

# Massachusetts Federal Criminal Drug Activity Compared to the Nation



After 50 years of the War on Drugs, the battlegrounds in Massachusetts are still suffering. Boston has been named the drug capital of Massachusetts, one of the hardest-hit cities for opioid overdoses.

With a government obsessed with ever-increasing punishment to deter drug users, very little help is offered to those suffering from addiction.

## Where Massachusetts Ranks Among Other States

Since the Nixon administration, the War on Drugs has raged without prevail. Initially, it was conceived with numerous prevention and treatment proposals. However, as the decades trudged on, later administration would continue to ramp up penalties while resources for treatment would dwindle.



**Drug Use by State: 2021s Problem Areas**<sup>[1]</sup> is a recent study that compared the 50 states and the District of Columbia using the following criteria:

- Drug arrests
- Drug use and addiction
- Drug-related health issues

Despite ranking 12th in the nation overall, Massachusetts had the fewest arrests per capita.

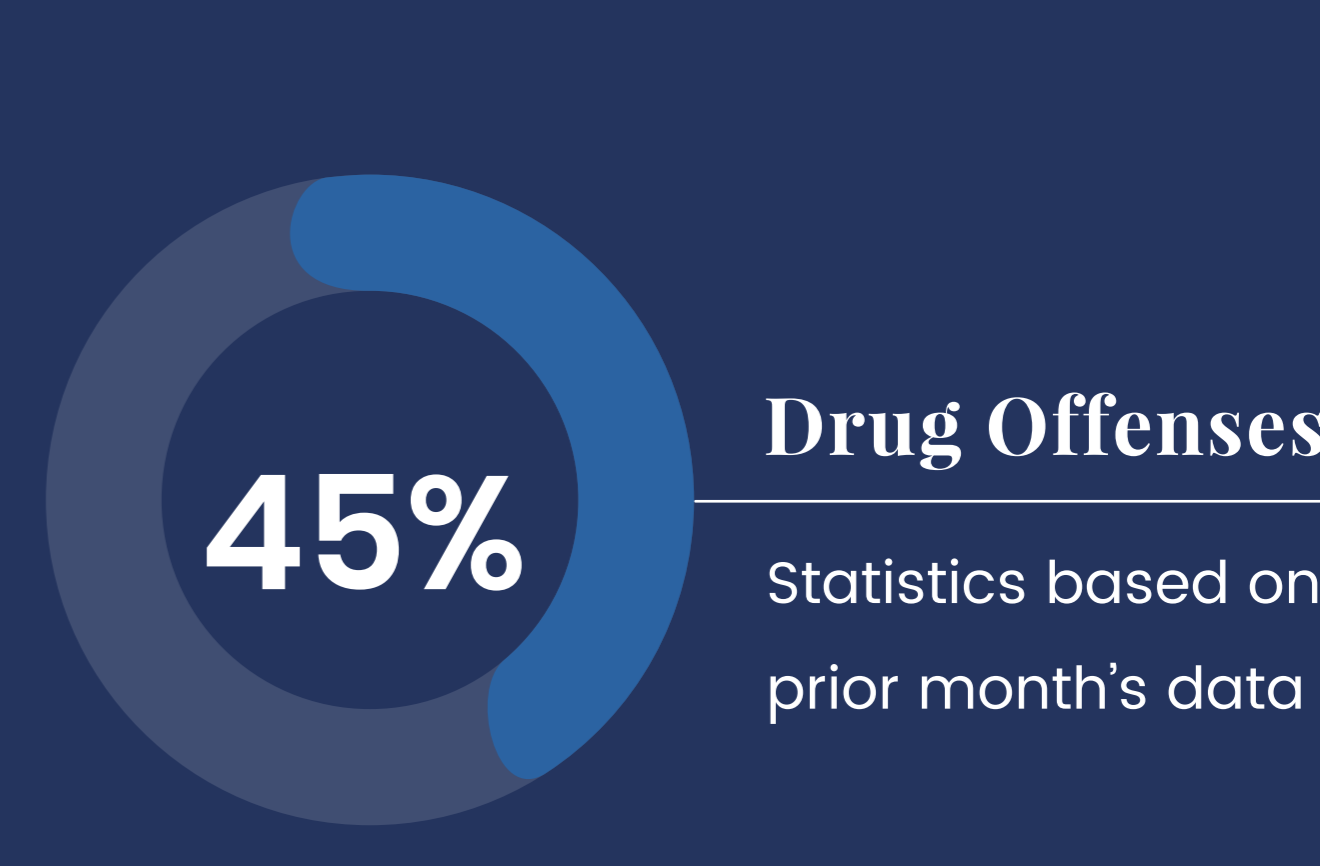
According to the **arrest report**<sup>[2]</sup> for all drug-related violations in the state:

