

2002 Narcotics Arrest Survey

Erica Turley, *Research Analyst*
Laura Hutzel, *CJSAC Director*

In 2002, the Division of Criminal Justice Services funded one statewide and fifteen regional Drug and Violent Crime Control Task Forces, resulting in 983 arrests for drug-related activity.

From 2001 to 2002, offenses involving crack cocaine increased by 59.4%. This drug continues to be involved with more offenses reported by the Task Forces than any other drug.

Offenses involving Lortab, Dilaudid, OxyContin, and other opiates increased in frequency and exceeded cocaine in 2002. A couple of counties experienced a greater occurrence of these offenses than others, as shown on Page 6.

Only 8.3% of the offenses involved stimulants. Of the offenses in which the offender possessed a firearm, however, 15.9% involved stimulants.

Federal assistance was demonstrated to be beneficial to law enforcement and prosecution. When federal assistance was provided at any point in the case, the percentage of arrests leading to a conviction increased by 13.0%.

Prison continued to be the most frequent penalty imposed on convicted drug offenders, followed by probation.

It is important to note that this report represents the cases reported by the Task Forces and, therefore, should not be generalized to all drug cases in West Virginia.

Task Force

Reported Arrests in 2002

WVSP Bureau of Criminal Investigation (BCI)*	75
Central WV Drug Task Force	33
Eastern Panhandle Drug & Violent Crime Task Force	62
Greenbrier County Drug & Violent Crime Task Force**	2
Hancock/Brooke/Weirton Drug Task Force	69
Harrison and Lewis County Drug Task Force	63
Huntington Drug & Violent Crime Task Force	70
Metro Drug Enforcement Network Team	132
Mon Valley Drug Task Force	59
Ohio Valley Drug & Violent Crime Task Force	133
Parkersburg Multi-Jurisdictional Drug Task Force	58
Potomac Highlands Drug & Violent Crime Task Force**	22
Putnam County Drug & Violent Crime Task Force	36
Southern Regional Drug & Violent Crime Task Force	41
TriDent	100
US 119 (Logan) Drug & Violent Crime Task Force	28
Total	983

*Any BCI officers assigned full time to one of the other Task Forces report their arrests for that Task Force, not BCI.

**Greenbrier County and Potomac Highlands were funded and began reporting 7/1/2002.

State of West Virginia
Department of Military Affairs & Public Safety
Division of Criminal Justice Services

J. Norbert Federspiel, *DCJS Director*
Michael Cutlip, *Deputy Director - Programs*
Edward Holsclaw, *Sr. Justice Programs Specialist*
Leslie Boggess, *Justice Programs Specialist*

1204 Kanawha Boulevard, East
Charleston, West Virginia 25301
(304) 588-8814 phone
(304) 558-0391 fax
www.wvdcjs.com

The Division of Criminal Justice Services is the designated state criminal justice planning agency. The Division is responsible for fostering public safety in West Virginia by providing planning, system coordination, grant administration, training & technical assistance, monitoring, research, statistical services and law enforcement training.

The Criminal Justice Statistical Analysis Center's mission is to generate statistical and analytical products concerning crime and the criminal justice system for the public and justice system professionals and policymakers, establishing a basis for sound policy and practical decisions for the criminal justice system in West Virginia.

Funding for this project was provided by the U.S. Department of Justice, Bureau of Justice Assistance, Drug and Violent Crime Control Grant Program and administered by the Division of Criminal Justice Services.

The opinions, findings, conclusions, and recommendations expressed in this report are those of the authors and may not necessarily reflect those of the U.S. Department of Justice or the State of West Virginia.

The sixteen funded Task Forces submitted Narcotics Arrest Surveys (NAS) to the CJSAC. All population figures were obtained from 2000 Census data at www.census.gov.

This report and other reports are available on-line at www.wvdcjs.com.



Offenders

The Task Forces submitted one NAS form for each arrest made during calendar year 2002. Of the 983 reported arrests, 938 were unique individuals. 31 offenders were arrested twice during the year and 7 were arrested three times.

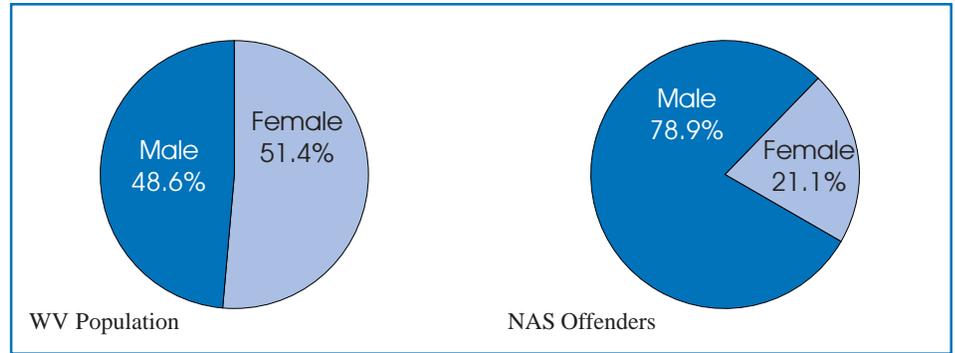
Nearly 80% of the offenders were male, while only 48.6% of the State's population is male (Graph 1).

62.2% of the offenders were white (Graph 2). Only 3.2% of the State's population is black, however, 37.5% of the offenders were black.

The greatest number of offenders were in the 18 to 24 year old age group (32.0%). One-quarter (25.2%) of the State's population is in the 45-64 year old age group. The number of offenders in each age group decreased as age increased (Graph 3).

On average, offenders were 31 years old. The most frequently reported age at arrest was 20. The oldest offender

Graph 1 Gender



was 73 and the youngest was 13. 2.1% of the offenders were juveniles.

