



Ohio Sentencing Data Platform

Pilot Project Public Portal Focus Groups:

Summary of Key Themes



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Introduction and Background

The Ohio Criminal Sentencing Commission (Commission) is an affiliated office of the Supreme Court of Ohio, authorized under sections [R.C.181.23](#) to [181.26](#) and [181.27](#) of the Ohio Revised Code. Since its inception, the Ohio Criminal Sentencing Commission has provided an impartial and consensus-driven platform for the analysis and development of policies and practices that maximize public safety and reduce recidivism in a cost-effective manner. The Commission’s vision is to enhance justice and its mission is to ensure fair sentencing in the state of Ohio.

Recognizing that felony sentencing in Ohio is a complex, intricate process, and ensuring clear, comprehensible sentences is of the utmost import for the administration of justice and promoting confidence in the system in September 2019, the Commission convened a Uniform Sentencing Entry Ad Hoc Committee to develop a model, uniform felony sentencing entry with the minimum language necessary to comply with Criminal Rule 32 and the Ohio Revised Code. Giving judges a uniform sentencing entry template ensures the entry always includes the most recent requirements, either based on statute or case law and improve system efficiency.

In addition to providing a method of minimizing appealable errors or omissions in entries, the development of a uniform entry template offers a solution for collecting criminal sentencing data in a way that is efficient, reduces duplication, and does not fiscally burden local government. The Commission conducted extensive research to identify a partner with the definitive knowledge, skills, and expertise to complete the numerous tasks required to develop a web-based application for the uniform entry templates.

Accordingly, the Commission contracted with the University of Cincinnati’s Information Technology Solutions Center (ITSC) to create a web-based application of the uniform entry template and establish a pilot project – [the Ohio Sentencing Data Platform \(OSDP\)](#). The pilot project began in 2020 and continues in an “iterative” model – we adjust as we learn.

The OSDP is a system of portals:

- Ohio Criminal Offense Code Portal.
- Sentencing Data Platform Core.
- Entry Generation Portal.
- Public Portal.
- Other Portals.

The information in the uniform entry template is entered by courts into the Entry Generation Portal and saved as datapoints in a database, thus collecting data without increasing reporting requirements on courts. To prepare the data for analysis, an anonymization process will be developed to ensure that data available for analysis does not identify the individual judge, defendant, or county.

The focus of the OSDP pilot project sentencing database is on the criminal justice system, not individuals. The identity of the defendant, the judge, the prosecutor, the defense attorney, and the county originating the case will all be anonymized. The anonymization is critical to the success of the project as it will provide focus on the criminal justice system and its outcomes rather than on individuals. Further, elements that could be easily traced back to a case will be anonymized to ensure the integrity and stability of the data to be collected and the success of the pilot project.

The Public Portal, when developed, will display the anonymized, aggregate information collected in the Entry Generation Portal. The Public Portal will allow public consumption of sentencing information in an aggregate way – more than we know today. It is a system-focused representation of data to inform the public of the story of felony sentencing in Ohio – in other words, a web-based application (or website) that includes dashboards that display semi-real-live anonymized data (likely 3-4 days delay) as well as downloads of this data. The dashboards will be designed to address common questions. It will provide quick answers over time for commonly asked questions or requested information based on scientific and statistical analyses.

Once developed, the Public Portal will provide contextual explanation to sentencing information and access to anonymized, aggregate reports and data visualizations to answer questions such as:

1. How many people were convicted of felonies in Ohio in a given time period?
2. What percent of convictions for each offense level is sentenced to prison versus community control?
3. What were the range of sentences for defendants convicted of violating 2925.11(A) and 2925.11(C)(1)(b)?
4. What percent of offenders sentenced to prison versus community control for the same offense had prior felony convictions?

Focus Groups

The Commission held a series of seven in-person focus groups across the state, including two virtual sessions to learn more about how sentencing information may be used and how best to display it for public consumption. Participants, representing 60+ organizations, registered for the sessions.

