



SEASON 4 EPISODE 10

When a State Treats Drug Addiction Like a Health Issue, Not a Crime

A year ago, Oregon became the first state to decriminalize drug possession. The goal is to reverse some of the negative impacts of the War on Drugs by approaching drug use from a health-centered basis. We visit an addiction and recovery center in Portland that's gearing up for what they hope will be an influx of people seeking treatment. Reported by Cecilia Brown.

Mitzi Miller: I'm Mitzi Miller, and this is *70 Million*.

While [some states](#) have begun to legalize cannabis, other hard drugs like heroin, meth and cocaine remain criminalized. That is, until last November, when Oregon became the [first state to decriminalize possession of all drugs](#), taking a leap toward reversing the effects of the War on Drugs.

Oregon has one of the highest rates of substance use disorder in the country – in fact, [one in 10 people](#) in the state are addicted to drugs. And the state also has some of the [worst access to addiction treatment](#) of anywhere in the country.

This new law, referred to as [Measure 110](#), went into effect February 1, 2021. Now, if you're caught with small amounts of drugs like heroin, oxycodone, cocaine, or meth in Oregon, instead of being arrested you're given a citation, something similar to a traffic violation.

You can choose to either [pay a \\$100 fine or complete a health assessment](#) by calling up a hotline listed on the citation, where they will connect you with treatment services if you want them. And even if you don't pay the fine, [you cannot be sent to jail](#). Because the goal here is to start treating addiction as a health issue, not a crime.

To do this, the state has [committed to putting millions of dollars toward funding](#) addiction recovery organizations to bolster this system, and has [promised over \\$300 million](#) in the next two years.

Today, reporter Cecilia Brown takes us to Portland, Oregon to look at how the impacts of this measure are shaking out in one county.

Greg: Hey.

Wil Johnson: What's up brother, Greg?

Greg: I'm on the bus right now, man.

W. Johnson: Oh, you're a couple of blocks down.

Cecilia Brown: I'm standing with Wil Johnson, a mentor who works at Miracles Club, an addiction and recovery center in Northeast Portland. Wil's on the phone with Greg, one of his clients, who he has a session with today.

W. Johnson: Oh, I see you brother, alright.

Brown: Wil has been a mentor at Miracles since October 2020, a month before Measure 110 passed. Mentors, or peer counselors, are people who have [gone through recovery themselves](#), and want to help others get and stay sober. They get people set up with housing, jobs, addiction treatment if they want it, or just offer emotional support.

[*Sound of door opening.*]

Greg: You want me to put some coffee on for you?

Brown: Today, Wil and Greg are getting together for one of their regular sessions. At this point, Greg hasn't used in three months.

Wil leads Greg into a large meeting room next to the lobby. The room feels cheery – one wall is all windows, the rest are painted a bright sky blue. Chairs are set up in the middle of the room spaced 6-feet apart for covid. Narcotics Anonymous meetings happen here every day.

W. Johnson: Yeah what you got?

Brown: Wil and Greg sit down at a table at the front of the room, and Greg pulls out a book he's been reading in the program. Behind them is a wall covered in photo collages from different events at Miracles - big get-togethers in the park, barbeques with music, that sort of thing. These events are sort of at the heart of what Miracles stands for – it began as a [sober social club](#). Now they have mentors who can connect participants with recovery services.

W. Johnson: How do you feel about treatment and stuff? Are you enthusiastic? Are you kinda like, "Man, I don't want to go down there and hear that shit." It's okay, because we talking, and then we just gonna get some perspective.

Greg: Good question. Good question. Now to be honest, I feel like I'm lonely again.

Brown: Greg's been living in drug-free housing downtown, and he says his neighbors there have been pulling back.

Greg: The phone calls, I used to get phone calls. I used text. There's no more calls. There's no more "good morning"s. There's no more 'how you doing, just checking in with you, see if you want to hit a meeting.' There's no more of that for the last two days.

W. Johnson: So, sometimes the mind will personalize situations. Personalizing like, “Man why didn’t they do it like...” You know what I mean? But the best thing is that I got a place that’s safe. I’m getting ready to start a process to continue to work on Greg. I did not actively use any mind or mood altering substances. I’m getting through and getting over this codependency, and in my future, there’s hope. That trumps anything. That’s wonderful. And then the door is always open. Always.

