

PAPER**PSYCHIATRY & BEHAVIORAL SCIENCES**

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Criminal Behavior in Opioid-Dependent Patients Before and During Maintenance Therapy: 6-year Follow-Up of a Nationally Representative Cohort Sample*

ABSTRACT: Lifetime prevalence of opioid dependence is about 0.4% in western countries. Opioid-dependent patients have high morbidity and mortality and a high risk of criminal behavior. Few studies have addressed the long-term impact of opioid maintenance therapy on convictions and criminal behavior. The PREMOS study is a prospective, longitudinal, naturalistic clinical study of a nationally representative sample of 2694 opioid-dependent patients to investigate convictions and criminal behavior at baseline and after 6 years of maintenance treatment. At follow-up, 2284 patients still were eligible (84.7%). A comprehensive assessment including a patient and doctor questionnaire, and the EuropASI was completed at baseline and follow-up. Data on criminality at follow-up had been received for 1147 (70.6%) patients. A large number (84.5%) of them had been charged or convicted at any time before baseline assessment, most frequently with drug-related offenses (66.8%), acquisitive crime (49.1%), or acts of violence (22.0%). Reported charges and convictions had declined to 17.9% for the last 12 months before follow-up, which was also reflected by a significant decrease in the EuropASI subscore “legal problems” from 1.52 at baseline to 0.98 after 6 years. These data indicate a significant and clinically relevant reduction in criminal behavior in opioid-dependent patients in long-term maintenance treatment. Maintenance therapy is effective in the reduction in both narcotics-related and acquisition crime.

KEYWORDS: forensic science, opioids, dependence, methadone, buprenorphine, criminal behavior, maintenance

The average lifetime prevalence of opioid dependence is 0.4% in most western countries (1,2). Long-term studies among opioid-dependent individuals indicate a low abstinence rate and a high mortality rate (3–7) as well as a high risk of psychiatric and somatic comorbidity, including hepatitis and HIV (4–14). Numerous studies have found evidence for criminal and antisocial behavior in many opioid-dependent patients (13,15–17). Many opioid users finance their drug use through crime, including theft, burglary, and drug dealing (18), and high rates of criminal behavior have been reported in drug users (19,20). In Germany, 13% of prison inmates have a history of injecting drugs, especially heroin (21). In France, 30% of prison inmates are heroin dependent (22). High rates of heroin use and dependence have also been reported in prisoners in the United States (23) and Australia (24). Earlier long-term studies suggested that opioid users have a very high risk of being incarcerated. In addition, substance use in

general is a severe risk factor for criminality and in particular for violent crime in individuals with major mental disorders such as schizophrenia and bipolar disorder (25,26).

Maintenance treatment with methadone or buprenorphine is one of the major treatment strategies for opioid dependence, and its efficacy has been demonstrated in many studies, meta-analyses, and Cochrane reviews (11,18,27–34). One of the major arguments for maintenance therapy is the reduction in criminal behavior, which increases the chance of social reintegration (35). Some earlier studies suggested a reduction in criminality in methadone-treated patients (20,36,37). Ball and Ross (35) reported that during methadone treatment, the number of offenses decreased by 20% from pretreatment levels. However, an ecological study by Niveau et al. (38) failed to find a clear reduction in the number of incarcerations of people with drug addiction after an extensive increase in the number of maintenance treatments being administered, and the authors recommended more observational studies in this area. In addition, a recent Cochrane analysis (30) failed to show clear evidence for a reduction in criminal activity as a result of methadone treatment.

Longer periods of methadone treatment have been linked to greater reductions in both drug use and criminal activity (39, 40). Gossop et al. (41–43) reported 1- and 5-year outcomes in 1075 clients admitted to 54 drug misuse treatment services in England. Conviction rates in this prospective cohort study were lower during follow-up than at intake. Eighteen percent of the sample had been convicted for at least one offense and, as in other studies, risk of convictions was associated with heroin consumption (41,42,44).

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The influence of drug misuse treatment interventions on criminal behavior remains unclear. We therefore evaluated convictions and criminal behavior at a 6-year follow-up as well as clinical correlates or predictors in a large sample of opioid-dependent patients on maintenance therapy with either methadone or buprenorphine.