Task Forces reported that 44.3% of the offenders had been arrested in the past. 31.0% of these offenders had a prior conviction and 19.8% had a previous conviction for a drug-related crime.

83.8% of the offenders were West Virginia residents. County of residence was reported for 786 of the unique offenders and is shown in Table 2. The

percentage of the population represented by the offenders is also shown based on 2000 Census population data.

The greatest number of offenders were from Kanawha County (133). However, Ohio County had the largest percentage of offenders per capita (0.129%).

Excluding the West Virginia State Police Bureau of Criminal Investigation (BCI), which operates statewide, 37 counties were covered by a Task Force in 2002. These counties comprise 83.2% of the State's population.

Graph 2 Race

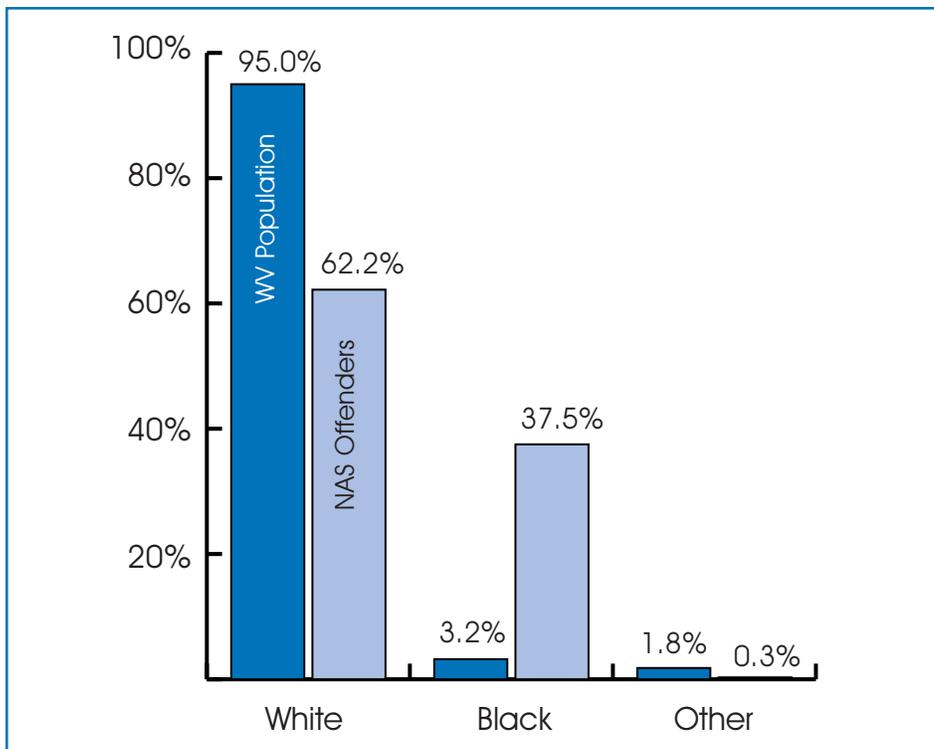
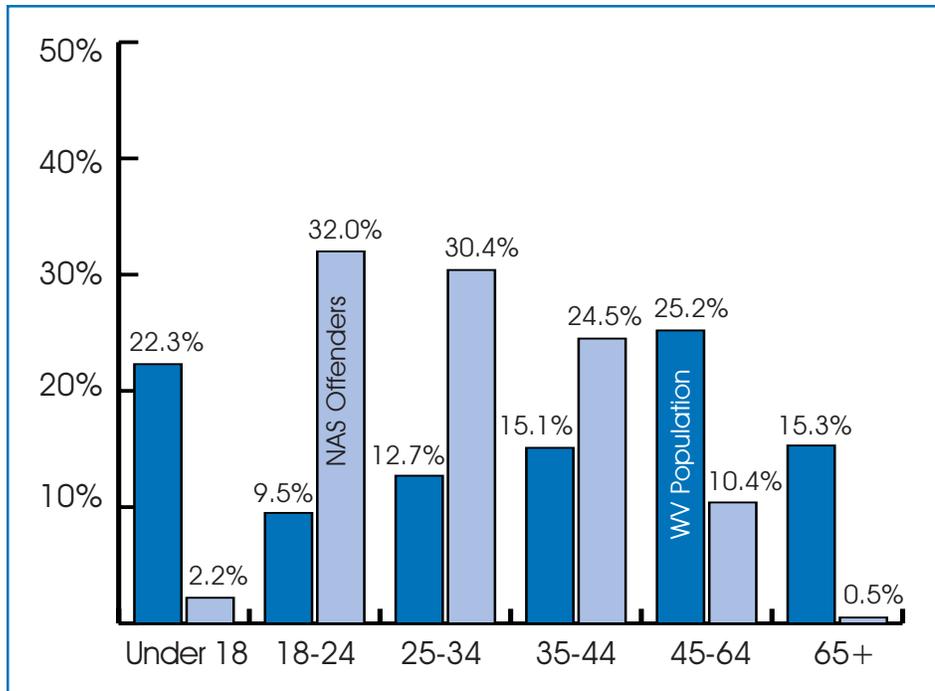


Table 1 Race and Gender

	WV Population	NAS Offenders
White Males	46.1%	45.2%
White Females	48.9%	17.0%
Black Males	1.6%	33.3%
Black Females	1.6%	4.2%
Other (Males & Females)	1.8%	0.3%

