

ALLIANCE FOR SAFETY AND JUSTICE



October 24, 2023

Dear Chair Abrams, Vice Chair Williams, Ranking Member Brown, and members of the House Criminal Justice Committee:

Thank you for the opportunity to weigh in on this important effort. We are proud to support House Bill 67 and Ohio state leaders advancing this and other improvements to our public safety systems.

The Alliance for Safety and Justice (ASJ) is a multi-state organization that promotes effective approaches to public safety in states across the country. We also bring together diverse crime survivors via our flagship program, Crime Survivors for Safety and Justice, to advance policies that help underserved crime victims and stop cycles of crime. We support strategies that reduce costly over-reliance on incarceration, increase trauma recovery services, and build healthy communities.

There is no more important role of our justice system than promoting public safety. For the past decade, Ohio lawmakers have taken important steps to improve the operation of Ohio's justice system, keep people safe, and make better use of limited public safety resources. **HB 67 is designed to reinforce this progress and improve public safety and consistency in sentencing across the state in two ways:**

- First, HB 67 provides clarity that courts should not impose penalties that are already out-of-date. If someone has been charged with or convicted of a criminal offense that the legislature revises or eliminates prior to sentencing, sentencing decisions must be made according to the revised statute so that they are current at the time of sentencing. This is a common-sense clarification that will ensure that sentencing is based on the General Assembly's current guidance.
- Second, HB 67 will allow some people to request that their penalties be updated when the legislature has made a relevant change to the underlying statute. Eligible individuals serving a sentence for a nonviolent offense may petition for resentencing if the Ohio legislature has changed the penalty or classification for the crime of which they have been convicted. If the underlying penalty has been reduced, or if the crime has been eliminated or reclassified, they will have the opportunity to request a corresponding adjustment. This will allow eligible people to petition for modified sentences when the

General Assembly has decided that the original penalty for the underlying crime is disproportionately harsh, and ask to end punishment if the activity they have been sentenced for is no longer considered criminal.

HB 67 reflects adjustments proposed by key stakeholders. The ability to petition for retroactive adjustments is only available to the subset of people whose sentences were not imposed as part of a plea agreement, and who are serving sentences for nonviolent crimes.

In conclusion, HB 67 will improve fairness and consistency in sentencing decisions, allowing critical updates from the General Assembly to be applied more broadly, and resulting in safer communities across Ohio. We urge the committee to approve this legislation.

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