



Assessing geographic and individual level factors associated with arrests among injection drug users in California

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ABSTRACT

Law enforcement strategies to reduce street-based drug activity are often concentrated in neighborhoods with high levels of social and economic disadvantage. Intensive street-level policing is associated with fear and reluctance on the part of injection drug users (IDUs) to utilize syringe exchange programs (SEPs). We aim to build on previous research by analyzing the influence of zip code and individual level factors on the probability of arrest among IDUs in California. Individual characteristics and behaviors were more strongly associated with arrest than zip code characteristics. However, living in a disadvantaged zip code exerted a protective effect against arrest after adjusting for individual level factors (AOR 0.7, 95% 0.5, 0.9). Further efforts to contextualize the circumstances surrounding an arrest, including the characteristics of the geographic setting, may be useful for understanding how law enforcement practices impact the success of SEPs and the health of injection drug users.

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1. Background

The criminalization of drug use in the United States has contributed to a dramatic increase in arrests and incarceration in the past 30 years (Friedman et al., 2011). Since 2002 over 50% of the total federal expenditure on the control of illicit drugs has been spent on domestic law enforcement strategies that include tactics such as crackdowns, sweeps, raids, and problem-oriented policing (Mazerolle, 2006). Such targeted strategies resulted in 1.3 million arrests for drug abuse violations in 2009, more than any other crime category (Criminal Justice Information Services Division, 2009). Arrest refers to detention by police (with or without a charge) that may or may not lead to brief or long-term incarceration. Ecological approaches to studying drug-related arrests in urban environments previously observed that type and intensity of policing strategies significantly affect arrest patterns across time and space (DeFleur, 1975). In a study of arrest records from 1942 to 1970 in Chicago, DeFleur found geographic clusters of arrests varied over time by race, social meanings of drug use, and bias of police officers toward individuals with histories of previous involvement in the criminal justice system (DeFleur, 1975).

Neighborhood characteristics have been previously studied as important factors for understanding interactions with the law enforcement officers and arrest patterns (Pratt and Cullen, 2005; Rose and Clear, 1998). Neighborhood socio-economic status has been shown to have a negative effect on individuals' contact with the police, independent of illicit behavior, and associated with an increased risk of arrest for vandalism. Neighborhood visibility of an offense is also important to consider when studying arrest patterns and probabilities. It has been previously theorized that a socially and economically disadvantaged neighborhood is vulnerable to visible forms of drug activity that result in the increased presence of law enforcement (Saxe et al., 2001; Beckett et al., 2006). The visibility of outdoor drug activity in disadvantaged neighborhoods may permit an ease of arrests for law enforcement officers and in turn heighten risk of involvement in the criminal justice system for those without access to private spaces. Evidence exists to support the argument that neighborhood disadvantage without visible outdoor drug activity does not result in increased arrests. Warner and Coomer (2003) found that after controlling for a measure of drug activity at the neighborhood level, the association between economic disadvantage and drug arrest disappears.

Previous studies have posited that high levels of social disorganization, economic disadvantage, and residential mobility lead to a weakening of mechanisms of informal social control among residents and result in an increase in drug activity

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(Martinez et al., 2008; Sampson et al., 2002). A recent meta-analysis found strong evidence that substance use clusters by geographic area, but there was conflicting support for the hypothesis that social and economic disadvantage at the area level is associated with increased substance use at the individual level (Karriker-Jaffe, 2011; Genereux et al., 2010). The perceptions of law enforcement officers regarding the level of drug activity in a neighborhood may nevertheless result in a greater probability of arrest for someone, who uses drugs in a disadvantaged neighborhood (Kirk, 2008). Likewise the removal of residents due to arrest and incarceration may have the unintended consequence of further weakening mechanisms of informal social control in neighborhoods already experiencing a loss of social and economic capital caused by high levels of poverty, unemployment, and crime (Galea et al., 2005; Spaulding et al., 2011).

The confluence of local processes, including policing activities and neighborhood characteristics, affects the risk of arrest in a particular geographic setting. Differential risk of arrest by neighborhood may also be mediated by the experiences and characteristics of the individual (Werb et al., 2008). In the United States, African Americans are disproportionately arrested for drug abuse violations compared to Whites (Criminal Justice Information Services Division, 2009). Racial bias on the part of law enforcement officers, types of law enforcement strategies, heightened drug activity in neighborhoods with high percentages of non-white groups such as African Americans, and differences in actual individual drug use have been previously examined to explain the origins of racial and ethnic arrest disparities (Brown and Frank, 2006; Mosher, 2001; Tonry, 1995; Eitle and Monahan, 2009). Targeted policing operations conducted in New York (Belenko et al., 1991) and Baltimore (Chambliss, 1994) focused on street level drug dealers and drug markets that resulted in a concentration of arrests concentrated among Blacks and Latinos. A study in Seattle found that law enforcement strategies specifically directed toward disrupting crack use and sales resulted in an overrepresentation of African Americans and Latinos among those arrested for drug possession (Beckett et al., 2006). In Montreal, a study of arrests found a significant amount of variation across the urban landscape, noting an increase in the severity of offenses as the racial composition of a neighborhood included more Blacks. However, the researchers found that neither Black nor White individuals were disproportionately arrested in these neighborhoods, which discredited support for the hypothesis that individual police officers were biased racially in making arrests (Tremblay et al., 1999).

