



## Trends in drug trafficking, 1986-94

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### Trends in drug trafficking arrests

From 1986 to 1989 adult arrests for drug trafficking rose. Since then, the number has generally fallen. In the peak year, 1989, an estimated 406,000 adults were arrested nationwide for drug trafficking (table 6.1). In the latest year of available data, 1994, 319,000 were arrested, or 22% fewer than in 1989.

In short, drug trafficking arrests rose through the late 1980's and have generally fallen since.

### Trends in drug trafficking convictions

Biennial data exist since 1986 on convictions for drug trafficking. They show a large increase in drug trafficking convictions from 1986 to 1988, followed by a large increase from 1988 to 1990, followed then by a modest increase from 1990 to the latest year of available data, 1992 (table 6.2).

In short, drug trafficking convictions rose substantially through the late 1980's but have risen only slightly in the 1990's.

### Trends in drug traffickers as percentages of all convictions

In 1986, 13% of all State court felony convictions were for drug trafficking. The number rose to 17% in 1988 and to 20% in 1990. In 1992 it stayed at about that same level, 19%.

### Trends in likelihood of conviction given arrest for drug trafficking

The likelihood of conviction given arrest can be approximated by relating the number of convictions to the number of arrests. Accordingly, in 1986, for every 100 arrests for drug trafficking there were 41 convictions. In 1988 it was about the same: 39 convictions for every 100 arrests. But in 1990 it rose substantially, to 53 convictions per 100 arrests. In 1992 it stayed at about that same level, 55 convictions per 100 arrests.

In short, the likelihood of conviction given arrest for drug trafficking rose considerably from 1986 to 1990 but has risen only slightly since then.

### Trends in likelihood of prison sentence given conviction for drug trafficking

In 1986, 37% of convicted drug traffickers received a prison sentence. In 1988 about the same percentage were sent to prison, 41%. But in 1990 that rate rose considerably, to 52%, and it remained at about that level in 1992, 55%.

In short, from 1986 to 1990 a growing percentage of convicted drug traffickers received a prison sentence. Since then, the percentage has risen only slightly.

### Trends in drug traffickers as percentages of prison entries

In 1986 drug traffickers accounted for 11% of all entries to State prisons. In 1988 that number grew to 16% and in 1990 to 22%. In 1992, 21% of entering inmates were traffickers.

### Overview of recent national trends in the justice system response to drug trafficking

The period from the mid-1980's to the late 1980's was characterized by markedly rising risk of apprehension, prosecution, and imprisonment and was followed by a leveling-off period. However risk is measured — whether by the number of arrests, the number of convictions, the number of convictions relative to arrests, or the percentage of convictions receiving prison — risk rose through the late 1980's and, except for arrests, has stayed at about that level since.

In 1986 drug traffickers were 1 in every 8 persons entering prison, and in 1992, 1 in every 5. This change, over a short period of years, resulted not just from police making more arrests, but also from prosecutors pursuing charges and obtaining convictions against a larger fraction of those arrested and from judges sentencing to prison a larger fraction of those convicted.

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### **Drug traffickers and violent offenders: 1992 felony sentences compared**

State courts nationwide sentenced convicted violent offenders more severely than convicted drug traffickers:

- 48% of drug traffickers and 60% of violent offenders received a prison sentence (table 1.2).
- Average prison sentences were 6 years for drug traffickers and 10½ years for violent offenders (table 1.3).

However, not all State courts sentenced violent felony offenders more severely than drug traffickers, according to survey results from the 1992 National Judicial Reporting Program. Of the 300 counties that participated in the survey, courts in 274 convicted at least 1 drug trafficker and 1 violent offender in 1992.

Seventy-four of the 274 — or 27% of the courts — sentenced a greater fraction of drug traffickers than violent offenders to prison:

- In the 74 courts where prison sentences were imposed more often for drug traffickers than violent offenders, prison sentences were imposed on 76% of convicted drug traffickers and 55% of convicted violent offenders.

