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MEETING AGENDA – FULL SENTENCING COMMISSION

March 24, 2022 10:00 a.m.

[Zoom Webinar \(see instructions on next page\)](#)

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/86925222322?pwd=KytKaWtTVDRPcTZXY0t3VDZKQmdpdz09>

Passcode: 948144

- I. Call to order, approval of meeting notes from December 16, 2021 & June 2022 meeting
Vice-Chair Selvaggio
- II. Update from the Department of Youth Services
Director Ast
- III. Uniform Sentencing Entry & the Ohio Sentencing Data Platform (OSDP) – updates & discussion
 - OSDP – Version 3 Release & Site Visits
Dr. Said
 - OSDP Timeline
Director Andrews
 - OSDP Governance Board
 - General matters & updates since last meeting
 - Rule of Superintendence
 - Pennsylvania Commission on Sentencing CollaborationJudge Zmuda
- IV. 25 years of SB2: Sentencing Roundtable Workgroup
Reggie Wilkinson, EdD
 - Indeterminate Sentencing – Presentation & Discussion – Judge Zmuda, Will Davies
- V. [HB1 Report – overview and highlights](#)
Lara Baker-Morrish, Niki Hotchkiss and Todd Ives
- VI. Adjourn

2022 Full Commission Meeting Dates (location TBD)

Thursday June 24, 2022

Thursday September 15, 2022

Thursday December 15, 2022

<http://www.supremecourt.ohio.gov/Boards/Sentencing/>



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ZOOM WEBINAR INSTRUCTIONS

- As a Commission Member you are a “panelist” for the meeting.
- Please activate your video (if available) by clicking on “start video” in the bottom left corner of the zoom window.
- Please ensure your audio is muted unless you are speaking. The audio mute is also in the bottom left corner of your zoom window. You should be muted when you enter the room.
- In the top right corner, you can choose between “gallery view” where you will see all commission and advisory committee members, or “speaker view” where zoom will highlight whoever is speaking.
- A question-and-answer tab will be present at the bottom of the page. You may view questions asked by attendees in this tab. Questions and answers will be available to all panelists.

OTHER ATTENDEES

- Your microphone and video will be disabled by default. Should you wish to speak, please use the “raise hand” function and a Commission staff member can temporarily enable your microphone. You will receive a notification asking you to unmute yourself at that time.
- A question-and-answer function will also be present at the bottom of the page. You may use this to ask any questions you may have during our presentations. Questions and answers will be visible to all users.



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Ohio Sentencing Data Platform Information & Timeline

October 2019:

Uniform Sentencing Entry Ad Hoc Committee convened to develop a model, uniform sentencing entry prescribing the minimum information required in a felony sentencing entry. Providing a uniform entry with the minimum standards required allows the Courts to include supplemental information to the uniform entry as necessary.

December 2019:

Realizing the value of the Uniform Sentencing Entry to Judges and courts and knowing we needed to leverage technology to implement it, the academic partnerships that we'd considered before came to the forefront. Such academic partnerships are common practice across the country for other sentencing and criminal justice commissions and we have included funding specific to that purpose in every biennial budget submission for the Commission since 2015.

January 2020:

Call for a centralized sentencing database is published via Cleveland dot com which coincides with the work of the Uniform Sentencing Entry Ad Hoc Committee.

Meeting with Ohio State University "CJ data working group":

Professor Douglas Berman, Jana Hrdinova, Holly Griffin (Drug Enforcement and Policy Center Moritz College of Law)

Ryan King (Sociology)

David Landsbergen (Glenn College)

Lisa Neilsen (CHRR - *Center for Human Resource Research*)

February 2020:

The Uniform Sentencing Entry Ad Hoc Committee presented an Executive Summary and DRAFT Uniform Sentencing Entry to Chief Justice O'Connor. Further, the Committee requested to reconvene for the purpose of developing a Method of Conviction Entry. Members also could identify and complete the remaining tasks associated with a reasoned, thoughtful roll-out strategy for implementation of the DRAFT Uniform Sentencing Entry.