Methods

Setting and Participants

The PREMOS study (previously called the COBRA study [45,46]) is a prospective, longitudinal, naturalistic clinical study consisting of a comprehensive baseline evaluation and a 1- and 6-year follow-up assessment. The study was conducted in a nationally representative sample of physicians (originally $N = 223$) in Germany in enrollment settings ranging from small primary care practices to large specialized substitution centers (for details see Wittchen et al. [45]). A total of $N = 2694$ opioid-dependent patients were consecutively enrolled at baseline. The background, aims, and methods of this study as well as the sample characteristics have been described in greater detail elsewhere (32,45–47), and 1-year outcome data have been reported (32,46).

Measures

At baseline and follow-up, patients completed a comprehensive assessment consisting of a patient questionnaire, a doctor's interview and questionnaire, and a standardized urine screening. The assessment tools and variables are described in detail in the previous publications mentioned above (32,45,46,48). Severity of opioid dependence was assessed by the EuropASI (49), the validated German version of the Addiction Severity Index that measures correlates of opioid dependence in various domains, including legal problems (50).

This study reports descriptive information about the rates of criminal behavior and convictions as assessed by the physicians' and patients' questionnaires at baseline (T1) and 6-year follow-up (T3). A number of questions and items in both questionnaires were directly related to lifestyle and criminal behavior. The primary outcome criterion was whether or not the patients were still receiving maintenance treatment at follow-up.

Statistical Analyses

Gender differences in baseline characteristics of the eligible study sample were analyzed by linear regression analysis for interval-scaled variables and logistic regression analysis for categorical variables. The Stata Software package 11.3 (51) was used to compute robust variances, confidence intervals, and p -values (by applying the Huber-White sandwich matrix, which is required when analyzing clustered data) (52).

Results

Participant Characteristics at Baseline

The baseline characteristics of the eligible follow-up sample $N = 2284$ consisted of opioid-dependent men (68.4%) and women (31.6%). Mean age was 34.8 years ($SD = 8.1$; range 17–62 years). All but 8.7% of the sample were German citizens. The majority (56.4%) had never been married; 19.5% were

separated, divorced, or widowed; and 12.2% were currently married. The mean years of education were 10.0 ($SD = 1.8$; range 1–20 years), and 54.5% were unemployed. On average, women were slightly younger than men (34.2 years [$SD = 8.0$] vs. 35.1 years [$SD = 8.1$]; $\beta = -0.86$, $p < 0.05$) and had more years of education (10.2 years [$SD = 1.7$] vs. 10.0 years [$SD = 1.8$]; $\beta = 0.24$, $p < 0.01$). The mean age at onset of any substance use (except nicotine) was 20.0 years ($SD = 5.2$) for men and 19.6 years ($SD = 5.3$) for women ($\beta = -0.42$, n.s.). The mean age of the first substance use treatment was 29.8 years ($SD = 7.5$) for men and 28.3 years ($SD = 7.6$) for women ($\beta = -1.48$, $p < 0.001$). With regard to treatment setting, 32.8% of the patients were treated in small settings, 47.2% in medium, and 20.1% in large. In total, 74.0% of the patients were treated with methadone, 25.3% with buprenorphine, and 0.7% ($n = 16$) with other substitution drugs such as codeine. Patients suffered from a wide range of somatic and mental disorders (diagnosed by the treating physician). The majority (73.1%) had at least one somatic disorder, for example HIV (6.4%), hepatitis C (64.2%), and any mental disorder (65.9%). Baseline sample characteristics are given in Table 1.

Follow-Up Status at 6 Years

The analyses presented here are based on the 6-year follow-up of 2284 still eligible patients from the original cohort of $N = 2694$. There was no evidence for systematic selection effects. Of the 2284 eligible patients, 190 (8.3%) were lost to follow-up and for 470 (20.6%) only rudimentary information was available. Thus, whether or not patients were alive could be obtained for 2094 ($n = 131$ were deceased; $n = 1963$ were alive).

