



OHIO PROSECUTING ATTORNEYS ASSOCIATION

196 EAST STATE STREET • SUITE 200 • COLUMBUS, OHIO 43215 • TELEPHONE 614/221-1266 • FAX 614/221-0753 • WWW.OHIOPA.ORG

Officers

Victor V. Viglucci
President, Portage
Juergen A. Waldick
President Elect, Allen
Daniel R. Lutz
Vice President, Wayne
Michael C. O'Malley
Treasurer, Cuyaboga
Jane M. Hanlin
Secretary, Jefferson

Past Presidents

Julia R. Bates
Lucas
Kevin J. Baxter
Erie
Paul A. Dobson
Wood
John D. Ferrero, Jr.
Stark
Mathias H. Heck, Jr.
Montgomery
Morris J. Murray
Defiance

Ronald J. O'Brien
Franklin
David W. Phillips
Union
Edwin A. Pierce
Auglaize
Shetri L. Bevan Walsh
Summit
Dennis A. Watkins
Trumbull
Dennis P. Will
Lorain

Members-at-Large

Steven D. Barnett
Carroll
Keller J. Blackburn
Athens
Joseph T. Deters
Hamilton
D. Vincent Faris
Clermont
David P. Fornshell
Warren

Michael T. Gmoser
Butler
Gwen Howe-Gebers
Henry
Charles T. McConville
Knox
Stephen J. Pronai
Madison
Ryan D. Styer
Tuscarawas

Kevin S. Talebi
Champaign
Christopher R. Tunnell
Ashland
Jess C. Weade
Fayette
Judy C. Wolford
Pickaway
Katherine J. Zartman
Williams

Louis Tobin
Executive Director

May 3, 2019

Representative Scott Oelslager
The Ohio House of Representatives
The Vern Riffe Center
77 South High Street, 13TH Floor
Columbus, 43215

RE: Substitute House Bill 166 – Medical Release as if on Parole/APA Probation Services

Representative Oelslager –

I wanted to thank you for removing two provisions from the As Introduced version of House Bill 166 that were of concern to Ohio prosecutors. The first provision authorized the Director of the Ohio Department of Rehabilitation and Correction to release medically incapacitated prisoners from ODRC facilities. The second shifted responsibility for probation services in nearly half of Ohio counties from the Adult Parole Authority to the county.

Medical Release

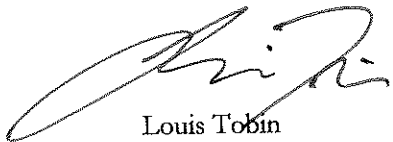
The release of a medically incapacitated or terminally ill prisoner from ODRC may already be accomplished under current law by order of the Governor or the sentencing court. Granting the release authority to the Director of ODRC, an unelected state employee, was both unnecessary and unwarranted. Early release decisions are appropriately placed in the hands of elected officials who are responsible to the communities to which released prisoners will return.

APA Probation Services

The As Introduced version of the bill would have required counties to establish or supplement their own probation departments through ODRC grant funding rather than have the APA provide those services. Grants for probation services were to be made only if funding was appropriated. The APA currently has agreements with forty-one counties to provide either full or supplemental probation services. Requiring almost half of the state to start providing their own probation services or more of their own services would have created a substantial financial hardship in many places, even with grant funding. It would have made it harder to adequately supervise offenders, placing public safety at risk.

Ohio prosecutors are supportive of the removal of these provisions and appreciate of your addressing these concerns through Substitute House Bill 166.

Respectfully,

A handwritten signature in black ink, appearing to read "Louis Tobin", written in a cursive style.

Louis Tobin
Executive Director

LT:dpm