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THE OPIOID EPIDEMIC: EFFECTS ON RECIDIVISM IN WEST VIRGINIA

The opioid epidemic began in the 1990s with an increased prescribing of opioids across the nation. Between the years 2013 and 2014, opioid overdose death rates began to increase in West Virginia. By the year 2015, West Virginia held the highest number of opioid overdose death rates in the country. In 2021, fatal overdoses claimed more than 1,417 lives in West Virginia and of those 1,417, an estimated 1,201 of them were due to opioid use.

West Virginia had the highest opioid drug overdose rate in the nation and one of the highest incarceration rates for opioid-dependent individuals. West Virginia had a recidivism rate of 24% at the beginning of 2023. In addition to that, an estimated 58% of people in state prison and 63% of people sentenced to a local jail suffer from drug dependency or abuse.

The purpose of this research is to determine if the opioid epidemic influenced the recidivism rates in West Virginia. The working hypothesis was that the opioid epidemic caused an increase in recidivism rates in West Virginia.

The intended methodology for this research was a qualitative literature review, involving articles related to incarcerated inmates and the opioid epidemic. In addition to an IRB approved structured interview.

The results of this study found that recidivism rates were affected by more than just the opioid epidemic and the opioid epidemic was just a by-product of a much larger issue found in West Virginia.

Key Words: 'Epidemic' AND 'Incarceration' OR 'Recidivism' AND 'Opioid' AND 'West Virginia'

INTRODUCTION

Opioids were defined as a broad group of pain-relieving drugs that work by interacting with opioid receptors in your cells. Opioids travel through blood cells and attach themselves to the opioid receptors in the cells of the brain to block pain and boost pleasure (Krieger, C., 2018).

Low doses of opioids could bring feelings of drowsiness and serve their purpose to reduce pain, but higher doses have been known to cause addiction and even death, by slowing down the individual users breathing and heart rate (Krieger, C., 2018). Opioids are derived from natural substances called alkaloids found in the opium poppy plant. Heroin was created utilizing the opium poppy plant. Other categories of opioids were synthetic opioids: Oxycodone, Oxymorphone, Hydrocodone, Hydromorphone, Fentanyl, Morphine, Codeine, Methadone, Tramadol, and Buprenorphine (Johns Hopkins University, 2023). About 75% of people in the United States who became addicted to street opioids, like heroin, during the early 2000s started taking prescription opioids drugs, which was a result of availability and pricing at the time (Johns Hopkins University, 2023).

The opioid epidemic began in the 1990s with an increased prescribing of opioids across the nation. Between the years 2013 and 2014, opioid overdose death rates began to increase in West Virginia. In 2013, West Virginia experienced 208 female deaths and 379 male deaths due to opioid overdoses, and in 2014 there were 230 female deaths and 397 male deaths; This was an increase per year of around 10.2% (Bureau for Public Health, 2017). By the year 2015, West

Virginia held the highest number of opioid overdose death rates in the country, 81.4 per 100,000 people, which was 30 people more than any other state (Kirk, 2023). This resulted in 722 collective overdose deaths in one year. (DEA Washington Division Office, 2017). In 2021, fatal overdoses claimed more than 1,417 lives in West Virginia and of those 1,417, an estimated 1,201 of them were due to opioid use (Singh, A., & Vereen, M., 2022).

West Virginia had the highest opioid drug overdose rate in the nation and one of the highest incarceration rates for opioid-dependent individuals (Martin, E., & Smith, T., 2019). The state had an incarceration rate of 731 per 100,000 people, this number included prisons, jails, immigration detention, and juvenile justice facilities, which means that it incarcerated a higher percentage of its people than any democracy on earth (Prison Policy Initiative, 2018). There was a total of 13,000 people behind bars in the state of West Virginia: 7,100 in state prisons, 3,300 in local jails, 1,800 in federal prisons, 570 youth, and 130 have been involuntarily committed (Prison Policy Initiative, 2018). When comparing West Virginia to countries around the globe it has been found that Iceland had the lowest incarceration rate with 33 per 100,000 people, while the United States held the highest with 664 per 100,000 people, and the state of West Virginia surpassed them both with 731 per 100,000 people (Prison Policy Initiative, 2018). Drug-related crimes occurring in West Virginia resulted in 179 arrests and convictions in 2019, 169 in 2018 and 231 in 2017, these numbers translated to 56.2% of incarcerations being a result of drug-related crimes (Slater, C., 2020). West Virginia had a recidivism rate of 24% at the beginning of 2023 (World Population Review, 2023). West Virginia had the third highest recidivism rate in

the United States, just following behind Wyoming with 24.8% and Oklahoma at 26.4% and running closely with the national average of 43.3% (Department of Homeland Security, 2023). In addition to that, an estimated 58% of people in state prison and 63% of people sentenced to a local jail suffer from drug dependency or abuse (Shames, A., Subramanian, R., 2017).

The purpose of this research is to determine if the opioid epidemic influenced the recidivism rates in West Virginia.

