



Sponsor Testimony: House Bill 191

Representative DJ Swearingen, 89th House District

Majority Floor Leader Bill Seitz, 30th House District

House Criminal Justice Committee

Chairwoman Abrams, Vice-Chair Williams, Ranking Member Brown and Members of the House Criminal Justice Committee, thank you for allowing us to provide sponsor testimony in favor of House Bill 191, the Codification of Criminal Rule 46.

Criminal Rule 46 addressed pretrial release and detention for those accused of a crime. With the passing of Issue 1 on the 2022 November ballot, the Supreme Court elected to repeal Criminal Rule 46 and leave further guidance for pretrial release and detention to the General Assembly. This legislation will simply codify previous Criminal Rule 46 and give Ohio judges clear guidance when it comes to those matters.

Representative Swearingen wins the brevity prize for his succinct description of what this bill does. Let me only add that it is imperative that we move forward swiftly on this bill or its Senate companion because existing Rule 46 goes away on July 1 and unless we pass this bill, courts will be left adrift as to the proper guidance in setting bail. It is also important to note that codifying current Rule 46 does not mean that no further changes will be considered in the future. Legislation enacted last year established a legislative taskforce to collect and review data from all 88 county jails that is intended to inform us of the statistics as to who is in jail awaiting trial and for what reasons. Once we have this data, we can then consider whether further bail reforms are warranted.

We are happy to answer any questions from the committee.