

AGENDA June 23, 2016 10:00 a.m.
Moyer Judicial Center, Room 101

I. Call to Order & Roll Call of Commission Members, Advisory Committee

Vice-Chair Selvaggio

II. Approval of Minutes from March 17, 2016

Vice-Chair Selvaggio

III. Membership update

Vice-Chair Selvaggio

IV. Items for Commission Vote:

A. Rights Restoration – Record Sealing – Professor Berman and Marta Mudri

Summary: The Ad Hoc Committee expanded its membership, is gathering data and working from a draft background and analysis paper. In the meantime, the group proposes to seek clarity and reorganization to the current statutory framework while a more ambitious, robust effort is forthcoming regarding the longer term policy issues. After discussion the Commission will be asked accept the Ad Hoc Committee's recommendations to pursue the reorganization of current provisions while a comprehensive approach for reform, to include executive branch functions such as clemency and the certificate of qualification for employment, is developed. Attachment: 2953 reorganized DRAFT & 'Mega-Memo'

V. Items for Commission Discussion/Information:

A. Bail and Pre-Trial Services Reform – Jo Ellen

Summary: The Ad Hoc Committee is considering movement toward a risk based system and is reviewing bail consideration factors and processes and jail crowding issues such as the cost of pretrial detention and demands on local detention centers. We received technical assistance from the National Institute of Corrections with the site visit at the meeting of the Ad Hoc Committee on April 28, 2016. The Ad Hoc group has revamped its membership, organized the issues and created multiple workgroups that include a comparison of statutes, the Constitution, court rules and American Bar Association standards; developing definitions of bail and related terms, significant data collection efforts – services, availability, jail population, response to violations; evaluating workflow for the Clerk of Court processes; defendant representation and funding; collaboration with bondsmen; education, training and implementation science. Attachment – Ad Hoc Committee time line and work chart

B. Fines, Fees and Costs – Sara

The Commission applied for a Bureau of Justice Assistance grant in May 2016, The Price of Justice: Rethinking the Consequences of Justice Fines and Fees. The overall goal of the project is to identify and test promising practices for coordinated and appropriate justice system responses to justice-involved individuals' inability to pay fines, fees, and related charges. Attachment – grant narrative

Items for Commission Discussion/Information (continued)

C. Data project – Sara

Summary: The Commission is proposing a project, Using Data to Improve Public Safety and Criminal Justice Outcomes, that recognizes criminal justice indicators are wide-ranging and complex. Determining if, where and to what extent, criminal justice data indicators are available, accessible and consumable in our state and then seeking viable ways to catalog and analyze that information will provide a platform to recommend legislative and policy strategies to improve outcomes for Ohio's citizens by creating safer, fairer, and a more cost-efficient use of resources in our criminal justice system. The University of Cincinnati, Institute of Crime Science (ICS) data analytics demonstration was June 7, 2016.

D. Request for Research – Sara

The Commission will be releasing a request for research to gather, compile data and identify trends regarding criminal sentence reform and other legislation impacting criminal sentencing enacted since HB86 in September 2011. These services are to be provided to the Commission from August 1, 2016 through March 1, 2017, with the possibility of extensions when adequately justified.

E. Recodification Update – Kari Bloom, OPD

F. Sentencing & Criminal Justice Committee Work Chart Item – DRC Sorting of Commitments and Implementation of 'Treatment Transfer'. Brian Martin, DRC

VI. General Committee Updates

A. Sentencing & Criminal Justice, Chair Judge Spanagel & Chair Yates

1. OVI Redo – remains pending introduction
2. SB204 – discretionary driver's license suspension bill – The bill allows currently mandatory driving suspensions for drug charges to be discretionary and provides a procedure by which a person can petition to lift a mandatory suspension applied before the passage of the bill. The bill was enacted on May 24, 2016 and awaits the Governor's signature.
3. Adult Extended Sentence Review – The full commission voted in favor of language at the March 17, 2016 meeting that applies only to offenders whose highest offense was an F5, an F4, or a low-level (sentence 36 months or less) F3 and excludes those sentences agreed to on the record.
4. Foster – remains pending and will reconsider upon Recodification Committee work product
5. Transitional Control – subcommittee collected data and due to report to Committee on 07-21-16

General Committee Updates (continued)

B. Juvenile Justice, Chair Dobson

1. JLWOP [2967.13(B)] legislative update – SB272, a bill co-sponsored by Senator Thomas and Senator Eklund, is based upon the work and recommendations of the Commission and was introduced 02-04-16. The bill was referred to the Government Oversight and Reform Committee and has had two hearings. HB521 sponsored by Representative Manning was amended in the House Judiciary Committee and passed the floor on May 25, 2016.
2. Other Commission recommended proposals that remain pending for introduction include ORC 2152.18 [confinement credit] to clarify the application of the statute and, in addition, reduce/eliminate DYS facilities confinement credit entries brought by the Office of the Ohio Public Defender and 2152.20 [court costs, fees and restitution].
3. The Committee is currently working on mandatory bindover.

C. Data Collection & Sharing, Chair Judge Dumm

1. Data Primer Repository – The Committee continues its work on an Ohio specific data primer report identifying statewide data collection, its use and accessibility. This is still in draft form and not yet available.
2. Sex Offender Registration Ad Hoc Report – published April 2016 and delivered the Recodification Committee.

VII. Member Updates/New Business

VIII. Adjourn

2016 Full Commission Meeting Dates

Thursday, Sept. 15, 2016 10:00a

Thursday, Dec. 15, 2016 10:00a