Drug Use Among a Misdemeanant Population: An Examination of Some Drug Use Forecasting Data For Omaha, Nebraska

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The last several years have been witness to an explosion of knowledge concerning drug use and its connection with crime and the criminal justice system. An extensive literature has developed on a myriad of interrelated topics related to drug use and the criminal justice system. Consider, for a sampling of topics, the impressive volume Drugs and Crime edited by Michael Tonry and James Q. Wilson (1990). This volume, essentially a series of papers reviewing research literature, includes such topics as drug abuse in the inner city, state and local enforcement strategies, drugs and predatory crimes, drugs and consensual crimes, drug testing, intoxication and aggression, drug abuse treatment, and drug abuse prevention. Behind each review in the volume, are dozens of research articles and reports reflecting the tremendous increase in our knowledge about the drug-crime/criminal justice nexus. Other volumes (e.g. Akers 1992; Weisheit 1990) have been published in recent years which also attest to this knowledge explosion and the diversity of the themes that make up this extensive research literature.

Over the past two decades, researchers studying drugs and crime have employed a variety of methods to produce findings in support of the drug-crime connection including criminal justice records, self-report surveys, and the evaluation of physical evidence through urinalysis. Using these techniques, alone and in combination, they have been able, for example, to demonstrate linkages between hard drugs and criminal behavior, (e.g. Johnson, et al. 1985; Wish and Johnson 1984; Chaiken and Johnson 1988; Nurco

1985) make estimates of the prevalence of drug use among criminal populations (e.g. Chaiken and Chaiken 1982; Chaiken and Chaiken 1990) and specify drug trends in the general population and make forecasts of drug epidemics (e.g., Johnston, O'Malley, and Bachman 1988; Wish 1990; Wish and O'Neil 1990).

The purpose of this paper is not to review the extensive research on drugs and crime. It suffices to point out that although research on drug use, crime, and criminal justice has covered most of the spectrum of criminality, much of the concern, and much of the research and scholarship has been with the connection between drugs and serious crime. Less attention has been given to the connection between drugs and what are frequently thought to be more minor criminal offenses. This paper attempts to expand our knowledge of drug use among populations involved in law breaking by examining some drug-use indicators in a sample of felony and misdemeanor arrestees in one city, Omaha, Nebraska. In particular we will make comparisons on selected drug-use indicators for various misdemeanant subpopulations such as those arrested for DUI with those arrested for other offenses, and compare them with each other and with felons in order to determine the extent to which they differ. Knowledge about these potential differences is important especially from a policy perspective. For example, if felony and misdemeanor offenders differ substantially in terms of drug use behavior, than it is probably appropriate to adjust policies to reflect these differences. On the other hand, if they

are similar in their drug use behavior, then common policies might

suffice.

Methods

The data generated by the Drug Use Forecasting (DUF) Program

for the city of Omaha makes the comparison of criminal

subpopulations possible through the analysis of both self-report

and urinalysis data. The DUF program has been described by Wish

and Gropper (1990) in considerable detail.   Pilot tested in New

York City in 1986, the program was expanded to several additional

cities and by 1990, 24 cities were active DUF sites.   The sites

vary with regard to the populations tested, and whether or not

they test females and juveniles in addition to adult males. The

general protocol for DUF is described by the National Institute of

Justice as follows.

> 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.
> Response rates are consistently high with more
> than 90 percent of the arrestees approached
> agreeing to be interviewed. Approximately 80
> percent of those interviewed provide urine
> specimens.
>
> To obtain samples with a sufficient distribu-
> tion of arrest charges, DUF interviewers,
> where possible, limit the number of male
> booked arrestees who are charged with the sale
> or possession of drugs. Because such persons

are likely to be using drugs at arrest and are
under sampled, DUF statistics are frequently
minimum estimates of drug use in the male
arrestee population. Males charged with
driving offenses generally are excluded from
the samples due to DUF's emphasis on more
serious crime. In Omaha, however, all male
arrestees brought to the booking are included
in the DUF sample.

