



Treatment Seeking Behavior and Policy: Drug Decriminalization in Portugal

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Introduction

The United States is currently experiencing an opioid epidemic that has widespread negative health and social consequences. The 2010 National Survey on Drug Use and Health reported that 9% of Americans aged 12 and older -22.6 million people- were current or past month illicit drug users (Substance Abuse and Mental Health Services Administration, 2011). Likely contributing to this epidemic are the 238 million prescriptions of all narcotic analgesics that were written in 2011 (Manchikanti, et al., 2012). Opioid analgesics are now responsible for more deaths annually than both suicide and motor vehicle crashes, or deaths from cocaine and heroin combined (Manchikanti, et al., 2012). Opioids have contributed to a staggering one death every 36 minutes in the United States (Lee-Iannotti & Parish, 2014).

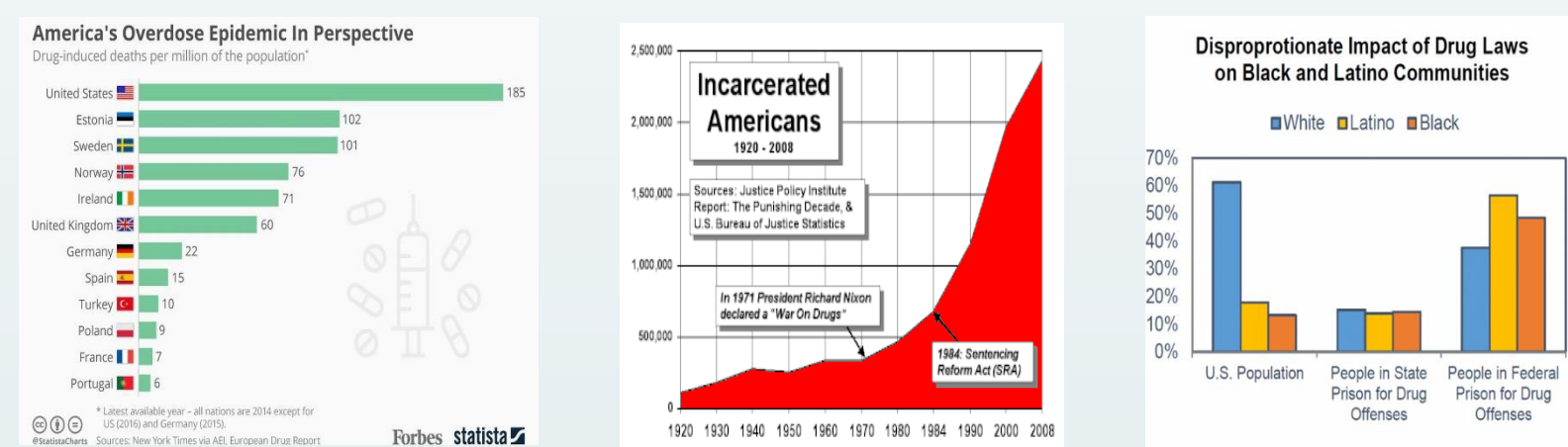


Figure 1: Frequency Table and Graphs

There are numerous adverse social consequences because of the opioid epidemic-and the general rise of drug use over the last 20 years. Policies such as the War on Drugs have contributed to increasing prison populations, and disproportionately affect people of color. Between 1985 and 2015, the number of people incarcerated in America increased from roughly 500,000 to over 2.2 million. Mass incarceration in the United States is due in large part to drug offenses, with 1 in 5 incarcerated people being imprisoned for nonviolent drug offenses. Though African Americans and Hispanics make up approximately 32% of the US population, they comprise 56% of all incarcerated people in 2015, with African Americans being incarcerated for drug offences at more than 5 times the rate of whites. The impact of our drug policies that have led to mass incarceration cannot be overstated. One solution to mass incarceration is to introduce policies that could both lower the rates of drug induced death and incarceration in the United States.

Policy responses to these issues in the U.S. could benefit from analysis of policies in European countries., specifically Portugal.

Methodology

Drug polices in Portugal have had an impact on treatment seeking behavior as evidenced by the current literature and population outcomes.

In 2001, when they were experiencing their own opioid epidemic, Portugal decriminalized the use of all drugs. Portugal became the first country to decriminalize the possession and consumption of illicit substances. Instead of a focus on criminalizing drug users, the new policies emphasized treatment, harm reduction, and support services. Research suggests that decriminalization has stabilized the opioid crisis (Hughes & Stevens, 2007). Problematic drug use, HIV and hepatitis infection rates, overdose death, drug related crime and incarceration rates have declined in Portugal since decriminalization (Greenwald, 2009). Moreover, in a 2015 report Portugal was shown to have the lowest rate of drug induced death in Western Europe, with 6 deaths per million people (Muhlberger, et al., 2009). In contrast, the United States had 312 drug induced deaths per million people (Rudd, et al., 2016). Portugal has shown that by instituting progressive polices on drug use that they were able to mitigate their opioid crisis while decreasing incarceration.

