



OHIO COMMUNITY CORRECTIONS ASSOCIATION
TESTIMONY

SB66
(MODIFY CRIMINAL SENTENCING AND CORRECTIONS LAW)

SUBMITTED TO THE
JUDICIARY COMMITTEE
OF THE
OHIO SENATE

By: Mike Randle
March 21, 2017

Chairman Bacon, Vice Chairman Dolan, Ranking Member Thomas and members of the Senate Judiciary Subcommittee:

I am Mike Randle, president elect of the Ohio Community Corrections Association (OCCA), the organization I am testifying on behalf of today. OCCA represents 11 nonprofit residential reentry treatment centers, also called halfway houses, and five community based correctional facilities (CBCFs). 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 protection of public safety. Formally including rehabilitation in the sentencing principles will allow judges more discretion to craft effective sentences.

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 manyⁱ 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. In fact, Ohio currently ranks number one in total opiate deaths, even ahead of the far more populous California and New York.ⁱⁱ 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.

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.

Our Association supports SB66 and asks that the committee consider language that will further strengthen the efficacy of the proposal by amending the bill. SB66 already provides that a court may impose a new term of up to six months in a community-based correctional facility or a jail as a penalty for a felony offender who violates a community control sanction condition. We respectfully request that halfway houses be specified as an additional sanction option for courts under both ORC 2929.15(B)(1)(b) and 2929.16 (A)(6) It is our understanding that the omission of halfway houses from these sections was not intentional, and the Ohio Department of Rehabilitation and Correction would support an amendment to include them. The research-based programs and services that halfway houses provide have been proven to reduce recidivism, and the individuals who are placed in a halfway house will engage in treatment services, gather resources and learn the skills necessary for a successful, crime-free life during their stay. Each resident follows a case plan that includes participation in cognitive behavioral treatment, chemical dependency treatment, workforce development services, educational/GED classes, housing assistance, and other supportive services. Specialized services are available for individuals with mental health issues, veterans, and/or other specialized treatment needs. Halfway house beds can also serve to alleviate issues of jail and CBCF overcrowding.

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 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

ⁱ 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.

ⁱⁱ <http://www.dispatch.com/news/20161129/ohio-leads-nation-in-overdose-deaths/1>