



December 21, 2020

***In Case You Missed It:***

[How a Spreadsheet Could Change the Criminal Justice System; The Atlantic, December 14, 2020](#)

[County Jail Releasing People Convicted of Misdemeanors Because of COVID-19; 19News, December 14, 2020](#)

[Ohio Public Health Orders](#)

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## Legislative News: Two-Week Review

- [HB 1](#) (Reps. Hicks Hudson, Plummer) **Intervention-in-Lieu**, amended and voted out of the Senate 12.17.20. HB 1 expands ILC by making the eligibility hearing mandatory when drugs or alcohol are factors in the underlying offense. The bill also expands eligibility for sealing criminal records by shortening waiting periods and increasing caps in current law that limit the number of offenses a person can have and still be eligible to have that record sealed. The bill was amended on the Senate floor to include 4 provisions from [SB 3](#): barring the use of restraints on pregnant or post-partum women; expanding eligibility for involuntary civil commitment; authorizing the Ohio Criminal Sentencing Commission to collect data; requiring that all confinement credit must be credited against any prison term for a community control violation, including capped technical violations.
- [HB 24](#) (Reps. Hambley, Kick) **Humane Society Law**, the House concurred in Senate amendments, 12.3.20. The bill requires that the judge who ordered the initial impoundment of animals be the same judge that approves any agreement made between the prosecution and the animal owners.
- [HB 136](#) (Rep. Hillyer) **Prohibiting the Death Penalty for the Seriously Mentally Ill**, the House concurred in Senate amendments, 12.17.20. The bill prohibits the death penalty for people who suffered from one of four serious mental illnesses (schizophrenia, schizoaffective disorder, bipolar disorder, delusional disorder) at the time of the offense. Those people would instead be given a sentence of life without the possibility of parole.
- [SB 256](#) (Sens. Lehner, Manning) **Juvenile Extended Sentences**, the Senate concurred in House amendments, 12.18.20. The bill prohibits a sentence of life without the possibility of parole for an offender who was a juvenile at the time of the offense. Instead, the offender is to receive an indefinite sentence of 18, 25, or 30 years to life, with factors for the sentencing court to consider relative to the hallmarks of youth. The bill was amended to allow a reasonable continuance of up to 45 days in abuse, neglect, and dependency cases.
- [HB 431](#) (Reps. Abrams, Carfagna) **SORN Reclassification; Human Trafficking**, voted out of the Senate, 12.17.20. The bill was amended heavily to contain almost no language from the as-introduced version of the bill and to instead contain the provisions of [SB 47](#) (which allows for SORN reclassification in a narrow set of circumstances and of [SB 13](#), which alters slightly the procedure for holding charges in abeyance for a juvenile suspected of being a human trafficking victim.
- On 12.18.20, in [State v. Jones \(Slip Opinion No. 2020-Ohio-6729\)](#), the Ohio Supreme decided the limits of **appellate review of a sentence**. R.C. 2953.08(G)(2)(a) does not provide a basis for an appellate court to modify or vacate a trial court's sentence based on the lack of record support for findings made under R.C. 2929.11 and 2929.12. Further, R.C. 2953.08(G)(2)(b) does not provide a basis for an appellate court to modify or vacate a trial court's sentence based on its view that the sentence is not supported by the record.

**For a complete list of bills & the latest issue of Billboard, please visit the [OJC website](#).**



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