

Blueprint for Smart Justice

Ohio



CURRENT AS OF: 7/9/2019

MASS INCARCERATION IN THE BUCKEYE STATE

OHIO SPENDS
OVER \$1.8 BILLION
PER YEAR ON
CORRECTIONS



THERE ARE NEARLY
50,000 PEOPLE IN
PRISON IN OHIO

RELATED LEGISLATION

SENATE BILL 3 AND HOUSE BILL 1: COMPARING OHIO'S TWO LEADING CRIMINAL JUSTICE REFORM BILLS

There are two bills moving through the Ohio Statehouse right now that would lower Ohio's prison population: **Senate Bill 3 (SB 3)** and **House Bill 1 (HB 1)**.

Some people think the bills are in competition, **but here's the truth:** SB 3 and HB 1 are completely different bills—there isn't much overlap.

LEGISLATORS CAN AND SHOULD PASS BOTH BILLS

SB 3 AND HB 1 BOTH PRIORITIZE:

- **Sealing records:** The main overlap between SB 3 and HB 1 involves sealing records for people who are no longer in the court/prison system. Sealing records helps people find good jobs, rebuild their lives, and end the cycle of incarceration. The bills differ on when to seal records and who can apply.
- **Treatment rather than jail time:** Both bills encourage treatment rather than jail time for certain drug possession charges.
 - HB 1 requires a hearing to determine if treatment is a good fit when a person claims drugs and/or alcohol were involved in their case.
 - SB 3 assumes treatment over jail time for low-level drug possession charges.

SENATE BILL 3

SPONSORS:

John Eklund (R), Sean O'Brien (D).

SB 3 is a drug sentencing reform bill that aims to help people struggling with drug use.

IN SHORT, SB 3 WOULD:

- Reclassify some low-level, nonviolent drug possession crimes from felonies to misdemeanors.
- Ensure that people struggling with addiction receive treatment rather than jail time.
- Increase the amount of marijuana or hashish needed before receiving severe penalties.
- Help keep people out of prison for “technical” probation violations.

HOUSE BILL 1

SPONSORS:

Phil Plummer (R), Paula Hicks-Hudson (D).

HB 1 expands the use of treatment rather than conviction for people struggling with drug or alcohol addiction, and works to seal old records of nonviolent crimes.

IN SHORT, HB 1 WOULD:

- Require the court to hold a hearing to consider whether the person should receive treatment (and/or assistance) instead of a conviction.
- Require courts to find and document a specific reason why drug/alcohol treatment would not help the person.
- Increase the likelihood that courts will choose treatment over conviction in each individual case. People charged with felony sex crimes would not be eligible for “Intervention in Lieu of Conviction.”

THROWING PEOPLE IN PRISON HAS NOT SOLVED OUR STATE'S DRUG PROBLEMS — BUT IT HAS HURT THOUSANDS OF OHIO FAMILIES. IT'S WAY PAST TIME TO FOCUS ON TREATMENT, RECOVERY, AND PROGRAMS THAT KEEP PEOPLE OUT OF PRISON.

ACTION

BOTTOM LINE: THERE IS NOT ENOUGH OVERLAP BETWEEN THESE BILLS TO ONLY PASS ONE OF THEM.

WE SHOULD PASS BOTH.

With a relatively small number of changes, these two bills would address very different, but equally important, pieces of the sentencing reform puzzle.

Together, these two bills can help lower Ohio's prison population, save the state millions of dollars, and help more Ohioans rebuild their lives after going through the court system.

TELL LEGISLATIVE LEADERSHIP TO PASS BOTH SB 3 AND HB 1 WITH FULL RETROACTIVITY!

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