These results suggest that about a quarter of the Nation's State courts imprison a higher percentage of drug traffickers than violent offenders.

In some courts, longer prison sentences were imposed on drug traffickers than on violent offenders. Of the 246 courts that sentenced to prison at least one drug trafficker and one violent offender in 1992, 30 — or 12% — on average sentenced drug traffickers to longer terms of imprisonment than violent offenders:

- In the 30 State courts where sentences were longer for drug traffickers than violent offenders, the average prison sentence imposed was nearly 12 years for drug traffickers and 9 years for violent offenders.

**Table 6.1. Trends in drug trafficking arrests, convictions, and sentences, 1986-94**

Year	Drug trafficking				
	Number of adult arrests	Number of State court felony convictions	Number of State prison sentences	Number of convictions per 100 arrests	Percent of convictions to State prison
1986	186,164	76,437	28,151	41	37%
1987	220,083	--	--	--	--
1988	288,038	111,950	45,656	39	41
1989	405,896	--	--	--	--
1990	316,739	168,360	82,496	53	52
1991	310,353	--	--	--	--
1992	311,005	170,806	81,987	55	55
1993	301,060	--	--	--	--
1994	318,607	--	--	--	--

--Detail not available.

**Table 6.2. Convicted drug traffickers as percent of all State court felony convictions and sentenced drug traffickers as percent of all convicted felons sentenced to State prison, 1986-92**

Year	Drug trafficking convictions as percent of all felony convictions in State courts	Drug traffickers as percent of all State prison sentences
1986	13%	11%
1988	17	16
1990	20	22
1992	19	21

## Methodology

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### Sampling

Except for 1 county (replaced by another county), the sample of 300 counties drawn for the 1988 survey was also used in the 1992 survey. Every county in the Nation had a nonzero probability of being in the sample. In general, the more felony cases a county had, the more likely that county was to be in the sample.

The survey used a two-stage, stratified cluster sampling design. In the first stage the Nation's 3,109 counties or county equivalents were divided into 8 strata. Strata 1 and 2 consisted solely of the 75 largest counties in the United States as defined by the 1985 resident population. Strata 3 through 8 consisted of the remaining 3,034 counties.

Because the 75 largest counties account for a disproportionately large amount of serious crime in the Nation, they were given a greater chance of being selected than the remaining counties.

Stratum 1 consisted of the 19 counties with the largest number of felony convictions in 1985, plus 12 counties whose participation in the survey had been prearranged. Every county in stratum 1 was selected for the sample.

Stratum 2 consisted of the 44 most populous counties that were not in stratum 1. The 44 were ordered by their number of felony convictions in 1985, and then approximately every other county was selected. Stratum 2 thus contributed 23 counties to the sample. Altogether, 54 out of the 75 largest counties were sampled. Data on 1985 felony convictions were obtained from a mail survey described

in *State Felony Courts and Felony Laws* (NCJ-106273) and *Census of State Felony Courts, 1985* (ICPSR-8667).

The 54 sampled counties in the 1992 NJRP survey were the same 54 as in the 1986, 1988, and 1990 NJRP surveys.

The 3,034 counties not among the 75 largest were placed into 6 strata defined by the total number of felony convictions in 1985 and then arrayed within stratum by region and within region from largest to smallest on felony conviction totals. The final sample included 246 counties from among the 3,034 counties outside the 75 largest. Case-level data were successfully obtained on convicted felons sentenced in 1992 from these 300 sampled counties. (Two of the 300 had no felony convictions during the survey period.)

The 60 sampled counties in strata 1 and 3 were self-representing only, and their sampled cases therefore had a first-stage sampling weight of 1. The remaining 240 counties sampled from strata 2 and 4 through 8 were selected to represent their respective strata so that the felony conviction cases sampled had first-stage weights greater than 1.

