



Office of the Ohio Public Defender

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The Numbers:

- 3000 individuals are in Ohio prisons for strictly drug possession¹
- 14% of prison commitments in 2018 stemmed from drug possession²
- Ohioans are imprisoned for drug offenses more than any other type of crime³
- 40% of all DRC commitments are felonies of the fourth and fifth degree⁴
- Ohio's prison population is 15th highest in nation⁵
- 13 people die in Ohio every day from an overdose⁶

What Doesn't Work:

- "We're not going to enforce or prosecute or incarcerate our way out of this problem" – Chuck Rosenberg, Acting Administrator of the DEA on August 2, 2017
- 2015 Pew Research Survey found that harsher federal sentencing laws for drug offenses did not lead to reductions in drug use
- 2014 research by Peter Reuter at the University of Maryland and Harold Pollack at the University of Chicago found that heavy police enforcement and extended prison sentences do not effectively stop the flow of drugs and drug use
- Economists at Columbia and the University of Michigan found that the threat of longer prison sentences does not reduce crime
- The National Institute of Justice found that "severity of punishment does little to deter crime"
- Targeting just the supply of drugs is ineffective "because of the demand and the money that can be made, other people will step in." – Leo Beletsky, Drug Policy Expert and Northeastern University Law Professor

What Works:

- Treating addiction as a public health crisis⁷
- Community based treatment works, incarceration does not⁸
- Treatment is cheaper than incarceration⁹

¹ Council on State Government's Justice Reinvestment 2.0

² Schladen, Marty, *Ohio's Issues 1 Diagnosed A Prison Problem, But Solutions Complicated*, The Columbus Dispatch, December 3, 2018, citing Ohio Department of Rehabilitation and Corrections data

³ Id.

⁴ Id.

⁵ Hancock, Laura, *Republican Ohio Lawmakers Open to Drug Crime Reform After Issue 1's Failure*, Cleveland.com, December 4, 2018

⁶ Id.

⁷ Chuck Rosenberg, Acting Administrator of the DEA on August 2, 2017; Gringrich, Newt, Nolan, Pat, *Opioid Deaths are a Health Crisis – Treatment, not Jail, is the Cure*, Fox News, <https://www.foxnews.com/opinion/newt-gingrich-opioid-deaths-are-a-health-crisis-treatment-not-jail-is-the-cure>

⁸ *More Imprisonment Does Not Reduce State Drug Problems*, Pew Trusts, March 8, 2018, <https://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2018/03/more-imprisonment-does-not-reduce-state-drug-problems>; see also McVay, Doug, Schiraldi, Vincent, Ziedenberg, *Treatment or Incarceration*, Justice Policy Institute, January 2004; *Drugs and Crime*, National Council on Alcoholism and Drug Dependence, April 29, 2014, <https://www.ncadd.org/about-addiction/addiction-update/alcohol-drugs-and-crime?highlight=WyJkcVncylslmRydWdzJylslmNyaW1lll0=>

⁹ *Drug Rehab Instead of Prison Could Save Billions*, Foundations for Recovery Network, <https://www.dualdiagnosis.org/drug-rehab-instead-of-prison-could-save-billions-says-report-2/>; citing Zarkin, G., Cowell, A., Hicks, K., et.al. *Lifetime Benefits and Costs of Diverting Substance-Abusing Offenders from State Prison*, Sage Journals, August 1, 2015; see also *Replacing Prison Terms with Drug Abuse Treatment Could Save Billions in Criminal Cost*, RTI International, Newswise, January 9, 2013