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## **IMPROVING STATE CRIMINAL HISTORY RECORDS THROUGH ANALYSIS: PROFILING DRUG OFFENDERS**



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**Table of Contents**

Acknowledgments.....3  
Introduction.....4  
Problems and Issues with Records.....4  
Drug Codes in Criminal History Records.....5  
Identification and Sampling of Drug Offenders.....6  
2006 Drug Offenders, Arrests, and Charges.....7  
Criminal History of 2006 Drug Arrestees.....10  
Discussion.....13  
Appendices.....15

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## **Introduction**

Ohio's criminal history database is a central repository for criminal history information for the state of Ohio. It was developed and housed at the Attorney General's Bureau of Criminal Identification and Investigation (BCI&I) office in 1921. It first became computerized (computerized criminal history database, or CCH) in 1972.

There are multiple sources that provide data to CCH. Currently, over 1200 law enforcement agencies throughout Ohio enter arrest data and fingerprint cards into the database. Ohio courts are required to submit final dispositions to BCI, where they are logically linked to their corresponding arrests in CCH. Ohio correctional facilities enter information into CCH as well, including the offender's fingerprints, the charge(s) for which he is being incarcerated, and demographic data.

Through a partnership between the BCI&I and the Office of Criminal Justice Services (OCJS), a division of the Ohio Department of Public Safety, OCJS was able to obtain secure access to a portion of the CCH database. Records which were made available to OCJS included information on demographics, arrests, charges, and judicial processing. Identifying information, such as names and social security numbers, were excluded. Historical records were linked through a single unique identifier, the subject ID number.

## **Problems and Issues with Records**

The database contains over 2.3 million names and 3.3 million arrest records specifying 4.2 million charges. Given the enormity of the database, it came as no surprise that occasional problems and issues were encountered during data extraction and analysis. Issues encountered on a regular basis are outlined below.

- **Duplicate entries.** Data are entered by multiple sources, including law enforcement, courts, and corrections institutions. This results in duplication of some information. There were also cases in which arrest data appeared to be present in duplicate, but the date of arrest for the identical crime was off by a very short period of time, such as a single day. It was unclear whether this was a completely new arrest for the exact same charge, or if the date was miscoded when it was entered by another agency.
- **Missing criminal codes.** On occasion, only a literal description of the charge was provided, rather than the standardized numeric Ohio Revised Code (ORC) for a given charge. This proved troublesome for categorization purposes. There were also instances in which no charge was specified, neither literal nor numeric, despite the presence of an arrest date.
- **Incomplete criminal codes.** The ORC allows for a great deal of specificity in describing the charge, especially in the case of drug-related crimes. However, not all agencies recorded charges with this level of specificity. For example, if a person was arrested for drug possession, the ORC could have included subsections that identified the type of drug possessed. Frequently, however, this

level of specificity was missing—so much so, in fact, that an analysis of the types of drugs involved in the charges could not be reliably conducted.

- **Missing or unclear felony/misdemeanor codes.** Agencies have the ability to include felony or misdemeanor charge codes. This categorization was often missing, however. In addition, for several of the older records, NCIC uniform offense codes were entered rather than felony or misdemeanor charge codes, and these could not reliably be recoded as felony or misdemeanor.
- **Birthdate discrepancies.** For those who have a history of multiple arrests, it was noted that occasionally their birthdates differed from record to record. This could be the result of misreporting or misentering the birth date.
- **Missing adjudication data.** The database provides numerous codes in order to enter descriptive adjudication information. However, for a number of incidents, no adjudication data was provided.
- **Missing disposition data.** The database provides numerous codes to enter final disposition data. However, for a number of incidents, no disposition data was provided.

### **Drug Codes in Criminal History Records**

As stated earlier, the ORC allows for a great deal of specificity in describing the nature of the offense by including subsections in the primary code for a particular crime (see Appendix A for a complete listing of drug-involved crimes). However, agencies frequently did not report these subsections, making analysis of the types of drugs impossible to do consistently. In fact, of the drug crimes for which individuals were arrested in 2006, over 92 percent of the charges did not include a specific drug type. It was decided that those cases in which drug type were reported were so rare as to be non-representative of the entire population of drug arrests, so analyses were not conducted.

