

January 2020

Children, Families, Health, and Human Services Interim Committee
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HJR 48/49: CHILD PROTECTIVE SERVICES METH USE: MONTANA AND ELSEWHERE

BACKGROUND

As the number of children in foster care has spiked in recent years, state and local officials have attributed much of the increase in numbers to an increased use of methamphetamine by their parents. At its November 2019 meeting, the Children, Families, Health, and Human Services Interim Committee asked for more information on meth use in Montana and elsewhere.

This briefing paper compiles some of the available federal and state data on meth use.

THE NATIONAL PICTURE

Information on federal drug-related crimes, national drug overdose deaths, and drug availability show that methamphetamine use is more prevalent in the western half of the United States than elsewhere. The Drug Enforcement Administration reported that in 2018, methamphetamine was most widely available in the West and Midwest.

FEDERAL SENTENCING STATISTICS

The United States Sentencing Commission tracks the number of offenders who are sentenced in federal courts. Statistics for federal fiscal years 2017 and 2018 show more people were sentenced for drug crimes involving meth west of the Mississippi than in southern or eastern states. Drug cases on average made up about one-third of all federal cases nationwide in FY 2018, ranging from a low of about 19% of the sentences in the 10th U.S. Circuit Court of Appeals to 39% in the 1st and 2nd circuits.

In most of the circuits, meth convictions accounted for about one-third or fewer of those drug convictions. However, in the 8th, 9th, and 10th circuits, they ranged from 59% to 72% of the drug convictions. Montana is in the 9th U.S. Circuit Court of Appeals.

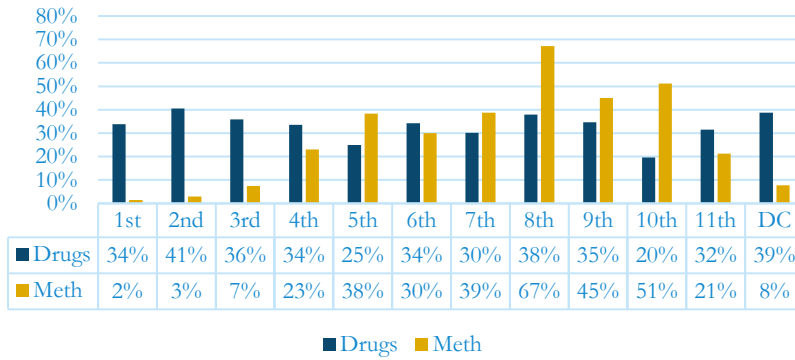
The tables on the following page show the breakdown for all drug cases and for meth cases in each circuit, while the map shows the states included in each judicial circuit.

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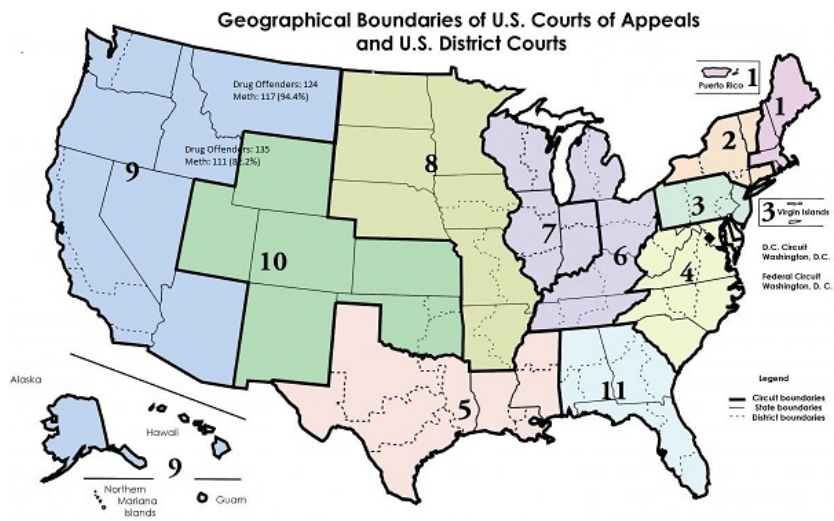
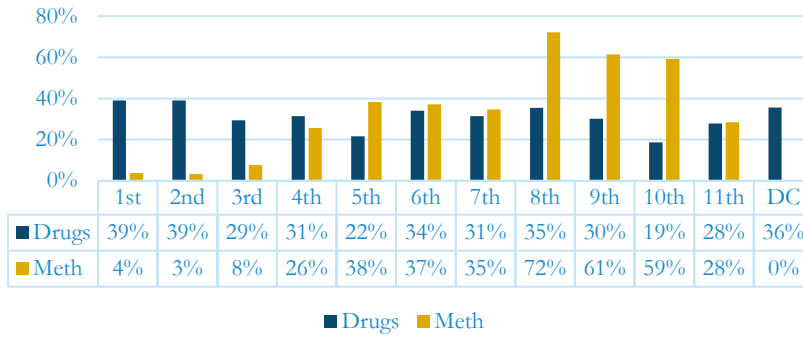
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MONTANA LEGISLATIVE
SERVICES DIVISION

