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9	OPEN NINTH:
10	CONVERSATIONS BEYOND THE COURTROOM
11	FIGHTING THE OPIOID EPIDEMIC PART 1
12	EPISODE 33
13	OCTOBER 23, 2017
14	HOSTED BY: FREDERICK J. LAUTEN
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- 1 (Music.)
- Welcome to another episode of "Open Ninth:
- 3 Conversations Beyond the Courtroom" in the Ninth Judicial
- 4 Circuit Court of Florida.
- 5 Now here's your host, Chief Judge Fred Lauten.
- 6 >> CHIEF JUDGE LAUTEN: I'm here with Shannon Robinson,
- 7 vice president of Medical and Nursing Services at Aspire
- 8 Health Partners, which is a \$50 million behavioral health
- 9 enterprise that does prevention, intervention, treatment of
- 10 individuals for health issues, including substance abuse and
- 11 mental health issues.
- 12 And, Shannon, I want to welcome you to "Open Ninth."
- 13 Thanks for joining us.
- >> SHANNON ROBINSON: Thanks so much for having me
- 15 today.
- >> CHIEF JUDGE LAUTEN: So tell us a little bit about
- 17 your background, Shannon. What is your training and
- 18 experience, and maybe you can tell us how you landed at
- 19 Aspire, which is sort of the biggest provider of behavioral
- 20 healthcare treatment here in our region?
- >> SHANNON ROBINSON: That's correct. Aspire Health
- 22 Partners is the largest behavioral health organization in the
- 23 Southeast. And, interestingly enough, years ago, I started
- 24 off in trauma ED, and then relocated to Florida in about
- 25 2001, and found my passion in high-risk OB.

- 1 And approximately eight years ago recognized that
- 2 behavioral health was an area that I had not ventured into.
- 3 I worked a lot with that with the pregnant and post-partum
- 4 women and wanted to bridge a gap. So I transitioned into
- 5 that behavioral health realm, and eight years later, here I
- 6 am.
- 7 >> CHIEF JUDGE LAUTEN: So when you moved over to
- 8 Aspire, did you know what subspecialty within that
- 9 organization you would focus on or did you learn that once
- 10 you got there?
- >> SHANNON ROBINSON: Um, I knew I would be focusing on
- 12 substance abuse. I didn't recognize how much, um, overlap
- 13 you have with substance and mental health. Originally, I
- 14 came over to bridge that gap for those pregnant and
- 15 post-partum moms and quickly realized the scope of what we
- 16 were dealing with was substance abuse and mental health. And
- 17 this was right about the time of the, um, prescription
- 18 epidemic.
- 19 >> CHIEF JUDGE LAUTEN: So let's talk a little bit about
- 20 the prescription epidemic, which has perhaps lead to
- 21 significant substance addiction in the opioid area.
- Maybe you can start us at the beginning of the crisis,
- 23 which was really not so much street-level drugs, but
- 24 doctors -- you know, probably beneficently prescribing pain
- 25 medications to their patients, wanting them not to suffer

- 1 pain.
- 2 And tell us a little bit about that, you know, the
- 3 development of this crisis.
- SHANNON ROBINSON: So when we started as a medical
- 5 field recognizing pain as a fifth vital sign, we started
- 6 focusing on managing pain adequately and appropriately.
- 7 What I think happened, in the essence of trying to
- 8 manage pain, um, we begin to overmanage pain. Someone who
- 9 would have just been given Tylenol may now get an opioid to
- 10 manage that pain. They may get more opioids over an extended
- 11 amount of time than what they would have prior to recognizing
- 12 pain as a fifth vital sign.
- 13 And I think what we did is we triggered the -- the
- 14 addiction component of overprescription -- overprescribing
- 15 opioids in individuals who might not be otherwise suffering
- 16 from opioid dependence.
- 17 >> CHIEF JUDGE LAUTEN: So if we can use an example,
- 18 let's say -- I'm about to have knee surgery again in a month.
- 19 Let's take my knee an as example or a different example.
- 20 Let's say someone injured in an automobile accident. And
- 21 just to make it clean, they're not at fault, but they're
- 22 injured. And let's say they're suffering from significant
- 23 back pain. So 10, 15 years ago, a doctor might prescribe
- 24 hydrocodone or OxyContin or some opiate-based painkiller to
- let this person who's perfectly innocent, not a criminal in

