



BELGIAN SCIENCE POLICY



“DEFINITION AND MEASUREMENT OF DRUG-RELATED CRIME”

SUMMARY OF WEBSITE

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I. Introduction

The DRUGCRIM- research started on the 1st of October 2006 and was finished by the 31th of December 2008.

In what follows, the researchers briefly present the policy, academic and social context of the research, followed by an overview of the research issues.

A. Policy context

The reduction of drug-related crime is one of the strategic targets of the EU Action plan on drugs (2005-2008). In the EU Drugs Strategy (2005 – 2012) one of the main objectives is the intensifying of preventive action against drug-related crime. This same trend can be observed at the national level. Drug-related crime is a high priority since the Federal drugs policy document 2001. Furthermore, as stated in the recent policy declaration (April 2008) of our Minister of Justice Vandeurzen, drug-related crime should be tackled as a top-priority phenomenon. The Belgian government echoed this sentiment in its national security plan (2008-2011).

A key factor, when developing an integrated and integral drug policy, is to have ready access to adequate and high-grade epidemiological data. In order to achieve a diversified policy on drug-related crime, it is important to gain an epidemiological insight into the amount of drug-related crime in the totality of crimes committed.

B. Academic context

The relationship between drugs and crime is complex. Various international studies show that a high percentage of criminals have experience of drug use and, conversely, that a high percentage of drug users have experience of committing crimes (Lo & Stephans, 2000; Best, Man, Gossop, Harris, Sidwell & Strang, 2001; Plourde & Brochu, 2002; Grann & Fazel, 2004). Although a vast body of research shows that there is a dynamic, interactive connection between drugs and crime, these findings do not imply that the connection is absolute, universal or causal (Barre, 1999; Brochu, 2006; Van Laar, Cruts, Verdurmen, Van Ooyen-Houben & Meijer, 2007). Moreover, not all offenders are drug users and a large number of drug users are not criminals and have no convictions except perhaps for possession of illicit drugs. Furthermore, because some drug users are criminals, this doesn't necessary mean they are criminal because of their drug use.

In the relevant literature there is also some disagreement about the operationalization of drug-related crime. To explain the relationship between drugs and crime, various theoretical models have been developed (Hall, 1996; Brochu, 1997; Brunelle, Brochu & Cousineau, 2000; Nicholas, 2001; Simpson, 2003; Stevens, 2003). These models are: 'substance use can lead to crime', 'crime can lead to substance use' and 'crime and drugs have similar underlying causes'. Within the theoretical model that 'substance use can lead to crime' (Bean & Wilkinson, 1988; Stevens, 2003), three common types of drugs-related crime can be distinguished: crimes committed under the influence of drugs (the psychopharmacological theory), crimes committed in order to finance drug use (crime associated with the purchase of drugs) and crime as a result of negative interaction with illicit drug-trafficking (the

systemic theory). A strict distinction between different types of drug-related crime is not always possible, so overlaps are common¹.

While the link between drugs and crime is complex and difficult to measure, the international literature on the epidemiology of drug-related crime is scarce and patchy. The few Belgian studies conducted in this area concern research into drug use, poverty and crime (De Ruyver, Vermeulen, Franck, Van Daele, 1992) or into drugs and social nuisance (Decorte, De Ruyver, Ponsaers, Bodein, Lacroix, Lauwers, Tuteleers, 2003). In Belgium, epidemiological data on drug-related crime is non-existent. Consequently, the collection of Belgian quantitative data on drug-related crime is, to date, very limited.

C. Social relevance

Drug dependency is a complex and long-lasting problem that can be accompanied by other lifestyle problems like unemployment, psychological and physical complaints, criminality, judicial contacts, relational problems, homelessness and social exclusion (Geenens, Vanderplasschen, Broekaert, De Ruyver, Alexandre, 2005).

