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OHIO CRIMINAL SENTENCING COMMISSION MEETING

March 6, 2025, 10am-12pm

Ohio Judicial Center, Room 281

MEMBERS PRESENT

Sharon L. Kennedy, Chief Justice, Chair
Nick Selvaggio, Judge, Common Pleas Court, Vice-Chair
Amy Ast, Director, Department of Youth Services
Brooke Burns, Ohio Public Defender, Juvenile Department
Annette Chambers-Smith, Director, Department of Rehabilitation and Corrections
Robert DeLamatre, Judge, Juvenile Court
Julia Dorrian, Judge, 10th District Court of Appeals
Kyle Erdeljac, Lieutenant, Columbus Police Department, FOP
Gwen Howe-Gebers, County Prosecutor, Juvenile
Latyna Humphrey, House of Representatives
Catherine Ingram, Ohio Senate
Robert Krapenc, Attorney, Criminal Defense
Timothy Lanzendorfer, Ohio State Bar Association
Nathan Manning, Ohio Senate
Charles McConville, County Prosecutor
Stephen McIntosh, Judge, Common Pleas Court
Elizabeth Miller, Ohio Public Defender
Jennifer Muench-McElfresh, Judge, Common Pleas Court
Kyle Rohrer, Judge Municipal Court
Robert Sellers, Lieutenant, State Highway Patrol
Darren Shulman, Municipal Prosecutor
Helen Wallace, Judge, Juvenile Court
Donnie Willis, County Commissioner

MEMBERS ABSENT

Charles Chandler, Peace Officer
Timothy France, Judge, Municipal Court
Kristen Johnson, Judge, Probate and Juvenile Court
John Hinton, Sheriff
Teri LaJeunesse, Victim Representative
Josh Williams, House of Representatives
Tyrone Yates, Judge, Municipal Court

STAFF PRESENT

Melissa A. Knopp, Esq., Executive Director
Michael Crofford, M.Ed., LPC, Research Specialist
Will Davies, Esq., Criminal Justice Counsel
Angela Kay Garvey, Program Coordinator
Emily S. Haynes, Esq., M.L.S., Criminal Justice Counsel
Todd Ives, MPA, Research Specialist
Alex T. Jones, Esq., Criminal Justice Counsel



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Call to Order and Roll Call

1. Chief Justice Kennedy called the meeting to order at 10:00 AM. Director Melissa Knopp took roll call, and a quorum was present.

Approval of minutes from November 21, 2024

2. Chief Justice Kennedy asked if there were any changes needed for the November 21st, 2024, meeting minutes. Changes were requested to correct the spelling of Lt. Erdeljac's name in the body of the minutes and to spell out Targeted Community Alternative to Prison (TCAP) in paragraph seven. Director Chambers-Smith moved to approve the minutes from the November meeting with the requested changes. Senator Nathan Manning seconded. Senator Catherine Ingram abstained with the remaining members voting yes. The motion passed.

Nominate & Elect New Commission Vice-Chair

3. Chief Justice Kennedy announced that Judge Nick Selvaggio would be stepping down as vice-chair and thanked him for his years of service to the Sentencing Commission. He thanked her and shared that he would be stepping down as vice-chair but remaining on the Commission for the remainder of his term. He thanked the Commission for their work and stated that he looked forward to continuing to work with them.
4. Chief Justice Kennedy then asked if any of the members would be interested in becoming the new vice-chair. Municipal Prosecutor Darren Shulman volunteered to serve as vice-chair. There were no additional volunteers. Chief Justice Kennedy moved to appoint Darren Shulman as vice-chair of the Commission and Judge Selvaggio seconded. The motion passed unanimously.

Committee Reports

Adult Criminal Justice Committee

5. Director Annette Chambers-Smith then announced she will be stepping down as the chair of the Adult Criminal Justice Committee but will be staying on as a member. She then gave a report on the work of the committee including the presentation she had given on tracking recidivism versus the social determinates of health, work on the indefinite sentencing guide, and NGRI guide. She asked if there were any questions, but none were stated at this time. Judge Stephen McIntosh made a motion to accept and publish the Indefinite Sentencing Guide and was seconded by Judge Jennifer Muench-McElfresh. The motion passes unanimously.



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6. County Prosecutor Chip McConville then made a motion to accept and publish the NGRI Guide which was seconded by Defense Attorney Robert Krapenc. The motion passed unanimously.
7. Criminal Justice Counsel Will Davies then discussed the updates that had been made to the Uniform Sentencing Entry (USE) guide. He reminded the members of how versions were tracked and how the recent changes, including those related to the Beatty decision, would make this version 7.0.0. Director Chambers-Smith asked if there was a motion. Darren Shulman moved to accept and publish the USE v7.0.0. Public Defender Elizabeth Miller seconded, and the motion passed unanimously.
8. Director Chambers-Smith then shared that the committee had also been working on presentence investigations (PSI) and confinement credit. She shared that trainings had been, and would continue to be, conducted on the topic of confinement credit and that the next training was scheduled for March. Chief Justice Kennedy thanked people for reaching out to the Judicial College for training on this issue and encouraged them to do so for any future issues that may arise through the committees or in general. She then thanked Director Chambers-Smith for being the chair of the committee. Judge Julia Dorrian also thanked all those that have worked on the reference guides and trainings and shared how useful they are for new judges' training specifically. Chief Justice Kennedy then asked if there were any volunteers to chair the Adult Criminal Justice Committee. Judge McIntosh volunteered. With no additional volunteers, Chief Justice Kennedy moved to appoint Judge McIntosh as the chair of the Adult Criminal Justice Committee. The motion was seconded by Judge Dorrian and passed unanimously.