- The majority of offenses were charges for drug possession. Nearly 7,000 people were arrested for simple possession.
- Distribution and selling offenses accounted for a little over 2,000 arrests
- Other offenses dropped dramatically. Buying illegal drugs and using illicit drugs together accounted for approximately 600 arrests.
- 135 people were arrested for transporting drugs
- Only 63 people were arrested for manufacturing illegal drugs

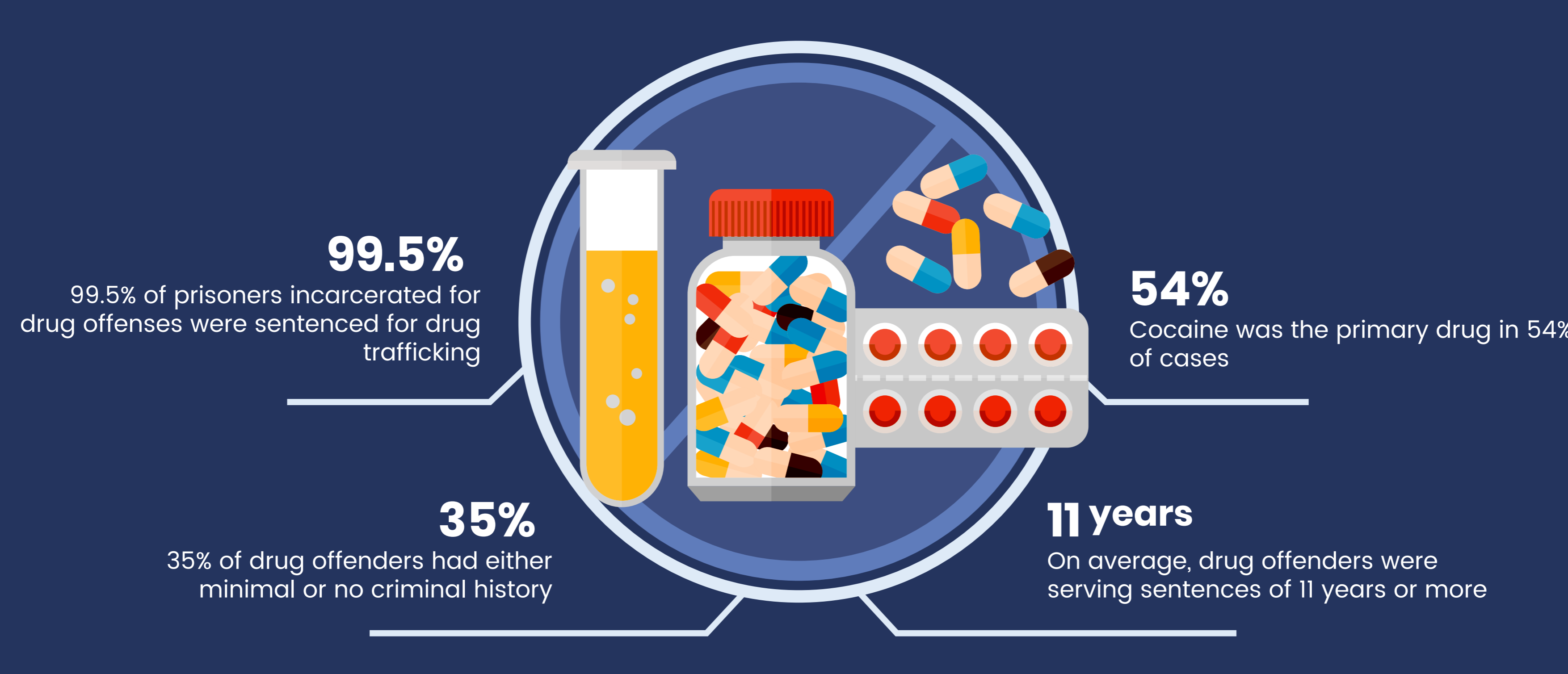
Low arrest numbers cannot accurately reflect the extent of drug problems in the state. Criminal drug charges are the **third most common offense**<sup>[3]</sup> in Massachusetts, accounting for 14% of all arrested criminals.