Certain groups of drug users are a burden and cost on society in general but also on the criminal justice system in particular, and this at every level of that system. After all, drug users account for a large proportion of the total number of perpetrated crimes. For example, the Netherlands, just like other countries, is saddled with a group of persistent, criminal, (hard) drug users² (Van Ooyen-Houben, 2004). Dutch studies also show that ca. 70% of the multiple offenders are regular drug users. European studies also indicate that amongst detainees there is a bigger dependency problem in comparison with the general population (Stevens, 2003; Koeter, 2006).

Drug-related crime is often accompanied by social nuisance (Decorte, De Ruyver, Ponsaers, Bodein, Lacroix, Lauwers, Tuteleers, 2003). Within this context, three types of nuisance can be distinguished: criminal drug nuisance (criminality accompanied by drug use), public nuisance (*roving* junkies and other drug users) and audiovisual nuisance (abandonment of former drug dens and the irritating behaviour of drug users and -dealers) (Naayer & Bieleman, 2005).

D. Research issues

This study has three main goals. Firstly, it aims to *develop a method which allows regular measurement of the nature and scope of drug-related crime*. The goal is to develop ‘a scenario (handbook) of agreed principles’, which would allow different authorities to easily measure drug-related crime³. Secondly, our objective is to explore ‘*the current scope and nature of drug-related crime*’ in Belgium. The first measurement, conducted by the research team itself, will help refine the scenario. Thirdly, it sets out to formulate ‘*policy recommendations*’ in the area of drug-related crime⁴.

¹ The study entitled “Definition and measurement of drug-related crime” was descriptive, not causal.

² According to the national drug monitor, the police registered in 2002 more than 9500 drug-dependant suspects of whom the majority had more than eleven antecedents, a third 20 and a quarter more than 50. These are mainly heroin and cocaine users who mostly commit non-violent offences against property.

³ A copy of this scenario can be obtained from: (<http://www.belspo.be/belspo/fedra/proj.asp?l=nl&COD=DR/30>).

⁴ The DRUGCRIM-research has some restrictions. In the first place, the principal focus of the DRUGCRIM-research is on illegal drugs. Based upon the original call for proposals, the research team opted for a problem formulation in the area of illegal drugs. The researchers are aware of the consequences for the DRUGCRIM-research results. Alcohol as a drug is freely available in trade, while illegal drugs aren’t freely available. Obviously the difference concerning the (il)legal status of the product will influence the scope of crime related with it. The second restriction refers to the exclusion of crime related with drug trafficking and drug production. This restriction had also been motivated by the call for proposals by the financing organisation.

Using quantitative methods (document analysis) and self-reporting, the research goals will be answered.

Taken into consideration the research issues, the following research questions were raised:

1. How can drug-related crime be measured?
2. What is the nature and scope of drug-related crime in the totality (of all types) of crime?
 - a. What is the proportion of drug-related crime in the totality (of all types) of crime?
 - b. In which types of crime can drug-related crime be observed?
 - c. Which categories of offender profile can be distinguished?
 - d. How is drug-related crime distributed geographically?
3. How can a differentiated policy be developed towards drug-related crime?

II. Definition of drug-related crime

One of the aims of this project is to elaborate a method to measure the nature and extent of drug-related crime (the DRUGCRIM handbook). An important step in operationalizing this purpose is to define the term of drug-related crime in a simple yet complete way. In the DRUGCRIM-research the term “drug-related crime” was operationalized by four distinct categories.

According to Goldstein there are three possible ways in which drug use leads to crime: the psychopharmacological way, the economically compulsive way and the systemic way (Goldstein, 1985). In common with other studies (Rojas, 2007; EMCDDA, 2007), the researchers add a fourth category, namely for ‘breaches of drug law’, i.e. the ‘consensual offences’. Besides these four categories, the researches created an ‘other’ category, namely ‘crimes committed by drug users’.

A. Psychopharmacological crimes

Psychopharmacological crimes (aka expressive crimes) are crimes committed under the influence of illegal drugs (Hoaken & Stewart, 2003). In our study the researchers make a distinction between a ‘suspect under the influence’ and a ‘victim under the influence’.