At the second stage of sampling, a systematic sample of felons sentenced for murder/nonnegligent manslaughter, rape, robbery, aggravated assault, burglary, felony larceny/motor vehicle theft, fraud/forgery/-embezzlement, drug trafficking, drug possession, weapons offenses, and other offenses was selected from each county's official records. The total sample numbered 105,657 cases. Of these, 72,943 cases were in the 75 largest counties.

Rates at which cases were sampled varied by stratum and crime type.

In smaller counties every felony case was taken. In larger counties all murder cases and rape cases were typically included, but other offense categories were sampled.

### Sampling error

NJRP data were obtained from a sample and not from a complete enumeration. Consequently, estimates are subject to sampling error. A standard error, which is a measure of sampling error, is associated with each number in the report. In general, if the difference between two numbers is at least twice the standard error of that difference (the criterion used in this report), there is at least 95% confidence that the two numbers do in fact differ; that is, the apparent difference is not simply the result of surveying a sample rather than the entire population.

National estimates of the number of convictions for individual crime categories and for the aggregate total had a coefficient of variation of 3%.

### Missing data

Unless otherwise stated, computations of statistics shown in the report's tables excluded sample cases that were missing data for the particular variables being tabulated.

### Sources of data

For about 80% of the 300 counties sampled, NJRP data were obtained directly from the State courts. Other sources included prosecutor offices, and courts and prosecutor offices combined. Individual-level NJRP records were obtained through a variety of collection methods, including magnetic tape (61% of the counties), field collection (12%), printouts and other

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documents, and manually completed forms.

Data collection for 235 counties was performed by the U.S. Bureau of the Census and for 65 counties by the National Association of Criminal Justice Planners.

### **Targeted population**

The survey targeted and recorded initial sentences imposed in 1992. If a sentence was imposed on one date and then modified at a later date, the revision was ignored. The survey recorded sentences that were actually executed and excluded suspended sentences.

Because year of conviction was not a defining characteristic, some cases in the sample were of persons convicted before 1992 but not sentenced until 1992. In a few counties in which it was impractical to target sentences in 1992, the target was felons convicted in 1992. In some of the cases, the data relate to sentences imposed after 1992.

### **Crime definitions**

**Murder and nonnegligent manslaughter:** Murder is (1) intentionally causing the death of another person without extreme provocation or legal justification or (2) causing the death of another while committing or attempting to commit another crime. Nonnegligent (or voluntary) manslaughter is intentionally and without legal justification causing the death of another when acting under extreme provocation. The combined category of murder and nonnegligent manslaughter excludes involuntary or negligent manslaughter, conspiracies to commit murder, solicitation of murder, and attempted murder.

**Rape:** forcible intercourse (vaginal, anal, or oral) with a female or male. Includes forcible sodomy or penetration with a foreign object (which are sometimes called "deviate sexual assault"), but excludes statutory rape or any other nonforcible sexual acts with a minor or with someone unable to give legal or factual consent. Includes attempts.

**Robbery:** the unlawful taking of property that is in the immediate possession of another, by force or the threat of force. Includes forcible purse snatching, but excludes nonforcible purse snatching, which is classified as larceny/theft. Includes attempts.

**Aggravated assault:** (1) intentionally and without legal justification causing serious bodily injury, with or without a deadly weapon, or (2) using a deadly or dangerous weapon to threaten, attempt, or cause bodily injury, regardless of the degree of injury, if any. Includes "attempted murder," "aggravated battery," "felonious assault," and "assault with a deadly weapon."

**Other violent:** violent offenses excluding murder and nonnegligent manslaughter, rape, robbery, and aggravated assault. Includes offenses such as sexual assault, kidnaping, extortion, and negligent manslaughter. Includes attempts.

**Burglary:** the unlawful entry of a fixed structure used for a regular residence, industry, or business, with or without the use of force, to commit a felony or theft. Includes attempts.

**Larceny and motor vehicle theft:** Larceny is the unlawful taking of property other than a motor vehicle from the possession of another, by stealth, without force or deceit. Includes pocket picking, nonforcible purse snatching, shoplifting, and thefts from

motor vehicles. Excludes receiving and/or reselling stolen property (fencing), and thefts through fraud or deceit. Includes attempts.

