

DRUG ENFORCEMENT AND POLICY CENTER

ISSUE 1: EXPERT COMMENTARIES

Issue 1: A Policy to Address Ohio's Drug Epidemics, Present and Past Daniel Skinner, Ph.D., and Berkeley Franz, Ph.D.

When we first began editorial work on *Not Far from Me: Stories of Opioids and Ohio*, it quickly became clear that our book would be about much more than addiction. The point of the collection is simple: to provide a forum for Ohioans across the state, from various walks of life, to tell their stories. Yet, though the idea was straightforward, the process of compiling it opened us to the complexities of our contributors' lives. Addiction is not only a medical condition, but reflects and is intensified by difficult social problems. Our contributors' perspectives range from reflections on the greed and opportunism of pharmaceutical companies to the experience of consulting with health care professionals whose pain management strategies inadvertently led to years of addiction after surgeries, sports injuries, and wisdom teeth extraction. They tell us of the challenges of being teachers, nurses, mayors, and parents in communities where addiction has become widespread. They underscore the relationship between addiction and economic despair, alienation, and exclusion based on social categories such as race, class, and sexual orientation. Countless contributors describe the ways in which schools, churches, law enforcement agencies, and social services have failed to protect them, or re-emerged as new partners in the fight against opioid abuse. They tell us about all of the good, inspiring initiatives that are arising around our state.

On Tuesday, November 6, 2018, Ohio voters will vote on Issue 1, a constitutional amendment known as the Drug and Criminal Justice Policies Initiative. The purpose of Issue 1 is to begin to take a more compassionate, reasonable, and strategic approach to drugs. It is in many ways the critical next step in addressing the opioid crisis. The bill would limit charges stemming from drug possession to misdemeanors, limit what courts can do to past felony offenders on probation, keeping them from being returned to prison for non-criminal probation violations. Issue 1 would reward prisoners for steps they take to rehabilitate and educate themselves, and would require that the state use the money it saves from decreased incarceration levels to invest in drug treatment and rehabilitation programs, as well as programs designed to support the victims of crimes. Issue 1 is smart, ethical, and fiscally responsible policy. It could begin to heal our state in significant and enduring ways.

Especially during the Trump administration, with access to federal funding becoming more difficult, and with more pressure being put on states to provide the basic services that their citizens need, we need to think about smart policies that improve our state. As the philosopher Thomas Hobbes argued, smart policies are those that improve society and do not exist merely to punish to no positive effect. Drug policies that place addicts in prison have little redemptive or rehabilitative value for prisoners, or for communities. Communities profoundly suffer when a generation of men and women are unavailable for work, marriage, parenting, or other social relationships. Issue 1 would keep families together and individuals in their communities, with tremendous benefit for our state.

Ohioans will need to think critically to fully understand Issue 1. They will need to come to terms with the fact, despite hopes to the contrary, that the laws that Issue 1 will remove have never worked. The effects of these laws have instead been to postpone the process of rehabilitation and treatment. Though Ohioans might like to think of prisons as safe spaces for addicts to "detox" and rehabilitate, the opposite is often true. Prisoners report that Ohio's prisons are often hotbeds of drug use. For many addicts, a prison sentence is a guarantee that they will continue to have access to the drugs that led to their sentence. Most prisons do not offer the real support that is necessary to end an opioid addiction—like intensive rehabilitation programs or medication-assisted treatment.

We ask that you imagine yourself in the position of an addict. Addicts, of course, do not want to be addicts, but are caught in the vicious cycle of addiction, the grips of a disease. The fact that more than 3,000 Ohioans died last year, placing our state in the top three nationally for opioid overdose, shows that a collective problem is at work; this is not simply an epidemic of bad decision-making. Our state has created conditions where addiction is more likely to occur and then stigmatized drug use and underfunded treatment. Whether you know it or not, it is likely that someone or multiple people you know have been affected by opioid addiction. Even if you are certain that you would never find yourself addicted, what would you want if the person in question were your friend, your child, or your spouse/partner? Many of the people whom we have met during the course of collecting stories about opioids in Ohio believed firmly that this would never happen to them. For these families, this certainty changed overnight. With addiction there are no such things as “good families” or “bad families.” There are just families, one day away from their lives--and their perspective--being overturned.

We are encouraged that Issue 1 would also create additional processes for coming to terms with our state’s historically misguided and often racist approach to drug sentencing. In our book, several contributors point out the hypocrisy of approaching the current epidemic with such empathy when that perspective was not afforded in previous drug epidemics. Many public health scholars knew that criminalizing drug abuse--the so-called “war on drugs”--would lead to long-term individual and social consequences, but it took politicians, eager to pander to their constituents, much longer to admit it. Issue 1 also provides a potentially powerful corrective to this historical approach to addiction by allowing individuals convicted under our state’s punishing drugs laws to petition courts to receive a re-sentencing or early release under the new constitutional guidelines. As such, Issue 1 stands to serve not only as an important step forward to address growing opioid abuse but could provide important tools for beginning the longer term project of repairing damage caused by the so-called “war on drugs” which targeted non-white communities in particular.

At its best, social policy reflects how people would like to be treated, and the resources they would have, were they to find themselves in need. It requires reflection and compassion. It requires an awareness of history even as it seeks to improve conditions for the future. On this score, a “yes” vote for Issue 1 is the kind of policy that a reflective, humane, and forward-looking Ohio should pursue.

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