METHODOLOGY

The hypothesis was that the opioid epidemic caused an increase in recidivism rates in West Virginia.

Search Strategy:

The research strategy used to conduct this search was a qualitative, systematic literature review which utilized the PRISMA flow chart (Figure 1). In addition to that, researchers conducted a semi-structured interview with one member of the Lincoln County Community Outreach Program. A set of ten questions, included in the Appendix 1, was utilized to gather information related to the causes of recidivism specific to the state of West Virginia. The research was stored securely on the researcher's home computer, locked by password. The research was approved by the IRB. The databases, registers, and websites were utilized to analyze the affects that the opioid epidemic in West Virginia had on the state's recidivism rates.

Step 1: Literature Identification and Collection

The databases Google and Google Scholar were used to gather a broad range of sources for the introduction portion of this research, from registers and websites like Mayo Clinic, Hopkins Medicine, and OEPS. In total, 11 articles were pulled from these sources and analyzed against the inclusion criteria. In the results portion of this research, Google and Google Scholar were also used to obtain articles from registers and websites such as DEA, DHHR, DHS, the Health and Justice Journal, and so forth. In total, there were 12 articles pulled from these sources and analyzed against the inclusion criteria. Key words used in the search were: ‘Opioid’ and ‘Epidemic’ and ‘Recidivism’ or ‘Reincarceration’ and ‘West Virginia’.

Step 2: Establishment of Inclusion Criteria and Literature Analysis

The literature was obtained using the key words on databases like Google and Google Scholar. Specific questions were asked during the face-to-face interview to ensure they met inclusion criteria and were relevant to the research. Once the literature had been found, it was analyzed to ensure that the information fit the inclusion criteria previously established. The inclusion criteria established that the articles must be created between the years 2010 and 2023 to ensure accuracy of information and relevancy of information. The literature also had to contain information that aligned with the purpose and hypothesis statements of this research. Articles were also discarded if they were duplicates of information. In total, 12 articles were used in the introduction portion of this research and 8 articles were used in the results portion of this research. The PRISMA

flowchart (Figure 1) was utilized to organize the articles and could be viewed in Figure 1 of this research. The literature search was conducted by E.W., E.F., and validated by A.C., which acted as a secondary reader and verified that references met inclusion criteria.

RESULTS

Semi-Structured Interview:

Factors that contributed to high rates of recidivism in West Virginia, a rate of 26.8%, were criminal history, age at discharge from prison or jail, and community characteristics like present social structure, cultural values, available housing, public transportation, economic status, and the job market, and so forth. Three of the largest challenges faced by inmates when returned to the community were not knowing where to begin, family strain, and finding employment. An additional challenge that inmates faced after returning to their community was mental health issues. The best way to reduce recidivism was to utilize very basic education, for example, adult literacy and basic skills. Inmates that were permitted to complete a high school diploma, learn trade and technical skills, and pursue post-secondary educational opportunities while incarcerated were less likely to contribute to the recidivism rate in the state of West Virginia. In addition, the strongest predictors of recidivism were identified as criminogenic need variables. For instance, attitudes, values, and behaviors that support a criminal lifestyle contributed to an individual's criminogenic profile. The equation would look something like criminal history ($r=.16$), social achievement (i.e., employment and education) ($r=.13$), age, gender, race and so forth. When individuals are reincarcerated, it poses a negative effect on society.

High rates of recidivism greatly impact public safety and the victims affected by those

new crimes, as well as the lives of offenders who are unable to break out of the cycle of repeat offending. For individuals contributing to recidivism rates, the categories of crimes most committed were robbers at 70.2%, burglars at 74%, larcenists at 74.6%, motor vehicle thieves at 78.8%, those in prison for possessing or selling stolen property at 77.4%, and those in prison possessing and selling illegal weapons at 70.2%. The justice system has made leaps and bounds to overcome the rapidly rising recidivism rates, but they continue to face challenges such as, retention and retaining current staff members, recruitment, burnout, and officer wellness, overcrowded facilities, disease and illnesses (COVID-19 specifically), and research driven solutions. Solutions have not been obtained, but researchers were gaining ground by providing ways to measure recidivism. The four most common ways to measure recidivism were rearrest, re-arraignment, reconviction, and reincarceration. Most studies of state prisons defined recidivism as reincarceration back to their correctional system. Many program-based studies used rearrest and reconviction. Researchers have also shown that social support is important to successful reentry and decreased recidivism for those who have been incarcerated. Recidivism was not just a justice system issue. Recidivism is a larger problem that affects society at large. Poor communities of color also pay the price of high recidivism, in social and economic terms, by experiencing insufficient public safety, erosion of social relationships, and pervasive intergenerational poverty.

