

# Drug Policy and the Criminal Justice System



# Drug Policy and the Criminal Justice System

Nancy E. Marion  
UNIVERSITY OF AKRON



CAROLINA ACADEMIC PRESS  

---

Durham, North Carolina

Copyright © 2018  
Nancy E. Marion  
All Rights Reserved

ISBN 978-1-61163-778-6  
e-ISBN 978-1-53100-007-3

Library of Congress Cataloging-in-Publication Data

Names: Marion, Nancy E., author.

Title: Drug policy and the criminal justice system / Nancy E. Marion.

Description: Durham, North Carolina : Carolina Academic Press, [2018] |

Includes bibliographical references and index.

Identifiers: LCCN 2018005760 | ISBN 9781611637786 (alk. paper)

Subjects: LCSH: Drug abuse--United States. | Drug traffic--United States. |

Drug control--United States. | Criminal justice, Administration of--United States.

Classification: LCC HV5825 .M2536 2018 | DDC 362.290973--dc23

LC record available at <https://lcn.loc.gov/2018005760>

CAROLINA ACADEMIC PRESS, LLC  
700 Kent Street  
Durham, North Carolina 27701  
Telephone (919) 489-7486  
Fax (919) 493-5668  
[www.cap-press.com](http://www.cap-press.com)

Printed in the United States of America

# Contents

<b>About the Author</b>	xv
<b>Chapter 1 · Illicit Drug Use and Abuse: An Introduction</b>	3
Introduction	3
Drug Use: The Basics	4
Harms Resulting from Drug Use	7
How Drugs Are Ingested	8
Why Do People Use Drugs?	9
Theories of Drug Use	11
Natural Theories	11
Biological Theories	12
Sociological Theories	12
Drugs in Popular Culture and Sports	13
Important Terms	15
Conclusion: This Book	21
Important Terms	21
Review Questions	22
Endnotes	22
<b>Chapter 2 · Patterns of Drug Use</b>	27
Introduction	27
Sources for Drug Use Information	27
Monitoring the Future Study	29
Drug Use Forecasting (DUF/ADAM)	30
Youth Risk Behavior Survey	32
National Survey on Drug Use and Health	33
Drug Abuse Warning Network (DAWN)	34

Patterns of Illegal Drug Use	36
Drug Use Patterns by Group	37
African Americans and Drug Use	37
Latinos/Hispanics and Drug Use	39
Native Americans and Substance Abuse	40
Female Drug Use	41
Female Alcohol Use	41
Seniors and Drug Use	43
Conclusion	44
Important Terms	44
Discussion Questions	44
Endnotes	45
<b>Chapter 3 · History and Laws</b>	49
Introduction	49
Early History	49
Pure Food and Drug Act (1906)	53
Smoking Opium Exclusion Act (1909)	54
Webb-Kenyon Act (1913)	54
New York State Legislature: Boylan Act (1914)	54
Harrison Narcotics Act (1914)	55
Whitney Act (1917)	55
1917, 1919: Prohibition	56
Narcotic Drugs Import and Export Act (1922)	57
Porter Narcotic Farm Act (1929)	57
Marihuana Tax Act (1937)	58
Food, Drug, and Cosmetic Act (1938)	58
Opium Poppy Control Act (1942)	59
Boggs Act (1951)	59
Durham-Humphrey Amendment	60
Narcotic Control Act (1956)	60
The Counterculture and Drugs	61
Drug Abuse Control Amendments (1965)	62
Narcotic Addict Rehabilitation Act (1966)	63
Comprehensive Drug Abuse Prevention and Control Act (1970)	
(Controlled Substances Act)	63
Rockefeller Drug Laws (Early 1970s)	66
Drug Abuse and Treatment Act (1972)	67
National Minimum Drinking Age Act (1984)	67

Aviation Drug-Trafficking Control Act (1984)	68
Anti-Drug Abuse Act (1986)	68
Anti-Drug Abuse Act Amendments (1988)	73
Drug Kingpin Death Penalty Act (1987, 1994)	73
Chemical Diversion and Trafficking Act (1988)	74
Drug-Free Workplace Act (1988)	74
International Narcotics Control Act (1989)	74
Crime Control Act (1990)	75
Andean Trade Preference Act (1991)	76
Alcohol, Drug Abuse, and Mental Health Reorganization Act (ADAMHA) (1992)	77
Domestic Chemical Diversion Control Act (1993)	78
Violent Crime Control and Law Enforcement Act (1994)	78
Comprehensive Methamphetamine Control Act (1996)	79
Hillary J. Farias and Samantha Reid Date-Rape Drug Prohibition Act (2000)	80
Combat Methamphetamine Epidemic Act (2005)	80
Fair Sentencing Act (2010)	81
Synthetic Drug Abuse Prevention Act (2012)	82
Conclusion	82
Important Terms	82
Discussion Questions	83
Endnotes	83
<b>Chapter 4 · The Types of Drugs: Stimulants and Depressants</b>	91
Introduction	91
Stimulants	91
Caffeine	92
Energy Drinks	93
Nicotine	97
Shisha	99
Gutka	99
Cocaine	100
Amphetamines	103
Methamphetamine	104
Bath Salts and Synthetic Cannabis	106
Ecstasy	108
Khat	109
Depressants	109