A total of 1624 (71.1%) of the 2284 eligible patients were assessed for the primary outcome criterion of continued maintenance treatment (total assessed group): 70.4% ($n = 1144$) were found to still be in maintenance treatment (whereby the course of treatment was stable, unstable, or unclear). Patients no longer receiving maintenance treatment for the following reasons: 7.1% ($n = 115$) were abstinent, 1.5% ($n = 25$) in an abstinence-oriented therapy, 1.7% ($n = 28$) in another inpatient treatment, and 0.9% ($n = 15$) incarcerated; the exact status of 7.6% ($n = 125$) was unclear. In total, $n = 348$ patients (21.4%) had discontinued maintenance treatment but were definitely alive at the time of re-examination. The entire questionnaire package was completed by $n = 1147$ (full outcome group) of the 1624 patients and their treating physicians (flow chart see Fig. 1).

Criminality

After 1 year, physicians had reported that 589 (51.8%) of the full outcome group ($n = 1147$) had legal problems because of involvement in criminal activities. The EuropASI subscore "legal problems" was 1.52 ($SD = 2.02$), 1.63 ($SD = 2.09$) for men and 1.30 ($SD = 1.84$) for women ($\beta = -0.33$, $p < 0.01$) (see Fig. 2). Sixty-seven patients (5.9%) stated that they had been involved in criminal activities/prostitution to make money within the past 30 days. The majority of patients ($n = 969$, 84.5%) had been charged with or convicted of the following kinds of criminal behavior at least once in their life: narcotics-related offenses (66.8%), acquisition crimes (49.1%), acts of violence (22.0%), prostitution (2.7%), intoxicated or drunk driving (17.0%), and other traffic offenses (9.2%). Except for prostitution, all rates were higher in men than in women. A total of 796 (71.5%)

TABLE 1—Sociodemographic and selected clinical characteristics of the study (N = 2284) sample at baseline.

	Total (N = 2284)		Male (N = 1561)		Female (N = 723)		Gender Differences [†]	
	N	%	N	%	N	%	OR/Beta	95% CI
Baseline characteristics [‡]								
Male gender, %	1561	68.4						
Age, mean (SD) range	34.8 (8.1), 17–62		35.1 (8.1), 17–58		34.2 (8.0), 17–62		−0.86*	−1.57–0.15
<30 years	733	32.1	491	31.5	242	33.5	1.00 (ref)	
31–40 years	985	43.1	662	42.4	323	44.7	1.01	0.82–1.24
41+ years	566	24.8	408	26.1	158	21.9	0.79*	0.63–1.00
German citizenship, %	1943	91.3	1305	89.4	638	95.2	0.43***	0.29–0.63
Family status, %								
Single	1284	56.4	962	61.8	322	44.7	1.00 (ref)	
Married	277	12.2	183	11.8	94	13.1	1.53**	1.16–2.03
Sep./div./wid.	443	19.5	243	15.6	200	27.8	2.46***	1.96–3.08
Other	273	12.0	169	10.9	104	14.4	1.84***	1.40–2.42
Education; mean (SD) range	10.0 (1.8), 1–20		10.0 (1.8), 1–20		10.2 (1.7), 2–18		0.24**	0.08–0.40
Professional status, %								
Employed	518	22.9	370	23.9	148	20.6	1.00 (ref)	
Unemployed	1235	54.5	930	60.1	305	42.5	1.22	0.97–1.54
Homemaker	349	15.4	140	9.0	209	29.1	4.55***	3.54–5.85
Other	164	7.2	108	7.0	56	7.8	1.58**	1.12–2.24
Age of onset for any substance use; mean (SD) range	19.8 (5.2), 1–46		20.0 (5.2), 1–46		19.6 (5.3), 4–45		−0.42	−0.89–0.06
Years of opiate use; mean (SD) range	14.9 (8.2), 0–47		15.1 (8.4), 0–47		14.6 (7.8), 0–37		−0.47	−1.19–0.25
Age of onset of first substance use treatment; mean (SD) range	29.3 (7.6), 14–58		29.8 (7.5), 14–58		28.3 (7.6), 16–56		−1.48***	−2.15–0.81
Years since first substance use treatment; mean (SD) range	5.5 (5.1), 0–31		5.3 (4.9), 0–31		5.9 (5.4), 0–29		0.62**	0.16–1.08
Treatment setting, %								
Small	749	32.8	518	33.2	231	32.0	1.00 (ref)	
Medium	1077	47.2	729	46.7	348	48.1	0.93	0.76–1.14
Large	458	20.1	314	20.1	144	19.9	0.96	0.76–1.22
Substitute, %								
Methadone	1690	74.0	1157	74.1	533	73.7	1.00 (ref)	
Buprenorphine	578	25.3	395	25.3	183	25.3	1.01	0.82–1.23
Codeine	16	0.7	9	0.6	7	1.0	1.69	0.63–4.56
HIV/AIDS, %	123	6.4	75	5.8	48	7.8	1.37	0.94–2.00
Hepatitis B, %	627	31.9	416	31.0	211	33.8	1.14	0.93–1.39
Hepatitis C, %	1357	64.2	902	62.8	455	67.1	0.83	0.68–1.00
Any somatic disorder, %	1669	73.1	1130	72.4	539	74.6	0.90	0.73–1.09
Any mental disorder, %	1467	64.2	985	63.1	482	66.7	0.86	0.71–1.03