DUF urine samples are analyzed for 10 drugs: cocaine, opiates,
marijuana, PCP, methadone, bensodiazepines, methaqualone,
propoxyphene, barbiturates, and amphetamines, and the results of
the analysis are linked to arrestees' interview and booking data.
The DUF interviews result in data on education, employment, legal
and illegal income, alcohol and drug treatment, sexual behavior,
self-reported drug use and related behaviors.

Those DUF sites that have adequate numbers of arrestees, use
the following priorities for determining who will be included in
the sample (Wish and Gropper, 1990). Highest priority is given to
arrestees charged with non-drug felonies followed by those charged
with non-drug misdemeanors, followed by those charged with drug
felonies, and finally those charged with drug misdemeanors. With
few exceptions, DUF sites exclude traffic offenders. In general
then, DUF samples of adult males favor those arrested for more
serious crimes and under sample the least serious and traffic
offenders. Wish and Gropper (1990: p.369) describe some of the
limitations of DUF samples as: (1) resulting in conservative
estimates of drug use due to under sampling; (2) not bearing
directly on the link between drug use and crime since drug use
resulting in positive urinalysis outcomes may not be temporally

linked to the crime or arrest; and (3) probably resulting in underestimates of self-reported behaviors.

The Omaha DUF Sample

As was noted in the NIJ description of DUF data collection procedures, Omaha, Nebraska is one of the exceptions to the original DUF protocol. In Omaha nearly all adult male arrestees are eligible for inclusion in the sample. This means that in Omaha, certain traffic offenders as well as non-traffic misdemeanants are included in the DUF sample in addition to felons. Omaha first became an active DUF site in July of 1987, and after an initial effort, the site was dormant until second quarter of 1990. Since that time, data collection has taken place each quarter. The DUF data base for Omaha now includes interviews and urine samples from approximately 2200 arrestees. Data for 1958 arrestees was available for the analysis presented in this paper. Of those 676 (34.5%) were arrested for felony offenses, and 1282 (65.5%) for misdemeanor offenses. Of those classified as arrested for misdemeanor offenses, about 30 percent were arrested for traffic offenses.

The analysis presented in this paper is a preliminary attempt to examine the prevalence of selected drug-use indicators among various categories of arrestees in Omaha's DUF sample. In particular, comparisons are made of arrestees charged with felonies, misdemeanors and certain traffic offenses in order to determine the extent to which they exhibit and self-report common

drug uses behaviors. It is important to note that limitations of the DUF data described by Wish and Gropper (1990) and mentioned above are applicable to the Omaha DUF sample. In addition, it should be pointed out that the analysis reported here is descriptive and only applies to the actual Omaha DUF sample. No attempt is made to extend the findings from the analysis beyond the Omaha sample.

Measures of Drug Use and Related Behaviors

Eleven drug use indicators were selected for use in the analysis presented in this paper. Three indicators are outcomes from the analysis of urine samples and the other 8 are self-reports of drug related behaviors. It should be noted that although these indicators are only but a few of a much larger number of indicators that could have been selected. They were selected because they are reasonably straight forward and facilitate making comparisons across various groups of arrestees in the Omaha DUF sample.

Drug Use Indicators. The three urinalysis drug use indicators are: (1) testing positive for marijuana; (2) testing positive for cocaine; and (3) testing positive for any drugs other than marijuana. It should be noted that the last two indicators are not mutually exclusive since arrestees testing positive for cocaine are also in the latter indicator category. These three indicators were chosen since marijuana and cocaine account for nearly 88 percent of

all positive tests for arrestees in the Omaha sample, and the last indicator, testing positive for drugs other than marijuana, is a concise way of capturing positive urinalysis outcomes for the remaining drugs.

The self-report drug use indicators include responses to three interview items which ask the arrestee if they have ever tried marijuana, cocaine, or crack. Three other self-report indicators are responses to questions about marijuana, cocaine, and crack use within the last three days (72 hours). The other two self-report indicators used in this analysis are whether or not the arrestee reports ever having used drugs intravenously (IV drug use) and whether or not the arrestee reports undergoing treatment for drug abuse.