Brown: Miracles Club is one of the few recovery and addiction centers in the Portland area to offer [treatment targeted at African Americans](#). The club was started back in [1993 by three Black men](#) because they didn’t feel welcome at other sober clubs, which were mostly white. At the time, only [6% of the county’s population was Black, while 87% was White](#). And today, the city is [still more than three quarters white](#). It’s even called by some “[the Whitest City in America](#).”

W. Johnson: You know, the African American community has had a lot of oppression and you know, the trauma has been so great and still is, which means there’s a lot of distrust. And so, people like to know that you really care for them and that you’re really there for them.

Brown: Wil knows this all first-hand. After four and half years in recovery, he says he’s still processing what lies at the root of his own history of addiction.

W. Johnson: What happened was, when I had took that Oxy, it seemed like all the trauma that I had experienced - I was born in 1985, so that’s when crack cocaine came out, and a lot of families were destroyed, and a lot of the communities were destroyed - I just grew up in trauma. And so it seemed like all the trauma that I’ve been through and things like that, I finally had a chance to, like, breathe finally. The alcohol didn’t do it for me, the weed didn’t do it, but Oxy did.

Brown: When Wil was growing up in the 1980s, the country was in the throes of the War on Drugs. Just a year after he was born, the [Anti-Drug Abuse Act](#) went into effect, which increased federal funding for law enforcement and prisons, and made penalties for crack 100 times harsher than those for powder cocaine. Around the country, these laws [fell particularly hard on Black Americans](#).

And the disparity is still there today. In Oregon, while [only about 2%](#) of its population is Black, Black people account for [nearly 5%](#) of all drug possession convictions.

In preparation for Measure 110, the Oregon Criminal Justice Commission conducted a report on the kind of racial impact this law would have. They found that if it were to pass, Measure 110 would reduce convictions of African Americans [by as much as 94%](#). This means that the community that Miracles seeks to help was one of the communities that stood to gain the most from this measure.

Julia Mines: We got to serve the folks who get those tickets, right? Okay. So I see that’s growth for Miracles.

Brown: That’s Julia Mines, the executive director of Miracles Club. And it feels really important to

her that this club exists.

Mines: When I walk into a treatment center and there's nobody looking like me in there, I'm most likely not going to stay, because I need someone who understands my culture, generational and historical trauma. And if you don't understand that, I'm not staying, cause you're going to say some stupid shit to me that gonna make me want to lash out at you and just getting up and walking out, because you have no sensitivity to my plight.

Brown: I spoke with Julia in her office at Miracles. She has a kind face and a big contagious laugh. Her long nails are painted a sparkly teal. Julia's office is filled with plants, a watering can balances on top of her printer, but the thing that struck me most was the butterflies. There were specimens framed and hung up on every wall, and a large ornamental butterfly hanging from her computer monitor.

Mines: And that represents my recovery. For me, I'm just a butterfly. I've opened up my wings and I've been clean ever since.

Brown: Julia hasn't used for 23 years. She started in high school. She grew up in a predominantly White neighborhood not far from Miracles. And she says she felt like she didn't really fit in anywhere.

Mines: My mother stayed with a friend down on Commercial, and down there, they called me a white girl, right, because I was light-skinned, my hair was long, my mother kept it...you know. So I was a white girl down there, but then I was a n*gger up here... You know, so that's how I grew up, you know, just trying to find myself.

Brown: Like a lot of high school kids, she started experimenting, smoking weed, cigarettes. Nothing stuck with her though. Until a few years out of high school, when she first tried crack. She quickly found that drugs filled this hole that had been forming throughout her childhood.

Mines: It was pretty addicting. And it took me places I never thought I'd go to, from going to school, holding down jobs to not being able to get up and go to a job, not be able to go to school, to the streets, to prostitution, to traveling the country doing prostitution with so-called pimps and pretty devastating things at times.

Brown: During this time, Julia was in and out of jail on prostitution charges, usually for short stints. The money she'd make, she'd use to get high. Eventually her addiction became so consuming, she couldn't keep up with the work.

Mines: You're wrapped up in the life, the drug life. I mean, you know, it's like a cocoon, you can- you're in prison in your own mind, in your own body.

Brown: In 1998, after returning home to Portland, Julia was arrested on drug charges and sentenced to prison for 22 months.

