

Testimony on HB 606

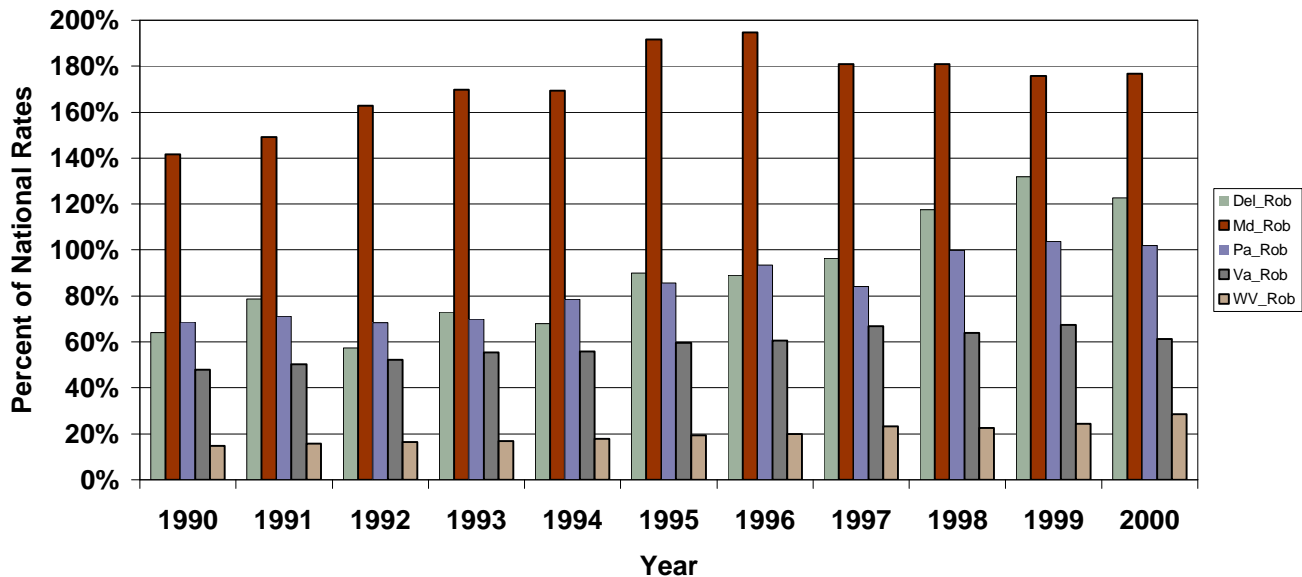
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For MCDL
3/1/02**

We support this bill. Its passage would begin to reduce Maryland's crime rates compared to other states - Indeed, by itself it might even prevent Maryland becoming number "#1" in all reported crime categories.

Maryland citizens are being murdered, maimed, and robbed at horrific rates. By comparison to other states in 2000 Maryland had the highest robbery rate of any of the states and has held that distinction now for the sixth year in a row. In 2000 Maryland moved from 4th to 3rd in murder rate and 4th to 3rd in violent crime rate (see Enclosure (1)). Given the recent pattern of Murder in Baltimore and the increase in murder in PG and Montgomery last year, Maryland will likely see an increase in overall murder rate for 2001 while other states continue to decline. In fact, Maryland out strips Virginia and Pennsylvania in murder rate by a wide margin. Many of these violent crimes occur in businesses and residences.

While Lt. Governor Townsend has made much of declining crime rates in press releases lately, it is obvious that any Maryland trend is attributable to the national crime trends and Maryland's political leadership deserves blame rather than credit for poor performance compared to our neighboring states and the rest of the country. To illustrate why, consider Figure 1 which shows Maryland's Robbery rate as a percent of the national robbery rate. Also, shown are our surrounding neighboring states.

Maryland Robbery Compared to Neighboring States



Notice that Maryland's robbery rate has exceeded national rates by 50% for a decade and is almost THREE times that of Virginia. Also, Maryland's rate is nearly 9 times that of West Virginia, and 50% higher than Pennsylvania. None of our neighboring states show as much violence as Maryland. Maryland performs almost as poorly on other violent crime measures (See Enclosure (1)).

The striking feature about this poor performance is its persistence. It is clear that Maryland political leadership has failed its duty to address Maryland violence. To illustrate, according to the 1999 Maryland UCR, there were 3,593 robbery arrests and 14,124 robberies or one arrest for every 4 robberies in America's most robbed state. Juveniles robbers (age 17 and under) accounted for 1,147 (32%) of those arrests or 1 in every 3. Even when arrested, these criminals find a justice system that is dysfunctional and returns them to the streets to rob again. Decent people are losing faith in that the justice system works to

keep criminals off the streets to give them even a hope of safety (See **Justice breakdown demands anger, action**, Baltimore Sun, February 11, 2001, Enclosure (2)). Despite the existence of mandatory minimum sentences for use of guns in crime, Maryland violent gun toting criminals rarely serve such a sentence (See **Tough gun law, timid enforcement**, Baltimore Sun, Jan 30 2000, Enclosure (3)). And this is just one sign of Maryland's revolving door justice system – there are many more.

This bill would restore a measure of their faith that the government of Maryland supports law and order.

Its passage would give decent citizens the confidence that using force to protect households and businesses would not result in them being attacked again by the misguided prosecutors staffing our legal system.

It would deny criminals the ability to profit from their crimes through lawsuits.

It would re-establish a person's right to defend his home or business. It would recognize that a forcible invader represents a threat to life by the very nature of the criminal act and thereby justifies use of vigorous defensive measures.

It would recognize the reality of the crime shown in the figure and that decent people need to protect themselves because the police cannot protect people against the high criminal activities present in Maryland. Even police officers are dying because of Maryland's lax criminal justice system (See **Bail denied for Moore brothers**, Baltimore Sun, February 21, 2000, Enclosure (4)).

The testimony would not be complete without pointing to the drug trafficking problem as the driving force behind Maryland crime – we must recognize that this force is not being sufficiently addressed by Maryland legal actions. According to a July 2000 assessment by the U.S. Drug Enforcement Administration (DEA), Baltimore is the "most heroin-plagued area" in the nation and faces one of the most severe crack problems as well (See Enclosure (5)).

The city's 1999 overdose death rate (51 per 100,000 residents) was triple the 1990 rate, driven by a skyrocketing number of heroin deaths.

Drug addiction and drug trafficking fuel both property crime and violent crime in Baltimore. Much of nonviolent property offenses in Baltimore are linked to drug abuse, with unrecovered property losses estimated at almost a \$1 million per week.

One in every 40 Baltimore adults is on probation for a drug offense, seven times the national rate. Baltimore arrestees recorded the highest rates of heroin use ever found in any U.S. city-37 percent of men and 48 percent of women tested positive for opiates in 1995. These rates were five times higher than the averages found in 23 cities participating in the federal Arrestee Drug Abuse Monitoring (ADAM) program.

These drug problems are not just Baltimore's as extreme as that city's condition may be. There is evidence of spread of drug addition and violence to Columbia and PG has had violent drug driven problems for years. Moreover, improvement in transportation permits drug addicted criminals to range out from Baltimore and PG to nearby communities. So, violence has risen recently in nearby Montgomery and in (not so near) Frederick.

Decent people are fleeing Baltimore as evident in its declining population and Baltimore (and Maryland too) needs them to stay. People are fleeing from crime, but their flight creates more deterioration in Baltimore neighborhoods. Even the suburbs are not far enough to flee and there is evidence of people moving to Pennsylvania, West Virginia, and Virginia rather than subject their families to Maryland violence. Something must be done to encourage people to stay and defend their home, businesses, and lives. HB 606 is a reasoned first step toward recovering Maryland from the criminals.

Rank of Maryland Crime Rates Compared to Other States*

Year	Homicides	Violent Crimes	Robbery
1992	6	4	2
1993	5	6	2
1994	8	8	2
1995	4	4	1
1996	3	3	1
1997	6	6	1
1998	4	5	1
1999	4	4	1
2000	3	3	1

The above shows the annual ranking of Maryland's rates of crime vs. the crime rates of all other states.

For example, Maryland citizens have had a higher rate of being robbed than any other state - every year since 1995 as reported by the FBI.

*Source: FBI's annual Uniform Crime Reports (UCR)

<http://www.sunspot.net/news/opinion/baled.crime11feb11.story?coll=bal%2Dcrime%2Dutility>

Justice breakdown demands anger, action

Outrageous acts: A number of public officials share in the criminal justice system's failures.

Baltimore Sun, February 11, 2001

TWO YEARS AGO, in an editorial called "Getting Away with Murder," we urged Gov. Parris N. Glendening, Court of Appeals Chief Judge Robert M. Bell and then-Mayor Kurt L. Schmoke to lead corrective action in Baltimore's broken criminal justice system.

But our repeated calls for high-level intervention fell on deaf ears.

Those leaders shuffled their responsibility off to a Criminal Justice Coordinating Council that had no legal authority and was given no clear direction. The council tinkered around the edges of the problems, reducing backlogs at Baltimore Circuit Court and convincing the heads of the local criminal justice bureaucracies to settle some of their worst turf fights.

But the system itself is largely unchanged -- flawed because it is antiquated, underfunded and deluged by a constantly rising tide of cases. Criminals still walk because police and prosecutors can't build cases that persuade juries to convict. Add to that a lack of cooperation and no sense of common mission among individual players in the criminal justice system.

Some headway was achieved after the election of Martin O'Malley as mayor. Aggressive policing last year produced the first significant dip in the city's appalling murder rate since 1990.

Still, it's too easy to get away with murder in Baltimore City, to contribute to the mayhem in our streets without fear of punishment. And frustrations are running high.

Mayor O'Malley recently exhibited his anger in a profanity-laced tirade against State's Attorney Patricia C. Jessamy. "We have a prosecutor who is afraid," the mayor fumed. "Maybe she should get the hell out."

Ordinary citizens, too, are exasperated. They are upset about criminals. But they are also losing faith in the courts' ability to deliver justice -- and law enforcers' methods.

Baltimore juries have demonstrated their uneasiness by rejecting crucial prosecution evidence because it was not viewed as credible. Whenever suspects walk free, victims are overwhelmed with anger and some witnesses fear retaliation. Other witnesses protest innumerable postponements by not showing up or recanting.

As juries' antagonism toward officials has become more pronounced, some police officials and prosecutors have started to fight back. They break rules and skirt the law, hoping such deplorable tactics will enable them to win convictions.

Here are a few recent examples:

Officers changed reports and destroyed evidence in trying to bolster the case against an 18-year-old criminal who was charged with killing a police officer in a high-speed crash. The tampering backfired. Jurors cited their mistrust of police after they acquitted the accused, who allegedly was fleeing a shooting scene, wearing body armor and found with a gun.

The state's attorney's refusal to divulge certain evidence to defense attorneys threatened to torpedo the prosecution of drug figures accused of slaying five women. The wrangling has sharpened years of allegations that prosecutors habitually conceal pertinent information from defense attorneys, hoping to gain an edge at trial.

Mayor O'Malley and Police Commissioner Edward T. Norris kept pressing for prosecution of an officer caught in an internal sting, even though much of the case may have collapsed.

These guerrilla tactics are an extreme expression of the sense of helplessness that is palpable among police officers, judges and prosecutors. Everyone recognizes the Baltimore City's criminal justice system is in deep trouble. But in the absence of leadership from Governor Glendening and Chief Judge Bell, no one knows how to repair it.

Additional money alone is not enough. An infusion of \$1.2 million last year into the State's Attorney's Office heightened expectations that could not be met.

Quick fixes do not work, either. In fact, they may produce unanticipated consequences which further injure law-abiding citizens' sense of justice.

Erectile Dysfunction Court A case in point is a reform experiment which was touted by Mayor O'Malley as an easy way to speed up justice in Baltimore's overburdened courts. The experiment has not only failed but it has caused new problems and tensions.

Mr. O'Malley got his revelation-like reform idea in 1996, while visiting New York as a member of the City Council. If Baltimore only created an arraignment court, 50 percent of misdemeanors could be disposed of within the first 24 hours after arrest, he promised.

After Mr. O'Malley was elected mayor, the new court became an early goal of his administration. It was such a no-brainer, the mayor proclaimed, that when Maryland's chief judge expressed skepticism, he scornfully sent a stick-figure drawing to him to show how simple the idea was.

Six months have now passed since the experimental Early Disposition Court was launched. It has flopped so badly that officials say its initials -- ED -- stand for "Erectile Dysfunction."

Mayor O'Malley puts the blame on State's Attorney Jessamy. "Her plea offers are too high on minor things," he contends.

Mr. O'Malley is totally wrong.

Ms. Jessamy's office is not at fault. In case after case, prosecutors are making ridiculously low penalty offers. Even so, most defendants keep rejecting guilty pleas that would benefit their record. Instead, they play the court game. They figure that delays will ultimately undo prosecution if they first have the case diverted to the District Court -- or if they request a jury trial in the Circuit Court.

A defendant's chances of beating the rap altogether -- without the liability of a criminal record entry -- are so good that an Early Disposition Court judge says: "As a criminal defendant, you have to be sure to take an ED plea. What else is a couple of weeks and chances are witnesses won't show up or officers won't."

This is a very realistic assessment. While no statistics are available on the number of cases expiring because of missing key witnesses, prosecutors last year had to dismiss 1,178 cases because charging police officers did not show up.

Here is what happened to 42 cases in the Eastside Early Disposition Court's hearing last Monday:

Ten defendants were told their misdemeanor cases had been dismissed. Some were incredulous about their unexpected luck. One man was so confused he stormed to the bench, seemingly hoping to make a guilty plea.

Eighteen other defendants rejected the prosecutors' plea offers, opting instead for a regular District Court hearing or for the possibility of a jury trial.

Nine defendants failed to appear. Bench warrants were issued for their arrest.

