

OHIO CRIMINAL SENTENCING COMMISSION

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Chief Justice Maureen O'Connor
Chair

Sara Andrews
Director

Testimony before the Senate Criminal Justice Committee

Subject: Ohio Criminal Sentencing Commission

Presented by: Sara Andrews, Director

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Good morning Chairman Eklund, Vice-Chair Obhof, Ranking Minority Member Thomas and members of the Criminal Justice Committee thank you for the opportunity to be here and present to you this morning. My name is Sara Andrews and I am the Director of the Ohio Criminal Sentencing Commission. Many of you worked with my predecessor, David Diroll who officially retired January 5, 2015. And, after more than two decades with the Ohio Department of Rehabilitation and Correction (DRC), I am grateful to have worked with all of you at some time during my career at DRC and certainly look forward to working with you in my new position.

I've provided you with a comprehensive briefing document on the Ohio Criminal Sentencing Commission, so for this morning's testimony I will only give a brief overview. As you know, the General Assembly created the Ohio Criminal Sentencing Commission in Ohio Revised Code §181.21 through 181.26 to, among other things,

- Study Ohio's criminal laws, sentencing patterns, and juvenile offender dispositions;
- Recommend comprehensive plans to the General Assembly that encourage public safety, proportionality, uniformity, certainty, judicial discretion, deterrence, fairness, simplification, more sentencing options, victims' rights, and other reasonable goals;

The Commission began meeting in 1991 and is the only state agency designed, by statute, to bring judges, prosecutors, and defense attorneys together with members of the General Assembly, state and local officials, victims, and law enforcement officers. The Chief Justice of the Supreme Court of Ohio chairs the 31 member Commission and, presently, Judge Tom Marcelain from the Licking County Court of Common Pleas is graciously serving as Vice Chair. The Commission is assisted by the Criminal Sentencing Advisory Committee and the Advisory Committee members freely participate at all Commission meetings.

The Commission has issued a series of reports that served as the basis for several major sentencing bills. As a result, nearly every sentencing statute currently used in Ohio's felony, misdemeanor, and juvenile courts grew out of recommendations from the Commission. Those reports are listed on page two of the briefing document.

In the six weeks I've been at the Commission, I've focused on refreshing and rejuvenating its Members and Advisory Committee by confirming the commitments of current members and requesting appointments for vacancies. Additionally, at tomorrow's meeting the Commission will decide on appointing additional members to its Advisory Committee, to include representation from the behavioral health and academic communities. With the diverse membership of the Commission and the refreshed Advisory Committee, the Commission is well-positioned to bridge the information gap among criminal justice system partners.

As you might notice on page four of the briefing document, the agenda for the meeting tomorrow (February 19, 2015) reflects the Commission's commitment to its duty to study sentencing patterns throughout the state, and available correctional resources. Additionally, the Commission is actively working on the broad topic of appellate review and anticipates making recommendations in May 2015. We also seek to be an active partner in the Recodification Committee established last session in Am. HB483 and stand ready to be of service in providing input, consult and recommendations in other important subjects.

The support and resources of the offices within the Supreme Court has been instrumental in reestablishing the day to day operation of the Commission. The Commission is also partnering with the Ohio Judicial Conference on several important projects including updated Quick Reference Guides for felony sentencing and drug offenses.

The Commission is engaging academic institutions, behavioral health advocates, judges, court and legal practitioners, community corrections organizations, state agency leadership and others to further advance sound, well-rounded criminal justice policy. Notably, as pointed out last week, I've consulted and enlisted some amazingly bright retired judges who are willing to volunteer their time to the Commission and its operation.

As the Commission and its Advisory Committee establish themselves and demonstrate valuable contributions to advance criminal justice operations, the evolution to a broader-based Criminal Justice Commission is expected. A Criminal Justice Commission can tackle a wide range of criminal justice issues and provide an ongoing forum for judges and others to debate policy initiatives under the Court's broad umbrella.

In closing, I'm hopeful you will find the Commission a credible, reliable resource and we will enjoy a mutually beneficial working relationship in the foreseeable future and thereafter. Chairman Eklund and members of the Criminal Justice Committee, thank you again for the opportunity to be here this morning and I'm happy to answer any questions you might have about the Commission.