Ohio Sunset Review Committee
Agency Questionnaire

Agency Name Ohio Criminal Sentencing Commission

Point of Contact Melissa A. Knopp, Esq., Director

Agency's primary purpose and its various goals and objectives

The Ohio Criminal Sentencing Commission is statutorily created within the Supreme Court of Ohio under Ohio Revised Code §181.21. R.C. §181.21 through §181.25 and R.C. §181.27 direct the work of the Commission.

Under R.C. §181.23 through R.C. §181.25 the commission is charged with recommending and assisting the general assembly with developing, evaluating, implementing, and reviewing existing sentencing guidelines, processes, and procedures to create a sentencing structure that is designed to achieve fairness in sentencing and to enhance public safety by attaining certainty in sentencing, deterrence, and a reasonable use of correctional facilities, programs, and services.

R.C. §181.25 and §181.27 require the commission to submit two separate reports on a biennial basis. The Monitoring Report required under R.C. §181.25(A)(2) is due January 1st in odd numbered years and analyzes the impact of the sentencing structure on relevant aspects of state and local governments, such as the number and types of individuals being imprisoned or punished and the fiscal impact on criminal justice entities and procedures including the appellate process. The HB1 report required under R.C.§181.27(B)(2) is due to the general assembly and the governor no later than December 31st of odd numbered years and instructs the commission to study the impact of specifically delineated statutes.

R.C. §181.25(A) further directs the commission to review all bills that are introduced that provide for new criminal offenses or changes the penalty for any criminal offense to determine the impact upon correctional resources and if those bills are consistent with the state sentencing policy. Based on its analysis, the commission is further authorized to recommend any necessary amendments to proposed legislation. Additionally, R.C. §181.25(A) charges the commission with studying criminal sentencing structures in Ohio, other states, and the federal government and to recommend any necessary changes and determine the costs and effects of changes.

Agency's past and anticipated workload, number of staff required to complete workload, and total number of staff

As of January 2023 and under the new leadership of Ex Officio Commission Chair Chief Justice Sharon L. Kennedy, the Ohio Criminal Sentencing Commission has been redirected and refocused back to its statutory mission of assisting the general assembly with developing, evaluating, implementing, and reviewing existing sentencing guidelines, processes, and procedures to create a sentencing structure that is designed to achieve fairness in sentencing and to enhance public safety by attaining certainty in sentencing, deterrence, and a reasonable use of correctional facilities, programs, and services.

In 2023 the commission voted to update its Operating Guidelines and reorganize its committee structure by eliminating irrelevant committees and creating new ones. The new committees have been tasked with making recommendations on issues within their subject-matter areas of expertise to be presented to the full commission for a vote at its scheduled public meetings. The current active committees of the commission are the Adult Criminal Justice Committee, Juvenile Justice Committee, Data Committee, and Personnel Committee. There is also currently a Subcommittee on Confinement Credit.

With the recent enactment of House Bill 301, the general assembly statutorily reestablished the commission's juvenile committee to serve as a resource and assist in creating and modifying Ohio's juvenile justice policies and statutes. Governor DeWine signed House Bill 301 on July 24, 2024, with an effective date of October 21, 2024.

As of May 2024, the commission has six full-time staff positions: a director, a program coordinator, two criminal justice policy counsels, and two research specialists.

In October of 2023, a new Director, Melissa Knopp, Esq., was hired. At the recommendation of Director Knopp, the commission voted to eliminate the Deputy Director position and replace it with the program coordinator position, which resulted in approximately a $40,000 savings to Ohio taxpayers.

The commission is currently analyzing its staffing needs with the addition of the statutory authority regarding juvenile justice to determine if another criminal justice policy counsel with an expertise in juvenile issues is necessary. The funding for this new position already exists in the current commission budget, so if a new position is added the commission will not be requesting any additional funding for it.

Agency's past and anticipated budgets and its sources of funding

Since the Ohio Criminal Sentencing Commission is statutorily created within the Supreme Court of Ohio as per R.C. §181.21, our budget is included within the Supreme Court/Judiciary Operating Budget Request and is funded out of general revenue funds.

Commission members are appointed and serve without compensation as delineated in R.C.§181.21 but are eligible to be reimbursed for actual and necessary expenses incurred in the performance of their official duties on the commission. Reimbursement to commission members occurs for mileage and parking as a result of attending commission and committee meetings.

The total commission operating budget for fiscal year 2025 was $2,481,628. A portion of the commission's budget for fiscal years 2024 and 2025 was dedicated over the two-year period to adding six additional staff members and for purchased services for an outside vendor to create a sentencing entry form.

As a result of the new commission leadership in 2023, the new commission staff leadership in 2024, and votes by the full commission redirecting the sentencing form project, the commission will realize a cost savings within its current budget. The sentencing form project had originally been contracted to an outside entity and was brought back in-house, which expanded access of the document to the general public instead of the small number of court personnel required to sign into the old system for access. Additionally, by ending the contract with the outside entity, the commission will not need to fill all of the additional staff positions requested by the previous administration for the project. Instead, the commission currently is analyzing staffing needs and working on the next biennium budget. With the new changes in operations, the commission does expect to return some funding from its current budget and expects to request less funding next budget cycle than currently allocated.

Number of members of its governing board or other governing entity and their compensation, if any

The commission's 31 members are statutorily delineated by R.C. 181.21(A) and represent a full cross-section of the criminal justice community. The commission is chaired by Chief Justice Sharon L. Kennedy of the Supreme Court of Ohio. Judge Nick Selvaggio from Champaign County Common Pleas Court serves as the vice-chair.

Pursuant to R.C. 181.21(B), the members of the commission serve without compensation but are eligible to be reimbursed for actual and necessary expenses incurred in the performance of the member's official duties on the commission.

CHIEF JUSTICE APPOINTMENTS

Judge of a Court of Appeals
Judges of Courts of Common Pleas, General Division (3)
Judges of Courts of Common Pleas, Juvenile Division (3)
Judges of Municipal/County Courts (3)

GOVERNOR APPOINTMENTS

Sheriff
County Prosecuting Attorneys (2)
City Prosecuting Attorney
Peace Officers (2)
Victim's Representative
Adult Criminal Defense Attorney
Juvenile Delinquency Attorney
Ohio Bar Association Member
County Commissioner
Mayor, City Manager, or Member of Legislative Authority

GENERAL ASSEMBLY APPOINTMENTS

Senator (Senate President Appointment)
Senator (Senate Minority Leader Appointment)
Representative (Speaker of the House Appointment)
Representative (House Minority Leader Appointment)

EX OFFICIO MEMBERS

Chief Justice, Supreme Court of Ohio (Ex Officio Chair)
Superintendent, State Highway Patrol
State Public Defender
Director, Department of Rehabilitation and Correction
Director, Department of Youth Services

Additional notes

The Ohio Criminal Sentencing Commission is the only agency with statewide, multi-disciplinary, three branch representation that is consistently examining Ohio's criminal justice policy and structure. The commission's 31 members are representative of the entirety of the criminal justice system, with representation from each stage of a criminal proceeding.

Throughout its history, the Ohio Criminal Sentencing Commission has been instrumental in shaping the sentencing structure and policy of the state, and the commission is respectfully requesting reauthorization to continue serving the people of Ohio as a leading agency in the criminal justice space.