Federal Drug and Meth Convictions: 2017 U.S. Circuit Courts of Appeal

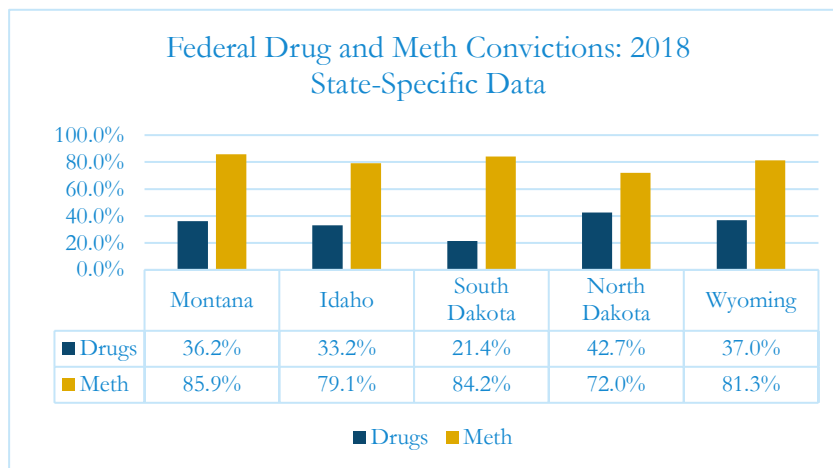
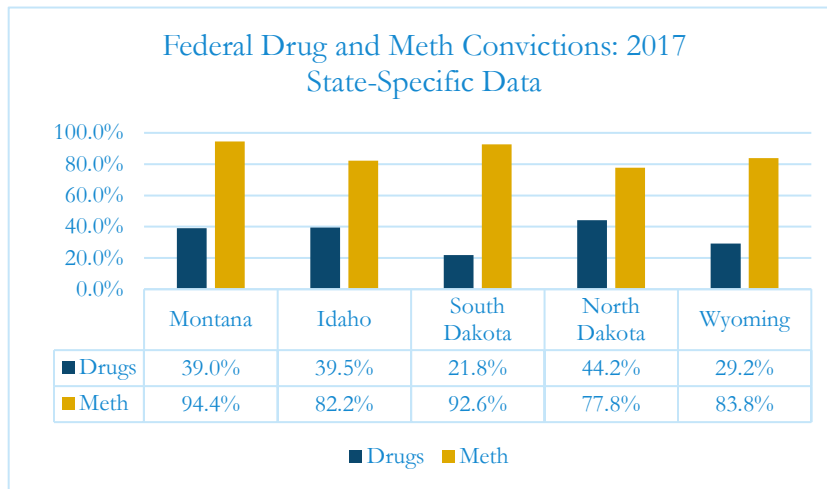


Federal Drug and Meth Convictions: 2018 U.S. Circuit Courts of Appeal



The Sentencing Commission produces similar reports for the federal district courts in each state. The statistics for the four states immediately surrounding Montana -- Idaho, Wyoming, and North and South Dakota -- show that meth offenses made up a high percentage of drug cases in all those states. However, Montana led among the five states in cases involving methamphetamines.

The tables below provide information on federal drug and meth convictions in those five states.



CDC STATISTICS

In October 2019, the Centers for Disease and Control Prevention released its first geographic breakdown of drug overdose deaths. The report covered deaths reported in 2017 and broke them down among 10 regions of the country.

More than 70,000 overdose deaths occurred that year, and the CDC said two-thirds of them involved opioids. Methamphetamine was cited in just 13% of the deaths, ranking fourth among the drugs that were involved in overdose deaths. However, in the three western regions of the country, methamphetamine was the drug most commonly involved in overdose deaths.

In the region made up of Montana, the Dakotas, Wyoming, and Colorado, nearly 29% of overdose deaths were attributed to methamphetamine. Heroin deaths accounted for about 21% of the deaths, followed by oxycodone at 16%.

In the region made up of Idaho, Washington, Oregon, and Alaska, meth overdose deaths accounted for almost 33% of the overdose deaths. In the region made up of California, Hawaii, Arizona, and Nevada, they made up almost 38% of the deaths.

