

WRITTEN TESTIMONY IN SUPPORT OF OHIO SB 37, LOUIS BLESSING, III FOR
CONSIDERATION BEFORE THE OHIO SENATE JUDICIARY COMMITTEE, CHAIRMAN
MANNING, VICE-CHAIR REYNOLDS AND COMMITTEE MEMBERS

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DECEMBER 1, 2023

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Statement of Ashtabula County Prosecuting Attorney Colleen Mary O'Toole

The imposition of driver's license suspensions for many offenses and violations that have no relationship to traffic or motor vehicle violations is not a viable deterrent or consequence for such violations, nor are they achieving their intended purpose.

The legislative trend to suspend drivers' licenses as a sanction for non-driving violations may have been very well intended when they were originally passed many years ago. From a law enforcement standpoint, this law is not achieving its intended purpose and needs to be modified to reflect the new economic realities and existing criminal justice limitations. In fact, removing financial barriers to enable people to drive legally actually prevents harm to others and improves public safety.

The law in its present form affects the population in Ashtabula County in disproportionate numbers due to the county's low median income and largely rural character, devoid of alternate means of transportation. Its economic impact is so substantial and disproportionate to those who can least afford it that it is collaterally affecting families whose adults cannot work or pay child support due to their inability to drive legally. Ashtabula County's median household income is \$49,600 per year. Additionally, we have employment shortages in all sectors, primarily service jobs. Business in the county need dependable workers who can drive legally. The economic impact is amplified due to Ashtabula County's geography. Ashtabula county is Ohio's largest county geographically, approximately [1368 square miles](#) in total, including its many lakes. It is [702 square miles](#) of land mass alone. It is a rural county with no public transportation. If you can't drive, you can't work. There is little or no way you can deliver pizza, drive for Uber or Amazon or get to work in one of our developing resort areas, and thus provide for your family. Limited driving privileges where permissible only go so far and does nothing to alleviate the additional economic barrier of imposed court costs and administrative fees.

From the criminal justice standpoint, the number one factor to prevent recidivism for those on probation or parole is the ability to obtain and maintain employment. Presently, we have substantive labor shortages in Ashtabula County. If workers can't drive, they cannot work. Those

who are criminologically involved cannot satisfy probation or parole or bail work requirements due to the inability to drive or pay the fees. Many times, these sanctions exist in multiple courts or jurisdictions making it impossible for one judge to address.

From a purely public policy standpoint, the legislature must consider: what is the rationale for this? As a former public defender, private practitioner, appellate judge, first female American judge to serve as a judicial advisor/judge in the Abu Dhabi Judicial Department, and now an elected county prosecutor, I cannot emphasize enough the need for adopting this law.

Study after study has demonstrated beyond a shadow of a doubt that drivers' license suspensions have negatively impacted Ohioans livelihoods through loss of a job, barriers to finding and securing employment, inability to provide for their family, and inability to satisfy court ordered child support, among others. In addition, it negatively impacts a community's economic stability and growth by reducing its tax base and reducing its workforce. If our goal is to reduce crime, by definition, we must reduce recidivism. Data has determined that those who are criminologically involved must be able to obtain and hold a job in order to be successful.

Study after study shows that people regularly drive under suspension, stacking up multiple suspensions and incurring significant penalties and fees they cannot pay. We have made some progress with reinstatement programs, but there is more that needs to be done.

Substitute Senate Bill 37 is a step in the right direction in bringing to a conclusion debt-related driver's license suspensions for offenses that, for the most part, bear no direct relationship to traffic related offenses.

Has there ever been a perfect bill or law to address this? Probably not! But we cannot make perfect the enemy of the good. Substitute Senate Bill 37 rids Ohioans of unnecessary obstacles to their employment and opportunities to be lawful participants in Ohio's economy and future. It does so without sacrificing public safety as there are adequate mechanisms in place to address this. Substitute Senate Bill 37 is good public policy and will have a beneficial impact on Ashtabula County and the entire State of Ohio.

I strongly urge the Senate Judiciary Committee and the General Assembly to move forward on Substitute Senate Bill 37.

Respectfully,
Colleen Mary O'Toole
Ashtabula County Prosecuting Attorney