The Public Portal focus groups were made possible by a Justice Assistance Grant awarded by Office of Criminal Justice Services (OCJS) to study the collection, sharing, and analysis of sentencing and criminal justice data that may or could be collected by the OSDP pilot project. The grant allowed the the Commission to invite a diverse audience to participate in a series of focus groups to collect feedback on the design of a Public Portal, which can host publicly accessible interactive data dashboards. The goal was, in part, to understand the competing needs and expectations of various stakeholder groups, such as local and state government representatives, community leaders, attorneys, judges, media, researchers, criminal justice advocates, and the general public.

To that end, the Commission invited a wide range of participants to engage in a series of focus groups – held at various sites in the state. The invitation list was produced by Commission staff through reliance on the affiliated organizations of commission members, agencies or other groups that have participated in commission meetings, committees, or workgroups, and generally any agency, organization, or group that



may have an interest in the OSDP. An invitation was sent to 44 organizations and 23 academic departments, with a request that they share the invitation with their members or other interested parties.¹

Invitees were asked to send one person per organization to the focus groups to control for group size – smaller groups tend to be more engaged and interactive. In total, the Commission received registration representing 64 different member organizations, of which 39 people participated in a focus group. While the goal was to engage as many people as possible, we recognize there are many more stakeholders that we did not meet with in this process. It is important to note that these focus groups are a beginning to the dialog on the Public Portal.

In June, July, and August 2022 five in-person focus groups were held across Ohio, in Columbus, Cleveland, Cincinnati, Dayton, and Lancaster, with support from project partners – The Ohio State University Drug Enforcement and Policy Center, Case Western Reserve University Social Justice Institute, and the University of Cincinnati School of Information Technology. Further two virtual focus groups, conducted via Zoom, were added to maximize participation – those invited to these additional sessions included people who had previously registered but could not attend an in-person session.

Each focus group lasted approximately one hour and thirty minutes. First we presented information on the OSDP pilot project and Public Portal via walking through the [OSDP website](#), and then prompted participants to ask clarifying questions about the system. Participants were then shown examples of other state or local jurisdiction data dashboards and asked for feedback on how the Public Portal could utilize or improve on those dashboards (see Appendix C for list of sample dashboards). Finally, participants were asked engagement questions on what criminal justice data was important to them and how they could use the Public Portal in their own work (see Appendix D for the focus group agenda).

This report captures the sum of the feedback gathered across the seven focus groups. Results are presented without identifying participants to maintain their confidentiality. Accordingly, the comments presented in this report do not necessarily represent endorsements from the participating organizations listed in Appendix B, nor do they necessarily represent consensus feedback. This report is intended to reflect the totality of feedback given in the focus group sessions. The report is organized by the major themes that arose in each focus group.

¹ A list of organizations that were invited to register to the event is attached as Appendix A. A list of participating member organizations is listed in Appendix B.

Sentencing Data Has High Utility for Stakeholders

At the beginning of each focus group, participants were asked why they had agreed to participate in the focus groups and the locus of their interest in the Ohio Sentencing Data Platform (OSDP) pilot project. Although the category of answers varied, a common theme emerged – *there is a critical lack of sentencing data available to answer basic questions that arise in both their personal and professional lives*. A major theme running through all the conversations was that we cannot continue to rely on anecdotal examples and it is important to understand the holistic view of criminal sentencing in Ohio.

Many engaged in the focus groups were interested in sentencing and criminal justice data for policy analysis and research purposes. Among those interested in the OSDP pilot project for research and policy analysis purposes, common elements included:

- Analysis on uniformity in sentencing (treating similar cases similarly).
- Cost/benefit analyses on criminal justice issues.
- Research on sentencing/criminal justice outcomes.
- Research on disparity and fairness.
 - » Impact analysis on legislation.
 - » Research on “what works and what doesn’t” in criminal justice policy.
 - » Informing public policy.
 - » Using data to allocate funding.
 - » Directing research and formulating what questions should be asked.
 - » Ability to show policymakers data on who does not go to prison to inform policy.

