

The Abell Report

What we think about, and what we'd like you to think about

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ABELL SALUTES: Vehicles For Change, Inc.: The Family Car as a Vehicle for Improving Family Life

Can a family car improve the quality of life for the family? Vehicles For Change (VfC), a program that puts a car within reach of any family that needs one, makes the claim that ownership of a car can, and often does, make a critical difference. VfC has data that make their case.

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*The average family
of three costs the state
\$9,648 in temporary
cash assistance and food
stamps each year, using
Carroll County
as a model.*
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VfC, serving Baltimore City and Prince George's and Carroll counties, is modeled after Cars for Careers, created by

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Needed: A Sane Approach to the Enforcement of Marijuana Laws

Current enforcement generates 13,000 arrests annually and lands 3,000 in pre-trial detention and 7,000 in drug treatment programs – with no clear benefit to the communities or individuals involved.

Communities across Maryland are working to control drug use and associated crime. However, as they do so, they need to make clearheaded assessments of their policing and enforcement efforts. As this *Abell Report* shows, communities should not reflexively assume that tough marijuana enforcement contributes to their efforts to reduce substance abuse.

In the recently published "Assessing the Crackdown on Marijuana in Maryland," Peter Reuter, with co-authors Paul Hirschfield and Curt Davies, examines the records of arrests and incarceration for marijuana possession 1991 to 1998, using state arrest data and more detailed information from Baltimore City, Montgomery County, and Prince George's County. In addition, they explore marijuana enforcement as an adjunct of other policing activity and the use of drug treatment as a sanction for marijuana possession.

What the authors find in the data is a clear picture of increased arrests and time spent in jail. What they could not find from police interviews and "ride-alongs" is any clear indication of why these increases have occurred.

Upsurge in Arrests

Marijuana enforcement has intensified in Maryland in recent years, as it has in most of the United States. Arrests for marijuana possession in Maryland more than doubled, from 6,262 in 1992 to 13,501 in 1997.

The brunt of increased enforcement has been borne disproportionately by juveniles (those under 18 years of age) and by blacks.

- While the number of possession arrests almost doubled for individuals age 18 to 44, it increased six fold for those under age 18 (Table 1). By 1997 marijuana possession was the third most common arrest offense for adolescents.
- The arrest rate for whites increased from 135 to 219 per 100,000 (62% increase). During the same period, the arrest rate for blacks increased from 122 to 413 per 100,000 (239% increase).

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TABLE 1
Marijuana Possession Arrests in Maryland, 1980-1997, by Age and Race

Year	Total	Under 18	18-44	Black	White	Any Other Drug
1980	9199	3203	5930	3398	5775	2108
1985	7206	1719	7140	3665	5230	4397
1990	6489	586	5800	1733	8132	11512
1991	5661	470	5094	1422	4225	12029
1992	6262	639	5502	1543	4693	12850
1993	7200	1125	5934	2141	5032	14674
1994	9250	2253	6787	3351	5848	13947
1995	11661	3251	8207	4523	7068	15265
1996	12508	3968	8282	4935	7514	11797
1997	13501	3843	9353	5775	7667	12655

TABLE 2
Marijuana Possession Arrests Rates in Maryland, 1980-1997, by Age and Race
(per hundred thousand population)

Year	Over 12	12-17	18-44	Black	White	Any Other Drug
1980	220	694	326	354	182	49
1985	204	431	353	345	159	99
1990	135	167	265	145	235	239
1991	116	132	231	115	122	247
1992	127	176	252	122	135	262
1993	144	301	273	166	144	296
1994	185	586	313	255	167	279
1995	232	822	379	336	202	303
1996	247	990	382	359	215	233
1997	264	934	433	413	219	248

Reuter et al. point out that although rates of marijuana use in the overall population have remained stable over the past decade, there has been a decline in the rate of adult use and an increase in adolescent use. In three Maryland jurisdictions for which data are available, there was a doubling of marijuana use by adolescents between 1992 and 1998. While

this undoubtedly contributes to the increase in juvenile arrests for possession, especially given that adolescents are more vulnerable to arrest, it is not sufficient to explain a sixfold increase in adolescent arrests.

