

IN THE COURT OF COMMON PLEAS  
LORAIN COUNTY, OHIO  
CRIMINAL DIVISION

STATE OF OHIO : CASE NO.: 11CR083104

Plaintiff :

Vs. : JUDGE: JOHN MARALDI

CLIFTON A. JACKSON :

Defendant :

**MOTION FOR JUDICIAL RELEASE  
VIDEO-CONFERENCE OR ORAL REQUEST  
SENATE BILL 288 EFFECTIVE 4/4/2023**

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Respectfully now comes the Defendant Clifton Jackson (652163) Pro Se as an indigent prisoner acting in self representation who hereby moves this court to grant to him a Motion for Judicial Release in line with the new laws of Senate Bill 288 effective April 4, 2023.

Defendant is presently incarcerated at Lake Erie Correctional Inst. in Conneaut, Ohio. Defendant was delivered to the Department of Rehabilitation and Correction on or around May of 2014 and as of April 4, 2023 will be an eligible offender pursuant to R.C. section 2929.20.

For all the reason set forth in the Memorandum in Support attached, hereto and incorporated by reference herein, Defendant prays this Court will grant this instant motion and hold a video-conference and or oral hearing in this matter in the interest of law, justice, equity, and good conscience.

## Memorandum in Support

Clifton Jackson the Defendant a Pro Se litigant is currently incarcerated at the Lake Erie Correctional Inst. (La.EC.I. a minimum/medium security status facility). The defendant was delivered to the Department of Rehabilitation and Corrections on or around May of 2014 after a jury conviction February of 2014.

**Pro Se** pleadings by self-represented prisoners like the Defendant requires all Courts in both Criminal and Civil actions to not hold prisoners and or **Pro Se** motions and their pleadings to the same strict standards applied to attorneys according to the U.S. Supreme Court. (Haines v. Kerner, 404 U.S. 519, 520 [1972]. U.S. v. Hunt; 940 F.2d 130, 131 [1991]. U.S. v. Garth; 188 F.3d 99, 108 [1999]. U.S. v. Torres; 163 F.3d. 909910 [1999]).

In Green v. United States; 260 F.3d. 78(2001) the Court held: “**Pro Se** litigants are entitled to liberal construction of their Pleadings and must be read to raise the strongest arguments they suggest...” Also see Carver v. Straub; 349 F.3d, 340, 347 (6<sup>th</sup> Cir. 2003) for similar findings.

The Defendant was sentenced to 11 years for a nonviolent drug conviction with a Major Drug Offender specification to be served day for day.

The Defendant has served nearly 10 years on his 11-year sentence thus far. The mentioned neighbors approximately 91% time served thus far.

If granted the Defendant will be released to federal custody. The Defendant release to federal custody will help expedite the process to be able to be transition back into society to reestablish with his family in Buffalo, New York.

In today's society with all the difficulties the Defendant faces in reintegrating after being away for so long this relief would be an extreme help in his abilities to provide for himself and his family alike.

In filing this motion the Defendant prays this Court will consider granting me an opportunity for Judicial Release so that I may be released to federal custody to start my process there of being integrated back into society.

As mentioned approaching 10 years served already day for day during this time I have not been idle.

54 years of age I've been active in responsibility courses, community involvements, and just as important assisting our youth to hopefully make better decisions for themselves. Note the youth also helps us if only we listen.

For me the acts and power of humility have been everything. Not only have the Defendant been a model inmate supported by his institutional record, attached are some of the programs I've completed (see attached certificates).

1. The Co-Exist Program which was a 9 week course on physical, mental, and spiritual training. Completed 9/23/15.
2. The Alphabet (A.B.C.D.E – alcohol and basic chemical dependency education) program which was at least 15 consecutive meetings an auxiliary of the Co-Exist program. In direct relations to the Co-Exist program also completed 9/23/15.
3. The A.D.E.P.T (alcohol dependency education program tactics) program which was also an auxiliary of the Co-Exist program. Which was also at least 15 consecutive meetings. In direct relations to the Co-Exist program also completed 9/23/15.

4. The D.E.A.D (drug, education, and dependency) program which was also at least 15 consecutive meetings an auxiliary of the Co-Exist program. In direct relations to the Co-Exist program also completed 9/23/15.
5. Not limited to the Defendant has also participated in the Christian community.
6. It also must be recognized for the record how Covid has impacted all our lives amongst society and those of us incarcerated. As the docket reflects this Court denied the Defendant Covid relief because of his Major Drug Offender specification not limited to.
7. It also must be recognized before Covid especially in the Defendant detaining facility the greater majority of programs acceptance criteria have been based on your remaining time left. In short the more time you had fail second to those with lesser time. Those with lesser time got the programming seats and or college courses etc before us who had lengthy time. Once Covid hit there was no programming in my facility if not State wide.

As this Court and the State of Ohio very well knows on or around January 6, 2023 Senate Bill 288 was signed into law by the State of Ohio governor.

Ohio Senate Bill 288, which was enacted in 2018, made several changes to Ohio's criminal code, including modifications to the rules for Major Drug Offenders (MDO) specifications. Specifically, the laws addressed the treatment and sentencing of offenders who are classified as Major Drug Offenders.