- 1 any stretch of the imagination, manage the pain that wasn't
- 2 even their own fault.
- 4 in acute cases, pain should be managed adequately. That
- 5 definitely does impact the healing component.
- In those situations, individuals are generally
- 7 prescribed a pain medication for a short amount of time, such
- 8 as post-op pain management. They'll prescribe potentially an
- 9 opioid with the idea that you take it as directed. And then
- 10 after a week or so, you would start transitioning to maybe a
- 11 Tylenol or an NSAID or a Motrin-type of pain relief
- 12 medication over the counter.
- 13 What happens is over approximate -- you know, a week, an
- 14 individual taking pain medication, even as prescribed, will
- 15 experience a certain degree of physical dependence. Physical
- dependence means that you've started to develop a tolerance
- 17 to an opioid. And when you discontinue that opioid abruptly,
- 18 you will experience some withdrawal syndromes. Opiates --
- 19 physical dependence is from addiction. The withdraw
- 20 components are similar, though.
- >> CHIEF JUDGE LAUTEN: So 15 years ago, was it lack of
- 22 knowledge that led doctors to prescribe beyond a week's worth
- 23 of pain medication? Was it just we didn't know what was
- 24 going on or was it doctors trying to please their patients or
- 25 was there pressure from the patients, if you don't give it to

- 1 me, I'll go to the doctor next door? Or all of that?
- 2 >> SHANNON ROBINSON: I think it's a little bit of all
- 3 of it. I think it was done in effort to effectively manage
- 4 an individual's pain, people who had chronic pain syndromes,
- 5 people who had terminal pain, people who had serious
- 6 accidents or major surgical procedures. And what happened is
- 7 the pendulum swung from one extreme to the other.
- And I think what we've seen now is we're trying to move
- 9 that pendulum more kind of in the middle. And what we've
- 10 done is we've created kind of a rebound effect with heroin.
- >> CHIEF JUDGE LAUTEN: So I don't know how many heroin
- 12 addicts were -- reached that place because they were being
- 13 treated for pain management and otherwise wouldn't, kind of,
- 14 enter a black market in an illicit economy or just went
- 15 straight to the streets and were, sort of, you know, drug
- 16 users. I'm not sure where the breakdown is.
- 17 Are there studies that tell us, sort of, heroin users,
- 18 how did they get there or not?
- 19 >> SHANNON ROBINSON: Yeah. So 85 percent of all of
- 20 your individuals who are using heroin started off with a
- 21 prescription opioid.
- 22 >> CHIEF JUDGE LAUTEN: And it sort of led them down
- 23 that path?
- 24 >> SHANNON ROBINSON: Yes. Um, certainly some
- 25 individuals who utilize opioids who don't have an addiction

- 1 disorder can take their opioids as prescribed, discontinue
- 2 them, and not experience any type of -- of -- of need to
- 3 continue to use.
- 4 Those who are genetically predisposed to addiction
- 5 disorders may actually experience significant withdraws,
- 6 significant cravings, and the need to continue to use,
- 7 despite harm or consequence.

- 10 started off using a prescription opioid.
- >> CHIEF JUDGE LAUTEN: So one of the issues -- issues
- 12 I've heard is that at some point in time, the attorney
- 13 general started closing pill mills down, and perhaps one of
- 14 the unintended consequences of that was that people might
- 15 have gone to those pill mills as opposed to the streets -- to
- 16 the kind of criminal element in the streets -- gone to these
- 17 pill mills to get prescriptions to manage pain.
- 18 If they're not available and their prescribing physician
- 19 says that's it, I've got to stop you, because I'm turning you
- 20 into an addict, that leads people to the streets. Is that a
- 21 fair description of one of the avenues to the current crisis?
- >> SHANNON ROBINSON: Absolutely. Certainly you have
- 23 individuals who are utilizing heroin as a replacement that
- 24 you would have never suspected. Remember, these -- you know,
- 25 addiction crosses over all socioeconomic backgrounds. It