Mines: And when I landed in prison, I think that was the turning point for me. It was like a jarring experience. Like my kids were out there somewhere. Something had to change.

Brown: Julia's parental rights were terminated when she went into prison. It was a moment of clarity, she says, one that got her sober. And the fight to get her kids back when she got out of prison kept her sober. That, and the support she found at Miracles Club.

Mines: And so I went in there and I was looking for a sponsor and I had this lady that was kind of telling my story, and I was scared to ask her. So my boyfriend went and asked her, asked if she would be my sponsor, and she's been my sponsor ever since for about 26 years.

Brown: In Julia's office, there's an entire wall lined with the certificates she went on to earn once she entered recovery. She got certified as an alcohol and drug counselor, a peer recovery counselor, and got two master's degrees in social work and organizational leadership. She's put all this to work in the recovery community.

Then, two years ago, she got offered the Executive Director position at Miracles.

Mines: I've been here ever since, you know, and just building the club up, trying to get us to a different place.

Brown: And to do so, she started going to the working group meetings for Measure 110 to have a say in how funds from it would be doled out to different recovery organizations. Hundreds of millions of dollars will be freed up for [recovery services](#) as part of the measure, which includes money for harm reduction services, housing, peer counseling and behavioral treatment.

Most of this money will come from cannabis tax revenue which is [being redirected](#) from things like schools and law enforcement toward recovery services. And the rest will come from savings in arrests, trials, and incarcerations.

An [independent consulting firm conducted a study](#) that estimated the state spends as much as \$59 million a year on the criminalization of drug possession.

Mines: We kept pushing the envelope in those meetings. We are the community that's affected the most. You got to give us funding so we can help those folks, because how dare you have this money come down the line, and it all goes to rural or to the privileged culture. We are the ones that are targeted.

Brown: What Julia is touching on here is why our country's narrative is shifting when it comes to drug use, and how we deal with it.

In the 80s, during the crack epidemic, [the government's approach](#) to the issue was to double down on prisons and law enforcement. The [majority of arrestees were Black](#).

Yet, in 2018 in the midst of an opioid epidemic that has [disproportionately impacted White people](#), Congress decided to give [over \\$7 billion](#) not to prisons, [but to research, treatment, and prevention](#).

Mines: Back in the War on Drugs, it was a legal issue. So, now that it's a health issue, can we get

the treatment that we need to survive and change our lives?

Brown: Julia's push for funding in the Measure 110 working group paid off. In June, when 48 organizations were chosen to receive the first round of funding, Miracles Club was among them. Julia secured over [\\$200k for the club](#) to improve their recovery services.

[Musical transition.]

Before this new law, over [12,000](#) people were arrested for drug possession [per year in Oregon](#). About [40% of those were repeat offenses](#).

In 2018, the opioid epidemic had become so severe that [the Governor declared addiction a public health crisis](#).

[NEWS CLIP:](#) *Governor Kate Brown signing two bills into law, one focuses on measures to combat the opioid epidemic, while the other...*

Brown: But, the pandemic that followed only made the crisis worse. Just like in the [rest of the country](#), overdose deaths have skyrocketed in Oregon during the pandemic, increasing [65% in 2020](#) compared to the previous year. So, when it came up for a vote, many Oregonians agreed-- the state was ready for a measure like 110.

Anthony Johnson:

Oregon needed measure 110, not just for the decriminalization of drugs, but for the investment needed in treatment and recovery programs.

Brown: That's Anthony Johnson, he's a former criminal justice attorney and one of the chief [petitioners](#) of Measure 110. This means he helped prepare the initiative and collected signatures in support of the measure. He was offered the chance to help work on Measure 110 after helping pass [Measure 91](#), the state law that legalized recreational cannabis in 2014. Jumping on board was a no-brainer for Anthony. He'd been passionate about fighting the criminalization of drugs since he was a young man.

A. Johnson: I saw friends arrested for drugs while I was in college. I saw that my Black friends are treated more harshly during these law enforcement encounters, and the more I learned about the drug war in the United States and around the world, the more incensed I got about it....

Brown: So, he became a [criminal defense attorney](#). But once he got into the work, Anthony was confronted with a hard truth. There were limits to what he could do as a lawyer.

