

Research Department Report 62

Research on Drug Offenders

Outline

This study focused on drug offenders, *inter alia*, stimulant drug offenders, and analyzed the results of a questionnaire survey of inmates in penal institutions. The study also covered the current situation of treatment of drug offenders in Japan and the recent trends in treatment of drug offenders in foreign countries.

Questionnaire Survey (Chapter 2)

During the period from July to August 2017 (extended to November for females), a questionnaire survey was conducted, targeting new sentenced inmates of penal institutions across Japan (persons who were sentenced to imprisonment with work for violations of the Stimulants Control Act in the judgment most recently rendered to them). The survey results were analyzed in combination with other information on these inmates identified by the penal institutions, including their incarceration records. The questions covered the following matters: experience of use of illegal drugs; experience of abuse of prescription drugs or OTC drugs; the Drug Abuse Screening Test (DAST-20); the trigger for the use of stimulants; experience and awareness of the support from medical or health institutions or private-sector support groups; problem drinking; gambling; the trust scale; adverse childhood experiences; mental problems such as eating behavior problems, self-harming behavior and suicidal ideation; diseases and infections; and drug-related sexual behavior. The number of inmates subject to analysis was 699 (462 males and 237 females).

The analysis results suggest that the stimulant drug offenders were more likely to repeat imprisonment than other types of offenders. About 40% started using stimulant drugs when underage, and most of the stimulant drug offenders experienced the abuse of drugs other than stimulants, such as organic solvents, cannabis or prescription drugs. Measured by the DAST-20, more than 40% were assessed as having the “substantial” or “severe” level of drug problems, which require intensive care.

The major options chosen by the stimulant drug offenders as the situation that induced them to use stimulants were “When I meet my drug companion” and “When my drug companion

contacts me.” With regard to their emotions, “When I feel irritated,” “When I feel depressed,” and “When I feel lonely” were the most frequently chosen options. A gender difference was observed among the stimulant drug offenders regarding what they want from stimulants. As negative aspects of the use of stimulants, the stimulant drug offenders felt the deterioration of the relationships with people around them or the loss of trust of such people. Most stimulant drug offenders have experienced quitting drugs or trying to quit, and the analysis result suggests that stability of jobs and human relationships encourages them to quit drugs. On the other hand, among the stimulant drug offenders at the “intermediate” or lower level of severity of DAST-20 score, the rate of those with the experience of quitting drugs was higher than the rate of those with the experience of trying to quit, implying that there was a difference in quality between these drug offenders and those at the “substantial” or higher level of severity. A weak but significant negative correlation was observed between DAST-20 score and the age of starting drinking alcohol. More than one-third of the stimulant drug offenders were suspected to have harmful use of alcohol. Nearly half of the stimulant drug offenders also have gambling problems. Psychiatric problems (eating behavior problems, self-harming behavior and suicidal ideation) were observed more frequently among female offenders than male offenders. Female stimulant drug offenders had other problems such as the experience of suffering domestic violence and adverse childhood experiences, suggesting that more multifaceted and deliberate intervention was required for them. Among female offenders, the proportion of those who have partners or spouses with an experience of drug abuse was high.

On the other hand, only 10% to 20% of the stimulant drug offenders had the experience of using support from specialized hospitals, health institutions, recovery support facilities, or self-help support groups. When those who had known of the existence of these support organizations but had not received support were asked the reason, “I thought I can quit drugs by myself without support” was chosen most frequently for these organizations except for health institutions. When asked about the situation in which they would be motivated to use support from relevant organizations, most of them chose “When I feel I cannot quit drugs by myself.” This suggests that receiving treatment or recovery support might be only a secondary choice for them. In order to help stimulant drug offenders continue not using drugs, it is necessary to further increase their understanding of the idea that it is important for them to place themselves in the support network, rather than trying to quit drugs by themselves.