- 1 does not discriminate.
- 2 And individuals who may have been seeking these opioid
- 3 prescriptions legally through their physician or through
- 4 their pill mill, with the crackdown, that made it more
- 5 difficult for them to obtain because these prescriptions are
- 6 being monitored. They're being monitored through the DEA,
- 7 through the pharmacy, through the physician. And they're
- 8 being dinged if it looks like inappropriate prescribing.
- 9 So what that does is that brings those individuals who
- 10 are seeking out some of those medications to a significant
- 11 decrease or halt. And addiction -- anybody who has suffered
- 12 with opioid addiction understands that it is definitely not a
- 13 mind-over-matter option. The --
- >> CHIEF JUDGE LAUTEN: So let's talk about that -- that
- 15 statement for just a moment.
- So I think a lot of listeners would think, well, you're
- 17 an addict because you don't have this kind of self-discipline
- 18 that I had -- have. If I put my mind to it, if I was in your
- 19 shoes, I could end this addiction through sheer force of
- 20 will. Are you saying that that's a myth, that that's not
- 21 true?
- >> SHANNON ROBINSON: That's absolutely a myth. And
- 23 that is not true in any way, shape, or form.
- There are few who have the ability to just stop and
- 25 never -- never, um, go back to it. For the most part, that

- 1 is not the case. The way addiction works is it absolutely
- 2 hijacks the rational component of the frontal lobe of the
- 3 brain. And it hijacks the limbic system, which makes you
- 4 operate off the capium [ph] part of your brain. Meaning it
- 5 tells you you must use or die.
- And certainly anybody who has suffered from opioid
- 7 withdraw feels like they're going to die. It's pretty much
- 8 the most awful flu you can ever imagine having. And these
- 9 individuals definitely do not have that option of just, I can
- 10 just stop any time.
- No one wakes up one day and says I'm going to be an
- 12 addict. That's not the way it works. And it's -- it's
- 13 definitely a lifestyle where it becomes they don't use to get
- 14 high, but they use to be able to function and so that they
- 15 don't get sick.
- >> CHIEF JUDGE LAUTEN: So let's talk about people going
- 17 into the streets to get drugs, particularly opioid-related
- 18 substances. You have marijuana, cocaine. But in the opioid
- 19 family -- so 20 years ago, you go to the street, and you
- 20 might get heroin. You might get methadone mixed with some
- 21 other substance.
- But today, I think, it's different. What -- what does
- 23 the research and your experience tell you is happening out in
- 24 the street with respect to --
- >> SHANNON ROBINSON: Well, today what we're getting is

- 1 not anything of what we were getting even five years ago. In
- 2 fact, what you used yesterday can kill you today because of
- 3 what they are mixing the heroin in. And in some cases, it's
- 4 not heroin at all, it's straight fentanyl. This is
- 5 incredibly dangerous. It's cut with all kinds of different
- 6 substances, and you don't know what's in it.
- 8 listeners a little bit about fentanyl and carfentanil, which
- 9 are the two sort of illicit street components that are either
- 10 mixed or sold as heroin to opioid addicts, and I think our
- 11 listeners would benefit if you can tell them what fentanyl
- 12 and carfentanil is.
- 14 thousand times stronger than your heroin.
- >> CHIEF JUDGE LAUTEN: And I heard that fentanyl is 50
- 16 times stronger than morphine, and carfentanil is a thousand
- 17 times stronger than fentanyl.
- 18 >> SHANNON ROBINSON: Yes.
- 19 >> CHIEF JUDGE LAUTEN: So carfentanil, that's just
- 20 deadly?
- >> SHANNON ROBINSON: Yes.
- 22 >> CHIEF JUDGE LAUTEN: I also heard that -- as little
- 23 as three grains of salt worth of carfentanil could kill you?
- 24 >> SHANNON ROBINSON: Yes. In fact, in some of the
- 25 situations where you have police officers and the K-9s going

