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Hamilton County Prosecutor Melissa A. Powers
Proponent Testimony on HB 230
House Homeland Security Committee
October 18, 2023

Chairman Ghanbari, Vice Chairman Plummer, and Ranking Member Thomas:

Thank you for the opportunity to provide testimony in favor of House Bill 230 on behalf of the Hamilton County Prosecutor's Office.

I am proud to join the Ohio Prosecuting Attorneys Association, the Fraternal Order of Police of Ohio, the Buckeye State Sheriff's Association, and Representatives Abrams and Swearingin in support of this important piece of legislation.

The Hamilton County Prosecutor's Office has always been committed to providing support for individuals struggling with drug addiction. We have long recognized the need for treatment rather than punishment for drug addicts. In fact, Hamilton County was a pioneer in the establishment of Drug Court, which aims to help individuals overcome their addiction through therapeutic interventions. As a Judge, I spearheaded the creation of the first Municipal Veterans Treatment Court in Ohio, specifically designed to address substance abuse among service members suffering from PTSD. Through our justice system, we have witnessed remarkable transformations as individuals find their path to recovery, regain control of their lives, and reclaim their bright future.

But for too long, we have been fighting this battle with one hand tied behind our backs. As the opiate epidemic has raged, Ohio prosecutors have not had the tools to aggressively prosecute those who seek to take advantage of people struggling with addiction. Unless we are lucky enough to identify a stash house, most drug trafficking charges filed carry a presumption of probation.

When a drug dealer is found with scales, cash, and guns – but a small weight of cocaine, methamphetamine, or fentanyl – we know there is more where that came from. But they are charged with F4 trafficking, given a low bond, placed on probation, and are back out on the streets to continue poisoning our communities. Many times, low-level trafficking offenses will

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result in drug dealers being placed in treatment facilities – permitted to prey on those who are actually addicted to drugs, and stunting their ability to get clean.

At the peak of the opiate epidemic, Hamilton County saw 570 overdose deaths. In 2022, Hamilton County still lost 433 people to drug overdoses. With the resurgence of methamphetamine and the growing prevalence of fentanyl, I fear overdose deaths will begin to rise and undo the efforts of our Addiction Response Coalition.

While it is crucial to offer support to individuals struggling with addiction, our efforts alone are insufficient if we do not take decisive action against the drug dealers responsible. These criminals, who prey upon others, deliberately destroy the lives of their “clients” for their own financial gain. They exploit the vulnerability of addicts, ensuring their continued cycle of dependence. It is imperative that we offer neither mercy nor squander our limited resources on individuals who profit from the suffering of others.

Ohio prosecutors need the tools to put these people in prison. House Bill 230 will do just that.