Meeting with Dr. Latessa (School of Criminal Justice) and Dr. Said (School of Information and Technology) at the University of Cincinnati.

April 2020:

Discuss possibility of Memorandum of Understanding/Agreement with University of Cincinnati.



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Review Memorandum of Understanding (MOU) between the University of Cincinnati for the Ohio Cyber Range Institute – outlining the partnership with Ohio Department of Higher Education and the Adjutant General.

Contact & speak with Cyber Security Outreach Coordinator at the State of Ohio Adjutant General's Department regarding the MOU with the University of Cincinnati.

May 2020:

Submitted grant application to the Office of Criminal Justice Services for 2020 Byrne/JAG dollars. Our work developing a Uniform Sentencing Entry is the basis for the application to create a felony sentencing database and is a collaboration between the Commission, the University of Cincinnati School of Information & Technology, the University of Cincinnati School of Criminal Justice and the Ohio State University, Moritz College of Law.

Contact the Department of Administrative Services regarding procurement process, contracts, memorandum of understanding or agreement.

Contact Business Counsel Unit, Office of Ohio Attorney General Dave Yost for guidance on the Commission drafting an MOU with a university.

Contact and speak with Vice Chancellor Ohio Department of Higher Education regarding their arrangement with the University of Cincinnati.

July 2020:

Speak with Assistant Professor of Law, Co-Director, Social Justice Institute, Director, Criminal Defense Clinic Director, Social Justice Law Center Ayesha Bell Hardaway, Case Western Reserve University School of Law about ways to engage in partnership.

Meet with University of Cincinnati to discuss possible partnership Memorandum of Understanding/Agreement.

August 2020:

Uniform Sentencing Entry Ad Hoc Committee Report complete August 31, 2020.

September 2020:

Chief Justice O'Connor addresses the Commission regarding the opportunity and timing for comprehensive sentencing and criminal justice data; "Without data we are proceeding blindly, in contrast to acting in the best interest of the people of Ohio."

The Uniform Sentencing Entry Ad Hoc Committee Report and Recommendations are presented to the Commission by committee chair, Judge Zmuda.

Court Legal and Fiscal offices review/comment/assist in preparation of Scope of Work, contract with University of Cincinnati.



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Discovery Phase Contract signed with University of Cincinnati 09-15-2020 – April 30, 2021.

November 2020:

Two judges from two different courts, who both served on the Ad Hoc Committee, agreed to have Dr. Said visit their court to observe sentencing and their processes to incorporate into the development of the Ohio Sentencing Data Platform (OSDP) application.

Governance Board convened for first meeting.

Updated / revised FY2022-2023 budget worksheet justification – revisions were specific to position descriptions. The justification specifically noted:

The establishment of the sentencing database, the Ohio Sentencing Data Platform, will require an ongoing appropriation which is explained in the attached Ohio Sentencing Data Platform roadmap. We intend to supplement GRF funding with grant dollars, when applicable and appropriate. Note, the application for 2020 Byrne/JAG grant funding submitted in June 2020.

To establish the Ohio Sentencing Data Platform, each fiscal year, beginning in 2022, we will need approximately \$400,000 or, \$800,000 for the biennium. And, that same amount for the next biennial budget cycle when thereafter we can reduce to \$150,000 annually – as noted here:

Annual appropriation:

2022: \$400,000

2023: \$400,000

2024: \$400,000

2025: \$400,000

2026: \$400,000

2027: \$150,000

2028: \$150,000

2029: \$150,000

The Commission, in this proposed budget, can along with university or other research organization resources, continue to serve as a vehicle for the betterment of Ohio's criminal justice system, expand its analytical capacity and further its goal of developing data driven policy decisions that ensure fairness and consistency in sentencing. The increased resources will achieve a reasoned, deliberate roll-out strategy for the implementation of the Uniform Sentencing Entry and companion documents. It will provide a roadmap for the development of a felony sentencing database which will give practitioners and policy makers an unprecedented level of information. The information can be used to leverage resources and programming to improve outcomes for those involved in the criminal justice system and help inform judicial decision-making.

