



THE OHIO PROSECUTOR

October 2025

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From your Executive Director...



Prosecutors –

The legislature returned from their summer break with a fury of activity, much of which has been focused on property tax relief. Just in the last few weeks the House has passed and the Senate has started to have hearings on:

- House Bill 309 that makes changes to the power of the county budget commission to, among other things, authorize the budget commission to reduce property tax levies, provided they are not otherwise required to approve them without modification, if they find the levy unnecessary or excessive.

- House Bill 335 that limits revenue increases from inside millage levies occurring due to reappraisal or update, allows a reduction of inside millage to accompany a school district income tax levy, allows a reduction of inside millage to accompany a municipal income tax levy, and requires county budget commission approval of inside millage reductions to accompany a county sales tax levy.
- House Bill 186 authorizing a reduction in school district property taxes affected by a millage floor that would limit increases in such taxes according to inflation.
- House Bill 129 that requires that current expense fixed-sum levies be included in the calculation of a school district's 20-mill floor or a joint vocational school district's 2-mill floor for property tax purposes, allows school districts to levy property taxes that will generate a fixed sum of money in the following two circumstances, and requires that any new fixed-sum levy must be levied for current operating expenses, cannot be renewed, and may only be levied for up to five years.

In addition to property taxes, the House recently passed its version of marijuana/hemp regulation through Senate Bill 56. The bill is headed to a conference committee to work out differences between the House and Senate. Generally, the legislation is consistent with OPAA priorities on this topic – to prohibit the sale of marijuana products in forms or methods attractive to children, to provide for open-container like laws for adult-use marijuana products, to place restrictions on the transfer of homegrown marijuana, and to require that hemp products be regulated and sold through dispensaries.

Lou



At the Statehouse

Below is a current list of priority legislation along with the OPAA's position. For a full list of bills that we are tracking visit www.ohiopa.org. **Please contact Lou if you have any questions about a piece of legislation or the reason for our position.**

Also, if you have any questions about the work of the legislature or the status of any legislation, please let us know!

Top 10 Bills to Watch – October 2025

1) **Senate Bill 270 (Juvenile Justice Reform)**. The bill incorporates several of the recommendations of the Governor's Juvenile Justice Working Group that released its final report in September 2024. These include, eliminating mandatory time on all gun specifications for juvenile offenders, raising the minimum age for commitment to DYS from 10 to 14, and prohibiting commitment to DYS for first time non-violent F4/F5 juvenile offenders. OPAA opposes these changes.

2) **Senate Bill 291/House Bill 556 (Community Control Sentence Length)**. These bills generally reduce the length of community control from 5 years to 3 years for F3/F4/F5 offenses and misdemeanors. The bill allows for the length of community control to be extended to up to 5 years under limited circumstances. The bill also imposes restrictions on the use of confinement for "technical violations" of community control. OPAA opposes these changes.

3) **House Bill 382 (Second Amendment Protection Act)**. The bill enacts the so-called Second Amendment Protection Act, a reintroduction of House Bill 51 from the last General Assembly. Subject to some ill-defined exceptions, the bill generally prohibits a public office, public officer, or employee of the state or a political subdivision from enforcing, attempting to enforce, or participating in any way in the enforcement of any federal acts, executive orders, administrative orders, rules, regulations, statutes, or ordinances regarding firearms, firearm accessories, or ammunition. OPAA opposes this legislation.

4) **Senate Bill 56 (Marijuana/Hemp Regulation)**. The bill makes changes to Ohio's adult-use marijuana program and the regulation of intoxicating hemp products. OPAA priorities for

these bills include (1) prohibitions on the sale and advertising of marijuana in forms attractive to children, (2) subjecting marijuana to open-container like laws, and (3) preventing the growth of the black market by reducing the number of home grow plants, prohibiting the transfer of home grown marijuana, and allowing prosecutors to file any appropriate charge under Chapter 2925 for violations of home grow. OPAA supports this legislation with some modifications.

5) **House Bill 36/House Bill 72/Senate Bill 133/Senate Bill 134 (Death Penalty)**. House Bill 36 enacts an alternative method of execution, nitrogen hypoxia, and reenacts confidentiality for entities that provide lethal injection drugs to the state. House bill 72, Senate Bill 133, and Senate Bill 134 all abolish the death penalty. OPAA supports legislative efforts that will help end the moratorium on the death penalty in Ohio. OPAA opposes legislation to abolish the death penalty.

6) **House Bill 252 (Burglary)**. The bill addresses the Supreme Court of Ohio decision in *State v. Bertram*, 173 Ohio St.3d 186, in which the Court overturned the burglary conviction of an offender who walked into a victim's garage and stole a leaf blower. The conviction was overturned because the offender did not use "force, stealth or deception" in committing the theft. The bill removes the requirement of force, stealth, or deception. OPAA supports this legislation.

7) **House Bill 88 (Drug Trafficking)**. The bill increases penalties for trafficking in fentanyl, heroin, cocaine, and meth, and creates a five year sentencing specification for drug overdose deaths related to fentanyl. The bill also removes the requirement in current law for prosecutors to prove that a person in possession of schedule III, IV, or V drugs knew the drugs contained fentanyl in order for the offender to be convicted of possession of fentanyl. OPAA supports this legislation.

8) **Senate Bill 163 (Artificial Intelligence – Simulated Child Pornography)**. Require AI-generated products have a watermark, prohibits simulated child pornography, and prohibits identity fraud using a replica of a person. OPAA supports this legislation.

9) **House Bill 5 (Repeat Weapons Offenders)**. Creates a repeat offender classification and gun specification, increases the penalties for other firearm specifications and for repeat weapons under disability offenses, reduces the penalty for most first-time weapons under disability offenses from an F3 to an F4, broadens the scope of relief from firearms disability, and requires courts to provide notice of eligibility for record sealing to certain offenders. OPAA supports the provisions of the bill that increase penalties for weapons offenses. OPAA opposes the provisions of the bill that reduce first-time weapons under disability offenses to an F4 and the changes to the timelines for record expungement.

10) **Senate Bill 55 (OVI – Marijuana)**. The bill makes changes to the laws pertaining to operating a vehicle or watercraft while under the influence of marijuana and the admissibility of evidence for purposes of OVI statutes. Specifically, it repeals the per se

marijuana OVI violations based on marijuana metabolites. It retains per se violations based on blood draws. OPAA is currently monitoring this legislation.

Notable Legislation

HB1 PROPERTY PROTECTION ACT (KING A, KLOPFENSTEIN R) To modify the law that prohibits certain governments, businesses, and individuals from acquiring certain real property and to name this act the Ohio Property Protection Act.

Position: Amend

State Bill [https://www.legislature.ohio.gov/legislation/legislation-](https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-1)

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HB3 SCHOOL BUS SAFETY ACT (WILLIS B, THOMAS C) To address school bus safety, to designate this act as the School Bus Safety Act, and to make an appropriation.