Graph 3 Age



Offenses

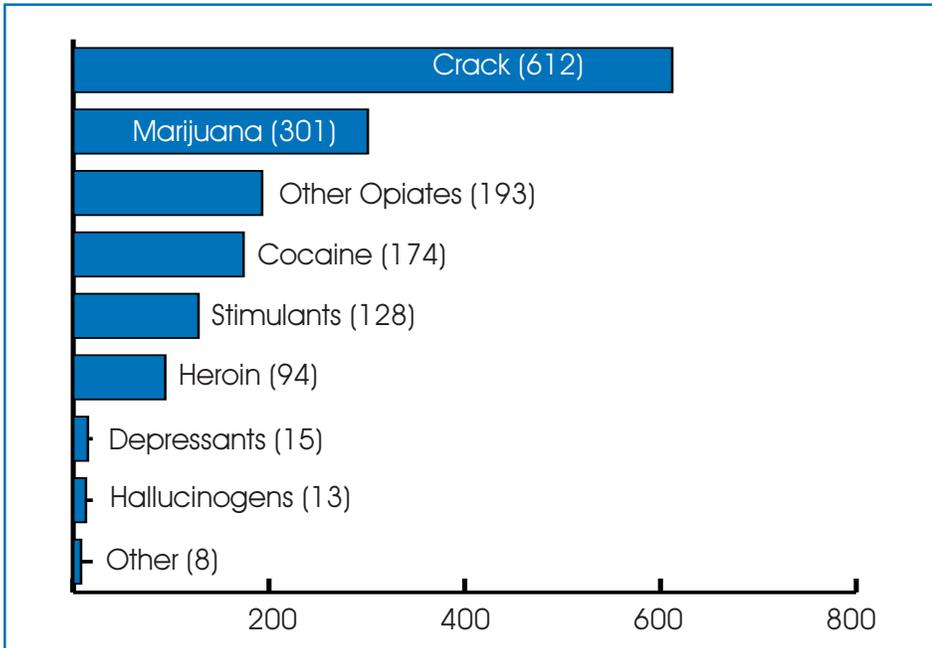
The total number of offenses charged to the offender was recorded on each NAS form. 64.6% of the arrests involved only one offense. 21.5% of the arrests involved 2 offenses, 8.0% involved 3 offenses, and 5.9% involved 4 or more.

Detailed charge and disposition information was reported for up to 10 of the offenses per arrest. A total of 1,541 offenses were reported in 2002.

Table 2 County of Residence

County	# NAS Offenders	Census Population	% Offenders/Population	County	# NAS Offenders	Census Population	% Offenders/Population
Ohio	61	47,427	0.129%	Randolph	3	28,262	0.011%
Hancock	39	32,667	0.119%	Tyler	1	9,592	0.010%
Nicholas	31	26,562	0.117%	Webster	1	9,719	0.010%
Hardy	10	12,669	0.079%	Upshur	2	23,404	0.009%
Raleigh	62	79,220	0.078%	Marshall	3	35,519	0.008%
Harrison	53	68,652	0.077%	Summers	1	12,999	0.008%
Berkeley	53	75,905	0.070%	Jefferson	3	42,190	0.007%
Hampshire	14	20,203	0.069%	Morgan	1	14,943	0.007%
Kanawha	133	200,073	0.066%	Roane	1	15,446	0.006%
Marion	36	56,598	0.064%	Greenbrier	2	34,453	0.006%
Fayette	29	47,579	0.061%	Wetzel	1	17,693	0.006%
Lewis	10	16,919	0.059%	Wayne	2	42,903	0.005%
Mercer	35	62,980	0.056%	Mason	1	25,957	0.004%
Tucker	4	7,321	0.055%	Jackson	1	28,000	0.004%
Putnam	27	51,589	0.052%	Preston	1	29,334	0.003%
Barbour	8	15,557	0.051%	Braxton	0	14,702	0.000%
Wirt	3	5,873	0.051%	Calhoun	0	7,582	0.000%
Logan	18	37,710	0.048%	Clay	0	10,330	0.000%
Cabell	45	96,784	0.046%	Doddridge	0	7,403	0.000%
Wood	37	87,986	0.042%	Grant	0	11,299	0.000%
Brooke	9	25,447	0.035%	Mineral	0	27,078	0.000%
Lincoln	7	22,108	0.032%	Mingo	0	28,253	0.000%
Monongalia	20	81,866	0.024%	Monroe	0	14,583	0.000%
Boone	5	25,535	0.020%	Pendleton	0	8,196	0.000%
Wyoming	5	25,708	0.019%	Pleasants	0	7,514	0.000%
Taylor	3	16,089	0.019%	Pocahontas	0	9,131	0.000%
McDowell	4	27,329	0.015%	Ritchie	0	10,343	0.000%
Gilmer	1	7,160	0.014%				
				Total WV	786	1,808,344	0.043%

Graph 4 Drug Involved



Drugs Involved

For each of the offenses charged, Task Forces identified the drug involved. The 1,538 drugs were then categorized as shown in Graph 4. Over half (59.4%) of the offenses involved crack cocaine or marijuana.

Crack cocaine was the most frequently reported drug with 612

offenses. 301 of the offenses involved marijuana. For the first year since 1999, there were more offenses involving other opiates than cocaine. Other opiates, including narcotics such as Tylox, Lortab, Percocet, Dilaudid, Morphine, and OxyContin, accounted for 193 of the offenses while cocaine

was involved in 174. Stimulants, which includes methamphetamine, were reported for 128 of the offenses.

