On Overdose Awareness Day, Let's Choose Treatment Over Punishment

August 29, 2017 By NVHR

August 31 is International Overdose Awareness Day. On this day, NVHR mourns the many lives lost to drug overdose -- more than 50,000 in 2015 alone. We remember the people who died, and we denounce the stigma and discrimination they faced when they lived.

People like Andrea Roberts, a 35-year-old mother of two children. Ms. Roberts had been incarcerated for about 6 weeks at LaPorte County Jail in Indiana, unable to afford bail, and had 2 weeks remaining until her release. Then, on July 15, 2017, a jail supervisor discovered her "unresponsive" in her cell. Within 30 minutes, after CPR was attempted, Ms. Roberts was pronounced dead.

No one knew the cause of death when notifying her family the next day. "I think something happened and they don't want us to know," her aunt said. Her sister said Ms. Roberts sounded "perfectly fine" when they had spoken the previous day. Her friend said she thought Ms. Roberts "had an infection in her arm," but was equally stunned by the news.

Nearly four weeks later, the sheriff's department reported that Ms. Roberts had died from an accidental overdose of narcotics. The county coroner stated: "We were able to determine that this death was caused by the victim and not at the hands of anyone else."

The county coroner was correct: Ms. Roberts' death was not a homicide. But neither was it a suicide. Like the deaths of many incarcerated people, its cause was not just narcotic overdose. It was also, most likely, neglect.

The word neglect seems apropos because of the circumstances surrounding her death. The questions abound: What kind of medical and mental health care did Ms. Roberts receive in jail? Did she receive any substance abuse counseling? How frequently did jail employees perform "cell checks" (when employees check each inmate's condition in her cell)? What medical or mental health screening did she receive at jail intake? Did anyone administer naloxone to try reviving her?

The answers to these questions might reveal a pattern of neglect. And neglect can cause entirely preventable deaths. The laws that criminalize and imprison people who suffer with substance use disorders directly reflect our government's neglect. The neglect to acknowledge that a prison sentence is often a death sentence -- whether it be from overdose, from opiate withdrawal, or from

hepatitis C. Death from lack of medical care. Death from inattention, from deliberate indifference. Death from neglect.

As the epidemic of opioid overdose continues, some government leaders have responded by touting the importance of strong law enforcement, lamenting decreases in federal drug prosecutions, and decrying reduced prison terms for drug offenders. There is little discussion about the dire lack of medical and mental health care in the facilities that incarcerate these "offenders." There is also little talk about how injection drug use is the primary risk factor for new infections with hepatitis C, which disproportionately affects prisoners. And there is no acknowledgement that prisoners with hepatitis C, which is its own public health crisis, rarely receive the treatment that could cure them.

Our leaders neglect to consider the reality that incarcerating people with substance use disorders does not help them or their families. Overdose is common not just in jails and prisons. It is also a leading cause of death among ex-prisoners who have recently been released.

It is impossible to overstate the import of helping people with substance use disorders avoid jail and prison. Once incarcerated, an individual is virtually disappeared. There is little oversight of the medical and mental health services, if any, available to that individual. Teams of lawyers may toil for years trying to get a single inmate treated for hepatitis C. It is much more politically palatable to discuss how to help people pre- and post-incarceration. Tackling the issue of how to help people on the inside is a much tougher sell. Few policymakers can stomach the horrors of incarceration. Few individuals are more summarily dismissed or stigmatized than prisoners.

At LaPorte County Jail, where Ms. Roberts, lost her life, another woman died from alcohol withdrawal in her cell in 2015. And last January, an inmate hanged himself there to escape the pain of untreated heroin withdrawal. The mother of this inmate, pleading for an investigation, stated succinctly: "Clearly there is something going wrong in this facility."

Clearly there is something going wrong. What is the opposite of neglect? Attention. We should insist that government leaders start paying attention, and they should begin by investing in treatment instead of incarceration.

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