Position: Support

State Bill [https://www.legislature.ohio.gov/legislation/legislation-](https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-3)

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HB5 REPEAT OFFENSE CLASSIFICATION, PENALTIES (WILLIAMS J, WILLIS B) To enact the Repeat Offender Act to create a repeat offender classification, to create and modify certain firearm specifications, to increase the penalties for certain firearm offenses and specifications, to broaden the scope of relief from firearms disability, and to modify the Sealing and Expungement Law.

Position: Amend

State Bill [https://www.legislature.ohio.gov/legislation/legislation-](https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-5)

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HB19 UNDERAGE ALCOHOL CONSUMPTION-CULPABILITY LEVEL (BIRD A, WILLIAMS J) To reduce the mental state, from knowingly to recklessly, that applies to the prohibition against allowing an underage person to possess or consume alcohol in a private or public place.

Position: Oppose

State Bill [https://www.legislature.ohio.gov/legislation/legislation-](https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-19)

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HB20 PROHIBIT HARASSING EMERGENCY SERVICE RESPONDERS (HALL T, PLUMMER P) To increase the penalty for obstructing official business when the victim is an emergency service responder who is engaged in the lawful performance of a legal duty and to clarify that heightened penalties apply for menacing a probation officer.

Position: Support

State Bill [https://www.legislature.ohio.gov](https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-20)

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HB36 EXECUTION METHODS-ADD NITROGEN HYPOXIA (STEWART B, PLUMMER P) To add nitrogen hypoxia as a method of execution and to prohibit the disclosure of execution identifying information.

Position: Support

State Bill [https://www.legislature.ohio.gov](https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-36)

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HB47 INCREASE HUMAN TRAFFICKING PENALTIES (WILLIAMS J, SANTUCCI N) To enact the Human Trafficking Prevention Act to increase the penalty for human trafficking of a minor or person with a developmental disability, kidnapping, and abduction.

Position: Support

State Bill [https://www.legislature.ohio.gov](https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-47)

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HB58 RECOVERY HOUSING, ADDICTION SERVICES (PIZZULLI J, JARRELLS D) To require state certification of recovery housing residences, to establish additional duties regarding services offered by community addiction services providers, and to create the Ohio Recovery Housing Task Force.

Position: Support

State Bill [https://www.legislature.ohio.gov](https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-58)

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HB68 CONCEALED CARRY, FIREARMS DISABILITY RELIEF (MATHEWS A, PIZZULLI J) To allow a concealed handgun licensee to carry a handgun in a building or structure that is not a courthouse but in which a courtroom is located in specified circumstances and to permit a nonresident of Ohio to obtain statutory relief from firearms disability based on an Ohio conviction, guilty plea, or delinquent child adjudication.

Position: Monitor

State Bill <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-68>

HB72 LETHAL INJECTION DRUG PROHIBITIONS (SCHMIDT J, MATHEWS A) To prohibit public funding for and insurance coverage of the use of lethal injection drugs in nontherapeutic abortions and assisting suicide, to abolish the death penalty, and to modify the number of jurors that may be challenged in cases where a defendant may be sentenced to life imprisonment.

Position: Oppose

State Bill <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-72>

HB79 INCREASED PENALTY-ASSAULTING SPORTS OFFICIALS (ROEMER B, MILLER J) To increase the penalties for assault if the victim is acting as a sports official or the assault is committed in retaliation for the victim's actions as a sports official.

Position: Oppose

State Bill <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-79>

HB86 LAW CHANGES-TAX FORECLOSURE, LAND REUTILIZATION (DEMETRIOU S) To make changes to the law relating to tax foreclosures and county land reutilization corporations, and to name this act the Gus Frangos Act.

Position: Monitor

State Bill <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-86>

HB88 DRUG TRAFFICKING PENALTIES, FENTANYL AWARENESS (ABRAMS C, PLUMMER P) To increase penalties for drug trafficking above certain amounts, to prohibit organized trafficking of persons, to require schools and institutions of higher education to incorporate instruction and policies on fentanyl awareness and abuse prevention, and to designate the month of August as "Fentanyl Poisoning Awareness Month."

Position: Support

State Bill <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-88>

HB102 SEX OFFENDER RESIDENCY LIMITS (KLOPFENSTEIN R, WILLIAMS J) To prohibit a sex offender or a child-victim offender from residing within 2,000 feet of the residence of the victim and from loitering within 1,000 feet of the residence of the victim.

Position: Support

State Bill <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-102>

HB108 SELF-DEFENSE PRETRIAL PROCEDURE (WILLIAMS J) To enact the Self-Defense Protection Act to create a pretrial procedure for a person asserting self-defense, defense of another, or defense of that person's property.

Position: Oppose

State Bill <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-108>

HB132 MOVE OVER DUTY-STATIONARY VEHICLES (CRAIG M, MILLER M) To increase penalties for failing to slow down or change lanes when approaching specified stationary vehicles, to increase penalties for vehicular homicide and vehicular assault resulting from that offense, and to name this act Philip Wigal's Law.

Position: Monitor

State Bill <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-132>

<p>HB168 OFFENSE REQUIREMENTS-CRIMINAL CHILD ENTICEMENT (WILLIAMS J, BRENNAN S) To require that a person act with a sexual motivation or an unlawful purpose to commit the offense of criminal child enticement. <i>Position:</i> Support <i>State Bill</i> https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-168 <i>Page:</i></p>	<p>HB203 INCREASED PENALTIES-SCHOOL ZONES (HALL T, WILLIAMS J) To increase penalties for vehicular assault and vehicular homicide that occur in an active school zone, to require doubled fines for specified traffic violations in an active school zone, and to name this act Aspen Runnels' Law. <i>Position:</i> Amend <i>State Bill</i> https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-203 <i>Page:</i></p>
<p>HB177 COURT PROCESSES-NEW EVIDENCE (WILLIAMS J, TIMS D) To allow a person to file a motion for a new trial or a petition for postconviction relief if the person produces new evidence that would establish a strong probability of a different result at trial. <i>Position:</i> Oppose <i>State Bill</i> https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-177 <i>Page:</i></p>	<p>HB208 INCREASED PENALTY-ASSAULT ON COURT EMPLOYEES (LORENZ B) To increase the penalty for assault when the victim is a judge, magistrate, prosecutor, or court official or employee. <i>Position:</i> Monitor <i>State Bill</i> https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-208 <i>Page:</i></p>
<p>HB185 PROHIBIT UNAUTHORIZED DEEPPAKE RECORDINGS (MATHEWS A, MATHEWS T) To make changes to the law relating to the unauthorized use of an individual's persona and to prohibit certain unauthorized deepfake recordings. <i>Position:</i> Support <i>State Bill</i> https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-185 <i>Page:</i></p>	<p>HB210 REGARDING USED CATALYTIC CONVERTER SALES (ROEMER B, PLUMMER P) Regarding the sale of used catalytic converters. <i>Position:</i> Support <i>State Bill</i> https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-210 <i>Page:</i></p>
<p>HB200 IMMIGRATION PROHIBITIONS, REQUIRE ENFORCEMENT COOPERATION (CLICK G, SANTUCCI N) To enact the America First Act to prohibit a person who is unlawfully present in the United States from entering or being present in Ohio, to require law enforcement agencies and detention facilities to cooperate in the enforcement of federal immigration laws, and to withhold state local government funds from a subdivision that does not abide by the act. <i>Position:</i> Monitor <i>State Bill</i> https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-200 <i>Page:</i></p>	<p>HB211 SENTENCING CONSIDERATION-PRIMARY CARETAKERS (HUMPHREY L, WILLIAMS J) To require a court to consider an offender's status as a primary caretaker of a child in determining whether the offender is amenable to a community control sanction or to intervention in lieu of conviction. <i>Position:</i> Oppose <i>State Bill</i> https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-211 <i>Page:</i></p>
	<p>HB217 MISSING PERSONS REPORTING REQUIREMENTS (COCKLEY C, RITTER K) To enact Andy Chapman's Act to require law enforcement agencies to enter information relating to a report of a missing person in the national missing and unidentified persons system (NamUs). <i>Position:</i> Amend <i>State Bill</i> https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-217 <i>Page:</i></p>

