

# YOU CAN'T GET WELL IN A CELL

**Decriminalize  
Substance Use  
Disorders**

DC Pretrial Services Agency has implemented drug testing as a determining factor for pretrial detention or initial release. Pretrial detention removes members of the DC community for an indeterminate amount of time, whether they are “guilty” or not. DC PSA’s use of drug testing to determine an individual’s “risk” to the community does not address the crisis of substance use disorders (SUDs) in the District. The District’s criminal justice system is still rooted in War on Drugs policing.

**THE CRIMINALIZATION  
OF DRUGS IS DIRECTLY  
ROOTED IN WHITE  
SUPREMACY.**

## **THE IMPACT:**

DC residents with SUDs are met with penalization rather than effective treatment and community care. The further criminalization of SUDs.



## **THE SOLUTION**

An amendment to the District’s criminal statutes will address the harms caused by the criminalization of SUDs and instill a culture of community care — ringing true to DC values.

Decrim Poverty DC’s proposed District of Columbia Drug Policy Reform Act of 2021 (DPRA) legislation addresses:

- Decriminalization and Enhancing Connections to Services
- Reduce Reincarceration, Collateral Consequences, and Civil Rights
- Strengthening the Harm Reduction Safety Net
- Repairing Harms of Past Criminalization
- Reducing Criminalization in Drug Cases
- Improving Public Access to Information

In August 2020, the Council for Court Excellence published a report on behalf of the Office of the District of Columbia Auditor (ODCA) outlining the District’s failure to address the intersection of substance use disorders and incarceration.

- Criminalizing folks for SUDs is not only dehumanizing and rooted in fear mongering (rooted in anti-Blackness), it is also extremely costly and ineffective in providing treatment and reducing recidivism
- Most folks released on pretrial detention return for their court dates
- Pre-arrest diversion lightens the load for pretrial detention
  - It would nip the issue in the bud ahead of it becoming a problem

**“A system that never addresses the why behind a harm never actually contains the harm itself. Cages confine people, not the conditions that facilitate their harms or the mentalities that perpetuate violence.”**

-Mariame Kaba