After completing an in depth literature review I met with mental health and policy experts in Lisbon, Portugal including Dr. Nuno Capaz, Vice President of the Lisbon Dissuasion Committee under the Ministry of Health to better understand drug policies and implementation. I also toured Lisbon and met with community members. The themes that were drawn out from these meetings were used to construct semi structured interviews that were administered to Lisbon residents using convenient sampling.

Results

Outcomes and explanation of decriminalization

- Decriminalization *does not* make drugs legal
 - Similar to a civil offense or seat belt violation
 - Drug users are given a summons to the Dissuasion Committee and may have to pay a fine or can access treatment
- Users seek help, have access to treatment and do not have a criminal record
- Sellers go to jail
- Police do not target drug users
- Addiction is a public health issue
 - Using this lens, it is in the public's best interest to increase accessibility to treatment, harm reduction services (such as Methadone clinics and increase options for treatment) and prevention
- Portugal has a Universal Health Care system that has a "tax" for usage but all drug treatment services are exempt from this "tax"
- Targeted prevention end educational services decrease drug usage while abstinence and incarceration do not

Community Perceptions of Drug Policy Outcomes in Portugal

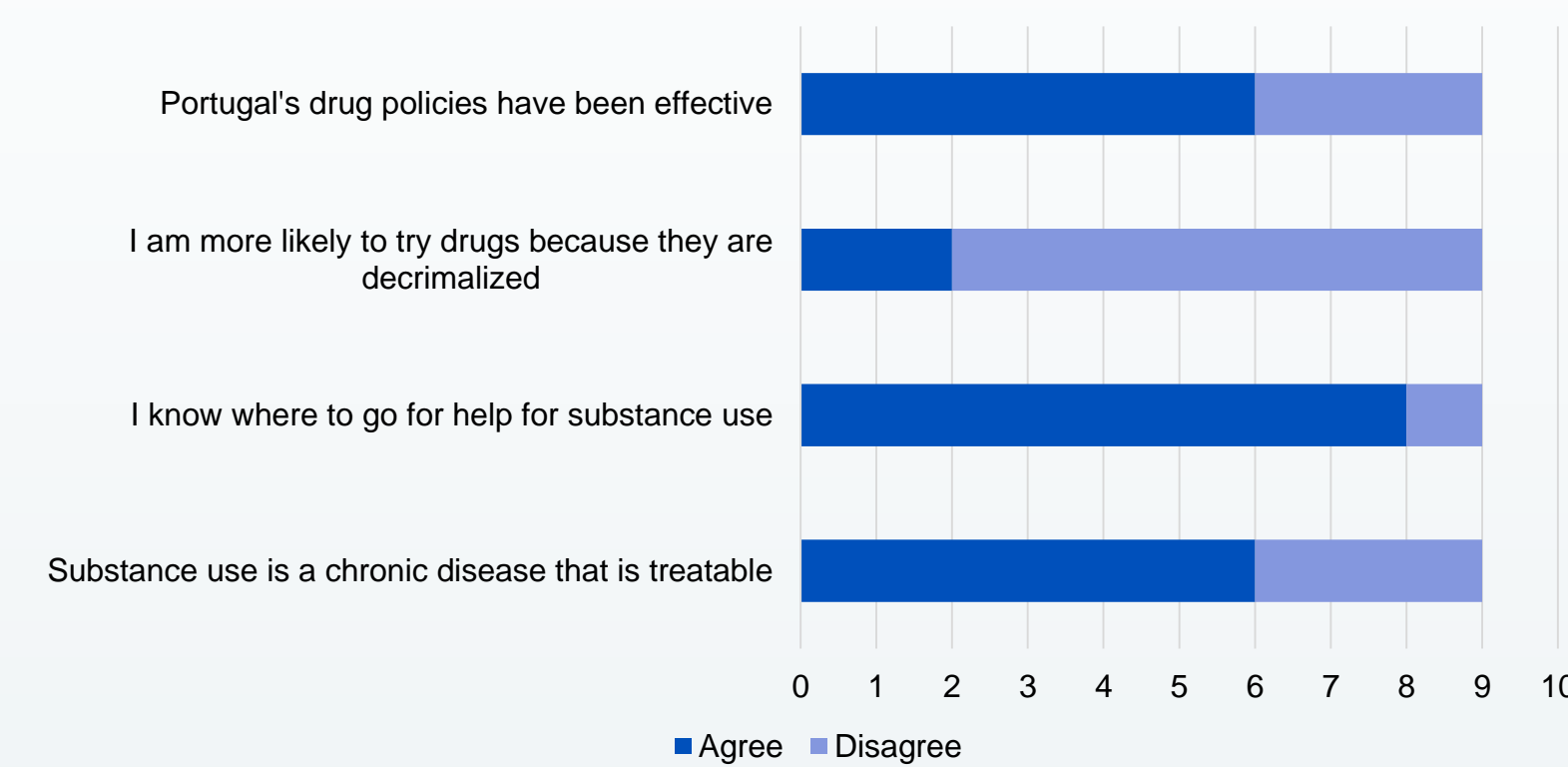


Figure 2: Community Survey Results

Community perceptions on drug use and services

- Majority of respondents agreed (67%) agree that Portugal's drug policies have been effective
- Only 22% of participants agreed that they were more likely to try drugs because they were decriminalized
- Almost 90% (8/9) of respondents agreed that they knew where to go if they needed help with substance use
- 67% of respondents agreed that substance use is a chronic disease that is treatable

