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Testimony in Support of HB2329 to the House Corrections and Juvenile Justice Committee February 14, 2023

Chairman Owens, Vice Chair Smith, Ranking Minority Highberger, and members of the committee:

This bill focuses on a problem that is increasing in our jurisdiction. The presence of a weapon during a drug deal.

This bill does not apply to the crime of drug possession but instead concentrates on the manufacturing/distribution side of felony drug crime. Guns are showing up for all kind of drug deals – even marijuana.

Drug “rips” have become more prevalent – where the buyer decides it is easier and cheaper to just take the illicit product than to pay for it. We have seen an uptick in drug rips in our area. We suspect there are more than we are aware of since it is not the norm for a drug dealer to notify us if their buyer ripped them off. Our knowledge of these events come from informants or when something goes horribly wrong.

We feel this increase in the penalty for these types of crimes may provide a deterrent, or at least will deter the criminal convicted of this type of crime while they are incarcerated.

We are also pragmatic in our view of the criminal justice system. District and County Attorneys may use the enhancement as a plea bargain tool, which is part of keeping the system running and not becoming backlogged. Whether the penalty is imposed or used as a tool we feel there will be progress made on this ever-increasing issue.

We would ask the committee to report the bill out as favorable for passage.

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