- 1 into homes and houses, they have to be careful. In fact, a
- 2 lot of the Narcan that's being used is actually being used on
- 3 your K-9s because of -- if it goes into the air and it's
- 4 dispersed, it is -- it's deadly.
- 5 >> CHIEF JUDGE LAUTEN: Shannon, I don't know if you
- 6 know this, but law enforcement and lawyers came to the court
- 7 and said historically, cocaine prosecution, even heroin
- 8 prosecution, we bring the drugs into the courthouse, admit
- 9 them into evidence, pass them around to the jury. And they
- 10 said today with opioids, if it contains fentanyl or
- 11 carfentanil --
- >> SHANNON ROBINSON: Right.
- 13 >> CHIEF JUDGE LAUTEN: -- anybody exposed to it could
- 14 get very sick, if not lethally sick.
- >> CHIEF JUDGE LAUTEN: So we entered an order that
- 17 before you bring these drugs into the courthouse, now you
- 18 have to notify the Court. There's a pretrial hearing, and we
- 19 talk about a substitute way to present the evidence.
- 20 To the jury, I know -- I think it was Ohio, but I might
- 21 have the state wrong -- an officer got carfentanil on his
- 22 uniform and -- and got violently ill, was taken to the
- 23 hospital to the ER. But on the way there, he was given four
- 24 shots of Narcan.

- 2 do, but maybe briefly you can tell our listeners what Narcan
- 3 is.
- 4 >> SHANNON ROBINSON: So Narcan is the emergency
- 5 antidote for an opioid overdose. And years ago we were able
- 6 to Narcan an individual who had a suspected overdose. And
- 7 generally that would be with one dose.
- 8 With the fentanyl and the carfentanil now, oftentimes
- 9 we're actually administering multiple doses simply because of
- 10 the way it attaches to the mu receptors and the opioid
- 11 receptors. It's significantly more difficult to manage, and
- 12 those individuals must get to the hospital after a Narcan's
- 13 been administered.
- >> CHIEF JUDGE LAUTEN: So I know from the heroin task
- 15 force that most -- not all, but most law enforcement officers
- in our region now carry Narcan with them. Originally it was
- 17 in sort of an Epipen injector. But now I think it's mostly a
- 18 nasal swab.
- 19 >> SHANNON ROBINSON: That's correct. Most of the
- 20 emergency responders are able to, um, use the nasal Narcan,
- 21 which doesn't require the medical training that maybe the Epi
- 22 or the injectable Narcan does, and it's easily accessible and
- easily used.
- 24 >> CHIEF JUDGE LAUTEN: And then the deputies in the
- 25 courtroom here, they all carry Narcan. And I thought I heard

- 1 recently that, um, a citizen could go to a pharmacy and now
- 2 basically order Narcan or obtain Narcan if a family member,
- 3 for example -- if a family member had some sort of opioid
- 4 addiction and put it in their medicine cabinet, so if, God
- 5 forbid, if someone lost consciousness, then they could
- 6 administer.
- 7 Is that true? Can you get Narcan if you're --
- 8 >> SHANNON ROBINSON: That is true. That is true. The
- 9 State authorized a state standing order for the pharmacy to
- 10 be able to administer that under the standing order if an
- 11 individual did, indeed, think that they needed to have, um, a
- 12 Narcan available to them. And they come in the kits of two.
- 13 Certainly that is a huge, huge benefit to individuals
- 14 who may be dealing with a loved one who has an opioid
- 15 addiction or even a perfect stranger.
- >> CHIEF JUDGE LAUTEN: So Narcan or naloxone can save
- 17 someone's life?
- 19 >> CHIEF JUDGE LAUTEN: So let's talk a little bit about
- 20 treatments for people who are not life threatened, but are
- 21 addicted to opioids. So what is the sort of treatment
- 22 protocol used in the medical field today if you're trying
- 23 to -- to address someone's addiction? What substances or
- 24 what treatment -- I mean, we're not -- 20 years ago, I know
- 25 that methadone was the -- sort of the standard treatment for