The primary ORC subsections used did allow for coding of types of drug crime. In particular, agencies were able to identify the following types of drug crime:

- Possession
- Sale
- Manufacturing
- Distribution/Trafficking
- Paraphernalia
- Other
- Unknown

The ‘Other’ category consisted of crimes which could not easily fit in to the five identified categories. It included things such as ‘corrupting another with drugs’, ‘permitting drug abuse’, ‘deception to obtain a dangerous drug’, ‘illegal processing of drug documents’, ‘tampering with drugs’, and ‘offenses involving counterfeit controlled substance’.

The 'Unknown' category was created for those instances in which the reported ORC was so vague that it did not allow one to place the offense in a particular drug crime type category. There were two ORC subsections placed into the 'Unknown' category that were used fairly frequently, particularly in older records. The ORC literal description of these two subsections is 'Violation of State Drug Law' and 'Drug Abuse'.

For both the literal ORC 'Violation of State Drug Law' and its corresponding numeric ORC, the description did not allow the researcher to define these cases in terms of a specific drug categorization (e.g., possession, trafficking, etc.).

In many instances, the literal ORC 'Drug Abuse' was combined with the numeric ORC that corresponded to drug possession, and was so categorized. There were also some instances in which the literal charge 'Drug Abuse' was combined with a numeric ORC that was different than drug possession, and these were categorized in the category most appropriate to the numeric ORC. However, there were several instances in which the literal ORC 'Drug Abuse' had no corresponding numeric ORC reported. It is these cases in which no assumptions were made as to whether 'drug abuse' referred to possession or some other category. As a result, these were labeled 'unknown.'

### **Identification and Sampling of Drug Offenders**

Over 46,000 drug crime arrests involving approximately 36,500 individuals occurred in 2006. These individuals were arrested and charged with a drug crime, either alone or in combination with other crimes. Due to the magnitude of this population of offenders, a sampling was taken for the purposes of this project. The entire population of subject identification numbers was entered into SPSS, and through its random case selection algorithm 3,000 subject identification numbers were pulled, representing 8.2 percent of the population. Population and sample demographics were compared and similarities between the two were found on several dimensions. These similarities are discussed in footnotes throughout the report. The narrative presents data on the sampled population of offenders.

## **2006 Drug Offenders, Arrests, and Charges**

Of the sampled offenders who were arrested for a drug charge, the majority (54.7%) were arrested for drug possession. This was followed by drug paraphernalia/equipment (20%) and drug distribution/trafficking (19.6%).

### **Type of Drug Crime for which Individuals were Arrested**

<b>Offense Type</b>	<b>Number*</b>	<b>Percentage</b>
Possession	2,142	54.7%
Sale	8	<1%
Manufacturing	60	1.5%
Distribution/Trafficking	768	19.6%
Paraphernalia	787	20.0%
Other	150	3.8%
Unknown	2	<1%

\*Even though there were 3,000 individuals in the sample, the total number of charges is greater than 3,000 because some individuals were arrested on multiple drug charges.

The mean age of arrestees was 32.6<sup>1</sup>. Nearly one-quarter of all arrestees were between the ages of 30 and 39, and almost 63 percent fell in the age range of 25 to 49.

### **Age Distribution of Drug Arrestees**

<b>Age</b>	<b>Number</b>	<b>Percentage</b>
Under 18	44	1.5%
18-21	427	14.2%
22-24	400	13.3%
25-29	566	19%
30-39	726	24.2%
40-49	585	19.5%
50 and older	251	8.4%

Nearly 80% of arrestees were male. Arrestees were evenly split between Black and White races. However, a greater percentage of females were White, while the opposite was true for male arrestees.

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<sup>1</sup> The mean age for the population of arrestees was also 32.6.

