

Criminal Justice or Public Health: An Analysis of California Central Valley's Approach to Drug Addiction

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Abstract

This study looks at the repercussions of tackling drug addiction from a criminal justice lens. The Modesto Police Department (MPD) was utilized in this case study since it is the Central Valley's largest city. This included seven officers engaging in ethnographic interviews where they were questioned about their impressions of the local drug problem. An examination of the city of Modesto's budget during the last decade, from 2012 to 2022, revealed that MPD was prioritized. Media records were utilized to demonstrate drug enforcement operations as it relates to MPD. The findings support the notion that MPD and the criminalization of substance misuse in the city are priorities for Modesto. Through interviews, financial, and government document analysis, my goal is to investigate the repercussions of tackling drug addiction through the perspective of criminal justice rather than as a public health issue.

Keywords: Police intervention, militarization, substance use, addiction.

Introduction

Background

The United States has a long history of moral panics against drugs, from prohibition to the present day. Since the beginning of The War on Drugs in the 1970s, the impact it has had on society has been detrimental. It has resulted in exacerbating racial disparities in incarceration. Most importantly, The War on Drugs has been one of the main contributors to the militarization of the police in the United States (Balko, 2021). Through the development of neoliberalism, there has been a shift in blaming the individual, neglecting the systemic flaws in place such as low wages, unemployment, homelessness, and low quality of life. From the Drug Enforcement Agency (DEA), the Anti-Drug Abuse Act of 1986, and the Drug Abuse Resistance Education program (DARE) the United States has sponsored many fear-based campaigns for this ongoing war. This phenomenon has led to the militarization of domestic policing, increasing criminalization and police presence rather than sponsoring public health programs to treat drug addiction.

Today, it can be more difficult to distinguish between mainstream policing and police paramilitary units (PPUs). These units were once a rare tool, used in response to terrorism, riots, and other high-risk situations. In modern times, the use of police paramilitary units is more prevalent, used for no knock warrants typically having to do with drug busts (Kraska & Keppeler, 1997). To fund PPU's, police departments must have extensive budgets. For instance, Modesto Police Department, in the last decade, has been allocated around 50% of the city of

Modesto's budget. There is priority given to law enforcement and their support for drug enforcement.

The increase in drug addiction has resulted in more police intervention making this social problem a criminal justice issue rather than a public health issue. This is an important area to shed light on because the United States has such immense wealth but have centered the importance of certain issues like drugs in the wrong area. This nation has a strong police presence, favoring its activities in all sectors of society. I would like to investigate whether this is the best approach or whether there is another option that is more cost effective in terms of money and social welfare in the long run. LEOs are given far too many resources, leaving other social services to pick up the slack (Cooper, 2015). We must critically examine the expanded police activities and militarization in light of the damages it creates. This study aims to analyze the approach that favors treating drug addiction through criminalization rather than through means of public health measures.

Theory Analysis

Neoliberalism is a political approach where certain markets in an economy are privatized. This approach adheres to economic growth as its main principle. Neoliberalism also promotes the idea of individual responsibility rather than society's. This leads to define addiction as an individual choice and responsibility rather than a response to stress and strains produced by society. Consequently, it is not the state's responsibility to provide help because it is all about the individual choices. Nancy Reagan's "Just Say No" Campaign connects to the idea of individual responsibility. This campaign created

lasting effects, oversimplifying the issue, and labelling addiction as a moral failure. Again, neglecting the systemic flaws in place such as unemployment, low wages, and low overall quality of life.

In the world of criminal justice, in the context of neoliberalism, Broken Windows was developed, and it expresses the values of neoliberalism. Broken Windows Theory plays on the idea that visible signs of social disorder invite more of this behavior. The only way to reduce this level of disorder is to control it. According to Broken Windows Theory, when minor disorders, such as substance use remain undisciplined, this creates a widespread disorder throughout society. This is the basis behind the punitive crime control approaches generated from the neoliberal doctrine (Herbert, 2001). Following this logic, only zero-tolerance approaches would help in preventing future decay. When following the example of substance use, Thompson (2015) describes this as a regular low-income behavior which is not necessarily considered a disorder or presents an actual threat to a neighborhood.

