

DRUG ENFORCEMENT AND POLICY CENTER

ISSUE 1: EXPERT COMMENTARIES

Issue 1: Individuals Suffering From Substance Use Disorder Need Treatment, Not Prisons

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I fully support Issue 1. As a health services and health policy researcher who focuses on substance use disorder treatment issues, I am excited that Ohio, which has one of the highest drug overdose death rates in the country, is leading the way in common sense policy-making. Rather than a felony, Issue 1 would make obtainment, use of drugs, and possession of drugs no more than a misdemeanor. This change would do more than save millions of dollars in tax payer money – it will help destigmatize a deadly health condition: substance use disorder (SUD). Though not all individuals who obtain, use or possess drugs have an SUD, individuals with SUD are overrepresented within the criminal justice system.

Decades of research have demonstrated that treatment is more effective than punishment at preventing relapse to drug use. Nevertheless, politicians and the general public often incorrectly assume that fear of prison time will deter drug use among individuals with SUDs. They forget that one common definition of “addiction” (a severe form of SUD) is “compulsive substance use *despite* negative consequences.” In other words, negative consequences (whether financial, criminal, or even personal) do little to deter drug use because, by definition, addiction is resistant to the imposition of negative consequences. It is a brain disorder in which the healthy functioning of parts of the brain associated with motivation and judgment are severely impaired. Treatment rather than punishment directly addresses impaired brain functions.

Within jails and prisons, individuals have historically and currently failed to receive evidence-based treatment for SUD. Even worse, by placing an individual with an SUD in jail or prison, the government may be delaying the recovery process. In the last year, I have interviewed forty individuals in recovery, many of whom have been incarcerated at some point. They overwhelmingly feel that incarceration causes shame, depression, and anger - emotions that lead to more drug use. Given the high co-occurrence of mental health disorders (including post-traumatic stress disorders), individuals with SUD are being further re-traumatized. Furthermore, while treatment in jails and prisons is either non-existent or non-evidence-based, drug misuse and abuse is rampant. Individuals are not being rehabilitated; instead, as one interviewee stated, individuals incarcerated for minor drug possession are getting a “graduate education” in other dangerous activities.

The state ballot initiative would require that money saved on incarceration to be spent on treatment and rehabilitation programs. These programs would not only benefit the individual receiving treatment but would benefit his or her family and children as well. Unfortunately, foster care systems across the country are swelling with children while their parents are incarcerated for drug use or possession. The ballot initiative would help more parents stay at home with their children while undergoing treatment in their communities. It would also allow individuals to continue working in the community, earning an income and paying taxes.

Some voices opposing the initiative claim that it would harm children by suggesting that drug use is safe or acceptable. In contrast, I believe the initiative would help children by keeping families together while parents undergo treatment. Furthermore, it would send an important message to the general public: substance use disorder is a health condition, so it should be treated like a health condition. It has been over half a century since the American Medical Association first called addiction a disease. I am excited that Ohio is finally starting to recognize it too.

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