### Arrestees by Race and Gender

Race and Gender	Male	Female	Total <sup>2</sup>
White	35.5%	13.3%	48.8%
Black	43.0%	6.5%	49.5%
Other	1.4%	0.3%	1.7%
Total <sup>2</sup>	79.9%	20.1%	100%

Males and females differed somewhat in the charges for which they were arrested. Compared across gender, males were more likely to be involved in drug distribution/trafficking and possession, whereas females were more often charged with manufacturing and paraphernalia crimes, as well as 'other' drug crimes.

### Type of Drug Crime by Gender

Drug Crime Type	Male	Female
Possession	55.9%	49.7%
Sale	<1%	<1%
Manufacturing	1.4%	2.0%
Distribution/Trafficking	21.1%	13.5%
Paraphernalia	18.6%	26.0%
Other/Unknown	2.7%	8.6%

Compared across races, Black and White arrestees also differed in the charges for which they were arrested. A greater percentage of Black arrestees were arrested for possession and trafficking crimes, while a greater percentage of White arrestees were arrested for equipment, manufacturing, and 'other' drug crimes.

### Type of Drug Crime by Race

Drug Crime Type	White	Black
Possession	49.9%	59.4%
Sale	<1%	<1%
Manufacturing	2.7%	<1%
Distribution/Trafficking	14.5%	24.9%
Paraphernalia	26.6%	13.3%
Other/Unknown	6.1%	1.8%

<sup>2</sup> In the entire population of 2006 arrestees, 79.3% were male and 20.7% were female. Additionally, in the population of arrestees, 48.8% were White and 49.5% were Black.

While the majority of individuals had only one arrest in 2006, 16 percent had multiple arrests within the year.

**Number of Arrests during 2006**

<b>Number of Arrests</b>	<b>Number of Individuals</b>	<b>Percentage of Individuals</b>
1	2,495	83.8%
2	315	10.6%
3	112	3.8%
More than 3	57	1.9%

For those individuals who had multiple charges along with the instant drug offense, 59.5 percent were identified as misdemeanors.<sup>3</sup> The following table indicates the other types of crimes committed along with the instant offense.

**Other (Non-Drug) Charges with Instant Drug Offense**

<b>Other Offense Type</b>	<b>Number</b>	<b>Percentage</b>
Murder (F)	5	<1%
Rape (F)	4	<1%
Robbery (F)	13	1.0%
Aggravated Assault (F)	20	1.4%
Burglary (F)	31	2.1%
Larceny-Theft (M)	94	6.4%
Other Felony (F)	486	32.9%
Other Misdemeanor (M)	727	49.2%
Unknown	97	6.6%

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<sup>3</sup> Not all cases were identified as felony or misdemeanor, so whenever possible, the following assumptions were made: murder, rape, robbery, aggravated assault, and burglary are considered felonies, while larceny is considered a misdemeanor. Ninety-seven charges were not designated as misdemeanors or felonies.

### **Criminal History of 2006 Drug Arrestees**

Criminal histories were obtained for the drug crime arrestees. Of the 3,000 arrestees sampled in 2006, 28 percent had no prior criminal arrest. The majority, however did have an arrest history, and some histories were quite extensive. Nearly 30 percent of drug arrestees had more than five arrests prior to 2006.

#### **Arrests Prior to 2006**

<b>Number of Arrests</b>	<b>Percent of Arrests</b>	<b>Cumulative Percent</b>
No arrests prior to 2006	28.0%	28.0%
1	14.0%	42.0%
2	10.2%	52.2%
3	7%	59.2%
4	6.2%	65.4%
5	5.0%	70.4%
More than 5	29.6%	100%

The previous charges brought against the arrestees in the past were primarily drug-related and property-related.

#### **Prior Offenses**

<b>Previous Offense Type</b>	<b>Number of Charges</b>	<b>Percent of Charges</b>
Drug crime	5,814	29.5%
Violent crime	2,814	14.3%
Property crime	5,494	27.9%
DUI	155	<1%
Other	5,380	27.3%
Unknown	27	<1%

For those drug arrestees who had a prior drug charge, possession was the primary charge for which they were arrested in 2006, followed by trafficking.

