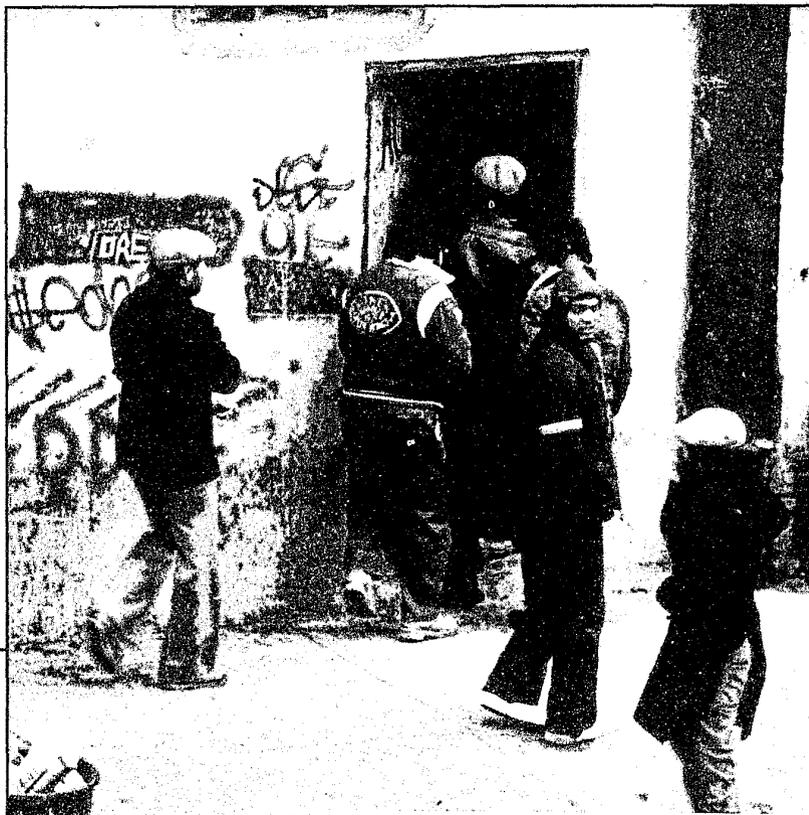


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NIJ Reports



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Director's notes

Today as never before there is a strengthened resolve to fight drug abuse and the crime that is so closely associated with it. President Reagan's anti-drug initiatives have brought a range of new resources into the struggle, and his and Mrs. Reagan's personal commitment to fighting drug abuse has provided visible dedication at the highest levels of our society.

Congress, too, has demonstrated its concern with the passage of the Anti-Drug Abuse Act of 1986. The legislation enhances the tools and resources available for a comprehensive campaign to attack the threat of drug abuse in this country.

To ensure efficient and effective strategies at the Federal level, the President has placed responsibility for all drug efforts into a new National Drug Policy Board. Attorney General Edwin Meese III serves as chairman of the new Board, and Dr. Otis R. Bowen, Secretary of the Department of Health and Human Services, which operates drug prevention programs, is vice chairman.

The new action reflects growing awareness that law enforcement alone isn't enough, and reducing supplies of drugs isn't enough. We can only win by stopping the demand for drugs. In particular, we must attack the burgeoning use of drugs by criminals, one of the

most disturbing facets of the drug abuse problem. As part of the overall Federal effort to cut both drug supply and demand, National Institute of Justice research is offering new, objective information that can form the basis for more effective policies for controlling drug abuse among criminal predators.

Two decades ago, public policy was shaped in part by a belief that heroin addicts, at least, were a relatively benign class of offenders, engaging principally in minor property crimes to finance their habit. Today, research consistently shows the drug-crime link is clear—and it goes well beyond minor theft. The crimes committed by serious drug-using offenders are just as likely to be violent crimes as property offenses. And the greater the use of drugs, the more crimes addicts commit, increasing four- to sixfold during periods of heavy drug use.

Drug abuse is not a benign, victimless crime. It has severe consequences for the victims drug users prey upon and for communities where the drug trade flourishes. How criminal justice agencies react can have an impact on protecting people and their neighborhoods. Now the debate centers on which criminal justice interventions—police patrols, new laws, incarceration policies—promise the greatest inroads against drug use and the crimes and costs it spawns.

Research is helping to illuminate those choices. It is offering new tools and strategies to enhance anti-drug efforts. Mandatory drug testing of arrested persons, for example, can enable criminal justice to detect drug use and do something about it to protect the community. Reliable information about

a suspect's drug use gives judges an objective basis for deciding on conditions of release before trial that will minimize public risks.

Drug testing is just one example of the advances that can help us rethink policies and approaches for attacking the drug problem. Others are outlined in the feature article of this issue of *NIJ Reports*, which is devoted entirely to drugs and crime. Our aim is to highlight for State and local authorities up-to-date knowledge, information about more effective options, and recent developments in the field. With such information, States and localities can decide what will work in their communities.

Governors' anti-drug initiatives are getting under way in the States. This is the time to capitalize on the investment in research. Combining new knowledge with resources from all sectors of our Nation can produce a synergistic effect to help communities ravaged by drugs and crime. The National Institute stands ready to work with States and localities testing new policies. As we learn, we all will benefit.



James K. Stewart
Director
National Institute of Justice

Research in action

Controlling drug abuse and crime: A research update

by Mary G. Graham

Drug trafficking and abuse wreak enormous damage on society each year. Lives destroyed or seriously impaired, crime losses, decreased productivity, treatment costs—all contribute to the \$59 billion annual toll exacted by illicit drug use and related crime. These social and economic repercussions explain why drugs and crime rank high on the list of public concerns in poll after poll.

