

Trends in Illinois drug arrests

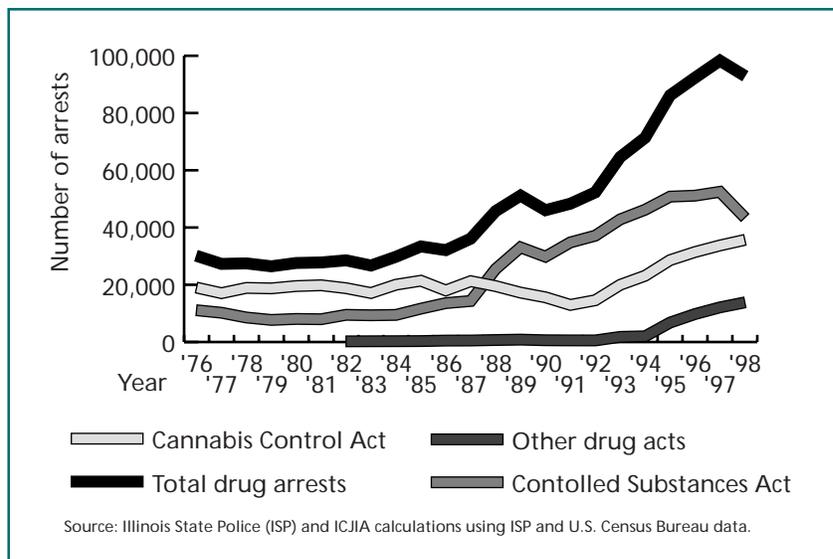
By Robert Bauer
and David Olson, Ph.D.

During 1998, nearly 93,000 arrests were made by Illinois law enforcement agencies for state drug law violations. While the 92,977 arrests recorded in 1998 represent a 5 percent decrease from 1997, those arrests are more than double the number recorded in 1988. The decrease drug arrests was the first documented since 1990. This update examines the trends in arrests for violations of Illinois' drug laws. It also examines some of the reasons for these changes and the impact these arrests have had on the state's criminal justice system.

Drug arrest trends

Four sets of state laws designed to address illegal possession, sale, and production of drugs and drug paraphernalia exist in Illinois. The Cannabis Control Act (720 ILCS 570) — which prohibits growing, selling or possessing marijuana — accounted for the majority of drug arrests in Illinois between 1976 and 1987. The number of arrests for violations of the Cannabis Control Act remained unchanged during that period, with an average of nearly 20,000 arrests per year, which accounts for about 66 percent of all drug arrests in Illinois (Figure 1). However, between 1987 and 1991, arrests for cannabis offenses declined, while arrests for violations of the Controlled Substances Act (720 ILCS 550) — which prohibits manufacturing, possessing,

Figure 1
Arrests for Illinois drug law violations,
1976-1998



About the data

Data regarding arrests for drug law violations in Illinois are reported by local police departments to the Illinois State Police through the Illinois Uniform Crime Reporting (I-UCR) Program. Arrests are reported by the specific drug control law, which limits the extent to which the specific substances involved can be identified. For example, while arrests for violations of the Illinois Cannabis Control Act clearly involve cannabis, arrests for violations of the Controlled Substances Act are not specific as to which drug was

involved. In addition, the number of arrests, not individuals, are reported through I-UCR. Thus, it is likely that a portion of the total arrests are accounted for by individuals arrested more than once in a given year. In addition, one person may be arrested for multiple drug law violations at once, such as possession of cocaine, marijuana, and drug paraphernalia. This incident would result in three arrests being recorded through the I-UCR program. For more information, visit the Authority's Web site at: www.icjia.state.il.us.

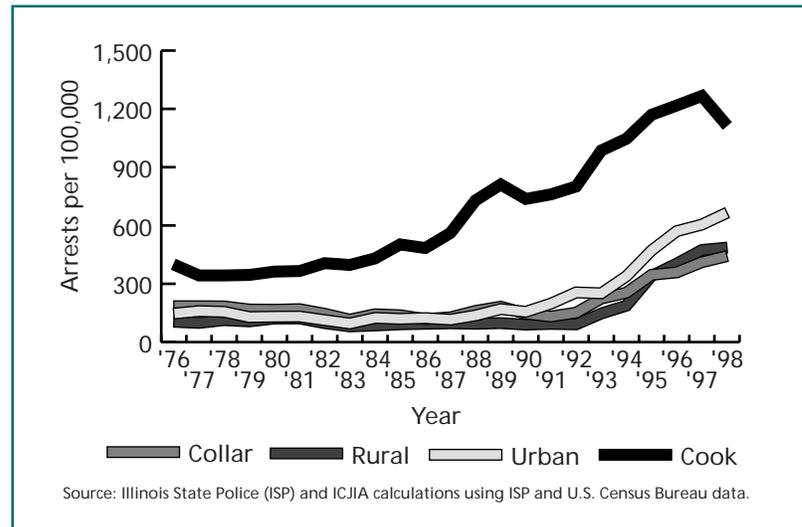
or selling other illegal drugs, such as cocaine, heroin, phencyclidine (PCP), and LSD — increased dramatically. Although arrests for marijuana-related offenses almost tripled between 1991 and 1998, when there were more than 35,000 arrests, violations of the Controlled Substances Act have outnumbered marijuana offenses annually since 1988.