Only five defendants accepted the prosecutor's offer of guilty pleas. Three of them were given probation before judgment for crack or marijuana possession. A 67-year-old man got probation for having oral sex with a streetwalker in the parking lot of an East Baltimore funeral home.

The fifth defendant, an admitted long-time drug addict with an extensive prior record, received a suspended 60-day jail sentence.

Another ED court hearing that same day, prosecutors recommended probation before judgment for a woman who was seen selling heroin to more than a dozen people. Even so, her charge had been downgraded to only possession with intent to distribute.

She was willing to accept the prosecutor's offer of probation. But the judge, noting the defendant was caught with 25 heroin capsules, said the offer was too lenient. The judge wanted to give her nine months in jail. The defendant rejected that. She asked for a postponement to the District Court.

She knows she will have a different judge and if the case is ever tried, witnesses may not show up.

Last month, 680 out of 1,246 Eastside ED court defendants rejected offers of guilty pleas in favor of gambling on postponements. Only 110 defendants accepted a negotiated plea.

Despite this failure to get rid of minor cases before they clog the dockets, the ED court has not been without some impact. The prosecutor's loophole plea offers, even when rejected, have caused a chain reaction. Misdemeanor sentences have become substantially lighter in both the District and Circuit courts, angering those who think crimes should not be without meaningful punishment.

Because of the lenient ED court plea offers, narcotics possession has effectively been decriminalized in Baltimore City. There has been no publicity about this. But virtually anyone can now get away with possession of a couple of grams of drugs without any consequences.

Disconnected juries The jury system is among the basic tenets of Anglo-Saxon jurisprudence. But as delivery of criminal justice in Baltimore becomes more and more erratic, juries are under attack as never before.

Potential jurors, who are called from voter registration rolls and from among persons possessing drivers' licenses, are always asked whether they might be prejudiced because they -- or people close to them -- have been victimized by crime.

That's not the right question to ask in today's Baltimore.

Potential jurors should also be asked whether they -- or close friends or family members -- have had an unpleasant encounter with the police or the criminal justice machinery. Do they, for example, think that for reasons they know were thoughtfully charged in a case that resulted in dismissal in the increasingly important court system?

That relevant question is never asked.

Keystone Kops When a fleeing sports utility vehicle rammed into Officer Kevin M. Gavin's police cruiser at 104 miles an hour and killed him, many Baltimoreans were shocked. If it wasn't murder, it certainly was vehicular manslaughter, they thought.

Last month, though, a jury acquitted 18-year-old budding career criminal Eric D. Stennett of all charges. Never mind that even the defense attorney implied to jurors his client was guilty of something. Never mind that the defendant had been wearing body armor and had a gun linked to a shooting that started the chase.

Instead, jurors focused on inconsistencies in the prosecutors' case. Jurors were appalled that police officers, hoping to strengthen evidence, had doctored original reports and that the wrecked patrol car, a key piece of evidence, had been destroyed by police.

Jurors were so mistrustful of the police and prosecutors that they even suspected the killed officer had been drinking. The autopsy showed a somewhat elevated blood alcohol level, a perfectly normal phenomenon as a body decomposes.

Baltimore City juries are notoriously unpredictable. They are particularly skeptical about police officers and their testimony.

Who can blame them?

Consider the way police handled another celebrated case, the one that triggered Mayor O'Malley's course outbreak against State's Attorney Jessamy.

When police planted bogus crack on a bench in David Hill Park Sept. 4, it was to catch a dirty cop. They had one particular target in mind: Officer Brian Sewell, a six-year veteran.

Almost everything that can go wrong did go wrong with this sting. But because it was the signature operation of Commissioner Norris' new internal Integrity Unit, it was not called off.

Things got off to a bad start. Officers answering the 911 call reporting the suspected drugs could not find the justice bag. After a second call was made, Officer Sewell was present but did not pick up the bogus crack. Another officer did. This so confused the investigators they realized only 10 days later that the bogus drugs were part of evidence Officer Sewell had presented against a burglary suspect he had arrested within 15 minutes of the sting. Since Officer Sewell swore he had seen the suspect place the justice bag on the park bench, he was charged with lying.

More irregularities soon cropped up. It was discovered that police communications recordings of 911 and 311 calls lacked time stamps, making it impossible to prove the sequence of events.

The problems worsened after the sting squad's secret office was burglarized on Christmas Eve. One of the items taken was Officer Sewell's folder. After the burglary, the state's attorney's office was suddenly informed that in addition to 13 pictures originally presented as evidence up to 11 more pictures had existed.

The State's Attorney's Office was dealing with two thorny questions. Some of the evidence was missing. Prosecutors also realized the Police Department had violated fundamental professional trust by not initially revealing all the facts about evidence in the investigation. This led to a nagging question that still has not been answered: Why wasn't the sting held in secret, since that kind of surveillance is standard operating procedure in far less important investigations?

The burglary caused additional fallout. It was viewed as an inside job. The detectives involved in the Sewell case were among those suspected of involvement.

After State's Attorney Jessamy was confronted not only with missing evidence but the lack of credible witnesses, she decided not to prosecute. Mayor O'Malley was appalled and accused Ms. Jessamy of lacking "guts." That's about the nicest thing he said about her.

There is something terribly wrong when a criminal justice system is so dysfunctional that only guerrilla action brings results. But that seems to be happening here.

Consider the case of Maryland Public Defender Stephen E. Harris. He openly humiliated Public Safety Secretary Stuart O. Simms recently for the state's failure to handle bail review hearings in Baltimore in a constitutionally acceptable way.

After Mr. Harris sued Mr. Simms, the mortified Cabinet secretary accused the public defender of bad faith and breach of collegiality. But Mr. Harris' suit worked. The changes he had unsuccessfully sought through the voluntary Criminal Justice Coordinating Council suddenly became a top priority item and are being implemented.

Similarly, Mayor O'Malley resorted to profanities to show his unhappiness about Ms. Jessamy, the city's chief prosecutor. He decided niceties would not do the job. "You bet I'll launch my rockets again," he later declared defiantly.

Sociologists have all kinds of fancy words for this kind of behavior. An activist judge summarized those theories in plain language: "When people begin to lose faith, they start looking for alternative ways to achieve the result."

This kind of desperate Machiavellian move is not without dangers. When ends are deemed to justify the means, all kinds of questionable practices become tempting.

When Mayor O'Malley suggested that Ms. Jessamy deputize him to prosecute Officer Sewell, what was his message? Was it that the state's attorney was wrong or lacked courage in her decision not to prosecute? Or was the go-getting mayor in fact cynically implying that he could turn the traditional antagonism of Baltimore juries to his advantage and get an errant cop convicted on tainted evidence?

If the latter is the case, Mr. O'Malley, as a lawyer and former prosecutor, should be ashamed.

Neither police nor the prosecutors will regain their credibility as long as randomly selected Baltimoreans believe evidence is fabricated or produced in less than honest investigations.

Similarly, we don't quite understand Ms. Jessamy's battle-wary attempts to conceal pretrial evidence from defense attorneys, when her office's practices threatened to undo such a major case as the killing of five innocent East Baltimore women in a fight among drug figures.

A discovery court was specifically set up more than a year ago to settle such disputes. Nevertheless, pretrial feuds continue to impede important cases. Ms. Jessamy must put an end to this dangerous gamesmanship.

It is understandable that city authorities feel helpless in dealing with a criminal justice environment where juries are hostile and cases often fall apart because witnesses disappear or are intimidated. However, the authorities' frustration is no justification for tactics that are so ineffectual that those tactics, and not the defendant's guilt or innocence, become the main focus of a trial.

City officials, from State's Attorney Jessamy and Commissioner Norris to Mayor O'Malley, can and must stop such warped practices.

In the larger criminal justice drama, though, they are only bit actors. Unless Governor Glendening, Chief Judge Bell and the General Assembly can be persuaded to rectify the dysfunctional criminal justice system, nothing will happen.

If the statewide officials believe only Baltimore is affected by these problems, they are really, even more, wrong. Evidence increasingly shows criminal justice is falling apart in different ways in other parts of Maryland, as well.

Annapolis is the arena where all of our city officials must lobby harder. But how can anyone really expect any action from the Glendening administration when most of Baltimore City's own legislators don't demand the appalling criminal justice crisis be solved and when even the greatest tragedies and injustices do not outrage them enough to change?

In the end, things will change only if all of us demand fundamental improvement, taking that as our personal crusade.

We're asking readers to contact public officials who can make the difference. Tell them you're angry and want change. Send us copies of your messages and we'll print a selection on this page. Mail them to: Outreach, c/o The Sun Editorial Page, P.O. Box 1377, Baltimore, MD 21278-0091. Or they can e-mail us at letters@baltimore.com or send a fax to 410-332-0977.

Tough gun law, timid enforcement

Courts: Nearly three decades after Maryland set strict penalties for gun crimes, the law has had little impact in Baltimore. Three out of four people charged with handgun violence serve less than the mandatory five years.

Caitlin Francke, Sun, Jan 30 2000

The case against Donnell Harris seemed rock-solid: When Baltimore prosecutors charged Harris with carjacking two men and shooting one of them, they were armed with a confession from his accomplice, testimony from the two victims and a cache of .38-caliber bullets found at Harris' house.

But when Harris pleaded guilty, he was sentenced only to inpatient alcohol treatment. He left after a month.

Days later, Harris and another man shot and killed a teenager and stuffed the body in the trunk of a car.

Like most gun-wielding criminals in Baltimore, Harris did not receive the mandatory five-year, no-parole sentence required by state law for those who use a gun to carry out their crimes.

In this city, where 300 or more people have been killed every year for the past decade, the tough gun law that was designed to help stop shootings and homicides is virtually ignored.

An analysis by The Sun of nearly 3,000 court records and interviews with criminologists, defense lawyers, prosecutors and judges reveals that fewer than one in four people charged with gun crimes will get the required five-year prison sentence.

The gun law was passed in 1972 after then-Gov. Marvin Mandel became alarmed by shootings near city schools. One student was killed. Searches by police turned up more than 125 handguns in students' homes.

The law was designed specifically to eradicate gun violence by setting up mandatory penalties for violent offenders.

During a two-year period ending last year, 1,660 people were hauled into Baltimore's Circuit Court to face the strict handgun charges for hundreds of armed robberies, attempted murders, carjackings and homicides. In each case, the defendants, by law, faced prison terms of at least five years.

The Sun's analysis shows what happened instead. Between Jan. 1, 1997, and March 31, 1999:

- **Eighty percent of the tough gun charges were dropped or placed in the inactive file by prosecutors, many times in an effort to win guilty pleas on the companion -- often lesser -- charges.**
- **Of the 1,000 people convicted on those related gun charges, more than half did not go to prison for five years, the minimum sentence they should have received under the law.**
- Scores of defendants were released after pleading guilty, sentenced to the amount of time they had already spent in jail awaiting trial.
- One-third of those charged with using guns on city streets -- about 530 people -- were freed without a trial even though a grand jury or prosecutors found there was probable cause to believe they had committed the crimes.

Light sentences and abandoned cases, analysts say, have likely contributed to the city's persistently high rate of shootings and homicides.

The city's violent street culture "is way worse than being in the infantry in Vietnam," says Harvard University criminologist David Kennedy. "When we're dealing with chronic offending groups who have been arrested 10 times, you've got to use authority. You can't coddle people out of this."

Baltimore State's Attorney Patricia C. Jessamy gives two reasons why the gun law has rarely been enforced here: **To take all such cases to trial would overwhelm an already clogged system.** And, she says, reluctant or recanting witnesses handicap many cases.

"The vast majority of our shooting cases involve one bad boy shooting another," Jessamy says. "The culture [is] built on street vengeance and retaliation, and not giving assistance and support and testimony to police and prosecutors."

"There are some innocent victims, but they are not the vast majority ... not by any stretch of the imagination."

In Kennedy's 18-month analysis of the city's murder culture, he found evidence that supports Jessamy's view. His study showed that the city's violent crime is concentrated among a relatively small number of people. **Each suspect in a homicide had been arrested more than nine times, and each victim had been arrested more than eight times.** Sixty percent of the slayings involved people tied to the drug trade.

But many familiar with the legal system say Jessamy's "bad boy" reasoning does not excuse the scattershot prosecution of gun violence by her office and by her predecessors, which, they say, has helped turn parts of this city into urban war zones.

While Jessamy says her office is targeting the city's most violent criminals, hundreds more continue to slide through the system.

Warren A. Brown, one of the city's most active defense attorneys, said in a recent interview that he was so troubled by the light sentences his clients were getting that he approached prosecutors last spring to warn them.

"There is a mentality out there [on the streets] that is created by the way these cases are meted out that says, 'It ain't all that bad,' " Brown says.

"As a professional defense attorney, I am going to keep trying to get these deals for my clients. As a resident of this city, it's frightening.

"It sends a bad message out there that we are not taking guns seriously."

Jessamy says she is doing all she can to crack down on gun violence with limited staff. Two years ago, she secured federal funds to create a unit dedicated solely to handgun violence, the Firearms Investigations Violence Enforcement unit.

That division has convicted more than 400 people for gun crimes in the past two years and is widely praised for its success. More than one-quarter of the convictions resulted in prison terms of 10 years or more. But the unit has only five prosecutors.

Since taking office, Jessamy has not taken meaningful steps to solve the witness problem, a common one for urban prosecutors, interviews and records show. Her office does not have a system to maintain contact with witnesses, nor do her prosecutors routinely enforce laws requiring them to come to court.

Jessamy says she has been hobbled by lack of funds. She has not been able to hire additional investigators to help prosecutors monitor witnesses and is asking the city and state for about \$6 million to increase staff. Police help, she said, but they are often swamped with other duties.

"People don't want to be found," Jessamy said. "If we had more people to develop relationships with these people earlier on, kind of keep their hands on them ... it would help."

