DRUG POLICY ALLIANCE

PLUNDER, PROFIT, AND PUNISHMENT: A SYLLABUS ON DRUG WAR PROFITEERING

AUGUST 2024

The war on drugs is immensely profitable — for some entities. People who use drugs have become one of the most commodified and exploited populations of a society that proves time and again that profit too often takes priority over the wellbeing of individuals. In order to successfully end the drug war and its associated harms, we have to follow the money to see who is benefiting from systematically punitive responses.

In Spring 2024, the Drug Policy Alliance hosted a fourpart series to expose and name drug war profiteers and the mechanisms they use to prioritize profit over care. Building from resources shared by expert panelists and audience members, this syllabus explores how private and public companies, agencies, and organizations profit from the drug war and overdose crisis, extract money and resources from people, and plunder entire communities.

Watch the archived recordings here.

PRIVATIZATION

Historical shifts towards privatization — including public-private partnerships and private equity's takeover of public goods — undermine drug policy reform, channel resources away from public entities, and reshape the fundamental purposes and practices of service organizations. Market monopolies, easily exploited healthcare policies, and the singular goal of securing favorable returns for investors and private companies leave people with little say over who helps them, their course of care, or the costs associated with support. This lack of meaningful choice traps individuals in a cycle of spending on predetermined and often ineffective options driven by profit, not public health solutions.

TO LEARN ABOUT PRIVATIZATION AND PROFITEERING, CHECK OUT THESE RESOURCES:

- "Effects of Private Equity Investments"
- <u>Ethically Challenged: Private Equity Storms U.S.</u>
 <u>Health Care</u> [book]
- "Private Equity's Drug War Profiteering"
- "Privatize this! How we lost control of America's public goods — and how we can get it back"
- The Privatization of Everything: How the Plunder of Public Goods Transformed America and How We Can Fight Back [book]
- "U.S. Public Health after COVID-I9: Learning from the Failures of the Hollow State and Racial Capitalism"
- "What is Private Equity?"

FOR-PROFIT SUBSTANCE USE DISORDER TREATMENT

Despite the ubiquitous refrain of "getting people into treatment," most treatment options available to people in the United States are not evidence-based, and the majority of people with a problematic relationship to drugs stop their use on their own, without treatment. Yet, the substance use disorder treatment industry is witnessing unprecedented growth and profit, fueled by the increase in deceptive for-profit residential drug rehabilitation programs. Profit motives shape substance use disorder treatment quality, policies, and access—and leave many, especially people of color and low-income people, unable to access affordable, evidence-based care.

FOR A GENERAL OVERVIEW OF SUBSTANCE USE DISORDER TREATMENT, START HERE:

- "Substance Use Disorder Treatment"
- "Types of Addiction Treatment"

TO LEARN ABOUT SUBSTANCE USE DISORDER TREATMENT AND PROFITEERING, CHECK OUT THESE RESOURCES:

- Addicted to Rehab: Race, Gender, and Drugs in the Era of Mass Incarceration [book]
- "Admission Practices And Cost Of Care For Opioid Use Disorder At Residential Addiction Treatment Programs In The US"
- "American Rehab"
- "Distribution of Substance Use Treatment Facilities, By Ownership Type"
- "Patient Brokering in For-profit Substance Use Disorder Treatment: A Qualitative Study with People with Opioid Use Disorder and Professionals in the Field"
- "Percent of Substance Use Treatment Facilities
 Reporting Participation with Insurers"
- "Some Addiction Treatment Centers Turn Big Profits by Scaling Back Care"
- "The Business of Recovery" [movie]
- "The Dirty Business Behind Getting Clean: Fraud, Ethical Misconduct and Corruption in the Addiction Rehabilitation Industry"
- "Therapies Offered at Residential Addiction
 Treatment Programs in the United States" [paywall]

MEDICATIONS FOR OPIOID USE DISORDER

There are three FDA-approved medications for opioid use disorder: methadone, buprenorphine, and naltrexone. Aggressive lobbying efforts by pharmaceutical companies and opioid treatment clinics have limited the most effective, accessible, and low-cost medications for opioid use disorder.

