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September 20, 2021

Testimony in Support of Senate Bill 207

Senator Thomas, Senator Wilson, and members of the Senate Committee, thank you for allowing me to provide proponent testimony for Senate Bill 207. SB 207 will repeal the statutory provisions that specify the types of cases that may be referred to the Drug Court of the Hamilton County Court of Common Pleas. Repealing these statutory provisions is a vital step in ensuring that the individuals with the highest risk of reoffending and the highest need for treatment receive the treatment and monitoring services available through the Hamilton County Drug Court.

My name is Lisa Mertz, and I am the President and CEO for the Addiction Services Council, a nonprofit organization in Hamilton County that has been providing substance use disorder treatment and prevention services in Hamilton County since 1949. The Addiction Services Council's clinical team provides assessment and treatment recommendation services for Hamilton County Drug Court participants and, through our experience providing services to these individuals, we have learned that, because Ohio's statutory provisions limit the types of cases that may be referred to Hamilton County Drug Court, we are unable to help those most in need of treatment.

First, current statute excludes defendants with a history of violent behavior. Although some defendants with violent histories may not be appropriate candidates for Drug Court, many defendants are. In my experience, the lifestyles and traumas that are often associated with substance use disorder can result in violent episodes that are not indicative of the behavior that an individual typically presents nor is it indicative of treatment success. In many cases, violence does not occur when a person achieves sobriety. Judicial discretion, in conjunction with a thorough clinical assessment, is needed to determine whether those individuals with histories of violence are appropriate for Hamilton County Drug Court.

Second, current statute excludes defendants with a history of mental illness. According to the National Epidemiologic Survey on Alcohol and Related Conditions of individuals with drug use disorder, 44% have personality disorders, 28% have mood disorders, and 24% have anxiety disorders. We have the resources in Hamilton County to effectively treat many individuals with co-occurring disorders and it is time to recognize the link between mental health disorders and substance use disorders. We cannot continue to marginalize those that suffer with mental health issues while expecting to reduce the incidence of substance use disorder.

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These are just two examples of statutory provisions that limit the types of cases that can be referred to the Drug Court of the Hamilton County Court of Common Pleas and I could speak for hours about all the provisions that are preventing us from addressing those most in need of treatment. I have personally assessed a woman wishing to participate in Drug Court that was refused because of her history of drug trafficking. I told her that I believed in her ability to recover and that, once she completed her process in the Hamilton County's General Division Court of Common Pleas, she could come and receive treatment services from our agency. I told her that I believed that she could be successful in achieving sobriety. She tearfully replied, "Thank you for believing in me when I can't even believe in myself." She is a person that I believe we could have successfully treated and, because of statutory provisions, were unable to help her.

The research is clear. High-risk, high-need individuals are most in need of treatment and respond best to the high-intensity treatment and supervision provided through Drug Court. Ohio's statute is preventing these individuals from receiving the care that they need. It's time that the law catch up with the research and allow judicial discretion and clinical assessment to determine which individuals are appropriate for Drug Court rather than statutes. I humbly ask that you support SB 207 and I thank you for your consideration.

Lisa Mertz



President and CEO
Addiction Services Council

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