This approach delegitimizes a social welfare approach because this low-income behavior is seen as resistant to order. The only viable option at this point is a necessary punishment to restore order. This model characterizes our current approach to addiction which is allocating funds towards law enforcement to control the problem at hand. The criminalization of substance use is highly sought over in low-income communities, which are labelled as dangerous areas, where punishment is seen as the optimal way for control. The high levels of inequality and instability generated by neoliberal policies lead to an increase in an informal economy like drug sales to make ends meet and addiction as a coping mechanism.

Methods

Ethnographic Interviews

Ethnographic interviews seek to understand the subjects' perspectives, beliefs, and practices related to the topic at hand. This method was essential for the project because it allowed for the police officers to have a window to describe their insight on the issue of addiction in the central valley. The ethnographic interviews allowed for the comparison between the police officers' perspectives and the interest of the Modesto Police Department.

The selection process consisted of asking colleagues from the Stanislaus County Probation Department to ask officers from the Modesto Police Department. The officers were selected after hearing about the study through their colleagues. Officers from the Modesto Police Department were approached by colleagues about the possibility of being interviewed for a research project for this research work.

Each interview was conducted at a location and time chosen by the police officer, this was to ensure that the officers were in a comfortable and convenient setting. They were advised of their role in this study, given the consent form for their approval, and once everything was signed and they were well informed of the procedures, the interviews started.

The interviews typically lasted 30 minutes. The same questions were asked to each officer who was interviewed. The questions started simple such as, "why did you choose to be a police officer?" They progressed to more complex questions, such as "what do you believe is the cause of the drug war in the general area?" Each officer was given a judgement-free zone in which to express their thoughts on each question. The officers were asked a total of nine questions. After the interviews were done, the officers were thanked for their time.

There was no clear goal with the number of officers to interview, the objective was to interview as many officers as possible to collect unique perspectives. As a qualitative study, these interviews are not necessarily representative of the perspectives of the whole agency.

Budget Analysis

The second set of data collected included a collection of the Modesto Police Department's budget from 2012-2022. This data was collected from the City of Modesto's Annual Operating Budget documents. The budget was then compiled and organized into a table showcasing the year, the amount in dollars, and the percentage of the city's budget. The objective was to collect budget information from the last decade to show a broad enough data set.

Social Media and Government Document Analysis

For the final set of data collected, the Modesto Police Department's Instagram was examined for any reference to militarized activity. This was to ensure that there would be an example of how the line between local law enforcement and the military has been blurred.

For the government document analysis, the 2018 community health assessment from Stanislaus County was reviewed for information regarding substance misuse. Information about drug overdose death rates within different ethnic groups in 2017 was used to question if the War on Drugs was successful.

Analysis

Throughout the ethnographic interviews with police officers, there were many perspectives received. Many of these perspectives were not expected, especially when it came to questioning how the issue of drug addiction should be resolved. It is

important to recognize the dichotomy between the interest of the police officer and the police institutions.

After asking the following officers how they believed the drug issue should be resolved, they responded with this:

Officer N: "The CJ system should intervene when the cartel is involved. Health professionals should intervene so that they can get into the root of the issue when it comes to addiction. This issue is so prevalent, I'd like there to be more to combat this issue."

Officer D: "There should be services provided for people who are vulnerable. An advocate for programs to elevate people's situations to prevent addiction from spreading and advocates for social mobility programs."

Through these responses, there is a consistent theme present here that is important to highlight. Each of these officers calls for more funding for public health measures as it relates to resolving drug addiction in the area. The police officers express an interest in wanting more funding to be allocated for social services, however, there is no institutional interest for this cause. This is important because an individual officer or officers do not have the political power to make such a decision.

