

DRUGS AND POLICING

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DRUGS AND POLICING

A Scientific Perspective

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This book is dedicated to our families—Brian's wife and best friend Kathleen, daughter Chloe, and son Charles; and the women in Randy's family, his partner in crime Edie and sisters Robin, Nicole and D.D. Without these wonderful people in our lives this project would not be possible.

PREFACE

Efforts to control drugs are not a modern phenomenon. What is modern, however, is the structured, dedicated effort to develop an aggressive police response to control drug use and abuse. In the past several decades, several books have been written about drugs and how society perceives and responds to them. Missing from many of these works, however, is a great deal of attention focused on the law enforcement response to drug use, abuse, and dealing. This is quite interesting given that the criminalization of drugs is such a heated and debated topic as is the enforcement of the laws. Because drugs are criminalized, the law enforcement subsystem is given the task of enforcing drug laws. Yet, little is available in drug textbooks addressing drug law enforcement from a scientific perspective.

This book fills that void by examining the official police response to drugs from a scientific perspective. Objectively addressing why people use drugs, how police strategies relate to those explanations, and different issues that arise in narcotics enforcement provides a foundation that will help students, law enforcement professionals, and policy makers better understand and appreciate the role of the police in the official response to drug use and abuse.

To assist the reader in applying the scientific principle to topics addressed, a number of separate features are included in each chapter. First, boxed inserts, called "In the Streets," are included to describe how various professionals are involved in the response to drugs. Second, boxed inserts, called "Drugs and Research," are included to highlight a particular study or studies that illustrate a relevant topic in the chapter. Third, boxed inserts, called "Tabloid Justice," are included to describe how celebrities may have encountered the drug world. Included with the boxed inserts, tables, and charts are questions, titled "You be the Judge," asking readers to crit-

ically analyze the information included in the inset. Fourth, current tables and charts describing different trends are included to provide readers with information needed to decide what they think about different issues related to the police response to drugs. Finally, at the beginning and end of each chapter, a number of questions are asked, encouraging readers to think critically about the topics discussed.

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DRUGS AND POLICING

Chapter 1

DRUGS AND LAW ENFORCEMENT: A SCIENTIFIC PERSPECTIVE

Things to think about as you read this chapter:

1. What is the difference between a scientific approach to understanding drug use and a personal approach?
2. Do you think certain factors cause individuals to use or abuse drugs?
3. Why is it important to understand the causes of substance use or abuse?
4. How can objectivity influence a police officer's actions?
5. Why is it important for drug researchers to practice ethical neutrality?
6. How can changes in drug control in one area of the world influence local policing?
7. Should individuals be skeptical about the criminal justice system's drug policies?
8. Is the drug problem real?

INTRODUCTION

Well over 1.5 million individuals were arrested for drug crimes each year between 2000 and 2002. In fact, in any given recent year, there are usually more arrests for drug offenses than for any other type of crime. When public intoxication, public drunkenness, and other alcohol-related crimes are added into the mix, over six million people were arrested for drug-related offenses in 2001. To put this into perspective, thirty-six states have a population less than six million. Clearly, law enforcement agencies devote a significant amount of resources and energies to controlling drug use. Consider the following recent cases:

- A convenience store owner was arrested for drug paraphernalia and other drug-related charges after an undercover police officer found that the owner was selling “Love Pens.” Love Pens are crack-pipes that look like pens. Because the store was across the street from a high school, there was concern that safety of the students was being compromised (*Patriot News*, 2004).
- In a drug crackdown labeled “Operation Spring Clean,” law enforcement officers in Donaldsonville, Louisiana, arrested seven people for selling crack cocaine to undercover officers (*Baton Rouge Advocate*, 2004).
- After raiding a crackhouse, narcotics agents posed as drug dealers and waited for unsuspecting crack buyers to come by the crackhouse. In just a couple of hours, the officers arrested two dozen people who tried to buy cocaine at the crackhouse (*Times-Picayune*, 2004).
- While a boat was pulling into Nantucket Harbor, a man saw some police waiting for him and jumped into the water and swam for twenty minutes. Police eventually caught him and his 140 grams of crack cocaine (*Boston Globe*, 2004).
- In Providence, Rhode Island, a police officer was accused of helping a drug dealer avoid arrest and another police officer was arrested for using the police department telephone to order Vicodin (a painkiller) and marijuana from the same drug dealer (*The Providence Journal*, 2004).
- A multi-agency investigation, “Operation Gunslinger,” led to the arrest of individuals in the Reno/Sparkes, Nevada, area for (among other charges) possession with intent to distribute sixteen pounds of methamphetamine. In addition to the drugs, police confiscated \$25,000 and several handguns (*States News Service*, 2004).
- After discovering a small methamphetamine lab in a home in Chesapeake, Virginia, police found a larger lab on a large lot bordering Virginia and North Carolina owned by a resident in the first bust. Four arrests have been made and police have seized five vehicles, approximately \$7,500, and several firearms including a sawed-off shotgun (*The Virginian-Pilot*, 2004).
- A ex-Albuquerque police officer was arrested in 1999 after selling cocaine to an undercover officer. Apparently, during the transaction, the officer “bragged about quitting the APD because he

