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Jan-Michele Lemon Kearney
Vice Mayor

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Motion for Report

Individuals who already are struggling financially can be further harmed by old, low-level misdemeanor crimes that can prevent them from obtaining employment and/or housing, and sometimes result in the loss of custody of their children. According to the Center for Community Change, two-thirds of people detained in jails report an income of less than \$12,000. We request a report within 90 days on the feasibility and next steps for City Council to take the following actions:

1. Unilaterally, automatically and annually purge and dismiss capias and warrants that are seven years old for low-lying, non-violent misdemeanor crimes.
2. Repeal city laws that call for mandatory sentencing for crimes for which the state does not require the same punishment.
3. Overturn the city's current policy of delaying employment for all candidates until five years after their conviction, and narrow this requirement to specific crimes.

Jan-Michele Lemon Kearney
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STATEMENT

The following statement was written by Tamaya Dennard, Director, Center for Employment Opportunities.

The legal system targets poor people and Black people. Being either or both isn't a crime. There is an obvious correlation between poverty and incarceration that has to end. Experiencing poverty is one of the most significant predictors of encountering the criminal legal system, which makes the collateral damages created by involvement in the criminal legal system even more debilitating. Our country has a long-standing problem with the unnecessary and extensive confinement and detention of poor people. We can no longer just discuss and pontificate over this problem. We have to move towards solutions.

People who enter the criminal legal system are overwhelmingly poor. According to the Center for Community Change, two-thirds of people detained in jails report an income of less than \$12,000. It only takes one interaction with the legal system to create a lifetime of destabilization of someone's livelihood and housing. Just one interaction creates sanctions that are often compounded. For example, if you lose your housing due to incarceration, it will be harder to get housing after being incarcerated.

In this day and age, it isn't a secret that the criminal legal system was designed to impact Black and brown people and economically disadvantaged communities negatively. But there comes a time when we have to acknowledge that the system doesn't have to maintain the status quo and the onus of change is on all of us.

This is why we are asking legislators from the City of Cincinnati and Hamilton County to do more to dismantle the system that continues to be unfair to specific segments of our community. We are calling the city and the county to adopt this package of legislation that we've called Purge and Repeal. Specifically, we are asking for three things at this moment.

1. Unilaterally, automatically and annually purge and dismiss capiases and warrants that are seven years old for low-lying, non-violent misdemeanor crimes.
2. Repeal city laws that call for mandatory sentencing for crimes that the state doesn't command the same punishment.
3. Overturn the city's current policy of delaying employment for candidates for five years after their conviction.

There are a myriad of challenges people face when trying to reenter society. The government should not exacerbate those challenges with draconian and archaic policies and laws that do nothing to acknowledge the disparities created by the criminal legal system. We have to bring an end to governmental entities exploiting people with fines and fees to pad their budgets. No one, especially the government, should engage in profiteering off of people's misfortunes.

Purging old non-violent cases will save the city and county from paying law enforcement and court staff to show up for court cases that are inconsequential and not prosecutable. Detaining people

for old, low-level misdemeanor crimes could mean loss of employment, housing and even custody of their children. Then we expect them to carry the weight of legal employment discrimination.

The City of Cincinnati has laws on its books that mirror state laws. However, some of the city's laws carry mandatory jail sentences whereas the same Ohio laws don't. Let's find those laws and repeal them.

Tough-on-crime policies have only fueled the correlation between poverty and incarceration. Reversing these laws that are mired in institutional racism and classism takes political courage. But it is the right thing to do. It's time.

No one is abdicating responsibility. However, being arrested and interacting with law enforcement does far more harm than the actual crime that was committed.

CAL → Public Safety Committee

J-MCK