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Joint Sponsor Testimony, House Bill 44

April 18, 2023

Good afternoon, Chair Abrams, Vice Chair Williams, Ranking Member Brown and all other members of the Criminal Justice Committee. I am here today to talk about HB 44, a bill to require electronic recordings of all parole board hearings and to make full board hearings “public records” under the Public Records Law. I am proud to be primary sponsor of this bill along with my esteemed colleague, Representative Brian Stewart.

We want to bring transparency to Ohio Parole Board hearings. I believe the current system operates primarily in secrecy. This is stated in the Ohio Parole Board’s Handbook of January 2019 – “Although the outcome of all parole hearings is public information, institutional parole release hearings and deliberations are closed to the public.”

The public cannot attend any of these hearings or meetings where the board discusses the cases and decisions. The public does not have access to any kind of transcripts, recordings, or other records from these hearings and deliberations. All the public has access to are the final decisions made by the board. Full board meetings are currently shown live on The Ohio Channel but are

not stored and are not accessible after the hearing has completed. In court proceedings, there is either a court reporter present who transcribes proceedings or a recording is made. People have the right to request those transcripts or recordings of those proceedings. In this bill, we would require that full Ohio Parole Board hearings be recorded and stored and that people could request these records through the Ohio Public Records Act. Additionally, if the party, person, or entity wishes to have the recording transcribed they can do so at their own expense.

Accountability in government starts with access to information on how it operates and how it makes decisions. Openness builds trust. Openness builds confidence that the actions that are made in the public's name are correct and truly in the best interest of the public. If the public can see how and why the Board came to a decision, we can create more confidence in the system.

People from any angle in a case could benefit from increased transparency in Parole Board decision making. A victim's family under current procedures would know the Parole Board's decision but they might also like to know exactly how that decision came about and what specific pieces of information were taken into account. An inmate might like to know what specific actions they took that led to their parole being denied. Members of the Parole Board could benefit by showing the public that they did their due diligence in their process of decision making. Increased transparency can be beneficial to everyone.

Openness doesn't necessarily mean access to everything. We know that privacy and safety are a concern when talking about such sensitive matters and this bill makes allowances for that. We

care deeply about victims and their families and we want to ensure we protect them as needed through this process. This bill specifically states that identifying information of any victim and their immediate family is not included in public record, including their name, date of birth, phone numbers, email addresses and more.

Rep. Stewart and I introduced a version of this bill last year in the previous General Assembly. The bill we are introducing is a bit different from the previous version. The previous version asked that all parole board hearings be recorded and available through Public Records Law. This version asks that only the full board hearings be made available through Public Records Law. Hearings such as institutional & revocation hearings will be recorded and **ONLY** made available to the prisoner, the prisoner's counsel, the prosecutor, and the victim as long as confidential information is **redacted**. This change has been made as a response to concerns over sensitive information and situations that are commonly discussed. This includes topics such as previous trauma, mental and physical health, and details about protective custody. These personal and sensitive items are not suitable for public consumption.

When we talk about parole, we are literally talking about the difference between freedom and imprisonment of our fellow citizens. Let's make sure we are getting this right. Let's have transparency in Ohio Parole Board deliberations so that we the people can be sure that the right and fair decision on whether someone is granted or denied parole is made. Please vote yes to HB 44. Now I would like to pass to my joint sponsor Representative Stewart for his testimony.