

Cyclical substance use, homelessness, and criminal-legal policy perpetuate the risk environment for racially minoritized people who use drugs: a qualitative study in three US locations

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Background

- The United States has seen an alarming rise in overdose mortality among people experiencing homelessness.
- Drug overdose and homelessness are dual crises that disproportionately impact Black, Hispanic, and Indigenous communities due to historic and ongoing structural racism.
- This study aimed to better understand the intersection of homelessness and substance use among these populations to inform harm reduction and policy.

Methods

- We completed in-depth semi-structured interviews with people who use drugs and who identified as Black, Hispanic, Multiracial, or another non-White race in Michigan, New Jersey, and Wisconsin.
- This analysis focused on a subset of n=54 participants experiencing homelessness or who described past experiences with homelessness.
- We conducted a thematic analysis of the data informed by the risk environment framework, which considers structural factors related to substance use.

Results

Many participants in our study had histories of criminal-legal system involvement, which often resulted from policies that criminalize unsheltered living (e.g. loitering, staying on private property) or having substance use disorder (e.g. possession of paraphernalia). For example, one interviewee had a run-in with the police because he was trying to avoid potentially fatal exposure in Michigan's harsh winter weather:

"[B]eing homeless and just being in a house where you don't actually supposed to be, but you really don't have a choice because you need to get out the weather. It's a life-or-death situation. Police find out, or somebody finds out you're there. Police come, and then there's another problem. [...] What do you do? Wintertime, stormy, you got nowhere to go. What you do? Stay outside in the weather and die or invade a house."

For some participants, concerns about interacting with law enforcement actually increased their substance use. For example, one interviewee described using methamphetamine to stay alert and avoid being arrested for sleeping outside.

"When I was on the streets, I was definitely using a lot more. I got a final warning from the police officers several times for sleeping under the boardwalk, or I would constantly be-- as soon as I would doze off, even if it was somewhere like at a junkyard or a park or somewhere that I figured they would never find me, and they somehow always found me. And I was risking getting arrested or getting a ticket every time. So I would just do methamphetamines, which would make me stay awake, and I would just walk throughout the day and then walk throughout the night"

For those who ended up with jail or prison time because of these experiences, there was a need for more housing and employment support following incarceration. Several people reported benefitting from transitional programs following their time incarcerated. Many others, however, did not have access to housing or job programs after their release, which presented numerous challenges, including relapse into substance use and extended experiences with homelessness.

"But me, when I got out of prison, they just kicked me out. That was it. They didn't help me with the housing, drug treatment, or nothing. [...] But it's the prison system, the state didn't have no housing for me when I got out. They didn't have a job or nothing for me, they just let me out on the streets. So I had to find a job, finding the housing and all of that, and I found drugs. Instead of finding the housing and jobs, I found drugs."

Criminal-legal involvement also had downstream effects on participants ability to get housing. Participants described barriers to public housing programs like Section 8 due to prior convictions, adding further complications to their efforts to exit homelessness.

"I can't get Section 8. Doing the things I've done. [...] It put a prison on you outside of prison."

Discussion

Disrupting the vicious cycle between substance use, housing insecurity, and criminal-legal involvement is essential to address racial disparities in drug overdose mortality and homelessness in the United States.

- Criminalization of homelessness and substance use disorder resulted in prevalent experiences interacting with the criminal-legal system. This finding has racial justice implications, given that Black, Hispanic, and Indigenous individuals experience disproportionate rates of policing in the United States.
- Our findings are relevant to the growing effort to prioritize housing program access based on applicant's experiences with criminal-legal system and other structural determinants to reduce racial disparities in housing.
- Improving access to transitional programs for housing, treatment, and employment following incarceration may be beneficial.

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