She has nine investigators to track down witnesses and work with her 160 prosecutors. Philadelphia has 37 for 260 prosecutors; Chicago has 150 investigators for 935 prosecutors.

What has emerged with the recent rise in criminal cases is a move-the-docket culture in the city courthouse that numbs judges, prosecutors and defense lawyers to the violence outlined neatly in court files.

In one case, a man convicted of battling with a police officer while armed with a loaded .44-caliber revolver was sentenced to the seven months he had served awaiting trial. Prosecutors asked for 10 years, but Judge David B. Mitchell refused, saying the man had "only one gun in his possession."

In another, Judge Clifton J. Gordy remarked that an 18-month sentence was "a pretty good plea" in a shooting case undercut when the victim did not come to testify.

In Harris' case, the armed carjacker was sentenced to the 18 months he served awaiting trial and alcohol treatment -- and then went on to kill a man.

"I feel like the system murdered my son," says Therese Burrell, the mother of Dameon Burrell, Harris' second

victim.

"They had a criminal right in their hands, and they chose to send him right back onto the street and not even give him the sentence the law states that he is supposed to get."

Burrell, 34, said he believes her son, who had been arrested twice on marijuana possession charges, was involved with drugs -- activity she tried to prevent by giving him extra pocket money so he would not "bust."

Last year, Harris was sent to jail for the rest of his life for murdering Damon Burrell.

Harris' first victim, Roger Mixon, is also devastated. He went to court several times to testify, only to see the case delayed. Finally, prosecutors told him they had worked out a deal that would send Harris to prison for 13 years, 10 without parole.

He was never told about the real sentence.

"We came to court to try to get [Harris] in jail. That guy [Burrell] would probably still be living now," Mixon says. "You got witnesses against a guy, and you let him right back out on the streets?"

Asked about the cases discussed in this article, Jessamy, her deputy, Sharon A. H. May, and her assistant, E. Francine Stokes, responded on behalf of the prosecutors.

May says that in the Harris case, prosecutor Jan Alexander wanted Harris in prison for 12 years but the defense persuaded the judge that Harris needed treatment for alcohol abuse.

Circuit Judge Mabel E. H. Hubbard, now retired, says she did not remember the case. But she says it would be "unusual" for her to give such a short jail term for a violent crime.

"If I gave someone a 12-year sentence, suspend all but 18 months, I had absolutely no expectation that he would slap someone on the shoulder after that, let alone kill somebody," Hubbard says. "I take my best guess."

That is not what the authors of the law intended.

The law was meant to stop gun violence by creating escalating penalties for people caught carrying or using guns.

Defendants are usually charged with "using a handgun" as part of an armed-robbery or attempted-murder case. The idea was for defendants to receive a conviction on the crime and a separate conviction for using the gun.

First-time offenders must serve no less than five years without parole. If caught again, defendants must have a five- to 20-year sentence tacked onto the end of any other prison term.

The law is clear: The sentences are mandatory. The sentences can't be suspended. Five years, no parole.

"No court shall enter a judgment for less than the mandatory minimum sentence," the law states.

But nearly 30 years later, the law has not been effective in curbing violence in Baltimore. It is a standard charge issued by police and grand juries, but almost never used in the courtroom except as a plea-bargaining chip.

One result is that federal prosecutors have decided to take on more and more city gun cases in a project called DISARM.

In the past five years, prosecutors have used the tough federal laws to go after about 275 defendants, most from Baltimore. In 1999 alone, federal prosecutors indicted 96 people from Baltimore. The average sentence received was about 7.8 years.

Consider how Baltimore prosecutors handled a case against a man nicknamed "Brew."

At 18, Vernon Wright seemed an ideal candidate for the state's mandatory gun sentence, court records suggest.

On Feb. 20, 1998, armed with a .22-caliber revolver loaded with nine bullets, Wright went looking for someone to rob.

He found Charles Davis, 46, who worked two jobs to support his family. He ran a paint store during the week and delivered pizzas for Little Caesar's on weekends.

When Davis walked to his car that February night, \$12 in his pocket from his pizza delivery for a house in the 1100 block of Elbank St., Wright was waiting for him. The teen pointed his gun at Davis, screaming, "Give me your money! Don't look at me!"

Davis quickly gave him the cash. But Wright wanted more, grabbing at Davis' pockets. Davis fought back. The two struggled, and Wright shot Davis once in the right calf. Davis wrenched the gun away, and the teen vanished down the block.

His leg bleeding, Davis returned to the pizza store on York Road. He called police, and a month later he identified Wright from police photographs.

When the case went to court, Davis was ready to testify. Wright faced a maximum sentence of 20 years and a minimum sentence of five years. Davis said that each time he went to the courthouse, the case was delayed.

"It finally came down to, 'We'll call you if we need you.' They never called, and the next thing I knew, the trial was over," Davis says.

In April, prosecutor Andrea Mason dropped the gun charge with the mandatory five-year sentence, and Wright was sent to prison for three years after pleading guilty to armed robbery.

Davis says he spoke with Mason before the guilty plea and relayed to her that he didn't think a 20-year prison term was the best way to resolve the case. But he said he wasn't told about the actual sentence until later.

"It's a pretty crummy sentence," Davis says. "It hardly fits the crime. That's almost like a vacation."

The prosecutors' explanation for the low sentence?

May, the deputy state's attorney, says Davis was "reluctant" to testify because "he did not want to lose time from work." Stokes says Mason thinks she told Davis about the sentence when they talked before the guilty plea.

Told of May's comments, Davis responded: "Excuse me? I went down three days in a row, and nothing happened. I think they have gotten it slightly wrong. They were not very cooperative or accommodating."

The attempted-murder case against Antonio Fowlkes is an example of what happens when a victim is reluctant to testify against his assailant. It is also an example of how prosecutors often don't do all they can to bring the victim or witnesses to court.

On Dec. 2, 1996, Fowlkes shot 19-year-old Keith Patterson with a .38-caliber handgun after a neighborhood dispute. As bullets flew, Patterson leapt from a stoop and started to run away, but a bullet hit him in the buttocks.

Fowlkes and his accomplices vanished into the neighborhood, but several witnesses told police he was the shooter, court records say. He was arrested three weeks later.

Patterson twice failed to show up to testify. Prosecutor Stephanie L. Royster had sent him a letter and summonses to appear in court, but her efforts to secure his testimony stopped there.

When he didn't come to court, Royster could have postponed the trial and ordered him picked up by the police -- but Judge Clifford J. Gordy wanted the case off his docket.

So Fowlkes' fate was decided in June 1997 in nine minutes of hushed conversation among the prosecutor, the defense lawyer and the judge.

"Make me an offer he can't refuse," the judge told Royster, referring to the defense attorney.

She asked for two years on attempted murder. Defense attorney David R. Eaton counteroffered with 18 months.

"Sold," Gordy said. Eighteen months it was, with credit for the six months Fowlkes had served awaiting trial.

But Gordy was concerned.

"Now, does it have to be attempted murder?" Gordy asked. "I gave a guy seven years, suspend all but 18 months on attempted murder? That's kind of like hard to justify on the campaign trail."

"How about assault?" the defense attorney suggested.

Laughter.

Sold.

The prosecutor dropped the mandatory five-year gun sentence, and Fowlkes pleaded guilty to first-degree assault and illegally carrying a handgun.

Fowlkes, then 18, was soon back on the streets -- and back in trouble.

Late at night on July 26, 1999, prosecutors say, Fowlkes was armed again. On an East Baltimore side street, Fowlkes and another man got into a gunbait.

Twenty yards away, Carlos Valentine; his brother, Arnell Davis; and their cousin, Wayne Johnson, were sitting on the steps of Valentine's home at 821 N. Bradford St., drinking beer and trying to escape the stifling summer heat.

Hearing the shots, the three scrambled off the steps and lay flat on the sidewalk. "It was like the O.K. Corral," Davis says. "The bullets were flying." When the shooting momentarily ceased, the men tried to rush indoors. But more bullets whizzed down the street. One hit Valentine in the back.

"He told me, 'Brother, I'm shot. I got a shot in the back,'" Davis, a forklift operator, recalls. "Wayne was screaming for help. I said, 'Man, we're going to get those guys.'"

Valentine, an auto mechanic and father of four, died at Johns Hopkins Hospital 50 minutes later.

Davis, who identified Fowlkes for police as one of the shooters, was furious when told of Fowlkes' previous conviction.

"There shouldn't be plea bargains," Davis says. "It's bad when you can't sit on your own steps."

In an interview, Judge Gordy says that campaign concerns had nothing to do with his decision in Fowlkes' first case and that the comment was made "in a moment of levity which no one took seriously, including me."

He says the 18-month sentence was a "pretty good plea" since the victim did not come to court. Fowlkes had been awaiting trial for about six months, and Gordy says he did not want to delay the case more because of the defendant's right to a trial within 180 days of arraignment. All parties agreed to the sentence, he says.

"It looked like to me the choice of a postponement, which is a nasty word now, and it was then to me, or a dismissal. I obviously wasn't inclined to postpone the case, nor was the state able to postpone," Gordy says. "I feel horrible now, but I didn't have these facts in front of me. Hindsight is always beneficial."

Sometimes there is little that police, prosecutors or judges can do to persuade witnesses to testify. In all the cases cited by The Sun, victims or witnesses identified the assailants to police, but some stopping cooperating between the police station and the courtroom.

Some witnesses are afraid of retaliation. Some want to settle the score themselves. Some simply get lost in the empty months after police close a case with an arrest and before prosecutors pick it up to take it to court.

Donatya Preston, 21, has escaped two attempted-murder charges -- and two potential life sentences -- in the past three years because his alleged victims refused to come to court.

Preston is described in court records as a drug dealer who uses a gun to settle scores, even pointing one, police say, in the face of a neighbor who came to the aid of his girlfriend when the pair were arguing.

On an October night in 1996, a man named Pernell Beckette was standing on a dimly lit street corner just south of North Avenue.

Word on the street was that Beckette had stolen a drug dealer's stash. The punishment was swift, severe and bloody.

Bullets ripped through the air. One then another. And another, and another, slamming into Beckette's back and neck as he tried to flee. Police found him bleeding on the concrete, left for dead.

After he recovered, Beckette broke the code of silence on the street. He told police who shot him. He picked out the shooter from police mug shots.

Then he vanished.

Police searched for months, even traveling to New York, desperate to make a case against Preston, known on the streets as "Breefake."

Nearly a year later, with no witness to testify, prosecutor Sylvester Cox had to place the charges in the inactive file.

Preston had also been charged with assault and resisting arrest for fighting with the police officer who picked him up on the Beckette case. So prosecutors forged ahead with that case.

Preston pleaded guilty to assault for trying to wrench the officer's gun away from him during a struggle on the floor of an all-night store. He was given a sentence that amounted to the time he had already served.

The Sun recently found Beckette, 38, living with relatives on Long Island, N.Y., still with all six bullets lodged in his flesh. One "floats" around his neck, he said.

He is unrepentant about his decision not to testify.

"I didn't follow suit with that," Beckette says matter-of-factly when asked about the case. "I was just hoping that they would prosecute him for [another] murder."

He says he worried there would be retaliation against his family, who still live in the neighborhood.

"I know who shot me but, like I said, I didn't want it to backfire."

Preston was accused of shooting another man, Nawwan Blandon, records say. Prosecutor Tawla Driggins did not take the case to trial because the victim could not be located.

Preston's attorney, Robin Zoll, says no one will ever know who shot Blandon because he did not come to court.

"Who knows?" Zoll says. "The victim didn't come to court in many of these cases. In all but one of the attempted-murder cases I have had in the past year, the victims did not come to court."

"One explanation for this may be that they do not want to be part of the court process but would rather settle their scores on the street."

Preston is awaiting trial on two felony drug cases and assault.

Police call Larry Haynes "an animal." With a rap sheet dozens of pages long, he has smacked through Baltimore's justice system and again.

In 1997 alone, police allege, Haynes threatened his girlfriend at gunpoint in September, shot a man after a bar argument in October, had a loaded .22-caliber revolver in the trunk of a car in November and shot another man in December.

But Haynes has never been sent to jail for longer than a year.

Why? Witnesses recanted or did not show up for trial. Prosecutors dropped charges, or judges refused to give tough sentences.

Police say Haynes' string of violent crimes began in February 1995. Two women said Haynes and another man burst into a house in the 1000 block of Castle St., brandishing a "real big gun," and made off with \$39. Officers spotted Haynes running down Castle Street, jamming his .44-caliber revolver into his waistband.

Officer Kenneth Jeffries gave chase. The two struggled. Haynes pushed the revolver inside Jeffries' vest and tried to pull the trigger. But the hammer of the gun got tangled in the straps of the vest, and it never went off.

Jeffries finally ripped the weapon out of Haynes' hands. After his arrest, Haynes had a message for him.

"I didn't get ya' this time, but I got something for your ass next time," he told Jeffries, according to court records.

Soon the armed-robbery case began to unravel. The two women recanted their allegations to a defense lawyer, then vanished before prosecutors could question them further. Prosecutors had to drop the charges, including two counts of the mandatory five-year-penalty gun charge.

A jury convicted Haynes in September 1995 of resisting arrest and illegally carrying the revolver.

He faced as much as 23 years behind bars. Prosecutor William D. McCollum asked Judge Mitchell to send Haynes to jail for at least 10.

"What we are dealing with here is a violent assault, assault involving weapons of mass destruction, weapons that are carried for the sole purpose of intending serious harm or death," McCollum argued.

But Mitchell was not swayed. "There is only one gun in [his] possession," the judge said.

The sentence? The seven months he had already served.

A year later, Haynes was back in trouble. He was accused of robbing and shooting three men on Oct. 26, 1996, as they lay face down on an East Baltimore street. Paul Preston and his friends were hit in their heads, backs and arms.

