

Legislative News: Two-Week Review



November 2, 2020

In Case You Missed It:

[Exonerated Ohio Men Discuss Race and Wrongful Convictions; Akron Beacon Journal, October 21, 2020](#)

[U.S. Imprisonment Rate at its Lowest Since 1995; Department of Justice, October 22, 2020](#)

[Editorial: Aid to Stop Evictions Welcome but Inadequate; Columbus Dispatch, October 27, 2020](#)

[Ohio Public Health Orders](#)

The Ohio Judicial Conference is dedicated to serving all Ohio judges. It is the primary resource to ensure the fair, unbiased, open, and effective administration of justice.

- **HB 778** (Reps. Patterson, Rogers), **Electronic Monitoring and Protection Orders**, introduced 10.26.20. The bill allows a court to order electronic monitoring in all cases where a protection order has been violated (not just the two types of protection order violations currently in the law). The court is required to specify inclusion and exclusion zones. Law enforcement must then use an active global positioning device and alert the person meant to be protected by the order if the offender is within 500 yards of an exclusion zone.
- *State ex rel. Fraley v. Ohio Dept. of Rehab. & Corr.* (Slip Opinion No. 2020-Ohio-4410), decided 9.15.20, holds that if a sentencing entry does not specify that a firearm specification is to run consecutively to another firearm specification, ODRC is required to treat the specifications as concurrent. To conform to *Fraley*, [ODRC is reviewing inmate sentences](#) and is contacting judges in cases where a nunc pro tunc entry from the judge could clarify **how a specification is to be served**. ODRC is asking that judges reply **within 21 days of receipt**.
- In *State v. Castner* (Slip Opinion No. 2020-Ohio-4950), decided 10.21.20, the Ohio Supreme Court decided that, by not completing either of two court-ordered treatment programs, an offender's violations of community control are substantive, not technical, violations and the 90- and 180-day caps in R.C. 2929.15 do not apply.
- In *State v. Price* (Slip Opinion No. 2020-Ohio-4926), decided on 10.20.20, the Ohio Supreme Court decided that, during the trial of an accused drug dealer, a jury was properly instructed that the dealer could be held responsible if the drugs he sold caused the user's death by overdose.
- The Ohio Supreme Court is accepting public comment on [proposed changes](#) to the **Rules of Practice and Procedure**. Changes are proposed to CivR 37; CrimR 1, 3, 7, 13; TrafR 2, 3, 13; CrimR 11, 41; CrimR 33; AppR 21 and others. Comments can be submitted by 11.5.20 to ruleamendments@sc.ohio.gov.
- On 8.31.20, the Sentencing Commission's Ad Hoc Committee on a **Uniform Sentencing Entry** produced its [report with recommendations](#).
- The **6th Annual Veterans Summit**, "Lean Forward: Answering the Call of Veterans in Crisis," is an online event on 11.19.20. The event is free (6.25 hours CLE pending). Register [online](#).
- Ohio is allocating \$50 million of its share of the federal Coronavirus Relief Fund to 47 Community Action Agencies for **eviction relief**. Ohioans who are behind on rent, mortgage, and water and/or sewer utility bills (dating back to 4.1.20) can apply for assistance. Ohioans can [apply](#) starting 11.2.20; the program ends on 12.30.20.

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



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