



Ohio Judicial Conference

The Voice of Ohio Judges

Senate Judiciary Committee

Paul Pfeifer

Proponent Testimony on Senate Bill 18

Chair Eklund, Vice Chair Manning, Ranking Member Thomas and members of the Senate Judiciary Committee, I thank you for this opportunity to submit proponent testimony for Senate Bill 18 on behalf of the Ohio Judicial Conference. I am Paul Pfeifer, Executive Director of the Ohio Judicial Conference.

The Judicial Conference has suggested amendments to S.B. 18 to clarify two drafting issues discussed below, and it is our understanding that those amendments are to be offered here today. If these amendments are adopted, our concerns will have been addressed, and we will fully support the bill.

Actual Knowledge of Pregnancy

The bill prohibits court personnel, law enforcement officers, and corrections officials from “knowingly restrain[ing] or confin[ing]” a female during pregnancy or “during any period of postpartum recovery.” We interpret these provisions to require knowledge of the *confinement or restraint*, not of the pregnancy. We suggest amending R.C. 2152.75(B) and R.C. 2901.10(B) to require actual knowledge of the pregnancy as follows:

(B) Except as otherwise provided in division (C) of this section, no law enforcement, court, or corrections official with knowledge the female child/woman is pregnant or was pregnant shall knowingly restrain or confine a female child/woman who is a charged or adjudicated delinquent child/convicted criminal offender during any of the following periods of time:

...

Defining the Postpartum Period

At this bill’s last hearing, concerns were raised about the lack of definition for the postpartum period described in R.C. 2152.75(B)(3) and R.C. 2901.10(B)(3). We do not have a specific recommendation for the length of a postpartum period – that is a medical consideration. We would like to see a

defined length of time for those who are required to follow this statute. We suggest specifying your intended timeframe for the “postpartum period” in these two sections as follows:

If the child/woman was pregnant, during any period of postpartum recovery up to XX days after the child’s/woman’s pregnancy.

We thank the sponsors, Senator Antonio and Senator Lehner, for working with us to address our concerns. If there are any other lingering issues with the bill, we would be happy to continue working with the sponsors and this Committee to further improve the bill. We thank you for considering our testimony. I am available to answer any questions you may have.