made more money selling drugs.” Prior to being fired from the APD in 1997, the officer had taught anti-drug classes to fifth graders for a number of years (*Albuquerque Journal*, 2004).

The list could go on and on—well over a million and a half to cover just one year’s worth of drug arrests. Despite this strong focus on controlling illicit drugs through law enforcement measures, most drug textbooks pay very little attention to the role of law enforcement in the official response to drug offending. Part of this has to do with the fact that most drug books targeting the social sciences are sociological or psychological, rather than criminological, in nature. The result is a potential lack of understanding about law enforcement’s response to drugs. This is problematic for students of drug courses, future law enforcement professionals, current police officers, and policy makers. (See Box 1.1, *In the Streets: Help Wanted*, for information about a career in narcotics law enforcement.)

Box 1.1. In the Streets: Help Wanted—Narcotics Agent

Many positions are available working in agencies that handle drug offenses. One position in the Drug Enforcement Agency (DEA) is the special agent. Below is a job description of the special agent posted on the DEA’s Homepage.

Duties

Conduct surveillance; Infiltrate drug trafficking organizations; Conduct investigations; Arrest violators; Confiscate illegal drugs; Conduct money laundering investigations; Collect and prepare evidence; and Testify in criminal court cases.

Qualifications

The Basics: Applicants must be U.S. citizens, between 21 and 36 years of age at the time of appointment, must possess a valid driver’s license, and be able to obtain a Top Secret security clearance.

Physical: Excellent physical condition, sharp hearing acuity, and uncorrected vision of at least 20/200 (Snellen) and corrected vision of 20/20 in one eye and 20/40 in the other (Radial Keratotomy is disqualifying). Normal color vision, heavy lifting, and carrying of 45 pounds or more. (Hearing aids are disqualifying.)

(continued on next page)

Box 1.1. In the Streets: Help Wanted—Narcotics Agent (continued)

Education: Successful candidates possess a college degree with a cumulative GPA of 2.95 or better. Additional consideration will be given to those individuals who have degrees in special skill areas: Criminal Justice/Police Science or Related Disciplines, Finance, Accounting, Economics, Foreign Language (with fluency verified) in Spanish, Russian, Hebrew, Arabic, Nigerian, Chinese or Japanese, Computer Science/Information Systems, and Telecommunications/Electrical/Mechanical Engineering.

Experience: Substantive professional/administrative or certain law enforcement experience may be qualifying. Other special skills or experience (e.g., military officer, foreign language fluency, pilot/maritime experience, technical/mechanical skills, or accounting/auditing experience) may also be qualifying.

Additional: Successful completion of the Special Agent interview process requires a full disclosure of past drug use and urinalysis drug screening. Also, applicants must successfully complete a written and oral assessment, medical examination, physical task test, polygraph examination, a psychological assessment, exhaustive background investigation, and a final hiring decision.

Source: U.S. Drug Enforcement Agency Homepage. Available online at http://www.usdoj.gov/dea/resources/job_applicants.html. Accessed May 17, 2004.

You be the judge:

1. Would you be interested in this job? Explain.
2. What would you like most about the job? What would you dislike?

Many individuals have formed opinions about drugs, their use, and their control. Those who have strong opinions about drugs, regardless of what the opinion is, typically find the topic of drug use and drug control to be quite interesting. To bolster one's understanding of the control of illicit drug use, it is useful to approach the topic from a scientific perspective. A scientific perspective objectively examines a particular issue using rigorous analytical rules in an attempt to better understand and explain a phenomenon. Approaching the drug topic from a scientific perspective helps individuals set their values aside and allows them to critically analyze various issues surrounding the law enforcement response to the drug world.

The underlying theme of this book is that the law enforcement response to the drug world is best understood by using the scientific method as a guide in explaining various issues related to the control of