A. Johnson: I had, you know, a couple of clients, sentenced to 18 months in prison for marijuana. And I went home to my wife and told her that I was going to drink until I forgot that prison existed, and I had to stop doing that line of work, because I quickly was going to become an alcoholic, seeing non-violent clients get sentenced to prison.

Brown: So, to have more of an impact, Anthony pivoted toward drug policy reform. He wanted to take a sledgehammer to the War on Drugs, and this was the best way to do it.

A. Johnson: Our policies need to be about people and not about the drugs or necessarily the crime somebody may commit, but to have empathy and think about what do you want for your family member, be it whatever drug they may use, be at what crime they may commit. Don't you want them to be armed and helped with the resources available to make them a productive member of society? Or do you just want them thrown in a cell for five years to punish them and then let them out on their own accord without any attempt to rehabilitate them?

Brown: As a chief petitioner, Anthony was one of the spokespeople for the campaign and did a lot of the community organizing leading up to its passage. But the measure itself was spearheaded by a New York-based organization called [The Drug Policy Alliance](#). They promote drug policy reform around the country, and it has been a long-time goal of theirs to get a decriminalization initiative like this one on a state ballot.

Oregon was a natural choice because of its history as being at the helm of [drug decriminalization efforts](#). It was the first state to decriminalize marijuana in the 1970s, and was among the first to legalize it.

But they needed something to model the measure off of. Luckily, there was a similar experiment already underway several thousand miles away, one with [20 years of data](#) at the ready in Portugal.

A. Johnson: Seeing what has happened in Portugal and how by all accounts, decriminalizing drugs in Portugal and moving towards a health-based approach has been a success in any way you look at it, from HIV infections to overdose deaths to how you're allocating your resources.

Brown: In 2001, Portugal became the [first country in the world to decriminalize all drugs](#). Prior to this, they had one of the [highest rates of heroin use in the EU](#). And they had the [worst AIDS epidemic](#) in Europe, with [over half of their cases](#) attributed to drug injection. The results have been pretty astounding. [Drug-induced deaths and HIV infections plummeted](#) in the years that followed the new law. So, Oregon decided to follow suit.

[NEWS CLIP:](#) *Voters will soon decide whether to decriminalize drug use. Measure 110...*

Brown: The whole country was watching to see what would happen in Oregon.

[NEWS CLIP:](#) *Measure 110, now this is getting headlines around the country...*

Brown: The measure [was backed](#) by the ACLU, Human Rights Watch and even celebrities like John Legend and Mark Zuckerberg got behind it.

[NEWS CLIP:](#) *...states looking at Oregon because of some of the results of yesterday's vote, and that includes Measure 110 which passed with 58% of the votes...*

Brown: On November 3, 2020, Measure 110 passed.

NEWS CLIPS: [A new state law that rolls back criminalization of drug possession is now in effect...](#)
... [Making Oregon the first state in the nation to decriminalize the personal possession of illegal drugs...](#)
... [Arguably the biggest blows on the war on drugs to date...](#)

Brown: There was a lot of local support for the law. Mike Schmidt, the DA from Multnomah County, where Portland resides, was so excited, he even put it into effect [six weeks early](#). Here he is on local tv station KGW:

[NEWS CLIP:](#) *So I'm in favor of ballot Measure 110. So I think it's time to step up and put our ideas into action...*

Brown: But not everyone in the state supported the measure. There was a pretty active “No on Measure 110” campaign. [Many district attorneys](#) came out against it. Law enforcement from across the state [came out against](#) the measure too, including from the county with one of the highest overdose rates in the state. And even some in the recovery community voiced their concerns. Mike Marshall from Oregon Recovers spoke about it on Katu News last October in a debate over the measure.

[NEWS CLIP:](#) *For those who the health care system has failed and the criminal justice system is the last access for them to get treatment, this will cut off that treatment for many of them, leading to an increase in drug overdoses.*

Brown: This was the biggest concern: that Oregon would lose this criminal pathway into treatment. The way it worked before Measure 110, was that a drug-possession arrest might land you in a drug-court somewhere, where you'd be given the [choice between jail or addiction treatment](#).

Eric Bloch: It's very easy to decriminalize this. The harder part is to have these folks get into treatment when there's a need.

Brown: That's Judge Eric Bloch, a judge who has served on Oregon drug courts for 18 years. He believes that court-mandated treatment is one of the only ways to get people addicted to substances into recovery.