These life-saving medications have been monetized, monopolized, and restricted in a way that limits patients' access and increases profits for both the brands that manufacture them and the private interests who distribute them.

Methadone and buprenorphine, but not naltrexone, have been proven to reduce overdose risk. Methadone is one of the most effective medications for treating opioid use disorder, but access to the drug is highly restricted, and its use is often stigmatized. Since the 2000s, private companies and equity firms have acquired a majority of methadone clinics in the country, taking advantage of restrictive access policies to maximize profits. Suboxone, a sublingual or buccal formulation of buprenorphine, has been fraudulently marketed, primarily to more affluent white populations, allowing it to maintain a monopoly over buprenorphine medication. Vivitrol, an extendedrelease naltrexone injection, has been heavily marketed to prisons and lawmakers to prioritize its use over other treatments, despite limited evidence supporting its effectiveness and its failure to reduce overdose risk.

FOR A GENERAL OVERVIEW OF METHADONE, SUBOXONE, AND VIVITROL, START HERE:

- "Frequently Asked Questions"
- "Medications for the Treatment of Opioid Use Disorder"
- <u>"Types of Addiction Treatment"</u>

TO LEARN ABOUT MEDICATIONS FOR OPIOID USE DISORDER AND PROFITEERING, CHECK OUT THESE RESOURCES:

Methadone

- "How the U.S. is Sabotaging its Best Tools to Prevent Deaths in the Opioid Epidemic"
- "Methadone Clinics Spar with Addiction Doctors on Bill that Would Widen Access"
- "Methadone Manifesto"

- "Rigid Rules at Methadone Clinics are Jeopardizing Patients' Path to Recovery from Opioid Addiction"
- "The Methadone Clinic Monopoly: Opioid Treatment Chains Backed by Private Equity are Fighting Calls for Reform" [paywall]

Suboxone

- "Abuses of FDA Regulatory Procedures The Case of Suboxone" [paywall]
- "A Citizen's Pathway Gone Astray Delaying Competition from Generic Drugs" [paywall]
- "Indivior Case: Don't Throw Out the Buprenorphine
 With the Bathwater"

Vivitrol

- <u>"Biotechnologies and the Future of Opioid</u>
 Addiction Treatments" [paywall]
- "FDA blasts Alkermes for Underselling the Risks of Opioid Addiction Drug Vivitrol" [paywall]
- "The Last Shot"
- "To Grow Market Share, A Drugmaker Pitches Its Product To Judges"
- "Vivitrol Offers the Fantasy of Being Drug-free.
 But That's Not the Most Important Thing in Tackling Addiction,"

OPIOID-OVERDOSE ANTIDOTES

Naloxone is a crucial intervention for reversing the effects of an overdose. Pharmaceutical companies have deployed a variety of tactics — including price gouging, product hopping, and bureaucratic gatekeeping — to profit from a life-saving medication that should be free and available to all. Now, Big Pharma is also promoting other opioid-overdose antidotes in attempts to further profit from the overdose crisis.

FOR A GENERAL OVERVIEW OF OPIOID-OVERDOSE ANTIDOTES, START HERE:

- "Injectable Naloxone: The Wave of the Future...And the Past"
- "Lifesaving Naloxone"

TO LEARN ABOUT OPIOID-OVERDOSE ANTIDOTES AND PROFITEERING, CHECK OUT THESE RESOURCES:

- "How the Drug Industry Uses Fear of Fentanyl to <u>Extract More Profit from Naloxone"</u> [paywall]
- "How One Company Profited While Delaying Narcan's Drugstore Debut"
- "Nalmefene Is Not Just Like Naloxone"
- "Nonprofit Naloxone Maker Celebrates FDA Approval by Donating 200,000 Doses"
- "Pharma Firm That Owes Millions in Opioid Settlement Wants in on Lucrative Anti-Overdose Drug Contract"
- "What is the Price to Save a Life? Demystifying Naloxone Costs"

OPIOID SETTLEMENT FUNDS

Opioid settlements may contribute more than \$50 billion to state-level public health and substance use disorder treatment programs over the next two decades. Some localities are already directing funds to the coffers of drug war profiteers, including forprofit service providers and law enforcement, but advocates in many jurisdictions also have a unique opportunity to engage in the allocation process.

