



Ohio Prosecuting Attorneys Association

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Senate Bill 25
Proponent Testimony
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Chairman Manning, Vice-Chair McColley, Ranking Member Thomas and members of the Senate Judiciary Committee, thank you for the opportunity to provide testimony in support of Senate Bill 25, a bill that would enhance the penalties for drug trafficking committed within the vicinity of a substance addiction services provider and creates offenses related to the manufacture, sale, and use of synthetic urine.

There are horror stories in Ohio and elsewhere of drug traffickers frequenting areas near drug treatment facilities either to sell drugs to individuals who are seeking to recover from drug addiction, or with disregard to the fact that their mere presence selling drugs near the facility could tempt recovering 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 need to avoid temptation and the circumstances that trigger relapse – things like being around the people who previously enabled their drug use or seeing people who are selling those drugs now. 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.

Senate Bill 25 would increase the penalty for selling drugs in the vicinity of an addiction services provider by one degree. So for example, someone caught selling what would otherwise be an F4 amount of drugs – let say 4 grams of heroin – would instead be subject to an F3. This is an extension of a concept already embodied in the Chapter 2925. Some years ago, the General Assembly, recognizing the special vulnerability of children, increased the penalties for drug trafficking in the vicinity of schools or juveniles. Senate Bill 25 similarly recognizes the vulnerability of those seeking treatment for drug addiction and operates in a manner that is nearly identical to current law regarding drug trafficking in the vicinity of schools.

This bill is a common sense change that will help deter a particularly predatory behavior while recognizing the difficulty faced by those seeking to recover and the importance of removing triggers for relapse.

We are grateful for Sen. Gavarone's efforts to enact this change and for her continued advocacy on a concept that was sent to the Governor for signature during the last General Assembly before being vetoed on other grounds. Thank you, again, for the opportunity to provide testimony in support of the bill. We encourage the Committee's favorable consideration. I would be happy to answer any questions.