

**TESTIMONY OF MARY FRANCES SMITH COMMITTEE ON THE JUDICIARY
OPPOSITION TO HB 315**

Chairmen LaRe vice chair White ranking member Leland and fellow members of the criminal Justice committee.

My name is Mary Frances Smith. I am the Past President of the Ohio Professional Bail Association. I have 33 years experience working within the criminal justice system. This is the third time I have testified against these ridiculous bills. Mr. Chairman, On February 18th 2022 Dave Yost Attorney General and the Center for Justice Research requested proposals for a study that will not even be completed until June 30th, 2023. The

Data isn't in yet and you are entertaining a bill again without data, without Funding and without success in other states?

The so-called "bail reform" movement has attacked many States in many different forms but soon after, laws have been repealed across this nation because it is a bad idea and does not work nor does it solve jail over crowding.

The bail reform movement is not about bail reform. Any time you hear that phrase it means bail elimination. These bail reform advocates want to get rid of monetary bail because of the mistaken belief that it somehow discriminates against the poor.

Bail is for appearance: 1:09 of the Ohio Constitution clearly states that " All persons shall beailable by sufficient surety."

When a defendant fails to appear is he sufficient surety?

You have heard the saying that defendants are innocent until proven guilty.

BAIL HAS NOTHING TO DO WITH INNOCENCE OR GUILT.

However, in order to determine innocence or guilt, there must be appearance.

These defendants did not show up in the classroom, do not show up in the workplace and with no skin in the game as adults and

no one to watch them and now with approval from you won't show up in the courtroom.

1: Thomas Smith was released on his own recognizance on Feb. 21st. 2019.

And this was done by a phone call to a judge and pretrial (Regional Court Services) did a risk assessment and the charges were Assault, Resisting Arrest and Obstructing Official Business. VIOLET CRIMES.

On March 1st. 2019, an innocent woman was killed in a parking lot of a gas station (no connection between her and the defendant), and this isn't the only county soft on crime.

2: Marquise Grant 26 was released on his own recognizance after being arrested on numerous felony charges including possession of fentanyl.

This 26 year old had served 5 years in prison on felonious assault. No one looks at the severity of the charges. He then shot and killed a man in Toledo.

My nephew Brent was 31 years old when he was arrested for the umpteenth time in July of 2018. Using the county's risk assessment, he scored 5 out of 6 for failure to appear. He should not have been let out. The family didn't want him out.

Yet, a pretrial services bureaucrat, with no Judge signing off -- released Brent through the county's pre-trial release program. He again

Failed to Appear. Within a few days, Brent was dead.

. To us, it was a tragedy of the highest order. To the county, another statistic. A case dismissed. Believe it or not, because of the way the county counts, labels and spins its results, it actually listed Brent's case as a success because his case was dismissed.

If you want to make sure that a defendant shows up for court, you must make them accountable. San Francisco isn't doing it! Lucas County isn't doing it! Cuyahoga County isn't doing it! Franklin County isn't doing it.

These defendants all started out in the system

on guess what, misdemeanor charges and were released on their own recognizance through a county paid Pretrial Service Entity.

Of course the same charges you placed on the cutting board, started these three and most defendants on their journey to murder of innocent people. Momma used to say if I punish you on the smaller things the bigger things won't happen.

\$ The tax dollars savings that this bill promotes is \$260 million in Jail cost. This is straight out of the talking points that the left is selling and The crafter of these bills play right into their hands.

Early assessment and diversion to addiction services and rehab are going to cost closer to \$780 million so the next cost of the items set

up in this bill is still going to be \$520 million new dollars. I don't see an extra \$500 million lying around in the state budget do you?

President Reagan said to trust but verify and this bill does not allow for verification as well as forcing the counties to pay for the implementation of a new bureaucracy at taxpayers expense.

In Conclusion:

1: We support a uniform bail schedule guidelines and feel that it should be implemented as soon as possible.

2: Domestic Violence cases should be handled under Marcy's law rules and time is given to assess the case in a realistic timetable.

3: Allow the judicial system to work without legislation that will burden these courts and counties.

We are not the enemy. We have been providing a constitutional guaranteed service for over 200 years and as officers of the court by statute, we want to be part of the solution and these bills are not in the best interest of the citizens of the State of Ohio.

If you pass this legislation and continue to allow this nonsense you

Join the ranks of George Soros, the Arnold foundation,

A.O.C. and Eric Holder whom all have much different ideas on how

to run the State of Ohio and have spent years manipulating you and millions of dollars getting you and others to finally believe them.

I am willing to take any questions.