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Ohio Sunset Review Committee Testimony
Ohio Criminal Sentencing Commission
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Chairman Wilkin, Vice Chair Hillyer, and members of the Sunset Review Committee. Thank you for the opportunity to address the committee today. My name is Melissa Knopp, and I serve as the Director for the Ohio Criminal Sentencing Commission. The Ohio Criminal Sentencing Commission is statutorily created within the Supreme Court of Ohio and is chaired, *Ex Officio*, by Chief Justice Sharon L. Kennedy. The 31 statutorily prescribed commission members are multi-disciplinary subject matter experts and represent all three branches of government.

Commission Overview

The Ohio Criminal Sentencing Commission was established by the 118th General Assembly with the enactment of Senate Bill 258 in 1990.

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 and policy for Ohio 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.

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

Statutorily Required Reports

R.C. §181.25 and §181.27 require the commission to submit two separate reports on a biennial bases to the general assembly, the Monitoring Report and the HB1 Report, respectively. 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 political subdivisions and other relevant aspects of state and local governments including such information as the number and types of individuals being imprisoned or punished under a community control sanction; the fiscal impact of the laws on state and local criminal justice entities; and the impact of the sentencing structure on 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 that address the attorney general



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reimbursement fund, community control sanctions, intervention in lieu of conviction, sealing and expungement of convictions or bail forfeitures, and the civil process for proceedings for the treatment of an individual experiencing alcohol and other drugs abuse.

Legislative Resource

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

Commission Operations

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 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.

In October of 2023, I was hired as the new Director of the commission. At my recommendation, the commission voted to eliminate the Deputy Director position and replace it with the program coordinator position, which will result in approximately a \$40,000 annual savings to Ohio taxpayers.

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.



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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.

In closing, I respectfully request the reauthorization of the Ohio Criminal Sentencing Commission. Thank you for allowing me to testify before your committee. I am happy to take any questions that you may have.