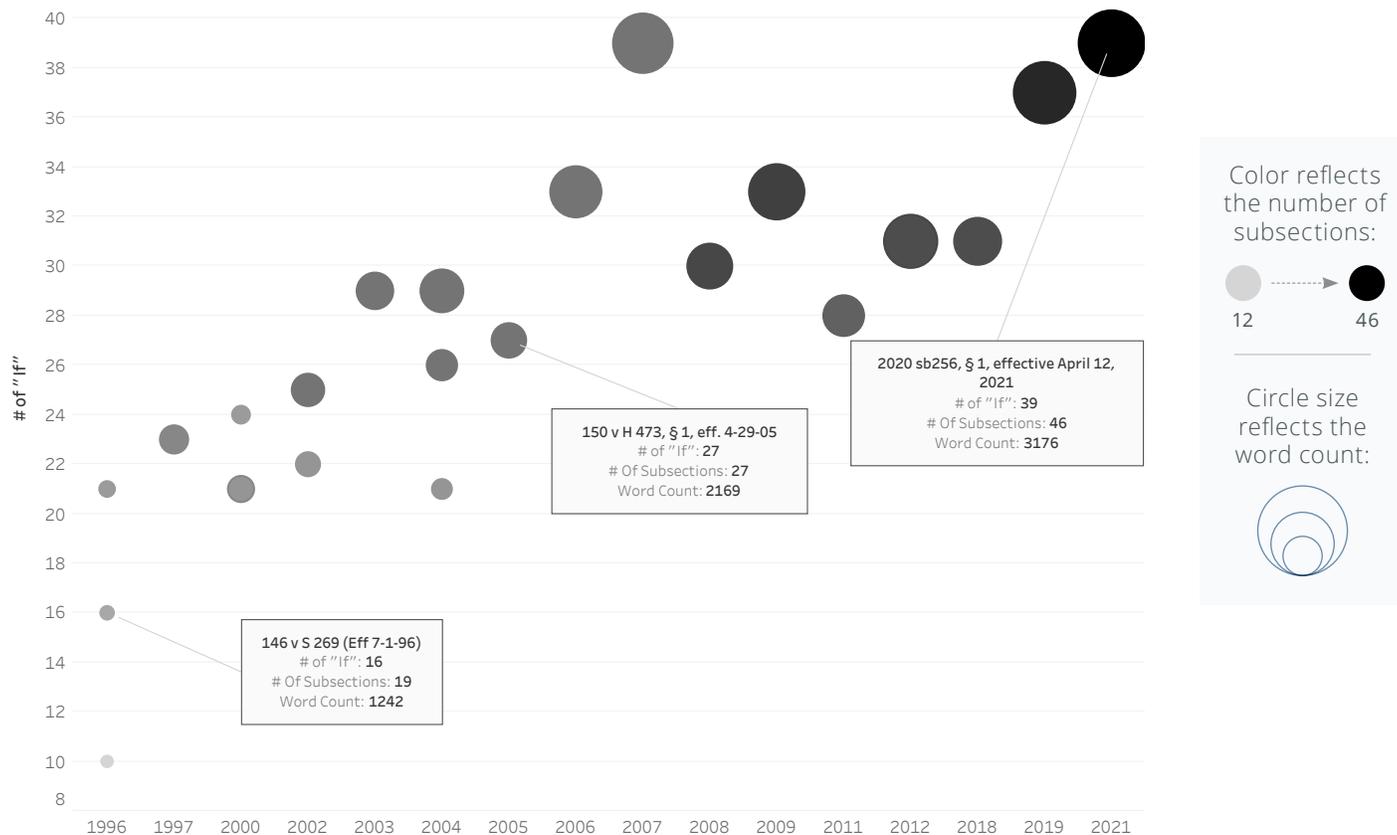


OHIO REVISED CODE §2929.19 SENTENCING HEARING 25 YEARS AND 3,000+ WORDS LATER



25 years ago, in July 1996, SB2 (Am. Sub. S.B. No. 2, 146 Ohio Laws, Part IV, 7163–7814) was enacted. The legislation established a type of determinate sentencing structure called a presumptive system, requiring minimum sentences with judicial discretion from a range of possible punishments.

A decade into the implementation of SB2, prisons were crowded, there was a push toward a broader use of the former indeterminate sentences for high-level felons and there was resounding recognition that the felony sentencing code had become more, not less, complex. Individually, each change seems logical enough, but the complexity and cost increase significantly and generally reflect the heightened sensitivities of an individual interest group, rather than careful public policy analysis. In other words, “[E]xceptions often swallow rules and make it difficult to read and apply the basic statutes.”

Today, the reality is that we are suffering from the cumulative effect of tinkering with sentencing structure on limited data sources and a crime-by-crime basis. It is time to acknowledge the need for a realistic, dedicated and long-range evaluation of criminal sentencing.

The Commission has developed a Uniform Sentencing Entry and [the Ohio Sentencing Data Platform \(OSDP\)](#) to generate, for the first time, a standardized statewide felony sentencing entry template to ensure clear, comprehensible sentences and promote confidence in the system. This effort can be the catalyst to simplify the excessively complex sentencing structure we have amassed in Ohio. It will allow us to develop and implement wise, responsible legislation consistent with the fundamental [purposes and principles of sentencing](#) – to protect the public from future crime and punish the offender using the minimum sanctions that the court determines accomplish those purposes without imposing an unnecessary burden on state or local government resources.