- 1 heroin addicts. I'm not sure today what the science holds.
- 2 >> SHANNON ROBINSON: So for opioid dependence,
- 3 there's -- there's a couple of different treatments. But the
- 4 most important thing to remember about treatment is that it
- 5 is a biopsychosocial disease, which means it is not just
- 6 simply giving someone medication. It requires ongoing,
- 7 consistent intervention and treatment. It's that individual
- 8 in counseling component. It is the medical component because
- 9 oftentimes their medical conditions have been pushed away to
- 10 the side. It is the medical -- the medication-assisted
- 11 treatment that's an option.
- 12 So we have a variety of options; things like methadone,
- 13 we do have. We have buprenorphine, and we have Vivitrol.
- 14 And those options allow an individual, based on their needs,
- 15 based on their history, um, what medication option would best
- 16 fit their need.
- 17 >> CHIEF JUDGE LAUTEN: So buprenorphine, is that
- 18 Suboxone?
- 19 >> SHANNON ROBINSON: That is. That is Suboxone.
- >> CHIEF JUDGE LAUTEN: Okay. Tell me a little bit how
- 21 that works.
- >> SHANNON ROBINSON: So buprenorphine is a partial
- 23 agonist, which means it occupies the receptor, and it
- 24 prohibits any other opioids from hitting that receptor.
- >> CHIEF JUDGE LAUTEN: -- from hitting that receptor.

- 1 >> SHANNON ROBINSON: Exactly.
- 2 >> CHIEF JUDGE LAUTEN: Is Vivitrol the same thing or
- 3 different?
- 4 >> SHANNON ROBINSON: Vivitrol is different. It's an
- 5 agonist, which means it blocks that receptor. So they can
- 6 take opioids and they will not -- it will not attach, and
- 7 they will not obtain a euphoric --
- 8 >> CHIEF JUDGE LAUTEN: And what about methadone? What
- 9 does that do?
- 10 >> SHANNON ROBINSON: Methadone is a full which means
- 11 there is a component where the opioid -- the methadone
- 12 attaches to the mu receptor. It is an opioid. And there is
- 13 the ability to have euphoria effect. The goal is to keep
- 14 them out of withdraw.
- 15 >> CHIEF JUDGE LAUTEN: So you meet with someone
- 16 suffering from an addiction. And you -- you assess them, I
- 17 guess, and then decide what would be the best protocol for
- 18 this individual, at least in medicated-assisted treatment,
- 19 plus counseling plus their medical history.
- But you would pick which one would be best for this
- 21 person?
- >> SHANNON ROBINSON: Absolutely. A comprehensive
- 23 addiction assessment, as well as mental health assessment
- 24 would be completed on an individual. Because it's important
- 25 to identify those underlying causes. And based on that

- 1 individual's need, history, the length of their addiction
- 2 that they've been struggling with, they would identify the
- 3 best medication-assisted treatment that would work for them.
- 4 >> CHIEF JUDGE LAUTEN: So I know Governor Scott
- 5 declared an opioid addiction a medical emergency in the
- 6 state, and the president has declared the opioid crisis as an
- 7 emergency.
- 8 The governor indicated recently that \$50 million was
- 9 allocated statewide for treatment. There's a debate about
- 10 whether that's large enough, and I suspect we need more. But
- 11 it's better than nothing, certainly.
- 12 Maybe we can talk a little bit, just so our listeners
- 13 have an idea, of just how -- how large this crisis is.
- So one of the statistics I've heard recently is that
- 15 there are more opioid overdose deaths in the United States
- 16 than there are deaths resulting from automobile accidents,
- 17 which is astounding if you think about how many automobiles
- 18 are on the road, our history of fatal automobile accidents.
- 19 And now opioid overdose deaths succeed that.
- 20 And this one I know will surprise our listeners a little
- 21 bit. And that is that we in Orange County have more opioid
- 22 overdose deaths this year and last year than homicides. So
- 23 people are terrified, oh, I could be shot by a stranger.
- 24 Although the odds of that are really pretty slim. Most
- 25 murders are -- the people know the aggressor.