THE PICTURE IN MONTANA

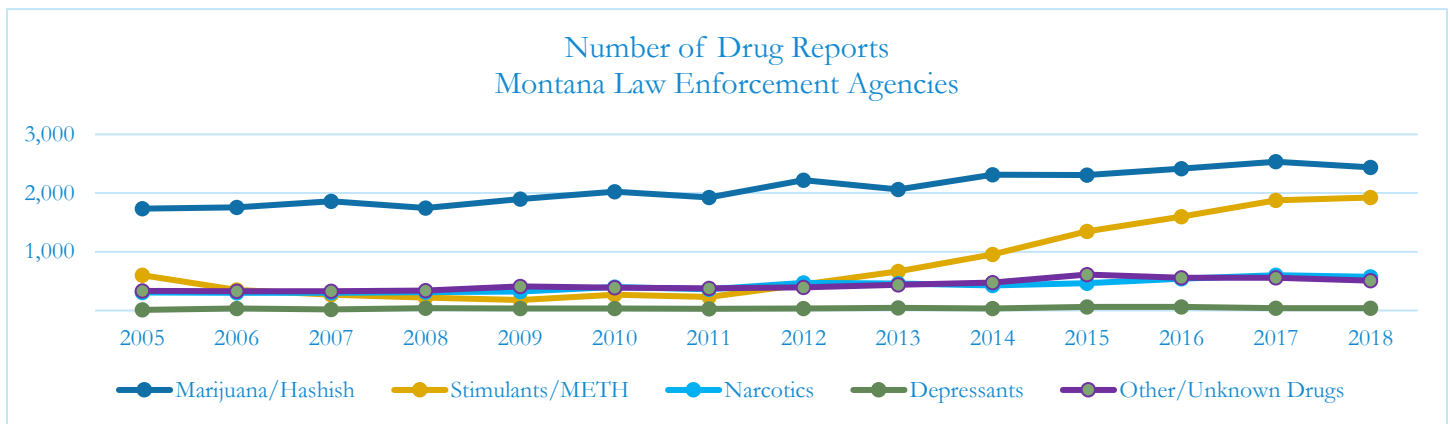
Data reported by Montana law enforcement agencies shows an increase in the number of drug offenses involving methamphetamine in the past decade. In addition, the number of people receiving publicly funded substance abuse treatment services for meth use increased between 2017 and 2018.

STATE DRUG OFFENSES

The Crime Control Bureau of the Montana Department of Corrections compiles data reported by local law enforcement agencies on crimes committed in Montana. The statistics show that reports of drug offenses involving methamphetamine declined in the late 2000s but began climbing steadily in 2012.

In 2012, there were 441 drug offenses involving stimulants, including methamphetamine. By 2018, that number had hit 1,924, representing a 77% increase in reports during that time. Offenses involving other types of drugs increased from 9% to 22% during that same time period.

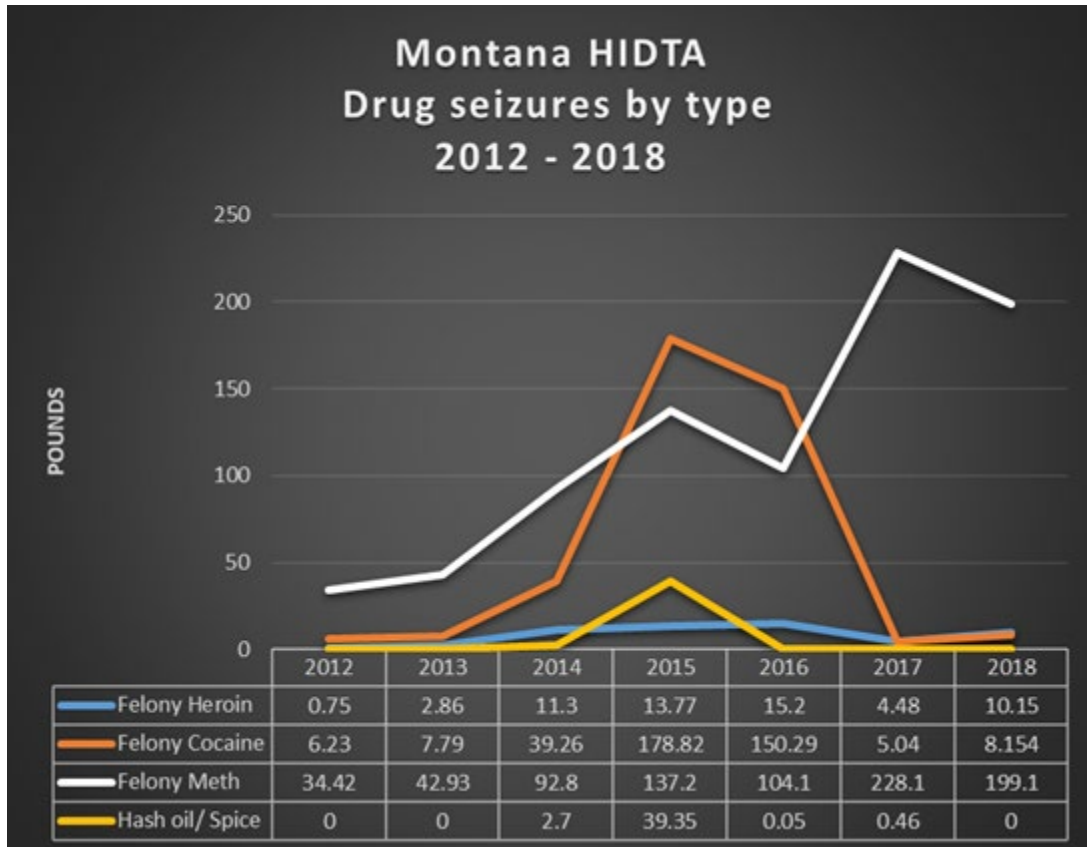
The graph below illustrates the trend in numbers for the different categories of drugs from 2005 to 2018.



