



CRIMINAL SENTENCING COMMISSION

Chief Justice Maureen O'Connor, Chair • Sara Andrews, Director

Ad Hoc Committee on Bail and Pretrial Services Report and Recommendations

Summary of Public Comments

- 1) Completely prohibit use of bond schedules.
- 2) Specify that cash bail is the LEAST preferred condition of release used only as a last resort to ensure appearance and public safety.
- 3) Amend Ohio Administrative Code to repeal mandated use of ORAS to clarify that other validated risk assessment tools can be used in making release decision.
- 4) Add additional language to the report and recommendations to clarify the meaning of “validated, risk assessment tool”.
- 5) Create a list of approved risk assessment tools. Ensure that no risk assessment tool used includes an interview with the arrested person because of Constitutional concerns.
- 6) Increase training regarding alternatives to detention.
- 7) Increase training regarding bail and release decisions.
- 8) Add a recommendation that directs counties to submit all bail assessment results and arraignment/release hearing dockets to a particular entity. Data should be a public record, including ORAS data which currently is not a public record.
- 9) Clarify body of recommendation regarding right to counsel at the initial appearance.
- 10) Reference ABA Standard 10-5-3 to make recommendation against bond schedules stronger.
- 11) Add procedural guidance on completing risk assessment (e.g., how soon after arrest it must be completed).
- 12) Add a recommendation allowing an arrested person to knowingly, intelligently, and voluntarily waive a bond hearing.
- 13) Failure to appear after being released on a personal recognizance bond should eliminate the defendant from ever receiving another personal recognizance bond. Recommend eligibility requirements for personal recognizance bonds.