Beta, mean difference for interval-scaled variables; OR, odds ratio for categorical variables; CI, confidence interval; mean, mean value; SD, standard deviation; ref, reference group.

* $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$.

[†]Gender differences were calculated by logistic regression analyses for categorical variables and by linear regression for dimensional variables.

[‡]Baseline characteristics if not indicated otherwise.

patients stated that they had no charges or convictions for criminal activities, 219 (19.7%) some and 98 (8.8%) severe. Thirty-three patients (3.1%) had been incarcerated in the 6 months before the assessment.

At the 6-year follow-up, the overall rates for criminality were lower. The number of patients reported by the physicians to be involved in criminal activities had decreased to 267 (25.6%), the EuropASI subscore measuring “legal problems” for the last 30 days had decreased to 0.98. Charges or convictions for criminal activities in the past 12 months were reported by a lot fewer patients ($n = 189$, 17.9%) than at the baseline evaluation. Most offenses were drug related (5.8%) or acquisitive crimes (3.7%, see Table 2).

Discussion

Substantial evidence exists for a strong association between crime and opioid use (3,53–55). Many opioid-dependent patients lead a lifestyle that is in some way criminal, or they finance

drug use via illegal activities (53,56,57). Swedish data suggest that a third of patients admitted to methadone treatment have been in prison before, and only 9% have not been convicted in the 4 years preceding treatment (58). The impact of opioid maintenance therapy on the crime rate in opioid users is controversial. While most clinical studies indicate that the crime rate is lower in methadone- or buprenorphine-maintained patients (37), especially for drug-related offenses (36)—a finding that is also supported by a meta-analysis (59)—a recent Cochrane review did not confirm the decrease in crime rate (30). In addition, Niveau et al. (38) reported that while the number of methadone-maintained patients in the Swiss Canton of Geneva increased between 1983 and 1999, the number of drug addict incarcerations or overdose-related deaths decreased only slightly.

Data from this 6-year follow-up study of a nationally representative cohort study of opioid-dependent patients in maintenance therapy indicate a persistently high rate of criminal convictions before and throughout substitution treatment, with a moderate reduction over time. The EuropASI mean subscore