It can be the cornerstone to a larger, comprehensive criminal justice database that captures data throughout the continuum – from the first contact with law enforcement through post-case disposition –



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and, ultimately at both the misdemeanor and felony level. In other words, robust data and information translates to a safer, fairer, and more cost-efficient criminal justice system.

December 2020:

OSDP project update and discussion at meeting of the full Commission.

January 2021:

Awarded Byrne/JAG grant.

Presented at the Supreme Court of Ohio Administrative Conference regarding the Ohio Sentencing Data Platform, January 26, 2021.

February 2021:

The Governance Board sanctioned the Data Governance and Policy Working Group. The Executive Director of the Pennsylvania Commission on Sentencing agrees to provide technical assistance and consultation to the group. Pennsylvania has a rich history in statewide virtual integration of justice data through the Pennsylvania Justice Network (JNET), and the deployment of statewide case management systems by the Administrative Offices of Pennsylvania Courts (AOPC).

Citing that the early stages of development of the OSDP is an opportune time to evaluate how Ohio is using risk assessments, the Commission provides a letter of support and commit to partner with the Ohio State Bar Foundation to fund a project with Professor Hirsch, Professor of Law & Faculty Director of the Program on Data and Governance at the Ohio State University – Moritz College of Law and his colleagues regarding the use of risk assessments by the courts – project titled “Aligning Algorithmic Risk Assessments with Criminal Justice Values.”

March 2021:

Three additional judges from three different courts invited Dr. Said to their courts to observe processes and sentencing, bringing the total to five judges in five different courts around the state engaged with the project.

OSDP project update and discussion at meeting of the full Commission.

April 2021:

Updated contract with University of Cincinnati following a JAG grant award from the Office of Criminal Justice Services; contract addendum signed April 5, 2021.

Version 1.0 of the OSDP application was released. In addition, four judges from two new courts agreed to participate in the project through a site visit, bringing the total to nine judges in seven courts. Judges begin piloting the system and providing feedback.

May 2021:

Twelve new judges in three additional courts volunteered to be engaged with the project through site visits and testing the OSDP, for a total of 21 judges and 10 courts involved.



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June 2021:

Apply for two Byrne/JAG grants. One to develop and evaluate a public portal of sentencing data and one to create a standardized, centralized Ohio Criminal Offense Code (OCOC) application. The application will provide an interface to add and update standardized felony offense codes and will be non-proprietary (available to all who wish to use it).

OSDP project update and discussion at meeting of the full Commission.

The Aligning Algorithmic Risk Assessments with Criminal Justice Values project with Ohio State Bar Foundation is funded, and Professor Hirsch presents at the meeting of the full Commission.

Five judges in five additional courts joined the project, bringing the total number engaged to 26 judges in 15 courts.

July 2021:

Launch phase begins with FY22-23 budget cycle.

Four judges and one new court joined the project.

August 2021:

Governance Board endorses the Commission as the OSDP project administrator/owner and approves system architecture design.

Launch Phase contract signed – July 1, 2021 – June 30, 2023.

Seven judges joined the project, bringing the total number to 37 judges in 16 courts.

September 2021:

Two judges joined the project.

OSDP project update and discussion at meeting of the full Commission.

October 2021:

Ceremonial contract signing event for OSDP held in Columbus, Ohio.

OSDP version 2.0 released, which includes--among other enhancements--a Plea Entry, the first of the Method of Conviction forms to be added to the OSDP.

Seven judges and one additional court joined the project, for a total of 46 judges in 17 courts involved.

November 2021:

Governance Board approves draft Rules of Superintendence – 38.01 and 44.



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Six judges and three courts joined the project for a total of 52 judges in 20 courts.

December 2021:

Hands on demo to Ohio Common Pleas Judges Association.

OSDP project update and discussion at meeting of the full Commission.