Bloch: A lot of these folks who end up in this system, they couldn't or didn't access the resources in the community, and what happens when a disease goes untreated? You get worse. And so, I think the mandated programs, where we're frankly saying to folks, “Yes, this is hard, but you have to do it because the alternative is worse”...it works!

Brown: And there are people in the recovery community who agree with Judge Bloch on this... including Julia Mines from Miracles Club. Even though she joined the working group for the measure, and sees it as an opportunity to increase funding for the club, she has her doubts about whether it will work. She's seen arrests and incarceration be the thing that gets people to stop using, including herself.

Mines: A lot of times it takes folks to have contact with police officers, go to jail, go to court for

them to even visit an anonymous meeting. So if that doesn't happen, then what? How are people going to go into recovery? Well, they're going to go on their own. They're going to get a ticket and oh yeah. Right. I wish I woulda got a ticket. I would've gone, "Fuck that shit!"

[*Musical Transition.*]

Brown: It's true that incarceration can have the kind of impact that Julia and others have experienced, and court-mandated programs like the ones Judge Bloch runs *can* interrupt the cycle of addiction momentarily. But what about when people get out of the program or get out of jail? What happens then?

I spoke with Larry Turner – he runs a non-profit called Fresh Out for Black Oregonians coming out of prison. It's a small program – he and everyone who works there are volunteers. And he says many of the people coming out of prison continue to struggle with addiction. He's seen these mandatory treatment programs not only fail them, but even make things worse.

Larry Turner: Our experience has been that Black and Brown people don't do well in the large substance abuse disorder treatments that are run by mostly white people. Most of the people there have this attitude that, you know, "If you don't complete this, I'm gonna call your PO and we call the judge. You could go back to jail," versus "I'm here to help you treat your drug addiction and support you through that regardless of what happens in the courts."

And then for Black people, they go to treatment, they get clean, they're around all-white people, their trauma comes up for them. Instead of them having some intervention skills and de-escalation skills to treat that trauma, they kick them out and retraumatize them all over again. Yeah. That's been the story of hundreds of people that I've helped over the years.

Brown: Larry's organization also secured funds from Measure 110. And he's excited, because he gets to use these funds to treat addiction in the way he believes works: through relationship building and showing people you are there for them.

Turner: We can inundate the area with outreach workers, dropping off sandwiches, dropping off soups, giving them socks and stuff to wear every day. "Hey man, how are you living? Is this the way you want to go? What can we do to help you out? Can we support you?" If people aren't going to treatment, we need to take it to them. People are going to want to stop. Especially when you make it welcoming, when you make it kind, when you make them a part of their treatment.

Brown: Opinions on voluntary versus involuntary treatment for addiction vary, but recent research shows compulsory approaches don't necessarily lead to improved outcomes. [Some studies](#) even suggest they could make things worse. But, according to Judge Bloch, court mandated treatment programs aren't going anywhere in Oregon.

Bloch: I would love to be out of business, but I don't foresee it anytime soon.

Brown: He says that while low level drug offenders can no longer be arrested and sent to these programs, addiction can fuel other crimes, too.

Bloch: The other folks who are drug involved, usually at a higher level, they're committing crimes that nobody is going to decriminalize. We will never decriminalize, you know, car theft. We will never decriminalize burglaries. And so that's why, whether we like it or not, there will continue to be large numbers of people with substance use disorder in the criminal justice system.

Brown: But, people like Larry Turner think that Bloch is wrong, that if we support people struggling with addiction effectively, more of them will choose treatment over a path of addiction and crime. He says all you have to do is look at what he's doing with the Measure 110 funds he's received so far.

Turner: Right now, in my program, the biggest impact is I've kept people from stealing, because I've been able to give them gift cards. I've kept people from selling dope, because I've been able to get their car fixed for them. I've kept people from driving with a suspended license and ended up going back to prison or killing somebody because I've been able to help them get their license.

Brown: Larry tells me that his approach has resulted in many of the people he works with choosing to stop using. While Larry's organization doesn't collect data on this because they're volunteer-run, I spoke with a parole officer who works with Larry, and he agrees that Larry has had a lot of success with the people he works with. Because they trust him, and know they can count on him for support through this transition.

[Music transition.]