Similarly, an increase in marijuana use rates among blacks may contribute to their increased arrest rate, but it cannot

explain most of the observed racial disparity. Although the authors did not have access to data on the rates of marijuana use among blacks in Maryland, national data indicate a substantial increase in use by blacks. In 1992, a national survey estimated that 3.9 percent of blacks age

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**Between 1992 and
 1997, teen-age arrest
 rates rose sixfold.**
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13 and over had used marijuana in the past month. By 1998, that estimate had risen to 6.6 percent. However, that increase, if applied to Maryland, would account for only half of the rise in the ratio of black/white arrests between 1992 and 1997.

The critical point, according to Reuter et al., is that there has been an extraordinary increase in arrest rates for marijuana possession among juveniles

and blacks during the 1990s. This increase cannot be accounted for solely (or even primarily) by changes in marijuana use by these groups. By 1997, a male adolescent marijuana user faced a ten percent probability of arrest in the course of a year. For black adolescents, the probability was even higher.

Incarceration

Although most people arrested for marijuana possession avoid incarceration, a significant number do spend some time in jail. Reuter et al. did not have access to sufficient data to track the outcome of all arrests. Since juvenile records are not available to the public, the authors could analyze only the outcome of adult marijuana arrests in 1998-99.

Most adults who spent time in jail due to their arrest for marijuana possession did so before their case actually went

to trial. In August 2000, only 38 individuals were serving state prison sentences (where they might serve more than one year) for which a conviction for marijuana possession was the most serious offense. (In many other cases, possession was one of a number of offenses.)

However, among male arrestees whose most serious charge is possession of marijuana or possession with the intent to distribute (PWID), the data indicate that between 23 and 29 percent did spend at least one night in jail – a result of pre-trial detention (Table 3). A substantial portion spent more than ten days in jail.

The data for each of the three jurisdictions show that black arrestees were more likely to be subject to pre-trial commitment than were white arrestees, though the difference was modest in Montgomery County. And in each jurisdiction, blacks who spent time in pre-trial

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TABLE 3
Jail Time for a Sample of Male Adult Marijuana Possession and Possession with Intent to Distribute (PWID) Arrests by County and Race

	Baltimore City		Montgomery County		Prince George's County	
	Black	White	Black	White	Black	White
Sample size	248	40	147	142	279	48
0 days	75%	90%	71%	80%	69%	83%
1 day	4%	5%	7%	7%	8%	8%
2-10 days	6%	0%	9%	5%	14%	7%
11-50 days	10%	5%	10%	6%	3%	0%
>50 days	5%	0%	3%	2%	6%	2%
Mean	8	1	6	4	9	3
Adjusted Mean*	6	1	5	3	5	1
Longest	241	36	71	200	273	110

*Mean calculated with all those serving more than 50 days being put at exactly 50 days
 Source: Authors' analysis of Courtlink data

It should be noted that Table 3 presents data from the Courtlink sample of all males for whom marijuana possession, including possession with the intent to distribute (PWID), was the most serious charge, usually the only charge. Though PWID is a more serious charge legally, analysis of data on amounts from Prince George's County suggested that such arrests were often indistinguishable from simple possession charges. In addition, neither the individual offender's criminal record nor his current criminal justice status at time arrest is taken into account.

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In 1991, black and white marijuana possession arrest rates in Maryland were almost identical. By 1997, the black rate was double that for whites.

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commitment spent more time in jail than did whites. However, the racial disparity in incarceration was not as pronounced as it was in overall arrests. In addition, the authors issued a caveat about the data, which did not reveal prior criminal histories which might reasonably affect decisions about pre-trial release.

Using the data available, it is possible to make very rough estimates of the total jail time for possession of marijuana in Maryland. In 1997, about 10,000 adults were arrested in Maryland for possession.

Approximately one-third spent some time in jail prior to their trial. After eliminating the statistical outliers (those whose long jail time may be a function of some other charge), the authors estimate that each arrestee held in pre-trial detention spent an average of about seven days in jail.

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Drug Treatment

Many individuals arrested for marijuana possession, both adults and juveniles, avoid incarceration but are admitted to drug treatment programs. In Maryland, the number of marijuana admissions to drug treatment programs rose from 2,718 in 1992 (one-eighth as many as for cocaine or heroin) to 7,245 in 1998 (two-

fifths as many as for cocaine or heroin).

