



OHIO
JUSTICE
& POLICY
CENTER

215 EAST 9TH STREET
SUITE 601
CINCINNATI, OHIO 45202

341 S. THIRD STREET
SUITE 11
COLUMBUS, OH 43215

(T) 513-421-1108
(T) 614-362-1644
(F) 513-562-3200
contact@ohiojpc.org
www.ohiojpc.org

CHIEF EXECUTIVE OFFICER
GABRIEL A. DAVIS
Attorney at Law

FOUNDER
ALPHONSE GERHARDSTEIN

Policy Director
MICHAELA HAHN BURRISS
Attorney at Law

To: Government Oversight and Reform Committee
Fr: Michaela Burriss, Policy Director
Re: Sub House Bill 96 Testimony
Date: Wednesday, May 14, 2025

Good evening, Chair Manchester, Vice Chair Brenner, Ranking Member Weinstein, and members of the Government Oversight and Reform Committee. Thank you for allowing me and the Ohio Justice & Policy Center to testify on Sub House Bill 96.

The Ohio Justice & Policy Center is a nonprofit law firm with offices in Cincinnati and Columbus. Our mission is to promote fair, intelligent, and redemptive criminal justice systems. We fight for equal, compassionate justice and fair treatment of those who are incarcerated in all stages of their incarceration, because every person deserves dignity after their conviction and freedom after their sentence. Our flagship projects are **Beyond Guilt**, **Second Chance**, and **Human Rights in Prison**.

State funding supports our anti-human trafficking efforts. We concentrate on the legal challenges faced by human trafficking survivors and address various civil legal issues stemming from victimization. We are also a service provider for the Governor's Expedited Pardon Program, which creates a shortened pardon process for those who meet certain criteria. These state investments empower returning citizens to positively participate in their communities and should be maintained.

Incarceration in Ohio is costly. Ohio has a very high incarceration rate and one in every three Ohio adults have a criminal record of some kind. The average prison stay is 2.73 years at a cost to taxpayers of over \$44,000 a year per person. With 95% of state prisoners being released eventually, nearly 80% of which are released into parole supervision, we achieve our greatest return on taxpayer investment when incarceration is as restorative as possible.

We agree that the problems facing Ohio prisons include drug use and safety. We share the desire to fund real solutions. However, certain proposals from the Ohio Department of Rehabilitation and Correction present a patchwork, one that jeopardizes constitutional and human rights, in lieu of real, systemic fixes to prison overcrowding and understaffing.



MAY 14, 2025
PAGE 2

For example, drug-soaked paper is a problem and ODRC should fix it. We strongly disagree that opening and photocopying clearly identified legal mail from an incarcerated person's attorney will result in any substantial reduction in drug access. We are challenging this infringement on constitutional rights and attorney-client privilege in court (*Ohio Justice and Policy Center v. Chambers-Smith*), adding costs to taxpayers without really improving substance abuse and addiction.

Similarly, safety can and should be improved. We strongly disagree that lethal taser weapons, or even the threat of using lethal force, is de-escalating. Enacting this before fully investigating the cause of Andy Lansing's death, especially when the surviving family is publicly telling you tasers will not improve conditions, is contrived at best and mismanaged at worst. ODRC's Taser Policy was only approved on May 6, 2025, and it's ripe with problems.

These are not one-time costs. Taser 10s and cartridges have a five-year useful life. There's also training time and materials, additional supervisory oversight and reporting, belts with appropriate holsters, storage that avoids excessive moisture per the manufacturer's instructions, record and data collection, utility increases for ongoing battery charging, and actual medical care including emergency medical care following use, which is critical given the disparate impact to veterans or those who are aging.

Any failure in adhering to manufacturer's guidelines increases damages paid out if excessive force or inhumane practices are litigated, and they will be. A study of prisoner fatalities after corrections officers deployed tasers found that 70% led to lawsuits and plaintiffs received payouts in 93% of the resolved cases, one as high as \$2.8 million. Taxpayer dollars are best spent on things proven to reduce recidivism, improve community safety, or create more law-abiding members of society. That does not include tasers.

Rather than promote safety, tasers lead to increased risk of abuse and retaliation. But the "R" in ODRC is not for retribution, it's for rehabilitation. ODRC knows better than to use an underlying offense, as opposed to ODRC's violence risk assessments, in determining an individual's likelihood to commit violence. People naturally age out of crime and most are coming home, or at least we hope so, and they should come out better than when they came in. Tasers will beget the cycle of violence and trauma that leads to incarceration in the first place.

The Director told this Committee they wish to work out kinks before a full roll out of the taser program. Lawmakers should step in and pause this pilot pending



MAY 14, 2025
PAGE 3

additional oversight and should not approve any additional taxpayer investment in this program. We must fund a more just, fair, and humane incarceration experience for Ohioans, making employees, communities, and our state safer.

Chair Manchester, Vice Chair Brenner, Ranking Member Weinstein, and members of the Government Oversight and Reform Committee, thank you again for allowing me to present the Ohio Justice & Policy Center's position on the state operating budget. I would be glad to answer any questions.