

**41<sup>ST</sup> HOUSE DISTRICT**

LUCAS COUNTY

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Vice Chair Criminal Justice,  
Higher Education, Primary and  
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and Workforce Development



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**State Representative Joshua E. Williams  
Ohio House of Representatives**

Chair Abrams, Ranking Member Brown, and fellow members of the Criminal Justice Committee, thank you for the opportunity to provide sponsor testimony on House Bill 196 with my joint sponsor Representative Seitz.

This bill seeks to improve our state's community control policies and procedures by optimizing for rehabilitation, thereby saving tax-payer dollars and decreasing rates of incarceration. Our current system of community control allows for unnecessarily long community sentences for low-risk offenders, which create a number of issues for the state and offenders. These long sentences are a burden to the tax-payer and the resources of our correctional system. This issue is compounded by the fact that the longer an offender is on community control, the more likely they are to commit a technical violation, thereby increasing their time on community control or in jail, putting their job and reintegration into society needlessly at risk. Moreover, technical violations are essentially procedural, they are not crimes or willful non-compliance with a community control order. Before describing these changes in more detail, I would like to note that some of the changes described in this sponsor testimony are addressed in a forthcoming sub-bill and may not be in the current text of the bill.

After working with community stakeholders, including associations of community controls officers, we have created a revised structure and procedures for the administration of community control. Most significantly,

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we have revised the sentencing guidelines for F4 and F5 offenses from a maximum of five years to a maximum of three years, matching the F3. This change will relieve the burden of community control on low-level offenders, allowing them the chance to reintegrate sooner and more easily if the court deems that the criteria of their community control sentence has been met. To this end, we have also provided that an offender who commits a technical violation is still eligible for placement in a CBCF in lieu of a jail term. This bill maintains the current structure of 15/30/45 day limits on custody/time in the facility for technical violations, but allows these placements to be served nonconsecutively. This would allow the offender to maintain employment and housing while being punished for the violation.

Finally, we will allow for a flexible community control term limit individualized to the offender. This will be accomplished by the creation of a mandatory judicial review at two years for people serving community control sentences for F3/4/5 offenses with a strong presumption for early termination unless the court finds clear and convincing evidence that termination and discharge will present a risk of danger to the victim of the offense or to the community. If the person on community control commits a non-technical violation in the final six months of a F3/4/5 term, this bill will allow for a hearing at which the court can consider extending the term for up to 1 year. In this case, an extension will only be applied if a court finds that it is not possible to appropriately respond to the violation in the time left in the remaining term, and that additional time is

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required for the person on community control to participate in a program or other intervention in response to the violation.

We believe that the changes to community control described in this legislation will improve the administration of community control in our state by reducing unnecessary incarcerations and lengthy community control terms for certain low-risk offenders. Thank you for the chance to testify on this legislation and I look forward to answering any questions you may have.

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