

Ask the Chief.....

Under House Bill 110 persons who overdose cannot be charged until their third documented overdose if they seek treatment following their first two overdoses. How do you keep track of a person's number of documented overdoses?

Yes, Ohio House Bill 110, which took effect on 9-10-2016, does not permit law enforcement to charge overdose victims or suspects with drug related charges unless they are currently on parole or probation, or it is their third documented overdose. However, the law does permit them to be charged if within 30 days of their overdose they have not made any attempt to seek treatment. Our Heroin task force is actively working with people who overdose to insure such compliance with treatment obligations.

One issue we have identified with tracking overdoses is that a person can overdose in multiple jurisdictions which have independent reporting systems and the repeat offenses are never linked together. As an example, a person can overdose in Concord Township, Mentor, and Madison Village, and the three overdoses are not connected by law enforcement reporting systems. Thus each agency views it as a first occurrence.

While we cannot track statewide, the Lake County Sheriff's Office Heroin Task Force is creating a central data base that can be shared by law enforcement here in Lake County to better link together heroin overdoses. Police Departments who participate send copies of their overdose reports to the central data base and the information is entered. When a law enforcement agency in Lake County encounters a heroin overdose they can check the data base to verify if this person has overdosed previously in any of the contributing law enforcement jurisdictions. Thus they can better charge offenders in their jurisdictions properly. In this manner, we as a law enforcement collective can gain better insight into the heroin overdoses in Lake County, track re-occurring offenders better, and properly deal with repeat offenders.

As law enforcement we want to help heroin users who overdose to get the critical treatment they need. However, if they continually re-offend law enforcement will take the necessary steps to hold them accountable to the requirements of the law.

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