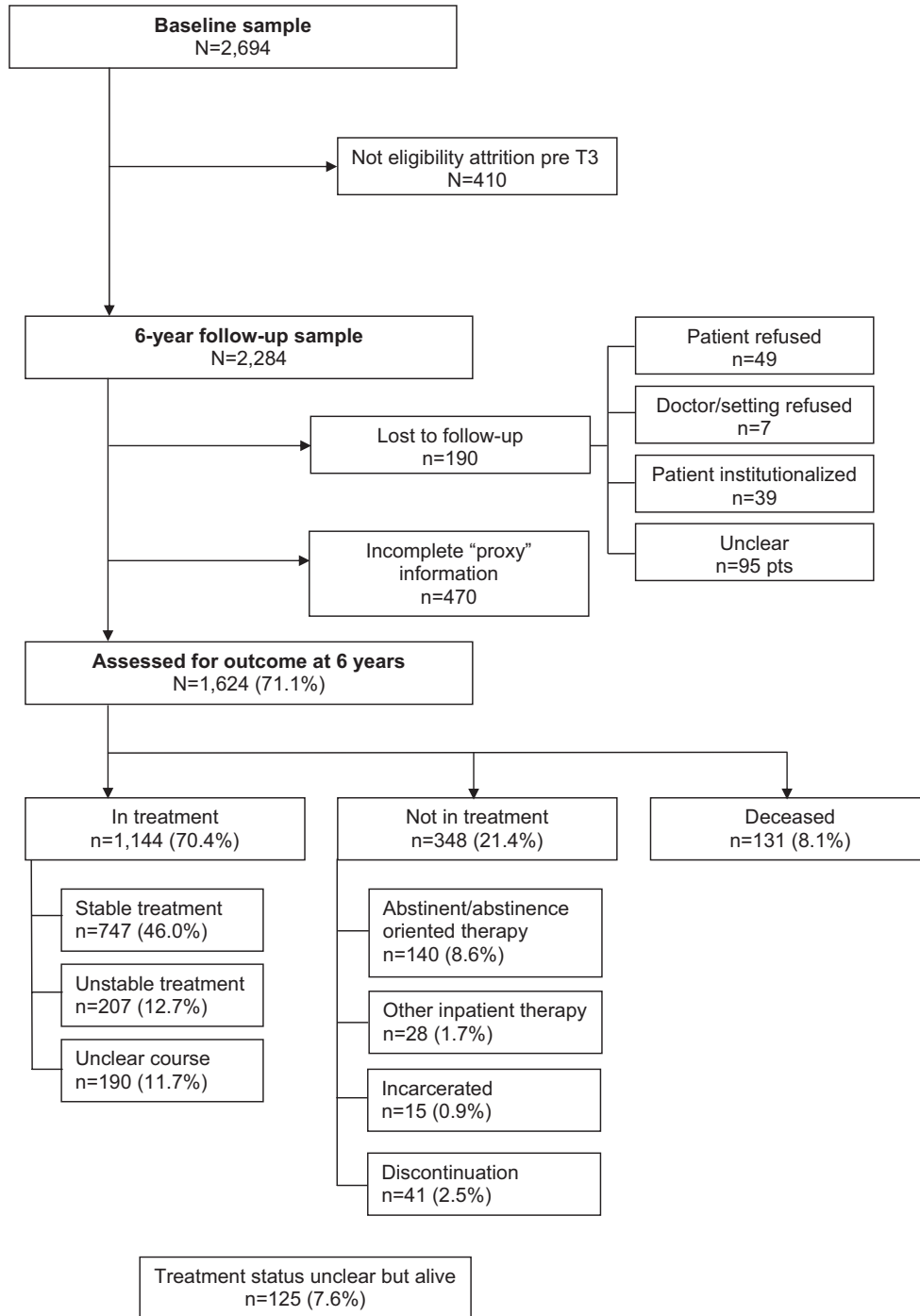


FIG. 1—Study flow chart. Number of patients included and followed-up, and clinical outcome after 6 years.

“legal problems” showed a clear decrease from 1.52 at baseline to 0.98 at the 6-year follow-up, and questions concerning prostitution or criminal activity or both indicated correspondingly that 5.9% of patients were involved in such activities before baseline compared with 2.0% in the year before the 6-year follow-up.

Robust evidence for the effectiveness of therapeutic interventions in drug use to reduce crime rates comes from the British NTORS study (41–43). For Sweden, Stenbacka et al. (20) reported a positive effect of methadone treatment on arrests and convictions even in patients who were expelled from treatment involuntarily, and Teesson et al. (60) reported Australian data

indicating a reduced criminality rate corresponding with decreased drug use after 3 years’ treatment.

Risk factors related to criminality in a Swedish long-term follow-up study were as follows: age between 17 and 20 years at first conviction, frequency of convictions, prison sentence, 1–5 inpatient admissions for abuse of drugs other than opiates during the 4 years before admission (58).

Recently Oliver et al. (61) reported interesting 5-year follow-up results of a smaller study of 108 patients in methadone maintenance. Different to our larger sample, the authors could access data from the national police computer and criminal

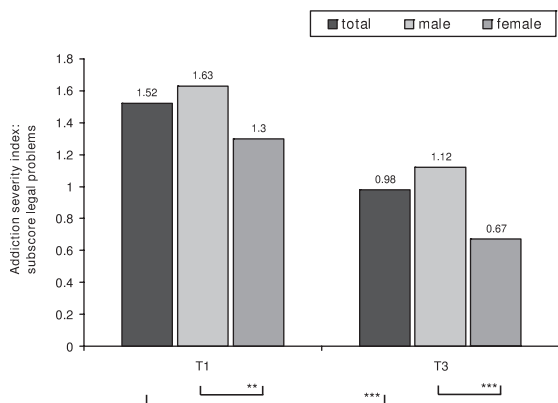


FIG. 2—Addiction severity subscore “legal problems” at baseline and follow-up (T1: baseline. T3: follow-up after 5–6 years).

records. Data indicated a robust overall reduction in the number of convictions and cautions over time. The reduction was estimated at 10% for each 6 months retained in treatment. Retention in treatment is crucial for the reduction in criminality (62).

