



**Representative Theresa Gavarone**  
**3<sup>rd</sup> House District**

Sponsor Testimony for HB 296  
Criminal Justice Committee  
September 19, 2017

Chairman Manning, Vice-Chair Rezabek, Ranking Member Celebrezze and members of the Criminal Justice Committee, thank you for the opportunity to provide testimony for House Bill 296, which would elevate the level of offense for certain drug crimes that occur near addiction services providers.

As all of you know, the House has invested a lot of time and money towards fighting the opioid epidemic. Nearly a billion dollars was inserted into the budget to combat this epidemic from every angle and last week the Speaker's Task Force on Heroin, Opioids, Prevention, Education and Safety met in my district for the first meeting.

One of the participants in that meeting is my good friend, Wood County Prosecutor and President of the Ohio Prosecuting Attorneys Association, Paul Dobson. He brought this idea to my attention a couple months ago. Paul has an interesting perspective on this issue because he deals with it every day professionally, but also has dealt with the effects of this epidemic personally as a result of losing his stepson to a drug overdose. I want to allow Paul to tell his story, and he will during a future hearing, but I want to mention him as someone who is a tremendous resource as we go forward in this process.

This bill would enhance penalties for certain drug offenses that occur within 1,000 feet of a 'community addiction services provider'.<sup>1</sup> As an example, current law states that aggravated trafficking in drugs is a felony of the 4<sup>th</sup> degree, however if this is done within 1,000 feet of a community addiction services provider, it would be a felony of the 3<sup>rd</sup> degree. I'd like to note that this bill was modeled after current law that applies penalty enhancements for certain drug crimes that occur within the vicinity of a school.<sup>2</sup>

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<sup>1</sup> Ohio Revised Code 5119.01. <http://codes.ohio.gov/orc/5119.01>

<sup>2</sup> Ohio Revised Code 2925.01(P). <http://codes.ohio.gov/orc/2925.01>

For those people currently addicted to a substance, the decision to seek treatment is not only difficult, but it can be life-changing. However, the pull their addiction has on them is usually strong and the odds they face to complete treatment at a rehab facility, even under perfect circumstances, are long. And even if a person completes treatment, they are in an extremely vulnerable state of mind and it is probable they will relapse. They are perfect prey for dealers.

A simple Google search yields many stories from across the country of drug dealers targeting people entering, staying and leaving rehab facilities. The drug dealers have a product that this population of people would do just about anything to get, so why shouldn't they traffic the drugs into the facility, set up camp in the parking lot or wait at the end of the street for guaranteed customers? The logic and economics are easy to understand.

A big part of the hundreds of millions of dollars and time we spend on this issue is to encourage people to get treatment and become contributing members of society again. The people going into these facilities realize that the road will be long and painful and a good outcome is not guaranteed. I want to increase the rate of success for everyone entering rehab and believe that we can do that, in part, by getting dealers off the streets and away from rehab centers for a longer period of time.

Spending money on prevention and recovery is necessary. Holding meetings across the state is also necessary. These are tools to help solve this problem. But I believe this is another tool we can add to fight this epidemic. We need to be championing people who seek treatment; not hanging them out to dry once they finally receive it.

Chairman Manning, thank you for allowing me to speak for House Bill 296. I am ready to answer any questions the members of the committee may have.