A secondary theme that emerged among participants was the importance of addressing what was described as mistrust in the criminal justice system and the lack of information or data that is currently available. Many saw the development of the OSDP pilot project as an opportunity to help the general public, as well as practitioners, better understand sentencing, the criminal justice system, and address key questions, such as how are people sentenced who do not end up in prison?

Availability of Criminal Justice or Sentencing Data on a Localized Level

In an effort to encourage participation and garner the broadest ‘wish list’ of information, participants in the focus group were not presented with any restrictions on information that could be available. Although the Public Portal will contain anonymized, aggregate data, participants were asked to consider the Public Portal as a blank slate and imagine their own ideal state of what the data could look like, even if it was aspirational. Accordingly, participants were prompted with the question: if they could hypothetically have available any data without limitations, what sentencing data were they most interested in seeing? Some participants had specific feedback on the availability of data at the local level, expressing a desire for specific county and judge-level data, reasons for which fell into two categories. The first reasons given was policy related. Participants said that localized data would allow for a better understanding of differences between jurisdictions. Specifically, some participants expressed the desire to study how individual judges sentenced similarly situated defendants. Another reason given was to be able to use data to advocate for community-level programming and funding decisions. Participants cited the desire to use jurisdictional data to inform policymaking at the local level or address localized issues at the state level, for example whether there are sentencing disparities within jurisdictions or between jurisdictions and whether similarly situated defendants are sentenced similarly. Another example



given was the desire to see the differences in how pretrial diversion programs operated among jurisdictions and the utilization of community control.

The second reason was that participants believed that all data ought to be transparent to the general public. One reason given was that because the journal entry itself was public record, the aggregate data from it should also be public record. Another reason given was that voters should be able to use the data gathered from the portal to inform who they elect. Finally, one participant believed that there should be stability and transparency in the rules governing the OSDP pilot project, and they should not be subject to the “political process” or the composition of a political decision-making body.

Data Dashboards vs. Downloadable Datasets

Focus group participants were asked to evaluate the utility of an interactive data dashboard and whether a downloadable dataset would be useful in their work. Participants noted that a dashboard is valuable for answering quick questions or illustrating trends to stakeholders, but actual research and policy analysis necessitates a downloadable dataset or some form of raw data. Many commented that while a dashboard has high utility to display the big picture, they would need the actual data behind it for their own professional or research purposes. The Pennsylvania Commission on Sentencing is one example state that features an [interactive visual dashboard](#) along with the ability to request a downloadable data file, which may be used for research, evaluations, and analyses.

Comments on How to Display the Data in a Dashboard Format

In the focus groups, participants were shown examples of other state and local sentencing dashboards and were asked to provide feedback on what they liked and did not like about them. Using the other state/locality dashboards as a model, participants gave feedback about how the OSDP pilot project could improve upon these displays and what the final Public Portal should include.

Participants had many comments surrounding the context of the dashboards and how data should be displayed to the public. As one participant summarized, the scaffolding should be there for people to understand what they are seeing, rather than displaying data without context or explanation. More comments added that the limitations of the data and dashboards should clearly be listed, such as what data cannot be shown and why, as well as what does the law require as it relates to sentencing outcomes. Participants expressed a desire to understand the full context of sentencing outcomes,

including whether the law dictates a certain sentence or sentencing range. Another example that a participant added was that the dashboard should be clear in how cases with convictions on multiple charges are displayed.

On a philosophical level, participants stated the dashboards should be a starting point for asking questions but not the conclusion. The data should be used to prompt questions and lead to deeper dives in the data, not be the be-all-end-all. Participants emphasized that the “why” is more important than the “what” in the dashboards, and that the Public Portal should be able to explain why the dashboards and data look the way they do. In other words, the dashboards should be able to explain the story of sentencing and why judges have made sentencing decisions. Some participants suggested a model using data visualizations to answer specific questions or doing explainers rather than simply presenting aggregate data. Another participant commented that they would like to see these types of dashboards tied into an annual published report on the data.

