



To: Members of the Ohio Budget Planning and Management Committee

Fr: Christine Link, ACLU of Ohio Executive Director and James Hardiman,
ACLU of Ohio Legal Director

Dt: August 17, 2010

Re: Suggestions regarding Ohio's 2012-13 budget

This memorandum is in response to your invitation to groups and individuals to submit reports and recommendations regarding ways to help solve Ohio's estimated \$8 billion budget shortfall for the 2012-2013 state budget. The ACLU of Ohio welcomes this opportunity to weigh in with suggestions.

While the American Civil Liberties Union is a multi-issue organization and could potentially make recommendations regarding any number of issues, we choose to focus on areas of criminal justice reform. While the reasons to limit our participation to this policy area are many, we believe the following statistics help illustrate why such improvements are sorely needed. According to the Ohio Department of Rehabilitation and Correction:

- Ohio's prisons are at 133% capacity, housing 50,920 offenders in a system designed to hold 38,655
- 49% of Ohio offenders are sentenced to a year or less in prison

While the numbers above are but two relevant statistics among many others, they do provide a clear introduction to the much-stated opinion that Ohio locks up far too many people who do not belong in prison in the first place.

For years, numerous organizations, researchers, experts and advocates have offered practical solutions to states, including Ohio, regarding ways to improve aspects of their criminal justice systems to save money without sacrificing public safety. In July 2010, the Council on State Governments became the latest organization to study Ohio laws and policies and make recommendations regarding badly needed reforms.

However, for the same numbers of years, members of the Ohio General Assembly and other levels of state government have, for the most part, repeatedly refused to adopt these proposals. The result is that our criminal justice system is riddled with inefficient policies that increase cost, reduce safety, and contribute to racial disparities.

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For the committee's benefit, we have included with this letter a report summarizing these studies: *Reform Cannot Wait: A Comprehensive Examination of the Cost of Incarceration in Ohio from 1991-2010.*

We encourage committee members to review this report to learn more on how to save Ohio money and adopt a "smart on crime" approach instead of the thoroughly counterproductive and ineffective "tough on crime" course that has dominated public policy for far too long and at great financial, social and political expense.

More specifically, the summaries collectively reveal information and proposals regarding:

- We are funneling a significant number of low-level, low-risk offenders into the most costly placements and away from alternatives that cost less and are more effective.
- We waste resources on those who are least likely to pose some future risk to society, rather than focusing scarce resources on ensuring the most dangerous are adequately supervised.
- We are sacrificing safety to continue funding costly, inefficient policies with failed results.
- Communities of color around the state carry the burden of an unbalanced criminal justice system.
- We fail to document how various programs function, rendering them impossible to audit for cost efficiency or success.

After committee members familiarize themselves with this information, we are confident the Ohio Budget Planning and Management Committee will agree the State of Ohio can no longer afford to neglect a policy area in such obvious need of reform.

Of course, should the committee need any additional information or wish to communicate with the ACLU of Ohio further, we stand ready to assist in any way we can on these important matters.

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