

DRUG ABUSE AND CRIME

What are we measuring, what is the issue ?

Drug abuse is the main cause of crime : this assertion is often presented as self-evident. As long as there is no definition, and *a fortiori*, no quantification of the two terms of the proposition, it is a hodgepodge, tending implicitly to confuse two types of behavior, both punishable, but variously condemned. The advantage of operating this link is easy to see, since it mixes up a wrong done to oneself, an act for which the grounds for repression are often questioned, and a wrong done to another party.

In answer to a query by the ministry of Justice as to the possible quantification of the link between "drug abuse and crime", the CESDIP proposed a study of police documents, on which to base its conclusions. This research project¹, conducted in Paris, looked at the Prefecture of Police services, and particularly the Public Safety and Criminal Investigation departments, the first to handle cases of use of prohibited substances and "petty and moderately serious crime". It is based on the analysis of police documents, reports and case files involving approximately 1,100 individuals, as well as information on their past contacts with the police.

SOME TERMS :

• drug abuser or user of a prohibited substance ?

Implicitly, use of the term *drug abuser* suggests both the use of a substance and the idea that the use is excessive. No definition is ever given for either the nature of the product or the notion of excess, and it would in fact be difficult to do so. We are therefore faced with a vague designation, embracing a great many individuals to whom one may implicitly ascribe behavior that has possibly been documented for a minority of the group. In fact, while the term *drug abuser* is still frequently employed publicly by policing agencies, it is rejected by the police department statistics : in 1988 the ministry of the Interior statisticians eliminated the term, replacing it with the more factual title of *consumer of a prohibited substance*. We, in turn, define the *drug abuser*, or more accurately, the user of a prohibited substance, as an individual who has been identified as such by a policing agency, irrespective of the nature of the substance.

While there is no legal distinction between different categories of prohibited substances, law enforcement agencies do make this distinction. Police documents never mention an infringement of the legislation on narcotics without specifying the nature of the substance involved. We have of course taken note of this. Although our intention is not to participate in the controversy over the existence of "hard drugs" and "soft drugs", we have chosen to retain the expressions, since they refer to clearly defined substances : cannabis and haschich on the one hand, and heroin and,

¹ Barré (M.D.) with the collaboration of Froment (B.) and Aubusson de Cavarlay (B.), *Toxicomanie et délinquance, du bon usage de l'usager de produit illicite*, Paris, CESDIP, Etudes et Données pénales series, n° 70, 212 p. This study was the object of a contract with the Ministry of Justice, and was financed by the *Délégation Générale à la Lutte Contre la Drogue et la Toxicomanie* (General Commission for the Control of Drugs and Drug Abuse).

exceptionally, cocaine on the other. Furthermore, this distinction also intersects with prices for procurement, which are quite different. This makes it important from our viewpoint.

• offenders or offences ?

Offending cannot be attributed to an individual, be he/she a "drug abuser" or other, unless it is elucidated ; that is, unless an offender has been identified. As a reminder : in 1990, reference year for this investigation, thefts and receiving and concealing represented 66% of recorded acts, and 15% of the latter were elucidated by identification of the offender. To whom should all of the others be attributed ? Cases elucidated by the policing agencies are not structurally representative of recorded cases. Why should identified offenders be any more representative of unidentified offenders ? It is clear, then, that our attempt at quantification must be confined to offences attributed to individuals identified by the police as offenders, and cannot extend to offending as a whole.

More specifically, what is the offending alluded to in public discourse ? Not trafficking linked to the illegal nature of the substances, nor the white collar crime perpetrated in connection with it, any more than the crime generated by the conflicts opposing actors on the illegal market. No, what is generally referred to is *petty crime*, the kind that is supposed to *worry French people*. As stated in an official document : *They [drugs] are by far the primary cause of crime : 50% of cases of petty crime. Mounting figures for crime in recent years, which cause so much anxiety among French people, are rooted in the drug problem*².

As for us, we have taken care to ventilate the data collected during our investigation, breaking them down into cases involving use of prohibited substances on the one hand, sales and trafficking, secondly, and last, the cases of *petty and moderately serious crime*" mentioned above. These three categories will be termed illegalisms. While it is interesting to measure the involvement of individuals in both the use of a prohibited substance **and** in petty and moderately serious crime, we feel it is just as worthwhile to measure the involvement of individuals in another pair of illegalisms : use of a prohibited substance **and** sale or trafficking of such substances.

