



Justice Reform

Testimony on Senate Joint Resolution 5 before the Senate Judiciary Committee

Piet van Lier

Dear Chair Manning, Vice Chair McColley, Ranking Member Thomas and members of the Senate Judiciary Committee. My name is Piet van Lier, and I'm a senior researcher with Policy Matters Ohio. Policy Matters is a nonprofit, non-partisan research institute that creates a more vibrant, equitable, sustainable, and inclusive Ohio through research, strategic communications, coalition building and policy advocacy.

Thank you for the opportunity to present testimony regarding Senate Joint Resolution 5, which we oppose because Ohioans deserve a criminal legal system that treats everyone fairly, no matter how much money we may have in the bank, what we look like, or where we live.

SJR 5 would weaken comprehensive legislation introduced last year in both the Ohio House and Senate, legislation that would end wealth-based detention in Ohio. These new proposals would continue the status quo without improving public safety.

Last fall, Policy Matters released a review of national research looking at the harms money bail inflict on our neighbors who can't afford bail and are therefore detained to wait for their trials. The damage of the current system is wide-ranging, particularly for people with low incomes, women, children, and Ohio's Black, brown and LGBTQ+ communities. (Our report is online at <https://bit.ly/3wIA41k>.)

The negative impacts of money bail ripple into schools, neighborhoods, and workplaces. The children, parents, partners and loved ones of incarcerated people are often "hidden victims" of the criminal legal system, neither acknowledged nor given a platform to be heard.

Research shows that women are more likely to shoulder the cost of pretrial incarceration, including bail, attorney fees, and court fines and fees. One study found that the parents of 7% of U.S. children encounter the criminal legal system, harming their development and health.

Jail increases stress and damages mental health, and jail staff are rarely able to provide adequate treatment. In fact, people jailed pretrial are six times more likely to commit suicide than those incarcerated post-conviction.

The physical risks of pretrial incarceration can't be overstated. Violence is inflicted by both incarcerated people and staff, with transgender people 10 times more likely to be victimized.

The pandemic showed another risk to physical health, with high turnover rates turning jails into incubators for COVID-19 and spreading the virus into surrounding communities. Cash bail puts people who have not been convicted of a crime at greater risk solely because they don't make enough money or don't have sufficient family resources to pay.

The two bipartisan bail reform bills – 182 in this committee and 315 in the House – create a presumption for release that will reduce the toll money bail takes on people who can't buy their way out. Policy Matters Ohio found these bills would improve Ohioans' health by reducing the likelihood that people accused of crimes lose their jobs, housing, or custody of children and by helping people avoid the trauma and stress of being held pretrial.

Unlike SJR 5, these bills will make our communities safer by giving courts and prosecutors tools to protect public safety while at the same time ending the wealth-based detention that harms so many of our neighbors.

SJR 5 would do the opposite by undercutting these comprehensive, safety-focused bills and creating new barriers to establishing a more fair and just criminal legal system.

Thank you again for the opportunity to provide testimony. I would be happy to answer any questions you may have. Feel free to contact me at 216.361.9801 or pvanlier@policymattersohio.org.

Piet van Lier
Senior Researcher
Policy Matters Ohio