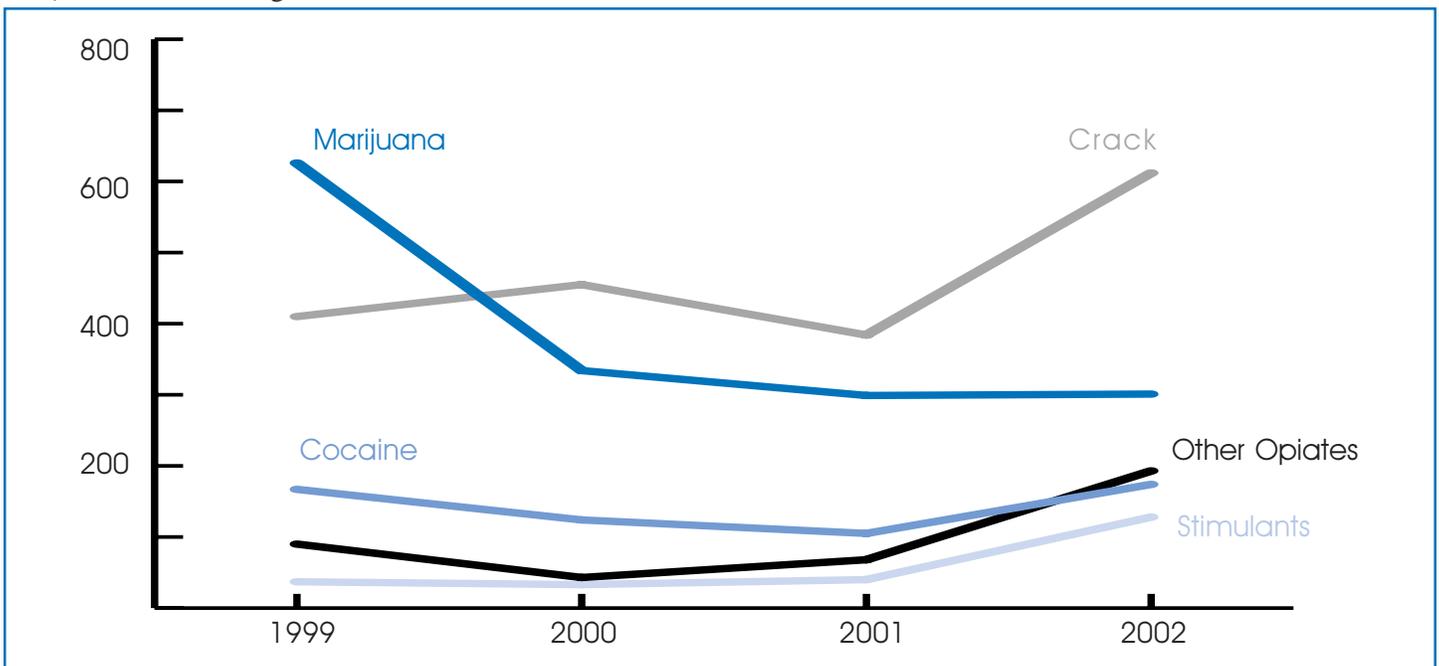
Graph 5 shows the trend in drugs reported through the Narcotics Arrest Survey since 1999. Marijuana was the most frequently reported drug in 1999 but has since declined from a high of 626 offenses to only 301 offenses in 2002.

Crack cocaine surpassed marijuana in 2000 and has since been the most frequently reported drug. Crack cocaine charges increased by 59.4% between 2001 and 2002.

Cocaine charges remained relatively stable during these four years. There were 167 offenses involving cocaine in 1999 and 174 in 2002. However, in 2002 cocaine fell from the third most frequently reported drug to fourth.

Offenses involving both other opiates and stimulants started increasing between 2000 and 2001. In 2002, other opiates increased by 183.8% over the previous year. Stimulants also increased sharply during this time by 220.0%.

Graph 5 NAS Drug Trends



Gender, Race, and Drugs

The greatest number of offenses committed by white males involved marijuana (205). Black males, black females, and white females all committed more offenses involving crack cocaine than any other drug (Graphs 6 & 7).

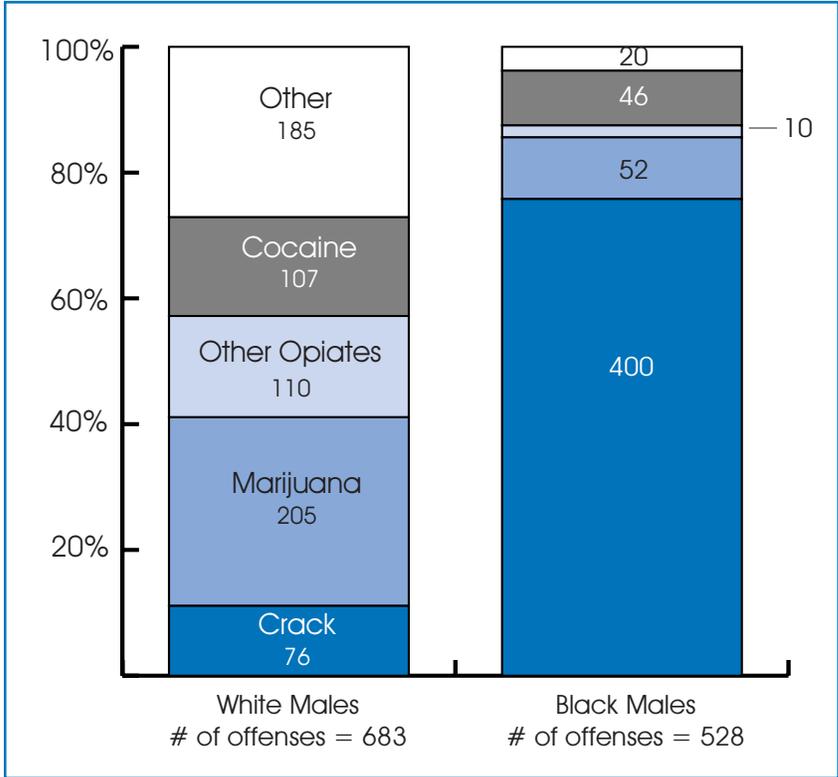
110 offenses committed by white males and 66 offenses committed by white females involved other opiates.

