

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

My name is Micah Mitchell. I am a licensed private investigator and a graduate student at The Ohio State University, studying social work and public administration. I have a bachelor of science and a master of science degree in Criminal Justice from the University of Cincinnati, and six years of experience in the field. Most recently, I worked as a chemical dependency felony probation officer from September, 2018 until June, 2020. Upon turning in my resignation this past June, I immediately did two things: 1) I wrote a letter to administration, the Common Pleas Judges and the probation department concerning the flaws of our criminal justice system, specifically citing how we treat addiction and 2) I committed to grad school for three more years so that I could advocate for necessary change within the system. I am grateful to be here, as I firmly believe this bill is a necessary step in reform.

I am not only a former probation officer - I am also a recovering addict and alcoholic. To work the chemical dependency caseload was more than a job for me – it was a mirror. I saw myself in every single person on my caseload, and I recognized how privileged I was not to suffer the same fate. While I flew under the radar and got sober on my own terms without a criminal record, those on my caseload were forced into treatment and to navigate a world that abandons them. They are branded felons for a disease stemming from societal flaws beyond their control. A disease I suffer from myself.

The public health emergency of addiction, the brain disorder of addiction is heavily criminalized in our society. It is seen as a symptom of a person who lacks morality, lacks control, and possesses character flaws. In reality, addiction is the manifestation of deeper issues. It is abandonment. It is generations of unresolved trauma and systemic racism. It is lack of resources and chronic scarcity. It is toxic stress from violent homes. It is relentless marginalization and oppression. The problem is not the addict. Treating addiction without acknowledging what causes it will never result in lasting recovery.

The problem is that when you brand someone a felon because of their addiction, you are feeding these deeper issues. Felons are turned down for jobs that pay a living wage. If they are working, they cannot afford health insurance, which means they cannot access mental health or drug treatment on their own. The vast majority of housing is unavailable to them. They have no hope to attend higher education. They have no hope to better themselves through many vocational institutions. They have no hope. What good is drug treatment when you don't have stable access to food, shelter, clothing, finances, security and safety? What good is drug treatment when your life in sobriety is unsurvivable? This is a significant reason I walked away from six years of education, great income and even better benefits. Addiction is a public health emergency, a disease stemming from societal flaws that are not only exacerbated, but perpetuated through felony convictions.

Senate Bill 3 provides an opportunity to truly get at the root cause of addiction and move people into recovery. It reduces low-level felony possession charges to misdemeanors, and offers the promise of dismissal if treatment is completed. It could be argued that the prosecution's leveraging abilities are severed if the threat of a felony is no longer available. But the truth of the matter is, you cannot threaten someone into sobriety. You cannot force someone into recovery. You may force them into treatment, but you cannot force the willingness required of the addict alone to get and stay clean. But by passing senate bill 3, we can ensure that they are not sentenced to live in the same conditions causing them to use in the first place. We can provide a window of opportunity for them to connect with the right counselor, the right group facilitator, the right program that helps them into sobriety without condemning them upon their release. Senate Bill 3 is harm reduction. It leaves a window of opportunity for the criminal justice system to help struggling addicts instead of disabling them.

There was always a fine line between probation officer and probationer in my office. Had I suffered the fate of a felony conviction, I would have never realized my potential. I certainly would not be back in school, pursuing my second and third masters degree to fight for a better community. I would not be speaking with you today. Addiction is a disorder fueled by shame, and to suffer the shame of a felony conviction alone would have been enough to keep me using, let alone being stripped of opportunity to do anything but survive. It was through stable employment, a living wage, great healthcare and the allyship of people supporting me that I was able to turn my life around. Imagine how many lives could be saved if all people were afforded the same opportunity.