



OHIO COMMUNITY CORRECTIONS ASSOCIATION  
TESTIMONY

SUBSTITUTE SB66  
(MODIFY CRIMINAL SENTENCING AND CORRECTIONS LAW)

SUBMITTED TO THE  
CRIMINAL JUSTICE COMMITTEE  
OF THE  
OHIO HOUSE

By: Mike Randle  
APRIL 10, 2018

Chairman Manning, Vice Chairman Dolan, Vice Chair Rezabek, Ranking Member Celebrezze and members of the House Criminal Justice Committee:

I am Mike Randle, president of the Ohio Community Corrections Association (OCCA), the organization I am testifying on behalf of today. OCCA represents 10 nonprofit residential reentry treatment centers, also called halfway houses, and five community based correctional facilities (CBCFs) that oversee 38 sites in the state. I am also a Vice President for Oriana House, a Chemical Dependency and Community Corrections Agency with over 30 years of experience in this area. Oriana House currently operates programs in Akron, Cleveland, Lima, Marietta, Sandusky, Tiffin and Toledo.

I am testifying in support of Senator Eklund and Senator Tavares' Senate Bill 66, which continues Ohio down the path of a common sense approach to criminal sentencing that will produce the right mix of punishment and rehabilitation for Ohio's nonviolent, low level offenders. The bill expands the principles that judges must consider in sentencing by including rehabilitation alongside of punishment and public safety. Formally including rehabilitation in the sentencing principles is recognition that the offender has an obligation to address the issues that brought them in front of the Judge.

In addition to the expansion of sentencing principles, the bill also contains provisions that will produce better outcomes for justice-involved individuals, their families, and local communities around Ohio. For example, the bill broadens the circumstances in which judges may use intervention in lieu of conviction and will allow many more individuals to receive the treatment they need in their local communities. The bill also recognizes that relapse is part of the journey to recovery for many and gives judges the discretion to continue the treatment option for an individual who has temporarily relapsed. Both of these changes are vital as Ohio continues to battle an opiate crisis that has ravaged our local communities with a record 3,050 overdose deaths recorded in 2015. We see different illicit drugs entering all of our communities across the state. Expansion of the intervention in lieu of conviction program will give judges an additional tool to engage individuals in the treatment that can save lives.

Allowing the Adult Parole Authority greater discretion to use community sanctions rather than a return to prison for those who are in technical violation of their conditions of release builds on the evidence that "swift but certain" sanctions like short stays in residential community settings are more effective ways to promote long term shifts toward prosocial behavior than a return to prison. This committee had asked the sponsors if these provisions pertaining to technical violations applied to sex offenses and offenses of violence. According to the Legislative Service Commission, all provisions that limit prison time to 90/ 180 days precludes offenses of violence and sex offenses.

The bill also provides judges greater flexibility to recognize and reward the progress that individuals have made toward overcoming addiction and leading law abiding productive lives by allowing judges more discretion in granting early termination of probation for those who no longer need to be supervised. This will not only reward those who have turned their backs on criminal behavior, it will also allow courts and probation departments to focus their

overburdened resources on those individuals who truly pose a continued threat to local communities.

As community corrections professionals, our Association members have the privilege of witnessing the profound changes that individuals can make in their thoughts and their actions as they become law-abiding citizens. Unfortunately, we also can attest to the life-long negative impact that past felony convictions can have on the ability of those same individuals to hold employment and obtain the housing they need to support themselves and their families long after they have paid their formal debt to society. We therefore support the bill provision that grants greater judicial discretion to seal the records of non-violent offenders.

The reforms contained in this bill will increase treatment options, reduce recidivism, and allow Ohio's overcrowded prisons to focus on those who pose the greatest threat to public safety. On behalf of the Ohio Community Correction Association, I am therefore proud to offer our support of substitute Senate Bill 66.

Thank you for your time, and I am now happy to answer any questions you may have. Additional questions may be directed to:

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#### Endnotes/References

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<sup>i</sup> The National Institute on Drug Abuse (NIDA) of the National Institutes of Health (NIH) defines addiction as a chronic, **relapsing** brain disease that is characterized by compulsive drug seeking and use, despite harmful consequences.