

Task Force to Examine the Ohio Bail System

Judge Brian Hagan

Judge Kate Huffman

Recommendation 1

Require a validated risk assessment tool be available to the judge in every municipal, county, and common pleas court when setting bond or conditions of bond.

Recommendation 2

Ohio's Superintendence Rule 5, Local Rules, should be amended to require counties with more than one municipal or county court to adopt a uniform bond schedule to be used by each court in the county.

Recommendation 3

The Task Force recommends the Supreme Court of Ohio adopt the amendments to Crim. R. 46 as proposed by the Commission on the Rules of Practice and Procedure.

Recommendation 4

Crim. R. 44 should be amended to require the presence of counsel for the defendant at the initial appearance for any offense carrying the potential penalty of confinement, unless the defendant is being released on an unsecured financial condition or on personal recognizance. The rule shall not impede or delay the judge's ability to release a defendant on his or her own recognizance or an unsecured financial condition.

Recommendation 5

Pretrial services in Ohio courts should be tailored to offer appropriate supervision and services that correspond to the level of a defendant's risk/needs.

Recommendation 6

Courts should consider all alternatives to pretrial detention.

Recommendation 7

Courts should leverage technology solutions, such as text/email reminders and remote video conferencing, to implement low-cost improvements to pretrial services in Ohio courts.

Recommendation 8

Education and training should be offered and encouraged for court personnel, including judges, clerks of court, prosecutors, defense counsel, and other stakeholders critical to the pretrial process.

Recommendation 9

Implement a statewide, uniform data collection system to ensure a fair, effective, and fiscally efficient pretrial process.

NCSC Survey

People who cannot afford their bail are locked up while their cases go through the courts, which can take weeks, months, or even years. While waiting for a trial, these defendants are at risk of losing their job, custody of their children, and their home, all without being convicted of a crime.
(74%)

National Center for State Courts, *2018 State of the State Courts – Survey Analysis*