



House Bill 357 Proponent Testimony, House Civil Justice Committee

Presented by Diane Bickett, Executive Director, Cuyahoga County Solid Waste District

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Good Morning Chairman Hambley, Vice-Chair Patton, Ranking Member Brown and members of the House Civil Justice Committee. Thank you for the opportunity to submit this testimony in support of House Bill 357 which would grant the Cleveland Housing Division the ability to hear felony environmental cases.

My name is Diane Bickett and I am the Executive Director of the Cuyahoga County Solid Waste Management District. I am also the facilitator of the Cleveland-Cuyahoga County Environmental Crimes Task Force. In these roles, I have seen the detrimental effects caused by environmental crimes in the City of Cleveland. These include illegal dumping of solid and hazardous wastes, scrap tires and demolition debris within abandoned buildings on vacant lots and in residential neighborhoods. This is a pervasive problem in the City which led to the creation of the Environmental Crimes Task force in 2013. We are a coalition of public agencies. Our partners work to identify, investigate and prosecute individuals who violating Ohio's environmental laws. We want to hold people accountable for these crimes because they have wide ranging economic, social and environmental impacts.

Our Environmental Crimes Task force has an enforcement unit, housed within the Cleveland Police Department which consists of one sergeant, two detectives and a deputy sheriff. In the past 4.5 years this unit has investigated more than 1,500 cases of illegal dumping and other environmental crimes. Cases are currently brought to the Cuyahoga County Court of Common Pleas. And while the penalty for illegal dumping in Ohio is an unclassified felony, few are prosecuted to the full extent of the law. This sets up a system of repeat offenders who take their chances on being caught again because it is so lucrative to dump waste illegally than taking material to a licensed disposal facility.

Our Task Force agrees that it will be more effective to prosecute Cleveland's environmental crimes cases within one court. Expanding the Cleveland Housing Court to hear criminal environmental cases will result in a court with a dedicated judge and combined expertise and focus in the areas of zoning codes, housing codes, and environmental laws. It would allow the Cleveland Municipal Court the flexibility to impose appropriate penalties including felony penalties for environmental crimes, thus creating a much needed deterrent.

This bill would grant the Cleveland Housing Court the same jurisdiction that the Franklin County Environmental Court currently has in these areas. That court was created over twenty years ago and has succeeded in reducing environmental crime. We believe that this expanded authority in Cleveland will also help reduce the rampant illegal dumping and the costs to the community.

Thank you for your consideration of this important legislation.

