

OACBHA BILL SUMMARY

SB 10 Justice Reinvestment

129th General Assembly

Primary Sponsor: Bill Seitz

This bill is generally a reintroduction of SB 22 from the last General Assembly. It is a 328 page bill that does a whole host of things around sentencing, prison administration, judicial release, and defining criminal offenses. Here are some of the provisions of most interest to boards:

- Provides for the creation of “community alternative sentencing centers” for confining misdemeanants with an OVI offense. Each offender who is sentenced to the center must be offered a host of services and MAY be offered treatment and rehabilitative services that are available and the court determines appropriate.
- Eliminates distinction between criminal penalties between crack cocaine and powder cocaine and averages between the two current penalties. It also redefines the offenses of trafficking in marijuana/hashish and possession that provide for potentially shorter mandatory prison terms.
- Makes substantial modifications to the provisions governing treatment in lieu of conviction (ILC). It authorizes ILC for an offender who is mentally ill. It provides that the court may order that the offender alleging that drug or alcohol use or mental illness contributed to the offense be assessed by a certified program or professional. It eliminates restrictions on eligibility for ILC for certain drug offenses. It requires a court to find that the offender participated in treatment and recovery support services before dismissing the proceeding.
- Requires DRC and ODADAS to develop an implementation plan related to any funding through the Second Chance Act.
- Specifies that DRC must prepare a written reentry plan for each inmate to help guide rehabilitation within DRC and to assist in the inmate’s reentry into the community, and to assess the inmate’s needs upon release.
- Executive Directors of the board of alcohol, drug addiction and mental health services are added to the membership of a county local corrections planning board.
- DRC may use up to 10% of the amount appropriated to DRC each fiscal year for the halfway house and community residential center program to pay for contracts for nonresidential services for offenders which may include treatment for substance abuse, mental health counseling, and counseling for sex offenders.
- NEW: The report and recommendations of the Council of State Governments’ Justice Reinvestment in Ohio Study shall be considered in the implementation of this act.
 - o Report states that diversion programming must have intensive supervision that connects probationers to effective treatment programs, which has been shown to reduce recidivism by 18 percent. Without connections to effective treatment programs, however, recidivism is unaffected.