Dramatic increases in cocaine use across all age groups and in all parts of the country have contributed to the alarm over drugs. Even as heroin and marijuana use has leveled off since 1980, cocaine-related cases in hospital emergency rooms have tripled since 1981. Emergence of "crack," a new, low-cost smokable cocaine, has resulted in more widespread use especially among the young—and more rapid dependence. A recent survey conducted for the National Institute on Drug Abuse by University of Michigan researchers indicates that 4.1 percent of high school seniors used "crack" during 1986. Addiction to "crack" can occur within several months, as opposed to the 3 or 4 years for typical cocaine "snorting."

"In response to the growing threat, efforts to thwart drug trafficking and diminish the corrosive impact of drugs are intensifying at all levels of government," according to James K. Stewart, Director of the National Institute of Justice.

Mary G. Graham manages the National Institute of Justice publications program. This article is based on materials and data provided by Dr. Bernard Gropper, NIJ Drugs, Alcohol, and Crime Research Program manager; John Spevacek, NIJ Drug Testing Research manager; Dr. Eric Wish, NIJ Visiting Fellow; and other NIJ staff.

Attorney General Edwin Meese III recently announced an Executive Order by President Reagan creating a National Drug Policy Board to coordinate all Federal anti-drug activities. Funds available this year under the 1986 Anti-Drug Abuse Act are expected to be a catalyst for comprehensive drug control efforts by State and local jurisdictions. A wide range of prevention, education, and public safety programs at the State and local levels are eligible for support this fiscal year. (See article on page 8.)

"As officials marshal available resources and plan strategy, research can help inform the policy choices to be made," Mr. Stewart suggested.

This article reviews research by the National Institute of Justice that is changing the way we look at drug abuse and its relationships to crime. It also describes promising options for attacking drug trafficking and suppressing demand for drugs by criminals.

Building new knowledge

Much of our previous knowledge about the extent of drug use among criminals has been based on reports by offenders themselves. Research on drug testing of arrestees is revealing the true dimensions of the drug problem, outstripping estimates based on self-report data.

Drug abuse by criminals. More than 14,000 arrestees were tested in Washington, D.C., and New York City in 1984, using highly accurate urinalysis technology. More than half those arrested in both cities tested positive for illegal drugs—double the number expected. The results also showed the prevalence of multiple drug use. Nearly a third of the arrestees testing positive in the District of Columbia had used

more than one drug. The findings confirmed that without drug testing most drug use will go undetected. Only half of those who tested positive actually admitted using drugs.

More recent data from the two cities show that drug use by arrested persons is on the rise. By September 1986, nearly three out of four Washington, D.C., arrestees tested positive, compared with 56 percent in March 1984 when testing began.

New findings in New York City reflect the surge in cocaine use. Of 400 people processed through Manhattan Central Booking in September and October 1986, more than 80 percent tested positive for cocaine, compared with 42 percent in 1984. The increase was found among all ages, but it was especially large among young people between 16 and 20 years old—from 28 percent in 1984 to 71 percent last fall.

Drug-crime connections. Evidence of close relationships between drugs and crime continues to mount. The 1984 drug testing research in Manhattan showed, for example, that more than half those charged with murder, manslaughter, robbery, and burglary tested positive for one or more drugs. And the more recent 1986 data on two samples of arrestees in Manhattan showed that between 59 percent and 92 percent of those charged with robbery tested positive for cocaine, as did more than 70 percent of those charged with burglary.

Drug abuse has also been shown to be one of the best indicators of serious criminal careers. Institute-sponsored research found that a majority of the "violent predators" among prison and jail inmates had histories of heroin abuse, frequently in combination with alcohol and other drugs. California prison and jail inmates who were addicted to heroin reported committing 15

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Drug abusers, captured in a New York City police surveillance photograph, enter a building to buy illegal drugs.

Photo by Leon Schwartzman

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The National Institute of Justice/NCJRS—the National Criminal Justice Reference Service—is the centralized national clearinghouse of criminal justice information. It maintains a computerized data base of more than 85,000 criminal justice documents, operates a public reading room,

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times as many robberies, 20 times as many burglaries, and 10 times as many thefts as non-drug users.

NIJ research indicates that drug use accelerates criminal behavior. Studies in Baltimore showed addicts committed four to six times more crime during periods of heavy drug use than when they were relatively drug free. And, contrary to what was previously believed, research in New York City indicates that drug abusers are at least as violent, and perhaps more violent, than their non-drug-using counterparts. Heroin abusers are as likely to commit crimes such as homicide and sexual assault and even more likely to commit robbery and weapons offenses.

A growing number of homicides in major cities are suspected to be drug related. Research in progress is compiling data on the presence of drugs in the victim or killer, drugs or paraphernalia found at the scene of the crime, and the victim and murderer's known drug connections. The findings will lead to guidelines for revised police reporting of homicides so that more accurate and complete information on the extent of drug involvement in killings can be recorded. These statistics may advance our understanding of drugs as a catalyst for violence.

Cutting supply and reducing demand

The growing evidence of drug-crime connections has spurred efforts to develop new law enforcement tools for cutting both the supply and the demand for illegal drugs.

Disrupting supplies. Huge profits generated by the illegal drug market have created a web of suppliers. NIJ research is focusing on the best combination of strategies to disrupt various types of distribution networks.

