



THE BUCKEYE INSTITUTE

Strengthening Ohio's Criminal Justice System

Interested Party Testimony
Ohio House Judiciary Committee
Ohio House Bill 5

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Chair Thomas, Vice Chair Mathews, Ranking Member Isaacsohn, and members of the Committee, thank you for the opportunity to testify regarding **Ohio House Bill 5**.

My name is Alex M. Certo, and I am a research fellow at **The Buckeye Institute**, an independent research and educational institution—a think tank—whose mission is to advance free-market public policy in the states.

For more than a decade, the General Assembly has shown its commitment to prudent, commonsense criminal justice policies and reforms through its **Certificates of Qualification for Employment** (CQE) program; enacting the nation’s first and best *mens rea* or criminal intent reform; making responsible **civil asset forfeiture reforms**; adopting **the Targeted Community Alternatives to Prison** (T-CAP) program; expanding **intervention-in-lieu-of-conviction eligibility**; and **giving judges more discretion to seal records**. These efforts demonstrate Ohio’s interest in justice and public safety by making it easier for those who have paid their debts to society to find employment, housing, and education, and even exercise their civil rights.

The Buckeye Institute supported those efforts and continues to champion a wide range of criminal justice reforms and House Bill 5 takes another modest but significant step to balance due process, individual freedom, and the need for robust criminal law enforcement. The bill rightly:

- Automates the record sealing process for misdemeanors and fourth- and fifth-degree felonies;
- Ensures victim participation in the sealing process;
- Expands relief from weapons disability;
- Decreases penalties for having weapons while under most disabilities, but maintains or increases penalties for those caught having weapons after being indicted for or convicted of violent crimes and for repeat offenders caught with weapons; and
- Increases the penalty for some crimes committed for which a firearm specification applies.

The bill automates Ohio’s process for sealing eligible criminal records at an opportune time. Ohio currently has more job **vacancies** than workers, and some of them could be filled by the **million** or more Ohioans with a felony or misdemeanor record. Some may object that record-sealing is already available, but despite recent efforts by the General Assembly, the process remains cumbersome, and many eligible individuals remain unaware of the record-sealing option. Failure to seal records can have lasting **negative** financial effects, and this legislation will help reduce them.

House Bill 5 also strikes an appropriate balance between restoring firearms rights to those who can demonstrate that they deserve them and punishing repeat offenders who continue to violate the law and threaten public safety.

More criminal justice reforms are needed, but House Bill 5 takes solid steps in the right direction.

Thank you for your time and attention. I would be happy to answer any questions that the Committee might have.



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