Classifying Omaha DUF Arrestees. Initially, all arrestees that come into the Omaha DUF sample are classified as being charged with a felony or misdemeanor on the basis of the most serious offense for which they were arrested. The Omaha DUF felony category includes those who were arrested on the basis of a warrant as well as those arrested without a warrant. All arrestees not placed into the felony category are placed into the misdemeanor category.

In the present analysis, arrestees initially placed into the misdemeanor category were re-classified using five different categories: (1) charged by warrant; (2) not charged by warrant; (3) non-traffic charge; (4) DUI (driving under the influence); and (5) other traffic charge. It should be kept in mind that these are

not necessarily mutually exclusive categories. For example, an arrestee could be placed into both the "other traffic charge" category as well as the "charged by warrants" category. On the other hand, the "DUI" category does not include "arrestees charged by warrants."

These five categories were used because they are based on very different types of charges (traffic, DUI, and non-traffic) and different methods of entry into the arrest process (warrant and non-warrant). Given these basic differences in charges and method of entry into the criminal justice system for Omaha DUF arrestees, it seems reasonable to expect differences in both urinalysis and self-report data across the different categories of misdemeanor arrestees. One might expect for example, differences in urinalysis outcomes for those arrested for non-traffic misdemeanors when compared with those arrested for traffic violations, or those charged with a warrant when compared with those not charged by a warrant, if in fact they represent different populations of offenders from different drug-use populations.

Findings

The findings from the analysis of Omaha DUF data are presented in Table 1. Two types of cell information are provided in the table: proportions which represent the prevalence in the Omaha sample of a drug-use indicator among an arrestee category, and the number of arrestees on which the prevalence estimate is based.

<u>Felonies Versus All Misdemeanors.</u> The first comparison to be made across the 11 drug use indicators is felony arrestees with all misdemeanor arrestees in the Omaha DUF sample. For these two categories, the proportions indicating the prevalence of a drug-use indicator is similar for several of the 11 drug-use indicators. The proportion testing positive for marijuana was .27 versus .26 for felons. The proportion testing positive for cocaine was .17 for felons and .11 for arrestees charged with misdemeanors. Among felons, .20 tested positive for drugs other than marijuana and the proportion for misdemeanors was .14. The proportion of felons self-reporting having tried the three indicator drugs was .79 for marijuana, .38 for cocaine, and .20 for crack. For misdemeanor arrestees the proportions were .76 for marijuana, .33 for cocaine and .17 for crack.

(Table 1, About here)

While the prevalence of self reports of drug use within the past 72 hours is similar for both felony and misdemeanor arrestees, there is some divergence on the 72 hour marijuana use indicator. Nearly one fourth (.25) of the felony and just under one fifth (.19) of the misdemeanor arrestees reported marijuana use during the past 72 hours. The proportions for the other two 72 hour drug use indicators, cocaine and crack, are .04 and .05 for felony arrestees and .02 and .02 for misdemeanor arrestees. The prevalence of the final two self report drug-use indicators, IV

drug use and self-reported drug treatment, is similar for felony (.19 and .16) and misdemeanor arrestees (.04 and .04).

Overall, the comparison of Omaha DUF felony and misdemeanor arrestees, indicates that they are quite similar in terms of their drug use behavior when the 11 indicators used in this analysis are examined, a finding previously noted by Wish and Gropper (1990; p. 372). The one major exception is testing positive for cocaine: the proportion of felony arrestees was .20 but only .14 for misdemeanor arrestees.

Misdemeanor Versus Misdemeanor. An examination of the prevalence of the 11 drug use indicators when misdemeanor arrestees charged by a warrant are compared with those not charged by warrant indicates that these two arrestee groups are quite similar. Most of the differences in proportions for the two groups are less than five one-hundredths (.05). The largest difference is for the self-reported 72 hour marijuana indicator. A larger portion (.21) of arrestees not charged by a warrant than arrestees charged by a warrant (.16) reported the use of marijuana within the past 72 hours.

