

**The Drugs-Crime Wars:
Past, Present, and Future Directions in Theory,
Policy, and Program Interventions***

Duane McBride, PhD

Curtis VanderWaal, PhD

Andrews University

Yvonne Terry-McElrath, MSA

University of Michigan

Enhancing Policy and Practice

The Annual Conference on Criminal Justice Research and Evaluation

July 22, 2002

*Research supported by the National Institute of Justice and

The Robert Wood Johnson Foundation

A faculty research award from Andrews University

Objectives

- Very brief historical context of the drugs-crime relationship
- The nature and complexity of the relationship
- What we may know about the relationship
- The role of policy
- Successful treatment intervention program elements
- Some key areas of needed research.

The Historical Context

- Within the last century, the U.S. has experienced wide fluctuations in drug policy—nationally and between states—reflecting different currents of U.S. traditions including libertarianism, Puritan moralism, medicalization, and various pragmatic approaches to the perceived problem
- Policy plays a direct role in the existence and nature of the drugs-crime relationship and is, to a significant extent, based on the presumed drugs-crime relationship

Some Things We May Know

- For about three decades, there has been evidence of a statistical relationship between drug use and crime
- All levels of the criminal justice system are currently saturated with drug users
- The nature of the drugs-crime relationship is exceedingly complex and dependent on type of drug as well as type of crime

Some Things We May Know (cont.)

- Significant research has focused on the common origins and reciprocal nature of the drugs-crime relationship
- Economics and opportunity structures seem to play a significant role in the drugs-crime relationship
- Much of the drugs-crime statistical relationship is an artifact of policy which has established drug scheduling and penalty structures
- Drugs-crime policy is built on underlying philosophies of crime prevention that shift over time and location

Criminal Justice Philosophies

- Retributive Justice
- Deterrence Theory
- Therapeutic Jurisprudence
- Balanced and Restorative Justice