Alcohol	110
Barbiturates, Sedatives, and Tranquilizers	113
Tranquilizers	114
Benzodiazepines	115
GHB and Flunitrazepam (Rohypnol)	115
Inhalants	117
Methaqualone (Quaalude)	119
Conclusion	120
Important Terms	120
Review Questions	121
Endnotes	121
<b>Chapter 5 · The Types of Drugs: Opiates, Hallucinogens, and Others</b>	<b>125</b>
Introduction	125
Opiates	125
Morphine	128
Codeine	129
Heroin	129
Syrup	131
Oxycodone	133
Non-Opiate Analgesics	134
Hallucinogens and Psychedelics	135
LSD	136
Psilocybin and Psilocin (Mushrooms)	140
Peyote and Mescaline	141
Salvia	142
DMT and Bufotenine	142
Ibogaine	143
PCP	144
Ketamine	145
Marijuana	145
Antidepressant Drugs	146
Steroids and Other Performance-Enhancing Drugs	147
Conclusion	148
Important Terms	148
Review Questions	149
Endnotes	149



<b>Chapter 6 · Medical Marijuana and Recreational Marijuana</b>	153
Introduction	153
History	153
Marijuana	159
Testing	163
Legalization of Marijuana	163
Medical Marijuana	164
Medical Marijuana: Arguments in Support	166
Medical Marijuana: Arguments Against	167
Recreational Marijuana	168
Colorado: A Case Study	168
New Businesses	169
Tax Revenues	170
Spending	171
Banking Concerns	174
Federalization	175
Conclusion	176
Important Terms	176
Review Questions	177
Endnotes	177
<b>Chapter 7 · The Politics of Drugs: Presidents</b>	181
Introduction	181
Early Presidential Action: Abraham Lincoln	182
Modern Presidential Debate and Action	184
Dwight D. Eisenhower (1890–1969)	184
John F. Kennedy (1917–1963)	185
Lyndon B. Johnson (1908–1973)	185
Richard M. Nixon (1913–1994)	187
Gerald R. Ford (1913–2006)	188
James E. “Jimmy” Carter (1924–)	188
Ronald W. Reagan (1911–2004)	189
George H. W. Bush (1924–)	190
William J. “Bill” Clinton (1946–)	191
George W. Bush, (1946–)	191
Barack H. Obama (1961–)	193
Committees, Commissions, and Conferences	194
1918: Special Narcotic Committee	194

1962: White House Conference on Narcotics and Drug Abuse	195
1963: President's Advisory Commission on Narcotic and Drug Abuse	195
1970: Commission on Marihuana and Drug Abuse	196
1987: White House Conference for a Drug-Free America	197
1987: National Drug Policy Board	197
1989: President's Drug Advisory Council	198
Reports	198
1964: Surgeon General's Reports on Tobacco	198
2001: National Research Council Report on Drug Enforcement Activities	199
Conclusion	199
Important Terms	199
Review Questions	200
Endnotes	200
<b>Chapter 8 · The Politics of Drug Use: Agencies and Interest Groups</b>	207
Introduction	207
Agencies	207
1938: Food and Drug Administration	207
1919: Prohibition Unit	208
1930: Federal Bureau of Narcotics (FBN)	209
1920s: Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)	210
1933: Federal Alcohol Control Administration (FACA) and Federal Alcohol Administration (FAA)	210
1946: Centers for Disease Control and Prevention (CDC)	211
1965: Bureau of Drug Abuse Control	212
1968: Bureau of Narcotics and Dangerous Drugs (BNDD)	212
1970: National Institute on Alcohol Abuse and Alcoholism (NIAAA)	213
1972: Office for Drug Abuse Law Enforcement (ODALE)	213
1973: Drug Enforcement Administration (DEA)	214
1974: National Institute on Drug Abuse (NIDA)	215
1982: Organized Crime Drug Enforcement Task Forces Program	215
1983: National Narcotics Border Interdiction System (NNBIS)	215
1988: Office of National Drug Control Policy (ONDCP)	216