HB247 LAW CHANGES-DANGEROUS DOGS

(MILLER K) To make changes to the laws governing dogs, including dangerous and vicious dogs, and to name this act Avery's Law.

Position: Support

State Bill [https://www.legislature.ohio.gov/legislation/legislation-](https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-247)

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HB249 LAW CHANGES-INDECENT

EXPOSURE (KING A, WILLIAMS J) To enact the Indecent Exposure Modernization Act.

Position: Oppose

State Bill [https://www.legislature.ohio.gov/legislation/legislation-](https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-249)

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HB252 OFFENSE MODIFICATIONS-

BURGLARY, TRESPASS (CLICK G, BIRD A) To modify the offenses of burglary, aggravated burglary, breaking and entering, and trespass in a habitation when a person is present or likely to be present.

Position: Support

State Bill [https://www.legislature.ohio.gov/legislation/legislation-](https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-252)

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HB296 DELAY FINANCIAL SANCTIONS

AFTER RELEASE (MILLER M) To delay financial sanctions for one hundred eighty days after an offender's release from prison or completion of transitional control.

Position: Oppose

State Bill [https://www.legislature.ohio.gov/legislation/legislation-](https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-296)

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HB306 HATE CRIMES-CRIMINAL, CIVIL

PENALTIES (JARRELLS D, WILLIAMS J) To enact the Hate Crime Act to prohibit hate crimes and to create a civil remedy for a person who is terrorized by another because of specific characteristics or beliefs.

Position: Amend

State Bill [https://www.legislature.ohio.gov/legislation/legislation-](https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-306)

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HB309 LAW CHANGES-COUNTY BUDGET

COMMISSIONS (THOMAS D) To modify the law governing county budget commissions and property taxation.

Position: Monitor

State Bill [https://www.legislature.ohio.gov/legislation/legislation-](https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-309)

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HB314 RESTRICT DISRUPTIVE RECORD

REQUESTS (ISAACSOHN D, RAY S) To restrict harassing or disruptive public records requests and permit private contractors to respond to voluminous public records requests.

Position: Support

State Bill [https://www.legislature.ohio.gov/legislation/legislation-](https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-314)

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HB335 LIMIT INSIDE MILLAGE REVENUE

INCREASES (THOMAS D) To limit revenue increases from inside millage levies occurring due to a reappraisal or update, to allow a reduction of inside millage to accompany a school district income tax levy, to allow a reduction of inside millage to accompany a municipal income tax levy, and to require county budget commission approval of inside millage reductions to accompany a county sales tax levy.

Position: Monitor

State Bill [https://www.legislature.ohio.gov/legislation/legislation-](https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-335)

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HB336 OVI AGGRAVATED VEHICULAR

HOMICIDE PAYMENTS (YOUNG T) To require a felony offender of an OVI-caused aggravated vehicular homicide to pay child maintenance when the victim is a parent, legal guardian, or custodian of a minor child, to allow child maintenance to be awarded in a wrongful death action when the offender is deceased, and to name this act the Sam Knisley Family Support Act.

Position: Oppose

State Bill [https://www.legislature.ohio.gov/legislation/legislation-](https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-336)

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HB338 INCREASED PENALTIES-CORRECTIONAL INSTITUTION ASSAULTS (JOHNSON M, PLUMMER P) To enact Andy's Law to increase the penalty for assaulting or causing the death of specified victims at state or local correctional institutions and to make changes to department of rehabilitation and correction policies and procedures.

Position: Support

State Bill [https://www.legislature.ohio.gov/legislation/legislation-](https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-338)

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HB343 MANDATORY DISPOSITIONS-YOUTH DELINQUENCY (LORENZ B) To require mandatory dispositions for youths adjudicated delinquent for committing acts that would be felony theft or vandalism if committed by an adult.

Position: Amend

State Bill [https://www.legislature.ohio.gov/legislation/legislation-](https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-343)

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HB371 MANDATORY REPORTING-ELECTED OFFICIALS (PLUMMER P, YOUNG T) To make elected officials mandatory reporters of child abuse and neglect.

Position: Amend

State Bill [https://www.legislature.ohio.gov/legislation/legislation-](https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-371)

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HB372 INCREASED PENALTY-MURDER OF FIRST RESPONDERS, MILITARY (ABRAMS C, PLUMMER P) To enact the Larry Henderson Act to specify that the penalty for aggravated murder for an adult offender is death or life without the possibility of parole if the victim is a peace officer, prosecutor, first responder, or military member.

Position: Support

State Bill [https://www.legislature.ohio.gov/legislation/legislation-](https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-372)

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HB382 SAFEGUARD FIREARM RIGHTS (FISCHER T) To enact the Second Amendment Protection Act to safeguard the right to keep and bear arms.

Position: Oppose

State Bill [https://www.legislature.ohio.gov/legislation/legislation-](https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-382)

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HB412 ALLOW VILLAGE-CONTRACT WITH COUNTY PROSECUTOR (SWEARINGEN D) To allow a village to contract with the county prosecutor for legal services.

Position: Oppose

State Bill [https://www.legislature.ohio.gov/legislation/legislation-](https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-412)

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HB417 REGARDING ANIMAL ABUSE OFFENSES (PLUMMER P, YOUNG T) To prohibit the abuse of a companion animal corpse, to prohibit an animal abuse offender from owning a dog in certain circumstances, and to establish mandatory fines for violations of an animal abuse offense.