- 1 But today, you -- we have more deaths resulting in our
- 2 county from this crisis, this opioid addiction, than even
- 3 from homicides and automobile accidents, which is pretty
- 4 terrifying.
- 5 >> SHANNON ROBINSON: That's correct. It is terrifying.
- 6 We are not talking about it -- an opioid crisis. We're
- 7 actually in the middle of an epidemic.
- 8 >> CHIEF JUDGE LAUTEN: So in America last year, I think
- 9 maybe -- or 2015, maybe over 20,000 deaths, just in that one
- 10 year.
- >> SHANNON ROBINSON: Yeah.
- 12 >> CHIEF JUDGE LAUTEN: I don't know if our listeners
- 13 recently watched the PBS special on Vietnam. But I know,
- 14 because I was a teenager and subject to the draft in that
- 15 era, that we had 58,000 deaths of Americans in Vietnam. And
- 16 all of that response in the millions, really billions of
- 17 dollars, we spent on that war --
- 18 >> SHANNON ROBINSON: Right.
- 19 >> CHIEF JUDGE LAUTEN: -- in three years, we'll exceed
- 20 the total number of deaths in Vietnam if we don't get our
- 21 arms around this crisis and the deaths that are resulting
- 22 from opiate addiction.
- 23 What -- what -- you work directly in the field. Where
- 24 do you see we need resources the most?
- >> SHANNON ROBINSON: Well, with our -- the dollars that

- 1 came down for the opioid crisis that we addressed, um, those
- 2 dollars are put into place in effort to make sure that
- 3 medication-assisted treatment is available for those
- 4 individuals.
- 5 What we haven't actually looked at and addressed is that
- 6 oftentimes with those dollars that supports this type of
- 7 services, there's all kinds of services that go along with
- 8 providing the treatment that an individual suffering from
- 9 opioid or any type of substance-use disorder needs.
- 10 It's not just a one-size-fits-all. You can't just,
- 11 again, give someone medication and expect that that's going
- 12 to take care of their issues. Some of these individuals need
- in-patient detoxification. Some of them need short-term
- 14 residential, sober housing, long-term residential.
- 15 It's very specific to the individual. And of course if
- 16 that individual has children and they're in the child welfare
- 17 component, that's also a factor. So ensuring that we're
- 18 providing not only the initial services, but the wraparound
- 19 services that's required for these individuals to reintegrate
- 20 back into the community and be successful.
- >> CHIEF JUDGE LAUTEN: So what percentage of substance
- 22 abuse addiction -- people who are experiencing substance
- 23 abuse addiction also have a mental health issue?
- >> SHANNON ROBINSON: I would say 85 to 95 percent of
- 25 those individuals are co-occurring. It's not just a primary

- 1 substance-use disorder. Regardless of if it's a primary or
- 2 secondary, they're still struggling equally, and both of
- 3 those need to be managed equally.
- 4 >> CHIEF JUDGE LAUTEN: So we applaud the governor
- 5 allocating \$50 million, and I know people are grateful for
- 6 that. The other sort of sobering statistic, we're 49th or
- 7 50th in the United States in per capita expenditure for
- 8 mental health treatment.
- 9 So in the co-occurring disorder area, okay, so we have
- 10 \$50 million to address substance abuse, but we're really
- 11 grossly underfunded for mental health treatment.
- >> SHANNON ROBINSON: Yes.
- 13 >> CHIEF JUDGE LAUTEN: And somehow we've got to balance
- 14 those two in a state that has all kinds of needs --
- 15 transportation needs, education needs, criminal justice
- 16 needs, mental health funding, behavioral health, and health
- 17 funding in general.
- 18 So I know there's lots of demands, but it's dangerous to
- 19 be the last state in the nation funded for mental health
- 20 treatment.
- >> SHANNON ROBINSON: It absolutely is. And I think we
- 22 are bearing the consequence of that. It goes along with pay
- 23 now or pay later. These individuals, we will take care of
- 24 one way or the other, as well as the children that are
- 25 involved and the family members struggling with substance-use

- 1 disorder. We pay for it in our court systems.
- 3 about whether we have enough resources that we're pouring
- 4 into treatment of opioid addiction, and you talked about
- 5 Vivitrol and you talked about Suboxone and you talked about
- 6 methadone. You talked about the mental health and counseling
- 7 aspects, not to mention just traditional how are you -- how
- 8 is your body doing in terms of traditional health issues.
- 9 Where are we lacking? If you had -- if you had a magic
- 10 wand and you could wave it, what resources do you know that
- 11 you need that we just don't have yet?
- 12 >> SHANNON ROBINSON: I would say overall behavioral
- 13 health resources. We are the last in the United States, as
- 14 far as funding for mental health and substance abuse. I
- 15 think that that's what we are seeing. We are paying for the
- 16 lack of resources and the lack of funding for individuals
- 17 suffering from mental health and substance abuse.
- They are in our jails. They are in our court systems.
- 19 Their children are in our child welfare system. We are
- 20 seeing it. We're paying for it.
- I think we could utilize those dollars much more
- 22 effectively by putting that money into services to pull those
- 23 individuals out of the court systems, to put those kids back
- 24 in the homes and actually provide the services that they need
- 25 to be successful in the community, to actually reach their