**Type of Drug Crimes Committed by those with a  
Prior Drug Crime Charge**

<b>Drug Crime Type</b>	<b>Number of Charges</b>	<b>Percent of Charges</b>
Possession	3,275	56.3%
Sale	1	<1%
Manufacturing	130	2.2%
Distributing/Trafficking	1,181	20.3%
Paraphernalia	600	10.3%
Other	180	3.1%
Unknown	447	7.7%

For those who had a prior person/violent crime charge, possession was again the primary charge for which they were arrested. However, paraphernalia was the second most frequent crime for which these individuals were arrested.

**Type of Drug Crimes Committed by those with a  
Prior Person/Violent Crime Charge**

<b>Drug Crime Type</b>	<b>Number of Charges</b>	<b>Percent of Charges</b>
Possession	1,802	56.8%
Sale	0	0%
Manufacturing	80	2.5%
Distributing/Trafficking	282	8.9%
Paraphernalia	655	20.6%
Other	93	2.9%
Unknown	260	8.2%

For those who had a prior property crime charge, possession was again the type of drug crime for which they were arrested, followed by distributing/trafficking.

**Type of Drug Crimes Committed by those with a  
Prior Property Crime Charge**

Drug Crime Type	Number of Charges	Percent of Charges
Possession	2,426	57.6%
Sale	1	0%
Manufacturing	79	1.9%
Distributing/Trafficking	797	18.9%
Paraphernalia	452	10.7%
Other	121	2.9%
Unknown	336	8.0%

Adjudication data was broken into three categories: guilty, not guilty, and dismissed. With the exception of the charge of possessing drug paraphernalia, defendants were most frequently found guilty. Charges were dismissed in 52.8 percent of paraphernalia charges. Defendants were infrequently found not guilty of drug charges.

**Adjudication by Type of Drug Charge\* \*\***

Adjudication	Possession	Manufacture	Trafficking	Paraphernalia	Unknown or Other
Guilty	69.6%	58.8%	66.7%	46.7%	69.3%
Not Guilty	4.5%	0%	4.3%	0.5%	0.2%
Dismissed	25.9%	41.3%	29.0%	52.8%	30.4%

\*The sample size was so small for the 'sale' drug type category (n=1) that it was not included.

\*\*See Appendix B for a description of what comprised 'guilty', 'not guilty' and 'dismissed'

Disposition data are shown in the following table for those who were found guilty. While incarceration was the punishment most frequently reported across all drug charge types, those individuals found guilty of trafficking and manufacturing were most often incarcerated.

**Disposition by Type of Drug Charge\***

Disposition	Possession	Manufacture	Trafficking	Paraphernalia	Unknown or Other
Probation	22.0%	14.6%	14.4%	15.2%	23.6%
Incarceration	60.0%	71.9%	73.5%	37.3%	54.0%
Fine	12.2%	13.5%	8.6%	27.1%	12.5%
Suspended Sentence	5.8%	0%	3.4%	20.4%	9.9%

\*The sample size was so small for the 'sale' drug type category (n=1) that it was not included.

## **Discussion**

The computerized criminal history database is a huge, and at times unwieldy, database that is rich in information that tracks arrestees' progression through the criminal justice system. The data contained within the CCH is used by criminal justice agencies for decision-making in investigations, arrests, bail/bond, criminal charges, plea bargains, convictions, probation, and placement in correctional facilities. It is also used by other agencies to conduct background checks for employment. In addition to the value provided to criminal justice practitioners, the usefulness of the CCH data to researchers cannot be overstated. CCH data has been used by researchers to investigate flow of individuals through the criminal justice system.

The CCH is not without its limitations, however. Historically, the CCH had a huge backlog of disposition files that needed to be entered electronically. With NCHIP funding, BCI&I was able to archive all disposition forms that were not converted as part of the back-record conversion when the electronic CCH was created. The CCH continues to be reliant upon the timely submission of individual records to the database from multiple sources, however. There are three issues with this statement, and each is described in turn.