Strategies to incapacitate the middle-level retail cocaine and heroin wholesaler are expected from a study now under way in Arlington County, Virginia; Broward County, Florida; Baltimore, Maryland; and Phoenix, Arizona.

Fighting drug trafficking with forfeiture sanctions

Forfeiture is a legal procedure that enables a government to seize property used in the commission of a crime and, in some jurisdictions, assets traceable to criminal profits. Federal prosecutors are successfully wielding forfeiture sanctions as a powerful weapon against drug traffickers. In fiscal year 1986, total income to the Department of Justice Assets Forfeiture Fund was some \$90 million. And, under the provisions of the 1984 Comprehensive Crime Control Act, approximately \$25 million in cash and property forfeited in Federal cases in 1986 was shared with the State and local criminal justice agencies that participated in those cases.

Used effectively, forfeiture sanctions can cripple an ongoing criminal enterprise by seizing the tools of the drug trafficking trade—planes, vessels, cars, and trucks—as well as cash, bank accounts, and other goods used in criminal activity or obtained with illicit profits. The risk of losing such assets raises the stakes considerably for criminal enterprises such as drug trafficking. For example, Federal prosecutors in California seized land that had been used to grow marijuana. The prospect of losing prime real estate may well serve as a powerful deterrent to others contemplating an illegal harvest.

An additional advantage of forfeiture for jurisdictions is the financial windfall gained through successful forfeiture proceedings. In most States, proceeds from the sale of property seized go to the State or local treasury. Some States, however, allow law enforcement agencies to keep the funds or forfeited property for official use. Seized vehicles, for example, can be used in undercover operations, and cash can supplement the undercover drug "buy" fund.

Despite the potential of forfeiture as a drug enforcement strategy, its use remains relatively limited at the State and local levels. Two complementary efforts, sponsored by the National Institute of Justice and the Bureau of Justice Assistance, aim to change that picture.

With funds from the National Institute of Justice, the National Criminal Justice Association (NCJA), in conjunction with

the Police Executive Research Forum (PERF), will develop an instruction manual on establishing and maintaining an asset seizure and forfeiture program at the State level. The project will also devise and pilot test a model training curriculum.

In a survey conducted by NCJA as part of a 1986 pilot program on asset seizure and forfeiture, every responding jurisdiction reported the need for training in this area. Existing forfeiture statutes were viewed as ambiguous and lacking procedural guidelines for implementation. Police and prosecutors were reluctant to use forfeiture sanctions in drug trafficking cases without firm knowledge and understanding of relevant statutes and procedures, and State officials were concerned about managing seized assets.

The manual is intended to guide development of a State asset seizure and forfeiture program. It will discuss recent developments in forfeiture laws and procedures—establishment of a seizure and forfeiture capability, management of an inventory of forfeited assets, cooperative enforcement and prosecution efforts, and the resource requirements of maintaining such a program. It will also cover investigative tools for forfeiture cases, with an emphasis on financial investigations.

The core document for the training curriculum, the manual is also designed to be an independent, "stand-alone" resource for officials who want to establish or review forfeiture programs. Publication of the guide is expected later this year, and its availability will be announced in *NIJ Reports*.

Concurrently, the Police Executive Research Forum and the National Criminal Justice Association will develop training for local criminal justice investigators on the tools and techniques for financial investigations in asset seizure and forfeiture cases. The training is funded by the Bureau of Justice Assistance. Four training sessions will be held later this year. For more information on these training sessions, write Richard Ward, Bureau of Justice Assistance, 633 Indiana Avenue NW., Washington, DC 20531 (202-724-5974).

Controlling drug abuse and crime: A research update

Researchers are collecting data on drug unit policies and operations and on the characteristics and vulnerabilities of wholesalers. The information is drawn from police records, files of closed cases, and interviews with investigators in the four jurisdictions, all of which have active enforcement policies against wholesalers. The study will analyze when the dealers were first detected, how much intelligence had been gathered, and what conditions led to major arrests and prosecutions.

In California, street gangs have become increasingly active in selling cocaine. Research in progress is studying how the youth gangs acquire cocaine, how they distribute the drug, and the customers they sell to. The study is expected to offer new ideas for breaking these networks, reducing both trafficking and violence.

Attacking the financial underpinnings of drug traffickers is another weapon in

detering suppliers. NIJ has analyzed the potential of asset seizure and forfeiture provisions in Federal and State laws as a tool for eliminating the trafficker's working capital. (Details of this study appear in the box on page 3.)

Profits from illegal drugs often find their way into the legitimate economy. Before dealers can make use of their profits, the funds must be "laundered." Federal investigators have become experienced in tracing the money narcotics dealers and other organized crime elements shift into apparently legitimate channels. The National Institute of Justice is preparing a handbook showing how the Federal experience can be adapted by State and local agencies initiating programs to investigate and prosecute money laundering operations.

Drug testing. Court-supervised drug testing is giving criminal justice a new tool to reduce demand for drugs by offenders and to help control crime.

The potential of mandatory drug testing of those released before trial was demonstrated in an NIJ-sponsored experiment in Washington, D.C. As a result of the research, the city has made drug testing of arrestees a standard part of its pretrial release programs. Judges in D.C. Superior Court use the objective information about an offender's drug habits to decide what conditions should be imposed on those released pending trial. Drug-using defendants can be ordered to report for periodic testing while on release.

(The D.C. program was the Research in Action article in the September 1986 *NIJ Reports*. For information on obtaining a reprint of the article, see page 17. Information on how to obtain a videotape about the program is on page 19.)

