October 23, 2023

Chairwoman Abrams
House Criminal Justice Committee
77 South High Street, 13th Floor
Columbus, OH 43215

RE: House Bill 67

Chairwoman Abrams and Members of the House Criminal Justice Committee:

I write to you today to extend the Justice Action Network's support of House Bill 67, legislation that would require all reductions of criminal penalties enacted by the legislature in the future to apply to those currently serving sentences under the prior penalties. This would create a framework for uniformity for all penalties going forward. The Justice Action Network is the nation's largest bipartisan organization working to reform the criminal justice system at the state and federal levels.

Under the legislation, if a sentence for a certain nonviolent offense is reduced, a person sentenced under the prior punishment framework may apply to have his or her sentence adjusted to align with the new penalties by the sentencing court.

For example, if a nonviolent offense currently classified as a felony is later reduced to a misdemeanor, a person convicted of the felony offense would have the right to petition a court for resentencing to align with the new misdemeanor classification.

Cases that were originally resolved through a plea agreement—which represent 95% of all cases—are ineligible for future reductions under this legislation. Of the 5% of cases that are not resolved through a plea agreement, one can assume only a fraction of those cases involve the type of qualifying offenses that this bill creates this new framework for, so this will not result in the "opening of the floodgates" at the courts if future criminal punishments are reduced.

We believe this is a modest step forward to create better uniformity and clarification on when future changes to the criminal code can apply to those sentenced under outdated schemes, and appreciate the sponsors, Representatives Seitz and Williams, for bringing this commonsense change forward.

Sincerely,

Lauren Krisai
Deputy Director
The Justice Action Network