

# Vera Institute of Justice

## Criminal Justice Issues and Prisoners' Rights

**<https://www.vera.org/blog/new-york-state-must-take-action-to-reduce-opioid-overuse-deaths>**

### Public Facing Advocacy Writing

For many people living with an opioid use disorder, the most dangerous time is the first two weeks after they return home from jail or prison.

During that window, people are up to 129 times more likely to die of an opioid overdose than the general population. But it does not have to be that way, and with four bills now pending in the legislature New York State has a unique opportunity to reduce this deadly statistic.

Studies of the methadone program at Rikers Island jail in New York City which has been providing treatment to people with opioid use disorders since 1987 show that people who receive medication assisted treatment (MAT) during incarceration are more likely to continue treatment after incarceration, less likely to have future criminal justice involvement, and are healthier overall. MAT combines the use of medications approved to treat opioid use disorder with counseling and behavioral therapy.

Another medical study conducted after the state of Rhode Island required every jail and prison to provide MAT to people who were incarcerated found that doing so reduced deaths post-release by more than 60 percent. However, people transferred from Rikers to prison and people incarcerated in most other jails throughout New York State have no access to MAT.

Legislation currently being proposed in New York State [S2161/A833A](#) would change that, requiring prisons and jails across the state to provide MAT to people who are incarcerated. MAT, specifically methadone and buprenorphine, is the gold standard of care and can save countless lives. If enacted S2161/A833A and three other bills that are pending now [S5935/A7246A](#), [S4808/A2904](#), and [S4643A/A972A](#) would collectively help New Yorkers on Medicaid or private insurance to access the treatment they need. The bills would also make important strides in treating the opioid epidemic as the public health crisis it is.

More than two thirds of Americans believe that the government should provide more treatment to people who use drugs, including opioids, and shouldn't default to incarcerating people. Nevertheless, New York State continues to arrest and incarcerate people for opioid use and behavior related to opioid use disorders. [A study published in JAMA in 2018](#) found that among people with a prescription opioid use disorder, one in five had recently been arrested, was on probation, or on parole. Among people who used heroin, the numbers were twice as high 40 percent had recent criminal justice involvement. By contrast, only three percent of people who did not use opioids had recent criminal justice involvement. New York cannot incarcerate its way out of the opioid crisis.

New York's opioid crisis is devastating communities across the state. Every day, nine New Yorkers die of an opioid overdose. Since 2010, more than 20,000 people in New York State have lost their lives as a result of an overdose. Collectively, S5935/A7246A, S4808/A2904, S4643A/A972A, and S2161/A833A would help people to access the critical care they need to avoid criminal justice involvement in the first place, stop the cycle of incarceration if people have been in jail or prison, save lives, and help people not only to survive but to thrive. New York cannot afford to wait.

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