



Senator Theresa Gavarone
Sponsor Testimony, Senate Joint Resolution 5
Judiciary Committee
May 10, 2022

Chairman Manning, Vice Chair McColley, Ranking Member Thomas, and members of the Senate Judiciary Committee, thank you for allowing me to testify on Senate Joint Resolution 5.

This joint resolution is simple: it would put to the voters a Constitutional amendment requiring our judges consider the risk to public safety when determining bail for defendants.

Earlier this year, the Ohio Supreme Court ruled in *DeBose v. McGuffey* that a court cannot consider the risk a defendant poses to public safety in determining the amount for bail. I think we all agree that victims deserve to know they will be safe from the criminals who have abused them and the public deserves to be protected from violent criminals. Unfortunately the Supreme Court made a reckless decision in *DeBose* that runs counter to that. It threatens not just the safety of victims and their families, but also the safety of our brave men and women in law enforcement and people across the state. The bottom line is that the decision by the Court is a direct threat to public safety.

The point of SJR 5 is to fix the ramifications of the Court's decision. SJR 5, if approved by voters this November, would allow the courts to use factors such as public safety, a person's criminal record, the likelihood a person will return to court, and the seriousness of a person's offense in determining the amount of bail posted. This will give power back to our judges in determining an individual's risk to victims, law enforcement, and the community as a whole.

One of the core functions of government is to protect the public from criminals who wish to do harm. My goal is to ensure we keep Ohioans safe. SJR 5 will achieve that goal by ensuring public safety is a consideration in bail decisions. Simply put, this effort is about better ensuring people- our family members, friends, and neighbors- are safe as they live their lives.

Chairman Manning, thank you again for the opportunity to discuss SJR 5. I'm open to questions from the committee on the resolution at this time.