

LARRY L. SIMS  
SHERIFF



BARRY K. RILEY  
CHIEF DEPUTY

## WARREN COUNTY SHERIFF'S OFFICE

May 29, 2019

Honorable John Eklund, Chairman  
Senate Judiciary Committee  
1 Capitol Square  
Columbus, Ohio 43215

Dear Chairman Eklund,

Members of the Senate Judiciary Committee, my name is Larry Sims, Warren County Sheriff, a member of the Ohio Sentencing Commission, Executive Board Member of the Ohio High Intensity Drug Trafficking Area Program (HIDTA), participant in Ohio's Opiate Task Force (established by Governor John Kasich) and a member of Ohio's Drug Enforcement Executive Committee.

On behalf of the Buckeye Sheriffs' Association, I have had an opportunity to review Senate Bill 3 as introduced and am very concerned with its potential impact on our law enforcement efforts to reduce drug trafficking across our borders and into Ohio. Additionally, I feel this will have a negative impact on the success of many established drug treatment programs.

S.B. 3, at first blush, seems intended to reduce Ohio's drug penalties to assist those addicted to drugs, eliminate the stigma of a felony while also reducing Ohio's prison population.

There, however, are many unintended consequences to the work already being accomplished.

In the recent years, having the opportunity to work with the Opiate Task Force, Ohio's High Intensity Drug Trafficking Area Program, Ohio's Mental Health and Drug Treatment Services and Ohio's Criminal Justice Services, we traveled the state in hopes of identifying a community that is most effectively addressing the drug issue that we face.

With this experience, we determined that the most effective approach is to have effective criminal enforcement, drug courts (or the equivalent), wrap around services that include intense supervision, treatment options, permanent or temporary housing opportunities, transportation as well as education and training along with sustained funding.

It was clear that if you are missing any one of the components, it significantly impacted the chances for success. We are seeing success with the use of our drug courts throughout the State. However, the courts rely upon an effective criminal enforcement component. Now is not the time to be reducing the possible penalties by changing Ohio's drug laws. There needs to be significant consequences for those that choose not to seek help.

As a member of the Ohio Sentencing Commission, I have participated in the discussions surrounding S.B. 3. Some of this discussion focused on the percentage of those low level



offenders going to prison. I challenge these numbers in the recent years. Ohio's resentencing changes have encouraged our Judges to consider alternatives instead of sentencing those low level felonies to prison. Many courts and communities throughout our state have already accepted this practice and approving options for treatment in lieu of conviction. While I applaud these reforms, I have heard countless stories of individuals opting to going to prison instead of the programs that require longer supervision requirements. Unfortunately, there are always going to be some that choose jail over treatment.

With respect to enforcement, law enforcement plays a significant role in the overall success of slowing down the drug flow in our communities. Their success relies heavily upon the initial arrest(s), encouraging them to turn in their supplier, in order to work their way up to large scale suppliers. Ohio's resentencing has already had an impact on our task force's ability to produce informants. Reducing Ohio drug penalties further this negative impact on this effort. Task forces throughout Ohio report difficulty in identifying confidential informants who are so vitally important to being able to affect the major sources of narcotics flowing into our country.

These individuals must have a consequence significant enough for them to choose to identify and assist in the prosecution of these traffickers.

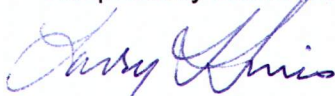
As a representative on Ohio's Drug Enforcement Executive Committee, I have the opportunity to review Ohio's drug task force's grant funding applications to Ohio Criminal Justice Services. Many of the task forces across Ohio are using these dollars to fund rapid response teams. These response teams include members of law enforcement as well as treatment providers to encourage overdose victims/families to enter treatment programs.

The mission of the HIDTA program is "to enhance and coordinate America's drug-control efforts among local, state and federal law enforcement agencies in order to eliminate or reduce drug trafficking and its harmful consequences in critical regions of the United States." Ohio is a critical region. This mission is not only about criminal enforcement but includes treatment as well as education about the harmful effects of drugs.

So, while you may think of law enforcement as only arrest and prosecution, we are heavily engaged in the total wellness of our communities. This requires a multi-discipline approach.

Instead of changing Ohio's drug laws, we respectfully suggest you shift your focus to the important funding needed to assist communities with establishing or enhancing programs that concentrate on a healthy balance of criminal enforcement, treatment and education. Successful completion of programs can still allow for the ability to seek treatment in lieu of conviction as well as seal or expunge records after an appropriate time frame. Trust and allow the Judges to use their discretion.

Respectfully submitted,



Larry L. Sims  
Sheriff