## How Does Criminal Drug Activity Look Nationwide?

Federal criminal drug activity is prevalent throughout the US. Under the **Federal Bureau of Prisons**<sup>[4]</sup>, incarcerated individuals for drug offenses account for 45.3% of the population. Over 64,300 prisoners have been sentenced for primarily nonviolent drug offenses.



A **closer analysis**<sup>[5]</sup> of federal criminal drug offenders found that:



Despite many first-time offenders and the majority committing nonviolent drug crimes, offenders faced lengthy prison sentences. Most federal drug offenses have mandatory minimum sentencing standards born out of the War on Drugs philosophies of the past 50 years.

To put sentencing in perspective, a comparison to violent crimes can be made. According to a **nationwide study**<sup>[6]</sup> of state prisons:

- Violent offenders accounted for 57% of prisoners
- The average time served for violent offenders was less than 3 years
- The average time served for murder was 13 years

In comparing Massachusetts criminal drug activity to the nation, most offenders in the state were sentenced for drug possession while trafficking was the predominant cause as a whole.

## Which Illegal Drugs Pose the Most Threat?

Illegal drugs are categorized by their perceived risks and are subject to varying penalties. The Drug Enforcement Administration (DEA) classifies the following drugs by schedule, according to the American **Addiction Centers**<sup>[7]</sup>:

- Schedule I:** Considered high potential for abuse with no medically recognized purpose. Includes Heroin, Marijuana, LSD.
- Schedule II:** Have high potential for abuse with some approved medical uses. Includes Cocaine, Opioids, Methamphetamine, Adderall and similar.
- Schedule III:** Considered low risk for abuse. Includes Tylenol with codeine, Steroids.

Massachusetts categorizes the severity of drug crimes by classes where Class A is considered to be the most harmful and addictive and Class D contains the least harmful drugs. State laws reflect the different perspective from the federal take on drugs:

- Class A:** Opioids, Ketamine and other hallucinogens, Ecstasy, Roofies
- Class B:** Cocaine, Methamphetamines, LSD, Depressants
- Class C:** Mostly narcotics with medical benefits, including valium, Librium, and benzodiazepines
- Class D:** Marijuana, Barbital

One of the most striking differences between Massachusetts and federal drug classifications is the view of marijuana. Federally, marijuana is perceived as having no medical value and has the most potential for abuse.