Comments on Desired Data Elements

Participants were asked to identify the pieces of information they would most like to have available in a Public Portal, for example offense code, offense level, sentence length and type, and defendant demographics. Answers ranged from general types of information they would like to see to specific identified data elements.

In the general comments about data, participants wanted to be able to follow a case entirely through the system, from arrest through post-conviction, this would include integrating data on policing, pretrial, incarceration, probation, parole, and reentry. Some participants emphasized highlighting data on the points of discretion throughout the system to evaluate the impact of discretion systematically at various points.

Another category of comments highlighted the utility of being able to see cross-sections of data, for example comparing demographic groups on multiple axes (e.g., race and offense type). Finally, participants also wanted to be able to compare data over various timeframes, for example year-over-year.

The specific data elements mentioned as being useful are listed below by category:

Pretrial Data

- Intervention in lieu of conviction/Pretrial diversion data.
 - » Number of people in diversion programs.
 - » Length of time in program.
 - » Recidivism rates of programs.
- Pretrial/bond status.
 - » Impact on sentencing outcomes.
- Prosecutorial data.
 - » How charges are brought, amended, reduced, etc.
 - » Who gets indicted vs. no-billed.
 - » What is a defendant arrested for vs. charged with.
- Data from pretrial investigations/pretrial sentence investigations.

Sentencing Data

- Number and type of charges.
 - » Including both indictment and conviction.

- Data on exonerations.
- County/judge-level data.
- Standardized Ohio Revised Code to tie in uniform offense types.
 - » Identify range of possible sentences per the code and where a sentence falls in that range.
- Specific substance and substance amount in drug convictions.
- Data on collateral sanctions.
- Prevalence of plea bargains vs. trials.
 - » Impact of conviction type on outcomes.
 - » Trial type (bench vs. jury trial).
- Sentencing factors/other contextual data on a case.
- Juvenile bindovers.
- Identify consecutive and concurrent sentences.
- Data on case dismissals and those who do not get sentenced.
- Victim impact statement.

Post-Conviction Data

- Data on record sealing.
 - » Data on denial of record sealing convictions and why.
- Judicial release data.
- Programmatic data from Community Based Correctional Facilities.
 - » Outcome data on treatment and recidivism.
- Programmatic data on specialized dockets.
- Technical violations and probation/parole level data.

Defendant-Level Data

- Demographic and biographical information.
 - » Race.
 - » Ethnicity.
 - » Gender.
 - » Income.
 - » Disability status.
- Measures of criminal history.
 - » Uniform criminal history score for comparability.
 - » Ohio Risk Assessment System or other risk assessment scores.
- Zip code.
 - » Where the defendant resides: do they live in the county or neighboring counties.

Population/County-Level Data

- Census/population level data.
- The availability of treatment options within counties.



Conclusion and Next Steps

The Public Portal focus groups offered an important opportunity to engage with key stakeholders and members of the general public about the OSDP pilot project. The input from the focus groups is a necessary first step to explore the development of a Public Portal while in these early stages of the pilot project.

The pilot project, while still in early stages, has exceeded expectations and is the first step to knowing more about felony sentencing in Ohio. It is important to note however that presently judges volunteer to participate in the pilot project. Further, data collected during and as part of the pilot project is expected to be maintained in a testing environment and will not be released, reported or disclosed to any person or entity except as may be required to further the pilot project.

The aforementioned does not diminish the critical component of input from the focus groups. In fact, core theme of the feedback was the importance of developing unique and innovative ways to display sentencing data that offers context and tells the story of sentencing – this takeaway as well as the information gathered here will be used in the continuing development of the OSDP.

