



NEWS RELEASE

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Union blasts Supreme Court decision on single subject rule

Westerville – In what appears to be a purely political decision, the Ohio Supreme Court has ruled against the Ohio Civil Service Employees Association regarding the sale of the Lake Erie Correctional Facility in Ashtabula County and the privatization of North Central Correctional Facility and adjacent camp in Marion.

OCSEA brought the case against the State of Ohio when, in 2010, the Kasich administration tacked onto the state's budget bill the privatization of five Ohio prisons, in violation of Ohio's "single subject rule." Ohio's Constitution clearly states that: "no bill shall contain more than one subject," including an appropriations bill. The single subject rule was put in place as a way of ensuring stakeholder input into the budget process and to make certain controversial legislation receives a thorough review.

OCSEA leaders are frustrated with today's ruling since an earlier Appeals Court saw merit in the case against the State of Ohio. "It's disappointing that Ohio's top court chose politics over pragmatism," said legal counsel for the union Jim Melle. "Ohio's budget process will continue to be needlessly complicated and less transparent for it," he said.

"Now, Ohio lawmakers will continue to use the budget process to ram through controversial items that have nothing to do with budget appropriations," said OCSEA President Christopher Mabe. "The single subject rule was supposed to prevent lawmakers from treating the budget like their own personal Christmas tree. It's meant to allow contentious items—such as private prisons—a full vetting in front of Ohio taxpayers," he said, "instead of these back door deals."

In 2010, the state budget bill was 3,300 pages long and the authority to sell five prisons was buried in two locations in the bill as was the authorization to lease the Ohio Turnpike to a private corporation and the authority to transfer state-owned liquor distribution profits and its merchandising operations to JobsOhio for 25 years. There were more than a dozen other controversial non-appropriations items in the bill ranging from abortion restrictions to teacher merit pay.

OCSEA was asking the state's highest court to reinstate employees at NCCI, cancel the sale of LeCI and return the \$72 million being held in a bond from the prison sale.

Additionally, OCSEA argued that the Annual Ownership Fees the state pays to private prison contractor Corrections Corporation of America for ownership of LeCI was actually *costing* Ohioans more money than was made in the sale. Those fees, supposedly meant to offset wear and tear on the buildings, amounts to a staggering \$79 million dollars over the 21-year length of the contract. That's \$7 million *above* the sale price of the facility.

“The privatization of these prisons has caused serious harm to families across the state, and for what? The state isn’t even saving money on the deal. Taxpayers are in fact *paying* CCA for the sale. That’s ridiculous. This was political payback and Ohioans are sick and tired of it,” said Mabe.

“With the Ohio Supreme Court upholding dismissal of this case, Ohio lawmakers will continue to move dubious legislation without a full review by Ohio taxpayers and stakeholders,” said Mabe.

Ohio remains the only state in the country to have sold a prison outright.

OCSEA represents approximately 30,000 state and local government employees who work in a wide range of security, regulatory, administrative, direct care, maintenance, customer service and other positions. For more information, contact Sally Meckling, 614-865-2602 or 614-404-3881 (cell).