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Sponsor Testimony: Senate Bill (SB) 160
Senate Judiciary Committee
July 17th, 2019

Chairman Eklund, Vice Chair Manning, Ranking Member Thomas, and members of the Senate Judiciary Committee, thank you for the opportunity to provide sponsor testimony today on SB 160. At a time when legislators on both sides of the aisle are actively looking for ways to transform an outdated criminal justice system, this legislation gives us a unique opportunity to improve the lives of thousands of reformed Ohioans.

While the current system of limiting the options for criminal offenders to participate in certain sectors of society is laudably intended to protect people, this system seriously disadvantages those who, at one point, made a bad decision but have lived otherwise honest, law-abiding lives. To be sure, many of us have heard from constituents who, at age 19 or 20, did something stupid and were convicted but, despite no further missteps, must deal with consequences such as the inability to get particular jobs or attain certain public benefits for the rest of their lives.

This, as you might expect, can lead to an untold number of other difficulties which can hinder someone's ability to fully reform and lead successful lives. It is for this reason we are proposing to revise Ohio's criminal record expungement laws to allow once-convicted Ohioans to apply for an expungement of their record – with a presumption that their application will be approved, provided they have been convicted of no further offenses – after 20 years for a first-degree felony, 15 years for a second-degree felony, or 10 years for third-, fourth-, or fifth-degree felonies or misdemeanors.

Still recognizing the true heinousness of some crimes, however, offenses such as murder (of any kind), voluntary manslaughter, child abuse, patient abuse, kidnapping, trafficking in persons, aggravated arson, terrorism, domestic violence, aggravated drug trafficking, and unlawful sexual conduct with a minor have been deemed ineligible for expungement under this bill. Additionally, to ensure the offender does not represent a continuing danger to society, there are terms included in the bill which allow a prosecutor to object to the granting of an expungement application and require a judge to take careful consideration of the entirety of the offender's conduct since their conviction.

With alarming regularity, the lives of Ohioans who made one bad decision in their youth are being disrupted long into old age. The time to give reformed offenders a second chance at a productive, stigma-free life is now, and we encourage you to favorably report this bill out of committee.

Chairman Eklund, Ranking Member Thomas, and members of the Senate Judiciary Committee, thank you again for the opportunity to provide sponsor testimony on SB 160 today. We would be happy to answer any questions you may have at this time.