A comparison of arrestees charged for non-traffic offenses with those charged for driving under the influence (DUI), indicates that they are strikingly similar across nearly all of the drug use indicators. Nearly all of the proportions are within one or two one-hundredths (.01 - .02) of each other, and the largest differ-ence is for the self reported cocaine use indicator.

The analysis indicates some differences in the pattern of prevalence rates for the drug-use indicators for the arrestees in the "other traffic"[1] category and for those in the DUI category. A substantially larger proportion of arrestees in the other traffic category tested positive for cocaine than did DUI arrestees (.16 versus .09), and for marijuana (.18 versus .14). The proportions of other traffic arrestees self-reporting having tried cocaine (.30) or self-reporting marijuana use within the past 72 hours (.15) are notably smaller than for DUI arrestees (.39 and .22 respectively).

Misdemeanor arrestees in the other traffic category are similar to the non-traffic arrestees on most of the drug-use indicators with the most obvious exception being that a larger proportion tested positive for cocaine (.16 versus .10) and for marijuana (.18 versus .14). The other notable exception is that .15 of the arrestees in the other traffic charge category self-reported marijuana use within the past 72 hours which compares to .19 for non-traffic charge arrestees.

Traffic Misdemeanor Versus Felonies.   Misdemeanor arrestees charged with DUI are similar to those charged with felonies on most drug-use indicators with two notable exceptions. In comparison to those charged with felonies, a smaller proportion of DUI offenders tested positive for cocaine (.09 versus .17), and tested positive

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[1] Nearly 80 percent of the arrestees in this category were charged with driving on a suspended license, or failure to appear in court for a prior traffic offense.

for any drugs other than marijuana (.12 versus .20).   Arrestees
with other traffic charges are quite similar to felony arrestees on
the drug tests.   The proportions testing positive for the other
traffic charge arrestees are .27 for marijuana, .16 for cocaine,
and .18 for drugs other than marijuana.   This compares to felony
arrestees as follows: .27 test positive for marijuana, .17 test
positive for cocaine, and .20 test positive for drugs other than
marijuana.   Two of the larger differences between the felony
arrestees and the other traffic charge arrestees are for the self-
report indicators for having tried cocaine and IV drug use.   The
proportion of felony arrestees reporting having tried cocaine is
.38 and for other traffic charge arrestees it is .30; the propor-
tion of felony arrestees reporting IV drug use is .19 and for other
traffic charge arrestees it is .13

Discussion and Conclusion

In general, the findings from the analysis of Omaha DUF data
seem to indicate considerable similarity on several drug-use
indicators among Omaha arrestees regardless of charge category.
Although some obvious differences   were found to exist, e.g.
testing positive for cocaine, and testing positive for drugs other
than marijuana, Omaha's traffic arrestees are similar to those
arrested for non-traffic misdemeanors, and quite similar to those
arrested for felony offenses.

The differences for the drug-test indicators found in this analysis would probably be reduced considerably had felony and misdemeanor arrestees charged with possessing or selling drugs been deleted from the analysis. Indeed, the prevalence rates for the drug-test indicators are considerably higher for arrestees in these two charge categories. For those charged with felony possession or sale of drugs in the Omaha sample, the proportion testing positive is .48 for marijuana, .42 for cocaine, and .45 for drugs other than marijuana. The magnitude of these proportions inflates the prevalence rates for the felony arrestee category and exaggerates differences between those arrested for felonies and those arrested for traffic and non-traffic offenses.

These findings have several implications regarding the involvement of arrestee populations in drug use. First, and as previously mentioned, the similarities across most of the indicators would seem to suggest the possibility, that in Omaha, the bulk of those arrested, regardless of the level of offense (felony, misdemeanor, traffic) may come from the same criminal and or drug use population. The Omaha DUF data provide no information on prior criminal history, so we are unable to determine if those charged with felonies and those charged with misdemeanors are really different with regard to overall patterns of criminality and involvement in the criminal justice system. Perhaps today's misdemeanor arrestee is yesterday's felony arrestee and vice versa. Research (Gould and MacKenzie, 1990; Argeriou, McCarty, and Blacker, 1985) on the link between DUI and other forms of criminal

behavior, indicates that those arrested for DUI may have considerable involvement in other forms of criminal activity. Similarly, Omaha's traffic arrestees may come from a more general population of those involved in criminal behavior; if so, one would expect them to be more similar than different with regard to drug use behaviors when compared to other types of arrestees.