Suspect under the influence

Suspects may commit offences under the influence of illegal drugs. It’s unlikely that the use of cannabis or heroin can lead to an increased level of aggression and therefore induce violent crimes. The withdrawal symptoms of these drugs can be linked with an increased level of aggression (Hoaken & Stewart, 2003). Withdrawal produces physical and psychiatric effects (drug-induced psychotic disorders) which can induce aggressive behaviour (Boles & Miotto, 2003). Consequently, violent crimes committed as a result of withdrawal symptoms, are included in this category.

Victim under the influence

In a recent publication, the EMCDDA attach importance to including crimes that stem from the victim’s drug use.

“Such crimes are less visible, because many go unreported. Thus, psychopharmacological crimes should also include crimes such as sexual assault committed while the victim is under the influence of alcohol or other psychoactive substances, but also robbery or mugging that is made possible because of the victim’s incapacitation and fights instigated under the influence of drugs”(Emcdda, 2007).

Examples of police files in which the victim is under the influence of illegal substances are: rape files, in which the victim receives (unsolicited) drugs. Other examples: the victim (and the suspect) of an assault who are under the influence of drugs or the victim and the suspect using drugs together, before the suspect commits a theft.

B. B. Acquisitive crimes (= crimes associated with the purchase of drugs)

Most studies about drug-related crime explore crimes committed to finance and support the (costly) drug abuse (for example, shoplifting or the handling of stolen goods) (Hutchinson, Gore, Taylor, Goldberg & Frischer, 2000; Farabee et al., 2001). It covers forms of robbery like shoplifting, burglary, handling stolen goods, the forging of medical prescriptions and street robbery.

In the (inter)national literature, prostitution is frequently mentioned as a way to finance drug abuse (Cusick, 2005). However, in Belgium (as in other European countries), prostitution can't be regarded as an acquisitive crime because it isn't punishable. Exploitation however, is a criminal offence.

C. Systemic crimes

Systemic crimes are the third and most recent category. Systemic crimes are crimes connected to the illegal character of the drug market (Parker & Auerhahn, 1998; Hoaken & Stewart, 2003). These are mainly violent crimes, committed in the context of drug production, as a part of the supply, distribution and use of illegal substances. Goldstein defined systemic crimes as "*an aggressive manner of interaction with the system of drugs distribution and drugs use*" (Goldstein, 1985). A typical example of this is a violent day of reckoning between two dealers (Slot, 1998; Teplin, et al., 2005). Other files which can be classed under this category are: *assault* or theft as part of a failed deal (concerning the quality or price of the products), theft to pay off debts because of fear of reprisals from the dealer or theft of electricity to set up cannabis plantations.

D. Consensual crimes

The drug law offences (consensual crimes) are the next category of drug-related crime. Some authors chose not to take this category into consideration when researching drug-related crime because it would concern a tautology (Schreuders, Korf and Poort, 1994; Korf, 1995). Other authors divide drug-related crime into criminal acts committed by drug abusers on the one hand and drug law offences on the other hand (Van Laar, Cruts, Verdurmen, Van Ooyen-Houben & Meijer, 2007).

E. Other (= crimes committed by drug users)

In addition to the four categories of drug-related crime, the research team also created an '**other**' category. During the data collection the researchers included the category 'crimes committed by drug users'. Although this category doesn't fit under 'drug-related crime', the research team decided to include this category for the data collection for completeness' sake. With regard to making a police record, there are no fixed guidelines. Depending on the circumstances (situation, policeman,...) more information will be gathered in the police files (*Is the suspect under the influence? Which illegal products are present? Why did the suspect commit the crime?*). Because of work pressures, only the main points are mentioned. The often brief information in the police files does not always allow the researcher to distinguish the four specific categories of drug-related crime. As the researchers don't want to lose valuable information, this information (*Is the suspect a known drug user?*) was included in the first measurement.

In the future, however, our aim is to classify as many drug-related offences as possible under one of the four prescribed types of drug-related crime.

III. Results: what is the nature and scope of drug-related crime?

The results of both parts (police file investigation and the self-report part) are discussed briefly below.