Replication of the successful D.C. pretrial drug-testing program is planned in three or more cities. The Bureau of Justice Assistance of the Office of Justice Programs will fund operation of the program in participating jurisdictions, and the National Institute of Justice will support evaluation of the results.

New NIJ research is exploring other ways that drug testing of offenders can counter drug abuse and crime.

Public safety and offender supervision. Research in Washington, D.C., and New York revealed that arrestees who use drugs were more likely to be rearrested while on release and to fail to appear for trial. Mandatory drug testing is the best available method to ensure that released defendants remain drug free and thus less likely to jeopardize public safety.

In Washington, D.C., for example, the pretrial rearrest rate for drug users was 50 percent higher than for nonusers. Among defendants who reported regularly for court-mandated drug tests, however, the rate of pretrial arrests was 14 percent—the same as that for defendants who did not use drugs. Thus, drug testing also benefits the defendants. Those who test clean while under supervision have the opportunity to remain in the community pending trial.



Research sponsored by the National Institute of Justice is providing information to develop more effective policies for cutting drug supplies and reducing demand, especially among criminals.

Photo by Peg Fulton, NCJRS

Drug detection through hair analysis: Developing future capabilities

Since all drug testing methods have inherent limitations, the National Institute of Justice is interested in developing new screening capabilities that complement those already available. Urinalysis provides an objective and efficient large-scale tool for rapidly screening criminal justice populations for drug use. Its power to detect is limited, however, to drugs consumed within the previous 2 to 3 days. Analysis of a few strands of human hair, on the other hand, offers the potential to detect drugs absorbed by the growing hair over a much longer period.

Hair analysis promises a complementary type of drug detection for various criminal justice and forensic applications. At present, however, it is still in the developmental stage and may be a few years from wide-scale field applications.

An NIJ pilot study will explore whether present laboratory capabilities can be transferred into operational environments. The research will monitor a sample of Los Angeles parole and probation clients over a 1-year period for compliance with abstinence from serious drugs as a condition of release. The results obtained with radioimmunoassay of hair (RIAH) will be compared to those obtained from urine samples.

Monitoring methods

Current drug detection methods primarily monitor two types of effects. The first are *short-term behavioral impacts* on speech, eye movements, and coordination of motion. These stem from the effects of drugs or alcohol on the brain and typically start within several seconds or minutes after the drug or alcohol is consumed. They are generally over within a few hours. Drunk driving and violent assaults are the most common instances where

offenders are likely to be apprehended and tested while these effects are still present.

A second type of possible indicators of drug usage are the *short-term metabolic effects* evidenced in changes in the breath, blood, and urine. These effects begin within about a half-hour and end within 2 to 4 days for heroin or cocaine. Other drugs such as marijuana and PCP may be detectable in trace amounts for up to 2 to 3 weeks. But the body's processing eliminates so much within a few days that urine tests become impractical beyond that period.

A third set of possible diagnostic indicators exists. *Long-term organic effects* result when drug molecules are absorbed by growing body tissues such as hair and nails. Drugs become detectable within the hair about 3 to 4 days after consumption. Thus, hair analysis cannot reveal recent usage. But after 3-4 days, the portion of the growing hair nearest the scalp has entrapped detectable drug molecules that remain for the entire life of the hair shaft. As the hair grows, it records the individual's pattern of drug consumption much as a recorded tape retains a pattern of the signals imposed on it. Hair on the head grows about one-half inch per month. A 2-3 inch strand of hair, for example, would contain a record of the last 4-6 months of drug usage. Any body hair is potentially usable in tests, but hair on the head offers the advantages of relatively rapid growth and minimal intrusiveness.

The techniques of hair analysis are essentially the same as those of radioimmunoassay of urine and offer the same general detection sensitivity. Because hair analysis involves additional steps, however, it is inherently more time consuming and more costly per test. But detecting a probationer's abstention or drug usage over a prolonged period, for example, may require only periodic sampling—testing hair every month or two

rather than conducting much more frequent urine tests. The result may be not only greater reliability but reduced expense for long-term monitoring.

Hair analysis capabilities could also minimize some concerns associated with urinalysis:

- Hair samples can be readily obtained from either sex in public without violating privacy and without the invasiveness related to blood or urine as monitoring mediums.
- Subjects cannot claim they are "unable" to provide a sample while being observed.
- Subjects cannot attempt to avoid detection by "flushing" the system with large quantities of fluids to dilute urine samples or by "staying clean" for a few days or weeks before a scheduled test.

Hair analysis also means that additional samples can be acquired and tested. This retesting capability would be valuable to confirm a positive result, as is now done with positive urine samples. It also would permit acquisition of a totally new sample to verify or refute original test findings. This would overcome, in ways not now possible, the legal and operational challenges presented by offenders' claims of "That's not my sample," "Somebody must have put something in it," and "I haven't taken anything at any time."

For the long term, it appears that present laboratory-based hair analysis methods will be refined and made more amenable to larger scale applications. When this occurs, hair analysis will become a technique complementary to urinalysis, expanding the criminal justice system's ability to detect and monitor illicit drug abuse.

Police crack down on heroin market in Lynn, Massachusetts

In 1983, a virtual drug bazaar operated each day just four blocks from the downtown business district of Lynn, Massachusetts. Drug dealers openly competed for business, sending "runners" out to hawk their wares to both pedestrians and drivers passing by. The easy and consistent availability of high-potency drugs made Lynn the preferred place to buy heroin for drug users all over the North Shore of Massachusetts.

Lynn, with a population of 80,000, had the second highest crime rate of all Massachusetts cities and a police department whose sworn strength had fallen by about one-third due to fiscal pressures. Understaffed, it had no resources it could dedicate solely to narcotics work.

