



Ohio Prosecuting Attorneys Association

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House Bill 296
Proponent Testimony - Written
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Chairman Bacon, Vice-Chair Dolan, Ranking Member Thomas and members of the Senate Judiciary Committee, thank you for the opportunity to provide written testimony in support of House Bill 296, a bill that would enhance the penalties for drug trafficking committed within the vicinity of a community addiction services provider.

We have all heard the horror stories either in our own communities or in books like *Dreamland* of drug traffickers targeting drug addicted individuals who are seeking treatment by frequenting areas in the vicinity of community addiction services providers. As we all know, opiates are a particularly addictive class of drugs. The typical individual who is trying to recover from opiate addiction relapses multiple times before they are able to attain anything that resembles recovery. These individuals are vulnerable to the pull of their addiction. They must avoid temptation and the circumstances that trigger relapse.

Under current law, a drug trafficker who operates in the vicinity of community addiction services provider is subject to the same penalties as a drug trafficker who operates elsewhere. For example, someone convicted of trafficking up to 5 grams heroin for selling is subject to penalties for a felony of the fourth degree. It is the same for someone convicted of trafficking up to 5 grams of heroin in the vicinity of treatment provider even this trafficker is preying on the particularly vulnerable and preying on those who are actively trying to recover. House Bill 296 would increase the penalty on this person to a felony of the third degree. The penalties are increased to higher levels as the amount of the drug being trafficked increases.

Importantly, this is an extension of a concept already embodied in the Chapter 2925. Some years ago, the General Assembly, recognizing the vulnerability of children, found it necessary to increase the penalties for certain drug offenses that occur in the vicinity of schools or juveniles. House Bill 296 similarly recognizes the vulnerability of those seeking treatment for drug addiction and operates in a manner identical to current law on drug offenses in the vicinity of schools. This bill is a common sense change that will help deter this particularly predatory behavior by drug dealers while at the same time recognizing the difficulty of treatment and the importance of safe space for those seeking to recover.

Thank you, again, for the opportunity to provide written testimony in support of House Bill 296. We encourage your favorable consideration of this legislation.