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OHIO

Proponent Testimony for SB 256, Senate Judiciary Committee, June 24, 2020 – Chairman Eklund, Vice Chair Manning, Ranking Member Thomas and members of the committee, thank you for the opportunity to speak here today. My name is Jeff Dillon and I am the Legislative Liaison for Americans for Prosperity Ohio. Through broad-based grassroots outreach, AFP is driving long-term solutions to the country’s biggest problems. AFP activists engage friends and neighbors on key issues and encourage them to take an active role in building a culture of mutual benefit, where individuals succeed by helping one another.

Thank you for this opportunity today to provide testimony in support of Senate Bill 256, which would bring Ohio law regarding the sentencing of juvenile offenders in better alignment with both Ohio Supreme Court and United States Supreme Court rulings from the past several years. Additionally, as was stated in prior testimonies, dozens of other states, including our neighbors in Kentucky and West Virginia have already enacted similar policies through their state legislatures.

Senate Bill 256 will increase opportunities for parole hearings for incarcerated individuals who committed their offenses when they were under the age of 18. As was stated by the bill’s sponsors and other proponents at previous hearings, it’s important to again highlight that just because parole hearings would become possibilities, that is not a guarantee of release. While well-intended, our society and legislative bodies made mistakes with respect to juvenile sentencing laws decades ago, and failed to recognize what an ever-increasing body of research, the courts, and common sense are now clearly telling us: children’s brains are fundamentally different than those of adults. Human brain development may not be complete until age 25 in many individuals. Juveniles are more susceptible to coercion and making rash decisions without understanding the full impact of their choices than adults are. However, recognizing that youth and lack of full cognitive development are no excuse for certain particularly brutal, egregious criminal acts, Senate Bill 256 does retain the exception that the offense of aggravated homicide bars a juvenile from parole consideration even after serving 25 years, and they could still face a life sentence. For other types of offenses, the bill fairly recognizes that it is in fact possible for an individual to be rehabilitated, especially a juvenile, and therefore the law should at least grant more opportunity to demonstrate their fitness for release.

The beginning of AFP’s vision statement reads, “We can transform society by breaking internal and external barriers that prevent people from realizing their potential, enabling all people to improve their lives and find fulfillment by helping others do the same.” This is precisely why AFP, and our thousands of dedicated activists, engage on issues related to criminal justice reform. While acknowledging that public safety will always be the foremost role and responsibility of government, we clearly see how the current criminal justice system is failing individuals, communities, and taxpayers. Punishments should always fit

the crimes. However, a critical part of determining what punishment is appropriate is allowing a court to subsequently evaluate a person's rehabilitative progress and whether releasing that individual to supervised parole is better for society and the person. If a person is truly rehabilitated, and ready make a contribution, how is anyone – taxpayers, employers, that individual and their family – well served by unnecessarily keeping them in prison for a crime they committed when they were, in many regards, a completely different person?

The changes proposed in Senate Bill 256 are not radical, have been passed in other jurisdictions, and are meant to harmonize Ohio law with recent court rulings. As Senator Manning stated in his sponsor testimony, similar legislation passed the House 92 – 4 during the 131st General Assembly. This legislation will help individuals who deserve a chance to move forward with their lives get that chance. There are many high costs associated with our criminal justice system, including the wasted human potential and capital of keeping people behind bars who, through successful rehabilitation, do not need to be there any longer to serve a public safety interest.

AFP thanks Senators Manning and Lehner for bringing this bill forward, and thank you, Mr. Chairman, for the opportunity to provide testimony today, and for continuing to move Senate Bill 256 through the legislative process. I'm happy to do my best to answer any questions the committee might have.

Americans for Prosperity (AFP) exists to recruit, educate, and mobilize citizens in support of the policies and goals of a free society at the local, state, and federal level, helping every American live their dream – especially the least fortunate. AFP has more than 3.2 million activists across the nation, a local infrastructure that includes 35 state chapters, and has received financial support from more than 100,000 Americans in all 50 states. For more information, visit www.AmericansForProsperity.org.