**Motor vehicle theft:** The unlawful taking of a self-propelled road vehicle owned by another. Includes the theft of automobiles, trucks, and motorcycles, but excludes the theft of boats, aircraft, or farm equipment (which is classified as larceny/theft). Also includes receiving, possessing, stripping, transporting, and reselling stolen vehicles, and unauthorized use of a vehicle (joyriding). Includes attempts.

**Fraud, forgery, and embezzlement:** using deceit or intentional misrepresentation to unlawfully deprive a person of his or her property or legal rights. Includes offenses such as check fraud, confidence game, counterfeiting, and credit card fraud. Includes attempts.

**Drug possession:** Includes possession of an illegal drug, but excludes "possession with intent to sell." Includes attempts.

**Drug trafficking:** includes manufacturing, distributing, selling, smuggling, or "possession with intent to sell." Includes attempts.

**Weapons offenses:** The unlawful sale, distribution, manufacture, alteration, transportation, possession, or use of a deadly or dangerous weapon or accessory.

**Other felonies:** All felony offenses not listed above. Includes receiving stolen property, driving while intoxicated or other traffic offenses, bribery, obstructing justice, escaping from custody, family offenses (such as child neglect, contributing to the delinquency of a minor, and nonpayment of child support), and nonviolent

sexual offenses (such as statutory rape, incest, pornography offenses, pimping, and prostitution). Includes attempts.

## Regions

This report refers to regions that consist of the following States:

### Northeast

Connecticut  
Maine  
Massachusetts  
New Hampshire  
New Jersey  
New York  
Pennsylvania  
Rhode Island  
Vermont

### Midwest

Illinois  
Indiana  
Iowa  
Kansas  
Michigan  
Minnesota  
Missouri  
Nebraska  
North Dakota  
Ohio  
South Dakota  
Wisconsin

### South

Alabama  
Arkansas  
Delaware  
Dist. of Col.  
Florida  
Georgia  
Kentucky  
Louisiana  
Maryland  
Mississippi  
North Carolina  
Oklahoma  
South Carolina  
Tennessee  
Texas  
Virginia  
West Virginia

### West

Alaska  
Arizona  
California  
Colorado  
Hawaii  
Idaho  
Montana  
Nevada  
New Mexico  
Oregon  
Utah  
Washington  
Wyoming

## NJRP data consistent with other national data

The National Judicial Reporting Program compiles information on the sentences that courts impose on felons. Some of the sentences are to prison, while others are to jail or probation. The NJRP is largely based on court and prosecutor records. A separate statistical series based on prison records, the National Corrections Reporting Program (NCRP), compiles information on persons entering prison.

Informative comparisons can be made between felons sentenced in 1992 to prison according to the NJRP and persons entering prison in 1992 according to the NCRP. Though the two series are based on different sources, the two should give a matching profile of persons sent to prison. To the extent that findings from one series resemble those from the other, confidence is enhanced in each.

For various reasons a perfect match should not be expected. The two series are not identical in their geographical coverage. The NJRP is national, while the NCRP in 1992 gathered data from 38 State departments of corrections. The NJRP is subject to sampling variability, but the NCRP is not. The 1992 NJRP is based on samples of sentenced felons drawn from court and prosecutor records in 300 counties selected to be nationally representative. Consequently, there is a margin of error in the NJRP offender profiles that normally arises whenever a sample is drawn. The NCRP, however, uses no sample but is based on individual prison records.

Comparisons of NJRP and NCRP 1992 demographic profiles of persons receiving a State prison sentence produce nearly identical results —

	Percent of prison sentences	
	NJRP	NCRP*
Sex		
Male	91.2%	91.3%
Female	8.8	8.7
Race		
White	44.9%	44.7%
Black	54.5	54.3
Other	.6	1.0

\*National Corrections Reporting Program, 1992, BJS, NCJ-145862, October 1994, p. 12.