1992: Substance Abuse and Mental Health Services Administration (SAMHSA)	219
1992: Center for Substance Abuse Prevention	220
US Coast Guard	220
US Customs and Border Protection	221
US Immigration and Customs Enforcement (ICE)	222
Interest Groups	222
Common Sense for Drug Policy	222
National Organization for the Reform of Marijuana Laws (NORML)	223
Tobacco Institute	224
Students Against Destructive Decisions (SADD)	224
Drug Policy Alliance Network	225
Families Against Mandatory Minimums (FAMM)	225
Drug-Free America Foundation	226
Mothers Against Drunk Driving (MADD)	227
American Society of Addiction Medicine (ASAM)	228
National Council on Alcoholism and Drug Dependence (NCADD)	228
Drug Watch International	229
Conclusion	230
Important Terms	231
Review Questions	231
Endnotes	232
<b>Chapter 9 · The Drugs-Crime Link</b>	237
Introduction	237
The Association between Crime and Drugs	237
Offenses Defined by Drug Possession or Sales	238
Cultivation and Manufacturing	239
Transporting	242
Selling and Dealing	243
Possession	243
Trafficking	244
Crimes Directly Related to Drug Use or Abuse	246
Public Intoxication	246
Burglary and Theft	248
Domestic Abuse	248

Drunk Driving and Drugged Driving	249
Sexual Violence	250
Lifestyles That Predispose Users to Crime	250
Gangs and Drugs	250
Asset Forfeiture	251
Conclusion	252
Important Terms	253
Review Questions	253
Endnotes	253
<b>Chapter 10 · Drugs in an International Perspective</b>	<b>257</b>
Introduction	257
History of Drug Smuggling	259
French Connection	260
Pizza Connection (1980–1982)	260
US Response	260
Drug Smuggling Today	262
Drug Cartels	262
Colombian Cartels	264
Medellín Cartel	265
Cali Cartel	266
Colombian Heroin Syndicates	267
Contemporary Colombian Cartels	267
Mexican Drug Trade	267
Guadalajara Cartel	269
Juárez Cartel	269
Gulf Cartel	270
Sinaloa Cartel	270
Tijuana Cartel (AFO)	270
Mexican Drug Groups Today	271
Drug Trafficking and Organized Crime	272
Terrorism and Illicit Drugs	274
Groups	274
Global Commission on Drug Policy	274
United Nations Commission on Narcotic Drugs	275
United Nations Office on Drugs and Crime	276
World Federation Against Drugs	276
International Agreements	277
United Nations Single Convention on Narcotic Drugs	277

United Nations Convention on Psychotropic Substances (1971)	278
United Nations International Conference on Drug Abuse and Illicit Trafficking (1987)	279
United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988)	280
Conclusion	282
Important Terms	282
Review Questions	283
Endnotes	283
<b>Chapter 11 · Drug Prevention and Treatment Programs</b>	<b>289</b>
Introduction	289
Drug Addiction Programs: Prevention and Treatment	290
Prevention Programs	290
Keep a Clear Mind	293
Project ALERT	294
Community Trials Intervention to Reduce High-Risk Drinking	294
Drug Abuse Resistance Education	294
National Youth Anti-Drug Advertising Campaign	295
Zero Tolerance Policies	296
Drug Testing Policies	296
Federal Demand Reduction Programs	297
Treatment	299
Detoxification and Withdrawal	300
Medication	300
Outpatient Drug Treatment Programs	302
Residential Drug Treatment Programs	302
Behavioral Therapy	306
Self-Help Groups	306
Alcohol Mutual Aid Societies	306
Alcoholics Anonymous and 12-Step Programs	307
Al-Anon	310
Alateen	311
SOS and LifeRing	311
Cocaine Anonymous	312
Narcotics Anonymous (NA)	312
Minnesota Model	313
Harm Reduction Programs	317
Needle Exchange Programs	318

Drug Courts	318
Drug Intervention Programs	319
Conclusion	320
Important Terms	320
Review Questions	321
Endnotes	321
<b>Chapter 12 · Looking to the Future</b>	<b>325</b>
Introduction	325
Benefits to Reforming Drug Laws	328
Harms to Reforming Drug Laws	330
Conclusion	332
Review Questions	332
Endnotes	332
<b>Appendix</b>	<b>333</b>
<b>Glossary</b>	<b>335</b>
<b>Index</b>	<b>385</b>

# About the Author

**Dr. Nancy E. Marion** is a professor of political science and criminal justice at the University of Akron. Her research areas largely revolve around the intersection of politics and criminal justice. She is the author of numerous articles and books that examine how politics affects criminal justice policy.