Particularly striking is the rise in youthful admissions for marijuana. Between 1992 and 1998, marijuana admissions for individuals under age 18 rose more than sixfold. In 1992, juveniles constituted less than 20 percent of those admitted with marijuana as the primary drug of abuse; by 1998, they constituted almost half of such admissions. The share of marijuana admissions represented by blacks rose modestly over the period, from one-third in 1992 to two-fifths in 1998.

Those individuals admitted to drug treatment programs for marijuana abuse stay in treatment as long as those admitted for other drug abuse, about four months. They are also just as likely to be admitted for residential treatment as those admitted for other drugs.

One might postulate that the increase in adolescent admissions to drug treatment programs simply reflects a corresponding increase in marijuana abuse and dependency. However, this explanation is problematic. It assumes a need for treatment, which appears to be the exception rather than the rule. Marijuana creates a dependence in about ten percent of those who try it, though generally that dependence is of modest duration and severity. In fact, most adolescents who use marijuana quit

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TABLE 4
Maryland Marijuana Treatment Admissions; 1992-1998

Year	Total	Ratio to Coke/Heroin	Under 18 (%)	Black (%)	White (%)	Justice System Referred	Individual Referral (%)
1992	2718	.12	496 (18)	904 (33)	1768 (65)	1680 (62)	419 (15)
1994	4077	.17	1585 (39)	1386 (34)	2595 (64)	2134 (52)	683 (17)
1996	7307	.29	3526 (48)	2900 (40)	4233 (58)	3962 (54)	1150 (16)
1998	7245	.43	3206 (44)	2941 (41)	4151 (57)	4240 (59)	1066 (15)

Note: These are admissions for which marijuana is the primary drug of abuse. About one third list another, more dangerous drug other than alcohol, as a secondary factor.

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of their own volition without either arrest or demonstrable harm. Thus, it is unlikely that the increase in admissions reflects an actual need for drug treatment for marijuana users of any age. In fact, on this point, the authors found that changes in the arrest rates between 1992 and 1996 accounted for much more of the variation across counties in treatment admissions than did the prevalence of marijuana use.

The significant point is that many individuals arrested for marijuana possession, especially adolescents, find themselves in drug treatment programs as a result of their arrest. This raises the question of whether or not these individuals are receiving services that are useful to them. That is, do they need drug treatment? Or, rather, is referral to a treatment program being used as a mechanism by which young arrestees without prior criminal records can avoid more serious sanctions?

Conclusions

In the late 1990s, Maryland experienced an upsurge in the arrest rates for possession of marijuana, especially among adolescents and blacks. Arrests for marijuana possession in Maryland more than doubled, from 6,262 in 1992 to 13,501 in 1997. Although adolescent use of marijuana increased substantially, as did use by blacks, the increase was not sufficient to explain the large increase in arrest rates for either group.

For many marijuana users, their arrest was followed by some period of pre-trial detention in the local jail. Reviewing data on the adult population, we see that about one-third of adults arrested spent at least one day in jail. Perhaps as many as one-sixth spent a week or more. If arrested, blacks were more likely to be held in pre-trial detention; when held, blacks were likely to spend more time in jail than whites. However, this racial dispar-

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WHY? Marijuana arrests increased markedly in the late 1990s. Do we know why?

To start with, Reuter says, we can eliminate some possible explanations for the increase. It was not caused by a declared police campaign against marijuana use or a major change in the law. It was not related to an overall increase in marijuana use, because use has been stable over the past decade. It was probably not a result of a change in community attitudes, because national survey data indicate no growing public panic about marijuana.

Reuter and his co-authors provide only suggestive information on possible causes. Based primarily on police interviews and “ride-alongs” in Baltimore City, Montgomery County, and Prince George’s County, they speculate that the reasons for the increase in marijuana arrests may include the following:

- The increase in arrests may have occurred as an adjunct of changes in overall policing practices. These include “zero tolerance” and “quality of life” policing that prompt police officers to respond to even small infractions, thereby bringing the officers into more frequent contact with the public. The large number of marijuana arrests which are incidental to traffic violations and disorderly conduct supports this hypothesis.
- Marijuana arrests may be an outcome of generic drug enforcement activity. Police officers target specific places and people for drug enforcement activity. Shifts in behavior of drug market participants may be resulting in more marijuana arrests. Also, focus by police on drug “hot spots,” all of which were identified in minority neighborhoods, may help to explain the racial disparity observed in marijuana arrests.
- Marijuana arrests may be the result of increased focus by senior police management on marijuana. Some of the rise in arrests may reflect the decision of management to encourage officers to give increased priority to marijuana arrests.
- The upsurge in arrests may be caused, in part, by a change in demographics of the user population. Although overall use has been stable, use rates are up for adolescents, who are more vulnerable to detection and arrest.

