

AGENDA March 17, 2016 10:00 a.m.  
Moyer Judicial Center, Room 101

- I. Call to Order & Roll Call of Commission Members, Advisory Committee  
Vice-Chair Selvaggio
- II. Approval of Minutes from November 19, 2015  
Vice-Chair Selvaggio
- III. Items for Commission Vote and Discussion:
  - A. Adult Extended Sentence Review – draft language – Jo Ellen  
Summary: The Ad Hoc Committee on Extended Sentences recommends language regarding review of extended sentences for adults. The proposed language only applies to nonviolent F3, and F4 and F5 offenses. The language allows a review of the offender’s sentence after a specified time period and specifies the process for that review. The Commission will be asked to vote to accept the Ad Hoc Committee’s language and forward it to the General Assembly.
  - B. Juvenile – Restitution – draft language – Paul Dobson  
Summary: The Juvenile Justice committee recommends language making changes to 2152.20 regarding restitution. Specifically, the committee recommends pulling restitution out of 2152.20 and making a separate section dealing solely with restitution. In addition, the committee recommends insertion of language regarding ability to pay and reducing a restitution order to a civil judgment. The Commission will be asked to vote to accept the committee’s language and forward it to the General Assembly.
  - C. Sex Offender Registration – analysis and recommendations – Jill Beeler  
Summary: The Ad Hoc Committee has expanded its membership and created a detailed analysis of the issues, data and recommendations. The consensus is moving toward a risk based rather than offense based registry. A Community Forum focused on the sex offender registry has been scheduled by the Ohio Alliance to End Sexual Violence and several of the Ad Hoc Committee members will be on the panel. After discussion the Commission will be asked accept the Ad Hoc Committee’s recommendations and forward the analysis to the Recodification Committee as part of the 2907, 2950 workgroup presentations.
  - D. Rights Restoration – Record Sealing – Professor Berman  
Summary: The Ad Hoc Committee has expanded its membership, is working from a draft background and analysis paper – which ultimately suggests repeal and rewrite of the record sealing statutes. The Ad Hoc Committee has also reviewed draft legislation shared by Senator Seitz and drafted a response to the Senator. The Commission will be asked to endorse the communication to Senator Seitz.
  - E. Foster – reference materials on line – Jo Ellen  
<http://www.supremecourt.ohio.gov/Boards/Sentencing/committees/CJSentencing/default.asp#>  
Summary: At the February meeting of the Sentencing/Criminal Justice Committee, Steve Hardwick with the Ohio Public Defender’s office and Brian Martin with the Department of Rehabilitation and Correction gave a presentation regarding the legal history of *State v. Foster* and its impact on the inmate population. The Commission will discuss whether to pursue what, if any, further action on the subject.

F. Bail Reform – Jo Ellen and Sara

Summary: Director Andrews has secured technical assistance from the National Institute of Corrections to frame and pursue objectives in the reform of bail in Ohio. Representatives from NIC will be in Ohio in late April for a meeting with the Bail Reform subcommittee. Additionally, the subcommittee has expanded membership, surveyed jail administrators and judges on pretrial services and is in the process of compiling that information. The Commission will be asked if any other members wish to participate on the subcommittee.

G. Data project – Sara

Summary: Director Andrews has proposed a data project and partnership with the University of Cincinnati, Institute of Crime Science (ICS). The goal of the project generally is to identify criminal justice indicators and overlay the various agency and local data sets in one place to evaluate what the data tells us. The ICS team will be conducting a data analytics demonstration in early June 2016. The Commission will be asked to support the project.

IV. Sentencing & Criminal Justice Committee Work Chart Item #3: Transitional Control update – DRC

Summary: The Department has several internal projects underway including a pilot imposing Post Release Control for discretionary cases – ie. does the threat of post release control incentivize inmates to successfully complete transitional control; beginning July 1 for female inmates the Department will no longer allow inmates to waive participation in transitional control – all eligible offenders will be considered for the program. The Commission will discuss if further action is needed on this topic or if the priority can be characterized as complete.

V. General Committee Updates:

[For more detail refer to respective committee meeting notes and/or work charts]

<http://www.supremecourt.ohio.gov/Boards/Sentencing/default.asp>

A. Sentencing & Criminal Justice, Chair Judge Spanagel & Chair Yates

1. OVI Redo – Judge Spanagel [general update]
2. HB 307/SB204 – discretionary driver’s license suspension bills – Judge Spanagel [update]
3. HB388 – Annie’s Law – Judge Spanagel [update]

B. Juvenile Justice, Chair Dobson

1. SB272 Update
2. JSORN
3. Mandatory Bindover

C. Data Collection & Sharing, Chair Judge Dumm

1. Data Primer Repository – Judge Dumm & Erin Waltz  
*[update on work to date & input requested]*

VI. Food for Thought – Lunch provided for those who reserved one

VII. Recodification Committee Update – Judge Fredrick Pepple & Other Mutual Members

VIII. Member Updates/New Business

IX. Adjourn

**2016 Full Commission Meeting dates**  
**Thursday, June 23, 2016 10:00a**  
**Thursday, Sept. 15, 2016 10:00a**  
**Thursday, Dec. 15, 2016 10:00a**