

# FRANKLIN COUNTY PUBLIC DEFENDER

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Chairman Thomas, Vice Chair Mathews, Ranking Member Isaacsohn, and members of the committee,

Thank you for the opportunity to provide proponent testimony on House Bill 211, which would require courts to consider whether an offender is the primary caretaker of a child when determining sentencing or eligibility for community control sanctions or intervention in lieu of conviction. This legislation seeks to ensure that Ohio's courts recognize and weigh the critical role many defendants play as parents, guardians, and caregivers when making sentencing decisions. In our experience, this is an acknowledgment that strengthens families, supports rehabilitation, and promotes fairness in our justice system.

My name is Mitchell A. Williams, and I serve as the Director of the Franklin County Public Defender's Office. I have been with the Franklin County Public Defender's Office for over thirty (30) years and have practiced law now for over twenty-eight (28) years. The Franklin County Public Defender is an office of ninety-eight (98) attorneys who, along with support staff, collectively represent thousands of indigent clients a year in criminal proceedings in Franklin County. Among those clients are parents, guardians, and relatives who are the sole or primary caregivers for young children. These are individuals who, while facing accountability for their actions, also carry the day-to-day responsibility of raising and protecting Ohio's next generation.

Unfortunately, under current Ohio law, there is no consistent mechanism for courts to meaningfully consider a defendant's status as a caretaker during sentencing. Time and again, our office has represented individuals whose caregiving responsibilities were overlooked, not documented in the presentence investigation report, or whose status as a caretaker was overlooked as irrelevant. In some cases, mothers and fathers serving as the only stable presence in their children's lives were sentenced to incarceration without any recognition of the devastating impact that removal would have on those children.

HB211 imposes this requirement in a fair and balanced manner: it does not tell judges *how* to consider the status of a caretaker, only that they must consider a defendant's status as a caretaker. This not only frees judges to contemplate and weigh more context when sentencing an individual but also provides guidance to public defenders like

those in our office on how to approach these sorts of facts in a case and guides us on how to more effectively defend indigent clients like the ones we serve.

On behalf of the Franklin County Public Defender's Office, I want to express our strong support for House Bill 211. We believe it will make a tangible difference in the lives of families across our state and ensure our justice system is one that is free to operate based on all the information given to it.

Thank you, Chairman Thomas, Vice Chair Mathews, Ranking Member Isaacsohn, and members of the committee, for the opportunity to present testimony.

Mitchell A. Williams  
Director  
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