

Opioid-Related News and the Courts

Weekly Review

December 10, 2021



National

[Biden's big decision on the opioid crisis](#)

Politico

Last week [New York City became home to the first two sites in the country](#) where drug users can take illegal drugs under the supervision of staff trained to reverse overdoses. [Rhode Island plans to open a similar site](#) next year, under a two-year pilot program. And about a dozen localities are considering the controversial idea, which advocates say can lower overdose deaths but which critics say promotes illegal drug use.

The Trump administration vocally opposed such supervised injections, saying they violated the “crack house statute” – [legislation that Joe Biden crafted](#) as a senator in the 1980s. So far, the Biden administration has remained silent on whether it would allow the sites to operate.

New Mexico

[Drug Court Vanguard](#)

Santa Fe Reporter

But the drug court model, once widely viewed as a progressive alternative to jail, is increasingly criticized for widening the net of social control. Individual judges have great leeway but almost all of them use the threat of jail to demand abstinence. And by their very existence, drug courts assert the implicit claim that addiction is a crime rather than a disease.

This is where [Judge Jason] Lidyard's court diverges: He does not expect clients to abstain from using – in fact, he assumes the contrary.

“I don't care if you're high, so long as you show up here,” he tells one. And informed by childhood memories of his own father's addiction, he refuses to use jail as a sanction. “Only two things will get you kicked out,” he explains. “If you don't show up, or if you commit new crimes.”

For 50 years, Northern New Mexico has been at the front lines of the war on drugs; now it may be the vanguard of change. Lidyard and others are leading the effort, determined to keep people with addictions out of the criminal justice system rather than allow them to be swallowed up by it.

“Rio Arriba is my petri dish,” he says. “What if we could actually use the criminal justice system to better people's lives?”