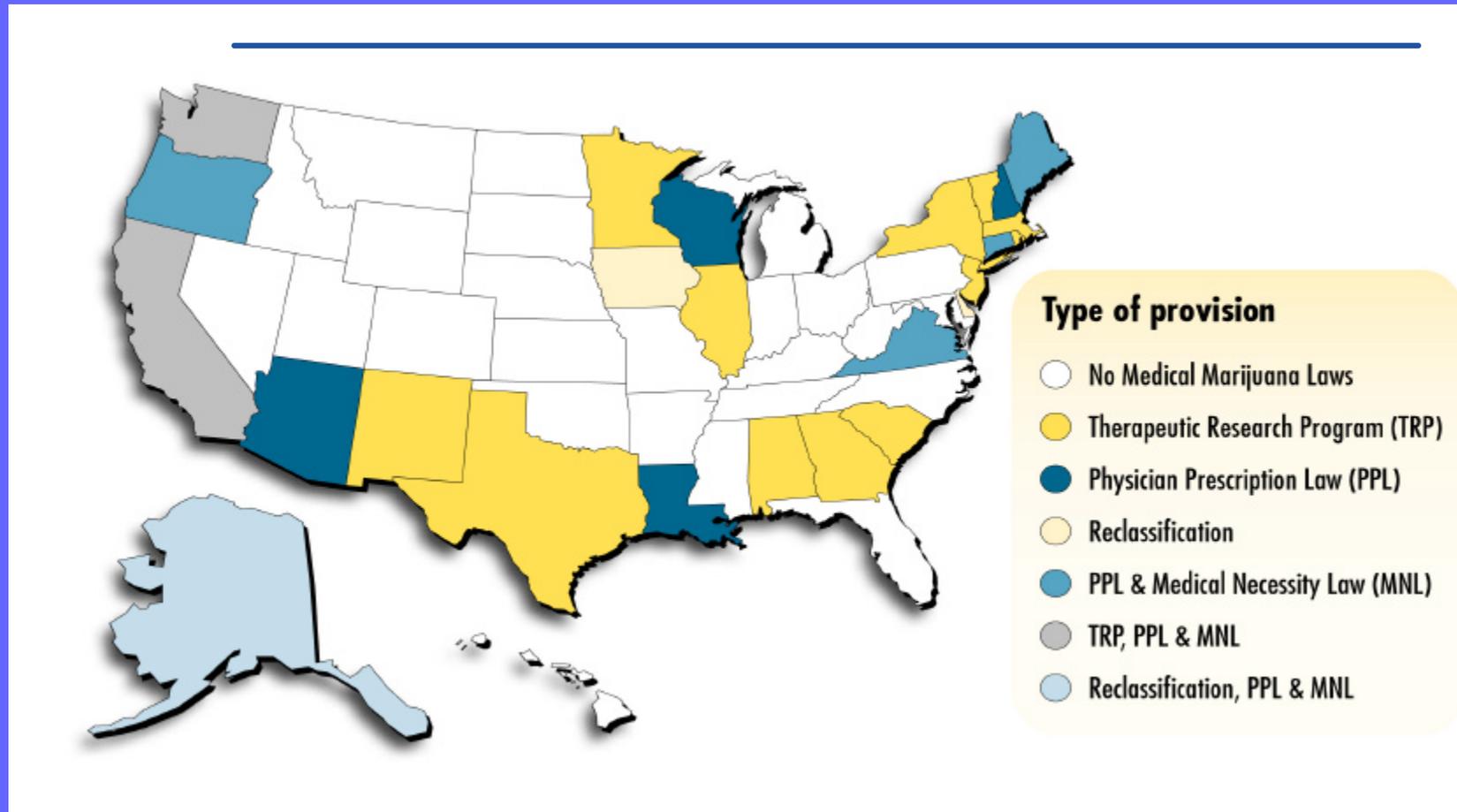
Recent Policy Changes

- State medical marijuana policies
- Treatment instead of incarceration (AZ, CA, NY, MA; ballot initiatives in MI, NV, OH)
- Increasing penalties at state and federal level for “club” drugs
- Re-visiting crack-powder sentencing discrepancies
- Decriminalization of marijuana
- Reconsidering mandatory minimum sentencing

State Medical Marijuana Policies

R.L. Pacula, J. Chriqui, D. Reichmann & Y. Terry-McElrath

Laws in Effect as of December 31, 2000

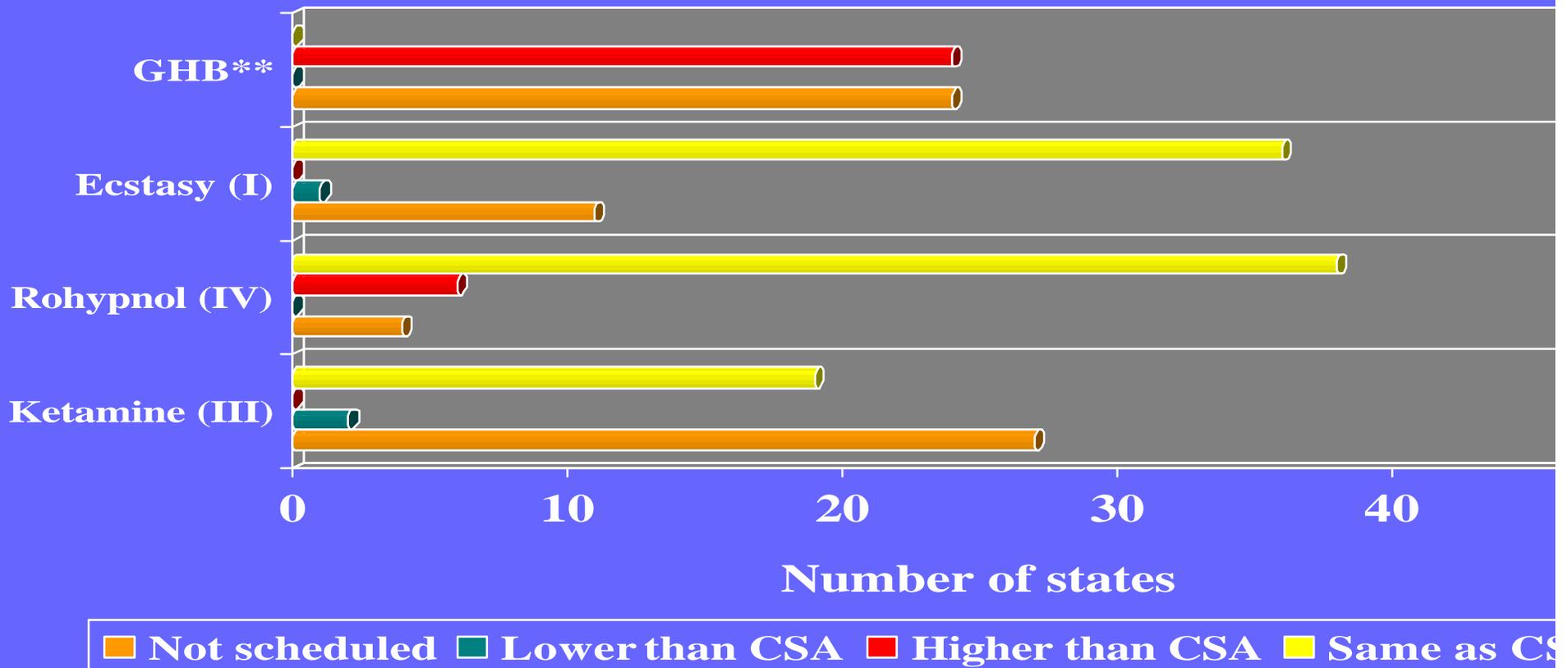


Treatment Instead of Incarceration

- **Arizona**
 - State saved \$6.7 million in second year; 64% treatment compliance rate
- **California's Prop 36**
 - 15% reduction in prison population in first year
 - Projected \$100-150 million annual cost savings
 - Cancellation of planned maximum security prison
- **Ohio, Michigan, & Nevada**
 - Ballot initiatives planned for November 2002.