Figure 1 displays MPD's budget throughout the decade of 2012-2022. In the fiscal year of 2012-2013, MOD was allocated approximately \$48.1 million which is roughly 45% of the city of Modesto's budget. A decade later in the fiscal year of 2021-2022, MPD was allocated \$72.4 million, which is roughly 47.3% of the city of Modesto's budget. The Modesto Police Department can justify these immense amounts of funding through tropes of war. The unkillable entity or unknown enemy, which are drugs in this case, calls for an everlasting struggle with no clear end date. To combat the "enemy" there needs to be an endless supply of money in the name of increasing public safety. Without disciplining drug addiction in this society, the decay spreads throughout society.

To highlight the contradiction of policing, Officer I's response to the question, "how do you believe the drug issue should be resolved?" is intriguing. Officer I: "There should be more funding for drug education and rehabilitation, less of a focus on incarceration. CJ system should intervene because without it, there is no regulation."

Officer I's response is particularly interesting because it displays the contradiction of policing. Officer I starts off by mentioning that the criminal justice system should not be involved with handling drug addiction but finishes it off by mentioning that there should be criminal justice intervention. This exemplifies the contradiction with policing since officers do not have the adequate training to handle such a health issue, rather, there is an institutional interest for budget increase present.

Officer I's response exemplifies the neoliberal approach to combatting drug addiction. As mentioned previously, substance use is seen as a resistance to order which can only be handled with punitive crime control approaches. In this case, this would be considered the criminalization of substance use. Instead of there being a social welfare approach which would include funding public health measures such as quality health care access for individuals with substance use disorders, syringe exchange programs, outpatient clinics to name a few, law enforcement agencies are allocated immense amounts of funding instead.

The priority of criminalizing substance use is not by accident. Broken Windows Theory and Neoliberalism help to contextualize the failures of the War on Drugs. The United States has yet to eradicate substance use from society, which was the War on Drugs' sole mission. Despite this, there are still millions of individuals in this country who suffer from substance misuse, substance use disorders, and other co-occurring disorders. Herbert (2001), describes a segregation tactic that does not allow the merge between "respectable" citizens and the "others." The others in this case would be the most vulnerable coming from underserved communities, which would be substance users in this case. This creates a fear of the "others," poor people, and those most vulnerable. This fear is expanded by Broken Windows, which creates support for aggressive tactics to combat drug addiction. A social welfare approach is not considered favorable or effective compared to restoring order through punitive measures. Drug addiction is then seen as a moral failure, a result of personal choices which neglects the systemic flaws in place such as unemployment, low wages, housing crises, and low quality of life.

Conclusion

This effort raises awareness of the massive amount of funds that law enforcement agencies receive. In comparison to other big city police departments, the Modesto Police Department is a modest one. This also helps to rethink the United States' approach to drug addiction and raises the question of whether criminalizing substance use is a feasible solution to drug addiction.

This could result in a larger-scale effort involving additional law enforcement agencies around the country. Given that many people with substance use issues originate from underserved communities, this might be the first step toward health equity. As a student interested in public health, this initiative might be replicated across the country to demonstrate what law enforcement organizations are doing with the funds paid by U.S. taxpayers. This could assist in the implementation of public health policies aimed at combating drug addiction, which has been demonstrated to lower the prevalence of substance

misuse, substance use disorders, and fatal drug overdoses.

Year	MPD's Budget	% of City's Budget
2012-2013	\$48,198,767	45%
2013-2014	\$50,727,818	45%
2015-2016	\$53,521,714	49%
2016-2017	\$58,295,575	50%
2017-2018	\$59,102,867	48.6%
2018-2019	\$62,573,944	48.3%
2019-2020	\$67,035,584	48.5%
2020-2021	\$69,052,876	49.3%
2021-2022	\$72,417,502	47.3%

Fig. 1. Modesto Police Department's Budget (2012-2022)

Caption: The data shown depicts the city of Modesto's allocation of funds to the Modesto Police Department. It specifies the amount and the percentage of the city's budget.

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