



Chairman Manning, Vice-Chair Rezabek, and members of the House Criminal Justice Committee, thank you for the opportunity to provide sponsor testimony regarding House Bill 141.

Like all members of this committee, and members of the public seated behind me today, I take great pride in our state. However, the current opiate crisis has caused us all to be significantly concerned. Heroin and other opiates have taken a grip on so many families and communities throughout Ohio. According to the Columbus Dispatch that published a story citing the Henry J. Kaiser Family Foundation, Ohio leads the nation in overdose deaths. It is reported that one out of every nine overdose fatalities related to heroin in the United States can be accounted for in Ohio. Additionally, one out of every fourteen deaths related to synthetic opiates occurs in our state.

That is why the Ohio General Assembly, Attorney General, and the governor have put forth a multi-pronged approach to combat this outbreak and to save future generations from irreparable harm caused by this poison that is sold in our streets.

House Bill 141 will hold drug dealers accountable for the deaths of their victims. Current law hinders prosecutors from charging these dealers with involuntary manslaughter. The drug dealer simply has to state they sold to their victim before, and they did not pass away. Currently, this is a solid defense under current Ohio law. House Bill 141 will ensure prosecutors have the ability to charge drug dealers with involuntary manslaughter by establishing the death as a strict liability

offense. If you sell or administer a controlled substance in our neighborhoods, the state will now have the authority to charge you with the death of that victim.

To ensure the judicial system has the ability to ultimately play a role in defeating the opiate outbreak, House Bill 141 provides judicial discretion when sentencing individuals. The three sentencing options include a prison term between 1 and 20 years, a maximum fine of \$10,000 or a community control sanction if they meet specified stipulations outlined in House Bill 141.

Recently, I spoke with the Wayne County Prosecuting Attorney, Dan Lutz, and he shared some startling revelations regarding the inability of the state to prosecute drug dealers. Penalties currently associated with punishing offenders no longer serves as a deterrent. These drug dealers do what Mr. Lutz referred to as a “cost benefit analysis,” where the money made from pushing these drugs into our communities is worth more than the potential penalties they can be charged with.

For example, in Wayne County, there was a case involving a drug dealer that was convicted of trafficking. Once released, he returned to selling drugs, this time killing a Wayne County resident. As Wayne County unsuccessfully attempted to charge this individual with involuntary manslaughter, the suspect in this case was picked up, within three days, for trafficking in Wayne County, once again! The mentality of this individual was he might as well profit from drugs, even if it kills people.

This legislation enables all branches of government to hold those responsible who sell this poison to our families, and cases like the one mentioned above can be prosecuted to the fullest extent of the law. I urge swift passage of House Bill 141, and would be more than happy to answer any questions you may have.