A Comparison of State* and Federal Scheduling of Club Drugs

ImpacTeen Illicit Drug Team: Selected laws from the 50 States.
Schedules in effect as of January 1, 2000



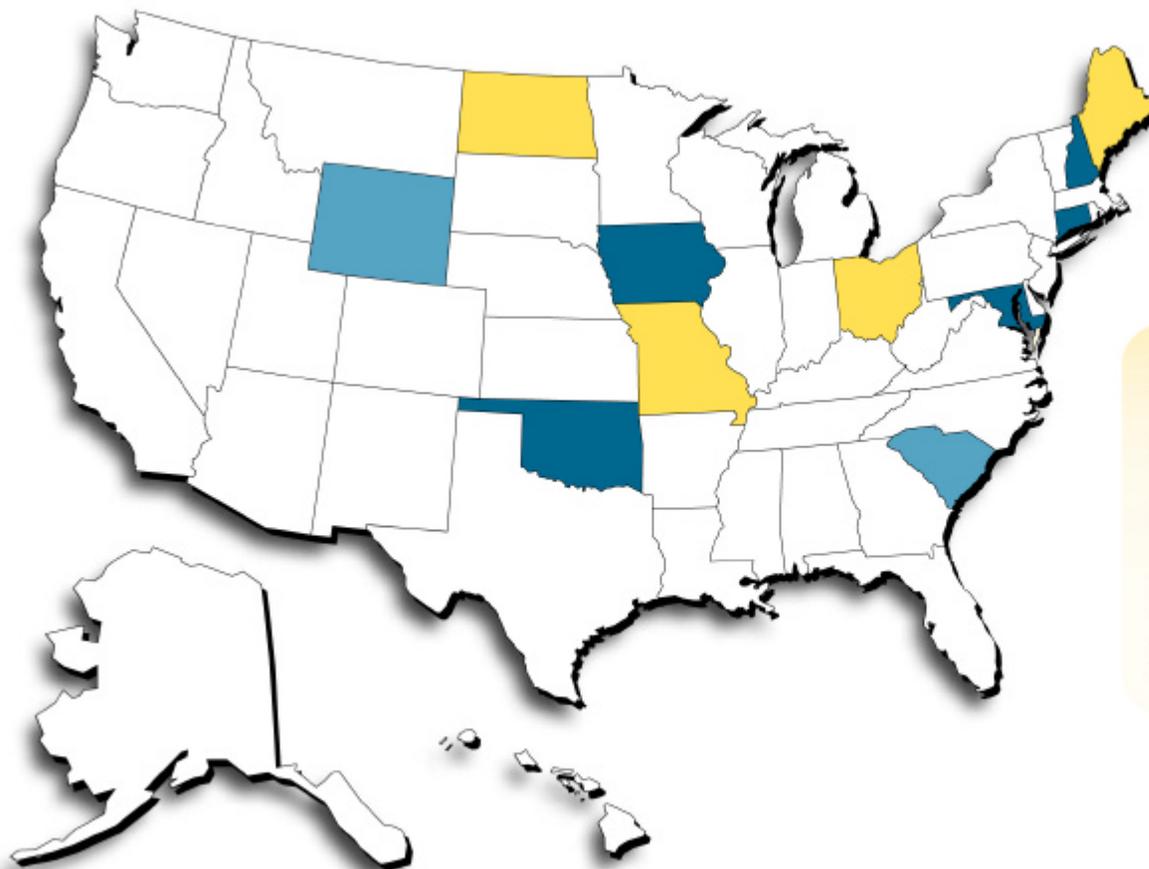
*N=48; excludes Massachusetts, Maine and Vermont

**GHB was not scheduled by the Federal Government until March 2000.

States with Separate Penalties for Sale or Possession of Crack vs. Cocaine Powder

ImpacTeen Illicit Drug Team: Illicit Drug Policy: Selected laws from the 50 States.

Laws in effect as of January 1, 2000



Separate penalties for...