Thirty-one judges in 20 previously uninvolved courts expressed interest in joining the project, for a total of 83 judges and 40 courts involved.

January 2022:

Awarded Byrne/JAG grants outlined above (June 2021).

One additional judge joined the project.

February 2022:

Submitted grant application to the Cleveland Foundation to explore system to system integration to accelerate bringing Cuyahoga County onto the OSDP – which will also benefit other courts with sentencing entry templates embedded in their case management system.

Signed contract addendum to hire a Research Fellow for one year to support development and rollout of OSDP. Contract for a period of twelve months that starts from the day of signing but ending no later than June 30, 2023.

Rules of Superintendence presented to the Commission on Rules of Superintendence for approval to post Rules for public comment.

Two new judges and one additional court joined the project, for a total of 86 judges in 41 courts engaged in the OSDP project.

Version 3.0 of the OSDP released, which includes all the Methods of Conviction and Good Civics forms adopted by the Ad Hoc Committee.

March 2022:

Rules of Superintendence presented to Justices for consideration and approval to post for public comment. Decision deferred until follow up presentation and demonstration of OSDP the end of March 2022.

Site visit to Pennsylvania – organized by the Pennsylvania Commission on Sentencing. The purpose of the visit was to learn more about Pennsylvania's experiences in developing, deploying, and sustaining sentencing and other criminal justice applications, and in discussing the utilization of data to support research, inform policy, and promote transparency. The goal of the meeting is to provide insights through four state-level sessions and one local (Allegheny County) demonstration session.

HB1 Impact Evaluation

Commission's responsibility as outlined in Ohio Revised Code § 181.27(B):

- The Commission shall “...commence a study of the impact of sections relevant to the act in which this section is enacted, including but not limited to, changes to sections 109.11, 2929.15, 2951.041, 2953.31, 2953.32, 5119.93, and 5119.94 of the Revised Code, and continue studying that impact on an ongoing basis.”



Record Sealing Recommendations



Standardized data collection



Allow restricted access to anonymized data for research and evaluation purposes



Simplify process



Expand educational efforts to inform about eligibility requirements

Involuntary Commitment to Treatment Recommendations



Standardized data collection through inclusion on Probate Case Management forms as a separate case type



Explore options to make treatment available regardless of financial or insurance status



Educate and inform families of this option



Expand educational efforts to inform judges of changes to statute.

Intervention in Lieu of Conviction (ILC) Recommendations



Advance better data collection on ILC programs and outcomes



Better communicate HB1 changes regarding ILC



Streamline the statute to make it simpler and less confusing



Address the barrier of the ILC cost

Technical Violations and Community Control Recommendations



Work toward simplifying the provision



Impact on the ODRC population remains to be seen, but is estimated to affect ~100 people

DYS Update: Ohio Criminal Sentencing Commission

March 24, 2022



Amy L. Ast
Director

Contact

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Columbus, Ohio 43228

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Amy.Ast@dys.ohio.gov

Experience

- 2018** ● **Rites of Passage**
Regional Director of Compliance
- 2008** ● **The Ohio Department of Youth Services
Central Office**
Bureau Chief of Facility Operations
- 2005** ● **The Ohio Department of Youth Services
Scioto Juvenile Correctional Facility**
Deputy Superintendent
Superintendent
- 2004** ● **The Ohio Department of Youth Services
Central Office**
Policy and PREA Coordinator
Compliance Administrator and PREA Coordinator
- 1996** ● **The Ohio Department of Youth Services
Ohio River Valley Juvenile Correctional Facility**
Unit Manager
Juvenile Correctional Officer