The greater majority of Senate Bill 288 laws including all referenced enclosed goes into effect on or around April 4, 2023.

For the defendant throughout the State of Ohio specifically those with Major Drug Offender specifications like the Defendant Senate Bill 288 states in part:

Under Ohio law, a Major Drug Offender is a person who is convicted of a drug offense involving a certain amount of drugs, or who is found to be a leader or organizer of a drug trafficking organization. When an offender is classified as a Major Drug Offender, they are subject to more severe sentencing guidelines and penalties.

One of the most significant changes made by the law was to allow Major Drug Offenders with mandatory sentences to be considered for release after serving a portion of their sentence. Under the previous law, offenders with mandatory sentences were required to serve the full length and or mandatory minimums of their sentences. Senate Bill 288 reduced this waiting period to 50% of the mandatory sentences for nonviolent offenders and 60% for violent offenders.

Another significant change made by the law was the creation of a new mechanism for sentence reduction. Under the law, Major Drug Offenders may petition the Court for a sentence reduction if they can demonstrate that they have made significant efforts towards rehabilitation since their original sentencing. The Court may consider factors such as completion of drug treatment programs, employment history, and community involvements when deciding.

The law also modified the criteria for judicial release. Under the law, offenders with mandatory sentences who are considered for release must demonstrate that they have made significant efforts towards rehabilitation and that their release would not pose a danger to society.

Ohio Senate Bill 288 addressed the eligibility of offenders with mandatory sentences for judicial release by modifying the criteria and procedures for offenders to be considered for release, with the aim of making it easier for offenders to be released and reducing the prison population. The

law was designed to promote rehabilitation and reentry into society while also ensuring public safety.

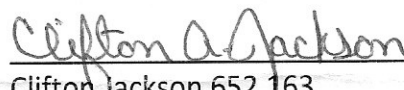
My family and friends are desperate to see me again and within reason will provide me the support I need to get readjusted to society. My family is excited for the changes that I've made. I stay in constant contact with them through mail, emailing, visitations, and by phone and they would like nothing better than to have me back.

Being away from my family and my home has created a tremendous hardship for my family who have been struggling without me being incarcerated. I realize that this incarceration has created an amazing hardship for them.

It is my sincerest hope that this Court will assist me the Defendant Clifton Jackson is expediting the process of getting home to my family who continues to unconditionally be there for me in my quest of being productive in society where everyone belongs.

Therefore, the Defendant Clifton Jackson prays this Court grants this Judicial Release request in line with Ohio Senate Bill 288 intentions which as of April 4, 2023 the law supports.

Respectfully Submitted,



Clifton Jackson 652 163

Lake Erie Correctional

501 Thompson Road

P.O. Box 8000

Conneaut, Ohio 44030

Mail Certified # 7014 2120 0003 2166 7820

**CERTIFICATE OF SERVICE**

A true and accurate copy of the foregoing Motion was sent by regular U.S. Mail with the proper postage on this 24 day of March, 2023 to the Clerk of the Court, 225 Court Street, Elyria, Ohio 44035.

Respectfully Submitted,



Clifton Jackson 652 163

Lake Erie Correctional

501 Thompson Road

P.O. Box 8000

Conneaut, Ohio 44030

Mailed Certified 7014 2120 0003 2166 7820

7014 2120 0003 2166 7820

SEE ATTACHMENTS  
(CERTIFICATES)



Co-ö Åiö mind, body, and spirit

Certificate of completion  
D. E. A. D. program

This certificate is awarded to

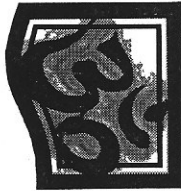
CLIFTON JACKSON

On behalf of the Co-exist auxiliary D.E.A.D. (drug education and dependency) program we are pleased to award you with this certificate of completion for attending at least 15 consecutive meetings and your valued participation.

OHIO DEPARTMENT OF REHAB & CORRECTIONS

Signature: *Mark Jackson* Date: *9/23/15*  
Signature: *Patrick S. O'Neil* Date: *9/23/15*

COEXIST A.D.E.P.T. program



Certificate of completion

This certificate is awarded to

CLIFTON JACKSON

On behalf of the Co-exist auxiliary A.D.E.P.T. (alcohol dependency education program tactics) program we are pleased to award you with this certificate of completion.

For attending at least 15 consecutive meetings along with your valued participation.

OHIO DEPARTMENT OF REHAB & CORRECTIONS

Signature: *Mark Jackson* Date: *9/23/15*

Signature: *David S. Orford* Date: *9-23-15*





☪ ☯ ☶ ☱ ☰ mind, body, and spirit

Certificate of completion  
"The Alphasbet program"

This certificate is awarded to

CLIFTON JACKSON

On behalf of the Co-exist auxiliary A.B.C.D.E. (alcohol and basic chemical dependency education) program we are pleased to award you with this certificate of completion.

Our gratitude to you for attending at least 15 consecutive meetings and your valued participation.

OHIO DEPARTMENT OF REHAB & CORRECTIONS

Signature: Mark Jackson Date: 9/23/15  
Signature: Patricia S. O'Neil Date: 9/23/15