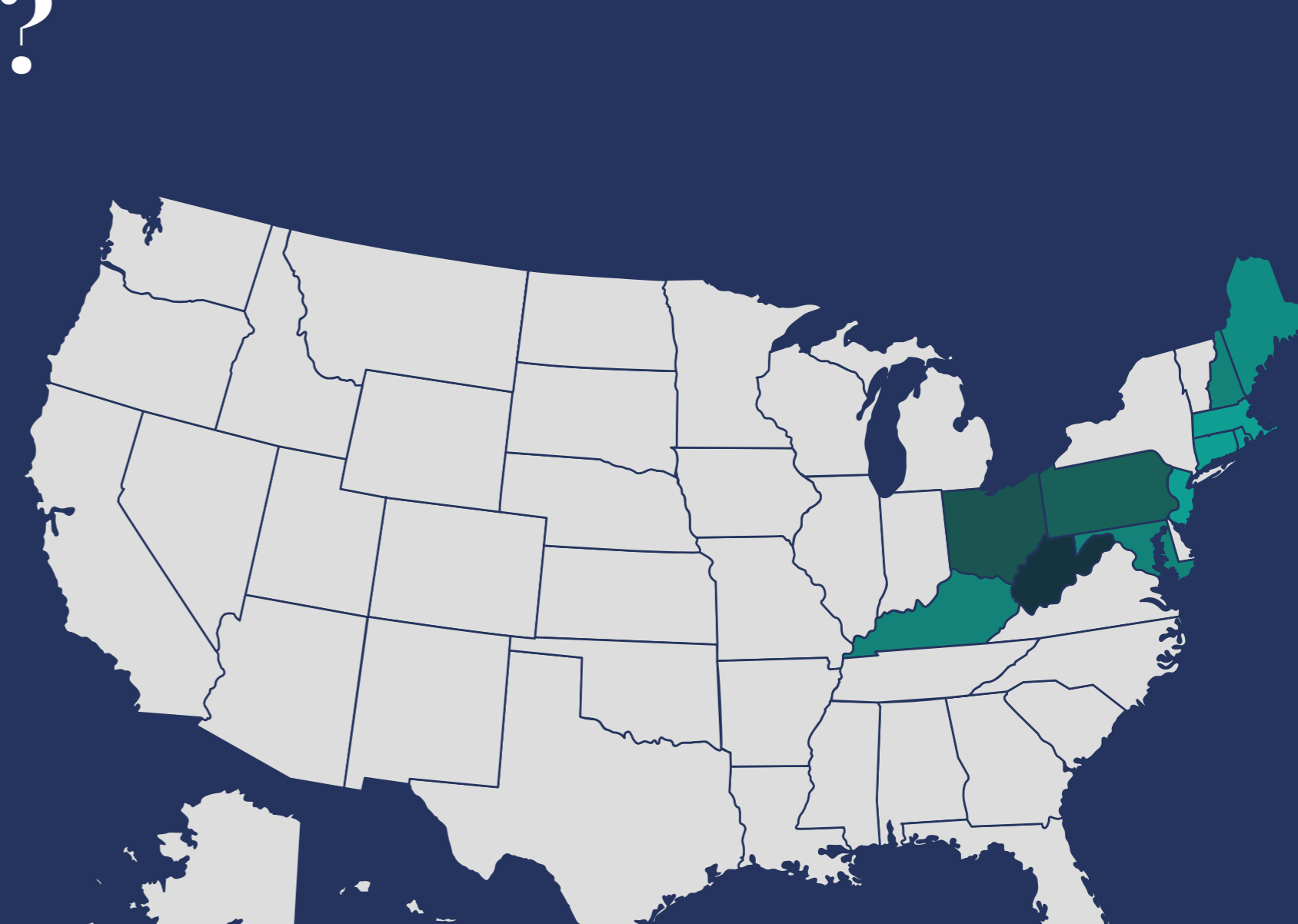
Massachusetts has legalized medical and recreational marijuana. Legalization was a slow move in the state, initially passing laws for medical use. The stark contrast of medical views of marijuana on the federal and state level may need to be assessed as more states begin to adopt medical-use allowances.

Since allowing recreational use of marijuana in Massachusetts, the state has begun capitalizing on tourism and promotes cannabis for adults on numerous **travel sites**<sup>[8]</sup>.

On the other hand, Massachusetts takes a harsher stance towards opioids than the federal level. Massachusetts has been hit hard by the Opioid Epidemic and has adjusted state law to reflect the seriousness of the problem.

## What is the Opioid Epidemic?

Due to the fraudulent behavior of many opioid drug manufacturers and subsequent push from doctors, patients were not fully informed on the dangers of opioid addiction. In 2017, the US Department of Health and Human Services declared the Opioid Epidemic a public health emergency, initiating a shift in the rate of prescriptions written for patients and funding for treatment centers for opioid abusers.



Massachusetts has suffered a great deal from the Opioid Epidemic:

- The state holds one of the highest death rates due to opioids, **ranking 9th**<sup>[9]</sup> in the nation
- Boston has had **twice as many overdose deaths**<sup>[10]</sup> due to opioids as any other city in the state
- In the last reporting year, there were **1,617 opioid overdose fatalities**<sup>[11]</sup> in the state



Comparatively, there were **70,830 overdose deaths**<sup>[12]</sup> related to opioids in the nation in the last reporting year.

## Has the Pandemic Affected Criminal Drug Use?

While the nation retreated indoors to self-quarantine during the pandemic, **drug use skyrocketed**<sup>[13]</sup>. An estimated 100,300 fatal drug overdoses occurred since April 2021, a 28.5% increase.

Additionally:

- Early estimates from the CDC tallied overdose fatalities from opioids at approximately 76,000 in one year.
- While numbers have not been released, the CDC has reported deaths related to cocaine and prescription medications have also increased.

As the pandemic continues, thwarted by variants and public irresponsibility, it is reasonable to suggest that overdose deaths in Massachusetts and the nation will continue the current trend.

At Riccio Law, our drug offense attorneys are here to defend Bostonians from criminal drug charges and protect their **right to seek treatment**<sup>[14]</sup>.

### Sources

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