• dual involvement of individuals

For the entire group, aside from information on the case motivating the individual's presence in the sample, which presence supposes involvement in a police procedure as a suspect, we have information on whether or not the person has previously been accused of use, or of any other offence. These findings, taken as a whole, determine whether the person is a *user* and/or an *offender*.

If the definition of involvement of an individual in use of a prohibited substance or in any other category of offence is his/her designation as a suspect by the criminal investigations

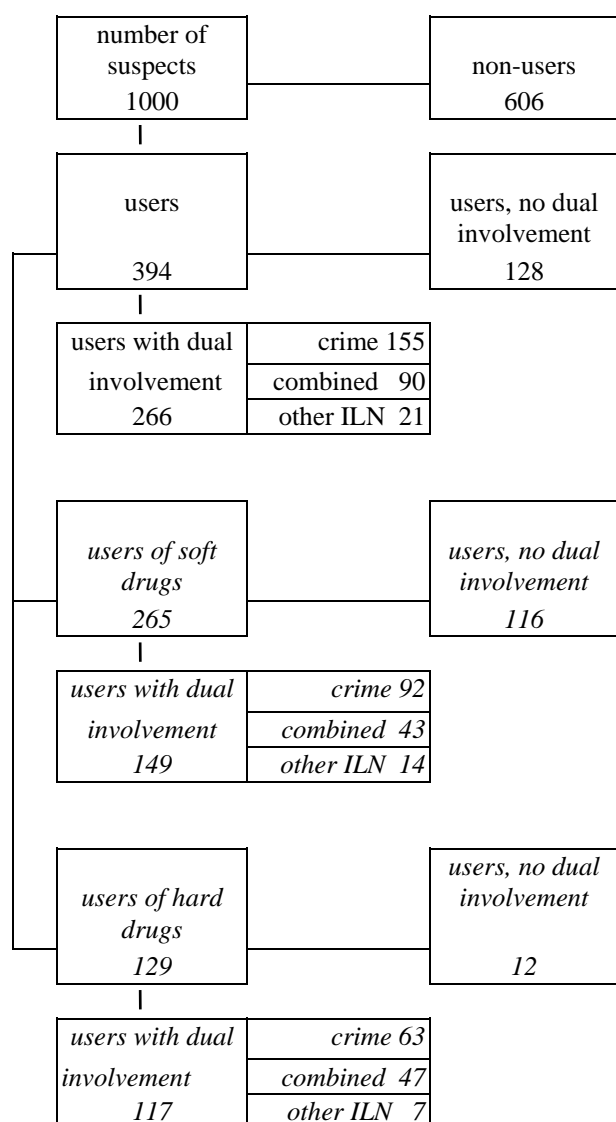
² Interministerial Committee, September 23, 1986. Here, as in statements published in the press, we note the absence of any documented source.

department, dual involvement may be defined as follows : the fact, for an individual, of being or having been designated as a suspect for drug use **and** for some offence other than drug use.

For the purposes of this study, the category *offence other than drug use* has been subdivided into suspected of infringement of the legislation on narcotics other than the offence of use, called *other ILN* hereafter, and suspected in a case unrelated to the legislation on narcotics, called *crime* hereafter. A user may obviously be involved in both an *other ILN* case and in a *crime* case, in which instance the dual involvement will be called *combined* (see figure 1). An example of this would be an individual suspected of use, with a past history of trafficking and theft.

Now that these terms have been defined, we will discuss two aspects of the issue at hand : the nature of the dual involvement of users and the extent of this involvement in comparison with the group of *offenders* as a whole.

figure 1 : breakdown of a group of 1,000 suspects according to use of a prohibited substance and the nature of that use, and dual involvement



USERS OF PROHIBITED SUBSTANCES AND THE NATURE OF THEIR DUAL INVOLVEMENT

The steps in this analysis correspond to three questions. Figure 1 shows the answers to these questions for 1,000 suspects. It may easily be read in percentage form.

(1) What is the extent of the phenomenon of use of a prohibited substance among individuals designated as suspects by the criminal investigations department ? In other words, over and beyond the number of people suspected specifically of the offence of drug use, what proportion of the entire population of suspected individuals may be termed *drug users* ?