Appendix A: Organizations Invited

Organizations

- Akron Bar Association
- American Civil Liberties Union of Ohio
- Americans for Prosperity - Ohio
- Arnold Ventures
- Attorney General of Ohio
- Buckeye Institute
- Buckeye Sheriff's Association
- Cincinnati Bar Association
- Cleveland Metropolitan Bar Association
- Columbus Bar Association
- Common Cause Ohio
- County Commissioners Association of Ohio
- Senator Nathan Manning, Criminal Justice Committee Chair
- Dayton Bar Association
- Fraternal Order of Police Ohio
- Harm Reduction Ohio
- Health Policy Institute of Ohio
- House Judiciary Chair
- League of Women Voters
- Office of Criminal Justice Services, Research Division
- Ohio Access to Justice Foundation
- Ohio Association of Criminal Defense Lawyers
- Ohio Chief Probation Officers Association
- Ohio Crime Victims Justice Center
- Ohio Department of Rehabilitation and Correction, Office of Victim Services
- Ohio Department of Rehabilitation and Correction, Research Division
- Ohio Fair Courts Alliance
- Ohio Justice and Policy Center
- Ohio Mental Health and Addiction Services
- Ohio Organizing Collaborative
- Ohio Poverty Law Center
- Ohio Prosecuting Attorneys Association
- Ohio Public Defenders
- Ohio State Bar Association, Criminal Justice Section
- Ohio Victim Witness Association
- Policy Matters Ohio
- President Matt Huffman, Ohio Senate
- Representative Kristin Boggs, Ohio House of Representatives
- Representative Bill Seitz, Sentencing Commission Member
- Representative Andrea White, Governance Board Member
- Senator Cecil Thomas, Ohio Senate
- Speaker Robert R. Cupp, Ohio House of Representatives
- Strategic Public Partners
- Toledo Bar Association

Research Universities (Addressed to chairs of Criminal Justice, Criminology, Sociology Departments)

- Bowling Green State University, Department of Sociology
- Capital University, Department of Sociology and Criminology
- Case Western Reserve University, Department of Sociology
- Cleveland State University, Department of Criminology, Anthropology & Sociology
- Kent State University, Department of Sociology
- Miami University, Department of Sociology
- Ohio State University, Department of Sociology
- Ohio University, Department of Sociology

Research Universities (Addressed to chairs of Criminal Justice, Criminology, Sociology Departments), Continued...

- University of Akron, Department of Criminology and Criminal Justice
- University of Cincinnati, Center for Criminal Justice Research
- University of Cincinnati, School of Criminal Justice
- University of Dayton, Department of Criminal Justice and Security Studies
- University of Dayton, Department of Sociology
- University of Toledo, Department of Sociology and Law & Thought
- Wright State University, Department of Crime and Justice Studies

Law Schools (addressed to Deans)

- Capital University Law School
- Case Western Reserve University School of Law
- Cleveland Marshall School of Law
- Ohio Northern University - Claude W. Pettit College of Law
- The Ohio State University Moritz College of Law
- The University of Toledo College of Law
- University of Akron School of Law
- University of Cincinnati College of Law
- University of Dayton School of Law

Outside of Ohio Commissions and Counties

- Allegheny County, Pennsylvania Courts
- Illinois Sentencing and Policy Advisory Council
- Maryland State Commission on Criminal Sentencing Policy
- Minnesota Sentencing Guidelines Commission
- Oregon Criminal Justice Commission
- Pennsylvania Commission on Sentencing
- Virginia Criminal Sentencing Commission