The number of reports shown in the graph above indicates the number of times the drugs were mentioned in a report that involved a drug offense. The reporting system in place during this time did not allow for reporting of meth use by someone arrested or cited for a different type of crime, such as assault or burglary.

In addition, meth is not in its own, separate category for reporting purposes but is instead included with other stimulants. However, most of the reports in that category involve methamphetamine.

Drug task forces in the state also track information on the amount of drugs they seize. The task forces specifically designated as High Intensity Drug Trafficking Areas focus on drug distribution hubs in Montana's larger cities and counties. In recent years, the task forces for these areas seized far more methamphetamine than other types of felony drugs, as shown in the chart below.



Source: Bryan Lockerby, Administrator, Division of Criminal Investigation, Montana Department of Justice

SUBSTANCE ABUSE TREATMENT NUMBERS

The Department of Public Health and Human Services tracks the number of people who receive substance abuse treatment services that are offered through a state-approved treatment program and funded through either the Medicaid program or the federal Substance Abuse Prevention and Treatment Block Grant. The department tracks the type of treatment by diagnosis code and by county of residence.

DPHHS numbers show the total number of people receiving treatment for stimulants increased by 20% between 2017 and 2018.

The table below shows the number of residents from each county who received state-funded treatment in the past two fiscal years.

County	FY 2018	FY 2019	County	FY 2018	FY 2019
Beaverhead	22	12	Mineral	26	21
Big Horn	66	90	Missoula	362	476
Blaine	72	64	Musselshell	16	15
Broadwater	5	7	Park	59	60
Carbon	9	10	Phillips	8	19
Carter	1	0	Pondera	8	11
Cascade	484	532	Powder River	1	3
Chouteau	3	6	Powell	20	34
Custer	42	57	Prairie	1	0
Dawson	39	48	Ravalli	67	77
Deer Lodge	27	37	Richland	53	46
Fallon	1	7	Roosevelt	80	115
Fergus	23	35	Rosebud	40	47
Flathead	175	248	Sanders	26	31
Gallatin	155	150	Sheridan	8	7
Glacier	84	62	Silver Bow	322	372
Golden Valley	2	0	Stillwater	8	11
Granite	6	3	Sweet Grass	5	4
Hill	195	170	Teton	6	13
Jefferson	27	29	Toole	11	15
Judith Basin	0	4	Treasure	2	0
Lake	179	206	Valley	16	23
Lewis and Clark	209	350	Wheatland	4	7
Liberty	1	1	Wibaux	2	5
Lincoln	62	84	Yellowstone	850	1,070
Madison	6	7	Unknown	16	20
Meagher	1	3	Total	3,741	4,497

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Sources

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- Glenn R. Schmitt, J.D., M.P.P., and Cassandra Syckes, M.A. "Overview of Federal Criminal Cases, Fiscal Year 2018." *United States Sentencing Commission*. June 2019.
- Holly Hedegaard, M.D., MSPH., et al. "Regional Differences in the Drugs Most Frequently Involved in Drug Overdose Deaths: United States, 2017." *Centers for Disease Control and Prevention*. Oct. 25, 2019.
- Discussion with Kathy Wilkins, Statistical Analysis Center Director, Crime Control Bureau, Department of Corrections. Dec. 4, 2019.
- E-mail from Bryan Lockerby, Administrator, Division of Criminal Investigation, Montana Department of Justice. Dec. 2, 2019.p