

Sentencing Committee

The purpose of the Sentencing Committee is to study criminal penalties and sentencing statutes and patterns in Ohio, recommend statutory change and review national developments and trends on matters of sentencing.

Immediate Priorities (three months or less):

1. Appellate Review – including extended and consecutive sentence review

Short Term (three – six months):

1. OVI law review & simplification

Long Term (six – twelve months):

1. ORC 2951.041(F) Intervention in lieu of conviction – allow the courts discretion to continue this diversion program if the case warrants another chance. The statute seems to say otherwise.
2. Find a way to restore ORC presumption and appellate language from before the Foster decision.
3. ~~Drug penalties – mandatory sentences *note: 2011 monitoring report recommendations, October 2013 meeting discussion; November 2013 meeting discussion and memo 'prison crowding' dated 11-18-13.~~
Defer to Recodification Committee.
4. Trace Cocaine Levels - time to address the misdemeanor-like "dumbing down" of our felony drug offenses
*note – 2011 sentencing commission recommendation.
5. Revise or eliminate the sections in the O.R.C. that provide for an operator's license suspension as a sentence for drug convictions

Extended (more than one year):

1. Increase options for non-violent drug offenders to be placed in community based programs
 - a. Consider making it mandatory for individuals with mental health issues to be placed in community based programs, especially if they committed low level and non-violent offenses. How do we provide services for individuals with drug dependencies?
 - b. Ensure fairness and certainty in sentencing; Require supervision for offenders leaving prison; Focus corrections resources on high-risk offenders; High rates of incarceration, growing correctional populations, and over-extended judicial caseloads; Offenders on parole or probation being sent back to prison for breaking rules of their release, not for committing new crimes.
 - c. Drug penalties – possession v. trafficking – restructure controlled substance offenses.