Position: Amend

State Bill [https://www.legislature.ohio.gov/legislation/legislation-](https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-417)

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HB457 CRIME ENHANCEMENT-POLITICAL OFFENSES OF VIOLENCE (DANIELS J, WILLIAMS J) To create new aggravated murder offenses for political motivation and political victims, to create a mandatory prison term for politically motivated offenses of violence, and to add political motivation to sentencing factors for felonies and misdemeanors.

Position: Amend

State Bill [https://www.legislature.ohio.gov/legislation/legislation-](https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-457)

Page: [summary?id=GA136-HB-457](https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-457)

HB459 CREATE OFFENSE-MOVING, REMOVING HUMAN REMAINS (GROSS J, WILLIAMS J) To enact Katelyn's Law to create an offense and specification related to moving or removing human remains and to provide that the offense has no statute of limitations.

Position: Support

State Bill [https://www.legislature.ohio.gov/legislation/legislation-](https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-459)

Page: [summary?id=GA136-HB-459](https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-459)

HB460 ELECTED OFFICIALS-HANDGUN CARRIERS (CLAGGETT T, WILLIS B) To allow members of the General Assembly, statewide elected officials, judges, and magistrates to carry a concealed handgun in a government facility of the state or a political subdivision.

Position: Monitor

State Bill <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-460>

HB478 OFFENSE CREATION-JURY TAMPERING (THOMAS D, SYNENBERG E) To create the offense of jury tampering and to include a public servant in the offense of intimidation of an attorney, victim, witness, or public servant in a criminal case.

Position: Support

State Bill <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-478>

HB487 CREATE REPEAT DRUG OFFENDER SPECIFICATION (WILLIAMS J, PLUMMER P) To create a repeat drug offender specification.

Position: Amend

State Bill <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-487>

HB490 EXPAND POSTCONVICTION RELIEF-DNA TESTING (SCHMIDT J, WILLIAMS J) To expand the availability of postconviction relief based on DNA testing showing actual innocence.

Position: Monitor

State Bill <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-490>

HB492 EXPAND PROHIBITION-INTERFERING WITH ARREST (RAY S, ABRAMS C) To expand the prohibition against interfering with arrest to all motor vehicle-related laws and require drivers to disclose their name, address, and date of birth to a police officer on request.

Position: Support

State Bill <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-492>

HB495 LAW CHANGES-CONCEALED WEAPONS (GROSS J, WILLIAMS J) To enact the Freedom to Carry Act to rename a concealed handgun license a concealed weapons license and to allow a concealed weapons licensee to carry a concealed deadly weapon other than an exclusive deadly weapon.

Position: Undetermined

State Bill <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-495>

HB498 LAW CHANGES-SELF DEFENSE (LEAR B, ROBB BLASDEL M) To enact the Ohio Self-Defense Act to modify the law regarding self-defense.

Position: Oppose

State Bill <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-498>

HB501 LAW CHANGES-WRONGFUL INCARCERATION (WILLIAMS J, ROGERS E) To modify the wrongful imprisonment law and to rename the provisions wrongful incarceration.

Position: Oppose

State Bill <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-501>

HB507 PROHIBIT RECEIVING PROSTITUTION PROCEEDS (NEWMAN J, JOHN M) To prohibit a person from receiving proceeds of prostitution.

Position: Support

State Bill <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-507>

HB527 OPEN GRAND JURY ACCESS-FELONY DEFENDANTS (WILLIAMS J) To allow felony defendants to request an alternative system of indictment by open grand jury.

Position: Oppose

State Bill <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-527>

<p>HB528 MANDATORY SENTENCE-FORCIBLE RAPE (WILLIAMS J) To require a seven year mandatory minimum prison term for forcible rape. <i>Position:</i> Amend <i>State Bill</i> https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-528 <i>Page:</i></p> <p>HB533 EXPAND VEHICULAR HOMICIDE LIST (MILLER K) To add to the list of vehicles that can be used to commit a vehicular homicide or vehicular assault. <i>Position:</i> Undetermined <i>State Bill</i> https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-533 <i>Page:</i></p> <p>HB544 OFFENSE EXPANSION-OBSTRUCTING JUSTICE (WILLIAMS J, SWEARINGEN D) To expand the offense of obstructing justice. <i>Position:</i> Undetermined <i>State Bill</i> https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-544 <i>Page:</i></p> <p>HB556 MAXIMUM SENTENCING PERIOD CHANGES (MATHEWS A, WILLIAMS J) To change the maximum periods of community control sanctions authorized for felonies and misdemeanors and to modify the confinement sanctions authorized for a technical violation of community control sanction conditions. <i>Position:</i> Oppose <i>State Bill</i> https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-556 <i>Page:</i></p> <p>HB557 PROHIBIT JUDICIAL RELEASE DENIAL-OFFENSE CLASSIFICATION (WILLIAMS J) To prohibit denial of judicial release based solely on the classification of an offense. <i>Position:</i> Oppose <i>State Bill</i> https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-557 <i>Page:</i></p>	<p>HB560 FINANCIAL EXPLOITATION-VULNERABLE ADULTS (SWEARINGEN D, WHITE A) To prevent financial exploitation and fraud against vulnerable adults and to name this act the Protect Our Parents Act. <i>Position:</i> Undetermined <i>State Bill</i> https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-560 <i>Page:</i></p> <p>SB4 ESTABLISH ELECTION INTEGRITY UNIT (GAVARONE T) To establish the Election Integrity Unit in the Office of the Secretary of State and to modify the law governing the prosecution of Election Law violations. <i>Position:</i> Oppose <i>State Bill</i> https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-4 <i>Page:</i></p> <p>SB5 EXPEDITE REMOVAL-UNAUTHORIZED RESIDENTIAL OCCUPANTS (BRENNER A, HUFFMAN S) To provide for the expedited removal of unauthorized occupants from residential property and to prohibit the use and sale of fraudulent deeds. <i>Position:</i> Oppose <i>State Bill</i> https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-5 <i>Page:</i></p> <p>SB55 CHANGE OVI LAWS-MARIHUANA (MANNING N) To change the laws pertaining to operating a vehicle or watercraft while under the influence of marihuana and the admissibility of evidence for purposes of OVI statutes. <i>Position:</i> Monitor <i>State Bill</i> https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-55 <i>Page:</i></p> <p>SB56 LAW CHANGES-MARIJUANA, LIQUOR, HEMP (HUFFMAN S) To revise specified provisions of the liquor control, hemp, and adult-use marijuana laws, to levy taxes on certain hemp products, and to make an appropriation. <i>Position:</i> Amend <i>State Bill</i> https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-56 <i>Page:</i></p>
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<p>SB62 SCHOOL BUS SAFETY-PENALTIES, MONTH DESIGNATION (GAVARONE T) To authorize a civil penalty system related to drivers who illegally pass a school bus but cannot be identified, to designate the month of August as "School Bus Safety Awareness Month," and to designate this act as the School Bus Safety Act.</p> <p>Position: Amend</p> <p>State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-62</p>	<p>State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-133</p>
<p>SB88 OHIO PROPERTY PROTECTION ACT (JOHNSON T) To modify the law that prohibits certain governments, businesses, and individuals from acquiring certain real property and to name this act the Ohio Property Protection Act.</p> <p>Position: Amend</p> <p>State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-88</p>	<p>SB134 ABOLISH DEATH PENALTY, PROHIBIT LETHAL INJECTION DRUGS (ANTONIO N, HUFFMAN S) To abolish the death penalty, to modify the number of jurors that may be challenged in cases where a defendant may be sentenced to life imprisonment, and to prohibit public funding for the use of lethal injection drugs in nontherapeutic abortions, assisting suicide, and executing a death sentence.</p> <p>Position: Oppose</p> <p>State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-134</p>
<p>SB102 GUS FRANGOS ACT (PATTON T) To make changes to the law relating to tax foreclosures and county land reutilization corporations, and to name this act the Gus Frangos Act.</p> <p>Position: Monitor</p> <p>State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-102</p>	<p>SB163 VARIOUS REGULATIONS-ARTIFICIAL INTELLIGENCE (BLESSING III L, JOHNSON T) To require AI-generated products have a watermark, to prohibit simulated child pornography, and to prohibit identity fraud using a replica of a person.</p> <p>Position: Support</p> <p>State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-163</p>
<p>SB124 PENALTIES-TRANSIT SYSTEMS (CRAIG H, PATTON T) To increase the penalty for assault when the victim is an operator of an Ohio transit system bus or rail car; to authorize Ohio transit systems to post a sign regarding abuse or assault of staff; and to increase the penalty for evading payment of the known fares of a public transportation system.</p> <p>Position: Oppose</p> <p>State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-124</p>	<p>SB188 EXPANDED OFFENSE-FAILURE TO COMPLY (PATTON T) To expand the offense of failure to comply with an order or signal of a law enforcement officer.</p> <p>Position: Amend</p> <p>State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-188</p>
<p>SB133 ABOLISH DEATH PENALTY, COURT CHANGES (ANTONIO N, HUFFMAN S) To abolish the death penalty and to modify the number of jurors that may be challenged in cases where a defendant may be sentenced to life imprisonment.</p> <p>Position: Oppose</p>	