107 of the “other” drugs involved in offenses committed by white males were stimulants. White males committed the majority (83.6%) of the reported offenses involving stimulants.

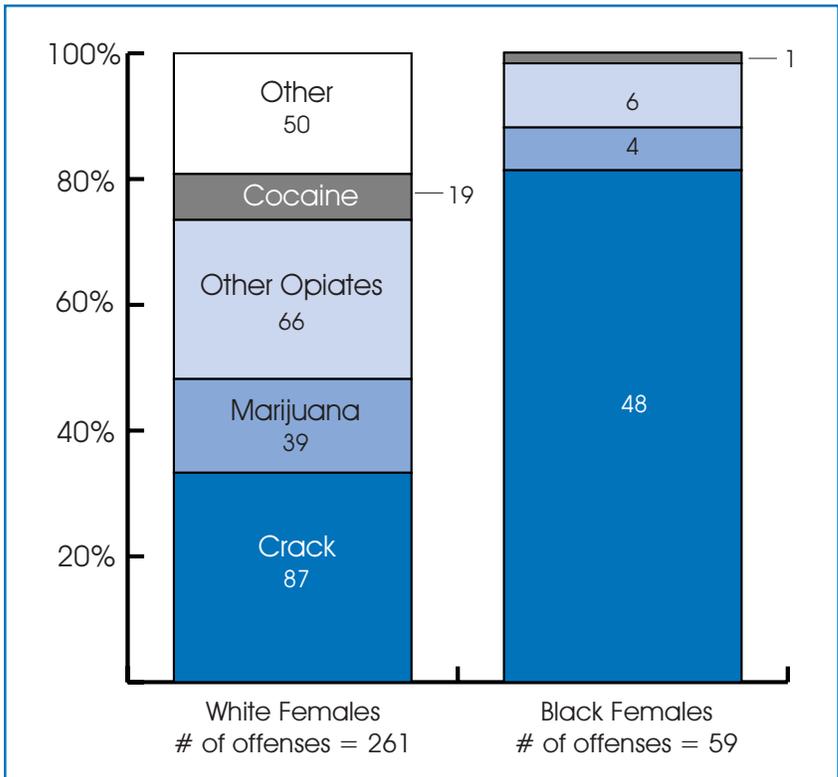
For white females, heroin was the drug for 22 of the offenses involving “other” drugs.

No offenses were reported involving “other” drugs for black females.

