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February 14, 2017

The Honorable Nathan Manning
Chairman, House Criminal Justice Committee
77 South High Street, 13th Floor
Columbus, Ohio 43215

Dear Chairman Manning,

Thank you for the opportunity to provide a letter in support of House Bill 4, legislation sponsored by Representative Cupp and Representative Rogers.

For sentencing purposes, House Bill 4 would include a compound, mixture, preparation, or substance containing cocaine in the drug trafficking or possession offense. This clarification in the law is needed following a recent decision by the Ohio Supreme Court in *State v. Gonzales* that requires a quantification of the purity of the cocaine mixture. However, when a buyer purchases cocaine, there is usually no expectation by the buyer that the substance he or she is purchasing is pure cocaine.

To provide quantification services for cocaine in BCI laboratories, the initial startup cost would be roughly \$725,000. In addition to that, there would be a recurring annual cost of roughly \$370,000 for supplies, consumables, training, and forensic scientist salaries. On average, BCI receives about 500 or half of the total estimated cases statewide each year. As cocaine use is on the rise in Ohio, this number could continue to climb, which would increase the annual cost to BCI or to another lab perform such testing.

BCI's labs are already seeing more and more drug evidence due to the opioid epidemic. The extreme burden cocaine quantification puts on laboratories throughout the state would increase the time it takes for law enforcement to identify dangerous drugs and apprehend the criminals who distribute them. However, passing House Bill 4 to clarify the language to include compounds and mixtures would be a straightforward solution to this situation and would save crime labs across Ohio time and money.

I strongly encourage the General Assembly to pass this bill with an emergency clause. Thank you for your leadership and the opportunity to address this important issue.

Very respectfully yours,

Mike DeWine
Ohio Attorney General