Juvenile Justice Committee

9. Chief Justice Kennedy then thanked the members from the legislature present for passing the Juvenile Justice Committee back into statute. She then thanked Judge Helen Wallace for her time as chair and thanked Judge Robert DeLamatre, the current vice-chair of the juvenile committee, for accepting the role as the new chair of the committee as allowed by statute. She then thanked Director Amy Ast for agreeing to be the new vice-chair.
10. Judge DeLamatre then reported on the work of the committee. He shared that there had been much discussion on juvenile bindovers including statistics presented by the Cuyahoga County prosecutor office. He shared that Representative Josh Williams continued to solicit feedback and discussion from the committee and would look for formal feedback once his bill on the subject was introduced. He then discussed the development of juvenile reference guides and ongoing research on bindover issues and appeals decisions. He asked for any feedback or suggestions for topics of discussion for the committee and invited anyone to join. Chief Justice Kennedy briefly mentioned that



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a survey is being developed by the court to ask about frequent appeals trends and encouraged joining the juvenile committee.

Data Committee

11. Chief Justice Kennedy then introduced the Monitoring Report supplement and discussed the development of the supplement to include information on TCAP and specialized dockets. She mentioned that she had already suggested some edits to align the report language with the naming conventions that were being developed with the specialized dockets section. There was a brief discussion on how best to match the historical data that had been utilized for the report with the suggested language. It was suggested a footnote be added explaining the change in language. An additional suggestion was made to resize figure 8 to make sure it was more easily read. This change will be made when working with the Public Information Office (PIO) to prepare the report for publication. With these suggested edits, Chief Justice Kennedy made a motion to adopt and send to the General Assembly the 2025 Monitoring Report Supplemental. Director Chambers-Smith seconded, and the motion passed unanimously.
12. Research Specialist Todd Ives then presented on the Jail Data Map that had been developed. Chief Justice Kennedy motioned to approve and publish the Jail Data Map and was seconded by Lt. Kyle Erdeljac. The motion passed unanimously. Chief Justice Kennedy then reviewed the next meeting date for the committee was on April 3rd at 3:00PM. She discussed the goals of the committee moving forward and invited any additional members to the committee.

Personnel Committee

13. Chief Justice Kennedy then asked new staff member, Criminal Justice Counsel Emily S. Haynes, Esq., M.L.S., to introduce herself to the members. Ms. Haynes introduced herself and gave a brief overview of her background. She thanked the Commission, and the Chief Justice welcomed her.

Legislative Update

14. Criminal Justice Counsel Alex T. Jones then discussed the legislative update. He shared that Director Melissa A. Knopp had been invited to present budget testimony and that it had gone well. He shared that they had received positive feedback and thanked Representative Williams for his praise of the Commission. He then shared that he and Director Knopp were meeting with legislatures and their aides regularly. He shared that the House committees had been restructured in a way that may impact the purview of the Commission and he would provide additional information as it was available. He then reminded members that if there were any legislative questions, to please feel free to reach out to him. He thanked those that had provided feedback in the past on



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legislative updates and shared that he will be aiming to provide a monthly update moving forward.

Old Business

15. No old business was discussed.

New Business

16. Chief Justice Kennedy then opened the room for any new business. She thanked Bob Krapenc for being on the Commission and shared that he will be leaving the Commission and moving into a new role on March 31st. She thanked him again and stated that the Governor will be appointing a replacement. She then shared that Judge Marianne Hemmeter had also resigned from the Commission due to her new role moving from a municipal to common pleas judge. However, she had recommended a replacement, and the Chief Justice welcomed Judge Kyle Rohrer and asked him to introduce himself, which he did.
17. Director Knopp then read a list of all the new and reappointed members. Chief Justice Kennedy asked the new members to introduce themselves. Timothy Lanzendorfer from the Ohio State Bar Association and Senator Catherine Ingram introduced themselves and their backgrounds.
18. Research Specialist Ives then gave a brief update on the HB1 report process. There were no questions at this time.
19. Chief Justice Kennedy then briefly introduced HB 257 (135th General Assembly) which would permit hybrid meetings for certain Boards and Commissions. She asked Criminal Justice Counsel Jones to clarify what was included in this bill. He shared that the Commission would need to proactively adopt and add to the operating guidelines any allowance for hybrid meeting attendance. Any change to the operating guidelines would need to be presented to the members twice before a vote could take place which would mean this would go into effect in September or December at the earliest. There was a discussion on the pros and cons of hybrid attendance with many members contributing to the discussion. Mr. Jones clarified that the statute creates a floor not a ceiling for allowing virtual attendance in so much that it allows for that option, but the Commission had the latitude to decide if they wanted to adopt a virtual attendance option and if so, what limits or guidelines they wished to establish. Discussion continued on how many virtual meetings would be allowable in a calendar year if adopted. Darren Shulman made a motion to adopt HB 257 to permit hybrid participation one time per year and Judge Dorrian seconded. A vote was called. Chief Justice Kennedy and Judge



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Selvaggio were opposed. All remaining Commission members were in favor. The motion passed. The Chief Justice stated that the Personnel Committee would begin working on updates to the operating guidelines and reminded members that these would need to be presented to them twice prior to a vote being taken.

20. Judge Selvaggio then spoke and thanked the Department of Rehabilitation and Corrections for their work and the programming opportunities they provide.

Adjourn

21. Chief Justice Kennedy reviewed the next Commission meeting date was scheduled for May and the meeting was adjourned at 11:07am.