SB214 REMOVE DANGEROUS CLASSIFICATION-FIREARM MUFFLERS, SUPPRESSORS (KOEHLER K) To remove firearm mufflers and suppressors from the classification of dangerous ordnance.

Position: Undetermined

State Bill <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-214>

SB270 MODIFY COMMITMENT OF DELINQUENT CHILDREN (MANNING N, HICKS-HUDSON P) To modify provisions relating to commitment of delinquent children to the department of youth services.

Position: Oppose

State Bill <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-270>

SB291 CHANGE SANCTIONS-COMMUNITY CONTROL (MANNING N, REYNOLDS M) To change the maximum periods of community control sanctions authorized for felonies and misdemeanors and to modify the confinement sanctions authorized for a technical violation of community control sanction conditions.

Position: Oppose

State Bill <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-291>

SB295 RESTORATION OF COMPETENCY-CRIMINAL CASES (MANNING N, PATTON T) Relative to the timeline for restoration of competency in criminal cases.

Position: Support

State Bill <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-295>

SB303 ALLOW HANDGUN PURCHASE-18-21 YEAR OLDS (JOHNSON T) To allow a person who is between eighteen and twenty-one years old to receive or purchase a handgun from a federally licensed firearms dealer.

Position: Undetermined

State Bill <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-303>

New and Noteworthy



Merit Decisions of Interest Since 8/1/25

State v. Rogers, 2025-Ohio-4794. In addressing a claim of trial-counsel ineffectiveness in relation to counsel's failure to challenge a juror for cause, the majority (6-1) recognized that, to succeed on the IAC claim, the defense must establish that the juror was actually biased against the defendant. Upon examination of the totality of the record, including group answers, the majority concluded that the record did not establish actual bias. (Decided 10-22-25; Warren County)

State v. Clark, 2025-Ohio-4410. When the court of appeals grants an application for reopening, the case next proceeds to briefing under App.R. 26(B), under which the defendant must still be concerned with showing that his appellate counsel was ineffective. Arguing assignments of error that were omitted by the appellate counsel does not, by itself, satisfy the defendant's burden of arguing that appellate counsel was constitutionally ineffective in failing to present those assignments of error. (Decided 9-24-25; Medina County)

State v. Staffrey, 2025-Ohio-2889. The Court (6-1) concluded that the trial court erred in granting judicial release under R.C. 2929.20. An offender must be serving a "stated prison term" to be able to invoke the judicial-release mechanism under R.C. 2929.20, and the aggregate pre-S.B. 2 indefinite sentence of 15 to 50 years being served by the defendant did not qualify as a "stated prison term." (Decided 8-19-25; State's appeal, Mahoning County)

State v. T.W.C., 2025-Ohio-2890. The Court (7-0) reaffirmed that the sealing of a conviction remains unavailable when the defendant has failed to pay restitution as ordered by the sentencing court in the judgment of conviction, even when the sentencing court had

characterized the order as a “civil judgment.” (Decided 8-19-25; State’s appeal, Franklin County)

State v. Crawl, 2025-Ohio-2799. The Court (7-0) recognized that the defendant’s pattern of conduct was sufficient to support his conviction for menacing by stalking, when the conduct included wildly-inappropriate comments of love and friendship to the victim when they were not even acquainted, and included the defendant showing up uninvited to the victim’s home and attempting to gain entry. (Decided 8-12-25; Montgomery County)

State v. Brown, 2025-Ohio-2804. The Court (7-0) held that drug dealer Armijo’s conspiratorial relationship to the enterprise was sufficient to make her a part of the enterprise so that venue for the RICO prosecution was proper in Henry County, where she transacted some of the drugs involved. (Decided 8-12-25; Henry County)

Newly-Accepted Criminal Law Cases Since 8/1/25

25-952/962 *State v. Burrell* Whether a trial court’s order amending a domestic-violence charge to delete a degree-raising prior-conviction element amounts to a dismissal of part of the indictment so that the State can immediately appeal as of right under R.C. 2945.67(A). (State’s appeals; Muskingum County)

25-913 *State v. Jones* (1) Whether R.C. 2953.74 requires the court to determine whether an exclusion result would be outcome determinative, rather than allowing DNA testing to be ordered based on speculation that “DNA from a third-party” would be outcome determinative; (2) Whether the appellate court substituted its own judgment for that of the trial court and misapplied the abuse of discretion standard when reviewing the trial court’s decision to reject the application for postconviction DNA testing. (State’s appeal; Stark County)