One stray bullet hit a 14-year-old girl as she walked down Port Street with a friend. All survived. Six weeks later, Preston identified Haynes for police.

The case was scheduled for trial nearly a year after the shooting. It was the first time Preston had seen Haynes since that night on Port Street. He told the prosecutor, Royster, that he wasn't sure Haynes shot him.

So Royster felt he had to cut a deal. In August 1997, she dropped the most serious charges, which could have sent Haynes to prison for life. Haynes pleaded guilty to carrying a handgun and second-degree assault.

He was sent to jail for a year, with credit for the eight months he had already served.

In a recent interview, Preston said he "wasn't sure right off the bat" whether it was Haynes who shot him. Haynes became better after time in prison and had a different haircut, he said. But after the guilty plea, Preston said he learned from "word on the street" that Haynes was the man who shot him. "I wish now I had [testified]."

In November 1997, Haynes was accused of shooting a man in a dispute over a beer, but that case was not prosecuted when the victim did not appear. The next month, he was charged in another shooting, but prosecutors dropped that case when the victim changed his story.

Mitchell declined to comment on the first case, saying he had no memory of it. He referred instead to statements he made in court.

Jack B. Rubin, who has defended Haynes against several criminal charges, said when prosecutors don't have witnesses to prove their case, they have to drop it.

"If those allegations are true, of course he's dangerous," Rubin says. "But the presumption is that he's not. No prosecutor can make a case without evidence."

For those trying to quell the city's violence, men like Haynes are all too familiar.

"He's basically an animal that plays with no rules, he doesn't follow any, and the system protects him," says Jeffries, the police officer who barked with him. "It happens every day, and after a while you become numb to it. If you were to take it personally, it would give you a heart attack."

"He'll do it again."

Originally published on Jan 30 2000

Bail denied for Moore brothers

Extradition hearing set in Philadelphia for suspects in killing; 'No jubilation' for family; Prothero's relatives express frustration with justice system

By Dan Thanh Dang And Dennis O'Brien Sun Staff

As the family of a slain Baltimore County police officer gathered at a somber celebration of his youngest daughter's second birthday, two brothers charged in the fatal shooting were denied bail in Philadelphia yesterday.

Richard Antonio Moore, 29, and Wesley John Moore, 24, were being held in the lockup at Philadelphia police headquarters, awaiting transfer to that city's Curran Fromhold Correctional Facility. An extradition hearing has been set March 6.

The Moores appeared on video monitors for arraignment hearings that started about 6 p.m. and lasted about five minutes each.

After answering a few questions about his public defender, Richard Moore asked only one question of a court commissioner: "What if I was to fight extradition?"

That action would mean a delay in bringing him back to Maryland to stand trial in the death of Sgt. Bruce A. Prothero, who was shot Feb. 7 as he chased four men who fled from a Pikesville jewelry store after a daylight robbery.

The arrest of the Moore brothers Saturday afternoon ended an intensive 12-day manhunt and brought widespread relief to a grieving Baltimore County Police Department. Two other suspects had been arrested earlier.

The Prothero family expressed frustration yesterday over a justice system that fails to keep violent offenders in jail. Police and court records show that all four suspects have lengthy criminal histories ranging from drug possession to attempted murder.

"Too often people are apprehended and out on the street the next day," said Rick Prothero as he wrapped an arm around Bruce's tearful wife at a county Fraternal Order of Police news conference in Carney. "It has been frustrating for us as family of a police officer.

"We are certainly not the only family that has lost a son, a brother, a husband and a father," Rick Prothero said. "We are victims, but there are lots of victims of this kind of thing. Our family felt some instant relief, some momentary joy maybe, but no jubilation."

The aftermath of the shooting has been a "roller coaster" ride of emotions, Prothero family members said.

There was concern that the suspects would not be caught. There was gratitude for the overwhelming support Ann Prothero and her five children received from police officers and the public.

There also was fear that the men would cause more harm while they were at large.

Added to all that, they said, was immense sorrow over their loss mixed with moments of happiness and anger.

Yesterday, 2-year-old Hannah's birthday party brought another surge of feelings.

"Reality is not reality at my house yet," Ann Prothero said.

"But we have to go on. It doesn't feel like it will, but it will. [Bruce] would want me to think of the kids."

She added, "My husband's job was to help keep people who do these heinous crimes off the street. The fact that they're out there in public, not behind bars. It is unacceptable."

The other two suspects in the Prothero killing, Donald Antonio White Jr., 19, and Troy White, 25, both of Baltimore, are being held without bail at the Baltimore County Detention Center. The Whites, also charged with first-degree murder, are not related.

The Moore brothers had remained free even as police crisscrossed the Baltimore area searching for them. Tips came from as far as Virginia and Pennsylvania, police said.

"We had spottings right and left," said Cpl. Vicki Warehime, a county police spokeswoman. "We acted on every tip that was given to us."

County police tactical officers combed a North Point neighborhood Tuesday, where the Moores' mother, Mary Moore, lives. On Wednesday night, a police helicopter with searchlights scanned an Essex community where Wesley Moore once lived. Two hours before the Moores' arrest in Philadelphia, county homicide detectives were back in North Point, interviewing residents about the suspects' whereabouts.

Officers in the North Point precinct also received tips that the brothers had been spending a lot of time near Dundalk.

But the breakthrough, police sources said, came after Baltimore City and county officers executed several arrest warrants early Saturday in the Cherry Hill neighborhood in southern Baltimore near Richard Moore's old Baltimore County neighborhood in Lansdowne.

The tip led them to a crime-ridden neighborhood in North Philadelphia. About 3:30 p.m. Saturday, a fugitive task force of FBI agents, U.S. marshals, and Baltimore County and Philadelphia police raided a three-story brick rowhouse in the 2200 block of N. 19th St.

The brothers immediately "laid down and surrendered and did what they were told," said David Ebron, 66, their great-uncle with whom they had stayed since Thursday.

Ebron said that when the brothers showed up at his door, they did not mention that they were in trouble with the law.

He said he learned that police were searching for them in a letter he received Friday from a niece in Baltimore.

Ebron said he did not have a chance to talk with Richard or Wesley Moore before heavily armed police banged on his door Saturday afternoon.

That evening, Baltimore County and Philadelphia police drove away with two green plastic bags after conducting an hourlong search at Ebron's home.

Yesterday, county police praised the work of Baltimore and Philadelphia police and federal authorities in tracking down the suspects and arresting them without incident.

"Again, we want to say we couldn't have done this without the help of all the other law enforcement agencies," Warehime said.

Originally published on Feb 21 2000

<http://www.drugstrategies.org/Baltimore/>

Treating Baltimore's Drug Problem, Drug Strategies, 2000

http://www.drugstrategies.org/Baltimore/BaltCh_2.html

Alcohol and Drug Abuse in Baltimore Alcohol and illicit drug abuse are among the most serious problems confronting Baltimore.² At least 60,000 city residents need alcohol and drug treatment.^[11] Even on the basis of conservative estimates, the proportion of Baltimore residents needing treatment is at least double the national rate.^[12] Alcohol and drug abuse reaches deep into taxpayers' pockets, increasing the costs of health care, criminal justice and other services. Based on national calculations by the National Institute on Alcohol Abuse and Alcoholism (NIAAA) and the National Institute on Drug Abuse (NIDA), Drug Strategies estimates that the economic costs of alcohol and drug abuse in Baltimore exceed \$2.5 billion a year.^[13]

Extent of the Problem For more than two decades, Baltimore has had an entrenched subculture of heroin addiction.^[14] Two-thirds of Baltimore residents with addictions are injection drug users.^[15] Crack cocaine's arrival in the early 1990s compounded the city's longstanding problems with heroin; crack drew a younger crowd of users and dealers, and violent crime associated with drug sales escalated. Many heroin addicts also began using crack. According to a July 2000 assessment by the U.S. Drug Enforcement Administration (DEA), Baltimore is the "most heroin-plagued area" in the nation and faces one of the most severe crack problems as well.^[16]

Heroin is Baltimore's primary drug of abuse.^[17] The proportion of city residents needing treatment for heroin abuse is 15 times the national rate.^[18]

Alcohol and Drug Use Among Youth During the past decade, crack cocaine, heroin and marijuana use among Baltimore 8th and 10th grade students has been consistently higher than the national averages.^[19] Drinking is much more prevalent among Baltimore students than illicit drug use, as is true nationwide.^[20] Student drinkers in Baltimore outnumber marijuana, crack and heroin users by a wide margin. Based on student self-reports as part of the 1998 Maryland Department of Education's Maryland Adolescent Survey, 5,300 Baltimore 8th and 10th graders had at least one drink in the month prior to the survey, compared to 3,030 who used marijuana, 375 who used crack, and 275 who used heroin.^[21]

Underage Drinking and Maryland's Low Alcohol Tax Rates Underage drinking in Baltimore, however, is less prevalent than among youth in the rest of Maryland. Indeed, rates of youth drinking in Maryland are higher than among youth nationwide.^[22] According to NIAAA, youth who begin drinking early (before age 15) are four times more likely to develop alcohol dependence than those who begin at age 21.^[23] Each year's delay in initiation of drinking greatly reduces the likelihood of later alcohol problems.^[24]

Research has shown that increasing the price of alcohol reduces drinking and alcohol-related problems, including accidents, violence and disease.^[25] Youth and young adults are especially sensitive to alcohol price increases.^[26] However, Maryland's alcohol excise taxes (based on alcohol content) are among the lowest in the nation. Maryland's beer excise tax rate ranks eighth lowest, while only a dozen states have a lower wine excise tax rate, and no state has a lower liquor excise tax rate.^[27] Because Maryland's excise taxes are not indexed for inflation, their value erodes over time. The current excise tax on liquor is worth only 16 percent of its value in 1955, when the tax rate was last raised, and the beer and wine taxes are worth only 25 percent of their value in 1972, when they were last raised.^[28]

Drug-Related Hospital Emergencies The U.S. Department of Health and Human Services' Drug Abuse Warning Network (DAWN) tracks hospital emergency room (ER) episodes related to drugs in metropolitan areas across the country. From 1994 to 1998, the rate in the Baltimore area was nearly triple the national rate.^[29] The Baltimore area consistently reports the highest rates of cocaine- and heroin-related ER episodes in the nation. In 1998, half of Baltimore-area ER drug episodes involved heroin, compared to only 14 percent nationwide. Every year since 1992, the rate of ER cocaine mentions in the Baltimore area has been at least quadruple the national rate.

Alcohol-Related Deaths Alcohol poisoning and alcohol-related diseases and accidents claim the lives of nearly 350 Baltimore residents each year, according to mortality data maintained by the National Center for Health Statistics.^[30] From 1993 through 1997 (the most recent five-year period for which data are available), Baltimore's alcohol-related mortality rate of 50 deaths per 100,000 residents was 60 percent higher than the rate in the rest of Maryland and 40 percent higher than the national rate.^[31] Deaths from cirrhosis and other chronic liver diseases related to heavy and prolonged use of alcohol occur in Baltimore at three times the rate in the rest of the state and at twice the national rate.^[32]

Illicit Drug Overdose Deaths In 1999, Maryland's Chief Medical Examiner recorded 324 drug overdose deaths^[33] in Baltimore (excluding alcohol)-63 percent of all such deaths in Maryland.^[34] The city's 1999 overdose death rate (51 per 100,000 residents) was triple the 1990 rate, driven by a skyrocketing number of heroin deaths.^[35] This steep increase may reflect widespread experimentation by a new generation of younger users as well as a surge in low-cost, high-purity heroin.^[36] Heroin's price in the Baltimore metropolitan area-already 40 percent cheaper than the national average in 1998-fell by a third in 1999, to 33¢ per pure milligram.^[37] According to the DEA, heroin purity in Baltimore is 13 percent higher than the national average.^[38] In 1999, for the first time ever, more Baltimore residents died of drug overdose (324) than by homicide (309).^[39]

Increasing drug overdose deaths in Baltimore may also be related to rising incarceration rates of city residents addicted to drugs.^[40] On average nationwide, prisoners serve about 2½ years behind bars before release.^[41] Injecting drug users (IDUs) who serve time in prison are especially vulnerable to overdose in the weeks immediately following their release.^[42] Enforced abstinence or greatly reduced drug use while incarcerated lowers physical tolerance for drugs, heightening susceptibility to overdose if drug use is resumed at the same level as prior to confinement. A possible link between release from incarceration and the rising rate of drug overdose deaths in Baltimore warrants close examination, especially given that at least 40 percent of the 10,200 Maryland state prison inmates sentenced from Baltimore had engaged in injection drug use prior to their incarceration.^[43]

Infectious Diseases Injection drug use (IDU) creates multiple health risks, including transmission of infectious diseases such as AIDS and hepatitis. Since 1979, more than half of the 11,250 AIDS deaths in Maryland have been in Baltimore.^[44] Where AIDS is the leading killer of young adults (aged 25 to 44).^[45] IDU is the leading cause of AIDS in Baltimore, accounting for 60 percent of new AIDS cases in the city in 1999, compared to 33 percent in the rest of Maryland and 26 percent nationally.^[46]

AIDS and hepatitis B and C spread quickly among injection drug users who share needles. Like AIDS, hepatitis B has no cure.^[47] The U.S. Centers for Disease Control and Prevention (CDC) and NIDA report that AIDS and hepatitis B are twice as common among young injection drug users (aged 15 to 30) in Baltimore than among those in New York City, Los Angeles, Chicago and New Orleans.^[48] Moreover, ninety percent of the Baltimore drug users studied who share needles are infected with hepatitis C, which leads to chronic liver disease for 70 percent of those infected.^[49]