On the whole, 39% of the individuals designated as suspects by the criminal investigations department may be labelled *drug users* on the basis of our criteria - that is, considering their past history. The size of the group of suspects for ILN weighs considerably on this proportion, which therefore reflects police activity in this domain, to a large extent (the latter represent 28% of all suspects, but 87% of them are designated as users). More specifically, 13% of suspects may be considered to be users of hard drugs.

(2) What proportion of those identified users are or have been involved in some case other than the use of a prohibited substance ; that is, what is the proportion of dually involved users ?

All users are not or have not necessarily been involved in cases of a different nature. We find that 27% of suspects are dually involved users (15% in the case of soft drug users and 12% for hard drugs).

(3) Last, is dual involvement confined to the sale of and trafficking in prohibited substances (dual involvement *other ILN*), does it include other cases unrelated to the legislation on narcotics (dual involvement *crime*), or is this dual involvement *combined* ?

For the question at hand, that is, the possibility of determining what proportion of suspects may be labelled *offenders* and *users*, it is important to look at the proportion of dually involved users remaining once those involved solely in narcotics use/resale or trafficking have been excluded. For the user group as a whole, the elimination of dual involvement for *other ILN* hardly affects the total proportion of dually involved users (which drops from 27 to 25%). The same is true for hard drug users (the proportion goes from 12 to 11%). This means that dual involvement usually rests on at least one case of suspected *crime* ; actually, dual involvement is limited to *crime* in more than half of cases.

Last, involvement in use/resale or trafficking is more frequent, relatively speaking, for hard drug users. Of the 26% of soft drug users, 6% were at some point involved in use/resale or trafficking cases, whereas 5% of the 13% of hard drug users were involved in use/resale or trafficking offences : that is, nearly twice as many, proportionately. Where hard drugs are concerned, the "pure" user taken in by the law enforcement agencies is a less frequent phenomenon, probably because procurement costs oblige these people to resort to resale activities, which activities tend to increase their visibility and/or lead the police to take more interest in them.

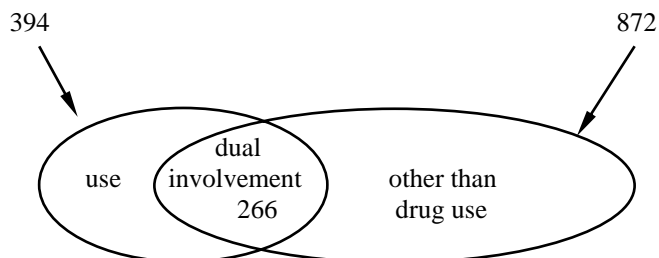
THE WEIGHT OF DUAL INVOLVEMENT : IT DEPENDS ON THE DENOMINATOR

Individuals may be classed on the basis of two criteria, then :

- suspected of or previously involved in a drug use case ?
- suspected of or previously involved in an offence other than drug use ?

All those for whom the answer to both questions was *yes* are dually involved.

The following diagram shows the findings for 1,000 suspects :



It is easy to see that dual involvement may be compared either to the user group as a whole (394) or to individuals suspected of another offence (872), and that the magnitudes are not comparable. Thus, 68% of users are dually involved, whereas only 31% of individuals suspected of another offence are also users. It is the latter proportion that interests us.

Indeed, we are concerned with the following question : how many of the individuals suspected of petty or moderately serious crime may be labelled users ? Furthermore, dual involvement in drug use and crime does not necessarily mean that there is a causal link between the two. Be this as it may, in the hypothesis that crime is a necessary source of income for users, and therefore actually a foreseeable consequence of use, we must confine this category to users of what are known as hard drugs. The fact that the nature of the substance is never specified generates confusion. Now, if we look at the ratio of dually involved hard drug users over suspects for petty and moderately serious crime, similar calculations yield a figure of 13%.

We - no more, in fact, than anyone else - have no response to the question of the link between crime in general, most of which is not elucidated, and the use of a prohibited substance. But conversely, our findings represent a methodologically sound indication of the frequency of the involvement of individuals suspected of petty and moderately serious crime in cases of use of hard drugs : that is, 13%.

In conclusion, the analysis of police sources shows that the category *use of a prohibited substance* refers to different types of involvement in *crime*, varying substantially with the nature of the substance used. For this reason, as an all-embracing notion, it seems rather irrelevant to analysis and liable to contribute to all sorts of deliberate confusions.

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