

ALLIANCE FOR SAFETY AND JUSTICE



April 3, 2024

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 196 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, and Ohio is one of our priority states. Our flagship project, Crime Survivors for Safety and Justice, works to advance policies that help underserved crime victims and stop cycles of crime, and has over 13,000 members in Ohio.

Research-based community control is a powerful public safety tool. It allows courts to craft individualized sentences that prioritize accountability, require active and consistent participation in treatment and programs to address the underlying drivers of crime, and keep people in the workforce and supporting their families. And like any tool, following the evidence on best practices achieves the best results.

HB 196 is a public safety priority because **Ohio is a national outlier in its overreliance on community control**. Ohio's community control supervision rate is the third-highest in the nation, over twice the national average.¹ Also, as a consequence, technical rule-breaking violations of supervision are a leading driver of prison admissions. This overuse of supervision is undermining public safety by driving recidivism rates up, weakening the Ohio workforce, and using resources that could instead be focused on preventing crime and supporting victims.

HB 196 is a balanced bill to make community control a better public safety tool by advancing three key goals: making supervision focused on the time period that brings the best public safety return, individualized to address the drivers of crime, and an efficient use of public safety resources.

The first goal is that supervision is focused. The research is clear: 12-18 months of supervision is the critical intervention window that brings the biggest public safety return. There is overwhelming consensus on this point among national supervision experts and major

¹ Bureau of Justice Statistics. (2023). [Probation and Parole in the United States](#), 2021.

professional organizations, including the American Probation and Parole Association (APPA), the Association of State Correctional Administrators (ASCA), the National Association of Probation Executives (NAPE), and the International Community Corrections Association (ICCA).² Best practices for supervision, such as individualized assessment, supervision requirements, and treatment case planning to address criminogenic needs, are most effective during this 12-18-month period.³ What people do while on supervision, and how intensively they do it (also called “dosage”) is what matters most for reducing recidivism. The standard treatment periods for supervision interventions, such as the range for drug courts,⁴ fit well within the shortest two-year caps in the HB 196 tiered structure. The term for the lowest-level felonies proposed in this bill is twice that length. The tiered term structure in HB 196 is also similar to the one the legislature already adopted in 2019 for post release control.

Prolonged supervision that stretches on for years, on the other hand, is associated with higher technical violation rates and *worse public safety outcomes*, including higher recidivism rates.⁵ Community control terms in Ohio can be as long as five years for everyone, including people with minor felonies and the lowest-level misdemeanors. This is out of step with public safety research, and is driving Ohio’s status as a national outlier in the overuse of community control. Simply put, placing people on supervision for unnecessarily long terms makes communities less safe.

The second goal is that supervision of people on community control is individualized.

This means shaping supervision to prioritize public safety based on the needs and circumstances of each individual. The HB 196 sub bill includes tools for when things are going well, and also when additional intervention is needed. For example, the bill creates multiple pathways for term extensions when judges decide additional intervention is needed for more treatment and programming or to ensure additional restitution payments. This bill also creates a review at the two-year-mark, which will increase safety by creating a powerful incentive for people on supervision to take responsibility for their own rehabilitation.

HB 196 also creates a structure for tailored responses to low-level rule-breaking, including time in jail, in a community corrections facility, or in needed treatment. Research shows that swift and sure sanctions are most likely to change behavior,⁶ and that prison terms are an ineffective response to technical violations.⁷ Allowing these sanctions to be served nonconsecutively will hold rule breakers accountable while not pulling them out of the workforce and jeopardizing their ability to support their families.

² EXiT. (n.d.). [Statement on the Future of Probation & Parole in the United States](#); The Pew Charitable Trusts, [33 Criminal Justice Professionals Endorse New Framework to Improve Probation and Parole](#).

³ Center for Effective Public Policy. (2014). [Dosage Probation: Rethinking the Structure of Probation Sentences](#); Robina Institute of Criminal Law and Criminal Justice. (2020). [Examining Prosecutor Perspectives and Practices on Probation in Ramsey County](#).

⁴ National Association of Drug Court Professionals. (2023) [Adult Drug Court Best Practice Standards](#). (Top-recommended resource in the Supreme Court of Ohio’s [Adult Drug Court Specialized Docket Guidance](#).)

⁵ Pew Charitable Trusts. (2020). [Policy Reforms can Strengthen Community Supervision: A Framework to Improve Probation and Parole](#); Pew Charitable Trusts. (2022). [Five Evidence-Based Policies Can Improve Community Supervision](#).

⁶ National Institute of Justice. (2012). ["Swift and Certain" Sanctions in Probation Are Highly Effective: Evaluation of the HOPE Program](#).

⁷ Pew Charitable Trusts. (2022). [Five Evidence-Based Policies Can Improve Community Supervision](#).

This approach to responding to technical violations will also reduce the number of people sent to prison in Ohio for non-criminal supervision rule-breaking. Ohio is lagging far behind most other states when it comes to reducing prison admissions for rule-breaking violations, and states like Arizona, Iowa, Kansas, Oklahoma, and Texas have made twice as much progress in recent years.⁸ Many other states have successfully adopted the approach in HB 196 to address this problem.

The third goal is that supervision is efficient, and this means maximizing the public safety returns on our investment. At its core, HB 196 is about advancing one of the most important goals for our 13,000 Crime Survivors for Safety and Justice members in Ohio: Making sure that what happened to them doesn't happen again. This bill is designed to strengthen community control so that the resources invested in supervision reap the biggest public safety benefits, and savings can be used to prevent crime in the first place and help victims recover.

The changes in HB 196 also maximize the crime prevention benefits of work and family by reducing the likelihood that a low level rule violation will result in extended periods of incarceration far from home that interrupts someone's ability to support and care for their family. Adjusting supervision through focused terms and graduated sanctions to keep people more connected to work and family increases the likelihood that they will stop engaging in crime,⁹ and will also boost the Ohio economy.

In conclusion, HB 196 is a balanced bill that reflects common-sense and research-backed improvements to sentencing and corrections that will make communities across Ohio safer. Ohio is in good company in this effort, and states including Alaska, Alabama, Hawaii, and Texas have all revised their supervision term structures in recent years to more effectively support public safety.¹⁰ The substitute bill reflects feedback from key stakeholders, including the Ohio Judicial Conference, the Chief Probation Officers Association, and the Ohio Community Corrections Association.

The provisions in HB 196 have received widespread support from public safety and corrections experts across the country, and we ask for your support to move them forward.

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⁸ Council of State Governments. (2024). [Supervision Violations and Their Impact on Incarceration](#).

⁹ Urban Institute. (2022). [An Assessment of Probation Sentencing Reform in Louisiana and Georgia](#).

¹⁰ Pew Charitable Trusts. (2016). [33 States Reform Criminal Justice Policies Through Justice Reinvestment](#).