25-912 *State v. Barton* Whether the drug dog’s brief three-second instinctual intrusion of its head into the open driver’s side window of a lawfully stopped vehicle before the dog alerted constituted a Fourth Amendment violation. (Hamilton County)

25-573 *State v. McClain* (1) Whether the 2-1 appellate majority was applying a de facto “manifest weight” standard in reversing based on alleged “insufficiency”; (2) Whether the State satisfied its burden of production under R.C. 2907.02(A)(1)(c) to prove the defendant’s knowledge of the victim’s substantial impairment when the victim’s testimony permitted reasonable inferences of such knowledge; (3) Whether certain out-of-court statements violated the hearsay rule when they were merely admitted to explain the actions of the victim and other witnesses. (State’s appeal; Cuyahoga County)

25-670 *State v. Holliman* Whether a defendant found guilty of one-year and three-year firearm specifications can be sentenced by the trial court to only the one-year firearm term when the prosecutor objects and would elect the three-year firearm term instead. (State’s appeal; Cuyahoga County)

Upcoming Oral Arguments

23-1001 *State v. Fips* Whether an officer, when confronted with evidence of an unrelated crime during a reasonably valid traffic stop, is required to abandon that investigation if the officer later learns that the stop may have been premised on a reasonable mistake. (State’s appeal; Cuyahoga County) (Argument on 11-18-25)

24-1655/1732 *State v. Seymour* (1) Whether the concepts of “cause . . . as a proximate result” in R.C. 2903.04(A) and “cause” in R.C. 2925.02(A)(3) require strict but-for causation or rather require proof that the defendant’s conduct was a substantial or contributing factor in the death or serious physical harm; (2) Even if R.C. 2903.04(A) or R.C. 2925.02(A)(3) require but-for causation, whether the State can satisfy that standard by showing that the death or serious physical harm would not have occurred absent the defendant’s conduct, so that the State need not prove that the defendant’s conduct alone would have caused death or serious physical harm, as the existence of other necessary causes does not negate but-for causation. (State’s appeals; Franklin County) (Argument on 11-18-25)

25-93 *State v. Thoen* (1) Whether jeopardy attaches when a trial court unconditionally accepts a defendant’s guilty plea; (2) When the trial court erroneously accepted the defendant’s guilty plea, whether there was a manifest necessity for the prosecution to dismiss the bill of information and to indict the case when any such error could be resolved by restoring the parties to their pre-plea positions. (Knox County) (Argument on 11-18-25)

24-1715 *State v. Bradley* Whether plain error occurred when the trial court failed to instruct on transferred self-defense when the jury was otherwise instructed on self-defense without defense objection. (State’s appeal; Belmont County) (Argument on 11-19-25)

24-1759 *State v. Johnson* Whether R.C. 2953.33, governing the sealing of records for persons found not guilty, applies to persons found not guilty by reason of insanity. (Lucas County) (Argument on 11-19-25)

24-1769 *State v. Reillo* Whether an appellate court erred under manifest-weight review in substituting its judgment for that of the trier of fact. (State’s appeal; Cuyahoga County) (Argument on 11-19-25)

25-30 *State v. Barnes* Whether victims have the constitutional right to seek a delayed appeal. (Victim’s appeal; Cuyahoga County) (Argument on 12-9-25)

24-1475 *State v. Knight* (1) Whether individual errors that do not affect the trial’s outcome can be considered under the cumulative-error doctrine; (2) whether the denial of a requested continuance of a post-trial hearing can be considered under the cumulative-error doctrine when that decision could not have impacted the outcome of the trial; (3) whether an appellate court can find an abuse of discretion when it admits that there was a logical reason for the trial

court's decision. (State's appeal; Mahoning County) (Argument on 12-10-25)

25-91 *State v. Mathis* When officers are confronted with evidence of a crime during a valid traffic stop, whether they are required to abandon the investigation of that crime simply because the crime may be unrelated to the initial subjective reason for the stop. (State's appeal; Cuyahoga County) (Argument on 12-10-25)

Keep an Eye Out for These Cases Awaiting Decision

23-1531 *In re P.M.S.* Whether rape by force occurs when the only evidence of force is the physical exertion inherent in the sexual act itself. (Warren County) (Argument on 2-11-25)

23-1614 *State v. Morris* (1) Whether the appellate court erred in rejecting *Montejo v. Louisiana*, 556 U.S. 778 (2009), for purposes of the Ohio Constitution by holding that a request for counsel at a first appearance amounts to an invocation of counsel and therefore cuts off the ability of police to initiate an interrogation of the defendant outside of court; (2) Whether the right to counsel attaches on the filing of a criminal complaint; (3) Whether the defendant unequivocally invoked the right to counsel when he asked during the interrogation "I can't see a lawyer?" (State's appeal; Hamilton County) (Argument on 2-12-25)

23-772 *State v. Jones* Whether an appellate court abuses its discretion in denying leave to appeal the granting of a new trial in a 26-year-old capital case when the State complies with App.R. 5(C)'s requirements, timely sets forth errors for review, and shows it has evidentiary support for the claimed errors. (State's appeal; Hamilton County) (Argument on 2-13-25)

24-458 *State v. Bostick* When evidence that the defendant was not the perpetrator of the crime is withheld from the defense and not discovered until after conviction, and when the exculpatory value of the evidence is dependent upon its credibility, whether a trial court must conduct an evidentiary hearing prior to ruling on a motion for new trial prompted by that evidence. (Cuyahoga County) (Argument on 4-2-25)

24-669 *State v. Balmert* (1) For purposes of the aggravated vehicular assault (AVA) charge, whether the State provided sufficient evidence that the defendant's OVI-metabolite violation was a proximate cause of the injuries; (2) After a bench trial, whether the trial court's acquittal of the defendant on the OVI-impaired count created a double jeopardy bar that should have prevented the appellate court from relying on evidence of impairment in upholding the guilty finding on the AVA charge. (Lorain County) (Argument on 4-23-25)

24-540/541 *State v. Musarra* (1) Whether the non-element of venue is a proper basis for a mid-trial Crim.R. 29(A) "judgment of acquittal"; (2) Whether a purported "acquittal" based on venue under Crim.R. 29(A) constitutes a "final verdict" that bars the State from pursuing an appeal by leave under R.C. 2945.67(A). (State's appeal; Cuyahoga County) (Argument on 5-13-25)

24-882 *State v. Gowdy* Whether the trial court's statements vitiated the validity of the defendant's guilty plea when the court had reviewed a surveillance video of the incident and indicated before the plea that the court would not instruct on self-defense. (Hamilton County) (Argument on 6-24-25)

