



Ohio Judicial Conference

The Voice of Ohio Judges

House Criminal Justice Committee
Judge Brian F. Hagan
Interested Party Testimony on House Bill 439
March 20, 2018

Chair Manning, Vice Chair Rezabek, Ranking Member Celebrezze, and members of the House Criminal Justice Committee, I thank you for this opportunity to testify as an interested party on behalf of the Ohio Judicial Conference about House Bill 439.

I am Judge Brian Hagan, presiding administrative judge of the Rocky River Municipal Court. I also serve as the President of the Association of Municipal and County Court Judges of Ohio.

House Bill 439 is the result of a report and recommendations made by the Ohio Criminal Sentencing Commission's Ad Hoc Committee on Bail Reform. It should be noted that the Ad Hoc Committee's recommendations included funding for both use of staff to administer risk assessments and for collecting data. While judges recognize the strong interest in reforming the bail process in Ohio, the data collection provisions in the bill are entirely unfunded and potentially very costly.

These data-reporting requirements will have a huge impact on courts and their staff. Many courts simply do not have the personnel, funding, or space to accommodate the bill's mandates. Additionally, the data sought would likely vary in format and reporting method from court to court. The 88 courts of common pleas and 100-plus municipal and county courts in the state all operate autonomously, each with their own record-maintenance systems. Any time data is to be collected with the intention to do statewide analysis, it is important to have uniform defining, collection, and reporting requirements so as to ensure an "apples to apples" comparison. Ohio's court system is not a unified-court system, and thus any efforts to collect and report data from all of the individual courts must take this into account. With the level of detailed information sought to be collected in H.B. 439, a statewide computer system would ideally allow for the information to be collected from the various courts and then assembled in a manner that is usable, but no such system currently exists, and implementing one would likely come with a hefty price tag.

Thank you for the opportunity to testify on HB 439 as an interested party. I thank the sponsors, Representatives Dever and Ginter, their aides, and caucus staff for considering our previous feedback and look forward to continued improvement of the bill. I am happy to answer any questions you may have.