



Ohio Task Force Commanders Association

www.otfca.net

September 26, 2018

To Whom It May Concern:

The Ohio Task Force Commanders Association (OTFCA), an organization comprised of the commanding officers of Ohio's Multi-jurisdictional Drug Task Forces, and as such, the members of this organization have been working tirelessly to protect the citizens of Ohio from each and every drug related threat that has emerged. From the Crack Cocaine of the 1980's and 1990's through the introduction and subsequent widespread diversion and abuse of Oxycodone based prescription pain medications of the 2000's. From the Heroin explosion of the early 2010's to the present-day Synthetic Opiate, Cocaine, and Methamphetamine epidemic. During these times, the dedicated drug enforcement officers of this great state have done more work with shrinking budgets and manpower, worked tirelessly to come up with alternative methods to combat the drug problem, and collaborated with judges overseeing specialty dockets like drug court, a proven program with successful results, as well as other treatment and prevention programs. Our officers have pioneered programs to introduce Nasal Naloxone (NARCAN) in hopes of saving lives of Opiate overdose victims as well as forming quick response team programs to work jointly with treatment personnel to contact overdose victims.

Through the years, Ohio has faced many drug related threats; but NONE so great as the threat that Ohio Issue 1 poses this fall.

The proposed amendment to the Ohio Constitution would make the possession of ANY AMOUNT of narcotics a Misdemeanor offense, punishable with less sanctions than driving without a license. That's right, a drug violator could conceivably be caught with a tractor trailer full of Cocaine, Heroin, or Fentanyl and COULD NOT be sentenced to one day in jail if convicted, unless of course the violator just happened to be driving without a valid license, then he or she could be sentenced to up to 180 days in jail.

Mailing Address: Lorain County Sheriff's Office 9896 Murray Ridge Rd. Elyria, Ohio 44035
Attention: D Cavanaugh



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This outlandish proposed amendment to the Constitution of this great state also prohibits a presiding judge from imposing any incarceration for a person convicted of a drug possession crime until after the third offense as well as prohibiting incarceration for violations of any community control sanction imposed.

The backers of State Issue 1 advertise this amendment as a way to reduce prison populations and provide treatment for minor drug offenders; however, the actual wording of the amendment language forces the reclassification of ALL drug possession offenses, not just minor ones.

The full text of this section is cited below:

(D) Reclassification of Certain Non-Serious, Non-Violent Drug Offenses.

*“With respect to state laws that make possessing, obtaining, or using a drug or drug paraphernalia a criminal offense, **in no case shall any offense be classified higher than a misdemeanor.** The misdemeanor classification may be a general classification or a special classification for the offense. The sanctions authorized may not exceed those of a first-degree misdemeanor, and, for an individual’s first or second conviction within a twenty-four month period, the sanctions shall not exceed probation. In an individual has more than two convictions within a twenty-four month period, then sanctions may include jail time or probation in lieu of jail time.”*

Current Ohio sentencing guidelines already provide for a presumption of probation for low level (Felony 4 and Felony 5) drug violators. Mandatory prison sentences are not even a possibility until a Felony 2 level offense. For comparison, Felonious Assault (shooting or stabbing someone) is a Felony of the 2nd degree.

Current inmate statistics provided by the Ohio Department of Corrections shows that there are 49,512 persons incarcerated in Ohio’s prisons. Of those, 7,370, or 14.89%, are for drug related offenses. Breaking that down further, 2,688 (5.43%) are incarcerated for DRUG ABUSE offenses. That represents 0.0000023% of Ohio’s 11.69 million residents.

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Passage of this measure will have devastating implications on 100% of Ohio's population by taking away the ability of Ohio's judicial system to tailor sentences to drug law violators to the individual needs of the violator and in turn, setting back, if not completely erasing, any progress that has been made by evidence-based programs such as drug court and other specialty dockets.

It is for these reasons and many more that I ask that you join the members of the Ohio Task Force Commanders Association and others in opposing State Issue 1 and voting NO in November to help save our State.

Sincerely,

Jeff Solic

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