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2nd Ohio Senate District

Sponsor Testimony for Senate Bill 55

Senate Judiciary Committee

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Chairman Eklund, Vice-Chairman Manning and Ranking Member Thomas, I appreciate the opportunity to address you and the other members of the Judiciary Committee about my legislation, Senate Bill 55, also known as the 'Relapse Reduction Act'. This legislation would elevate the level of offense for certain drug crimes that occur near addiction services providers.

This bill is a re-introduction of HB 296 from last General Assembly that was voted out of the House by a vote of 92-1 and nearly got across the finish line after a favorable vote of 7-2 in this very committee. The bill received support from the Ohio Association of Prosecuting Attorneys, Buckeye Sheriffs' Association, Ohio Association of Chiefs of Police, Wood County Sheriff, Wood County Prosecutor, Bowling Green Police Department, and two community service addiction providers in Wood County (Zepf Center and a Renewed Mind). I believe everyone in this committee has heard testimony, voted on the bill, heard from me personally about the bill or all three, so I hopefully everyone is familiar with what I am asking for.

As all of you know, we have invested a lot of time and money towards fighting the opioid epidemic. We allocated money in the last budget, passed legislation and those of us who served in the House last session had the opportunity to attend meetings of the Speaker's Task Force on Heroin, Opioids, Prevention, Education and Safety, chaired by Treasurer and former Representative Robert Sprague.

The first meeting of that task force took place in my district and in attendance was Wood County Prosecutor and former President of the Ohio Prosecuting Attorneys Association, Paul Dobson. Around the time of that meeting, Paul brought this idea to my attention. He has an interesting perspective on this issue because he deals with it every day professionally, but also dealt with it personally as a result of losing his stepson to an overdose. I want to allow Paul to tell his story, and he will during a future hearing, but I want to mention him as someone who is a tremendous resource as we go forward in this process.

This bill would enhance penalties for certain drug offenses that occur within 1,000 feet of a 'community addiction services provider'.¹ As an example, current law states that aggravated trafficking of drugs is a felony of the 4th degree, however, when this law goes into effect and if it takes place within 1,000 feet of a community addiction services provider, it would be a felony of the 3rd degree. The idea is that a person coming out of a facility should be able to get to their car, the bus stop or possibly even walk to their home without being accosted by a drug dealer. I would like to note that this bill was modeled after current law that applies penalty enhancements for certain drug crimes that occur within the vicinity of a school or juvenile.² As a side note Mr. Chairman, I am glad to see that you are seeking to strengthen the aforementioned penalties that occur near a school in SB 3.

For those people currently addicted to a substance, the decision could be life-changing. However, the pull their addiction has is strong and the odds they face to complete treatment at a rehab facility, even under perfect circumstances, are not great. And even if a person completes treatment, they are in an extremely vulnerable state of mind and it is probable they will relapse. They are perfect prey for dealers.

A simple Google search yields many stories from across the country of drug dealers targeting people entering, staying and leaving rehab facilities. The drug dealers have a product that this population would do just about anything to get, so why shouldn't they traffic the drugs into the facility, set up camp in the parking lot or wait at the end of the street for guaranteed customers? The logic and economics are easy to understand.

A big driver for me since joining the legislature is fighting the drug addiction epidemic. I want to encourage people to get treatment and become contributing members of society again. The people going into these facilities realize that the road will be long and painful and a good outcome is not guaranteed. I want to increase the rate of success for everyone entering rehab and reduce the amount of relapses and I believe that we can do that, in part, by getting dealers off the streets and away from rehab centers for a longer period of time.

Spending money on prevention and recovery is necessary. Holding meetings across the state is also necessary. Signing legislation into law is vital. These are all things we can do to help solve this problem. But I believe this is another tool we can add to fight this epidemic. We need to be championing people who seek treatment; not hanging them out to dry once they finally receive it.

As I wrap this up, I would like to thank Vice-Chair Manning for his work with me last General Assembly to improve the bill and former Chairman Bacon for bringing my attention to changes we needed to make late last year to ensure that penalties regarding trafficking in a fentanyl-related compound addressed in SB 1 would be consistent with the changes included in this bill.

Chairman Eklund, thank you for allowing me to speak for SB 55. I am ready to answer any questions the members of the committee may have.

¹ Ohio Revised Code 5119.01. <http://codes.ohio.gov/orc/5119.01>

² Ohio Revised Code 2925.01(P). <http://codes.ohio.gov/orc/2925.01>