Baltimore experienced a syphilis epidemic during the 1990s.^[50] Although syphilis is easily treated with penicillin, it can be caught again and again, and those with syphilitic lesions are more likely to contract HIV. By 1999, Baltimore's rate of new syphilis cases (38 per 100,000 residents) had fallen 63 percent since its 1997 peak, but remained 15 times higher than the national average.^[51] City health officials report that the practice of selling sex for drugs-especially crack cocaine-contributes to the spread of syphilis.^[52]

Impact on Crime Baltimore is troubled by a persistently high crime rate, which in 1998 was double the national average.^[53] In 1998, Baltimore's overall crime rate was two-thirds higher than in other big U.S. cities;^[54] violent crimes occurred twice as frequently^[55] and Baltimore's murder rate was 3.5 times higher.^[56] Among the 26 largest U.S. cities, only Detroit recorded higher rates of overall and violent crime in 1998. Only Washington, D.C. had a higher murder rate.^[57]

Drinking, drug addiction and drug trafficking fuel both property crime and violent crime in Baltimore. Three-quarters of nonviolent property offenses in Baltimore are linked to alcohol and drug abuse,^[58] with unrecovered property losses totaling \$46 million a year-more than \$885,000 per week.^[59] Baltimore law enforcement officials estimate that 50 to 60 percent of the city's homicides are related to drug dealing, including violent clashes among competing dealers and buyers and sellers.^[60]

Data on the number of alcohol-related homicides in Baltimore are not available, but 45 percent of imprisoned murderers nationwide report having been drinking heavily at the time of their offense.^[61] Although significant overlap occurs between alcohol-related homicides and those linked to illicit drugs, as many as three-quarters of Baltimore's murders are associated with alcohol and illicit drugs.^[62]

Drug Arrests Drug arrests climbed steadily in Baltimore from 1990 to 1995, peaking at 23,092, before falling to 15,706 in 1996 due to a shift in police priorities toward gun enforcement.^[63] Drug arrests have recently climbed again, reaching 18,052 in 1998 (10,334 for possession; 7,718 for sales).^[64] Juvenile arrests for drug distribution increased 40 percent from 1994 to 1998.^[65] Although still below the 1995 peak, Baltimore's 1998 drug arrest rate was nearly triple the rate for U.S. cities with populations of 250,000 or more, and nearly five times the national average.^[66] Heroin and cocaine arrests, which make up 80 percent of the city's drug arrests, occur at ten times the national rate.^[67] On average, Baltimore police made 49 drug arrests per day in 1998, including 19 for heroin and cocaine sales and 21 for heroin and cocaine possession.

Drug Offenders in Prison, on Parole and Probation, and in the Juvenile Justice System Drug offenses are the leading reason for incarceration of state prisoners convicted of crimes committed in Baltimore. As of September 2000, half of the 10,200 prisoners who had been sentenced in Baltimore committed drug offenses.^[68] Drug crimes were the most serious offense for 29 percent of Baltimore offenders sentenced to more than a year in state prison.^[69] compared to 11 percent of prisoners nationwide.^[70] Most of those imprisoned by the state for drug crimes committed in Baltimore are not violent offenders.^[71] Indeed, the vast majority (84 percent) of all non-violent Baltimore offenders in prison are drug offenders.^[72]

Drug crimes are also the most common offense among those on parole and probation in Baltimore. As of September 2000, nearly half of Baltimore's 30,150 parolees and probationers were under court supervision for drug offenses.^[73] Drug crimes are the most serious offense for almost half of Baltimore probationers.^[74] compared to one-quarter of probationers nationwide.^[75] Drug offenders comprise the majority (62 percent) of all non-violent offenders on parole or probation in Baltimore.^[76]

One in every 40 Baltimore adults is on probation for a drug offense.^[77] seven times the national rate.^[78]

Drug offenses are also the leading reason for which Baltimore youth enter the state's juvenile justice system. In 1998, nearly one-quarter of the 12,800 juvenile justice intake cases involving Baltimore youth were due to alcohol (128) and other drug offenses (1,128 for possession and 1,770 for distribution).^[79] Baltimore's rate of juvenile intake cases involving drug distribution offenses rose nearly 50 percent between 1994 and 1998,^[80] and the city accounted for more than two-thirds of all such cases statewide in 1998.^[81] As of March 2000, Baltimore accounted for one-third of the 10,100 youths statewide assigned to probation, detention and residential programs within Maryland's juvenile justice system.^[82]

Drug Use and Treatment Need Among Offenders Drug use is widespread among adults arrested in Baltimore. A 1995 study (the most recent data available) conducted by the Center for Substance Abuse Research (CESAR) at the University of Maryland found that two-thirds of men and three-quarters of women arrested by the Baltimore Police Department tested positive for at least one drug, not including alcohol.^[83] Baltimore arrestees recorded the highest rates of heroin use ever found in any U.S. city-37 percent of men and 48 percent of women tested positive for opiates in 1995.^[84] These rates were five times higher than the averages found in 23 cities participating in the federal Arrestee Drug Abuse Monitoring (ADAM) program.^[85] (Baltimore has never been an ADAM program site, but CESAR's 1995 study was based on ADAM's methodology.)

The CESAR study concluded that almost half of those arrested over the course of the year needed treatment, and that nearly three-quarters of those who needed treatment were heroin users.^[86] In 1998 (the latest year for which comprehensive data are available), the Baltimore Police Department made 17 percent more total arrests than in 1995, suggesting that some 22,000 adult arrestees were in need of treatment.^[87] However, only 18,738 people (from all referral sources) actually received treatment in Baltimore in 1998, according to Maryland's Alcohol and Drug Abuse Administration (ADA-AA).^[88] The need for treatment among adult arrestees alone outstripped the city's overall treatment capacity by 17 percent in 1998.^[89] According to state

Enclosure(5) HB606 Written Testimony of MCDL

criminal justice officials, four out of five convicted offenders in Baltimore need treatment. As of September 2000, at least 80 percent of the state prison inmates who were sentenced in Baltimore (8,160 out of 10,200) had substantial alcohol and drug abuse problems when they entered prison, regardless of offense; half of this group (more than 4,000 inmates) had engaged in injection drug use prior to their incarceration.[90] In addition, at least 80 percent of Baltimore's 30,150 parolees and probationers also needed treatment, regardless of offense.[91]

According to the Maryland Department of Juvenile Justice (DJJ), data from nearly a decade of drug testing show that the more involved a youth is in the juvenile justice system, the greater the likelihood of a drug problem. Both in Baltimore and statewide, DJJ estimates the prevalence of drug abuse at 20 percent for youth on probation, 40 percent for youth in detention, and 50 to 60 percent for youth in residential programs.[92] One-third of the 4,300 Baltimore youth involved in the juvenile justice system in early 2000 had drug problems.[93]

Many people addicted to drugs come into frequent contact with the criminal justice system, which can be a key venue for treatment. Research has shown that treatment imposed through the coercion of the criminal justice system can effectively reduce drug use and crime.[94] Too often, however, this opportunity is missed. Chapter IV describes the important role of court-mandated treatment in Baltimore, especially given the extensive need for treatment among offenders. Impact on Greater Baltimore and the State of Maryland as a Whole Drug abuse and trafficking harm Baltimore's quality of life,[95] but the damage is not confined to Baltimore. Indeed, 70 percent of Maryland residents who need alcohol and drug treatment live outside Baltimore.[96] Many of them come to Baltimore to buy drugs, helping to fuel the open-air drug markets that afflict numerous neighborhoods.[97] Because Baltimore's problems are intertwined with those of the rest of the state, progress in reducing drug addiction in Baltimore—where the problem is most severe—will benefit all Maryland residents.

In recent years, many of Maryland's other counties have seen rapid increases in their own drug problems, particularly with regard to heroin, whose resurgence nationwide appears related to falling retail prices (down 60 percent nationwide from 1990 to 1998) and increasing purity (up 128 percent).[98]

Problems with drug abuse elsewhere in the state still do not approach the magnitude of the problems in Baltimore. But because today's more potent heroin means that users can get high by snorting the drug thereby removing the need for exposure to HIV that might have deterred many new users[99]—more people appear to be experimenting with and becoming addicted to it. This trend has compelled the state's other counties to look more closely at their own drug problems.

Based on interviews with 137 drug treatment, prevention, enforcement and medical personnel statewide, Maryland's summer 2000 Drug Scan reported heroin as a primary drug of abuse in Baltimore and seven counties (Baltimore, Calvert, Cecil, Frederick, Prince George's and Wicomico) and as an emerging drug of abuse in eight of the state's other 16 counties.[100]

In 1998, 34 percent of Baltimore County residents believe that heroin was being sold in their neighborhoods, up from 21 percent in 1992. Also in 1998, 33 percent of Anne Arundel and Howard County residents believe that their neighborhoods are up from 19 percent in 1992.[101]

During the 1990s, heroin use was higher among 8th and 10th graders statewide than in Baltimore. In 1998, Baltimore 10th graders reported past month heroin use at more than double the national rate, while 10th graders statewide reported past month heroin use at more than triple the national rate (2.2 percent vs. 0.7 percent).[102]

From 1990 to 1999, the number of heroin overdose deaths nearly tripled in Baltimore, and more than tripled in the rest of the state, led by a nearly five-fold increase from 24 to 112 deaths in Baltimore's five neighboring suburban counties (Baltimore County and Anne Arundel, Carroll, Harford and Howard counties)[103]

Heroin spread beyond Baltimore counties in six Maryland's only concern regarding substance use. For example:

- Blaze drinking (defined as five or more drinks at a time) was more prevalent among 10th graders statewide than in Baltimore throughout the 1990s. In 1998, 26 percent of 10th graders statewide reported binge drinking in the past month, compared to 17 percent in the city.[104]
- The drug arrest rate in the rest of Maryland rose 19 percent from 1994 to 1998, led by a 40 percent increase in suburban Baltimore (from 368 to 520 arrests per 100,000 residents).[105]
- Baltimore's rate of juvenile drug arrests rose 17 percent from 1994 to 1998, compared to a 65 percent increase in the rest of Maryland. Suburban Baltimore had an 80 percent increase (from 316 to 587 arrests per 100,000 youth).[106]

FOOTNOTES:

1 This report discusses alcohol and will also illicit drugs because alcohol, though legal for those 21 and older, is an intoxicant with high potential for abuse and addiction. Most drinkers are not problem drinkers, but the sheer prevalence of drinking-given alcohol's legal status and social acceptability—results in adverse consequences for health and safety exceeding the damage caused by illicit drugs. In Baltimore, 36 percent of those who enter treatment have a drinking problem.

2 A high level of awareness of drug problems by health officials and hospital personnel in the greater Baltimore region arguably results in a fuller, more accurate accounting of drug-related expenditures than in many other metropolitan areas. DAWN statistics acknowledge that survey reporting practices make site-by-site comparisons problematic. But even at the true level of 48 drug episodes nationwide from 1994-98 were double the rate of 222 episodes per 100,000 residents reported to DAWN, the Baltimore-area rate (656 per 100,000) would still have been nearly 50 percent higher.

3 Research has shown that neighborhoods with a high density of liquor stores affect increased health and social problems, including violent crime. In Baltimore, neighborhoods that are both low and predominantly African American have substantially more liquor stores per capita than do other neighborhoods in the city.

ENDNOTES:

