

December 16, 2020

Chairman Lang, Vice Chair Plummer and members of the House Criminal Justice Committee:

Thank you for the opportunity to weigh in on this important matter. The Alliance for Safety and Justice is proud to support Senate Bill 369. We worked closely with Senator Lehner and the Office of the Ohio Attorney General on the prior version of this bill introduced in the last general assembly, and are delighted for the bill's advancement for consideration. We encourage its passage into law, as a priority measure to promote public safety for communities and crime victims across Ohio. We applaud Senators Lehner and Manning for re-introducing this bill which passed out of the Senate with bi-partisan support.

The Alliance for Safety and Justice (ASJ) is a multi-state organization that aims to advance effective approaches to public safety in states across the country. We bring together diverse crime survivors via our flagship program, Crime Survivors for Safety and Justice, to advance policies that help crime victims and stop cycles of crime. We promote strategies that reduce costly over-incarceration, increase trauma recovery services, and build healthy communities. For this reason, we partnered with the Office of the Ohio Attorney General in 2017, when Governor DeWine was the Attorney General, to establish Ohio's Trauma Recovery Centers. Ohio now has the 2nd highest number of Trauma Recovery Centers in the country, establishing itself as a leader in supporting survivors of crime. We are proud to say that we continue to partner with the Ohio Attorney General's Office under the leadership of Attorney General Yost to expand support for underserved victims of crime.

On a more personal note, I have worked on criminal justice and public safety reform efforts for over 14 years, and in 2012 I became aware of an obstacle to crime victims in our state statute that broke my heart. At 12:47am on July 29, 2012, LaTaevia Williams was pronounced dead at University Hospitals in Cleveland after being shot in the neck at her 14th birthday party. The Williams/Sailes family has been part of my life since I was 14 years old. I have known LaTaevia's mother, Tonya Williams since she was a child herself.

Immediately after LaTaevia's sudden death I informed her mother of the fund administered through the Office of the Ohio Attorney General which could assist with burial expenses. As you can imagine, most families are not prepared emotionally or financially to bury a child.

LaTaevia's mother informed me that the application inquired if she or her deceased daughter, LaTaevia had a felony conviction. Despite experiencing a devastating loss, Tonya Williams knew that posing that question to a grieving family was wrong.

Though I am well aware of the lasting legal barriers resulting from old felony convictions and their impact on families as Ohio is among the top 10 states in the nation for the number of people with felony convictions, it never occurred to me that crime victims would also be harmed by them, excluded from receiving much needed recovery support. People often say that felonies are a lifetime penalty, and in this case it is also true after death.

In 2016, when the Alliance for Safety and Justice began working with crime survivors in Ohio via Crime Survivors for Safety and Justice, we asked what barriers stood in the way of their healing. The number one barrier that crime victims raised was the barrier to eligibility for victims compensation due to an old felony conviction. Many expressed that the systemic indifference they experience pushed them further into depression in their time of need. The recent Oregon District mass shooting shined a light on this debilitating barrier as many of those victims were denied victims compensation due to an old conviction.¹

Senate Bill 369 is a laudable step towards lifting barriers that stigmatize victims and block them from getting the help they need. We are honored to support it and applaud the legislature's efforts on this bill, even though we still have a long way to go in Ohio to meet the needs of crime survivors. This proposal is an important step forward.

Crime victims who apply for help in Ohio are more likely to have their applications denied than approved. Our state has the second highest victim compensation denial rate in the nation, and nearly 6 in 10 victims who apply are denied the support they need.² For survivors of color, denial rates are even higher.³

Ohio stands alone as the only state that denies victims compensation based on mere suspicion that the victim committed a crime in the past, regardless of whether they were ever convicted or the allegation is even related to their victimization. And, we remain one of just five states that denies victims or their loved ones compensation because of a past conviction, even after serving their time.⁴ These policies entrench biased perceptions of survivors as "worthy" or "unworthy"; "good victims" or "bad victims" into Ohio statute. Legislators in Louisiana and Missouri recently eliminated similar policies. These unjust policies apply to victims of any type of crime, including sexual assault and domestic violence victims, who may have committed past crimes as a result of their victimization or under the control or direction of their abusers.

¹ <https://www.dayton.com/news/state-leaders-looking-at-reforms-after-dayton-daily-news-investigation/AG6MO3NH4ZESBFY2GN76QSXHAU/>

² Office for Victims of Crime (2019). OH Annual State Performance Report, Victim Assistance Formula Grant Program, Reporting Period: [Oct 1, 2017 to Sept 30, 2018].; Office for Victims of Crime (2019). Resources by State- Annual State Performance Reports.

³ Santo, A. (2018, Sept. 13). The Victims Who Don't Count. *The Marshall Project*.

⁴ Five states deny survivors compensation based on a past conviction alone, regardless of whether someone has completed a sentence. Another four states deny compensation to people who are under community supervision. In total, nine states condition compensation on a past conviction or status on criminal justice supervision.

As introduced, SB 369 proposes to reduce the scope of these harmful policies. We support the repeal of laws that limit access to healing, like this and too many others.

Ohio is a leader in providing trauma recovery support for underserved victims of crime and should continue to lead by expanding support for all crime victims. Survivors need access to support, not to be placed on trial and have their victimization ignored or exacerbated.

Thank you for your dedication and ongoing leadership on these issues. This testimony is humbly submitted in honor of Lataevia Williams and the thousands of Crime Survivors for Safety and Justice members who need support after experiencing trauma . We stand ready to support you in any way we can.

Shakyra Diaz
Ohio State Director
Alliance for Safety and Justice