

SENATOR CECIL THOMAS
9th District



SENATOR STEVE WILSON
6th District

Sponsor Testimony-SB 207
Senate Judiciary Committee
September 14, 2021

SEN. THOMAS:

Good afternoon, Chairman Manning, Vice Chairman McColley, and members of the Senate Judiciary Committee-

Thank you for scheduling a prompt hearing on revising the statute that created Hamilton County's drug court. This legislation is straight-forward. Sen. Wilson and I (and our co-sponsor Sen. Blessing) were requested to bring forward this legislation, with the support of the Ohio Supreme Court and the Ohio Judicial Conference. We are proposing a modification to the statute that created this court back in 1995. This modification will allow for policies and procedures based on evidence-based best practices and bring Hamilton County in line with other drug courts in Ohio.

Drug courts specialize on offenders who have a drug addiction and that addiction contributed to the offender's actions. These offenders have committed non-violent crimes and have a drug addiction. Many cases involve theft or property damage and drug possession. Trafficking offenses are not eligible for diversion to a drug court.

Practitioners in the criminal justice and drug addiction professions were the driving force behind the creation of drug courts. They were repeatedly seeing the same drug-addicted offenders in the courts and realized that traditional court processes were not working. The drug court's specialized docket and focused approach on rehabilitation has proven to be the most effective and cost efficient course of action in dealing with this type of offender.

SEN. WILSON:

Good afternoon, Chairman Manning, Vice Chairman McColley, and members of the Senate Judiciary Committee-

The Hamilton County Drug Court recently underwent a review by the National Drug Court Institute that sets forth best practice standards for drug courts in the nation. The NDCI found that our court fell short in certain areas. They provided guidance and offered the steps we should take for a more effective drug court.

Among their observations, they found that the Hamilton County Drug Court is limited by state law. It is limited to F4 and F5 drug possession cases by law; it prohibits individuals from entering the program if they have any history of mental illness, have any acute health conditions, or have prior offenses, and the targeted population is not capturing those individuals with the greatest need. In summary, the Hamilton County Drug Court is designed for low-risk, low-need individuals, rather than the population that would best be served by a true drug court.

Sen. Thomas and I would like to thank both the Supreme Court and the Judicial Conference for the technical help, guidance, and support. We also want to acknowledge the Honorable Judge Nicole Sanders, Presiding Judge of the Court, for bringing this issue to our attention. Her advocacy is greatly appreciated and respected.

We are happy to take any questions. Thank you for your consideration of this legislation and we ask for your support.