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Quantifying crime associated with drug use among a large cohort of sanctioned offenders in England and Wales

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ABSTRACT

Aim: To assess the relationship between testing positive for opiates and/or cocaine and prior offending.
Methods: 139,925 persons (107,573 men) identified from a saliva test for opiate and cocaine metabolites following arrest in England and Wales, 1 April 2005–31 March 2009, were case-linked with 2-year recorded offending history. The prior offending rate, accounting for estimated incarceration periods, was calculated by: drug-test outcome; gender; four main crime categories (acquisitive, non-acquisitive, serious acquisitive, and non-serious acquisitive) and 16 sub-categories. Rate ratio (RR) compared opiate and/or cocaine positive to dual-negative testers. Adjusted rate ratio (aRR) controlled for age at drug test.
Results: The relationship between testing positive for opiates and cocaine and prior 2-year offending was greater for women than men (aRR men 1.77; 95% CI: 1.75–1.79: women 3.51; 3.45–3.58). The association was weaker for those testing positive for opiates only (aRR: men: 1.66, 1.64–1.68; women 2.73, 2.66–2.80). Men testing positive for cocaine only had a lower rate of prior offending (aRR: 0.93, 0.92–0.94), women had a higher rate (aRR: 1.69, 1.64–1.74). The strongest associations were for non-serious acquisitive crimes (e.g. dually-positive: prostitution (women-only): aRR 24.9, 20.9–29.7; shoplifting: aRR men 4.05, 3.95–4.16; women 6.16, 5.92–6.41). Testing positive for opiates and cocaine was associated with violent offences among women (aRR: 1.54, 1.40–1.69) but not men (aRR: 0.98, 0.93–1.02).
Conclusions: Among drug-tested offenders, opiate use is associated with elevated prior offending and the association is stronger for women than men. Cocaine use is associated with prior offending only among women.
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1. Introduction

Although the nature of the drugs–crime link is likely to be complex and multi-factorial (Seddon, 2000), it is well documented that those dependent on illicit substances are responsible for a disproportionate number of crimes, particularly crimes committed for financial gain (acquisitive crimes; Bennett et al., 2008; Parker et al., 1988). Involvement in income-generating crime may, to an extent, reflect users' need to obtain funds to support their drug use (White and Gorman, 2000). Consistent with this, the association holds for those who are opiate or crack cocaine dependent and appears strongest for those who are dependent on both (Bennett et al., 2008). There is also support for an association with the use of other drugs, such as powder cocaine (Bennett and Holloway, 2007) or amphetamines (Klee and Morris, 1994).

The relationship is most evident for petty acquisitive crimes, such as shoplifting (Bennett et al., 2008). However, the extent to which drug dependence is associated with more serious acquisitive crime, such as robbery, or with non-acquisitive crime, such as violent offences, is less apparent (Parker and Auerhahn, 1998; White and Gorman, 2000). In England and Wales, initiatives to reduce drug-related crime have focussed, almost exclusively, on opiate and crack/cocaine users (Home Office, 2010, 2011a), to whom a considerable proportion of all acquisitive crime has been attributed

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(MacDonald et al., 2005). Additionally, the prevalence of opiate and crack cocaine use, in particular, may influence trends in national crime rates (Morgan, 2014).

Much of the quantitative evidence for the drugs–crime link derives from interviews conducted with arrestees (Bennett et al., 2008). However, such information will be subject to recall and non-response bias. Record-linkage studies utilising criminal record data avoid these problems, but have typically relied on drug treatment cohorts and lacked a non-drug-using control group. The absence of a comparator group limits the inferences which can be made. For example, recent investigations of opioid treatment cohorts suggest higher rates of offending by men than women (Bukten et al., 2011; Degenhardt et al., 2013); but, as this finding is also observed in the general population (Ministry of Justice, 2012), it does not enlighten us about gender differences in the extent of the drugs–crime association. Two studies, identified in a recent meta-analysis (Bennett et al., 2008), which did compare men and women drug users with controls suggested that the drugs–crime link is stronger for women (Farabee et al., 2001; French et al., 2000). The meta-analysis concluded that: "more studies ... are needed in order to test the relationship [between gender and the drugs-crime link] more thoroughly".

Studies which have a (non-drug-using) control group rarely consider potential confounders of the drugs–crime relationship. In particular, age is a known important influence on offending rates, both for non-drug users (Farrington, 1986) and drug users (Horyniak et al., 2014). Thus, comparisons which fail to account for age may reflect differences in age composition, rather than differences related to drug use. Additionally, the existing literature rarely incorporates information about incarceration in the calculation of crime rates: crime rate estimates which fail to take account of periods of incarceration will be lower than rates based on 'time in the community' (Ferrante et al., 2009; Sutherland, 2013).