The Effects of the Opioid Epidemic on West Virginia Correctional Facilities:

Prison and jail overcrowding has been an ongoing issue in West Virginia since the start of the opioid epidemic. The West Virginia prison population increased from 1,675 inmates in 1992 to 7,085 inmates in 2012, which resulted in an average yearly increase of 5.4% (Comprehensive Opioid Abuse Site-Based Program, 2018). West Virginia's correctional population was forecasted to continuously grow over the next ten years, largely due to the opioid epidemic (Comprehensive Opioid Abuse Site-Based Programs, 2018). In addition, probation and parole failures were heavily impacted by an individual's substance use and addiction needs, and few of those under additional supervision received treatment within their communities, which contributed to the growing prison population. In addition, the state of West Virginia's prison population averaged a growth of 73% from 2000 to 2010, costing the state \$170 million, and since 2010 West Virginia has led the nation in annual prison population growth with 75% of all inmates serving their sentences due to drug-related crimes (Nolan, 2023).

Recidivism Rates for Drug-Related Crimes During the Opioid Epidemic:

In 2016, the recidivism rate was 29.25 percent compared to 28 percent in 2015 (DHS, 2020). A study followed adults for three years after their release from West Virginia prisons and found that of those 3,156 individuals, 923 were charged with new crimes or saw their parole revoked within those three years (DHS, 2020). Parole revocations accounted for 58% of the recidivism rate, with 41.5% resulting from new crimes (DHS, 2020). Nearly half of all that

offended did so within one year of release and nearly 21% had been convicted of drug-related offenses (DHS, 2020). West Virginia passed House Bill 2257 which created a lengthier probation supervision that included 10 additional years after a convicted felon normal parole and/or supervision terminated. (King, 2021) This WV House Bill 2257 allowed for felons under its supervision to be sent back to prison for such offenses as, missed appointments with parole officers, breaking curfew, and minor traffic violations. In 2019, 25% of the people who were sent to prison were convicted for parole and probation violations. (King, 2021) The cost of putting convicted felons in prison has cost the state of West Virginia more than \$22 million a year since 2019.

West Virginia used \$2 million in federal grant money and created two drug treatment programs, Quick Response Team and Turn Around, in 2013 that utilized police, Marshall University, community programs and health care providers to support access to treatment programs and speed up the response time to overdoses (Nolan, 2023). Turn Around, a program affiliated with the Western Regional Jail in Huntington, West Virginia, pinpointed and evaluated those convicted of low-level crimes and had recurring mental health and substance use issues (Nolan, 2023).

Reinvest to Increase Public Safety:

In 2012, the State of West Virginia requested help from the Council of State Governments Justice Center to provide data on how to reduce spending on corrections and reinvest those savings to support public safety and decrease recidivism. The first goal was to strengthen community-based supervision. Some of the options were to increase supervision options for those at a higher risk for committing another crime, the use of pretrial screening which would predict flight risk and the risk of reoffending, and the use of day reporting centers. The second goal of this program was to improve accountability. This required mandatory supervision and accountability for behavior, such as unannounced drug testing, mandatory appointments with parole officers, and mandatory drug abuse meetings. The third goal of this initiative was to reduce substance use by expanding substance abuse treatments within the jail system. Working with mental healthcare providers to increase access to mental health programs and treatment. Also, it required the WV Department of Corrections to create treatment plans for parolees to make sure they received adequate treatment and limit delays in parole hearings (Justice Center).

DISCUSSION

The purpose of this research was to determine if the opioid epidemic influenced the recidivism rates in West Virginia.

The results identified from various sources showed that the recidivism rate was most certainly affected by the opioid epidemic. In many cases, the articles pulled for this literature

review stated that the prison population continued to grow throughout the opioid epidemic. Additionally, the lack of resources available in West Virginia led to the continued utilization of opioid drugs after incarceration the first time. The articles observed offered many solutions for those experiencing opioid dependence, such as Medication Assisted Treatment programs, additional day report centers, and regulatory changes when convicting criminals of drug-related crimes.

In addition to the literature reviewed, the structured interview provided insight as to how professionals in the field viewed the effects of the opioid epidemic on the recidivism rate in West Virginia. The individual interviewed stated that the opioid epidemic, in addition to socioeconomic status and availability of community resources and support affected the recidivism rate. Therefore, the opioid use alone did not affect the recidivism rate, but the lack of treatment options coupled with continued utilization of opioids affected the recidivism rates in West Virginia. When an individual is released from prison or jail in West Virginia, they are sent back into the community with little to no resources available to them, which resulted in a continued lifestyle familiar to that individual. Individuals are returned to society, impoverished and homeless, which results in relapse and reincarceration for violation of probation or parole, or new crimes.

The study was limited to those articles available using the Google search drive, in addition to a lack of databases used. Additionally, the researcher bias is prevalent due to the nature of the topic and the field the researchers obtained careers in.

Research has been conducted regarding the opioid epidemic for several years. This research related the opioid epidemic to the recidivism rates and therefore can be utilized to assist

in combatting the ever-increasing recidivism rates and taxpayer burden for prison utilization for drug-related crimes.

CONCLUSION

In conclusion, our findings tell us that the opioid epidemic is a side effect of the lack of infrastructure and resources available to West Virginia residents. Therefore, the opioid epidemic alone did not affect recidivism rates in West Virginia. The recidivism rate would decrease if the individuals convicted of drug related crimes were offered treatment options rather than more jail time.