First, to obtain the most accurate picture of an individual's journey through the criminal justice system, criminal justice agencies must supply complete and specific data to the CCH. This was a problem for the disposition data, as not all arrests that were investigated in this report had corresponding disposition data. Also problematic was the fact that data that were entered were less than specific with regard to the ORC used. The ORC allowed for agencies to specify the type of drug involved for many of the charges, but few agencies submitted this level of detail. Other examples of missing or incomplete data were described in the section titled "Problems and Issues with Records."

Second, CCH information must be submitted and entered in a timely manner. The increasing use of electronic methods to submit data (such as emailing data and using Livescan workstations) decreases the time it takes to enter data into the CCH; however, there are still agencies that mail their arrest data, thus requiring the data to be manually entered into CCH.

Third, duplication of information submitted to the CCH (due to multiple sources providing overlapping data) must be kept to a minimum. Duplicate information is especially problematic when the information differs in variables that should remain constant (e.g., when birth dates for a single individual do not match up).

To address these and other issues, BCI&I has been involved in the Quality Assurance Program with the goal of improving data quality and completeness. The agency's regional consultants' primary responsibilities include working with the local departments on the processing and submission of arrest and dispositional data.

The analysis of Ohio's drug arrestees revealed an interesting profile. Arrestees were typically male and the percentages were evenly split across both Black and White races, although there was a greater percentage of White female arrestees than Black female arrestees. The types of drug crimes for which individuals were arrested differed slightly depending on their gender and race. While the greatest percentage of drug crimes for both genders was possession, a higher percentage of males were arrested for distribution/trafficking, while a higher percentage of females were arrested for paraphernalia. Likewise, differences emerged as a function of race, with a higher percentage of Black arrestees charged with possession and with distribution/trafficking and a higher percentage of White arrestees charged with paraphernalia.

For those who were charged with non-drug offenses in addition to the instant (i.e., drug) offense, the charges appeared to more frequently be classified as misdemeanors.

Arrestees typically have significant criminal histories. Even within a single year, nearly 17 percent had multiple arrests (i.e., not simply multiple charges). Looking at the entire criminal history of offenders, 72 percent had at least one arrest prior to 2006, and nearly 30 percent had more than five arrests in their lifetime. The previous charges brought against these drug arrestees were usually for other drug crimes or property crimes. However, over 14 percent did have a history of violent crime.

Individuals charged with a drug crime were most frequently found guilty of the crime, regardless of the type of drug crime in which they engaged. The only exception to this was for paraphernalia—over half of these charges were dismissed. A not guilty verdict was infrequently obtained.

For those who were found guilty, their sentence was impacted by the type of drug crime they committed. Offenders who committed crimes involving possession, manufacturing, and trafficking were most frequently incarcerated. Those who were found guilty of possessing paraphernalia were more frequently given a fine or a suspended sentence than those found guilty of committing other drug crimes.

The data in this report present a disturbing picture of drug offender recidivism. Previous studies by the Bureau of Justice Statistics (BJS) indicate that this problem is not unique to Ohio. The latest BJS report on prisoner recidivism stated that the three-year re-arrest rate for drug offenders was 66.7%.<sup>4</sup> The results suggest a need for a level of intervention suited for the offender. One such intervention gaining popularity and acceptance is drug courts. Drug courts have proliferated the past decade, and studies generally indicate their success at reducing recidivism among some drug offenders. A GAO report<sup>5</sup> reviewing 27 relatively rigorous evaluations of drug courts provided evidence that successful completion of a drug court program reduces recidivism compared with other criminal justice alternatives such as probation. The challenge of sustaining such promising interventions economically continues to be a source of concern, however.

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<sup>4</sup> Bureau of Justice Statistics Special Report. (2002). *Recidivism of Prisoners Released in 1994*.

<sup>5</sup> GAO report (2005). *Adult Drug Courts: Evidence Indicates Recidivism Reductions and Mixed Results for Other Outcomes*.