Furthermore, a growing body of research is exploring the public health implications of law enforcement strategies aimed at reducing street based drug activity (Drucker, 2002; Burris et al., 2004; Cooper et al., 2005; Bohnert et al., 2011). Intensive street-level policing is associated with fear and reluctance on the part of injection drug users (IDUs) to utilize syringe exchange programs (SEPs) and carry injection equipment, thereby heightening the risk for HIV and HCV through syringe sharing (Bluthenthal et al., 1999a; Davis et al., 2005; Pollini et al., 2008). A study of IDUs in Oakland and Richmond, CA, found that IDUs concerned about being arrested with drug paraphernalia were over twice as likely to share syringes and injection supplies (Bluthenthal et al., 1999b). In Vancouver, Canada, a 24-hour police presence strategically placed near a heavily utilized SEP was associated with a 28% reduction in the number of syringes exchanged during the 4-week period before and after ($p < 0.001$) (Wood et al., 2003).

Research has shown that rates of drug-related arrests are associated with higher HIV prevalence among IDUs in large US metropolitan areas (Friedman et al., 2006). Likewise, damage to veins from rushed injections and a perceived reduction in access to sterile syringes during a period of parole or probation may lead

to increased risks for blood-borne diseases or opiate overdose (Swartz et al., 2004; Epperson et al., 2008; Small et al., 2006; Wakeman et al., 2009; Jenkins et al., 2011). Intensive policing strategies may also facilitate the spread of HIV and Hepatitis C through the disruption and reconstitution of stable injector networks, as well as the shifting of drug markets and drug use patterns into new neighborhoods, that in turn, may expose new populations to injection as a mode of drug use (Wood et al., 2004).

Overall, arrest is an outcome influenced not only by engaging in some form of illegal behavior, which has its own set of contributing factors, but also by a series of factors that ultimately lead the police officer to take action and make an arrest. For injection drug users, the risk of being arrested is locally produced through the intersection of multiple factors that include individual characteristics and behaviors, density and type of policing strategies, and social and economic status of a geographic setting.

We aim to build on previous research by analyzing the influence of zip code and individual characteristics on the outcome of arrest in a geographically diverse sample of IDUs. More specifically, we seek to answer two research questions: Is residence in a socially and economically disadvantaged zip code associated with arrest among IDUs, regardless of individual characteristics and behaviors? Second, is racial composition at the zip code level associated with arrest among IDUs, regardless of individual characteristics and behaviors? The analyses presented in this paper are based on data collected from the California Syringe Exchange Program study of 1588 IDUs recruited between 2001 and 2003.

2. Methods

2.1. California syringe exchange program study (CalSEP)

The purpose of CalSEP was to assess the impact of a California State assembly bill that allows city and county governments to legalize SEPs. The study sampled clients from 24 SEPs in 16 different California counties across three annual cross-sections from 2001 to 2003. Counties ranged in size from a low of 62,500 residents (Mendocino) to a high of 6,359,500 residents (Los Angeles).

Recruitment of study participants occurred at SEP sites, where research personnel approached clients to determine their interest and eligibility for inclusion into the study. SEP clients were eligible for an anonymous quantitative interview and HIV test if they reported injecting drugs in the past 30 days and were 18 years of age or older. Study participants were not randomly recruited into the study for logistical reasons. Interviews took place in a private setting, with locations varying by field location and including rooms available in SEPs, cars, outdoor settings such as parks, temporary tents, sidewalks, and participants' homes (for clients of delivery-based SEPs). Each interview lasted about 30 min and covered a range of topics including demographics, socio-economic status, drug use history and practices, history of SEP use, place of current residence, and arrest and incarceration history. In addition, study participants were asked for their current zip code of residence. Each participant was paid \$10 for participating in the study. HIV test results and follow-up counseling were scheduled for one to two weeks later. In addition to the interview, each participant received HIV risk reduction counseling, an oral HIV test, and referrals for social and medical services after completion of the questionnaire and as needed. To reduce the likelihood of data entry errors, interviewers entered answers into a software program (QDS, NOVA Research Inc., Bethesda, MD) on lap-top computers. QDS software was also used to coordinate skip patterns and run consistency and validity checks. Study

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