A. Analysis of police files

The core of the DRUGCRIM-research was a quantitative measurement, for which 1435 police files⁵ were studied. For this measurement, ten research locations were selected to maximize the geographical diversity. Ultimately two big cities, two regional cities, two small towns, three urbanized municipalities and one rural municipality were chosen. The third urbanized municipality was a border community with the Netherlands. Also, in each of the ten research locations, a random sample of 120 crimes was taken. As not all categories of offences were covered in the sample, the research team created four clusters of offences, based upon a study of literature: namely the property offences, violent crimes, sexual offences and drug law offences.

With the result that generalizations of the findings to other kinds of offences or other regions are not possible.

Property, violent and sexually-related crimes

Proportion of drug-related offences

During the analysis of police files, the researchers analyzed 1089 property, violence and sexually-related crimes. 13.6% of the analyzed files can be categorized as drug-related. This corresponds to the percentages found in the literature.

Psychopharmacological, followed by acquisitive crimes are the most common *categories*, besides the ‘other’ category (*crimes committed by drug users*).

As expected from the epidemiological findings (EMCDDA, AR 2007) about drug use in the general population, cannabis is the most commonly cited *product* in the researched police files of the suspects. Followed by heroin, which is common in the police files of the suspects but less in line with the findings of the epidemiological studies. Also, the combination of both products was frequently mentioned. In more than a quarter of the drug-related files, the suspect uses or possesses more than one product. The high prevalence of both products in relation to drug-related crime, can also be found in the relevant literature (Hough, 1997; Nacro, 1999; Nicholas, 2001; Bennet et al, 2008).

Differentiation according to offence cluster: property-, violent- and sexually-related crimes

In the quantitative part of the study, the researchers also made a distinction according to the type of offence. 19.9% of the studied property offences, 7.3% of the studied violent crime offences and 14.2% of the files of sexually-related offences can be classed as drug-related.

When examining the *category of drug-related crime*, it became obvious that suspects who commit property crimes, commit these offences to buy drugs. Of the studied files of violent offences, the suspects were frequently under the influence of drugs (psychopharmacological) and, finally, for the studied sexually-related offences, the researchers found strong pointers to the fact that the victim was under the influence of drugs (psychopharmacological).

A comparison between the three offence clusters revealed that, *within a specific product type*, a few differences can be found. The type of product is often related to the type of offence. Heroin can mostly be found in files of property offences and stimulants usually in files of violent crime. For the studied files of sexually-related crimes, cannabis is most frequently mentioned. In this amount are also the

⁵ When the researchers speak about a drug-related file, the researchers mean the case file per suspect

facts included in which the victim and suspect have voluntary sex, but because of the age of the suspect, this fact is considered as a criminal offence.

Evidence for this link between the type of product and the type of offence, can be found in literature (Goldstein, Belluci, Spunt & Miller, 1993; Makkai & Payne, 2003; Bennett & Holloway, 2005; Seddon, 2005; Patkar, Mannelli, Peindl, Hill, Gopalakrishnan, Berrettini, 2006; Van der zanden, Dijkgraaf, Blanken, Van Ree, Van Den Brink, 2006; Macdonald, Erickson, Wells, Hathaway, Pakula, 2008)

Geographic distribution

The researchers also investigated if there are geographical differences in drug-related crime. As was already stated, ten research locations were selected by the typology of municipalities used in Belgium. Within these ten locations, random samples of offences are taken. Based upon the typology of municipalities, two big cities, two regional cities, two small towns, three urbanized municipalities and one rural municipality were chosen. The third urbanized municipality was a border community with the Netherlands. The results, however, only apply to the studied research locations. Generalizations to other regions are, considering the method that was used, NOT possible⁶.

The greater the degree of urbanization of the research location, the greater the number of drug-related files. Around 10% of the studied files in the rural and two urbanized research locations are drug-related. In the urbanized research location, which is a border community, 14.7% of the studied files are drug-related. In the small town, the proportion of drug-related files increases to 15.7% and in the regional and big cities up to 20%. In more urbanized locations, the amount of drug related crimes increases.

