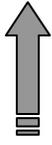




# ACLU of OHIO 2011-2012 OHIO GENERAL ASSEMBLY LEGISLATIVE SUMMARY

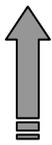
## CRIMINAL JUSTICE



### **House Bill 86 (Sentencing Reform, enacted): PROGRESSIVE**

The Ohio legislature took an important first step toward fixing our bloated system in passing House Bill 86. HB 86 made needed changes to the juvenile justice system and addresses Ohio's overcrowded prison system by:

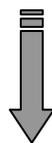
- Increasing the number of days prisoners can earn towards early release in return for participating in educational and vocational training programs;
- Eliminating the crack-cocaine sentencing disparity;
- Eliminating mandatory minimum sentences for many low-level drug crimes;
- Increasing diversion programs for low-level drug offenders in lieu of conviction;
- Raising the threshold used in determining penalties in theft-related crimes;
- Providing diversion programs for child support violators; and
- Allowing judges greater discretion to keep children who are likely to be rehabilitated in the juvenile justice system, rather than send them to adult criminal courts.



### **Senate Bill 337 (Collateral Sanction Reform, enacted): PROGRESSIVE**

SB 337 continues the work of HB 86 in criminal justice reform. The scope of the reform is broad and address a range of issues of importance to both the adult ex-offenders and those involved in the juvenile system including:

- Broadening the ability of ex-offenders to obtain various licenses for employment;
- Reducing driver's license suspensions in sentencing;
- Reassessing financial barriers to re-entry, such as license reinstatements and permit installment payments;
- Expanding protections to ensure youth are separated from adults when they are in custody; and
- Increasing the minimum age that a person may be held in adult prisons and similar adult facilities from 18 to 21.



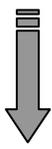
### **Prison Privatization (enacted): REGRESSIVE**

Passed in the 2011 state budget, Ohio became the first state in the nation to sell a prison to a private company. In addition to the sale of Lake Erie Correctional Facility to Corrections Corporation of America, the state also privatized an additional facility.



**While this result was distressing, the state's original proposal was to sell six facilities, which was successfully scaled back due to ACLU of Ohio advocacy efforts.**

## VOTING RIGHTS



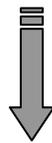
### **House Bill 194 (Various Voting Restrictions, repealed): REGRESSIVE**

HB 194 was to be a significant change to Ohio's elections laws that makes a number of important changes to how elections will operate in Ohio, including:

- Shortening the time to vote absentee from 35 days to 21 days before an election;
- Cutting the time for in-person early voting down from 35 days before the election to only 17 days;
- Forbidding boards of elections from prepaying the return postage for an absentee ballot application;
- Prohibiting boards of elections from mailing unsolicited applications for absentee ballots; and
- Eliminating the requirement that election officials direct individuals in the wrong polling place to the correct one.

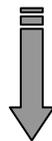


**Lawmakers repealed HB 194 after citizens placed the bill on the ballot for referendum in 2012.**



### **House Bill 159 (Photo ID, pending): REGRESSIVE**

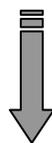
HB 159 drastically reduces the acceptable forms of voter ID to allow only four forms of identification for voting: an Ohio driver's license, an Ohio state ID card, a U.S. military ID, or U.S. passport. It passed the Ohio House but has stalled in the Ohio Senate as legislators cannot agree on acceptable alternatives to these IDs.



### **Additional voting restrictions (not yet introduced): REGRESSIVE**

In the wake of the repeal of HB 194, members of the Ohio General Assembly have pledged to revisit voter restriction legislation in the lame duck session of 2012. Preliminary information indicates they will focus on early voting and registration restrictions.

## REPRODUCTIVE RIGHTS



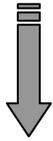
### **House Bill 125 (Heartbeat Bill, pending): REGRESSIVE**

HB 125, more popularly known as "The Heartbeat Bill," is a bill to modify Ohio law to require doctors to search for a fetal heartbeat and to ban abortion after a fetal heartbeat is detectable, unless there is a medical emergency that would put the woman at risk of death or "substantial and irreversible impairment of a major bodily function."



**HB 125 has passed the Ohio House, but is stalled in the Ohio Senate. It is important to note that even Ohio Right to Life did not endorse this bill.**

## ANTI-DISCRIMINATION PROTECTIONS



### **Senate Bill 383 (Employment Discrimination, pending): REGRESSIVE**

The Ohio General Assembly is expected to move on SB 383 during the lame duck session in 2012. This bill does the following:

- Limits timeframe in which to file a complaint;
- Limits options to file (must chose between OCRC or private lawsuit);
- New caps on recovery (\$50,000 for 100 employees or less/\$300,000 for 500 employees or less);
- Expanded affirmative defense for employers to all forms of work discrimination; and
- Limits remedies that the court can provide to what is in the statute

## 2012-2013 OHIO GENERAL ASSEMBLY

### REGRESSIVE BILL TOPICS

1. **Voting rights restrictions:** photo ID, early voting limits
2. **Anti-discrimination restrictions:** changes to employment discrimination laws would stack the deck against discriminated or harassed employees
3. **Prison privatization:** includes the privatization of additional facilities and services such as medical care and food service
4. **Public assistance drug testing:** a pilot bill nearly passed in 2012, may be reintroduced
5. **Immigration:** a copycat of Arizona's anti-immigration legislation is already pending, but will most likely begin moving early in 2013
6. **Anti-choice bills:** Heartbeat bill, or other similar restrictions

### PROGRESSIVE BILL TOPICS

1. **Protecting privacy:** with respect to automated license plate scanning, cell phone tracking and domestic drone surveillance
2. **Voting rights:** election modernization such as online voter registration
3. **Juvenile justice:** access to counsel during police interrogations
4. **Disability rights:** legislation to regulate and curb the use of 'seclusion rooms' in schools for children with disabilities
5. **LGBT rights:** add sexual orientation and gender identity to employment and housing anti-discrimination laws
6. **Death penalty:** Ohio Supreme Court Study Commission will release guidelines next year, which has the potential to help reform Ohio's capital punishment system