- 1 maximum capacity and potential.
- 2 And of course that looks different for all different
- 3 people.
- 4 >> CHIEF JUDGE LAUTEN: So the debate in our system --
- 5 my system, the criminal justice system -- and I know this is
- 6 a struggle for judges who are fairly informed people and want
- 7 to do the right thing -- is at what point do you incarcerate
- 8 people who are addicted? At what point do you treat them?
- 9 And certainly I think -- I don't want to speak for all
- 10 my colleagues, but I think they feel that if you're a drug
- 11 dealer, if you're making your living off of selling drugs and
- 12 avoiding taxes and not being a contributing member, maybe you
- 13 should be punished.
- But people who are just addicted to drugs -- and then
- 15 you get into the whole debate do some people sell some amount
- of drugs because of their addiction -- need treatment?
- 17 But that debate is ongoing. It's been going on for a
- 18 couple decades now. How do we adequately address -- I
- 19 presume that you're in the treatment end of that debate,
- 20 and -- rather than the incarceration end?
- >> SHANNON ROBINSON: Absolutely. Absolutely.
- 22 Individuals suffering from addiction disorders and mental
- 23 health do not belong in jail. Um, those individuals
- 24 legitimately need the opportunity and the ability to seek
- 25 treatment and to maintain treatment.

- 1 And, you know, individuals, of course, who are making
- 2 their living and preying on the individuals who are
- 3 struggling with substance-use disorder, I think there is some
- 4 judicial component to that. There is some factors to that.
- 5 But individuals, as a whole, suffering from substance
- 6 abuse and mental health do not belong in jail.
- 7 >> CHIEF JUDGE LAUTEN: So, Shannon, are we in the midst
- 8 of -- are we right in the middle of the opioid crisis? Are
- 9 we experiencing it right at its height? And -- you know,
- 10 what kind of optimism or pessimism do you have for us getting
- 11 out of this crisis?
- 12 >> SHANNON ROBINSON: I think we've surpassed the
- 13 crisis, and we're -- we're reaching the epidemic component of
- 14 that. And I think that is evident by the fact that we have
- 15 more overdose -- individuals dying of overdoses than we have
- 16 individuals dying in motor vehicle accidents.
- 17 I think the statistics are scary, quite frankly, to
- 18 consider what we are dealing with. I think we have made a
- 19 couple steps in the right direction. I think we have a long
- 20 way to go. I think we have to be more proactive about
- 21 addressing, treating, providing services for substance abuse
- 22 and mental health. Again, those two often go hand in hand.
- 23 And, you know, per -- making sure that these services
- 24 are available, you know. Like I said, we pay now or we pay
- 25 later. Because we have to be able to have these individuals

have access to services. 1 2 >> CHIEF JUDGE LAUTEN: Well, Shannon, we've talked 3 about this, I think, for a long time. But I want to thank 4 you for taking time out of your busy schedule. And I want to 5 thank you and Aspire Healthcare for working in the behavioral 6 healthcare area and for working with individuals -- many of 7 whom through no fault of their own, they're not necessarily 8 at fault -- have slid into the area of addiction. And thank you for your work in the mental health area. 10 So thanks for taking time out, and it's been a pleasure 11 to talk to you, and I really appreciate all you do for us. 12 >> SHANNON ROBINSON: Thanks so much for having me. 13 >> Thank you for listening to "Open Ninth." Stay up to 14 date with everything that is happening in the Ninth Circuit 15 by following us on Facebook, Twitter, and Instagram. Or 16 watch video materials on our Vimeo or YouTube channels. To 17 access these, please click on the respective icons, which are displayed at the bottom of our website at 18 19 www.ninthcircuit.org. 20 (Music.) 21 22

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