## Appendix A

### Ohio Revised Codes for Drug Charges

ORC	OFFENSE DESCRIPTION	NIBRS CODE	DRUG CRIME CATEGORY
<b>2925.02</b>	<b>Corrupting Another w/ Drugs</b>	35A	Other
2925.02A1	Corrupting Another w/ Drugs _ force, threaten another to induce/use		
2925.02A2	Corrupting Another w/ Drugs _ w/ purpose to cause serious physical harm		
2925.02A3	Corrupting Another w/ Drugs _ w/o purpose cause serious physical harm		
2925.02A4A	Corrupting Another w/ Drugs _ furnish/administer to a juvenile		
2925.02A4B	Corrupting Another w/ Drugs _ induce/cause juvenile to use		
2925.02A4C	Corrupting Another w/ Drugs _ induce/cause juvenile to commit felony drug abuse offense		
2925.02A4D	Use of Juvenile to Perform Surveillance Activity		
<b>2925.03</b>	<b>Trafficking in Drugs</b>	35A	Trafficking
2925.03A1	Trafficking in Drugs _ sell or offer to sell		
2925.03A2	Trafficking in Drugs _ prepare		
2925.03C1	Trafficking in Drugs _ included in Schedule I or II		
2925.03C2	Trafficking in Drugs _ included in Schedule III, IV, or V		
2925.03C3	Trafficking in Drugs _ containing marijuana other than hashish		
2925.03C4	Trafficking in Drugs _ containing cocaine		
2925.03C5	Trafficking in Drugs _ containing L.S.D.		
2925.03C6	Trafficking in Drugs _ containing heroin		
2925.03C7	Trafficking in Drugs _ containing hashish		
<b>2925.04</b>	<b>Illegal Manufacture of Drugs or Cultivation of Marijuana</b>	35A	Manufacture
<b>2925.041</b>	<b>Illegal Assembly or Possession of Chemicals for the Manufacture of Drugs</b>	35A	Manufacture
<b>2925.05</b>	<b>Funding of Drug or Marijuana Trafficking</b>	35A	Sale
2925.05A1	Funding of Drug or Marijuana Trafficking _ Schedule I, II, III, IV, or V		
2925.05A2	Funding of Drug or Marijuana Trafficking _ marijuana		
2925.05A3	Funding of Drug or Marijuana Trafficking _ cocaine		
2925.05A4	Funding of Drug or Marijuana Trafficking _ L.S.D.		
2925.05A5	Funding of Drug or Marijuana Trafficking _ heroin		
2925.05A6	Funding of Drug or Marijuana Trafficking _ hashish		
<b>2925.06</b>	<b>Illegal Administration of Anabolic Steroids</b>	35A	Trafficking
<b>2925.11</b>	<b>Possession of Drugs</b>	35A	Possession
2925.11C1	Possession of Drugs _ schedule I or II substance		
2925.11C2	Possession of Drugs _ schedule III, IV, or V substance		
2925.11C3	Possession of Drugs _ marijuana		
2925.11C4	Possession of Drugs _ cocaine		
2925.11C5	Possession of Drugs _ L.S.D.		
2925.11C6	Possession of Drugs _ heroin		
2925.11C7	Possession of Drugs _ hashish		
<b>2925.12</b>	<b>Possessing Drug Abuse Instruments</b>	35B	Paraphernalia

