

Mr. Chairman, members of the committee, my name is Jonathan Mann. I'm here today to serve as a conduit to the experience of having a loved one torn away from murder, and how dealing with the death penalty impacted my family and me. While the specifics of my story are unique, please know my journey and pain aren't. I've connected with many people who've lost loved ones to murder, and the overlap is significant. Our pain creates a bond of understanding I wish on none of you. I'm going to quote a few people from a private group for co-victims. I won't share their names, but please understand these are common sentiments:

Co-Victim #1: "Just got the call that court has been continued AGAIN!! Seriously, this is the 4th time. I can't handle this."

Co-Victim #2: "I just keep in my mind that it might be another 3 years so I don't get my hopes up too much. It's hard and Covid has made it even harder. It's hard but you have to take it one day at a time and let the justice system do what it's going to do, you have no control over it."

Co-Victim #3: "My mom's murder trial is supposed to start soon and I'm super stressed out because I'm scared the defense is going to try and push it out again and I can't take this anymore."

Co-Victim #4: "24 years and No Justice. Time to expose the treatment to families by those entrusted to get justice for victims."

Co-Victim #5: "I just can't feel like I can do this anymore. It gets worse. I don't want to do this anymore."

I'm here today because I speak for those who can't. I keep going because I don't want to let them down. I catalog my pain and recount my most traumatic life experiences in hopes people will listen. Doing this is excruciating and it takes a toll every single time I have to do it. I pray that people realize how much we're hurting the people we're supposed to be protecting.

The night of June 21st, 2017, my phone rang. It was a friend I had grown up with in Cleveland. He told me about finding out that my Dad had been murdered, the shock of it all, and to share what little information he had. He had been watching the news that night and recognized my Grandfather's house; he had been there a million times. He had no idea that I was unaware of what had happened.

The following two years were hell for me. I couldn't afford to bury my Dad. That's a hard fact to face, type, and say. I applied to the Victims of Crime fund for help with the burial and counseling. But my Dad had drugs in his system, so that made ME ineligible to receive help with the funeral. And I didn't live in the house with him, so I didn't qualify for counseling assistance.

And then the legal system offered up a fresh version of hell.

I believed that the prosecutor's office was looking for justice for me and my family. What I quickly learned was that they didn't really care about me or my opinion. I began asking questions about the appeals process, and I was told that death was the only option. The Prosecutor, Michael O'Malley was disinterested in exploring alternatives. His agenda was to keep up the rhetoric of looking tough on crime, further political aspirations, and make headlines.

Trekking through the death penalty case was deeply traumatic. No one explains how there are people who have been on death row for decades awaiting execution. They don't talk about the pain we face with years of appeals, reliving the horror over and over while remaining in limbo.

**Susan A. Bandes** is the Centennial Distinguished Professor of Law Emeritus at **DePaul University**. In a January 8th article written for [TheCrime Report](#), Professor Bandes explored the misleading myth of closure for victims' family members. "The most telling finding is that a number of family members feel relieved simply because they are finally free of the legal system," Bandes wrote. "As Matthew Shepherd's parents and the Richard family (victims of the Boston Marathon bombing) understood, much of the pain comes from the capital system itself—lengthy, heart wrenching legal proceedings in which the family would be called to testify and the defendant would remain at center stage for years."

A 2012 study published in the Marquette Law Review compared the experiential well-being of family members of victims in Texas & Minnesota. Texas has the death penalty, and Minnesota does not. The study found family members in Minnesota had "[higher levels of physical, psychological, and behavioral health.](#)"

Under Mr. O'Malley's guidance, Cuyahoga County led America with five death sentences in 2018 and 2019. One of those was my father's case. Ohio has no means of executing anyone. With a backlog of cold cases and a massive number of unsolved cases, I ask you to consider the usefulness of a death sentence when literal executions aren't possible? Law enforcement needs more resources to prevent crime and catch criminals. Families that have lost loved ones need counseling support, and funerary assistance. Instead of shelling out millions to secure a death sentence for my Dad's killer that will likely never happen, why not put that money elsewhere to positively impact Ohio in different ways? A bill I understand you'll be hearing about later today, SB 36, seems to take us in the right direction, and it gives me hope. I hope you and your colleagues will agree and pass it as they have in the Senate. Voting to abolish the death penalty will also continue that trajectory of change.

Recognizing change is necessary is the first step to progress. Maintaining an antiquated, inefficient, and ineffective policy will continue to produce the same results. Albert Einstein once said, "Insanity is doing the same thing over and over and expecting different results." Ohio needs new results. What we are doing isn't working, and Ohio has the chance to make useful changes that reduce unnecessary suffering to family members of victims, speeding up the judicial process, and produce tangible, efficient results.

If I could help prevent one person from going through the **harrowing experience** of a death penalty case, I would do whatever it took. I've never done anything more valuable as a human being. Giving myself to something far greater than me has provided purpose and comfort. This isn't a job. I do this to honor my father and to stand up for people who can't do it themselves. I don't clock out, I won't stop, and I'll never give up.