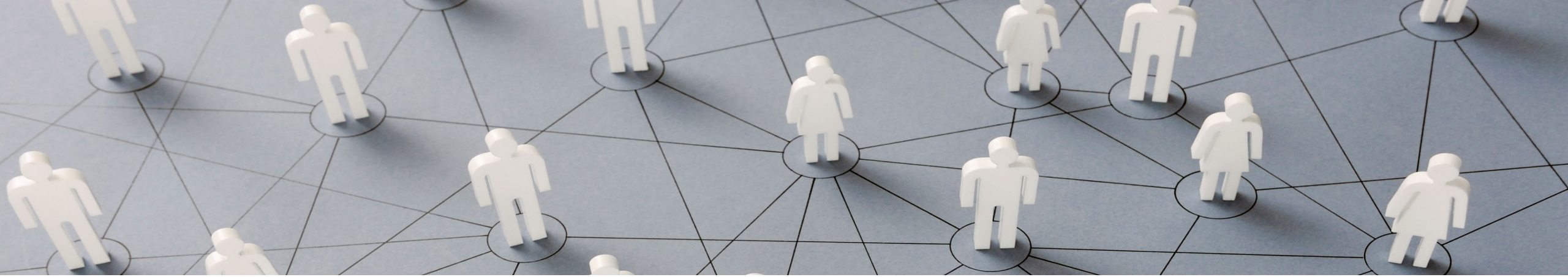
Education

- 2019** ● **Ohio Dominican University**
Master of Science
Management
- 2004** ● **Ohio University**
Bachelor of Science
Communications

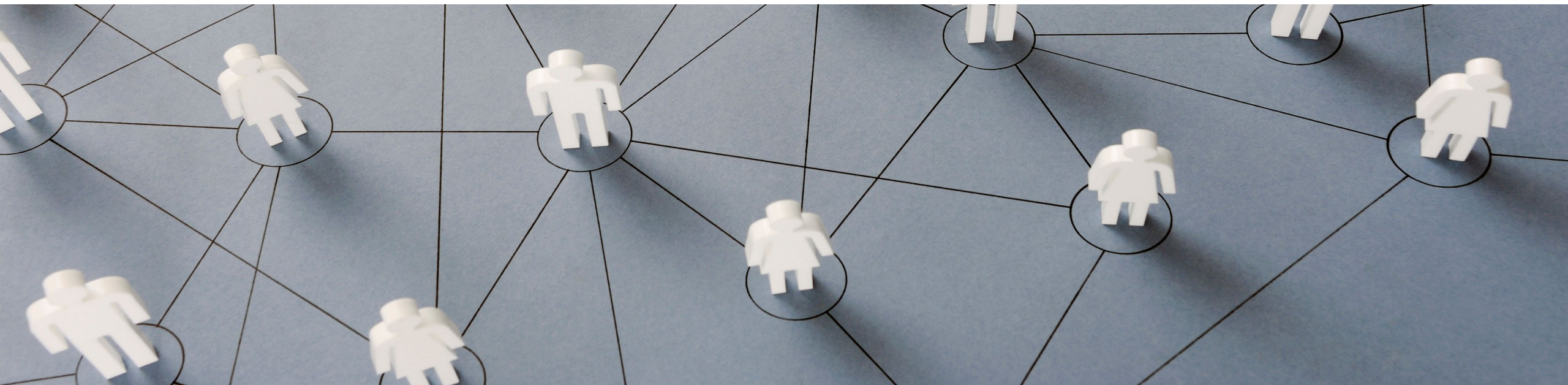
About Director Ast

Governor Mike DeWine appointed Amy L. Ast director of the Ohio Department of Youth Services in December 2021, returning the veteran youth services professional to the agency she served from 1996 through 2017.

Director Ast's goals at DYS include investing in relationships, best practices, and innovative programming "to ensure our youth leave DYS healthier physically, mentally, and emotionally than when they arrived." She is also committed to investing in staff so they come to work energized, engaged, and committed to DYS's core mission – improving the lives of youth, families, and communities, protecting the public, and creating a safer, more prosperous Ohio.



