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**SJR 5 Proponent Testimony – May 17, 2022**

Chairman Manning, Vice Chair McColley, Ranking Member Thomas and members of the Senate Judiciary Committee – thank you for allowing me the opportunity to offer proponent testimony today on Senate Joint Resolution 5. SJR 5 is an important measure to ensure public safety remains an integral part of Ohio's current bail analysis.

Earlier this year the Ohio Supreme Court in *Dubose v. McGuffey* found that the sole purpose of bail is to ensure an accused person's attendance in court, and that public safety is not a consideration with respect to the financial conditions of bail. This means that irrespective of the danger an individual may pose to themselves or the community, judges are not permitted to consider public safety when determining a bail amount.

The aim of SJR 5 is singular in its focus and simple in its execution – to return discretion to Ohio's judges to consider public safety as an important variable in the bail analysis. Opponents of this measure often cite to wider concerns with the current bail system, but SJR 5 is not intended or suggested as a comprehensive bail reform measure. Rather, it is offered as a targeted solution to a unique problem in Ohio today that is the direct result of *Dubose v. McGuffey*.

Another concern our office heard about this measure is that it may be read to preclude current or future bail reform efforts by the legislature. This is not our intent. To address this concern, the language in the House was amended to include the phrase, "...and any other factor the general assembly may prescribe." This language both acknowledges and compliments future action by the General Assembly, should the GA choose to legislate on this topic at a later date.

I would be remiss not to mention the collaboration between our office and the Ohio Prosecuting Attorneys Association on this issue. This issue is affecting prosecutors all over Ohio, and our office is especially grateful for the collaboration with prosecutor Joe Deters in Hamilton County.

I would not be standing before you today without tremendous support on this topic from both the House and Senate. I am grateful for the leadership of Senator Gavarone for sponsoring this measure, and for her lengthy work and diligence to bring this legislation forward.

Thank you for a few moments to speak about this matter today. I would be happy to take any questions at this time.