

State Issue 1: Not the Only Way to Win

Claim

Proponents of Issue 1 claim that they had to propose a constitutional amendment due to legislative inaction.

The Facts

The Ohio General Assembly, Ohio courts, and others have taken many steps to help solve the opiate crisis. Here are a few:

In a news release¹ on September 27, 2018, the Ohio Department of Health stated that “The State of Ohio is investing more than \$1 billion each year to help battle drug abuse and addiction at the state and local levels by:

- Sponsoring community rapid response teams to follow up with individuals who survive a drug overdose to seek to connect them to treatment
- Increasing the number of medical professionals qualified to prescribe medication-assisted treatment, the gold standard for treating opioid use disorder
- Expanding local prescription drug overdose prevention initiatives
- Pursuing scientific breakthroughs to battle drug abuse and addiction
- Expanding access to the opioid overdose reversal drug naloxone to save lives
- Implementing common sense reforms to prevent pain medication abuse
- Expanding data and tools available in Ohio’s prescription drug reporting and monitoring program (known as OARRS) used by opioid prescribers and pharmacists to enhance patient safety
- Providing funding to support toxicology screenings during Ohio coroner drug overdose investigations
- Educating prescribers and patients on how to safely manage pain and prevent pain medication abuse

The Ohio legislature has enacted the following pieces of legislation, among others, in an effort to address the opiate crisis:

- House Bill 86 (Criminal Justice Reform) 129th G.A. – Created a presumption of community control for first-time non-violent F4/F5 offenders. Funded probation improvement and incentive grants to keep offenders in the community.
- House Bill 337 (Collateral Sanctions) 129th G.A. – Expanded record sealing. Created the “Certificate of Qualification for Employment” to remove barriers to employment for individuals with felony records.
- Senate Bill 143 (Criminal Justice Reform) 130th G.A. – Expanded record sealing. Removed the cap on the number of hours of community service that an offender could complete in lieu of a cost judgment.
- House Bill 49 (Biennial Budget) 132nd G.A. – Created “Targeted Community Alternatives to Prison” to prohibit the 10 largest Ohio counties from sending non-violent, non-sex offense, F5 offenders to prison in exchange for funding for community treatment. Made the program voluntary for others. Fifty-six Ohio counties currently participate.
- Senate Bill 66 (Criminal Justice Reform) 132nd G.A. – Expanded record sealing to allow for sealing of up to 5 non-violent, non-sex offense felony convictions. Expanded Prosecutor Diversion to increase treatment opportunities in lieu of convictions. Expanded Intervention in Lieu of Conviction to increase treatment opportunities in lieu of convictions.

As of August 2018, The Supreme Court of Ohio Commission on Specialized Dockets lists 233 certified specialized dockets including 104 drug courts, 43 mental health courts, 30 family dependency courts, 23 veterans courts, and 12 reentry courts.² All are intended to improve how the criminal justice system deals with mental health and substance abuse problems.

¹ <https://www.odh.ohio.gov/-/media/ODH/ASSETS/Files/news/2018/ODH-News-Release---2017-Ohio-Drug-Overdose-Report.pdf?la=en>

² <http://supremecourt.ohio.gov/JCS/specDockets/certification/statusSheetDocket.pdf>