24-899 *State v. Ballish* Whether the test from *State v. Jones*, 49 Ohio St.3d 51 (1990), is applicable to a community-control condition that is specifically authorized by statute. (State's appeal; Geauga County) (Argument on 6-25-25)

24-1038 *State v. Fraley* Whether the 365-day time period for filing a post-conviction petition after the filing of the transcript in the court of appeals in the direct appeal will be considered to start running when the transcript is not filed during the direct appeal but, instead, is only filed during a reopened appeal. (Butler County) (Argument on 6-25-25)

23-891 *State v. Brinkman* Death Penalty case (Cuyahoga County) (Argument on 8-19-25)

24-930 *State v. Khalif* (1) on State's appeal: Whether a guilty verdict "as charged" is sufficient to comply with R.C. 2945.75(A)(2) and to thereby constitute a guilty verdict for the charged offense (instead of the least degree of the offense); (2) on defendant's cross-appeal: Whether the "Stand Your Ground" statutory amendment as to self-defense effective on 4-6-21, which removed the duty to retreat for most situations, applies to post-effective-date trials of offenses that occurred before the amendment's effective date. (Franklin County) (Argument on 8-20-25)

24-1187/1301 *State v. Simmons* Whether evidence of force in the nature of manipulating a sleeping victim's clothing to facilitate sexual conduct with the victim is sufficient by itself to establish forcible rape in violation of R.C. 2907.02(A)(2), or whether said evidence is insufficient because the force did not compel the victim to submit to the sexual conduct in question. (State's appeals; Montgomery County) (Argument on 9-16-25)

24-312 *State v. Polizzi* Whether trial courts and appellate courts must consider the overall number of consecutive sentences and the aggregate sentence when imposing or reviewing consecutive sentences. (Lake County) (Argument on 10-7-25)

24-1050 *State v. Striblin* Whether the Fifth District erred in sustaining the defendant's facial constitutional challenge on Second Amendment grounds after the defendant's no contest plea to a charge under R.C. 2923.121(A) for illegal possession of a firearm on a liquor permit premises. (State's appeal; Muskingum County) (Argument on 10-8-25)

24-749 *State v. McAlpin* (1) Whether a trial court must address a pending motion for leave to file a motion for new trial before issuing a decision on the separately-filed motion for new trial; (2) Whether the court of appeals erred in expanding the scope of the trial court's order to include dispositions of motions that were not

addressed in the trial court's order. (Cuyahoga County) (Argument on 10-28-25)

24-1608 *State v. King* Whether the State can appeal from a trial court's judgment of acquittal entered pursuant to Crim. R. 29(B) following a jury's guilty verdict, when the judgment of acquittal should not be considered a "final verdict" under R.C. 2945.67(A) and when a State's appeal from a post-verdict judgment of acquittal does not violate double jeopardy. (State's appeal; Cuyahoga County) (Argument on 10-28-25)

Ohio Attorney General Opinions

provided by the Ohio Attorney General's website at <https://www.ohioattorneygeneral.gov/Files/Legal/Opinions>

2025-022

Requested by: Greene County Prosecuting Attorney

The Domestic-Relations Division and Juvenile Division of the Greene County Court of Common Pleas qualify as courts of competent jurisdiction to issue warrants for stored electronic communications under 18 U.S.C. §2703. The Probate Division lacks general criminal jurisdiction. Consequently, the probate division is not a court of competent jurisdiction to issue such warrants. If the business of the court requires it, Rule 3.01(B) of the Rules of Superintendence for the Courts of Ohio allows the court's presiding judge to temporarily assign the probate judge to the general division in order to issue a warrant under 18 U.S.C. §2703.

2025-021

Requested by: Butler County Prosecuting Attorney

County contracting authorities and their designated selection committees are subject to R.C. 121.22 of the Open Meetings Law when evaluating, ranking, discussing, and negotiating proposals submitted pursuant to R.C. 307.862. These evaluations, rankings, discussions, negotiations and award decisions may be lawfully conducted in a properly called executive session pursuant to R.C. 121.22(G)(2) and (5). Documents and information generated as a result of an executive session or other meeting to evaluate, rank, discuss, or negotiate such proposals, and the eventual contract award, are public records. The sealed proposals and records related to a subsequent negotiation for a final contract, including ranking sheets or documents, are not subject to public inspection and copying under R.C. 149.43 until after the contract is awarded.

2025-020

Requested by: Greene County Prosecuting Attorney

When county commissioners from multiple counties form a joint board for the purpose of constructing and maintaining a multicounty facility for the training and treatment of juveniles, no county prosecutor from any participating county has a duty to serve as legal counsel to the joint board. (1983 Ohio Atty.Gen.Ops. No. 83-064 approved and followed). The county prosecutor from a single county has no duty to provide legal counsel to the governing board of juvenile judges for a multicounty community corrections facility, nor does the county prosecutor have a duty to represent the juvenile judge from the

prosecutor's county when the judge is acting as a member of the governing board.

2025-019

Requested by: Belmont County Prosecuting Attorney

The additional salary increase for county officials in 2025 Am.Sub.H.B. No. 96 takes effect on September 30, 2025, which is after the start of county treasurers' current term of office. Pursuant to Ohio Constitution Article II, Section 20, prohibiting in-term compensation increases, the county treasurers' salary may only increase at the current annual rate until another term commences.

2025-018

Requested by: Stark County Prosecuting Attorney

A non-home-rule township lacks authority to directly enter into a memorandum of understanding with a chartered nonpublic school to provide school resource officer services to the school.

2025-017

Requested by: Paulding County Prosecuting Attorney

The total amount to be paid by the Paulding County Municipal Clerk to the county law library resources fund cannot exceed \$4,000 under R.C. 307.515(A) in any one calendar year from fines, penalties and forfeited bail, and \$1,200 for violations of R.C. Chapters 4301 and 4303. There is no cap on the amount of monthly deposits to be made for violations of state traffic laws under R.C. 307.515(D). The treasurer of Paulding County or the treasurer of the municipal corporation collecting monies is required to make the required monthly deposit into the Paulding County legal resource fund. (2014 Ohio Atty.Gen.Ops. No. 2014-040, followed.)

2025-016

Requested by: Cuyahoga County Prosecuting Attorney

The Cuyahoga County Prosecutor has all the duties and responsibilities to the County of Cuyahoga that are assigned by R.C. 305.14, 309.08, and 309.09. These duties and responsibilities were not allocated to the county law director through the County Charter. Because these duties and responsibilities require the exercise of judgment and discretion, they may not be delegated by agreement. (2011 Ohio Atty.Gen.Ops. No. 2011-013, followed.)

2025-015

Requested by: Butler County Prosecuting Attorney

The board of county commissioners may enter an agreement with federal immigration authorities, on behalf of the sheriff, to detain aliens subject to removal from the United States in the county jail. If a contract with federal immigration authorities is in place, the 48-hour limit on detention on the basis of a detainer does not apply. The terms of the contract would determine whether the sheriff or deputy sheriffs may transport such aliens in custody.

