



LAW ENFORCEMENT ACTION PARTNERSHIP

ADVANCING JUSTICE AND PUBLIC SAFETY SOLUTIONS

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Date: June 16th, 2021

Re: SB 182 - Make bail changes

Position: SUPPORT

To: The Ohio Senate Judiciary Committee

Members of the Committee,

Thank you for the opportunity to testify today in support of SB 182. I am writing to represent myself, having spent my career as a police officer at Miamisburg Police Department and Kettering Health Network, and as a speaker for the Law Enforcement Action Partnership (LEAP). I support SB 182 because it will improve public safety by reducing unnecessary incarceration and prioritizing the use of correctional resources.

LEAP is a nonprofit group of police, prosecutors, judges, and other criminal justice professionals who speak from firsthand experience. Our mission is to make communities safer by focusing law enforcement resources on the greatest threats to public safety and working toward improving trust in the justice system.

When I oversaw police operations in Miamisburg as Assistant Chief, I saw a constant stream of people arrested for low-level drug possession and other minor offenses. Our county jail had to dedicate critical resources to hold people that did not pose a significant threat to public safety -- clogging up our justice system with low-level cases instead of focusing on more serious crime.

Having served for 26 years as a law enforcement officer, I believe that reducing this unnecessary incarceration is key to protecting the public. That may sound counterintuitive, but putting someone in jail means that they will sit in a cell with people who committed much more serious offenses -- a "school for criminals." They will likely lose their job or their chance to enter recovery services. As a result, research shows that people held in jail

pretrial are about 120 percent [more likely to reoffend](#) than those who spent the pretrial period at home.

Pretrial incarceration also prevents us from steering people onto a better path while they await their trial. When we return people to the community pending trial, we offer them the opportunity to reunite with family, go to work, and receive addiction and mental health services. We allow them to show the court that they are stabilizing their life and choosing a positive path. We miss this chance when we hold people in jail pretrial.

Holding parents pretrial also decreases public safety by impacting children. [Research shows](#) that incarcerating parents increases the likelihood that the person's child will experience trauma and stress, have negative outcomes in school, and become involved in crime. Children of incarcerated parents are [six times](#) more likely to be incarcerated themselves.

I was excited to see Ohio legislators work to safely reduce jail populations with SB 182, which would reform court processes on pretrial detention in two main ways. First, SB 182 would require courts to make a preliminary pretrial release decision for the accused no later than 48 hours after their arrest. By passing this bill, Ohio would greatly reduce the number of people in jail simply waiting for the court to decide whether or not to release them pretrial.

Second, SB 182 would reduce the number of people held because they cannot afford to pay a small cash bond amount. Since our bail system makes detention decisions based on someone's ability to come up with cash, a homeless person caught with a small amount of drugs might sit in jail for weeks because he or she can't scrape together 100 dollars. A shocking six in ten people in jail haven't been found guilty; they are waiting behind bars for their case to be heard because they cannot afford bail.

SB 182 would eliminate the predetermined bond schedule that courts use to decide bail amounts, so that pretrial decisions can be based on public safety instead of wealth. Instead of setting bails on the bond amount schedule, the court would focus on whether the person accused poses a significant public safety threat. If the court finds clear and convincing evidence that the defendant is likely to flee or reoffend, they can be held. If the court finds evidence that a person does not need to be held but that a financial bond is necessary, the bill would ensure that the bond is set in line with the person's financial circumstances, so that the bond does not unintentionally lead to detention.

SB 182 would also benefit the deputy sheriffs working in our jails. During the pandemic, reducing the jail population has protected officers from COVID-19. After the pandemic, it will protect them from the stress of managing an overcrowded facility. An officer's nightmare is an overcrowded facility that mixes some people who pose a serious threat to public safety with others who pose little threat and need protection throughout the night.

Having served as a Ohio law enforcement officer, I still take my oath to protect and serve seriously. I stand behind SB 182 because responsibly reducing incarceration and reforming the bail system is a sound public safety strategy.

LawEnforcementActionPartnership.org

Formerly known as Law Enforcement Against Prohibition

Thank you for the opportunity to share my experience in support of this bill.

Assistant Chief Tom Thompson (Ret.)
Miamisburg Police Department, OH
Speaker, Law Enforcement Action Partnership