

Proponent Testimony of Robert Mounts  
Senate Bill 256  
June 24, 2020

Good morning Chairman Eklund, Vice-Chair Manning, Ranking Member Thomas, and members of the Senate Judiciary Committee. My name is Robert Mounts and I am here today to tell you why I am in favor of Senate Bill 256.

My son Cliff would have a pathway to the Ohio Parole Board and potential release from prison much sooner than under his current sentence.

We're from a small town in eastern Ohio along the river called Toronto. There are about 4,500 people who live there. It's the kind of town where everybody knows everybody else, probably like some of the places you are from.

Cliff's mother and I split up when he was about 7. This is difficult for me to talk about, but a big part of the reason our marriage ended was because of how she treated him. Cliff is bi-racial, and I think his mom never got over the fact he doesn't look at all like her. He has very light skin. I mention this because I think you need to understand that growing up in small town Ohio as a bi-racial child at that time meant that Cliff was bullied quite a bit. Everyone knew who his mom was and everyone knew who I was.

Cliff's mom never physically abused him, but he was emotionally abused and neglected by her. She was just not cut out to be a mom. She basically abandoned him like I said right around the time he was 7. As a result, Cliff developed an attachment disorder and would always get anxious and upset if he and I were ever separated. In short, he became very protective of me and our relationship.

Cliff's abandonment by his mom and difficulty being separated from me turned into learning issues he had as a child in school. I am proud to tell you today he's worked hard and has overcome those learning difficulties as an adult.

Cliff didn't have many friends as a boy, we really just had each other. As he got a little older, he did start to hang out with boys who were a little older. One boy I knew was trouble. Everybody knew it. His name was Danny McCulley and he was from two towns away. He'd always walk along the tracks because if he was on the road and the police saw him, they'd pick him up. He had that kind of reputation.

His other friend was Jerry White. I thought he was ok. He got good grades and played on the football team. He seemed like a wannabe gangster at times, but I overlooked some of those things because I was happy for Cliff that he had friends.

On the night that Cliff's trouble happened, Jerry and Danny, who were both 2 years older than Cliff, broke into our house through Cliff's bedroom window. They had beer and drank some in Cliff's room. They told him that they were going to rob the house next door and that he had to

help them. Jerry and Danny thought the lady who lived there was gone. She was older, and Cliff knew her. Cliff called her "grandma." She didn't have any family and her husband died years before.

Cliff didn't want to have any part of this, but the other boys had a gun and told Cliff that if he didn't help rob her house they were going to rob us. Cliff just wanted them out of our house so he went along with them because he was protecting me and he thought no one was home next door.

Well she was home and they woke her up when they broke in the back door. They were looking for valuable items to steal then sell like VCRs. My understanding is that when she woke up, Jerry hit her in the face and sorta knocked her out. Then one of the boys jumped on her and they instructed Cliff to help. They tried to cover their tracks and their fingerprints by setting fires on furniture all around the house. I don't think a single day goes by that Cliff hasn't thought about what happened.

The next morning, Cliff told me what happened and we called the police immediately. As soon as the sheriff got to our house, they immediately separated me and Cliff and questioned us. They drove Cliff to the police station and continued to question him without me or a lawyer. The sheriff determined that Cliff wasn't telling all that happened, and I believe that they wanted to make an example of him. The fact that Cliff wasn't telling the whole truth made the sheriff think Cliff was the ringleader. The police released his name and picture to the media before deciding on how they were going to charge him.

Cliff was charged with aggravated murder, aggravated burglary, aggravated robbery and aggravated arson.

When he was assessed by the doctors after he was arrested and before his case went to court, they noted Cliff had borderline lower intellect. He was right near the mental retardation line. He was assessed as being at about a second-grade level. He was also deemed to be a good candidate for rehabilitation. That information never came into consideration.

Cliff's defense attorney, who is now a judge, was trying to convince Cliff to take a plea deal. I remember the prosecutor and defense attorney took him into a room, without me, and told him if he didn't agree to the plea deal, he was going to get a life without parole sentence. They wanted Cliff to agree to a 45- year to life sentence but told him not to worry. Cliff would be out in 15 years if he was good because of the "good time law."

Cliff was 14 years old. He was charged as an adult. He agreed to the plea deal because he didn't know what to do. He was scared so he did what the authorities told him to do.

The fact of the matter is my son was a vulnerable boy, a child, who was taken advantage of by older boys who threatened him and our family. What made matters worse was that Cliff sort of got railroaded by the justice system too.

Cliff has been in prison for over 23 years now. He has worked so hard to educate himself and to overcome his learning disability and to learn skills. He earned his high school diploma, he became a paralegal, he trains dogs. He stays out of trouble.

I support him as best I can. I send him money each month so he can buy food at the commissary. We talk everyday at 10 am and most days we talk again at 6:00 pm.

I love my son very much and I know that he is not the person who people think he is when they see what he was charged with. He was a 14-year old kid who was influenced by older kids to do something he never would have done. If those two 16-year old boys didn't show up at our house in 1997 with beer, a gun and wanting to rob a house, Cliff would not be in prison and I would not be here today.

I am here asking you to please give my son a chance. Please. If this bill passes and he becomes eligible for parole, maybe he and I will be together again. He's 37 now and I am 61. We've missed a lot of life, but we're holding out hope that this bill gives us both a chance to be together again.

Thank you very much for listening to me. I'll try to answer any questions you have.