Most drug-related files are property crimes, regardless of the urbanization rate of the research location. The number of drug-related files for violent and sexually-related crimes are considerably less (than the property crimes) in all research locations. The only exception being the big cities. In the big cities, there are more files of drug-related sexual crime than files of drug-related property crime. This can be explained by the high number of (drug-related) prostitution-related files⁷.

Among the *products* involved, significant differences and matches were observed depending on the urbanization rate of the research location. In most of the studied drug-related files of the big, small and regional cities, the researchers found either the use or possession of heroin (by the suspects). Followed by the use/possession of cannabis, frequently cited in combination with other products. In the three urbanized research locations (the border community included), the use/possession of cannabis was commonest in the studied drug-related files.

Characteristic profile of the suspects

To conclude, the study also examined the profiles of the suspects in the (drug-related) files.

In general, when young, homeless male suspects, of no occupation, commit crimes, they are significantly more drug-related compared to crimes committed by older, non-homeless, female, employed suspects.

The *age* of the suspects in the drug-related files is, on average, lower than the age of the suspects in the non-drug-related files. This fact can be found for all the clusters of offences (property, violent and sexually-related crimes).

⁶ Because of differences in registration practices and priorities of the different police zones.

⁷ As in other European countries, in Belgium only the incitement and exploitation of prostitution are prohibited by Belgian criminal laws

When examining the *sex* of the suspects, the researchers can state that property crimes, committed by male suspects, are significantly more drug-related than property crimes committed by females. Although men commit more violent crimes than women, the proportion of females is higher in drug-related violent crimes. The same trend is visible in the sexually-related crimes. However, the researchers are compelled to point out that drug-related sexually-related crimes are often prostitution related.

The suspects have mostly the Belgian *nationality*, instead of the non-Belgian nationality. In the files of property and sexually-related crimes, there is no difference in nationality concerning drug-relatedness. In the case of the violent crimes, a higher proportion of non-Belgian suspects can be found.

Most offences were also committed by *non-homeless* suspects. The proportion of homeless suspects is nevertheless higher in drug-related files.

The property and sexually-related crimes are mostly committed by suspects with no *occupation*, this in contrast to the violent crimes in which suspects with an occupation are predominant.

This profile can be confirmed in literature (Gandossey, Williams, Cohen & Harwood, 1980; March, Oviedo-Joekes, Romero, 2006).

Consensual crimes

In the ten research locations, a sample of 300 consensual crimes was taken. In those 300 crimes, 346 suspects were involved (i.e. 346 police files). In all the research locations, cannabis is the most frequently cited product in these police files. In literature⁸ evidence can be found for the link between cannabis and consensual crimes (use/possession drugs) (De Donder, 2007). In all the research locations, more than half of the studied files concerned the use/possession of cannabis only. With the exception of the big cities, that is. In the big cities, 37.3% of the police files concern cannabis. Almost a half of the files in the big cities concern cocaine and/or heroin.

Almost half of the police files were drawn up after a proactive search (for example, at a police checkpoint or by a patrol car, in places where illicit drugs could, conceivably, be consumed). Concerning the profile of suspects in consensual files, the researcher can state that the suspects are rather young (with an average age of 24). 70% of the sample has no occupation. Although it should be noted that a large proportion of that percentage are students, given the over-representation of the youngest age category in the sample (namely the 18 to 25s).

B. Gaining a deeper insight into the broader context: the self-report module

In addition to the criminal justice information (police files), self-reports of 204 drug users and 127 criminal justice clients were also taken. By means of a self-report, the researchers could obtain useful information about the context of drug-related crime. Besides the self-reporting of drug use/committing crimes, the researchers also asked questions about the trigger moments and hinge points of drug-related crime. The self-report consisted of closed and open questions.

From the self-report, several interesting results can be stated. In this part the researchers will give an overview of the most important results, for which evidence can be found in literature.

