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State Representative Joshua E. Williams
Ohio House of Representatives

Good afternoon, Chairman Thomas, Vice Chair Swearingen, Ranking Member

Synerberg, and fellow members of the Ohio House Judiciary Committee. Thank you for the opportunity to provide sponsor testimony on House Bill 487 today.

If you go on the ground in Northwest Ohio and speak with the prosecutors, judges and law-enforcement officers who are fighting drug trafficking every day, you quickly learn that drug trafficking is not some abstract policy debate. Law enforcement is fighting a real, ongoing battle to keep deadly drugs out of our communities and prevent overdoses by traffickers who exploit trauma, addiction and vulnerability for-profit. While politicians talk, our communities bury loved ones—and the people tasked with stopping this crisis are asking for action, not empty words. My community in Toledo is on the frontline of the trafficking crisis in Ohio, being named as one of the worst cities in the country for drug trafficking.¹ Often, we get so used to these crises that we believe that tougher penalties hurt those who are suffering from addiction. This legislation attempts to solve the issue by targeting repeat drug traffickers, not those dealing with substance abuse issues.

With House Bill 487, we aim to significantly strengthen the tools we use to fight our drug trafficking crisis through the creation of a “repeat drug offender” specification; by punishing those drug trafficking offenders who refuse to comply with the law and continue

¹ <https://www.dea.gov/operation-engage/operation-engage-divisions/toledo>

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to pose substantial risk to our communities. This “repeat drug offender” specification applies to anyone who is currently being sentenced for felony drug trafficking who has two or more prior convictions for felony drug trafficking. When a defendant qualifies for this “repeat drug offender” specification, the courts will be required to impose the longest applicable prison term for the underlying trafficking offense, plus a mandatory term of 1 to 10 years for the specification.

As it stands, currently there is nothing requiring a repeat drug trafficker to face a stricter sentence for their repeated crimes, risking not only the legitimacy of our legal system, but the safety of our communities that we are elected to represent. By the time someone qualified for this repeat drug offender specification, they will have shown such a blatant disregard for their own rehabilitation, our judicial system, and most importantly our communities, that they deserve nothing less than the sentencing requirements for this specification.

Often, petty drug traffickers know they can make enough money selling drugs to compensate for the money they lose from being sent to prison for a short amount of time under the current sentencing structure. For them, prison is essentially a cost-benefit analysis. This has effectively created a permanent class of low-level drug traffickers who

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sell drugs until they are jailed, are released after a short time incarcerated, and enter right back into the drug market upon their release.

Right now, the only thing propagating this deadly cycle is our failure to close this loophole. Ohio will continue to find ways to weather this drug crisis and become stronger after the fact, but it is our duty to send a message to the worst offenders and exploiters that not only will they be stopped, but that they will be severely punished when we finally catch them.

I want to thank my co-sponsor, Representative Plummer, for his willingness to help tackle this bipartisan issue. Thank you again Chairman Thomas, Vice Chair Swearingen, Ranking Member Synenberg, and fellow members of the committee. I appreciate the opportunity to testify before you today and I welcome any questions you may have.