Chronic complaints from residents and merchants brought Lynn's drug trade to the attention of the newly organized county Drug Task Force. When it began operations in September 1983, the Task Force's objective was to make the streets of Lynn an unattractive place for heroin buyers and sellers to meet. And, it was hoped, retail heroin enforcement would lead not only to a reduction of drug sales but also to a reduction in the area's property crime.

The National Institute of Justice assessed the results of the Task Force effort. By every available measure, the heroin market in Lynn shrank substantially. What was a bustling street drug market became placid and ordinary looking, with no report of substitute drug markets developing.

In the first 10 months, 186 arrests were made on a total of 227 charges. Ninety-six defendants were convicted or pleaded guilty, including 10 on felony heroin charges. Nominal minimum sentences on all charges totaled 110 years.

The effect on non-drug crime was also dramatic. A year after the enforcement effort began, robberies dropped 18.5 percent and reported burglaries were down 37.5 percent compared to the previous 12 months. A year later, even after drug enforcement manpower in Lynn was reduced due to a shift in personnel, reported burglaries remained at their new, lower level. Reported robberies declined still further, to a level 30 percent below the 1983-84 period.

Two types of enforcement

In many cities, police departments have assigned retail drug traffic enforcement to a separate vice or narcotics unit staffed by detectives. Traditionally, those units have been devoted to catching the "kingpins" of the drug trade and have accorded little value to street arrests. At the same time, policies designed to ensure rapid response to calls for service and to prevent corruption have insulated retail drug markets from the uniform patrol force.

The two types of enforcement—one for high-level drug dealers, the other for street dealers and users—produce different effects on the drug trade.

If risk increases due to more vigorous enforcement, some high-level dealers may quit, cut back, or refuse to expand when the opportunity arises. This shift will generate higher prices. Higher prices mean users may commit more crime just to meet the cost of the drug.

When street-level enforcement becomes more vigorous, though, heroin buyers are likely to face increased difficulty in "scoring" (as well as increased risk of arrest for possession) rather than just higher dollar prices. Thus, street-level enforcement increases the time and risk involved in buying heroin rather than its money price. In Lynn, the increase in transaction time and risk cut both drug and non-drug crime.

While the Lynn results indicate the impact enhanced street enforcement can have, some questions remain. Is the drug trade and related crime really decreased or just displaced to other locations by street-level enforcement? What about the scale, timing, and duration of such efforts? Police managers need to think through the possible resource needs for launching retail drug enforcement efforts. Further analysis of the Lynn program data and evaluation of a similar effort in Lawrence, Massachusetts, will help answer some of these questions.

(This summary was drawn from the report *Bringing Back Street-Level Heroin Enforcement* by Mark A.R. Kleiman, who is a Research Fellow in Criminal Justice at the Kennedy School of Government, Harvard University. He is evaluating the Lynn and Lawrence programs for the National Institute of Justice.)

Drug testing also can provide greater control over offenders free in the community on probation and parole. New research will assess the potential of drug screening for reducing the risk posed by regular probationers and by convicted felons in intensive probation supervision programs.

Another study is analyzing probation and parole supervision of addicted offenders. The effects of varying levels of supervision are being tracked to find better ways to match various types of addicts with different degrees of supervision and control.

National Institute of Justice research is also focusing on young people not yet heavily committed to drug use or dangerous criminal careers. Evaluators will assess a program begun in Washington, D.C., with funds from the Bureau of Justice Assistance. The new program is one of the first in the Nation to require all juveniles arrested for serious crimes to be given urine tests to detect drug use. The goal is to break their drug habits before they become well established and thus reduce the youngsters' criminal activity.

Forecasting. Information about national drug consumption patterns comes primarily from surveys of various population groups about their admitted drug use, hospital admissions for overdose, or applications to treatment programs. These indicators show up well after the introduction of a new drug like "crack" or increases in use of a particular drug like PCP. Changes in drug use patterns among arrestees, however, appear to precede such changes in the general population.

To detect drug use changes accurately and objectively, the National Institute of Justice has launched a national Drug Use Forecasting program (DUF) that will test arrestees in 10 cities across the country. Indianapolis, New York, and Washington, D.C., are the first cities in the system, which will be funded jointly by the National Institute of Justice and the Bureau of Justice Assistance. Each participating city will test samples of arrestees four times a year. The results will provide information useful in planning and evaluating drug control tactics and signaling early warnings

about use of a particular drug to health, education, and treatment programs. (More information on the DUF program is on page 23.)

Extending drug-testing capabilities.

The availability of more accurate technology has made urinalysis a reliable indicator of objective information on an offender's recent drug use. At the same time, the National Institute is exploring other screening methods that can add to the ability to detect drug use even more accurately and at lower cost. One method currently under study tests hair samples, which provide a more permanent record of an individual's drug use. (For more on this new research, see the box on page 5.)

Enforcement. An NIJ study in Lynn, Massachusetts, is assessing the merits of police crackdowns on street-level heroin trafficking. The results indicate that disruption at the point of purchase meant fewer customers for street dealers and also reduced robberies and burglaries in the target areas. (See box on page 6 for more details.)

New research planned by the National Institute of Justice will examine these and other street-level enforcement tactics. (See page 20 for an announcement about the street-level enforcement research program.)