Arrests for violations of the Controlled Substances Act, which are almost exclusively felony offenses, have had a profound impact on the Illinois criminal justice system in the last two decades. They doubled between 1987 and 1992, and surged to more than 52,000 during 1997. Arrests for those violations fell below 43,500 statewide in 1998, paralleling a substantial decrease in arrests for these offenses in Chicago. Arrests for Controlled Substances Act violations reached record levels in other regions of Illinois in 1998.

The dramatic increase in the number of arrests for violations of the Controlled Substances Act during the late 1980s through the mid-1990s can be attributed to a number of factors, including the increased resources devoted to drug enforcement and the emergence of crack cocaine in the state during the mid- to late-1980s.

With respect to increased resources, the passage of the federal Anti-Drug Abuse Acts of 1986 and 1988 resulted in a substantial influx of funds to support the development of multijurisdictional drug enforcement units across the country. In addition, local police departments focused more on drug-related enforcement activities, and, in many instances, increased the number of officers and resources devoted to these activities. Beginning in the late 1980s, crack cocaine emerged in many Illinois jurisdictions. As a result, the nature of illegal drug markets changed in many communities causing street-level dealers to become more aggressive and visible. The increased visibility of these transactions resulted in more arrests.

Figure 2
Drug arrest rates by region per 100,000 residents



In addition to the Illinois Cannabis Control Act and the Controlled Substances Act, the state's other drug laws are the Hypodermic Syringes and Needles Act (720 ILCS 635) and the Drug Paraphernalia Control Act (720 ILCS 600). Arrests for violations of the Hypodermic Syringes and Needles Act — which defines illegal possession and sale of these instruments — average 546 annually outside of Chicago. Chicago Police Department arrests for these offenses cannot be distinguished from other drug law violations due to differences in reporting procedures.

Although the number of arrests for violations of the Hypodermic Syringes and Needles Act decreased slightly between 1993 and 1996, they increased by 28 percent between 1996 and 1998. Arrests for violations of the Drug Paraphernalia Control Act increased dramatically in recent years. Originally enacted in 1993 to prohibit the sale of drug paraphernalia, the act was amended in 1994 to prohibit possession of drug paraphernalia. Between 1996 and 1998, arrests under the Drug Paraphernalia Control Act increased 42 percent, to almost 13,300. In many instances, a person will be arrested for violation of both the Drug Paraphernalia Control Act and violation of either

the Cannabis Control Act or Controlled Substances Act since police may come across both drug paraphernalia and an illegal substance during a search.

Regional comparisons

To identify drug arrest patterns across different geographic regions of Illinois, the data were aggregated into four distinct categories:

- Cook County;
- The five suburban collar counties of DuPage, Lake, Kane, McHenry and Will;
- Urban counties outside of Cook and the collar counties; and
- Rural counties.

An urban county is any county that lies within a Metropolitan Statistical Area (MSA) as defined by the U.S. Bureau of the Census. Those counties that do not lie within an MSA are defined as rural.

Although every region of Illinois has experienced increases in arrests for drug law violations since 1988, the rate of increase and types of violations encountered by law enforcement agencies varied considerably.

Cook County has had the highest drug arrest rate per 100,000 residents

than any other region in Illinois (Figure 2). In 1998 there were 1,115 arrests in Cook County per 100,000 residents, while in urban counties outside of Cook there were 665 arrests per 100,000 residents. There were 486 arrests per 100,000 residents in Illinois' rural counties and 442 arrests per 100,000 residents in the collar counties. Statewide, in 1998 there were 774 drug arrests per 100,000 residents.

Between 1985 and the mid-1990s, the proportion of drug arrests for Controlled Substances Act violations increased across every region except rural counties, where cannabis offenses consistently accounted for about 75 percent of all arrests. Every region of Illinois experienced dramatic increases in drug arrests between 1988 and 1998, although the type of drug law violations responsible for these increases varied.

The proportion of drug arrests accounted for by cocaine, heroin, PCP, and LSD was much higher in Cook County than in other regions of Illinois, and has changed considerably over the past two decades. In 1998 almost 65 percent of drug arrests in Cook County were for violations of the Controlled Substances Act, compared to about 39 percent in urban counties outside of the Cook County/collar county region, 31 percent in the collar counties and 25 percent in rural counties. However, the proportion of arrests for Controlled Substances Act offenses has increased dramatically in Cook County. In the collar counties and other urban jurisdictions, the proportion of arrests for Controlled Substances Act violations increased during the late 1980s and early 1990s, before declining. In rural counties, the proportion of arrests for Controlled Substances Act violations has remained between 20 and 25 percent since the 1970s.

