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The nature and extent of criminal charges under alternative drug policy scenarios

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Background

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- Important arguments in favour of liberalization of drug laws include possible reduction in crime and drug-related law enforcement expenditures
- Still; there is limited knowledge with regard to how different drug policy regimes may influence the nature and extent of criminal charges

Aims

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- To examine the nature and extent of criminal charges in
  - a randomly drawn sample of the **general population** and
  - a **sample of cannabis users**; individuals seeking treatment for cannabis use disorders (CUD), ICD-10 (F12)
- Assess the hypothetical effects on criminal charges in Norway if all drugs were a) decriminalized; and b) legalized

Data

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A follow-up of

- **all patients** entering specialist drug treatment in Norway in 2009 and 2010 for cannabis use disorders (CUD) (n=3,951)
- a demographically (age and gender) matched sample drawn from the general population in Norway (n=7,902)

- Data were linked at the individual level to several administrative registers, including the Norwegian crime register for **all charges** in the 2009-2014 period

- A charged person = deemed an alleged offender at the time the crime investigation is completed by the police

Setting

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- Norway, a sparsely-populated Nordic country with a population of 5.3 million
- Use, possession or supply of drugs for non-medical or non-scientific purposes is a criminal offence. Drug laws are enforced

Drug use according to general population surveys:

- 22% (16-64 years) report to have ever used cannabis; 7% other drugs
- 9% (16-34) report to have used cannabis last 12 months; 2% other drugs

Cannabis treatment:

- Norwegian healthcare system has universal coverage, treatment mainly paid for by the state (some co-payments exist)
- Despite stable cannabis use, the no of CUD patients has increased by >40% since 2010

The sample

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	Matched sample (n=7,902)	CUD Patients (n=3,951)
Male *(%)*	74.6 (5,895)	74.6 (2,947)
Mean age (years)	27.2	27.2
Norwegian born *(%)*	73.6 (5,816)	75.5 (2,983)
Born in another OECD country *(%)*	16.6 (1,311)	15.4 (608)
Born in a non-OECD country *(%)*	9.5 (751)	9.1 (360)
Mandatory education only *(%)*	32.5 (2,568)***	73.1 (2,888)
Any mental health diagnosis during follow-up *(%)*	6.8 (535)***	48.6 (1,920)
Any substance use diagnosis during follow-up *(%)*	1.2 (98)***	49.2 (1,943)
CUD diagnosis only during follow-up *(%)*	0.4 (32)***	28.5 (1,124)

Scenarios

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1. **Decriminalization**: all charges due to personal use and possession of drugs are removed (similarities to the Portugal model)
2. **Legalization**: all drug charges are removed & drug expenditures/income-generating charges reduced by 25%

Please note: for simplicity, no changes are assumed for charges related to violence, sex crimes, road traffic or “other”

Matched sample (n=7,902)	Current policy	
	Proportion charged	Total number of charges
Any charge	0.12	2,806
Drug charges	0.03	659
Any use or poss.	0.02	373
Drug law	0.02	246
Income generating	0.02	456
Violence	0.02	211
Sex crimes	0.002	28
Road traffic violation	0.06	828
Other	0.05	624

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Income generating	0.02	456
Violence	0.02	211
Sex crimes	0.002	28
Road traffic violation	0.06	828
Other	0.05	624

Income-generating: theft, fraud, robbery, handling stolen goods

Violence: threats, bodily harm/assults, homicide

Road traffic: drugged driving, speeding, no driving licence, no vehicle registration

Other: vandalism, public nuisance, not obeying police order, carrying knife/weapon

Matched sample (n=7,902)	Current policy		Decriminalization	
	Proportion charged	Total number of charges	Proportion charged	Total number of charges
Any charge	0.12	2,806	0.112	2,433
Drug charges	0.03	659	0.02	259
Any use or poss.	0.02	373	-	-
Drug law	0.02	246	0.02	246
Income generating	0.02	456	0.02	456
Violence	0.02	211	0.02	211
Sex crimes	0.002	28	0.002	28
Road traffic violation	0.06	828	0.06	828
Other	0.05	624	0.05	624
In sum			**-0.8 pp**	**-13%**

Matched sample (n=7,902)	Current policy		Decriminalization		Legalization	
	Proportion charged	Total number of charges	Proportion charged	Total number of charges	Proportion charged	Total number of charges
Any charge	0.12	2,806	0.112	2,433	0.107	2,033
Drug charges	0.03	659	0.02	259		
Any use or poss	0.02	373	-	-	-	-
Drug law	0.02	246	0.02	246	-	-
Income generating	0.02	456	0.02	456	0.02	342
Violence	0.02	211	0.02	211	0.02	211
Sex crimes	0.002	28	0.002	28	0.002	28
Road traffic violation	0.06	828	0.06	828	0.06	828
Other	0.05	624	0.05	624	0.05	624
In sum			**-0.8 pp**	**-13%**	**-1.3 pp**	**-28%**

CUD Patients (n=3,951)	Current policy	
	Proportion charged	Total number of charges
Any charge	0.66	24,314
Drug charges	0.52	9,966
Any use or poss	0.46	5,674
Drug law	0.38	4,077
Income generating	0.25	5,159
Violence	0.16	1,802
Sex crimes	0.007	37
Road traffic violation	0.26	3,405
Other	0.31	3,945

CUD Patients (n=3,951)	Current policy		Decriminalization	
	Proportion charged	Total number of charges	Proportion charged	Total number of charges
Any charge	0.66	24,314	0.58	18,640
Drug charges	0.52	9,966	0.38	4,292
Any use or poss	0.46	5,674	-	-
Drug law	0.38	4,077	0.38	4,292
Income generating	0.25	5,159	0.25	5,159
Violence	0.16	1,802	0.02	211
Sex crimes	0.007	37	0.002	28
Road traffic violation	0.26	3,405	0.06	828
Other	0.31	3,945	0.05	624
In sum			**-8.0 pp**	**-23%**

CUD Patients (n=3,951)	Current policy		Decriminalization		Legalization	
	Proportion charged	Total number of charges	Proportion charged	Total number of charges	Proportion charged	Total number of charges
Any charge	0.66	24,314	0.58	18,640	0.46	13,058
Drug charges	0.52	9,966	0.38	4,292		
Any use or poss	0.46	5,674	-	-	-	-
Drug law	0.38	4,077	0.38	4,292	-	-
Income generating	0.25	5,159	0.25	5,159	0.19	3,869
Violence	0.16	1,802	0.02	211	0.16	1,802
Sex crimes	0.007	37	0.002	28	0.007	37
Road traffic violation	0.26	3,405	0.06	828	0.26	3,405
Other	0.31	3,945	0.05	624	0.31	3,945
In sum			**-8.0 pp**	**-23%**	**-20.5 pp**	**-46%**

Summary

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- 12% of matched sample were charged in the study period (2009-2014); Road traffic the main category (6%)Sigvart1
- 66% of CUD patients were charged (2009-2014); Drug charges constituted the main category (almost 10,000 charges and 52% of patients)
- The extent of charges was estimated under 2 hypothetical and over-simplified drug policy scenarios; comparisons with current situation
- Large reductions in charges for CUD patients if drug laws were liberalized. Still, almost half (46%) would be charged even after extensive drug law changes
- The effects for controls would be smaller in absolute and relative terms, but non-ignorable (28% reduction in number of charges under Legalization)