- [1] Maryland Department of Health and Mental Hygiene, Alcohol and Drug Abuse Administration (ADAA). Based on treatment admissions data for fiscal year (FY) 1998, ADAA estimated 60,375 Baltimore residents to be in need of treatment for alcohol or other drug abuse—amounting to 12.8 percent of the city's 471,147 adults in 1999, or one in eight adults. ADAA acknowledges that this estimate is conservative, particularly for alcohol treatment need and for the number of drug abusers among the city's criminal offenders. The true number of Baltimore residents needing treatment may be in the range of 75,000 to 80,000.
- [2] J. Epstein & J. Gleitzer. "Changes Affecting NIDA's Estimates of Treatment Need in 1994-1996." Analysis of Substance Abuse and Treatment Needs. Substance Abuse and Mental Health Services Administration (SAMHSA), May 1998. In 1996, an estimated 9,383 million Americans 12 years of age and older were in need of drug treatment (not including alcohol), amounting to 4.27 percent of the U.S. population aged 12 and older (in 1996, 219,606 million).
- [3] Maryland Department of Health and Mental Hygiene, Alcohol and Drug Abuse Administration (ADAA). In 1997, an estimated 58,126 Baltimore residents were in need of drug treatment (not including alcohol), amounting to 10.78 percent of the city's population aged 12 and over in 1997 (540,802.25). The national rate was 4.27 percent.
- [4] B. Grant. "The Influence of Comorbid Major Depression and Substance Use Disorders on Alcohol and Drug Treatment: Results of a National Survey." Paper presented at the September 1994 NIDA Treatment Review Meeting on Comorbid Mental and Addictive Disorders—Treatment and HIV-Related Issues. Based on the NIAAA-sponsored National Longitudinal Alcohol Epidemiologic Survey (NLES), in 1992 an estimated 13,799,446 Americans aged 18 and over abused or were dependent on alcohol, amounting to 6.60 percent of the 1992 U.S. population aged 18 and over (208,357 million).
- [5] R. Reuter et al. Estimating the Need for Substance Abuse Treatment in Maryland. College Park, MD: Center for Substance Abuse Research (CESAR), January 1998. In 1995, an estimated 34,513 Baltimore residents aged 18 and over were in need of treatment for alcohol abuse or dependence, amounting to 6.69 percent of the city's 1995 population aged 18 and over (510,797), or 1.31 percent higher than the national rate.
- [6] National Institute on Drug Abuse (NIDA) and National Institute on Alcohol Abuse and Alcoholism (NIAAA). The Economic Costs of Drug and Alcohol Abuse in the United States, 1992-September 1998. NIDA and NIAAA estimate that alcohol and drug abuse cost the nation \$276 billion in 1995, adjusting for population growth and inflation increases this estimate to \$328 billion in 1998. Based strictly on Baltimore's share of the U.S. population, the annual economic burden on the city would be about \$785 million. However, Baltimore's alcohol and drug abuse problems are considerably more severe than the nation as a whole. Given the indicators below, the annual economic burden at least triple the \$785 million population-based figure in the range of \$2.3 billion. This figure is offered not as a precise calculation but as a plausible estimate of the magnitude of the economic impact of alcohol and drug abuse in Baltimore.
- [7] The \$2.3 billion figure represents 30 percent of estimated costs in Maryland. Maryland's share of the \$328 billion national drug-related economic burden, based on its portion of alcohol and drug treatment clients nationwide, is approximately \$5.5 billion per year (see Note 19). Although Baltimore consumes 2.6 percent of Maryland's population, it accounts for a much larger share of the state's alcohol and drug-related problems.
- [8] 63 percent of Maryland's drug overdose deaths; 24 percent of Maryland's deaths due to alcohol poisoning and alcohol-related diseases and accidents; 61 percent of Maryland's newly-diagnosed AIDS cases related to injection drug use; 29 percent of state residents in need of alcohol treatment; 29 percent of state admissions to treatment; 64 percent of state arrests for heroin and cocaine offenses (sales and possession); 40 percent of state prisoners sentenced to more than a year for drug sales; 31 percent of state residents on probation for drug offenses; and 65 percent of state residents on parole for drug offenses.
- [9] Baltimore Substance Abuse System, Inc. (BSAS). Scientific Advisory Committee Report and Recommendations. October 1999.
- [10] Associated Press. "Baltimore leads in injection drug use." The Baltimore Sun, March 22, 1998. According to Baltimore Health Commissioner Peter L. Bellonno, about 40,000 of the city's estimated 600,000 residents addicted to drugs are injection drug users.
- [11] Baltimore Substance Abuse System, Inc. (BSAS). Fiscal Year 1999 Data Update. December 1999. In FY 1999, 34.8 percent of the 16,812 clients admitted to treatment at BSAS-funded programs acknowledged having injected their heroin (33.6 percent) or cocaine (1.2 percent), suggesting that Health Commissioner Bellonno's two-third figure may be an overestimate. But behavior patterns of those who enter treatment cannot be assumed to prevail among drug users who do not enter treatment, and research suggests (see below) that most injection heroin users have never entered treatment of any kind.
- [12] J. Inciardi et al. "The Heroin Street Addict: Profiling a National Sample." In J. Inciardi & L. Harrison (eds.), Heroin in the Age of Crack-Cocaine. Thousand Oaks, CA: Sage Publications, 1998. A 1998 survey based on a nationwide sample of more than 38,561 injection heroin users obtained through the National AIDS Demonstration Research Program found very low levels of involvement with treatment: 58 percent reported never having been in detoxification, more than 70 percent were never in methadone maintenance, and more than 80 percent were never in any form of outpatient treatment. Even among the minority who reported some form of treatment experience, most had been in treatment only one or two times.
- [13] U.S. Drug Enforcement Administration. Baltimore District Report. Washington, D.C.: DEA, July 2000.
- [14] Center for Substance Abuse Research (CESAR), Maryland Drug Scan: Current Trends in Drug Use, Summer 1999. College Park, MD: CESAR, January 1999.
- [15] R. Reuter et al. Estimating the Need for Substance Abuse Treatment in Maryland. College Park, MD: Center for Substance Abuse Research (CESAR), January 1998. As cited by CESAR, Maryland's Alcohol and Drug Abuse Administration (ADAA) estimated that 34,276 Baltimore residents needed treatment for heroin use in 1995, amounting to 36.4 percent of the 60,816 total estimated to be in need of treatment for all drug abuse in Baltimore (60,375) was less than 1 percent lower than the 1998 estimate. Lowering the 1995 heroin estimate to the same proportion provides an estimate of 33,933 city residents in need of treatment for heroin use, which amounts to 5.36 percent of Baltimore's total population in 1999 (625,681). This proportion is 149 times higher than the proportion of the U.S. population considered in need of treatment for heroin use (see below).

Office of National Drug Control Policy (ONDCP). National Drug Control Strategy, 2000 Annual Report. February 2000. Based on estimates derived from the National Household Survey on Drug Abuse of Baltimore and the rest of the state, 97,000 "hardcore" heroin users in the United States are in need of treatment, but only 36 percent of the total U.S. population in 1999 (27,873,000) are in need of treatment.

[19] Maryland State Department of Education. 1998 Maryland Adolescent Survey. March 2000.

National Institute on Drug Abuse (NIDA). National Survey Results from the Monitoring the Future Study, 1975-1998. September 1999.

The proportion of Baltimore 8th graders reporting crack cocaine use within the past month rose from 0.7 percent in 1992 to 2.4 percent in 1998—nearly triple the national rate. Over the same period, the rate of past month heroin use among Baltimore 8th graders rose from 0.6 percent to 1.6 percent, also nearly triple the national rate. Similar trends prevailed among 10th graders. The proportion of Baltimore 8th graders reporting past month alcohol use rose from 19.8 percent in 1992 to 21.3 percent in 1998 (10.1 percent nationally); 10th graders reported past month alcohol use at 1.1 percent. One in four Baltimore 10th graders reported past month marijuana use in 1998, up from 13 percent in 1992, and one-third higher than the national average of 18.7 percent.

[20] Maryland State Department of Education. 1998 Maryland Adolescent Survey. March 2000.

National Institute on Drug Abuse (NIDA). National Survey Results from the Monitoring the Future Study, 1975-1998. September 1999.

In 1998, 36.2 percent of Baltimore 10th graders reported drinking within the past month, up from 32.5 percent in 1994, and comparable to the 38.8 percent figure for 10th graders nationwide. In 1998, 18.1 times more Baltimore 10th graders reported past month alcohol use (36.2 percent) than reported past month crack cocaine use (2.0 percent). The gap between alcohol and crack cocaine use was even greater at the national level. In 1998, 25.1 times more U.S. 10th graders reported past month alcohol use (38.8 percent) than reported past month crack cocaine use (1.1 percent).

[21] Maryland State Department of Education. 1998 Maryland Adolescent Survey. March 2000.

National Institute on Drug Abuse (NIDA). National Survey Results from the Monitoring the Future Study, 1975-1998. September 1999.

8,430 13-year olds (8th grade); 24 percent alcohol (1,944); 10.6 percent marijuana (892); 2.4 percent crack (203); 1.6 percent heroin (135); 8,519 15-year olds (10th grade); 36.2 percent alcohol (2,885); 24.9 percent marijuana (2,130); 20 percent crack (1,700); 1.6 tons (136). Total: 460,890 8th and 10th graders; 5,277 past-month alcohol users; 302 past-month marijuana users; 273 past-month crack users; and 271 past-month heroin users. Rounding yields 17,000 8th and 10th graders; 5,300 past-month alcohol users; 3,030 past-month marijuana users; 375 past-month crack users; and 275 past-month heroin users.

[22] Maryland State Department of Education. 1998 Maryland Adolescent Survey. March 2000.

National Institute on Drug Abuse (NIDA). National Survey Results from the Monitoring the Future Study, 1975-1998. September 1999.

In 1998, 27 percent of Maryland 8th graders reported drinking at least once in the past month, compared to 26 percent of Baltimore 8th graders and 23 percent of 8th graders nationwide. Also in 1998, 41 percent of Baltimore 10th graders reported drinking at least once in the past month, compared to 36 percent of Baltimore 10th graders and 39 percent of 10th graders nationwide.

[23] B. Grant & D. Dawson. "Age at onset of alcohol use and its association with DSM-IV alcohol abuse and dependence: Results from the National Longitudinal Alcohol Epidemiologic Survey." Journal of Substance Abuse, 9:103-110, 1997.

[24] B. Grant & D. Dawson. "Age at onset of alcohol use and its association with DSM-IV alcohol abuse and dependence: Results from the National Longitudinal Alcohol Epidemiologic Survey." Journal of Substance Abuse, 9:103-110, 1997.

[25] F. Chaloupka. "Effects of price on alcohol-related problems." Alcohol Health and Research, 17(2):46-53, 1993.

[26] C. Cook. "The effect of liquor taxes on drinking, cirrhosis, and auto accidents" in M. Moore & D. Gerstein (eds.), Alcohol and Public Policy: Beyond the Shadow of Prohibition. Washington, D.C.: National Academy Press, 1993.

[27] General Accounting Office (GAO). District of Columbia: Taxes and Other Strategies to Reduce Alcohol Abuse. Washington, D.C.: GAO, 1994.

[28] M. Grossman et al. "Effects of alcohol policy on youth: A summary of economic research." Journal of Research on Adolescence, 4(2):347-364, 1994.

[29] General Accounting Office (GAO). District of Columbia: Taxes and Other Strategies to Reduce Alcohol Abuse. Washington, D.C.: GAO, 1994. Maryland's low excise tax rates combine with the state's moderate 5 percent sales tax make alcoholic beverages less expensive in Maryland than in any other jurisdiction in the region except Delaware (which imposes higher excise taxes than Maryland but has no sales tax). For example, Maryland adds 30¢ in combined excise and sales taxes to the price of a 35-oz. pack of beer, whereas Virginia adds 39¢ and the District of Columbia adds 45¢.

[30] In 1995, Maryland raised its liquor excise tax rate from \$12.5 to \$15.00 per gallon. In 1972, Maryland raised its beer excise tax rate from 3¢ to 9¢ per gallon and raised its wine excise tax rate from 20¢ to 40¢ per gallon. If the 1955 liquor excise tax had been reduced to inflation, it would have risen to \$9.44 per gallon by 1995. If the 1972 beer and wine excise tax rates had been reduced to inflation, they would be \$16.40 per gallon and \$11.61 per gallon, respectively, as of January 20, 1999.

[31] U.S. Department of Health and Mental Hygiene, Substance Abuse and Mental Health Services Administration (SAMHSA). Year-End 1998 Emergency Department Data from the Drug Abuse Warning Network (DAWN). December 1999. Over the 5-year period 1994-1998, the Baltimore metropolitan area averaged a rate of 656 drug-related ER episodes per 100,000 residents, 2.9 times higher than the U.S. average of 222 per 100,000. Among the 20 other metropolitan areas over-sampled by DAWN, only San Francisco over-sampled Baltimore's rate during the 1994-1998 period, including in 1994 (774 to 743 per 100,000) and in 1997 (994 to 596 per 100,000).

[32] National Institute on Alcohol Abuse and Alcoholism (NIAAA). State Trends in Alcohol-Related Mortality, 1979-1992. September 1996. NIAAA calculates alcohol-related mortality based on mortality data maintained by the National Center for Health Statistics (NCHS) and on the proportion of different categories of death that research has demonstrated to be alcohol-related. For example, in mortality data in the category "accidents" (such as alcoholic cirrhosis of the liver) are considered "100 percent alcohol-related and are assigned an 'alcohol-attributable fraction' of 1.0. The other categories—"other alcohol-related diseases" and "other alcohol-related injuries or adverse effects"—include cases of death which are only sometimes attributable to alcohol. These cases of death are assigned alcohol-attributable fractions less than 1.0. For example, 60 percent of deaths of persons 28 and older due to chronic pancreatitis are considered to be alcohol-related deaths. Drug Statistics and Methods to Calculate Alcohol-Related Mortality for Baltimore, Maryland and the United States from 1991-1997, for the most recent 5-year period for which NCHS mortality data was available (on the web at <http://www.nerdc.dcg.gov>).

[33] For 1993-1997, Baltimore's death rate due to alcohol poisoning and alcohol-related diseases and accidents was 90.5 deaths per 100,000 residents, 60.3 percent higher than the rate of 31.3 deaths per 100,000 residents in the rest of Maryland, and 9.5 percent higher than the national rate of 82.4 deaths per 100,000 residents.

[34] For 1993-1997, Baltimore's death rate due to cirrhosis and other alcohol-related liver diseases 13.6 deaths per 100,000 residents, triple the rate of 4.6 deaths per 100,000 residents in the rest of Maryland, and double the national rate of 6.9 deaths per 100,000 residents.

[35] L. L. & J. Smialek. "Observations on Drug Abuse Deaths in the State of Maryland." Journal of Forensic Science, 41(1):106-109, January 1996. A "drug-caused death," is defined as "an death in which a toxic level of drug is found with no other cause of death present. In other words, a drug-facilitated death is a death that can be directly attributable to or caused by drug intoxication." A drug in which a death has occurred but which is not the cause of death is called a "contributing cause."

[36] County-by-county illicit drug abuse death data for 1990-1999 were compiled for Drug Strategies by the Maryland Office of the Chief Medical Examiner. Baltimore's 324 illicit drug abuse deaths in 1999 comprised 62.9 percent of the Maryland total of 515 such deaths. From 1990-1999, Baltimore accounted for 69 percent of all such deaths in Maryland.

[37] During the 1990s, 90 percent of Baltimore's 2,312 drug abuse deaths involved heroin, while 29 percent involved cocaine.

[38] The surge in low-cost, high-purity heroin is the result of the expansion of Colombian cocaine traffickers into the heroin trade in the early 1990s. In 1998, 65 percent of the heroin seized and purchased in the United States by Drug Enforcement Administration (DEA) agents originated in Colombia, up from 15 percent in 1993.

[39] U.S. Drug Enforcement Administration (DEA).

L. Henderson. "Drug Use in the Baltimore Metropolitan Area: Epidemiology and Trends," Draft for inclusion in the June 2000 report of NIDA's Community Epidemiology Work Group (CEWG).

[40] U.S. Drug Enforcement Administration (DEA). Baltimore District Report. July 2000.

