Midwest	26.5
South	35.2
Northeast	16.4



Relationship of Possession Offenses to Outcomes

	Marijuana	Cocaine	Crack
<u>Diversion Availability</u>			
General diversion	94.4%	88.0%	88.8%
Diversion w/ expungement	69.3	78.7	80.7
<u>Diversion Use</u>			
General diversion			
Never	9.8%	43.4%	44.9%
Rarely/sometimes	34.6	46.9	46.7
Usually/always	55.6	9.6	8.4
Diversion w/ expungement			
Never	7.0%	39.8%	41.1%
Rarely/sometimes	21.3	50.7	50.5
Usually/always	71.7	9.5	8.4
<u>Adult Court Transfer Use</u>			
Never	57.1%	25.7%	25.5%
Rarely/sometimes	27.3	52.7	60.4
Usually/always	15.6	21.6	14.1

Ns by drug charge: marijuana 69-98; cocaine 69-97; crack 72-97.

Relationship of Sales Offenses to Outcomes

	Marijuana	Cocaine	Crack
<u>Diversion Availability</u>			
General diversion	83.9%	77.5%	78.6%
Diversion w/ expungement	75.1	62.9	64.5
<u>Diversion Use</u>			
General diversion			
Never	39.6%	59.9%	61.1%
Rarely/sometimes	56.3	39.0	36.0
Usually/always	4.1	1.1	2.9
Diversion w/ expungement			
Never	30.9%	57.0%	59.3%
Rarely/sometimes	65.7	41.3	37.2
Usually/always	3.5	1.7	3.6
<u>Adult Court Transfer Use</u>			
Never	37.3%	19.8%	23.6%
Rarely/sometimes	39.4	55.5	53.8
Usually/always	23.3	24.7	22.6

Ns by drug charge: marijuana 61-94; cocaine 57-94; crack 56-94.


Odds Ratios Examining Treatment Access and Adult Court Transfer by Offense

	Use of General Diversion	Use of Diversion w/ Expungmt	Use of Adult Court Transfer
<u>Possession</u>			
Marijuana vs. cocaine	1.17***	1.24***	-0.54***
Marijuana vs. crack	1.25***	1.31***	-0.42**
<u>Sales</u>			
Marijuana vs. cocaine	0.26***	0.22*	-0.24*
Marijuana vs. crack	0.23**	0.21*	-0.28**
<u>Possession vs. Sales</u>			
Marijuana pos. vs. sales	1.39***	1.44***	-0.48***
Cocaine pos. vs. sales	0.47***	0.42***	-0.17**
Crack pos. vs. sales	0.38***	0.34***	-0.34*

+p<.10; *p<.05; **p<.01; ***p<.001




Summary

- Over half of the prosecutors in this sample reported that they were usually/always likely to divert a first-time juvenile offender charged with marijuana possession; this rose to over two-thirds when using diversion with expungement.
 - 2. The majority reported that they would never transfer this type of juvenile to adult court.
 - 3. Less than 10% of the prosecutors reported that they usually/always diverted juveniles charged with the possession of the other drugs studied to treatment with expungement.
 - These data show that nearly a quarter of these prosecutors reported that they usually/always transferred juveniles charged with a first sales offense for any of the drugs studied to criminal court.
 - 5. Access is significantly most likely to occur **only** for those juveniles charged with first marijuana possession
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Study Limitations

1. Data represent prosecutor self-reported typical processing patterns for first-time juvenile offenders; individual records were not studied
 2. Cross-sectional sample (one year of data) and low N
 3. Sample based on nationally representative student samples; cannot generalize to community characteristics
 4. Utilized public school communities only (80% of total sample)
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Implications

- The juvenile justice system provides a significant link between substance-using juveniles and treatment access
 - Treatment access for juvenile drug sales offenses may be significantly more limited than for possession offenses
 - Access to treatment for juveniles is most likely to occur for those charged with marijuana possession (this is consistent with TEDS referral data which shows that the majority of referrals for marijuana are from the CJS)
 - The prosecutors in this survey seem to view early marijuana possession as most appropriately dealt with by providing treatment access
 - The prosecutors showed much more variance in the application of drug policy for the other charges – the rarely/sometimes responses were the modal category for diversion and for transfer to adult court
6. These data may suggest that the drug policy debate between treatment access vs. high deterrence is carried out in the local prosecutor's office



Future Directions

1. Examination of relationship between referral to treatment vs. harsh penalties and perceptions about:
 - a. drug use risk
 - b. availability
 - c. peer disapproval
2. Examination of the relationship between referral to treatment vs. processing severity scales and individual youth drug use patterns



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Practice for Healthy Youth Behavior



*A Policy Research Partnership
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