**“Alone we can do so little; together we
can do so much.” –Helen Keller**



— *Our* TRUE NORTH —



MISSION



VISION




JUST CAUSE
STATEMENTS



GUIDING
PRINCIPLES



VALUES



*Calculated risks involves experimentation
and learning, which is core to successful
innovations.*

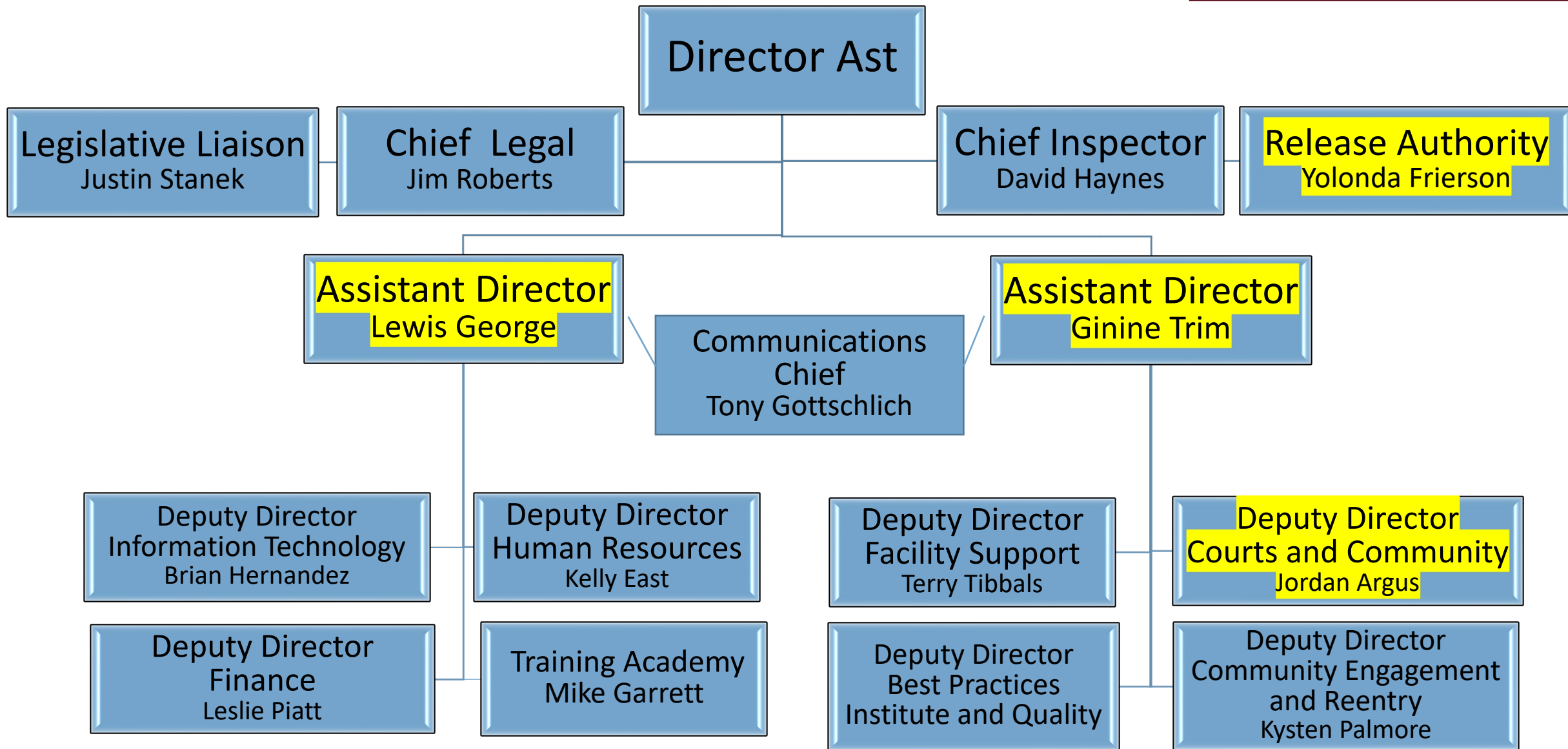
❖ First 90 Days

❖ Next 90 – 180 Days

First 90 Days...Evaluation and Assessment



Re-Structuring Central Office



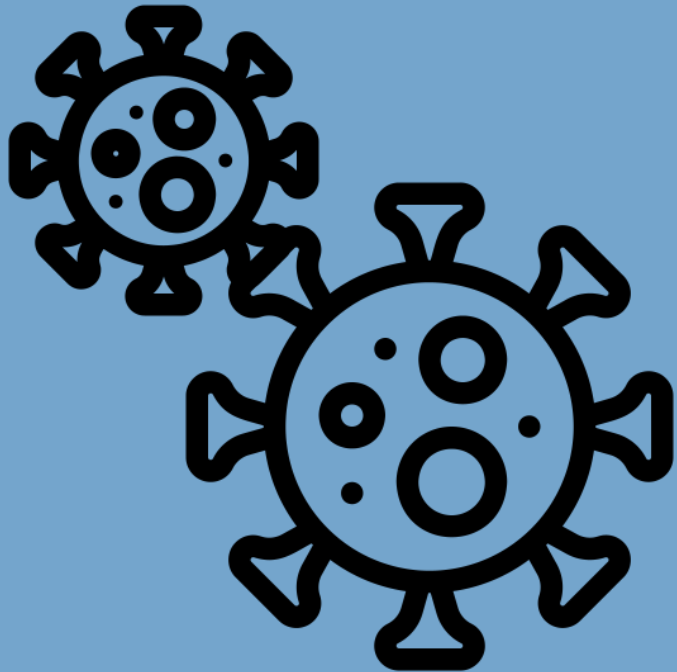
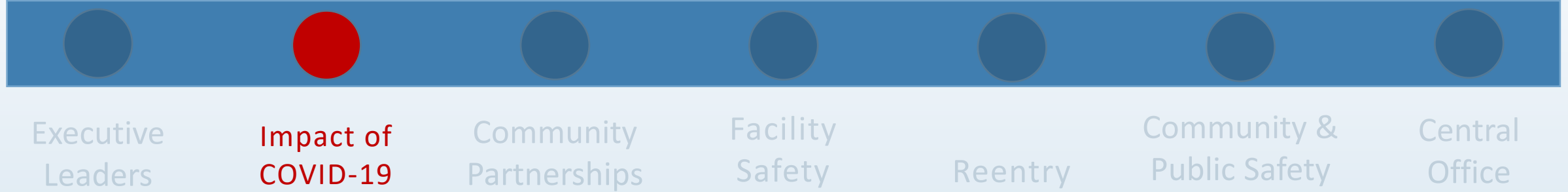
First 90 Days...Evaluation and Assessment



Setting the Context
of How & Why

Empowering our
Leadership Team

First 90 Days...Evaluation and Assessment



Prevention & Intervention Strategies
(vaccine clinics, mandatory testing, etc.)

Current Status-COVID-19

Workforce/Vacancy Rate

Pre-Service Training

First 90 Days...Evaluation and Assessment



Judges

Law enforcement

Legislators

Advocate groups

First 90 Days...Evaluation and Assessment



PREA Survey
Separation
Act of Violence
Treatment/Programming/Activities

Trauma Responsive Environment

- ❖ Developing Pathways for Each Youth
- ❖ Evidence Based Treatment
- ❖ Education-Innovative Curriculum Delivery
- ❖ Returning Volunteers to our Facilities
- ❖ System of Incentives, Rewards, & Accountability

Community Engagement and Reentry

- ❖ Workforce Development
(One Stops)
- ❖ Comprehensive Case Management Employment Project (CCMEP)
- ❖ OOD Partnership
- ❖ Cuyahoga County Mentoring Program

First 90 Days...Evaluation and Assessment



Parole Supervision

Whereabouts Unknown

RECLAIM

- ❖ System of Incentives, Rewards, & Accountability
- ❖ Community Intervention & Intelligence Unit
- ❖ Fostering Relationships with Community Partners
- ❖ Training

First 90 Days...Evaluation and Assessment



Return to Office: April 18