FOR A GENERAL OVERVIEW OF OPIOID SETTLEMENT FUNDS, START HERE:

- "Frequently Asked Questions"
- "What You Need to Know About the Opioid Settlement Funds"

TO LEARN ABOUT OPIOID SETTLEMENT FUNDS AND PROFITEERING, CHECK OUT THESE RESOURCES:

- Opioid Settlement Tracker
- "Opioid Settlement Funds: State-Level Guides for Community Advocates"
- "Payback: Tracking the Opioid Settlement Cash"
- "They See a Cash Cow: Corporations Could Consume \$50 Billion of Opioid Settlements"
- "Upending Purdue Pharma's Settlement Does Little to Help Today's Opioid Crisis, Advocates Say" [paywall]

FAMILY POLICING

Profit motives undergird many practices in the family policing system (commonly referred to as the child welfare system), but these motives are often invisibilized. Instead of providing families with the resources they need to stay healthy, safe, and together, state agencies and governments have prioritized family separation and policing, bolstered by the support of for-profit technologies and diverted public funds. Hundreds of millions of dollars in welfare and social service funding flow to case workers, foster parents, adoption services, group homes, and other programs rather than to supporting families or family reunification. Those investigated, or even those seeking assistance, can have their children removed from their care.

FOR A GENERAL OVERVIEW OF THE FAMILY POLICING SYSTEM, START HERE:

- <u>"The 'Benevolent Terror' of the Child Welfare System"</u>
- "Whatever They Do, I'm Her Comfort, I'm Her Protector": How the Foster System Has Become Ground Zero for the U.S. Drug War"

TO LEARN ABOUT FAMILY POLICING AND PROFITEERING, CHECK OUT THESE RESOURCES:

- "A Mother Needed Welfare. Instead, the State Used Welfare Funds to Take Her Son"
- "Financial Incentives: You Get What You Pay For"
- "How Policy Hidden in an Algorithm is Threatening Families in This Pennsylvania County"
- "If I Wasn't Poor, I Wouldn't Be Unfit: The Family
 Separation Crisis in the U.S. Child Welfare System"
- "States Send Kids to Foster Care and their Parents the Bill — Often One Too Big to Pay"
- "The Devil is in the Details: Interrogating Values
 Embedded in the Allegheny Family Screening Tool"

TO LEARN ABOUT FAMILY POLICING AND TARGETING OF PARENTS WHO USE MEDICATION-ASSISTED TREATMENT SEE:

- "Mothers in Treatment for Opioid Use Disorder Shouldn't Also Have to Fight Child Protective Services"
- "Pregnant, Addicted and Fighting the Pull of Drugs"
- "They Followed Doctors' Orders. Then Their Children Were Taken Away"

DRUG TESTING

There are few national standards to govern who can be tested, for which drugs, how often, or by what method, allowing healthcare providers and treatment clinics to set their own subjective criteria. As such, drug testing has become a lucrative business — supported by healthcare professionals, substance use disorder treatment providers, and criminal legal actors — rather than a tool towards recovery.

FOR A GENERAL OVERVIEW OF DRUG TESTING, START HERE:

- "Putting an End to Drug Testing"
- "Workplace Marijuana Testing"

TO LEARN ABOUT DRUG TESTING AND PROFITEERING, CHECK OUT THESE RESOURCES:

- Pissing on Demand: Workplace Drug Testing and the Rise of the Detox Industry [book]
- "In Pursuit of Liquid Gold"
- "Liquid Gold: Pain Doctors Soak Up Profits By Screening Urine For Drugs"
- Surveillance Capitalism in America, "High Priority: Business's War on Drugs and the Expansion of Surveillance in the United States" [book chapter]

POLICING, INCARCERATION, AND E-CARCERATION

Much work has been done to expose how law enforcement, prisons and jails, immigration enforcement, probation and parole agencies — and the unions that represent their workforces — have a vested interest in tactics, technologies, and policies that keep people under correctional control and surveillance. Given how many arrests, convictions, and deportations are bolstered by the war on drugs, this sector continues to profit. There has been extensive research and organizing around profiteering within the criminal legal system; this section is intended to provide a snapshot and starting point for further exploration.

