



LAW ENFORCEMENT ACTION PARTNERSHIP

ADVANCING JUSTICE AND PUBLIC SAFETY SOLUTIONS

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Date: November 17th, 2020

Re: SB 3

Position: SUPPORT

To: The Ohio House Criminal Justice Committee

Dear Chairman Lang, Vice Chair Plummer, and distinguished members of the House Criminal Justice Committee:

Thank you for providing this opportunity for me to submit testimony in support of Senate Bill 3. Although I am here speaking for myself, my testimony draws upon my decades-long career as a police officer and as a public servant in Miamisburg, which as you know is part of metropolitan Dayton. My comments are also informed by my membership in the Law Enforcement Action Partnership (LEAP). LEAP is a national nonprofit group of police, prosecutors, judges, and other law enforcement professionals who speak from firsthand experience. Our goal is to make communities safer by focusing law enforcement resources on the greatest threats to public safety, addressing the root causes of crime, and healing police-community relations.

Since 1995, when I started as a patrol officer, I have focused on trying to help people. Early in my career, I knocked on every door in a high-crime neighborhood and hand-delivered letters to build relationships with the community and determine what truly impacted their quality of life. Later, during five years as a criminal investigation sergeant supervising the Detective Section, I saw how important it was to focus our officers' time on serious crime. Every hour my detectives spent following up on leads in a homicide investigation paid off in bringing justice for victims.

I also learned, however, that when it came to drug addiction, police were not effectively equipped to help. As a young officer I always made more arrests than our department expected, thinking that I was excelling in serving the community. Yet, in hindsight, I cannot say that I know of even

one person who conquered their addiction because they were arrested and incarcerated for a drug offense.

This is my experience. And it is backed up by research and data. For example, a 2019 study by the Pew Charitable Trusts found no statistically significant relationship between drug imprisonment and rates of drug arrests and overdose deaths.¹ Similarly, an analysis of county-by-county Ohio data from 2017 by the Alliance for Safety and Justice showed no correlation between felony imprisonment and overdose rates.²

If anything, the arrests we make for low-level drug possession are likely making things worse. Having a felony record negatively impacts a person's ability to succeed in life. The stigma that accompanies a past conviction makes it harder to find a job or to rent an apartment. In Ohio, felonies also invite hundreds of statutory restrictions, including prohibitions on certain occupational licenses and fields of work. Our state has more than 850 legal restrictions for people with a conviction, including 524 specifically related to a drug conviction.³

Yet, our state too often relies on felonies and incarceration as a response to substance use. Approximately 44,500 people are currently incarcerated in an Ohio prison.⁴ Nearly 2,600 Ohioans are currently in prison for drug possession as their most serious offense.⁵

It does not have to be this way.

I know a man who received felony convictions for crimes he committed due to his addiction to drugs. He recovered from the addiction. But because of his felony record he could not find a job until someone took a chance and hired him to help install heating and air conditioning systems. He has now been in recovery for six years and has founded a nonprofit organization that runs three recovery homes. He trains other people living with past convictions to trim trees and lay cement so they can work as independent contractors—because even landscaping companies desperate for employees will not hire them.

Our community desperately needs to learn from this man's experience.

Senate Bill 3 is the first step in that change. It would reduce the lowest level of felonies, which are mostly related to addiction, to misdemeanor offenses. This reform would save people who get over their addiction from spending the rest of their life trying to get over a felony conviction.

SB 3 would also prevent technical violations of probation—like failing a single drug test—from leading to incarceration. Research shows that people addicted to drugs will almost inevitably relapse in their journey to recover.⁶ We must stop trying to solve addiction through incarceration.

I also believe that SB 3 will help improve trust between police and the communities they serve. Law enforcement is only as strong as its relationships with the public, because we prevent and solve crime based on information from witnesses and victims. When our officers solicit help in investigations, citizens frequently

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exhibit reluctance to cooperate if they have experienced loved ones being arrested as a result of their addiction.

In order to rebuild trust and strengthen our ability to solve crimes, police should hand responsibility for solving addiction over to health professionals.

Finally, by reducing the number of people we send to prison each year, SB3 would free up resources to be spent on other, more effective interventions. The nonpartisan Ohio Legislative Service Commission has estimated that SB 3 would lead to 2,700 fewer people sentenced to prison each year for low-level drug possession, producing up to \$75 million in annual cost savings that could fund public health initiatives.⁷ SB 3 would also allow law enforcement to focus more on what it does well, and what the community really needs from them: investigating and preventing serious crime.

Not long ago, I began walking door to door in neighborhoods hard-hit by addiction as a volunteer with the Montgomery County Drug-Free Coalition. I will never forget knocking on one man's door on a street lined with abandoned homes and grass reaching to my knees. He told me that he used to live with eight family members. All but one had died due to an overdose. Each and every one of those people needed access to treatment. Felony convictions do not heal addiction. Treatment heals addiction.

I wish I could adequately express the experience of stepping into the stories of so many families devastated by addiction. Ohio desperately needs to pass SB 3.

Thank you for the opportunity to share my experience in support of this bill.

Thomas N. Thompson
Executive Director, Kettering Health Network Police Department
Assistant Chief (Ret.), Miamisburg Police Department
Speaker, Law Enforcement Action Partnership

1. "More Imprisonment Does Not Reduce State Drug Problems" 8 Mar. 2018, <https://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2018/03/more-imprisonment-does-not-reduce-state-drug-problems>. Accessed 17 Nov. 2020.
2. "Alliance for Safety and Justice." <https://allianceforsafetyandjustice.org/wp-content/uploads/2019/10/Pew.pdf>. Accessed 17 Nov. 2020.
3. The Ohio Justice and Policy Center, Civil Impacts of Criminal Convictions, <https://civicc.opd.ohio.gov/>.
4. "September fact sheet." <https://drc.ohio.gov/Portals/0/September%20fact%20sheet.pdf>. Accessed 17 Nov. 2020.
5. Bennie, Craig R. (2018). *January 2018 Census*. The Ohio Department of Rehabilitation and Correction.
6. "Treatment and Recovery | National Institute on Drug Abuse" 10 Jul. 2020, <https://www.drugabuse.gov/publications/drugs-brains-behavior-science-addiction/treatment-recovery>. Accessed 17 Nov. 2020.
7. "As Passed by the Senate - The Ohio Legislature - Ohio.gov." 14 Sep. 2020, <https://www.legislature.ohio.gov/download?key=14453&format=pdf>. Accessed 17 Nov. 2020.

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