The "drug culture," reinforced by marketing of drug use paraphernalia, may spur demand. A National Institute study found that enactment of the Drug Enforcement Administration's Model Drug Paraphernalia Act by a majority of States has significantly reduced "head shop" operations and the ready availability of "hard-core" paraphernalia. In response to the legislation, the drug paraphernalia industry has placed new emphasis on "dual-use" items and on mail-order sales. Advertising has become more sophisticated and frequently includes disclaimers and announcements that the objects are sold for use with legal substances only.

State laws are currently the most effective means of controlling the sale of drug

paraphernalia, but adequate resources are a prerequisite for effective enforcement. Lack of resources was reported as the primary reason for nonenforcement of the laws.

Prevention and treatment. Drug prevention and treatment programs primarily fall within the responsibility of agencies other than the Department of Justice. Because law enforcement can contribute to such efforts, however, NIJ research is analyzing approaches that appear promising and is assessing the impact of treatment on drug-abusing criminals.

DARE. Drug Awareness Resistance Education (DARE) involves police and public schools as partners in teaching younger children to resist offers to try drugs. A model program started in Los Angeles, the DARE concept has now been transferred to schools in Virginia, Massachusetts, New York City, and Washington, D.C. An NIJ report will document the approaches used in the four jurisdictions to plan, design, and implement drug education programs for elementary schools. The programs feature joint efforts by law enforcement and public schools to present materials on the dangers of using drugs, ways of resisting peer pressure to take drugs, and students' self-esteem. The report will describe the joint agreements between agencies, curriculums, selection and training of police officers—and in one site, prosecutors—and the results of short-term evaluations of the efforts.

Treatment effects. Many of the effects of treatment programs are still unknown. NIJ research is providing some answers to questions about the impact of treatment programs on crime rates, the economic costs imposed by drug abusers' criminal activity, and the cost-benefit ratio for various types of treatment.

Using a national sample of clients in the Treatment Outcome Prospective Study (TOPS), an NIJ study found that, by virtually all economic measures, crime is lower after treatment than before. The savings in crime-related costs are at least as great as the cost of the treatment

programs. Residential treatment appears to have the greatest economic return in comparison to methadone maintenance for narcotics addicts or outpatient drug treatment.

The study results also indicate that the longer the time in treatment, the better. Clients staying in treatment for longer periods are more likely to change their drug lifestyles than those who undergo treatment for shorter episodes. The criminal justice system can help get drug abusers into treatment and keep them there for longer periods. The researchers concluded that "there are real returns to society and law abiding citizens" from longer terms of treatment for offenders required to enroll in drug treatment as part of their sentence.

Opportunities for intervention with drug-abusing delinquents are being explored in inner city neighborhoods in California. The study is examining how drugs figure in the commission of violent crime by juveniles and the social-psychological and demographic characteristics of high-risk delinquents. The analysis should help improve classification and potential treatment for various types of juvenile offenders.

Looking ahead

Research will continue to play a vital role in developing information that can serve as a foundation for more effective public policies against drugs and crime. The National Institute of Justice has expanded funding for research that will help improve criminal justice strategies for stemming drug abuse and trafficking. (See page 19 for an announcement of the National Institute of Justice 1987 research program.) The research on drug and alcohol abuse and related crimes is expected to award up to \$1,500,000 this fiscal year for studies aimed at identifying more effective public policy responses as well as more complete and accurate measurement of the extent of drug abuse, drug-related crime, and the social costs they impose on us all.

New legislation supports expanded anti-drug abuse efforts

Reflecting growing national concern over drug abuse and trafficking, President Reagan signed into law the Anti-Drug Abuse Act of 1986 (PL 99-570). The Act stiffens penalties for Federal drug-related offenses and provides funding to strengthen prevention, education, treatment, and law enforcement strategies to counter drug abuse.

For the current fiscal year, Congress appropriated a total of \$1.7 billion for programs under this Act. Of the total,

nearly \$275 million was appropriated for Federal drug law enforcement; \$223 million has been appropriated for grants for State and local law enforcement (with an additional \$2 million for a study of prison capacity); \$262 million for rehabilitation and treatment; and \$200 million for drug abuse education and prevention programs.

Major provisions of the legislation include:

Increased Federal penalties. Penalties for almost all Federal drug crimes are increased significantly. Highlights include the following:

- Major drug traffickers must serve sentences ranging from 10 years to life, with no possibility of probation or parole.
- For offenses involving 500 grams of cocaine or "crack," or 100 grams of heroin, among other substances, the law establishes maximum fines of \$2 to \$5 million and a mandatory minimum prison term of 5 years and a maximum of 40 years.

- For offenses involving at least 5 kilograms of cocaine or "crack," or 1 kilogram of heroin, among other substances, the law establishes maximum fines of \$4 to \$10 million and a mandatory minimum sentence of at least 10 years in prison. If death or bodily injury results, the mandatory minimum prison term rises to 20 years.

- A first offense for simple unlawful possession carries a fine of \$1,000; \$2,500 for a second offense; a minimum of \$5,000 and 90 days in prison for all subsequent offenses.

