



Steve Stivers, President & Chief Executive Officer
Ohio Chamber of Commerce
Proponent Testimony – Senate Joint Resolution 5
May 17, 2022

Good afternoon, Chairman Manning, Vice Chair McColley, Ranking Member Thomas and members of the Senate Judiciary Committee. Thank you for allowing me to present proponent testimony on Senate Joint Resolution 5. My name is Steve Stivers, and I am the President and CEO for the Ohio Chamber of Commerce. For 129 years, the Ohio Chamber has served as the state’s leading business advocate and we represent over 8,000 companies that do business in Ohio. Our mission is to aggressively champion free enterprise, economic competitiveness, and growth for the benefit of all Ohioans.

SJR 5, developed in conjunction with Ohio Attorney General Dave Yost, is designed to ensure that public safety is considered by judges when determining bail. This past January 4, the Ohio Supreme Court issued its decision in *DuBose v. McGuffey*, ruling that “public safety is not a consideration with respect to the financial conditions of bail”. The court instead stated that “public safety concerns may be addressed by the imposition of nonfinancial conditions, such as restrictions on travel and association, completion of alcohol and drug abuse treatment, and orders of no contact with witnesses in the case.”

The Ohio Chamber of Commerce profoundly disagrees with the court’s ruling, and applauds Justices Kennedy, Fischer, and DeWine for their dissent. Their opinions rightfully recognized the trial court’s discretion and the safety concerns of both the victim’s family and Ohio’s communities.

There are several levers that government influences which impact Ohio’s economic competitiveness, including quality of life. This aspect includes the economic well-being, cost of living, public health, and lifestyle considerations than an area offers. All these considerations are secondary, however, to public safety. No matter if the business is a mom-and-pop or a major corporation, their ability to thrive depends on the physical safety of their owners, employees and customers, and the protection of their property and assets. By dismissing public safety when determining bail, Ohio jeopardizes the physical health of our citizens and local law enforcement personnel, and the economic health of all businesses.

Already we have seen this decision in action, most recently in the Youngstown area in February. In citing the Ohio Supreme Court’s *DuBose* ruling, a Mahoning County Common Pleas Court judge reduced bond for a suspect accused of shooting four people at an apartment complex, one of whom was killed.

We strongly encourage this committee, the entire Ohio General Assembly, and the DeWine Administration to restore the consideration of public safety as a matter of setting bail by enacting SJR 5. Empowering Ohio’s voters to affirm this in Ohio’s Constitution will send a clear mandate to our state supreme court. The safety of our communities remains fundamental to our state’s ability to attract and retain businesses and the top priority of the Ohio Chamber of Commerce. Thank you for your time and attention to this critical subject.