FOR A GENERAL OVERVIEW OF THE CRIMINAL LEGAL SYSTEM, START HERE:

- "Disrupt and Vilify: The War on Immigrants Inside the U.S. War on Drugs"
- "Mass Incarceration: The Whole Pie 2024"
- <u>"The Case Against E-carceration"</u>
- *The End of Policing,* [book]

TO LEARN ABOUT THE CRIMINAL LEGAL SYSTEM AND PROFITEERING, CHECK OUT THESE RESOURCES:

Civil Asset Forfeiture

- "Does Forfeiture Work? Evidence from the States"
- "Policing for Profit: The Abuse of Civil Asset Forfeiture"

E-carceration

- "Debt Trapped"
- "Electronic Monitoring Fees: A 50-State Survey of the Costs Assessed to People on E-Supervision"

Fines and Fees

- "Debt Sentence: How Fines And Fees Hurt Working Families"
- "Fines and Fees Justice Index"
- "The Steep Costs of Criminal Justice Fees and Fines"

Immigration Policing

- "DHS Open for Business: How Tech Corporations
 Bring the War on Terror to our Neighborhoods"
- "Hundreds of Tech Companies Want to Cash In on Homeland Security Funding. Here's Who They Are and What They're Selling."
- "Meet Three Corporations Profiting Off Homeland Security"

Incarceration

- "Policy Blueprint for Ending Carceral Profiteering"
- "Shadow Budgets: How Mass Incarceration Steals from the Poor to Give to the Prison"
- "The Prison Industry Corporate Database"

Police Fraternal Organizations

- "An Introduction to Police Fraternal Organizations"
- "How Did Police Unions Get So Powerful?"
- "Revealed: Police Unions Spend Millions to Influence Policy in Biggest U.S. cities"

Private Equity and Incarceration

- "From Dusk Til Dawn: Private Equity's Impact on on Incarceration"
- "How Private Equity Is Turning Public Prisons Into Big Profits,"
- "Private Equity Profits from Incarceration"

VICTORIES AND ALTERNATIVE VISIONS

In the face of immense corporate power and deep-seeded profit motives, grassroots organizations, drug user unions, and incarcerated and formerly incarcerated people are envisioning different worlds. Many are working to imagine safety, community, and health for people who use drugs and people harmed by criminalization, untethered from profit, plundering, and greed.

TO LEARN ABOUT VICTORIES AND ALTERNATIVE VISIONS, CHECK OUT THESE GROUPS AND RESOURCES:

- Challenging E-Carceration | "A Brief History of the Challenging E-Carceration Project"
- Drug User Liberation Front | "The Impact of an Unsanctioned Compassion Club on Non-Fatal Overdose"
- Harm Reduction Works | "Drug User Unions The Rebirth of Harm Reduction with Jess Tilley and Albie Park"
- Imani Breakthrough | "A Collaborative Culturally-Centered and Community-driven Faith-based Opioid Recovery Initiative: the Imani Breakthrough Project" [paywall]

- Mijente | "#NoTechForIce"
- National Black Harm Reduction Network | "Black Harm Reduction Network"
- National Coalition to Liberate Methadone |
 "Liberating Methadone: A Roadmap for Change"
- National Survivors Union | "Methadone Manifesto"
- Poder in Action | "The Pueblo's Budget"
- Parabola Center | "Anti-Monopoly Toolkit"
- LiUNA Local 955 | "Columbia to End Preemployment Marijuana Testing Oct. I"
- Remedy Alliance | "2023 Annual Impact Report"
- VOCAL-US | "A Roadmap for Opioid Settlement Funds: Supporting Communities & Ending the Overdose Crisis"
- Worth Rises | "The Slow Death of a Prison Profiteer: How Activism Brought Securus to the Brink"

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