Eight months after this measure went into effect, we're still only beginning to see the impacts it's having. Much of the data has yet to be released. But what we do know, is that as of September 2021, 1159 citations have been filed in circuit courts across the state for drug possession. Most of these have been for meth. But what might be most remarkable is that *who* these citations are being issued to has changed dramatically. In cases where the race of the person was noted, only 2% of citations were issued to Black people, who also represent just about 2% of the population. This suggests that the racial disparity this law sought to eliminate may actually be shrinking.

As for the health assessments made through the hotline, I had a hard time figuring out how many had been done. This is the part of the measure that allows people to avoid the fine. According to one source there had been seven, another said more than 50. Either way though, it's a small percentage of the total citations that have been issued so far.

Mines: We have not had anybody come in here with a ticket in hand.

Brown: But Julia Mines says Miracles isn't waiting around. By the end of the summer, she told me she'd already used the Measure 110 funds to hire two new mentors for the club and they were doing 1-3 intakes a week.

Mines: So what we're doing is accepting people that are coming in and needing services and wanting to go to treatment. We're just accepting them, enrolling them, and getting it done. Because I think if we sit around wait for the police to give them a ticket, we're going to sit around twiddling our thumbs.

Brown: When you look specifically at Multnomah county, which includes Portland, [only 51 citations](#) have been filed so far.

I spoke with Officer Derek Carmon, a spokesperson from the Portland Police Bureau, and he told me the citation numbers were low because the county slashed the police budget last year. Now, their officers are stretched thin, he said. But he said another contributing factor is that now that drug possession is considered on par with a traffic violation, officers may be deprioritizing these citations because they're focusing on other more criminal matters. This might explain why the numbers are so low in other counties, too - across the state, on average only 32 citations have been issued per county.

So, if citations aren't being issued, then is this experiment failing? Well, I spoke with Ron Williams, a community organizer who is on the team responsible for overseeing the roll out of the measure. And he says no, that citations are just a piece of the puzzle. That funding recovery services, which have been deeply underfunded, is really the goal here.

Ron Williams: If right now, you walk over to the central city concern and say, "Look, I'm struggling. I need to get into somewhere," and then a peer comes and talks to me and takes me over to get signed up for the Oregon health plan, then I can get outpatient. Then, he takes me over to the housing office where I can get into immediate transitional housing. So I've got a peer, I've got housing, I've got outpatient, but there's nothing that says that's Measure 110, even if it is. You see what I'm saying?

It could be getting paid for by Measure 110, but there's nothing that tells me that I just got a Measure 110 service. The idea is not that it's just people with say citations that get services, it's anyone in Oregon can get services, period. That's what the law says.

Brown: Nearly everyone I spoke to for this story told me it was too soon to know if Measure 110 was working. That eight months just isn't enough time, especially during a pandemic.

The data I could find on overdose rates for 2021 showed [slightly more deaths in February and March this year](#) than during the same period in 2019 or 2020. But again, this is just a [couple of months of data](#) that was captured before organizations began receiving Measure 110 funds—funds that would boost outreach and services.

But the Drug Policy Alliance isn't waiting. They are already working on bringing decriminalization measures to other states. And they're getting to work on the federal level too. In June, representatives Cori Bush and Bonnie Watson Coleman introduced a bill in the house called the [Drug Policy Reform Act](#), which, if passed, would eliminate criminal penalties for drug possession at the federal level.

And the stakes are high. When I first walked into Miracles Club, Julia gave me a tour of the building. And there was one thing she showed me that has really stuck with me – a table in the middle of the hallway, stacked with piles of picture frames.

Mines: *This is - what we used to have, these pictures here, are all the obituaries of folks that have died over the years. And they used to be all over that wall. So, when we painted we took them down.*

Brown: *You make one of these for each time someone passes away who's been through here?*

Mines: *Yeah.*

Brown: *Wow, so how many do you have?*

Mines: *So, 1, 2, 3, 4, 5...*

Brown: It is the weight of this moment, of these piled frames on the table, that continues to remind me of what's on the line here in Oregon: all the lives that may be lost if this experiment fails.

Mines: *...15, 16, 17...*

Brown: And all the lives that may be saved if it works.

Mines: *...26, 27, 28...*

Miller: Thanks to Cecilia Brown for that story.

[Music transition.]

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