The first finding concerns the acquiring of an income to fulfil their drug need. A large number of drug users commit *property crimes* to finance their drug use. Respondents indicate that they don't commit

⁸ The EWDD noted that in most European countries, a large amount of the consensual crimes concerned the use and possession of drugs and especially cannabis (Annual report 2003)

property crimes purely to finance their drug use but also commit these crimes to finance their necessities (of life). Half of the drug users admitted to having committed a property crime in the last twelve months. Furthermore, almost 20% of that number have committed more than 100 property crimes in the last twelve months. Moreover, regular heroin users commit twice as many property crimes compared to less regular heroin users. Furthermore, *prostitution* can be seen as a manner to finance their drug need, especially for women. Indeed, a quarter of the female drug-using respondents have prostituted themselves, at some point in their lives and for a tenth of them that has been within the past year. Here too, some of them prostituted themselves to fulfil their drug need. Prostitution, too, is usually accompanied by the use of heroin and/or cocaine.

Furthermore, the drug users and the criminal justice clients stated that they also *deal* to finance their drug use. Almost 40% of the drug users had made one to ten deals in the last twelve months. And almost a quarter of this category had committed more than 100 deals in that time period. A quarter of the criminal justice clients had committed this activity in the last twelve months. A large number of dealers are cannabis users. Dealing, as they saw it, was more of a kindness among friends or as a way of having illegal substances at their disposal. Regular users of other substances (especially amphetamines or hallucinogens) acquire profit or illicit substances by dealing to sustain their drug use. 75% of the criminal justice clients who had admitted to dealing in drugs, also admitted to having consumed illegal substances during their last deal.

The respondents were also asked about the circumstances which made them take up drugs or fall into a life of crime.

In line with the DRUGCRIM-findings, the respondents in our survey said that they had fallen into crime because of their drug use. A minority stated that criminality preceded their drug use and a last group said that drug use and crime started because of individual (low capacity for self-control, a low academic level,...) and family (abuse) combined with socio-economic problems and the influence of peers.

60% of the *drug users* admitted to having committed one crime at least (especially dealing or shoplifting) during the last twelve months and eight out of ten *criminal justice clients* have, at some point in their lives, used illegal substances. The detainees among them have consumed four times more heroin in the last twelve months and two times more cocaine and amphetamines (in comparison with Justice House clients).

Furthermore, a distinction can be made according to the type of crime committed.

Half of the drug users committed a *property crime* in the last twelve months, just like half of the criminal justice clients. The drugs users without a stable life situation commit twice as many property crimes. Half of this group of criminal justice clients have used drugs during their last property crime.

A quarter of the drug users have committed a violent crime in the last twelve months, in comparison with less than a third for the criminal justice clients. Of this last group, four out of ten admitted to having consumed drugs during their last violent crime.

A third of the drug users have dealt in the last twelve months. A quarter of them has committed more than 100 deals during the last twelve months. The criminal justice clients also admitted to having dealt in drugs, namely a third of them. 75% of this group have used drugs (especially heroin, cannabis or cocaine) during their last deal.

To conclude, the researchers also examined the profile of the suspects involved in the drug-related files. The profile found in the analysis of police files can be confirmed in the self-report. Young, male, not in work and homeless suspects are rarely inclined to commit drug-related crime in comparison with older, female, non-homeless suspects with an occupation. Furthermore, users with an unstable life situation commit more crimes than those in a stable life situation. To conclude, the researchers

found a connection between educational level and committing crimes: the higher the educational level of the drug users, the fewer crimes they had committed this past year.

IV. Recommendations

To conclude, the researchers can also formulate some policy recommendations. These recommendations not only refer to the findings of this study but also to the shortcomings that the research team was confronted with. Firstly, the recommendations can be divided into recommendations stemming from the research's conclusions and, secondly, into recommendations related to this study. In what follows, the researchers will only enumerate the policy recommendations. For further information, please consult the published report of the complete study.

Policy recommendations that emerged from the study

- Monitoring drug-related crime
- The background and context in police reports should receive more attention
- Research into alcohol-related crime
- Further research: identify causal links and do research into drug production and drug distribution.

Related policy recommendations

- (Drug) treatment in different lifestyle domains
- A tightly integrated and comprehensive drug policy
- Driving under the influence: the need for alcohol- and drug tests
- Optimize referrals to drug treatment services
- More facilities for drug treatment while in prison
- Expansion of social services and psychological counselling for prostitutes