Trends in Drug Offenses and Treatment of Drug Offenders in Japan (Chapter 3)

The number of persons cleared for violations of the Stimulants Control Act has continued to be over 10,000 persons every year. The number of persons cleared for violations of the Cannabis Control Act has continued to increase since 2014. The prosecution rate for violations of the

Stimulants Control Act has been gradually declining but has remained over 70%, and the prosecution rate for violations of the Cannabis Control Act and violations of the Narcotics and Psychotropics Control Act has fluctuated widely from year to year. As for partial suspension of execution of sentence, judgments are rendered to more than a thousand persons for violations of the Stimulants Control Act per year, and most of them are placed under probation. On the other hand, more than three thousand persons are rendered judgments with full suspension of execution of sentence for violations of the Stimulants Control Act per year, and some 10% of them are placed under probation.

The number of new sentenced inmates for violations of the Stimulants Control Act has been on the decline but the proportion of these inmates in the total number of new sentenced inmates has stayed above 20%. The proportion is higher among new sentenced female inmates, between 30% and 40%.

The number of parolees newly placed under parole supervision for violations of the Stimulants Control Act has stayed flat in recent years, and the parole rate has been on the rise. For violations of the same Act, the number of probationers granted full suspension of execution and newly placed under probation has been on the decline, whereas the number of probationers granted partial suspension of execution and newly placed under probation has been on the rise.

Penal institutions provide guidances for overcoming drug addiction and probation offices provide drug abuse prevention programs, and the number of inmates, probationers or parolees who receive such guidances or programs has been on the rise. In addition, the regional alliance guidelines for support of persons released from penal institutions who have drug addictions have been formulated to ensure that relevant organizations can provide support effectively.

Treatment of Drug Offenders in Foreign Countries (Chapter 4)

In order to show the situation of drug abuse in foreign countries, this Chapter presents various data, including the followings: the numbers of people who use drugs and those with drug use disorders, and prevalence of these people; the quantities of drugs seized in foreign countries; and the differences between Japan and other countries in terms of prevalence of persons with drug experience in life or in the past one year. With regard to the treatment of drug offenders, the United Nations Office on Drugs and Crime (UNODC) and the World Health Organization (WHO) advocate that drug offenders should be treated basically by health care, as an alternative to conviction and punishment (health care model), which was explained in this Chapter. This Chapter also covers the research by the National Institute on Drug Abuse (NIDA), drug court programs, and treatment by therapeutic communities, with a view to introducing the field survey results on the research for drug abuse prevention and treatment of drug offenders in the United States.

Conclusion (Chapter 5)

This Chapter gives a summary of the results of the questionnaire survey and the current situation of treatment of drug offenders, followed by a discussion.

While the health care model has recently become popular in foreign countries, this Chapter points out that the introduction of this model in Japan should be discussed multilaterally and comprehensively, in consideration of the difference between the situation in foreign countries and the situation in Japan where the prevalence of persons with drug experience in life is lower, the problem of overcrowding of penal institutions has been resolved, and inmates are unable to use drugs in penal institutions. This Chapter further presents the initiatives in the United States where the combination of the criminal justice process and the health care approach—giving care for drug addiction to drug offenders while dealing with them in the criminal justice process—is widely adopted, and indicates that the United States and Japan have in common the understanding that it is important to identify detailed situations of drug offenders, provide them with comprehensive and continuous support for the stability in their social life, and build cooperative networks of relevant organizations. In addition, this Chapter discusses the following points: [1] it is important to enhance initiatives to support drug offenders released from penal institutions in reintegrating into community under the system for granting partial suspension of execution of sentence, and to encourage the whole community to provide continuous support for them through cooperation among relevant organizations and groups; [2] the findings obtained by this study are considered to be also applicable to persons in the relatively early stages of the criminal justice process (e.g., first offenders), and it is also important to enhance efforts to provide appropriate guidance and support for those in the early stages of the criminal justice process by such measures as giving probation more actively to drug offenders who are granted suspension of execution and providing more information and motivation to drug offenders so that they can receive treatment and support.

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