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FOR IMMEDIATE RELEASE:

**Franklin County Municipal Court Judges issue statement in OPPOSITION OF
ISSUE 1 on Thursday, September 27, 2018:**

As Franklin County Municipal Court Judges, we are tasked with the responsibility of sanctioning convicted drug offenders and trying to direct them to treatment while holding them accountable for their actions. While we agree with the spirit of Issue 1, we strongly disagree with the proposed language and urge voters to vote NO. All 15 Franklin County Municipal Court Judges unanimously oppose Issue 1.

Franklin County has seen a significant rise in fentanyl-related deaths and the Franklin County Municipal Court is on the front line of this crisis. Issue 1 reduces possession of 19 grams of fentanyl from a felony to a misdemeanor, despite the fact that 19 grams of fentanyl can kill 10,000 people. If Issue 1 passes, a person would need to be convicted of possession of fentanyl three times within 24 months before a judge can even consider jail time for possession of such a deadly drug. It is nonsensical to restrict judges from considering all appropriate sanctions for possession of fentanyl. Proponents of Issue 1 claim that these are scare tactics, but these are simple facts. If Issue 1 passes, it would be very difficult to impose a penalty for the newly classified drug offenses.

Issue 1 completely undermines the Court's current ability to encourage addicts to submit to treatment instead of suffering imprisonment. Evidence demonstrates that Ohio's Drug Courts are effective tools that help people achieve sustainable long-term recovery from drug addiction. Municipal Court Judges understand the collateral consequences of jail terms and how it disrupts recovery efforts, employment and families. Issue 1 nullifies a judge's ability to enforce treatment orders, which will result in fewer people going to or completing treatment.

If Issue 1 passes, it will have a serious effect on how Ohio fights future drug epidemics and it can encourage criminal activity, as there will be very limited consequence for possessing certain amounts of heroin, methamphetamines, LSD, fentanyl, and other controlled substances. The amendment is well intentioned and the Court agrees that those facing addiction need treatment. However, the amendment does not hold accountable potential drug dealers and others whose actions are criminally motivated. For example, if a person is convicted one time for possessing the date rape drug – which certainly does not indicate an addiction, but does indicate malicious and criminal behavior – they will not go to jail, as judges are prohibited from considering jail as a sanction.

Issue 1 is a request for an amendment to the Ohio Constitution and is not a state statute passed by the Ohio Legislature. If Issue 1 passes, the changes necessary to remedy its poorly drafted language cannot be made without another statewide ballot initiative. As a constitutional amendment, the Legislature would be powerless to intervene because they would be prohibited from creating any new laws to address the detrimental constitutional provisions that this amendment would impose.

All 15 Franklin County Municipal Court Judges stand united in opposition to Issue 1. We believe that Issue 1 is bad for the residents of Franklin County. The Court supports the efforts that Franklin County Prosecutor Ron O'Brien and Columbus City Attorney Zach Klein are making to devise a bipartisan legislative plan to address some of the concerns raised by Issue 1 proponents and those in our community who are dealing with or struggling from addiction. We welcome the opportunity to further this bipartisan alternative because it will allow courts to be even more effective in the administration of justice and giving those addicted the hope and opportunities they deserve.

Franklin County Municipal Court Judges

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