



# Ohio Prosecuting Attorneys Association

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Senate Bill 55  
Proponent Testimony  
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Chairman Eklund, Vice-Chair Manning, Ranking Member Thomas and members of the Senate Judiciary Committee, thank you for the opportunity to provide testimony in support of Senate Bill 55, a bill that would enhance the penalties for drug trafficking committed within the vicinity of a community addiction services provider.

We have all heard or read horror stories of drug traffickers frequenting areas near drug treatment facilities either with the express purpose to sell drugs to addicted individuals, or with disregard to the fact that their presence near the facility could tempt addicts to buy drugs. As we all know, 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 – like seeing someone who is peddling drugs. Seeking out treatment should not be a time when temptation is prevalent and the areas around our treatment facilities should provide safe space for those seeking to recover.

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 49 doses of heroin for selling is subject to penalties for a felony of the fourth degree. It is the same for someone convicted of trafficking the same 49 doses in the vicinity of treatment provider even though this trafficker is preying on the vulnerable and preying on those who are actively trying to recover – behavior that is inherently more predatory and dangerous. Senate Bill 55 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 wise to increase the penalties for drug trafficking in the vicinity of schools or juveniles. Senate Bill 55 similarly recognizes the vulnerability of those seeking treatment for drug addiction and operates in a manner identical to current law regarding drug trafficking in the vicinity of schools. This bill is a common sense change that will help deter 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 testimony in support of the bill. I would be happy to answer any questions.