



House Criminal Justice Committee
Proponent Testimony – SB 3
November 19, 2020

Franklin County Board of Commissioners
John O’Grady, President
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Chairman Lang, Vice Chair Plummer, Ranking Member Leland and members of the House Criminal Justice Committee, thank you for the opportunity for the Franklin County Board of Commissioners to submit written testimony in support of Senate Bill 3.

Our Board strongly supports criminal justice policy and initiatives which appropriately balance the rule of law and the assignment of penalty for those who inflict harm or pose a danger to others, with evidence-based, smart and restorative justice. Restorative criminal justice policy secures public safety by recognizing that jail and prison are not appropriate drug treatment facilities; that effective connection with services and treatment improves individual outcomes and public safety; and that reducing collateral sanctions helps individuals return to their communities without barriers to employment and housing, all with the goal of improving public safety and reducing recidivism. By reclassifying low-level drug possession offenses from felonies to misdemeanors, SB 3 moves Ohio forward on each of these fronts.

The national Stepping Up initiative is a collaboration among the National Association of Counties (NACo), the Council of State Governments (CSG) Justice Center, and the American Psychiatric Foundation (APF) to help advance counties’ efforts to reduce the number of adults with mental health and co-occurring substance use disorders in county jails. Their data shows, nationally, counties provide treatment services to approximately 2 million people with serious mental illness who are booked into county jails each year, and 75 percent of these individuals have co-occurring substance use disorders. Under the Stepping Up Initiative, Franklin County has convened criminal justice and health professionals, community leaders and other stakeholders to reduce our average jail population by diverting individuals from jail to appropriate treatment services, and in doing so, we have successfully reduced our average length of stay disparity between inmates with and without mental health and co-occurring substance use issues by 47 percent. Additionally, our Pathways program for incarcerated women dealing with mental health and substance use disorders, funded by state TCAP resources, pairs women with individualized treatment and pro-social supports, and it has reduced recidivism among participants from 100 percent to 12 percent. Treatment and diversion works, both in terms of addressing the root of an individual’s circumstance which can lead to criminal activity, and in terms of improving public safety and individual outcomes.

The reclassification of low-level, nonviolent drug offenses from felonies to misdemeanors, as proposed in Senate Bill 3, is another powerful and impactful step forward by the State of Ohio to align criminal justice policy with evidence-based, smart justice best practices. Any time we can divert someone with a substance abuse challenge from a felony conviction, we avoid costly incarceration and ongoing, even sometimes lifelong, collateral sanctions for the individual. Conversely, every time we fail to provide treatment and other options, we miss an opportunity to prevent crime, avoid creating another crime victim, and in the case of a parent, prevent an adverse childhood experience for children with justice-involved parents.

Thank you for considering this important legislation, and we respectfully ask for your favorable consideration of its passage.