

FORTUNE

Could Legalizing All Drugs Solve America's Opioid Epidemic?

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Drug policy in the U.S. is at a crossroads. On one hand, at least 22 states have decriminalized recreational marijuana, eight of which have gone a step further by legalizing it altogether. At least 29 states permit medical marijuana for qualifying patients. Several additional states look poised to consider legalization, decriminalization, or medicalization in 2018. At the federal level, Sen. Cory Booker (D-NJ) has introduced a bill to end the national prohibition of marijuana. U.S. policy toward marijuana, at least, is on a path toward liberalization—if not outright legalization.

On the other hand, the opioid epidemic creates pressure in the other direction. Many proposals for taming the epidemic involve further constraining access (for example, Centers for Disease Control and Prevention guidelines restricting prescriptions or state laws limiting access to painkillers). In addition, U.S. Attorney General Jeff Sessions seems intent on reversing marijuana liberalizations, calling marijuana “only slightly less awful” than heroin.

Given this tension over drug policy, it is useful to note some of the positive outcomes of drug liberalizations around the world.

Portugal is a prime example: It decriminalized all drugs in 2001 amid a heroin addiction crisis and soaring numbers of drug-related AIDS deaths. Possessing small amounts of illicit substances is now treated as a public health problem. Instead of facing jail time, drug users who are caught must meet with medical experts, social workers, and psychologists who assess their situation and often direct them toward treatment or other rehabilitative services.

The results of this policy have been astonishing. Drug use has declined across all age groups. Overdose deaths have plummeted to just three per million adults, the second lowest rate in the European Union. For comparison, the drug overdose death rate in the U.S. is a staggering 185 per million adults. Portugal's drug-related HIV infections have fallen by 94% since 2001. And the number of people arrested for criminal drug offenses has declined by over 60%, which has allowed Portugal to channel money once spent on arresting and imprisoning addicts toward more effective treatment programs.

As described by one Portuguese counselor who works directly with recovering addicts, “It's cheaper to treat people than to incarcerate them. ... If I come across someone who wants my

help, I'm in a much better position to provide it than a judge would ever be.” Unsurprisingly, this humane approach to drug treatment has garnered widespread support among Portuguese citizens.

Similarly, the Czech Republic has removed penalties for limited personal use of marijuana, cocaine, heroin, LSD, and other substances. The nation’s lenient polices encourage users to seek treatment; largely as a result, annual overdose deaths are on par with Portugal at about five per million adults—much lower than the EU average.

Perhaps most radically, Uruguay fully legalized marijuana in 2013 and has decriminalized cocaine and heroin. While it is too early to determine its long-term effects, the new policy has helped Uruguay focus law enforcement resources on drug smuggling. The country’s government even operates a program that sells cannabis for just \$1 per gram, making it difficult for black markets to thrive.

Domestically, recent marijuana legalizations in Colorado, Washington state, Oregon, and Alaska have yielded positive outcomes. Numerous studies show little to no rise in marijuana use following legalization, coupled with possible declines in cocaine and heroin use. Moreover, legalizations appear to have had no impact on violent crime and traffic accidents, consistent with medical research showing little association between marijuana and impaired cognition or driving ability.

Critics of drug liberalization often warn that further decriminalizing drugs in America will worsen the opioid epidemic. Citing “gateway” effects, many commentators (such as Sessions) advocate reducing opioid addiction via greater law enforcement and heavier penalties against all substance possession and use. But this reasoning ignores that opioids are already highly restricted, and that previous attempts to control them more tightly have been counterproductive.

Around the world, liberal drug policies have had great success in reducing the harms from drug addiction, such as HIV and overdoses. Faced with a raging opioid crisis, the U.S. would be wise to model its own drug policy after countries that have undergone similar experiences.

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