



TO: House Criminal Justice Committee
FROM: Gary Daniels, Chief Lobbyist, ACLU of Ohio
DATE: May 23, 2017
RE: House Bill 63

To Chairman Manning, Vice Chair Rezabek, and members of the House Criminal Justice Committee, my name is Gary Daniels, chief lobbyist for the American Civil Liberties Union of Ohio ("ACLU of Ohio") and I appear to present opponent testimony on House Bill 63.

HB 63 is not complicated. Essentially, it requires judges to sentence a person for 5-20 additional years if the defendant is convicted of felonious assault and that crime caused serious permanent disfigurement or substantial incapacity to the victim.

A couple weeks ago, I appeared before this committee to testify on Substitute House Bill 38. I commented in my testimony that it will surely be a short time before the legislature is asked to consider yet another bill to expand our felonious assault statute and/or mandate more prison time. I did not expect it would be this soon.

In that testimony, I also mentioned Ohio's ever-expanding and overcrowded prisons and how other states are shrinking their prison systems in bipartisan fashion without compromising safety.

As you have surely heard, the latest development is the Senate's plan to slash \$80-90 million from the budget of the Department of Rehabilitation and Correction via the budget bill. This is because our state budget will have an expected \$800 million hole to fill before July 1st.

According to Director Mohr, such a large reduction in ORDC's budget will result in significantly less funding for community corrections. The ACLU of Ohio, among many others across the political spectrum, believes funding alternatives to costly prison incarceration should be a priority and should be expanded, not reduced.

Instead, House Bill 83 will eventually take the prison system's budget the opposite direction, eventually costing your constituents \$6.5 million per year, \$13 million per budget cycle.

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In other words, in an environment where Ohio is struggling to come up with money, with a prison system on the verge of losing major funding, we are presented with HB 63 which throws gasoline on the fire.

The good news is, this committee can put the brakes on this trend by rejecting House Bill 63. Those who commit felonious assault will still be severely punished, as they are now. But, Ohio can no longer afford – financially and systemically – to continually pass bills that contribute to numerous problems instead of easing them. Ohio's numerous mass incarceration problems are in need of major and serious reforms. HB 63 takes us backwards, against the trends found in state legislatures across this country.

For these reasons, the ACLU of Ohio asks this committee to reject House Bill 63.