

November 19, 2020

Chairman Lang, Vice-Chairman Plummer and members of the House Criminal Justice Committee.

My name is Larry A. Jones Sr. I am a judge on the 8th District Court of Appeals in Cleveland.

I applaud you for passing House Bill 1 and I am asking you to support Senate Bill 3 because together they take proactive and progressive steps toward improving how we handle drug cases in Ohio.

With a focus on treatment rather than incarceration, these bills seek to help Ohioans deal with the devastating effects of drugs.

To be candid, I am dismayed, however, at the criticisms some fellow judges have made against the proposed bills. By throwing up roadblocks, we could stifle any movement on this important issue.

To be fair, I must admit that my perspective on the drug epidemic has evolved over the years.

At present, I am the longest-sitting elected judge in Cuyahoga County.

In the 1970s, I was an assistant Cuyahoga County prosecutor prosecuting crack cocaine residue cases. The defendants often ended up in prison. My thought was, if you use drugs, it was your fault, you could stop if you wanted to — “just say no” to drugs.

Needless to say, this was an oversimplification of a complicated problem. I suspect many prosecutors and judges shared my thinking and, as a result, our criminal justice system engaged in mass incarceration of individuals for mere drug possession.

What I have learned is that incarcerating drug addicts does not make our communities any safer. But it does create lifelong consequences that make it difficult for these people to transition back into society.

My shift in thinking started after I left the prosecutor’s office and I spent six years on Cleveland City Council representing an inner-city ward. I saw the effects of drugs on our community. I listened to my constituents’ complaints about their unsafe neighborhoods. But also, many of my constituents were being sent to prison for possessing small

amounts of drugs. This brought about a different dialogue — one about families losing loved ones to prison. They needed help; our community needed help.

I was elected judge to the Cleveland Municipal Court where I served for 21 years. In 1997, then-Cuyahoga County Prosecutor Stephanie Tubbs Jones secured federal funding for a drug court in the common pleas court. The court's judges said "no."

At my urging, the Cleveland Municipal Court judges agreed to accept the funding and a drug court was established. I presided over this specialized docket for 10 years until I was elected to the 8th District Court of Appeals.

The Cleveland Municipal Drug Court has changed numerous lives — and now the county common pleas court, as well as several local municipalities, have drug courts.

As a former drug court judge, I cannot understand why some judges are opposed to reclassifying certain drug possession offenses to misdemeanors for as many people as possible.

I also do not understand the reluctance to empower municipal courts to handle these cases. Municipal courts can handle drug-court programs, which has been shown by the success of the Cleveland Municipal Drug Court.

I would like to emphasize the following:

1. Senate Bill 3 makes communities safer by affording people the opportunity to live productive lives without the collateral consequences that accompany a felony conviction. This benefits everyone. It also saves taxpayers' money.

It costs more than \$25,000 a year to incarcerate a person but only \$3,000-\$5,000 for drug treatment. Ohio spends \$1.8 billion per year to imprison offenders but also has one of the highest overdose rates in the nation — a fact that begs for a look at treatment over incarceration.

2. Much work needs to be done in the area of criminal justice reform. As I mentioned, you have already made a giant stride forward by passing House Bill 1. Senate Bill 3 is an important step in the right direction.

3. It is important that treatment options apply to all those who are addicted to drugs, not just those addicted to opiates.

4. The judicial branch of government needs to be proactive and support issues that make our communities safer. We must be willing to move away from past policies and procedures that have not worked.

I thank you for this opportunity to address this critical issue and I ask you to pass Senate Bill 3.