- Sale and possession (4)
- Sale only (5)
- Possession only (2)
- Same penalties or NA (40)

Treatment Effectiveness

- Treatment effectiveness – DARP, TOPS, NTIES, DATOS plus other studies show positive cost-effective impact of treatment on drugs-crime relationship
- There are cautions including:
 - “Research shows treatment is effective, but benefits may be overstated” (GAO, 1998)
 - Cost studies on incarceration vs. treatment
 - Selection bias may inflate results – few inmates with drug histories obtain treatment
 - Client self-report less valid for higher penalty drugs, recent use, and those in the criminal justice system

Essential Program Components

- Immediate and comprehensive assessment
- Delivery of services based on assessment
- Supervision and monitoring utilizing graduated sanctions, drug testing, and cross-systems case management
- Provision of a continuum of drug treatment services from jail/prison to community to aftercare
- Aftercare with continuing clinical monitoring, service needs assessment, and delivery of needed services
- Obtain judicial support for comprehensive elements

Suggestions for the Future

- Use existing data to provide new empirical baseline that reflects the drugs-crime relationship
- Use latest multi-disciplinary assessment and treatment delivery models to assess the impact of treatment on drugs and crime
- Evaluate those treatment models and provide feedback to criminal justice system
- Evaluate impact of state-level drug laws and policies (high penalties, de-penalization (medicalization) of marijuana (and perhaps other drugs), diversion to treatment) on crime, drug use, and other behavioral outcomes

Suggestions for the Future (cont.)

- Establish research field stations in high-risk areas to study drugs-crime behavior as it occurs in the community
- Examine impact of enforcement strategies on drug prices, use, and crime
- Undertake comprehensive, long-term evaluations of best of current intervention programs including:
 - What levels of service intensity are most appropriate for offender and drug use types
 - What types of program elements and settings relate to best outcomes for various groups of users
 - Impact of medical marijuana policies
 - What policies relate to reducing the drugs-crime relationship

Suggestions for the Future (cont.)

- Cooperation is required across
 - Human service agencies
 - Various funding agencies
 - Relevant research disciplines
 - Various substance areas
- This is essential for any of the research agenda suggestions to work successfully !!!



*A Policy Research Partnership
to Reduce Youth Substance Use*



Frank J. Chaloupka
Univ. of Illinois
Health Policies Research
Center

Lloyd D. Johnston
Univ. of Michigan
Institute for Social Research



Supported by
The Robert Wood Johnson Foundation



A Policy Research Partnership
to Reduce Youth Substance Use



Supported by
The Robert Wood Johnson Foundation

ImpacTeen Illicit Drug Team Policy Research

Duane McBride, Principal Investigator—Andrews University

Rosalie Liccardo Pacula, Co-Principal Investigator

RAND Corporation

Curt VanderWaal, Project Director—Andrews University

Jamie Chriqui, Legislative Data Base Coordinator -The MayaTech Corporation

Yvonne Terry-McElrath, Community Liaison—Univ. of Michigan

**Richard Clayton – Univ. of Kentucky -- Principal consultant
and several other consultants**



ImpacTeen is part of Bridging the Gap: Research Informing Practice for Healthy Youth Behavior, supported by The Robert Wood Johnson Foundation and administered by the University of Illinois at Chicago.

Selected References

- VanderWaal, C.J., McBride, D.C., Terry, Y.M. & VanBuren, A.H. **Breaking the Juvenile Drug Crime Cycle: A Guide for Practitioners and Policymakers.** Washington, D.C.: U.S. Department of Justice, 2001.
- ImpacTeen Illicit Drug Team -- Chriqui, J.F., Pacula, R.L., McBride, D.C., Reichmann, D.A., VanderWaal, C.J., & Terry-McElrath, Y.M. **Illicit Drug Policy: Selected laws from the 50 States.** Berrien Springs, MI: Andrews University. Supported by the Robert Wood Johnson Foundation and published by LaVigne Printing, Boston, MA, 2002.
www.andrews.edu/bhsc/impacteen-illicitdrugteam
- Pacula, R.L., Chriqui, J.F., Reichmann, D.A. State Medical Marijuana Laws: Understanding the Laws and their Limitations, Journal of Public Health Policy (forthcoming, 2002)
- McBride, D.C., VanderWaal, C.J., & Terry-McElrath, Y.T. *The Drugs-Crime Wars: Past, Present and Future Directions in Theory, Policy and Program Interventions in Drugs and Crime.* NIJ Monograph (2002) Forthcoming (2002)
www.ojp.usdoj.gov/nij/new.htm
- McBride, D. C., VanderWaal, C. J., Pacula, R. L., Terry-McElrath, Y., & Chriqui, J. F. (2001). *Mandatory minimum sentencing and drug law violations: Effects on the criminal justice system.* In C. Leukfeld, F. Tims & D. Farabee (Eds.), Clinical & Policy Responses to Drug Offenders. New York, NY: Springer, (pp:319-334), 2002.