Graph 6 Percentage of Offenses by Drug for Males



Graph 7 Percentage of Offenses by Drug for Females



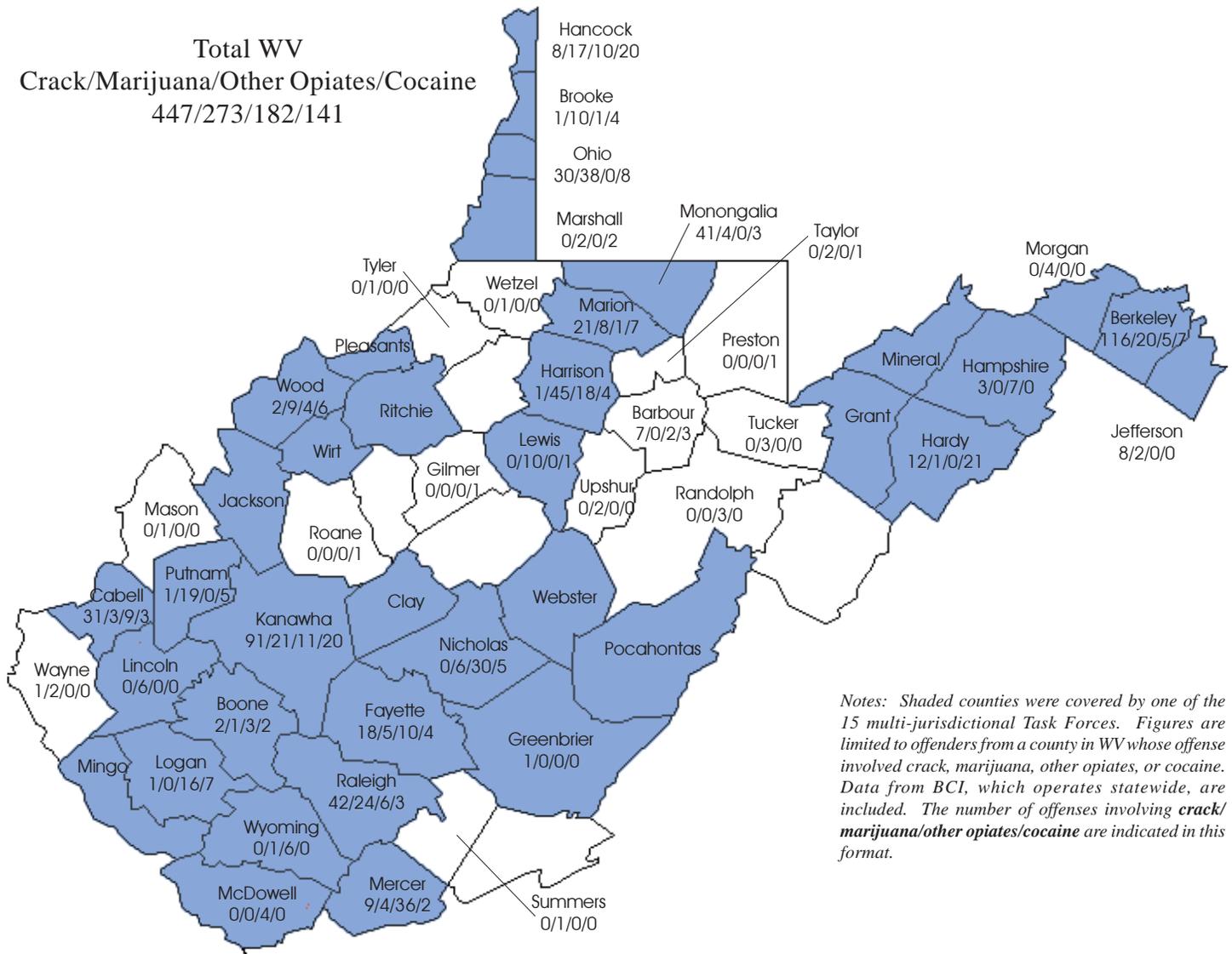
Firearms

66 of the reported arrests indicated that one or more firearms were in the offender’s possession at the time of arrest. A total of 157 firearms were reported, with 9 of these firearms being automatic.

While only 8.3% of all offenses involved stimulants, 15.9% of the offenses committed by offenders with firearms in their possession involved stimulants.

36.3% of the offenses in which the offender possessed a firearm involved crack cocaine.

Crack, Marijuana, Other Opiates, and Cocaine Charges by Offenders' Home County



Drugs by County

The map above shows the distribution of the top four drugs by county when both the drug involved and the offender's home county were reported.

Crack cocaine charges were greatest for offenders from Berkeley County (116). 91 crack charges were from Kanawha County.

Harrison (45) and Ohio (38) counties had the greatest number of marijuana charges.

The greatest number of charges involving other opiates were from Mercer (36) and Nicholas (30) counties. 10 or more charges were reported for Harrison, Logan, Kanawha, Fayette, and Hancock counties.

Hardy (21) and Hancock (20) counties reported more cocaine charges than any other county.

Clay, Grant, Jackson, Mineral, Mingo, Pleasants, Pocahontas, Ritchie, Webster, and Wirt counties were each covered by a Task Force during 2002. However, no offenses involving the top four drugs were reported for offender's from these counties.

Drugs by Charge

Offenses involving crack cocaine were more often distribution/sale charges (37.3%). However, 28.9% were possession charges.

56.5% of the offenses involving marijuana were possession charges. Distribution/sale accounted for 25.2% of the offenses involving marijuana.

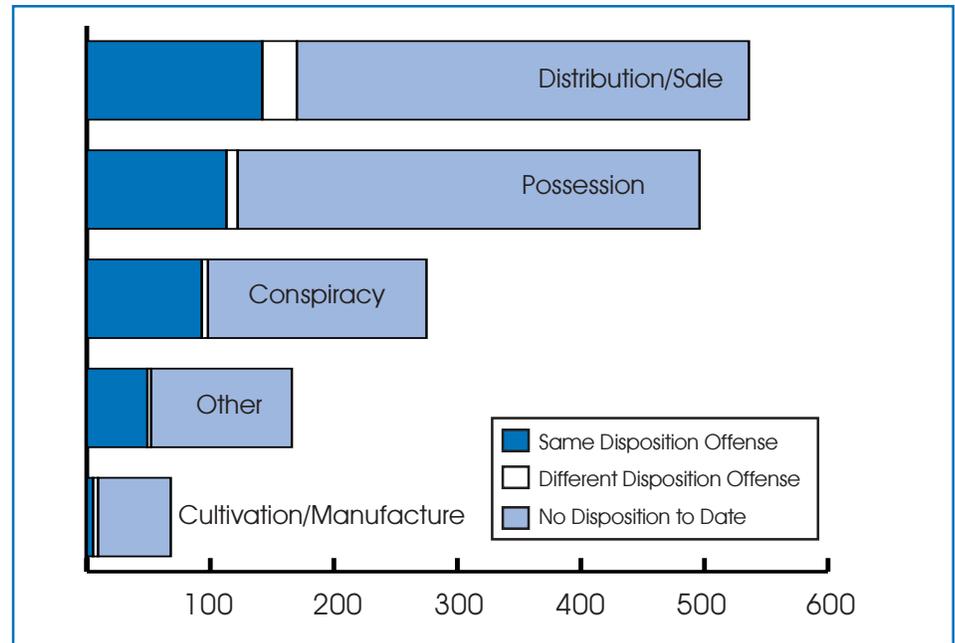
Nearly half (49.2%) of the offenses involving other opiates were distribution/sale charges.

40 (31.3%) of the offenses involving stimulants were cultivation/manufacture charges. These could be accounted for by methamphetamine labs.

The greatest number of offenses charged against adults were distribution/sale charges involving crack cocaine (220) (Table 3). 40.8% of all charges against adults involved crack cocaine.

22 offenses were charged against juveniles in 2002 (Table 4). Of these, half involved marijuana. The greatest number of offenses charged against juveniles were possession charges involving marijuana (10).

Graph 8 Type of Charge by Type of Disposition



Offenses Charged/Disposed

Graph 8 shows the type of charge for each of the reported offenses at arrest by the type of disposition offense, if available. Disposition information was only reported for 29.1% of the offenses. Of these offenses, 89.1% were disposed as charged. When arrest and disposition dates were both reported, the average length of time from arrest to disposition was 132 days.

88.1% of the offenses were charged at the felony level while 11.9% were charged as misdemeanors.

34.8% of the offenses were distribution/sale charges. Possession charges accounted for 32.2% of the offenses charged.

“Other” charges included prescription fraud, transporting across state lines, and aiding and abetting.