[41] S. Shane. "Overdose deaths exceed slayings." The Baltimore Sun, September 15, 2000.

[42] E. Drucker. "Drug Prohibition and Public Health: 25 Years of Evidence." Public Health Reports, 114:14-29, January/February 1999.

[43] P. Ditton & D. Wilson. Bureau of Justice Statistics Special Report: Truth in Sentencing in State Prisons. January 1999.

[44] D. Harding-Frank. "Morality Following Release from Prison." Medicine, Science and the Law, 30(1):12-16, January 1990.

[45] S. Seaman et al. "Mortality from overdose among injected drug users recently released from prison: Database linkage study." BMJ, 316(7129):425-428, February 7, 1998.

[46] A. Seymour et al. "Drug-related deaths among recently released prisoners in the Strathclyde Region of Scotland." Journal of Epidemiology, 4(3):449-454, May 2000.

[47] See Note 90.

[48] Maryland Department of Health and Mental Hygiene, AIDS Administration. Maryland HIV/AIDS Epidemiological Profile, Second Quarter 2000. June 2000. Baltimore residents accounted for 6,024 (5.6 percent) of the 11,249 AIDS deaths recorded in Maryland between January 1979 and June 2000.

[49] Maryland Department of Health and Mental Hygiene, Vital Statistics Administration.

[50] Maryland Department of Health and Mental Hygiene, AIDS Administration, Center for Epidemiology and Health Services Research. As modes of exposure to injection drug use (IDU) and men who have sex with men and engage in injection drug use (MSM/IDU) accounted for 319 (60.0 percent) of the 532 AIDS cases diagnosed among Baltimore residents in 1999. In the rest of Maryland, IDU and MSM/IDU accounted for 33.0 percent of AIDS cases diagnosed in 1999.

Centers for Disease Control and Prevention (CDC). HIV/AIDS Surveillance Report, 1999 Year-End Edition. May 2000. Nationwide, IDU and MSM/IDU accounted for 9,042 (25.5 percent) of the 35,482 AIDS cases diagnosed in 1999.

[51] Centers for Disease Control and Prevention (CDC), National Center for Infectious Diseases. Viral Hepatitis B—Frequently Asked Questions. On the web at www.cdc.gov/nceid/diseases/hepatitis_b_faqs.htm

[52] Centers for Disease Control and Prevention (CDC), National Center for Infectious Diseases. Viral Hepatitis B—Frequently Asked Questions. On the web at www.cdc.gov/nceid/diseases/hepatitis_b_faqs.htm

[53] C. Fuller et al. "Correlates of HIV infection among newly initiated adolescent and young injection drug users." Paper presented at the 32nd Annual Meeting of the Society for Epidemiological Research, Baltimore, June 1999. Ten percent of Baltimore injection drug users from 15 to 30 years old are infected with HIV, compared to 5 percent of young IDUs in New York City, Los Angeles, Chicago and New Orleans. The rate of Baltimore injection drug users from 15 to 30 years old are infected with hepatitis B, compared to 21 percent of young IDUs in New York City, Los Angeles, Chicago and New Orleans.

[54] C. Fuller et al. "Correlates of HIV infection among newly initiated adolescent and young injection drug users." Paper presented at the 32nd Annual Meeting of the Society for Epidemiological Research, Baltimore, June 1999.

Centers for Disease Control and Prevention (CDC), National Center for Infectious Diseases. Viral Hepatitis C—Frequently Asked Questions. On the web at www.cdc.gov/nceid/diseases/hepatitis_c_faqs.htm

[55] C. Fuller et al. "Correlates of HIV infection among newly initiated adolescent and young injection drug users." Paper presented at the 32nd Annual Meeting of the Society for Epidemiological Research, Baltimore, June 1999.

Centers for Disease Control and Prevention (CDC), National Center for Infectious Diseases. Viral Hepatitis C—Frequently Asked Questions. On the web at www.cdc.gov/nceid/diseases/hepatitis_c_faqs.htm

[56] D. Sugg. "City working to curb ties to syphilis." The Baltimore Sun, February 6, 1996.

[57] Centers for Disease Control and Prevention (CDC). Sexually Transmitted Disease Surveillance, 1999. September 2000. Baltimore's rate of new syphilis cases was 11.99 (3.1 per 100,000 residents) was 15.2 times higher than the national rate (2.5 per 100,000 residents). At its peak in 1997, Baltimore's rate of new syphilis cases was 31.8 times higher than the national rate (3.2 per 100,000 residents).

[58] J. Bor & D. Sugg. "Syphilis epidemic beginning to wane." The Baltimore Sun, December 7, 1998.

[59] Federal Bureau of Investigation (FBI). Crime in the United States: Uniform Crime Reports, 1998. October 1999. Baltimore's 1998 Crime Index total (10,947 crimes per 100,000 residents) was more than double the U.S. rate (4,620 crimes per 100,000 residents).

Office of the Mayor of Baltimore. The Mayor's Plan to Dramatically Reduce Crime in Baltimore: A Plan of Action for Transforming the Baltimore Police Department into a High Performance Organization. April 2000. As an FBI-endorsed audit of Baltimore Police Department crime reports for 1999 found that serious crime was under-reported by 15 percent, suggesting that Baltimore's crime rates reported to the FBI for more than 60 years may have also underestimated the occurrence of serious crime in the city.

[60] Federal Bureau of Investigation (FBI). Crime in the United States: Uniform Crime Reports, 1998. October 1999. Among the other 25 U.S. cities with populations of 500,000 or more in 1998, the overall crime rate was 6,705 per 100,000 residents. At 10,947 per 100,000 residents, Baltimore's overall crime rate was 66.6 percent higher than the average among other big U.S. cities.

D. Andrus & S. Goodman. "The Social and Health Landscape of Urban and Suburban America." Chicago, IL: American Hospital Association Press, 1999. Even when compared to other big cities in either the similar social and economic problems, Baltimore's crime rate is high. In addition to Baltimore, eight other big cities rank in the bottom half of both the Deprivation Index and the Child Welfare Index, which are published by the American Hospital Association.

Baltimore ranks 88th on the Deprivation Index (based on poverty rate, educational attainment, unemployment rate, percent of population that are non-English speakers, per capita income, and crime rate) and 95th on the Child Welfare Index (based on child poverty rate, births to teenage mothers, low birth weight babies, female headed households, and infant mortality rate).

The eight other cities that rank in the bottom half of both indices are Boston, Dallas, Detroit, Memphis, Milwaukee, New York City, Philadelphia, and San Antonio. Compared to the average crime rate among these eight cities in 1998, Baltimore's overall crime rate was 44 percent higher and Baltimore's violent crime rate was 75 percent higher.

[61] Federal Bureau of Investigation (FBI). Crime in the United States: Uniform Crime Reports, 1998. October 1999. Among the other 25 U.S. cities with populations of 500,000 or more in 1998, the murder crime rate was 1,206 per 100,000 residents. At 2,419.6 per 100,000 residents, Baltimore's murder rate was double the average among other big U.S. cities.

[62] Federal Bureau of Investigation (FBI). Crime in the United States: Uniform Crime Reports, 1998. October 1999. Among the other 25 U.S. cities with populations of 500,000 or more in 1998, the murder rate was 11.5 per 100,000 residents. At 47.1 per 100,000 residents, Baltimore's murder rate was 3.1 times higher than the average among other big U.S. cities.

[63] Federal Bureau of Investigation (FBI). Crime in the United States: Uniform Crime Reports, 1998. October 1999. Baltimore's 26 largest cities in 1996, only Detroit recorded a higher overall crime rate than Baltimore (11,791.4 compared to 10,947.0 per 100,000); only Detroit recorded a higher violent crime rate than Baltimore (2,628.3 compared to 2,419.6 per 100,000); and only Detroit, D.C. recorded a higher murder rate than Baltimore (4,767.4 per 100,000).

[64] National Institute on Drug Abuse (NIDA) and National Institute on Alcohol Abuse and Alcoholism (NIAAA). The Economic Costs of Drug and Alcohol Abuse in the United States, 1992-September 1998. NIDA and NIAAA estimate that drug abuse contributes to 25 to 30 percent of income-generating crime nationwide and that alcohol abuse contributes to 5 percent of income-generating crime. Given that Baltimore's rates of drug and alcohol abuse are 2.5 and 1.5 times higher than the national rates, respectively (see Note 12), then it can be estimated that alcohol and drug abuse contributes to nearly 75 percent (between two-thirds and four-fifths) of income-generating crime in Baltimore.

[65] Maryland State Police. Crime in Maryland: 1998 Uniform Crime Report. October 1999. The value of unrecovered stolen property in Baltimore averaged \$229 million per year from 1994-1998, ranging from a high of \$256 million in 1995 to a low of \$182 million in 1998 (figures include losses due to robbery, breaking or entering, larceny-theft, and motor vehicle theft). Based on the Baltimore's rate of all such crimes committed each year in Maryland, the value of unrecovered stolen property in Baltimore averaged \$67 million per year from 1998, ranging from a high of \$79 million in 1995 to a low of \$48 million in 1998. Alcohol and drug abuse contributes to an estimated 14 percent of nonrobbery property offenses in Baltimore (see Note 38), accounting for \$46 million per year in unrecovered stolen property losses from 1994-1998 (\$885,000 per week).

[66] The Association of Baltimore City. The Drug Crisis and Underfunding of the Justice System in Baltimore City: Report of the Russell Committee. The Russell Committee reported that 55 percent of the city's homicides were drug-related.

Office of the State Attorney for Baltimore City. Based on analysis of 237 of Baltimore's 303 homicides in 1997 and information from police homicide detectives, the Assistant State Attorney for Baltimore estimates that at least 50 percent and more likely 60 percent of the city's homicides are drug-related.

[67] Bureau of Justice Statistics (BJS). Substance Abuse and Treatment, State and Federal Prisons, 1997. January 1999. In 1997, 44.5 percent of state and federal prisoners convicted of murder, 44.5 percent of those convicted of rape, and 44.5 percent of those convicted of alcohol-related offenses were convicted of murder involving alcohol at the time of their offense.

[68] Bureau of Justice Statistics (BJS). Alcohol and Drug Abuse and Treatment, State and Federal Prisons, 1997. January 1999. In 1997, 44.5 percent of state and federal prisoners convicted of murder other than alcohol. Some of these offenders reported having been under the influence of both alcohol and drugs, so the total proportion of alcohol and drug-involved offenders was 52.2 percent, not the 71.3 percent reported in the text. The 1997 murder rate in Baltimore was 1,206 per 100,000 residents, which is 23.5 percent difference between the figure arrived at simply through addition (71.3) and the true figure (52.2). Adding the Baltimore estimates to alcohol-related (44.5 percent) and other drug-related (60.0 percent) homicides gives a range of 94.5 to 104.5 percent. Subtracting 26.5 percent from each end of the range leaves a range of 69.5 percent to 78 percent. Alcohol and drugs are therefore considered linked to between two-thirds and three-quarters of Baltimore's homicides (from 215 to 288 out of 429 to 509 murders in 1999).

[69] P. Hermann. "Commissioner shifts priority to bangs: Baltimore police directed to focus less on small drug arrests." The Baltimore Sun, January 25, 1996.

[64] Maryland State Police. Crime in Maryland: 1998 Uniform Crime Report. October 1999.

[65] Maryland Department of Juvenile Justice. Statistical Report, Fiscal Year 1998. October 1999. Intake cases for Baltimore juveniles for alleged drug distribution rose from 1,263 in 1994 to 1,770 in 1998, a 40.1 percent increase. Since only 2 to 3 percent of intake cases are the result of an arrest, the drug distribution intake figures provided by the Department of Juvenile Justice provide a close approximation of the number of drug distribution arrests.

[66] Federal Bureau of Investigation (FBI). Crime in the United States. Uniform Crime Reports, 1998. October 1999.

Maryland State Police. Crime in Maryland: 1998 Uniform Crime Report. October 1999.

[67] Baltimore's 1998 drug arrest rate (2,796.2 per 100,000 residents) was 16.8 percent below the city's peak rate during the 1990s, recorded in 1985. Even so, Baltimore's 1998 drug arrest rate was 2.7 times higher than the rate among the nation's 54 cities with populations of 250,000 or more (1,036.1 per 100,000) and 4.7 times higher than the national average (596.2 per 100,000). Baltimore also accounts for a disproportionately large share of Maryland's drug arrests—45 percent of the state's total in 1998, including 67 percent of all heroin and cocaine arrests.

[67] Federal Bureau of Investigation (FBI). Crime in the United States. Uniform Crime Reports, 1998. October 1999.

Maryland State Police. Crime in Maryland: 1998 Uniform Crime Report. October 1999.

[68] Heroin and cocaine arrests (for both sales and possession offenses) were made in Baltimore at the rate of 2,277.8 per 100,000 population, 83.3 times higher than the U.S. rate of 218.2 per 100,000. Over the 5-year period 1994-1998, Baltimore made heroin and cocaine arrests at the rate of 2,144.9 per 100,000, 9.2 times higher than the U.S. rate of 234.2 per 100,000.

[68] Maryland Department of Public Safety and Correctional Services, Division of Research and Statistics. As of September 2000, 5,115 (50.0 percent) of the 10,229 offenders sentenced from Baltimore to more than a year in Maryland state prison were charged with drug offenses. (Baltimore and each of Maryland's 23 other counties are separate sentencing jurisdictions. With rare exceptions, an offender is sentenced in the jurisdiction in which he or she committed the offense. The sentencing jurisdiction, therefore, is not necessarily an offender's jurisdiction of residence. For example, a Howard County resident who is convicted of a crime committed in Baltimore would be sentenced by the Baltimore jurisdiction, by the same token, a Baltimore resident convicted of committing a crime in Howard County would be sentenced by the Howard County jurisdiction.)

