



Vincentian Ohio
Action Network

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Proponent Testimony SB 3
November 18, 2020
House Criminal Justice Committee

Chairman Lang, Vice Chairman Plummer, Ranking Member Leland, and members of the House Criminal Justice Committee, thank you for the opportunity to provide proponent testimony on Senate Bill 3, which modifies the controlled substance possession and trafficking prohibitions in the Ohio Revised Code.

I am the director of the Vincentian Ohio Action Network (VOAN), a nonprofit founded by the Society of St. Vincent de Paul in 2014. VOAN manages a number of “Think Tanks on Poverty” and runs reentry programs throughout Central Ohio focused on organizing the community and addressing systemic issues of poverty. Many of our efforts center on barriers that come as a result of a criminal record, oftentimes linked to substance use, addiction, and/or mental health needs. We are encouraged to see the legislature working to address the challenges in our state related to criminal justice with bipartisan legislation like SB 3.

Unfortunately, the criminal justice system in Ohio has become a primary tool used to manage various public health crises. Not only is the criminal justice system underequipped to treat root issues of mental health and addictions, but it also saddles a person with a criminal record, creating difficulties for long term housing, employment and reintegration. Senate Bill 3 is focused on addressing a subset of persons in the criminal justice system who have been charged with low level drug possession.

Many localities have identified that these individuals need treatment to address their substance use and have been working to divert them to recovery services in the community designed to help them. SB 3 helps solidify this approach as the best course of action throughout the state, reducing the use of incarceration as a means to punish drug users. One of the members of our Perry County Think Tank on Poverty recently shared her experiences with me. She has struggled with addiction and been in and out of jail.

“Jail never made me any better. When I was in jail, you don’t get away from the drugs. All the people in there talk about where to get drugs, what they plan to do when they get out and use. It didn’t make things better for me, it just made it worse. When I was active in my addiction I wish there would have been someone caring about me, reaching out, offering treatment, offering me another path so when I was ready I could make a change. You cannot force

someone to get better. They have to want it on their own. It would be better to treat someone with kindness, because they need help.” – Perry County Resident in recovery

It is important the reclassification from felonies to misdemeanors for low level possession charges be applied to as wide a population of Ohioans as possible. This will help more people have the chance to overcome their past. If retroactivity is added to this bill then the positive impact on people’s record, as well as the reduction in the prison population, would be greater. This would also have an increased benefit for communities and neighborhoods that have been disproportionately impacted by the “the war on drugs” and face ongoing challenges to stabilize, including communities in both the urban and rural parts of the state.

There is sometimes a fuzzy line between those who use drugs and those who traffic drugs. Some people who struggle with addictions may also resort to selling drugs as a means to fuel their addiction or keep a roof over their head. While we do not condone drug trafficking, increasing the penalties for such offenses may increase the incarceration numbers yet again, and may result in some people who are trapped in their addictions to face increased levels of incarceration. Furthermore, limiting reclassification only to persons with no prior drug offenses will also limit the impacts of who can benefit, narrowing the scope beyond what seems necessary because addiction is a relapsing disease.

I also support the efforts to include court data collection in this bill so criminal justice reforms like SB 3 can be measured to track their impact. Our criminal justice system takes critical resources away from other major issues Ohio taxpayers are asking the state to address, like increased access to mental health and drug treatment programs, both of which are needed to achieve the goals of SB 3. We urge lawmakers to become vigilant about requiring data collection so that policy solutions can be analyzed, improved, and expanded upon when found to be producing their intended results. SB 3 provides an opportunity to ensure that takes place.

Thank you for your time,



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