<b>2925.13</b>	<b>Permitting Drug Abuse</b>	35A	Other
2925.13A	Permitting Drug Abuse _ vehicle commission of felony drug abuse offense		
2925.13B	Permitting Drug Abuse _ premises commission of felony drug abuse		
<b>2925.14</b>	<b>Drug Paraphernalia</b>	35B	Paraphernalia
2925.14C1	Illegal Use or Possession of Drug Paraphernalia		
2925.14C2	Dealing in Drug Paraphernalia _ sell, possess, manufacture		
2925.14C3	Illegal Advertising of Drug Paraphernalia		
<b>2925.22</b>	<b>Deception to Obtain a Dangerous Drug</b>	250	Other
<b>2925.23</b>	<b>Illegal Processing of Drug Documents</b>	26A	Other
2925.23A	Illegal Processing of Drug Documents _ false statement		
2925.23B1	Illegal Processing of Drug Documents _ make utter, sell, or knowingly possess false or forged prescription		
2925.23B2	Illegal Processing of Drug Documents _ make, utter, sell, or knowingly possess false or forged uncompleted prescription blank		
2925.23B3	Illegal Processing of Drug Documents _ make, utter, sell, or knowingly possess false or forged official written order		
2925.23B4	Illegal Processing of Drug Documents _ make, utter, sell, or knowingly possess false or forged license for terminal distributor of dangerous drugs		
2925.23B5	Illegal Processing of Drug Documents _ make, utter, sell, or knowingly possess false or forged registration certificate for wholesale distributor		
2925.23C1	Illegal Processing of Drug Documents _ theft of prescription		
2925.23C2	Illegal Processing of Drug Documents _ theft of uncompleted preprinted prescription		
2925.23C3	Illegal Processing of Drug Documents _ theft of official written order		
2925.23C4	Illegal Processing of Drug Documents _ theft of blank official written order		
2925.23C5	Illegal Processing of Drug Documents _ theft of license for terminal distributor		
2925.23C6	Illegal Processing of Drug Documents _ theft of registration certificate		
2925.23D	Illegal Processing of Drug Documents _ make or affix false or forged label		
<b>2925.24</b>	<b>Tampering with Drugs</b>	35A	Other
2925.24A	Tampering with Drugs _ dangerous drug		
2925.24B	Tampering with Drugs _ package containing dangerous drug		
<b>2925.31</b>	<b>Abusing Harmful Intoxicants</b>	35A	Possession
<b>2925.32</b>	<b>Trafficking in Harmful Intoxicants</b>	35A	Trafficking
2925.32A1	Trafficking in Harmful Intoxicants _ dispense or distribute to person 18 or older		
2925.32A2	Trafficking in Harmful Intoxicants _ dispense or distribute to person under 18		
2925.32B1	Trafficking in Harmful Intoxicants _ dispense or distribute nitrous oxide to person 21 or older		
2925.32B2	Trafficking in Harmful Intoxicants _ dispense or distribute nitrous oxide to person under 21		
2925.32B3	Trafficking in Harmful Intoxicants _ sell device		
2925.32B4A	Trafficking in Harmful Intoxicants _ fail to comply with record keeping requirements		
2925.32B4B	Trafficking in Harmful Intoxicants _ fail to comply with labeling and transaction identification requirements		
<b>2925.33</b>	<b>Possessing Nitrous Oxide in Motor Vehicle</b>	35A	Possession

2925.33B1	Possessing Nitrous Oxide in Motor Vehicle _ while operating or being a passenger		
2925.33B2	Possessing Nitrous Oxide in Motor Vehicle _ while being in or on stationary motor vehicle		
<b>2925.36</b>	<b>Illegal Dispensing of Drug Samples</b>	35A	Trafficking
<b>2925.37</b>	<b>Offenses Involving Counterfeit Controlled Substance</b>	250	Other
2925.37A	Offenses Involving Counterfeit Controlled Substance _ possess		
2925.37B	Offenses Involving Counterfeit Controlled Substance _ sell		
2925.37C	Offenses Involving Counterfeit Controlled Substance _ reproduce trademark		
2925.37D	Offenses Involving Counterfeit Controlled Substance _ sell, offer, deliver < 18		
2925.37E	Offenses Involving Counterfeit Controlled Substance _ represent		
2925.37F	Offenses Involving Counterfeit Controlled Substance _ falsely represent, advertise		

## **Appendix B**

### **Adjudication Definitions**

#### Guilty

- Convicted
- Convicted of a lesser offense
- Sentence commuted
- Multiple charges, one conviction

#### Not Guilty

- Acquitted
- Deferred

#### Dismissed

- Dismissed
- Continued without finding
- Probation before conviction
- No true bill
- Charges dismissed insanity