[69] Maryland Department of Public Safety and Correctional Services, Division of Research and Statistics. As of September 2000, drug sales were the most serious offense for 3,021 (29.5 percent) of the 10,229 offenders sentenced from Baltimore to more than a year in Maryland state prison.

[70] Maryland State Statistics (BIS). Substance Abuse and Treatment, State and Federal Prisoners, 1997. January 1999. In 1997, inmates sentenced for drug offenses accounted for 11.3 percent of all state prisoners nationwide sentenced to more than one year.

[71] Maryland Department of Public Safety and Correctional Services, Division of Research and Statistics. As of September 2000, 1,234 (24.1 percent) of the 5,112 state inmates imprisoned for drug offenses committed in Baltimore were charged with violent crimes. By comparison, 85.7 percent of those imprisoned for non-drug offenses committed in Baltimore were charged with violence.

[72] Maryland Department of Public Safety and Correctional Services, Division of Research and Statistics. As of September 2000, 3,881 (84.2 percent) of the 4,611 non-violent Baltimore parolees serving more than a year in Maryland state prison were drug offenders.

[73] Maryland Department of Public Safety and Correctional Services, Division of Research and Statistics. As of September 2000, 13,045 (43.3 percent) of the 30,148 Baltimore residents on parole or probation were under court supervision for drug offenses.

[74] Maryland Department of Public Safety and Correctional Services, Division of Research and Statistics. As of September 2000, drug crimes were the most serious offense for 11,405 Baltimore prisoners, 49.5 percent the Baltimore's total population of 23,048.

[75] Bureau of Justice Statistics (BJS). Probation and Parole in the United States, 1998. August 1999. According to BJS, 24 percent of probationers nationwide in 1998 had a drug law violation as their most serious offense.

[76] Maryland Department of Public Safety and Correctional Services, Division of Research and Statistics. As of April 2000, the 15,519 non-violent drug offenders on probation and parole in Baltimore comprised 62.5 percent all the total of 24,837 non-violent Baltimore probationers and parolees.

[77] Maryland Department of Public Safety and Correctional Services, Division of Research and Statistics. As of April 2000, drug crimes were the most serious offense for 11,869 Baltimore probationers, amounting to 2,519 percent of the city's adult population in 1999 (471,147), or 1 in every 40 Baltimore adults.

[78] Bureau of Justice Statistics (BJS). Probation and Parole in the United States, 1998. August 1999. In 1998, 820,227 probationers nationwide had a drug law violation (24 percent of the total probation population), amounting to 0.374 percent of the U.S. adult population in 1998 (219,393,000), or 1 in every 278 U.S. adults. Baltimore's rate (1 in 40 adults) is therefore 6.7 times higher than the U.S. rate.

[79] Maryland Department of Juvenile Justice (DJJ). Statistical Report, Fiscal Year 1998. October 1999. Of the 12,800 juvenile justice intake cases involving Baltimore youth, 3,026 were due to alcohol violations and other drug offenses, 23.6 percent of the total.

[80] Maryland Department of Juvenile Justice (DJJ). Statistical Report, Fiscal Year 1998. October 1999. Baltimore's 1,263 juvenile intake cases involving drug distribution offenses in 1994 translated to a rate of 9.43 such cases per 100,000 Baltimore residents ages 5-18 years. The city's 1,770 juvenile drug distribution intake cases in 1998 translated to 1,382.2 such cases per 100,000 Baltimore residents ages 5-18 years, 47.9 percent higher than the 1994 rate.

[81] Maryland Department of Juvenile Justice (DJJ). Statistical Report, Fiscal Year 1998. October 1999. Baltimore's 1,770 juvenile drug distribution intake cases in 1998 amounted to 67.5 percent of the 2,622 such cases statewide.

[82] Maryland Department of Juvenile Justice (DJJ).

[83] T. Gray & E. Wish. Substance Abuse Need for Treatment among Arrestees (SANTA) in Maryland. College Park, MD: Center for Substance Abuse Research (CESAR), May 1998.

[84] T. Gray & E. Wish. Substance Abuse Need for Treatment among Arrestees (SANTA) in Maryland. College Park, MD: Center for Substance Abuse Research (CESAR), May 1998.

[85] Formerly known as the Drug Use Forecasting (DUF) program, a total of 36 sites have participated in the National Institute of Justice's Arrestee Drug Abuse Monitoring (ADAM) Program during the 12-year period 1988-1999. Most ADAM sites are known by the name of the largest city in the area, but the catchment area for each site extends beyond the urban center and in most cases covers the entire county. For example, the catchment area for the Detroit ADAM site is all of Wayne County.

ADAM's Miami site, an 11 year participant, has never tested female arrestees. The number of sites has increased from 20 in 1988 (14 of which tested female arrestees) to 34 in 1999 (32 of which tested females). Seven of the 36 ADAM sites (19.4 percent) include central cities that are less than half the size of Baltimore (Anchorage, Birmingham, Des Moines, Ft. Lauderdale, Las Vegas, Salt Lake City, and Spokane). But 12 of the ADAM sites (33.3 percent) include central cities that are larger than Baltimore (Chicago, Dallas, Detroit, Houston, Indianapolis, Los Angeles, New York City, Philadelphia,

Phoenix, San Antonio, San Diego, and San Jose).

[86] T. Gray & E. Wish. Substance Abuse Need for Treatment among Arrestees (SANTA) in Maryland. College Park, MD: Center for Substance Abuse Research (CESAR), May 1998. From October 1994 through September 1995, the Baltimore Police Department made 61,311 arrests of adults. Because a number of individuals were arrested more than once, the total number of individuals arrested by BPD during this period was 41,254. CESAR estimated that 45.8 percent (18,844) of these adult arrestees needed treatment for alcohol or drug abuse, including 15,600 (72.2 percent) needing treatment for heroin, 11,000 for cocaine, 6,000 for alcohol and 1,200 for marijuana.

[87] Maryland State Police. Crime in Maryland: 1998 Uniform Crime Report. October 1999. In 1998, the Baltimore Police Department made 71,693 arrests of adults, 16.9 percent more than the 61,311 adult arrests made by BPD over the 12-month period from October 1994 through September 1995. Adjusting BPD's 1998 adult arrest to account for repeat arrestees by using the same percentage as in the CESAR study (that is, multiplying the total arrests by 67.05 percent) provides a total of 48,070 individual adults arrested by BPD in 1998. If 45.8 percent of them needed of treatment, as CESAR found to be the case for arrestees in 1995, then 22,016 adult arrestees needed treatment in 1998.

[88] Maryland Department of Health and Mental Hygiene, Alcohol and Drug Abuse Administration (ADAA). ADAA administrative database (Substance Abuse Management Information System, or SAMIS) generated an unduplicated count of 18,738 individuals in treatment at state-certified clinics in Baltimore in FY 1999 (July 1, 1998-June 30, 1999).

[89] Applying CESAR's 1995 estimate that 45.8 percent of adult arrestees need treatment for alcohol or drug abuse to the number of adults arrested by the Baltimore Police Department in 1998 yields a 22,016 adult arrestees in need of treatment, 17.5 percent greater than the number of individuals who actually received treatment in Baltimore in FY 1999 (18,738).

[90] Maryland Department of Public Safety and Correctional Services (DPSCS). Based on intake assessment of prisoners, DPSCS officials estimate that 80 percent of Maryland prisoners have substantial substance abuse problems upon entering prison, and at least 40 percent (4,080) engaged in injection drug use prior to their incarceration.

Bureau of Justice Statistics (BJS). Substance Abuse and Treatment, State and Federal Prisoners, 1997. January 1999, and Substance Abuse and Treatment of Adults on Probation, 1995. March 1999. According to BJS, three-quarters of all prisoners and two-thirds of all probationers nationwide would be charged as "alcohol- or drug-involved offenders."

[91] Maryland Department of Public Safety and Correctional Services, Division of Parole and Probation.

[92] Maryland Department of Juvenile Justice (DJJ). In Maryland, an estimated 30 percent of all youth on juvenile probation, 40 percent of all youth in juvenile detention, and 50 percent of all youth in juvenile residential programs have drug problems. The Department of Juvenile Justice stated that "there appears to be a relationship between substance abuse and delinquency. The deeper a juvenile is in the Juvenile Justice system, the more likely it is that the youth will have a substance abuse problem."

[93] Maryland Department of Juvenile Justice (DJJ). As of March 2000, Baltimore accounted for 2,662 (one-third) of the state's juvenile probation population (8,061), and an estimated 800 (30 percent) of Baltimore youth on juvenile probation had drug problems. Based on assignments from prior years, as of March 2000, Baltimore accounted for 165 (37 percent) of the state's juvenile detention population (447), and an estimated 66 (40 percent) of Baltimore youth on juvenile detention had drug problems. As of March 2000, Baltimore accounted for 263 (27 percent) of the state's juvenile residential population (1,280), and an estimated 292 (50 percent) of Baltimore youth in juvenile residential programs had drug problems. Therefore, 1,157 (34.2 percent) of the Baltimore youth in the state's juvenile justice system as of March 2000 had problems with alcohol or other drugs.

[94] D. Farabee et al. "The effectiveness of coerced treatment for drug-abusing offenders." Federal Probation, 62(1):3-10, June 1998.

[95] U.S. Census Bureau. Among the nation's major cities from 1990-1999, only Washington, D.C. lost a greater proportion of its population (minus 14.5 percent) than Baltimore (minus 14.0 percent).

[96] Maryland Department of Health and Mental Hygiene, Alcohol and Drug Abuse Administration (ADAA). Based on FY 1997 treatment admissions, ADAA estimates that 223,190 Maryland resident need alcohol or drug treatment, 158,005 of whom (70.8 percent) live outside Baltimore.

[97] J. Apperson & T. Richissin. "A monitor' drug unleashed in Maryland." The Baltimore Sun, April 5, 1998.

P. Hermann. "Drugs: The city-suburban connection." The Baltimore Sun, June 21, 1998.

[98] U.S. Drug Enforcement Administration (DEA). According to the DEA's Domestic Monitor Program, heroin's average price per pure milligram fell from \$2.15 in 1990 to \$0.87 in 1998, a 60 percent decline. At the same time, heroin's average purity more than doubled, rising from 18.0 percent to 41.1 percent.

[99] U.S. Department of Health and Mental Services, Substance Abuse and Mental Health Services Administration (SAMHSA). Summary of Findings from the 1998 National Household Survey on Drug Abuse. August 1999. Among recent heroin initiates in 1997 and 1998, 87 percent were under age 26, and 72 percent had never injected heroin. Among recent heroin initiates in 1991 and 1992, only 61 percent were younger than age 26 and only 46 percent had never injected.

[100] Center for Substance Abuse Research (CESAR). Maryland Drug Early Warning System (DEWS) Drug Scan Summer 2000 Report. September 2000.

[101] Center for Substance Abuse Research (CESAR). "Baltimore City Residents Most Likely to Perceive Drug Problem." CESAR Fax, 1(20), June 29, 1992; and "Residents of Baltimore City and Surrounding Counties Most Likely to Report Heroin Being Sold in Their Neighborhood." CESAR Fax, 7(20), May 18, 1998.

[102] Maryland State Department of Education. 1998 Maryland Adolescent Survey. March 2000.

National Institute on Drug Abuse (NIDA). National Survey Results from the Monitoring the Future Study, 1975-1998. September 1999.

[103] County-by-county illicit drug abuse death data for 1990-1999 were compiled for Drug Strategies by the Maryland Office of the Chief Medical Examiner. The number of Maryland overdose deaths involving heroin rose from 160 in 1990 to 471 in 1999, a 194 percent increase. Baltimore heroin overdose deaths rose from 112 in 1990 to 302 in 1999, a 170 percent increase. The number of heroin overdose deaths in Baltimore's five surrounding suburban counties (Anne Arundel, Baltimore, Carroll, Harford and Howard) rose from 24 in 1990 to 112 in 1999, a 367 percent increase.

[104] Maryland State Department of Education. 1998 Maryland Adolescent Survey. March 2000. In 1992, 10 percent of Baltimore 10th graders reported having had five or more drinks on the same occasion (binge drinking) within the past month. In 1998, the proportion reporting binge drinking within the past month rose to 17.5 percent, a 73 percent increase over 1992. Statewide, 19.9 percent of 10th graders reported past month binge drinking in 1992, with the statewide proportion rising to 34.4 percent in 1998, a 322 percent increase. The 1998 statewide rate of 34.4 percent was 52.6 percent higher than the Baltimore rate of 17.5 percent.

[105] Maryland State Police. Crime in Maryland: 1998 Uniform Crime Report. October 1999. Drug possession arrests fueled the increase in the drug arrest rate in suburban Baltimore, particularly in Anne Arundel County, where the rate of heroin and cocaine possession arrests rose 67 percent and the rate of marijuana possession arrests nearly tripled between 1994 and 1998.

[106] Maryland Department of Juvenile Justice (DJJ). Statistical Report, Fiscal Year 1998. October 1999. Baltimore's rate of juvenile drug arrests rose by 16.8 percent from 1994-1998 (1,936 to 2,263.1 arrests per 100,000 youth aged 5-18). In the rest of Maryland, the juvenile drug arrest rate rose by 61.3 percent from 1994-1998 (200.8 to 491.2 arrests per 100,000 youth aged 5-18). In five suburban Baltimore counties, the juvenile drug arrest rate rose by 86 percent from 1994-1998 (315.7 to 586.6 arrests per 100,000 youth aged 5-18)

See also:
http://www.drugstrategies.org/Baltimore/BaltCh_1.html
http://www.drugstrategies.org/Baltimore/BaltCh_3.html
http://www.drugstrategies.org/Baltimore/BaltCh_4.html
http://www.drugstrategies.org/Baltimore/BaltCh_5.html
http://www.drugstrategies.org/Baltimore/BaltCh_8.html