

TO: Senate Judiciary Committee  
FROM: Gary Daniels, Chief Lobbyist, ACLU of Ohio  
DATE: December 4, 2018  
RE: Sub. House Bill 296 – Opponent testimony



4506 Chester Avenue  
Cleveland, OH 44103  
P: (216) 472-2220  
F: (216) 472-2210

1108 City Park Avenue  
Suite 203  
Columbus, OH 43206  
P: (614) 586-1959  
F: (614) 586-1974

[acluohio.org](http://acluohio.org)  
[contact@acluohio.org](mailto:contact@acluohio.org)

Jack Guttenberg  
*President*

J. Bennett Guess  
*Executive Director*

To Chairman Bacon, Vice Chair Dolan, Ranking Member Thomas, and members of the Senate Judiciary Committee, thank you for this opportunity to present opponent testimony on Substitute House Bill 296.

Supporters contend this bill is necessary to prevent drug dealers from preying on people receiving drug treatment. As an opponent, the ACLU of Ohio believes HB 296 is nothing more than an expansion of the decades long, destructive and discredited “War on Drugs.”

HB 296 contains every example of what has made our ongoing arrest, convict, and incarcerate our way out of this problem approach a failure. It features – 1) more people going to prison, 2) an increase in the \$1.8 billion per year we already spend on the prison system, 3) an expansion of mandatory minimums, and 4) no requirement the defendant even knew he or she was in the vicinity of a treatment facility.

HB 296 also ignores recommendations from the Ohio Criminal Justice Recodification Committee regarding drug offenses. The Recodification Committee was created by the Ohio General Assembly in order to advise legislators on these matters. However, House Bill 296 takes us the opposite direction of the committee’s recommendations, increasing punishment in the law where they conclude reductions are needed.

It is more popular than ever for those across the political spectrum to agree the War On Drugs does not work and say we need to rethink and reform how we address drug addiction and drug crimes. But, Ohio needs more than acknowledgement we have failed – we need action.

House Bill 296 is the polar opposite of reform. It perpetuates everything we do wrong on drug issues. In the end, it helps nobody. The ACLU of Ohio urges your “no” vote.