The current study seeks to quantify the relationship between opiate and/or cocaine use and 2-year prior historical offending by drawing on a large record-linkage cohort of 139,925 offenders who were drug tested and sanctioned following arrest. The prior conviction histories of criminally-active users were compared with criminally-active non-users over four main categories of crime (acquisitive, non-acquisitive, serious acquisitive, and non-serious acquisitive) and 16 sub-categories of crime. The association between testing positive and prior offending history was explored, separately by gender to gain insight on differences between men and women. Comparisons also account for differences in age and incarceration time.

The testable hypotheses are: (1) offenders testing positive for opiates or cocaine have a higher rate of prior past offending than negative testers; (2) those testing positive for both opiates and cocaine have the highest rate of prior offending; (3) the association between opiate/cocaine use among offenders and prior historical offending is stronger for women. The analysis also explores (4) whether the association is consistent over different categories of offence.

2. Methods

2.1. Data

The cohort comprised individuals recorded as receiving a salivary drug test following arrest in England and Wales (1 April 2005–31 March 2009). Two-year offending histories were extracted from linked Police National Computer (PNC) records.

The policy of drug testing was introduced to identify drug users in the criminal justice system and increase drug treatment participation (NTA, 2011). The policy operates in most large urban areas in England and Wales and involves a mandatory saliva test for opiate and cocaine (crack or powder form) metabolites following arrest for a 'trigger' offence (pre-defined as associated with problem drug use), or at the discretion of the police officer in charge of the custody area. Trigger offences are: theft; robbery; burglary; vehicle theft; supply or possession of cocaine or heroin (Home Office, 2011a). The Drug Test Record (DTR) records positive and negative saliva test results, test dates, reason for test and basic demographic information. Those who test positive are required to attend an initial assessment with a drugs worker who will help the user seek treatment and other support.

The PNC is an operational database containing information on all arrests resulting in a criminal charge. It records: type of offence; whether the charge resulted in a conviction, caution, warning or reprimand; court and sentencing outcomes; and offence date.

Subjects identified via the DTR were case-linked to PNC records for all offences occurring up to 31 March 2009 which resulted in a sanction (i.e., court conviction, police caution, warning or reprimand). Linkage was via the 'minimal identifier' derived from initials, date of birth and gender. These data were irreversibly encrypted prior to their release by source organisations, rendering them anonymous to the research team. The PNC records a unique personal identifier; multiple instances of this unique identifier paired with a single minimal identifier were taken as evidence that the minimal identifier was shared by more than one offender; these cases were removed.

The DTR cohort was selected via the first drug test satisfying the following criteria: (1) person tested aged 18–64; (2) completed test with an undisputed result; (3) subsequent charge and sanction. The latter criterion ensured that the analysis was based on established offenders so that it was not biased by unproven offences or poor linkage.

2.2. Outcome

Analysis considered those offences recorded as occurring during the 2 years prior to the drug test. Offences during the 2-week period immediately prior to the drug test were excluded. Thus, results were not unduly influenced by trigger offences prompting test administration.

Offences were classified into 16 UK Home Office categories (Home Office, 2011b), including sub-categories of 'theft', and additional categories of 'breach' and 'prostitution' (women only), both of which are prevalent amongst opioid and crack users (Booth et al., 2000; Gossop et al., 1994; Millar et al., 2008). Among women, there were few sexual offences ($n = 72$) and for women only this category was combined with 'other indictable offences'.

Following a nationally-used indicator (Audit Commission, 2010), 'serious acquisitive' crimes were defined as: burglary, robbery, vehicle theft and theft from a vehicle. Non-serious acquisitive crime comprised the remainder of crime categories that confer financial gain (including prostitution and drug supply offences). Non-acquisitive crimes excluded drug misuse offences, for which higher rates among the DTR-positive subgroups were expected. Details of crime categories are provided in Supplementary Material A.

PNC records sentencing information and, in adherence to existing methodology (Sutherland, 2013), it was assumed that multiple prison sentences awarded at the same court appearance ran concurrently, unless stated otherwise. The estimated incarceration period was taken as half of the total sentence, as per the sentencing guidelines (HM Prison Services, 2008).

2.3. Analysis

The rate of offences per year was calculated separately for men and women, according to the offence category and drug test result.

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