

House Criminal Justice Committee

Opponent Testimony

House Joint Resolution 2

Written Testimony Only

[Mary Evans](#)

April 6, 2022

Dear Chairman LaRe, Ranking Member Leland, and members of the House Criminal Justice Committee.

My name is Mary Evans, and I live in Dayton, Ohio. I am someone who was directly impacted by bail. Thank you for the opportunity to present testimony **opposing House Joint Resolution 2**. I oppose HJR 2 because it doubles down on the failed status quo rather than meeting Ohioans' needs.

In 2010, I was arrested on drug charges. My bond was \$500,000. After my arrest, I asked for treatment because I knew I needed help. Since I couldn't afford my bail, I waited 42 days in jail with no treatment as my case worked through the system.

I take full responsibility for my actions. I know that I did illegal activities. However, with a \$500,000 bond, I was not able to make sure my family and my home were safe. I couldn't secure items that I had in my house. I had to figure out who would care for my kids while I was in jail. That was the worst point, not being there to make sure my kids were whole and cared for.

Treatment remained out of reach for me until I went to prison. While in prison, I did everything that I could to change myself and address the root of the problem that caused my behavior. I sought out mental health treatment and education. I excelled academically and received a scholarship while incarcerated. I graduated from college, became a radio producer for a NPR-affiliate near the college, and I was offered a job in my field of study upon release.

In the midst of that, I was in a relationship that was very violent and resulted in my partner being incarcerated for domestic violence. When my former partner was incarcerated I felt like a hypocrite, because I am a vocal advocate for abolishing prisons and alternative sentencing; don't believe that individuals should be locked up while they await their day in court.

Even with him being charged, I felt hopeful for change. Since he was on parole, he was mandated to be incarcerated. During the prosecution process I continued to advocate for my former partner to get necessary programming through ODRC. It actually worked, and I know that he is getting the real help he needs.

Often, the crimes that people are arrested for are connected to underlying issues: mental illness, addiction, trauma. Simply put, locking people up and throwing away the key doesn't make those problems go away. Our current use of cash bail to keep legally innocent people detained is a gross misuse of the system, and it also promotes the idea that the amount of money you have - not your guilt, innocence, personal character or public safety - is what the court cares about.

HJR 2 does not fix the problem of wealth based detention. If anything, it doubles down on the status quo and will lead to more people suffering like I did. This Committee already has meaningful, well-thought-out comprehensive bail reform legislation before it—House Bill 315. House Bill 315 makes our communities safer by giving courts and prosecutors tools to protect public safety while at the same time ending the wealth-based detention that harms so many of our neighbors. HB 315 would end wealth-based detention and refocus our pretrial system by prioritizing what conditions are needed to make sure you return to court and the community is safe. The size of one's wallet should never determine their freedom.

We have a clear choice: to continue pouring hundreds of millions of dollars into jails and locking people up before their trials, contributing to mass incarceration, or to invest in community- in treatment, quality housing, childcare, mental health care and more. I'm more concerned with how we treat people who commit crimes - ensuring they receive adequate and thorough counseling, addiction services, and trauma informed care, because I know they will re-enter our society again someday and I would rather they did that whole and healthy, not broken and neglected.

I also oppose these changes because:

Bail reform bills SB 182 and HB 315 are a great opportunity for Ohio to reduce its jail and prison population and end mass incarceration as we know it. I've seen both sides of our system as a person who was locked up on high bail and as a victim of domestic violence whose partner went to jail. I believe these bills will not only prevent needless incarceration, but they will contribute to pretrial reforms that will make all of our communities safer.

Ohioans like me do not want or need HJR 2, and I urge you to vote no if given the opportunity to vote on it. Thank you again for the opportunity to provide testimony.

Mary Evans