Federal drug arrests in Illinois

In addition to arrests made by local agencies for drug law violations, a

number of federal agencies make arrests in Illinois through their enforcement of federal laws.

The U.S. Drug Enforcement Administration (DEA), within the U.S. Department of Justice, handles drug enforcement at the federal level. The DEA's role includes primary responsibility for interstate drug law violations, controlling the importation of controlled substances into the United States, and collaborating with other federal, state, and local law enforcement officials in drug enforcement efforts.

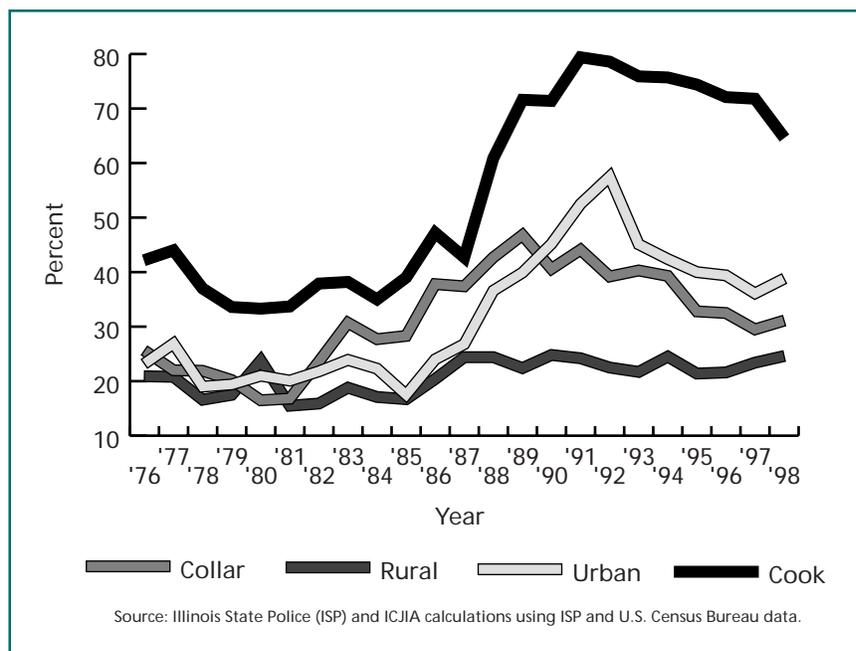
Between 1988 and 1997, the number of arrests for drug law violations made by the DEA in Illinois (including those made by the DEA alone, or in cooperation with state and local agencies), averaged 1,122 per year. During this period, the majority of DEA arrests in Illinois involved drugs other than cannabis, and were more likely to involve drug distribution, manufacture, and conspiracy than drug possession. Thus, while the number of arrests for drug law violations made by the DEA in Illinois accounted for less than 2 percent of all drug arrests in 1997,

DEA cases often involved more serious drugs, such as cocaine and heroin, and more serious offenses, such as distribution or conspiracy.

Arrests by Illinois metropolitan enforcement groups and multijurisdictional drug task forces

In addition to drug enforcement efforts carried out by individual police departments in Illinois, some drug investigations and drug arrests are carried out by multiagency teams, such as drug enforcement task forces and metropolitan enforcement groups (MEGs). Drug enforcement task forces can be formed by local units of government that want to combine resources with the Illinois State Police (ISP) to combat drug trafficking and abuse. Each participating local law enforcement agency contributes personnel to the task force, directed by an ISP special agent. Although Illinois' drug enforcement task forces are not required to restrict their activities to drug law enforcement, historically many have. Metropolitan enforcement groups are created and struc-

Figure 3
Drug arrests for non-cannabis offenses



tured in the same way, but, unlike task forces, are recognized in state statutes and receive state funding to support some of their operational expenditures. There are 13 drug enforcement task forces and 10 MEGs operating in 83 of Illinois' 102 counties, covering 90 percent of the state's population.

During 1998, Illinois' metropolitan enforcement groups and task forces made more than 4,200 arrests for state drug law violations. Similar to DEA arrests in Illinois, drug arrests made by the state's MEGs and task forces accounted for a relatively small proportion of statewide drug arrests, a larger proportion of these arrests were for non-cannabis and drug sale and delivery offenses than arrests by local police departments. The convictions following a MEG or task force arrest are more likely to result in a prison sentence than arrests made by local police departments.

Impact of drug arrests on Illinois' criminal justice system

The dramatic increase in arrests for Controlled Substances Act violations since the mid-1980s has had a significant impact on the workload of the Illinois criminal justice system. Between 1987 and 1997, the number of arrests for violations of the Controlled Substances Act — a felony — more than tripled, while the number of felony cases filed in the Circuit Courts of Illinois doubled and sentences to prison for violations of the Controlled Substances Act increased more than sevenfold.

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