Enhancements reported with charges of distribution/sale included

Table 3 Offenses Charged to Adults

	Cultivation/ Manufacture	Distribution/Sale	Possession	Conspiracy	Other	Total
Marijuana	22	74	158	22	8	284
Cocaine	0	74	43	32	15	164
Crack	1	220	175	136	65	597
Heroin	3	24	11	15	16	69
Stimulants	40	17	45	15	11	128
Depressants	0	5	6	0	2	13
Hallucinogens	0	3	3	3	4	13
Other Opiates	1	95	30	31	33	190
Other	0	3	2	2	0	7
Total	67	515	473	256	154	1,465

Table 4 Offenses Charged to Juveniles

	Cultivation/ Manufacture	Distribution/Sale	Possession	Conspiracy	Total
Marijuana	1	0	10	0	11
Cocaine	0	0	1	0	1
Crack	0	4	2	1	7
Other	0	0	3	0	3
Total	1	4	16	1	22

‘within 1,000 feet of school grounds’ (95), ‘while in possession of a firearm’ (32), and ‘to a minor’ (1).

Over half (55.1%) of the offenses charged were initiated by an indictment. Other offenses were initiated by on-site arrests (27.9%), arrest warrants (16.2%), juvenile petitions (0.6%), and subpoenas (0.2%).

The conviction rate for the disposed offenses was 60.1%. 98.1% of the convictions were the result of a guilty plea. 37.0% (166) of the offenses were dismissed.

80.0% of the offenses initiated by an arrest warrant resulted in a conviction. Of the offenses initiated by an on-site arrest, 76.4% resulted in a conviction. However, the conviction rate for offenses initiated by an indictment was slightly lower than the overall rate for all offenses, at 52.6%.

Penalties

The type of penalty imposed was reported for 320 offenses (Graph 9). Prison was the most frequently reported penalty (135). 69 offenses resulted in a penalty of probation. Other penalties included fines (31), supervisory periods (29), jail (28), suspended sentences (15), home confinement (8), and juvenile detention (5).

Of the offenses resulting in prison, 77, or 57.0%, involved crack cocaine. 34, or 49.3%, of the offenses resulting in probation involved marijuana.

70 (51.9%) of the offenses resulting in prison were distribution/sale charges. Offenses resulting in probation were split evenly between distribution/sale charges and possession charges with 25 each.

	Convicted	Not Convicted	Total
Distribution/Sale	120	49	169
Possession	84	38	122
Other	66	92	158
Total	270	179	449

	Convicted	Not Convicted	Total
Crack	105	90	195
Marijuana	85	31	116
Other Opiates	18	12	30
Cocaine	29	22	51
Other	33	24	57
Total	270	179	449

Federal Assistance

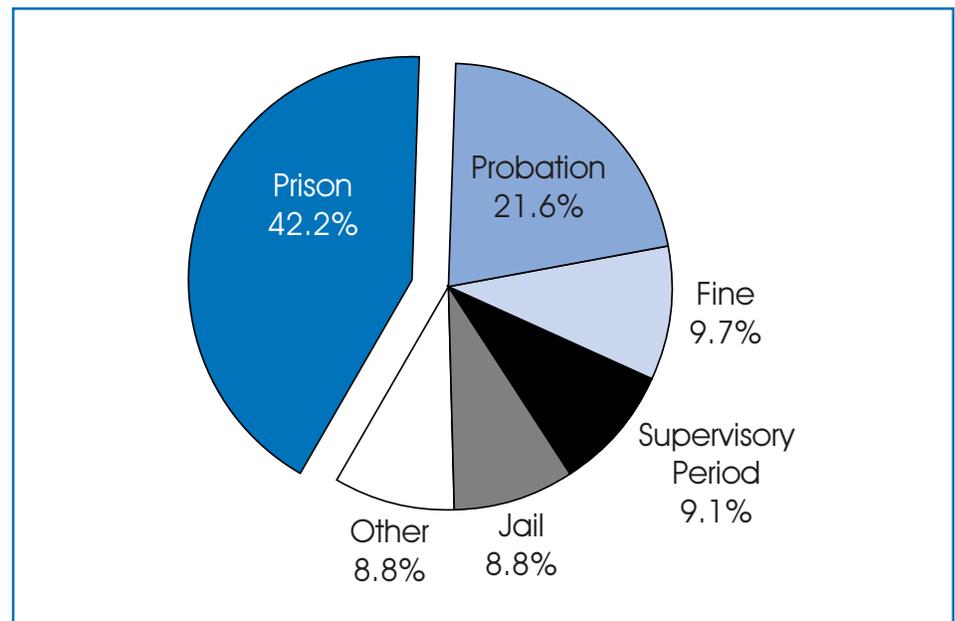
For each arrest reported, Task Forces were asked whether federal assistance was provided in one or more of four areas. It was reported that federal assistance was provided with the investigation in 32.2% of the arrests. Assistance with the indictment and arrest was provided in 30.2% and 26.4% of the reported arrests respectively. Federal assistance was provided with the trial in only 2.5% of the arrests.

Federal assistance was reported for 95.7% of the offenses involving heroin. Crack cocaine and cocaine offenses also

