

Ohio House Criminal Justice Committee
December 4, 2018
Substitute Senate Bill 201
Proponent Testimony

My name is Phyllis Carlson-Riehm and I represent ACTION OHIO Coalition For Battered Women, a statewide domestic violence coalition. On behalf of ACTION OHIO, I am submitting written testimony in support of the passage of Substitute Senate Bill 201, also known as the Reagan Tokes Law.

Substitute Senate Bill 201 modifies Ohio's Felony Sentencing Law by:

- Providing for indefinite prison terms for 1st and 2nd degree felony offenders or 3rd degree felony offenders whose crimes were committed after the bill's effective date, with presumptive release at the end of the minimum term imposed;
- Specifying that the indefinite terms will consist of a minimum term selected by the sentencing judge from a range of terms authorized for the degree of offense and a maximum term set by statute based on the selected minimum;
- Generally allowing the Department of Rehabilitation and Correction to recommend that the sentencing court reduce an offender's minimum term for exceptional conduct or adjustment to incarceration, and requiring the court after a hearing to grant or deny the reduction;
- Allowing DRC to rebut the release presumption for an offender and keep the offender in prison up to the maximum term if it makes specified findings; and
- Providing that offenders released from prison after service of an indefinite term will be subject to post-release control to the same extent and under the same rules as offenders currently released after service of a definite term;
- Including clarification that the law's PRC provisions do not apply with respect to a term of life imprisonment imposed by a court.

This bill was introduced by Senators Kevin Bacon and Sean O'Brien as a direct result of the murder of OSU Student Reagan Tokes on February 9, 2017, at Scioto Grove Metro Park and the efforts by her parents to strengthen Ohio law to prevent another such tragedy and to honor the memory of their daughter.

Convicted murderer Brian Golsby while incarcerated for a previous violent crime displayed no signs of remorse or rehabilitation for his crimes but was not held accountable for his actions, because Ohio law didn't allow for that modification. And although he was released on supervision, with electronic monitoring, there was no real time monitoring of his whereabouts or limitations placed upon his movements and freedom to roam. As a result, he was able to target, assault and rob unsuspecting residents and finally stalk, abduct, steal from, rape and finally commit the homicide of Reagan Tokes.

With the passage of Substitute Senate Bill 201, violent offenders like Golsby could receive an indefinite sentence and be held accountable for behavior while in prison. Ohio's citizens deserve to be protected from violent offenders who are destined to continue their violent acts upon their release into the community. It is clear that current Ohio law and Department of Rehabilitation and Correction staffing cannot provide the oversight and control necessary to prevent tragedy and loss of life as experienced by the Tokes Family. And maybe there are no means of stopping violent offenders who are bent on committing criminal behavior and protecting the public from being targeted as victims.

I urge committee members to vote in favor of the passage of Substitute Senate Bill 201 in committee and on the House floor. Thanks for the opportunity to express these viewpoints.

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