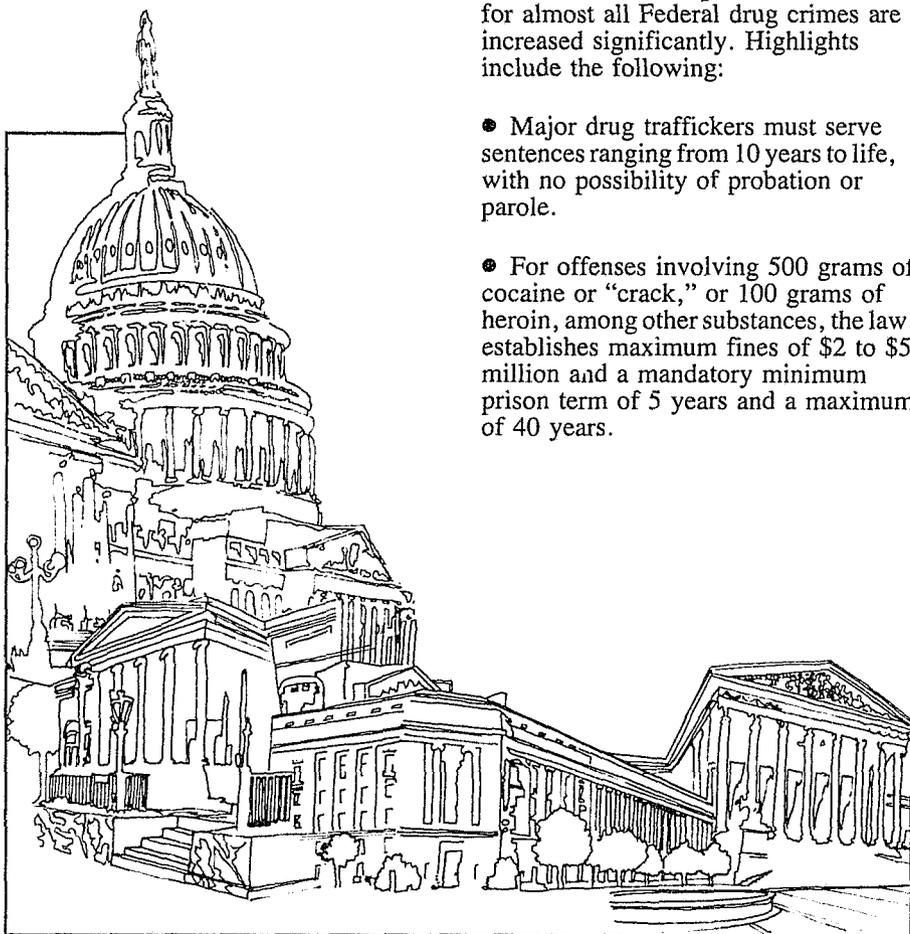
- The new legislation increases penalties for offenses involving minors: It sets a minimum sentence of 1 year in prison for anyone convicted of using a minor in the commission of a drug offense. Such offenders could be sentenced to twice the maximum prison term normally imposed and penalties could be tripled for a second conviction involving use of a minor.

- For selling drugs to a minor or using a minor aged 14 or less in the commission of a drug offense, the law provides sentences of up to 5 years and fines of up to \$50,000 and prohibits probation or suspended sentences.

- The law specifically prohibits the distribution of controlled substances within 1,000 feet of a school—colleges as well as secondary and elementary schools.

- Controlled substance analogs (synthetic drugs) will be treated as controlled substances for purposes of law enforcement.

Money laundering. PL 99-570 establishes "money laundering" as a Federal offense. Money laundering, the act of



concealing the source of funds or evading Federal reporting requirements for case transactions, now carries penalties of up to \$500,000 or twice the amount of the transaction involved and prison sentences of up to 20 years. Requirements that financial institutions report suspicious transactions are increased while Privacy Act restrictions are lightened. The Treasury Secretary, in consultation with the Federal Reserve Board, is required to propose to central banks of other countries an information exchange system to combat the international flow of money from drug enterprises.

Asset forfeiture. The Federal Government's ability to seize questionable assets is increased. PL 99-570 not only authorizes forfeiture of cash or other property derived from criminal activity, but also allows under certain terms for the seizure of substitute assets that are not directly the fruits of illegal acts.

Funding increases. Fiscal year 1987 funding for several Department of Justice agencies has been increased to enhance their drug control activities.

The Drug Enforcement Administration is receiving \$60 million; the U.S. Attorney's office, \$31 million; the Federal Bureau of Investigation, \$2 million for digital voice privacy radios; the Federal public defenders, \$18 million; and the Bureau of Prisons, \$124.5 million—\$96.5 million for new prison construction and \$28 million for salaries and expenses; another \$5 million will go for support of U.S. prisoners.

Funds are also available this year to help States and localities initiate or expand narcotics control programs. The Bureau of Justice Assistance (BJA), of the Office of Justice Programs, will award \$223 million in grants for anti-drug programs this fiscal year. (See the box for details on the BJA program.)

New prison study. The Act requires the Department of Defense to study the feasibility of converting surplus Federal buildings for use as prisons.

Deportation. It will now be easier to deport convicted narcotics traffickers who are in the United States illegally. The Immigration and Naturalization

States and localities to receive narcotics control funds in FY 1987

This fiscal year, the Bureau of Justice Assistance will award \$223 million in grants to enhance the criminal justice system's response to the drug problem. The funds will help States develop a systemwide approach to the drug problem, from apprehension through adjudication, incarceration, and treatment.

Formula grants. Eighty percent of the funds available is earmarked for formula grants for the States. Each State will receive a base amount of \$500,000 with the balance of funds allocated on the basis of population. See Table 1 on the next page for the specific amounts allocated for each State.

The Act requires each State to consult with State and local officials whose duty it is to enforce drug laws and to develop a statewide enforcement strategy. To participate in the grant program, the Governor of the State must designate a State office responsible for preparing the application and administering the funds. Up to 10 percent of the State's allocation may be used for administration of the program.

At least 25 percent of the total cost of the project must be paid from non-Federal funds—new funds that would not otherwise be available for drug enforcement.