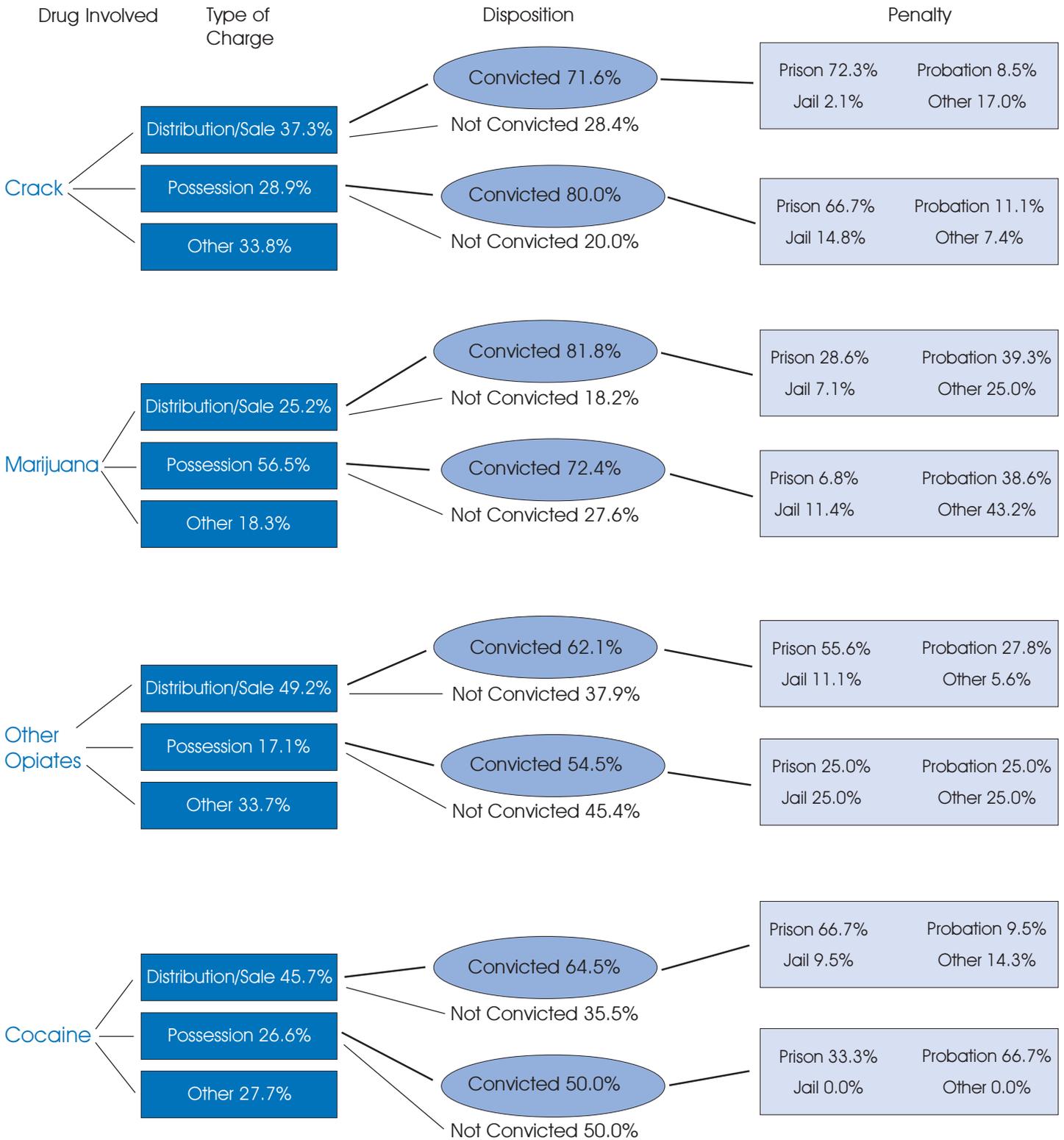
had higher levels of federal assistance than other drugs (70.9% and 66.1% respectively). However, federal assistance was only provided in 31.9% of the offenses involving marijuana and 32.6% of offenses involving other opiates. Federal assistance was provided with about half of the offenses that involved stimulants (53.9%).

When federal assistance was provided, the percentage of arrests with at least one offense resulting in a conviction increased by 13.0%.

Graph 9 Penalties Imposed



Flow Chart: From Arrest to Penalties



Notes: Percentages are based on known data for each reported offense. Missing data was excluded at each level of the chart. Sample size decreased from arrest to penalty. Distribution/Sale charges include delivery and enhancements. Possession charges include with intent, less than 15 grams, and concealing. Other Charges include cultivation/manufacture, conspiracy, prescription fraud, transporting across state lines, aiding and abetting, and other. Dispositions of Not Convicted include acquittals, dismissals, and declined prosecution. Other penalties include juvenile detention, fines, supervisory periods, home confinement, and suspended sentences.

Flow Chart

The flow chart on Page 9 illustrates the charges, dispositions, and penalties for offenses involving the top four reported drugs during 2002.

The type of charge varied most for offenses involving crack cocaine. A little more than one-third of these offenses were charges of distribution/sale (37.3%). Possession accounted for 28.9% of the crack charges. Other charges also made up one-third of the offenses.

The conviction rate was slightly higher for crack possession charges (80.0%) than for crack distribution/sale charges (71.6%). When convictions

were obtained for crack possession charges, penalties were often prison (66.7%) or jail (14.8%).

Of the offenses involving marijuana, more than half were possession charges (56.5%).

The conviction rate for marijuana distribution/sale charges was 81.8%. 72.4% of the marijuana possession charges that were disposed resulted in a conviction.

Probation was the most frequently reported penalty for both distribution/sale charges (39.3%) and possession charges (38.6%) involving marijuana.

Of the offenses involving other opiates, nearly half were charges of

distribution/sale (49.2%). The conviction rate for these charges was 62.1%. 55.6% of the convictions then resulted in a penalty of prison.

Penalties for possession of other opiates convictions were evenly distributed with 25% each.

Of the offenses involving cocaine, 45.7% were distribution/sale charges. The conviction rate for these charges was 64.5%.

Prison was the reported penalty for two-thirds of the cocaine distribution/sale convictions. Possession charges involving cocaine, however, resulted in probation for two-thirds of the offenses.

2002 Narcotics Arrest Survey

7755-11
Criminal Justice Statistical
Analysis Center
1204 Kanawha Boulevard, East
Charleston, WV 25301

Presorted Standard U.S. Postage Paid Charleston, WV Permit No. 271