Survey and key informant interview quotes

"When we changed our drug policies, the world said we were the Portuguese Experiment, now that people see that it works we are the Portuguese Model. I give these talks, at the UN, last week the Prime Minister of Norway and his 20 person delegation was here, and they always ask: how can we do this? I told him, I assume these people have some sort of expertise, otherwise they wouldn't be here, so talk with each other and figure it out. There's not a magic bullet, drug use is too complex. You have to understand the family structure, society norms, perceptions and for that to happen you need each other: doctors, judges, social workers, psychologists, police, community members. But it starts with understanding that drug use is a public health issue and that moralizing about it, or trying to punish it, doesn't work and makes it worse".

-Dr. Nuno Capaz

"20 years ago, everyone was doing heroin. Engineers, doctors. You couldn't even walk around outside here without seeing someone. We had to do something. When the government said it would no longer be criminal, people began to look at it different, they had places to go for help. Now, maybe 5% of those people still do it, but there's places they can go and get better".

-Lisbon resident

"Treating drug addiction as a disease affects the entire construction of society by offering proper treatment to ill people by not penalizing their future with jail, trials and records. It allows society to become more fair, empathetic and just".

-Lisbon resident

"If drugs are criminalized you have a person who views themselves not only as someone who is sick but also as a criminal. That dissuades them from seeking help, both because of the societal stigma of being a criminal but also because of the very real legal consequences of their sickness".

-Lisbon social worker

Discussion

Our criminal justice system historically has taken a stance that being tough on drug crime will keep communities safe and decrease recidivism. This simplifies a complex problem and has shown to be false. For this project, I relied on convenient sampling, and was hindered by time constraints both in the assembling of the surveys and conducting interviews. As a result, I had a relatively low sample size that may not be a representative sample of the population of Lisbon. However, the data from the population that was surveyed, as well as the key informant interviews with health professionals, made clear that the decriminalization of drugs has been effective. Furthermore, the evidence suggests that drug policy that decriminalizes drug use, and focuses on access to treatment and harm reduction, increases treatment seeking behavior and provides an institutional control to prevent criminal justice systems from targeting already marginalized populations. Finally, treating drug use as a public health issue acknowledges that substance use is a mental health condition that is treatable and that moralizing and/or criminalizing substance use disorders is not effective at either the individual, community or societal level. More research needs to be done to understand how the United States could adopt Portuguese drug policies and the potential impact on population outcomes (e.g., incarceration rates, overdose deaths, access and utilization of care, etc.).

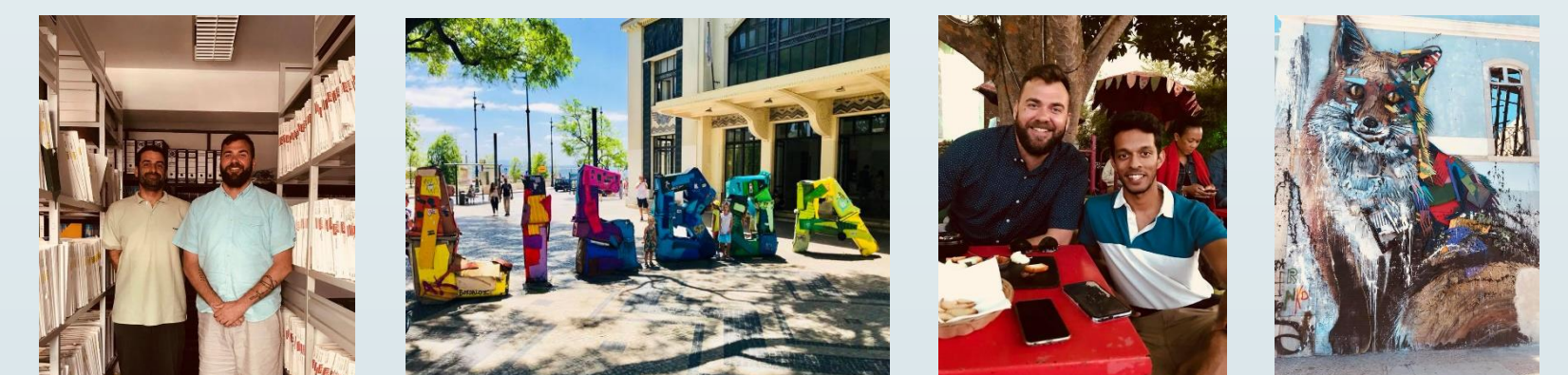


Figure 3: Pictures (L to R) Dr. Capaz, Street Art by Bordalo II, Lisbon Social Worker, Street Art by Bordalo II

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