Governors were informed of the program in early November. All but one State has designated an administrative office, according to Benjamin H. Renshaw, BJA Acting Director. BJA is making the administrative funds immediately available so States will have the resources required to develop statewide drug strategies. By late February, 38 States had submitted applications for administrative funds, and awards had been made to 24 States.

The Act provides that the BJA grant money be used to enforce State and local laws that establish offenses similar to those in the Controlled Substances Act and to operate the following programs: apprehension, prosecution, adjudication,

detention, and rehabilitation of drug offenders and treatment of drug-dependent offenders; eradication programs; and programs to expedite the prosecution of major drug offenders.

BJA has distributed a draft guide to aid States in development of a comprehensive strategy and administration of the program, as well as a companion brochure with answers to frequently asked questions about the program. Comments from State and local officials are being reviewed in developing the final documents.

BJA also held workshops in March to assist States with strategy and program development and provide information on successful programs and techniques. Program briefs on successful narcotics control and treatment programs are also being developed.

For more information about the formula grants, contact:

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Discretionary grants. The remaining 20 percent of the funds available this year will be distributed as discretionary funds, used to aid States by defining and expanding the base of effective programs, disseminating information on them, and focusing on key areas of concern. BJA is currently defining priorities for discretionary grants, incorporating recommendations solicited from State and local governments, law enforcement agencies, corrections departments, State courts, prosecutors, and public interest groups. When the priorities are finalized, the Federal Register will carry a program announcement and request for proposals for the discretionary grant program, which is open to public agencies and private, nonprofit organizations.

New legislation supports expanded anti-drug abuse efforts

Service is directed to establish improved computer capabilities to respond to inquiries concerning aliens who have been arrested or convicted or are under investigation on drug-related charges.

International narcotics control.

Additional funding has been appropriated for international narcotics control assistance. Under certain circumstances U.S. agents will be allowed to participate in foreign narcotics control activities, including foreign arrests.

Interdiction activities. Both the Coast Guard and the Customs Service are given additional authority and resources for interdiction efforts including increasing the Coast Guard's active duty military strength and installing improved radar systems on Coast Guard long-range surveillance aircraft.

Anti-smuggling provisions. Requirements for reporting the arrival and departure of vessels and penalties for failing to report are increased. Penalties are increased for falsifying cargo manifests and for unauthorized unloading of passengers or cargo.

Treatment and rehabilitation. For this fiscal year, \$262 million has been appropriated for alcohol and drug abuse treatment, prevention, and rehabilitation programs. Forty-five percent of the money for States will be distributed on the basis of population and 55 percent on the basis of "need." (A working definition of need is still being developed.)

The legislation establishes the Office of Substance Abuse Prevention (OSAP) within the Alcohol, Drug Abuse, and Mental Health Administration (ADAMHA). OSAP will sponsor workshops on drug and alcohol abuse prevention, coordinate Federal research findings on the prevention of substance abuse, develop effective substance abuse prevention literature and public service announcements, and establish a national clearinghouse for alcohol and drug abuse information.

Drug education programs. For fiscal year 1987, \$200 million was appropriated for drug and alcohol abuse education and prevention programs. Funding is being allotted on the basis of each State's school-age population,

Table 1

Allocation of narcotics control formula grant funds

Alabama	\$ 823,000	New Jersey	\$ 5,194,000
Alaska	2,996,000	New Mexico	1,400,000
Arizona	2,478,000	New York	11,539,000
Arkansas	1,964,000	North Carolina	4,383,000
California	16,866,000	North Dakota	925,000
Colorado	2,506,000	Ohio	7,169,000
Connecticut	2,470,000	Oklahoma	2,549,000
Delaware	886,000	Oregon	2,168,000
District of Columbia	889,000	Pennsylvania	7,858,000
Florida	7,555,000	Rhode Island	1,101,000
Georgia	4,210,000	South Carolina	2,578,000
Hawaii	1,154,000	South Dakota	939,000
Idaho	1,124,000	Tennessee	3,456,000
Illinois	7,660,000	Texas	10,662,000
Indiana	3,913,000	Utah	1,521,000
Iowa	2,290,000	Vermont	832,000
Kansas	2,021,000	Virginia	4,042,000
Kentucky	2,813,000	Washington	3,237,000
Louisiana	3,282,000	West Virginia	1,702,000
Maine	1,222,000	Wisconsin	3,464,000
Maryland	3,226,000	Wyoming	816,000
Massachusetts	4,114,000	Puerto Rico	2,530,000
Michigan	6,141,000	Virgin Islands	567,000
Minnesota	3,103,000	American Samoa	522,000
Mississippi	2,122,000	Guam	574,000
Missouri	3,622,000	Northern Mariana Islands	512,000
Montana	1,013,000		
Nebraska	1,497,000	Total	\$178,400,000
Nevada	1,081,000		
New Hampshire	1,119,000		

Source: Bureau of Justice Assistance Information Alert, no. 2, October 30, 1986.

except that no State will receive less than 0.5 percent of the funds and 8 percent a year will go directly to institutions of higher education.

Other provisions include establishing drug abuse treatment programs for Native Americans, prohibiting the interstate transportation and sale of drug paraphernalia, expanding authority to the National Park Service to control

drugs within its jurisdiction, and granting the Federal Communications Commission the authority to revoke licenses of those engaged in drug activities.

Information in this article is from the *Congressional Record*, October 17, 1986; *Congressional Quarterly*, October 25, 1986; and *DEA Enforcement Report*, October 24, 1986.