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ity was not as great as the racial disparity in arrest rates.

Many of those arrested for possession of marijuana were admitted to drug treatment programs. In Maryland, the number of marijuana admissions to treatment programs rose from 2,718 in 1992 to 7,245 in 1998. Although the data did not permit a direct correlation between marijuana arrests and admission to treatment programs, the rates for both arrests and admissions increased six fold between 1992 and 1998. This raises the question of whether treatment programs are being used to the greatest societal benefit. Are treatment programs being used for their primary purpose, to provide assistance to individuals trying to overcome drug dependency? Or rather, are programs being used merely as a convenient (or at least, available) response to marijuana use, however irrelevant treatment services may be to the actual needs of the offender?

The Abell Foundation is concerned about the impact of marijuana enforcement on both the individuals involved and the community at large, as evidenced in this report by Reuter et al. Regarding individual outcomes, Reuter's study prompts us to question whether the many individuals arrested for marijuana possession in Maryland are likely to realize any benefit from the experience. In fact, we suggest, the contrary is more likely to be true: the schooling and employment prospects for these individuals may be permanently harmed by their arrest, conviction, jail time, and/or criminal record. This increase in enforcement in Maryland reflects a national trend toward a more punitive policy for those convicted of drug offenses. In the realm of education, for example, the 1998 Higher Education Act includes provisions that disbar an applicant for one year of loan eligibility for a first conviction; a second conviction leads to a three-year disbarment. Most of those who lose eligibility will have been convicted of sim-

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*While only a tiny
fraction of those
arrested are sentenced
to prison or jail, many
spend time in jail prior
to going to trial.*

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ple marijuana possession only.

The Abell Foundation is concerned too, that in addition to the issue of individual outcomes, Reuter's findings pose serious questions about the use of public resources. The authors note that with 3,000 arrestees spending, on average, a week in jail, Maryland is devoting about 60 jail cells, full-time, to incarcerating individuals against whom the most serious charge is marijuana possession. Similarly, thousands of slots in drug treatment programs — slots for which there are frequently long waiting lists of individuals with debilitating heroin and cocaine dependency problems — are being used by individuals for whom the treatment services are of dubious value.

Reuter estimates the annual cost of marijuana enforcement — the policing, incarceration, and drug treatment — to be about \$30 million. Given this price tag and the questionable benefit to the community and the involved individuals, it is reasonable to ask whether or not the public will is being carried out by the upsurge in marijuana enforcement. As a community, are we pleased with the outcomes of more arrests, more jail time, more use of scarce drug treatment slots, and the consequences of these for the individuals and institutions involved as well as the community at large?

For Full Report, See Abell website
www.abell.org

ABELL SALUTES:

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Martin Schwartz in Howard County. With funding by The Abell Foundation, VfC solicits donated cars, repairs them, and then sells them at minimal cost to welfare mothers and the working poor. Applicants must have a job or a job offer to be eligible to purchase a car. VfC also arranges for financing, and maintenance of the cars for a six-month period following the sale.

Since March 2000, when the program began in Baltimore City, VfC has provided 41 cars to city families. The agency's survey shows that throughout the areas VfC serves, 73 percent of participants in the program have obtained more lucrative jobs, increasing annual income on the average of \$4,127; 92 percent feel "more independent, enjoy increased opportunities in the workplace, are able to spend more time with the family; 100 percent now drive their children to doctors' appointments, day care, and after school activities."

According to Schwartz, "They feel better about themselves and the independence they have gained, and what they are doing for their children. The families report that they are attending religious services on a regular basis, they are able to care for aging family members, and are spending more time with family. Altogether, they feel they can now strengthen their family structure.

"Not only are they making a better life for themselves and their families, they are saving taxpayers millions of dollars. The average family of three costs the state \$9,648 in temporary cash assistance and food stamps each year, using Carroll County as a model."

The Abell Foundation salutes Vehicles for Change and its driving force, Martin Schwartz, for seeing the possibilities of a family car as a vehicle to improve family life.