Wish and Gropper (1990: 355) have pointed out that research describing the lifestyles of criminal offenders who are drug users pinpoints their general lack of dependability and deceptiveness. These two traits appear to fit the traffic off⌐nders in Omaha's DUF sample, given the fairly large percentage who were arrested because they have outstanding warrants for failure to appear, or for driving on a suspended license. A lack of responsibility, if not dependability, would seem to be an appropriate description of Omaha's DUI offenders, a trait that they have in common with the more general offender population involved with drugs.

The analysis of the Omaha DUF data would seem to suggest that drug testing programs, whether for research, criminal justice screening, monitoring, forecasting, deterring, or making prevalence estimates need to make sure that offenders charged with more minor offenses, including certain traffic offenses, are taken into account. For example, court ordered alcohol treatment for certain DUI offenders, may be misdirected and ineffectual if those charged with DUI are also involved in drug use. At the local level, law enforcement strategies based on assumptions that exclude certain categories of traffic offenders need to be reassessed and possibly

reconfigured in order to increase their effectiveness. Policies, programs and estimates that rely on testing and data collection that excludes such offenders are likely to be less than optimal in their ability to produce desired outcomes.

Finally, the analysis presented in this paper is preliminary, and the examination of several other drug-use indicators is necessary to develop a more complete and accurate picture of the involvement of Omaha's misdemeanor and traffic arrestees in drug use. At the city level, Drug Use Forecasting data have the potential to do much to inform us about the characteristics of one segment of the population, those involved in law breaking and those who come into the criminal justice process who are also involved in drug use. Such information can be extremely useful in shaping solutions to a cities drug problem.

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Table 1. Prevalence of Selected Drug Use Indicators: Misdemeanors Compared to Felony Arrestees

Drug Use Indicators	Felonies (N=676)	All Misdemeanors (N=1282)	Misdemeanor: Charged by Warrants (N=415)	Misdemeanor: Not Charged by Warrants (N=832)	Misdemeanor: Non-Traffic Charge (N=899)	Misdemeanor: DUI (N=189)	Misdemeanor: Other Traffic Charge (N=194)
Tests positive for Marijuana	(184) .27	(337) .26	(105) .25	(223) .27	(233) .26	(51) .27	(53) .27
Tests positive for Cocaine	(112) .17	(138) .11	(52) .13	(82) .10	(92) .10	(16) .09	(30) .16
Tests positive for any drugs other than Marijuana	(136) .20	(184) .14	(58) .14	(120) .14	(127) .14	(22) .12	(35) .18
Self reports having tried Marijuana	(533) .79	(970) .76	(326) .79	(620) .75	(679) .76	(141) .75	(150) .77
Self reports having tried Cocaine	(256) .38	(421) .33	(141) .34	(269) .32	(289) .32	(73) .39	(59) .30
Self reports having tried Crack	(136) .20	(223) .17	(65) .16	(150) .18	(160) .18	(30) .16	(33) .17
Self reports using Marijuana within the last 72 hours	(168) .25	(247) .19	(65) .16	(177) .21	(175) .19	(42) .22	(30) .15
Self reports using Cocaine within the last 72 hours	(28) .04	(29) .02	(8) .02	(21) .03	(20) .02	(7) .04	(2) .01
Self reports using Crack within the last 72 hours	(36) .05	(26) .02	(11) .03	(25) .03	(29) .03	(2) .01	(5) .03
Self reports IV drug use	(129) .19	(208) .16	(61) .15	(145) .17	(151) .17	(32) .17	(25) .13
Self reports drug treatment	(27) .04	(50) .04	(19) .05	(30) .04	(37) .04	(3) .02	(10) .05