Little is known about the effects of different maintenance drugs on antisocial behavior and criminality. The evidence for psychological and pharmacological interventions in antisocial personality in general is very poor (63,64).

Few studies have compared the effects of buprenorphine and methadone on crime rates. Magura et al. (65) found that heroin-dependent patients sentenced to 10–90 days in jail (*N* = 116) were less likely to withdraw from buprenorphine in jail than from methadone, but the number of self-reported postrelease re-arrests or re-incarcerations did not differ between the two treatment groups.

Our study has certain limitations. First, only for 1147 of the initial 2694 patients we have information about criminal issues for the 6-year follow-up examination. A higher follow-up rate would have provided more precise data. Nevertheless, the total number of patients studied after 6 years was still remarkably high for a group of opioid-dependent patients. It should be noted that only 190 patients were completely lost to follow-up. For 470 at least it was possible to find out whether or not they were still alive.

Second, data on outcome and criminality/convictions are based on physicians’ and patients’ questionnaires. No “objective” records such as criminal or police records were available. Still, considering the high number of reports of criminal activity and the long observation period, it seems likely that the most relevant convictions were captured in our study. Methodologically, it seems noteworthy that the year in which convictions were recorded did not necessarily reflect the time of the crime, because it may take years before clients have to appear in court.

Summary and Conclusions

In conclusion, our data correspond to some previous publications in that they suggest a very significant rate of criminal activity and convictions in patients entering opioid-substitution treatment and a certain decrease in criminal activities over time. Future studies may aim to identify special subgroups of patients at higher risk of criminal behavior and possible intervention strategies.

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TABLE 2—Criminality of the full outcome group (*N* = 1147) at baseline and at follow-up.

	T1						T3					
	Total		Male		Female		Total		Male		Female	
	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%
No. of patients	1147		782		365		1147		782		365	
Doctor’s rating												
Legal problems	Present						Past 12 months					
Yes	589	51.8	383	49.4	206	56.9	267	25.6	181	25.0	86	26.9
No	549	48.2	393	50.6	156	43.1	776	74.4	542	75.0	234	73.1
Patient’s rating												
Prostitution/illegal activities to make money	Past 30 days						Past 12 months					
Yes	67	5.9	45	5.8	22	6.1	21	2.0	14	1.9	7	2.2
No	1071	94.1	731	94.2	340	93.9	1034	98.0	719	98.1	315	97.8
Charged with/convicted of a crime (multiple entries)	Lifetime						Past 12 months					
Yes	969	84.5	691	88.4	278	76.2	189	17.9	144	19.7	45	14.0
No	178	15.5	91	11.6	87	23.8	866	82.1	589	80.4	277	86.0
Narcotics-related	766	66.8	548	70.1	218	59.7	61	5.8	491	6.7	12	3.7
Acquisition crime	563	49.1	402	51.4	161	44.1	39	3.7	929	4.0	10	3.1
Violence	252	22.0	208	26.6	44	12.1	18	1.7	615	2.1	3	0.9
Prostitution	31	2.7	7	0.9	24	6.6	1	0.1	1	0.1	0	0.0
Intoxicated/drunk driving	195	17.0	167	21.4	28	7.7	10	1.0	9	1.2	1	0.3
Other traffic offenses	106	9.2	92	11.8	14	3.8	9	0.9	6	0.8	3	0.9

Missing value: legal problems/T1 *n* = 9 (0.8%); prostitution/illegal activities to make money/T1 *n* = 9 (0.8%); legal problems/T3 *n* = 104 (9.1%); prostitution/illegal activities to make money/T3 *n* = 92 (8.0%); charged with/convicted of a crime/T3 *n* = 92 (8.0). Percentages are proportions of patients with available data.

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