Appendix B: Organizations Participating

- American Civil Liberties Union of Ohio
- Bohanan Law
- Capital University Law School
- Carrol County Prosecutor's Office
- Case Western Reserve University School of Law
- Center for Employment Opportunities
- Champaign County Common Pleas Court
- Cuyahoga County Common Pleas Court
- Cuyahoga County Office of Reentry
- Cuyahoga County Public Defender Office
- Delaware County Prosecutor's Office
- Franklin County Office of Justice Policy and Programs
- Hamilton County Prosecutor's Office
- Health Policy Institute of Ohio
- League of Women Voters of Dayton
- League of Women Voters of Ohio
- League of Women Voters Toledo/Lucas County
- Legal Aid Society of Cleveland
- Margaret W. Wong and Associates
- Members of the general public
- Ohio Access to Justice Foundation
- Ohio Association of Criminal Defense Lawyers
- Ohio Fair Courts Alliance/ Common Cause Ohio
- Ohio Justice and Policy Center
- Ohio State University Drug Enforcement and Policy Center
- University of Cincinnati, School of Criminal Justice

Appendix C: Examples of Other State/Local Criminal Justice Dashboards

- [United States Sentencing Commission](#)
- [San Francisco District Attorney](#)
- [Kansas Sentencing Commission](#)
- [Philadelphia District Attorney's Office](#)
- [Criminal Justice Center for the state of Oregon \(Statistical Analysis Center\)](#)
- [Pennsylvania Commission on Sentencing](#)

Appendix D: Public Portal Focus Group Session Outline

Background

Three purposes to these sessions:

1. Get participants involved and interested in the project.
2. Manage expectations.
3. Understand what participants want from a public portal: what questions do they want to ask, how will they use the information, what will be most useful.

Structure of Session

Introduction of participants:

- Please go around the room and introduce yourself (first names only if you would like), including if you are affiliated with an organization, and why you were interested in participating today.

Introduction to the project:

- Thank venue host.
- Introduce facilitator.
- Purpose of today: to get your feedback on the contents and form of the Ohio Sentencing Data Platform Public Portal.
- To get everyone on the same page, brief review of project.
 - » Purposes and goals.
 - » How data is collected.
 - » Emphasize that this is not a database to look up individual defendants, cases, or judges.
- Schedule of the session today.
 - » Introductions.
 - » Reaction to examples of dashboards in different states.
 - » Discussion and questions from you.
- Go over ground rules.
 - » We want you (participants) to do the talking!
 - We would like everyone to participate. You may be called on if we haven't heard from you in a while.
 - There are no right or wrong answers.
 - » Every person's opinions are important. Please speak up whether you agree or disagree, it is important for us to hear a wide variety of opinions.
 - We will take notes on this session, because we want to capture everything you have to say, but no identifiable information will be used in any write up of this session. You will remain confidential.
 - » Please respect the other participants privacy.

Other state examples - show one or two examples (see specifics below) and ask:
(15 minutes)

- Example sheet attached.
- What do you like about this?
- What do you not like?
 - » Prompt for format/function if not provided (do they like the interactive dashboard, or would they prefer ready made reports, raw data, etc.)?
- What information here is most useful?
- What other information would you need?

Questions/Exercise: (60 minutes)

- Engagement questions (10 minutes).
 - » Why were you interested in participating in this session today? (as part of introduction, above)
 - » Any questions regarding the information already given above before starting the feedback/engagement session?
 - » What is one thing you hope to learn when statewide criminal sentencing data is accessible?
 - Follow up: How does this information relate to your organization's mission (if applicable)?
 - » In other words, why is that something you want to learn—what is its significance?
- Detail questions: (15 minutes)
 - » What additional questions might you want to ask about criminal sentencing information?
 - » What pieces of information are most important for you to have available?
 - For example: offense code, offense level, sentence length and type, defendant demographics. (Be specific.)
 - » What sort of contextual information might be helpful?
 - Example: mitigating/aggravating circumstances, understanding sentence and dispositions, decision making.

Exit question: (5 Minutes)

- Is there anything else about the public portal that you would like to discuss or would like to ask about before we end today?

For more information, contact:

Sara Andrews

Director, Ohio Criminal Sentencing Commission

sara.andrews@sc.ohio.gov

www.ohiosentencingdata.info

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