



THE BUCKEYE INSTITUTE

Considering Offenders' Caretaker Status

Interested Party Testimony
Ohio House Judiciary Committee
Ohio House Bill 211

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As Submitted

Chair Thomas, Vice Chair Swearingen, Ranking Member Synenberg, and members of the Committee, thank you for the opportunity to submit written testimony regarding **Ohio House Bill 211**.

My name is Alex M. Certo, and I am a legal fellow at **The Buckeye Institute**, an independent research and educational institution—a think tank—whose mission is to advance free-market public policy in the states.

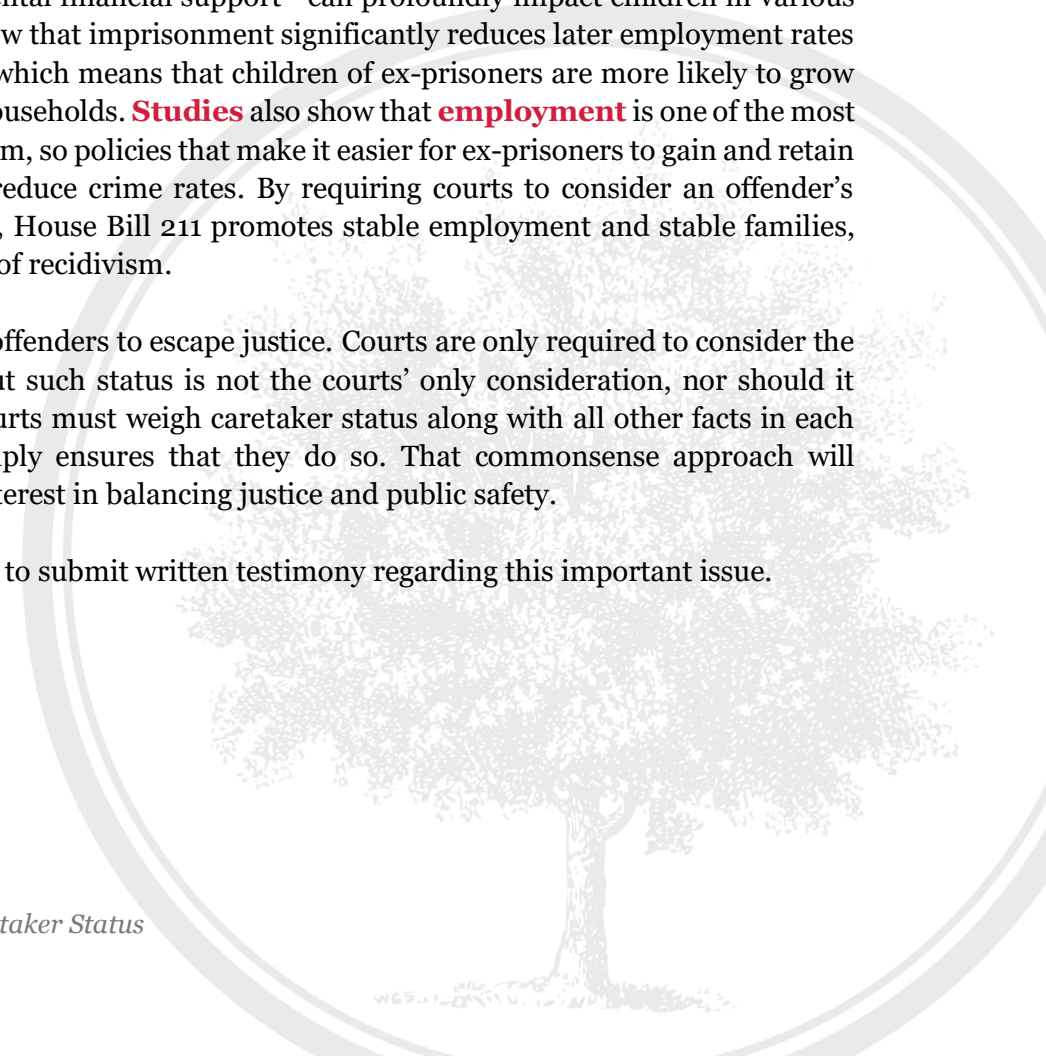
Criminal justice policy has a broad reach that affects public safety, public finances, and economic growth. For more than a decade, Ohio has shown its commitment to prudent, commonsense criminal justice policies. The General Assembly has passed the **Certificate of Qualification for Housing** program; the nation's first and best **mens rea** reform; **civil asset forfeiture reforms**; **the Targeted Community Alternatives to Prison** program; an expansion of **intervention-in-lieu-of-conviction eligibility**; and Ohio's **Certificate of Qualification for Employment** program.

Ohio exemplifies its laudable interest in justice and public safety by balancing the need to punish offenders and the responsibility of ensuring that they become productive members of society. House Bill 211 takes another modest but meaningful step in the right direction by requiring sentencing courts to consider an offender's status as the primary caretaker of a child, including when determining eligibility for Ohio's intervention in lieu of conviction program.

The loss of a parent—and parental financial support—can profoundly impact children in various ways. **Academic studies** show that imprisonment significantly reduces later employment rates and incomes of ex-prisoners, which means that children of ex-prisoners are more likely to grow up in under- or unemployed households. **Studies** also show that **employment** is one of the most accurate predictors of recidivism, so policies that make it easier for ex-prisoners to gain and retain employment ultimately help reduce crime rates. By requiring courts to consider an offender's caretaker status at sentencing, House Bill 211 promotes stable employment and stable families, and will reduce the likelihood of recidivism.

House Bill 211 does not allow offenders to escape justice. Courts are only required to consider the offender's caretaker status, but such status is not the courts' only consideration, nor should it determine sentencing. The courts must weigh caretaker status along with all other facts in each case, and House Bill 211 simply ensures that they do so. That commonsense approach will continue to promote Ohio's interest in balancing justice and public safety.

Thank you for the opportunity to submit written testimony regarding this important issue.



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