2025-014

Requested by: Trumbull County Prosecuting Attorney

Compatibility: A finance director of a city may not serve simultaneously as a township fiscal officer in a township that contracts with that city for services.

2025-013

Requested by: Ohio Auditor of State

The annual training requirement of R.C. 3314.037 for community school officials and personnel on the state's public records and open meeting laws is not constrained by statute to the same training that is certified by the attorney general and conducted either by the attorney general or a third party through a contract with the Attorney General. For the purpose of auditing compliance with R.C. 3314.037 when the statute does not stipulate the specific training requirements, the auditor of state has authority to set a reasonable standard for training necessary to ensure community school personnel know how to comply with the public records and open meetings laws.

OPAA Outreach

Fayette County Prosecutor's Office Sexting/Bullying/Bomb Threat School Presentation

Jess Weade, Prosecutor

In approximately 2017, Sean Abbott, then an assistant prosecutor in my office, now the Hancock County Prosecutor approached me about going into local schools and presenting to the students a program on anti-sexting. This was at the time that sexting, and mass sharing of images of students was becoming a very popular juvenile activity. I told him – "Go for it, don't embarrass me."

From there, Sean developed a presentation, communicated with the school districts, attended and put it on. It stayed with Sean for a few years, and from there, the juvenile prosecutor has been in charge of the presentation. After taking a brief Covid hiatus, the office is back in full force with the presentations. In Fayette County, we have two school districts, and we do a presentation yearly at the Middle and High Schools. We ensure that we meet with each grade, from sixth graders through sophomores.

Each year the school districts, and the respective school resource officers tell us what they are seeing as the fixated problem or areas to specifically address. As a result, our program has morphed from the original sexting program to a program outlining harmful and destructive behaviors such as bullying and making threats. As our numbers of bomb threats or threats of gun violence at school increased in juvenile court, we tried to address those issues.

Within the program, the power point contains several real world, not necessarily Fayette County, but real world examples of what can happen and what went wrong. We interact with the kids, and after giving them the law, go through specific scenarios in which they tell us, who committed the felony, and then who goes to prison. In addition, while we talk about consequences within the judicial system, the biggest amount of shock and awe occurs when the students are shown images of people that will see the photos they send, including, us, detectives, jurors, judges, and actual people that have been sentenced for possession of child pornography.

We also show redacted videos that have been captured from school buses where students have been captured making threats and speaking threats into existence. The program is designed to open the eyes of the kids into the actions they take, as well as the consequences that can follow. Coupled with the program, the school system sends out an email fact sheet to all of the parents covering the same topics.

The schools appreciate it, and we believe that this is helping. Kids are going to be kids, and teenagers are going to do stupid things, but it does help.



Emerson McGinnis. Hired as law clerk pending bar results in August, she will be an Assistant Prosecutor effective 11-17-25



Left to Right - Brandi Montgomery (Victim Witness Coordinator), April Keaton (Officer Manager); Jess Weade (Prosecuting Attorney); Rachel Martin (Assistant Prosecuting Attorney); Emerson McGinnis (Assistant Prosecuting Attorney effective 11-17-2025).

From the school – “MTMS would like to extend our sincere thanks to Mr. Weade and his office for visiting today and delivering an important presentation to our students. The session provided valuable insight into the harmful effects and legal consequences of sexting, bullying, and making threats. Our students gained a deeper understanding of these serious issues and the importance of making responsible choices.

At MTMS, we are committed to keeping all students safe, informed, and empowered. We deeply appreciate the continued support of the Fayette County Prosecutor's Office, along with our other community partners at the county and city levels, who work with us to protect and support our students.”

Thank you Fayette County for what you are doing and the article!

OPAA On The Road



Assistant Director Hall was in Carroll County to see current JV standout "Cool Ryan" Barnett getting some playing time on the varsity team against Salem. Thanks to Carroll County Prosecutor (and current OPAA Treasurer) Steve Barnett and his family opening their home to Carla and me!



AD Hall with Mr. and Mrs. Barnett

While using the "avoid freeways" map on the way home we also stopped by Tuscarawas County to have breakfast with Prosecutor Styer.



Prosecutor Styer with the Halls



OPAA Training

Pictures from OPAA events can always be viewed on our social accounts by clicking the icons on the first page.

OPAA Boot Camp

Our 3 day Trial Advocacy Boot Camp was once again held at the beautiful Ohio Northern campus in August. OPAA provided 16 aspiring assistant criminal prosecutors with the opportunity to experience getting ready for a felony jury trial. Those counties/attendees were:

Adams – Randalyn Worley
Ashtabula – Michael Angiolelli
Athens – Nicole Clay
Clermont – Zachary Kennedy
Coshocton – Katelynn Davis
Delaware – Karalyne Noble
Greene – Elliott Biddle
Guernsey – Margaret Schlosser
Lorain – Spencer Luckwitz
Meigs – Abigail Gilkey
Montgomery – Emily Smith
Richland – Tyler Ehret
Ross – Amber Lewis
Summit – Soniya Long
Wayne – Joey Marullo
Williams – Emil Gravelle, III



Thanks to all that attended, trained, and provided for us!

OPAA Fall Training

The 2025 OPAA Fall Training held September 18th and 19th at the Cleveland Crowne Plaza was attended by 168 prosecutors and assistant prosecutors representing 40 counties. Thank you to all that made this training a success!



Captain Chris Kinn and Director Nick Baldauf speak on oral fluid testing.



Champaign county prosecutor Kevin Talebi presents a sexual assault case study from his county at the 2025 OPAA Fall Training.



OSP Sergeant Trevor Jasper with a presentation Crash Reconstruction: Technology, capabilities, and case studies.



Phil Bogdanoff covers our professional conduct session looking at the Osage Murders, combatting bias and discrimination in the prosecutors daily work.



Franklin County Chief Juvenile Assistant Chris Clark filled in at the last minute with a presentation on the bindover process.

More photos of all events can be seen via the [OPAA X page](#)



2025 Training Dates

Annual Meeting - December 4-5, Hilton Columbus at Easton

2025 On-Demand CLE

OPAA members have access to 21.5 online self-study hours, including 5.5 hours professional conduct hours, geared specifically toward Ohio county prosecutors!

All have been approved by the Supreme Court of Ohio Commission on Continuing Legal Education through 12/31/2025.

Most trainings are \$60 each. 2 hour training courses are \$79 and 3 hour presentations are \$119 each. All are available at <https://opaaclewebinars.ce21.com/>

2026 Training Dates

Spring - April 23-24

Summer TBD – We still are waiting for a contract but assume Friday & Saturday after Father’s Day. (June 26th and 27th)

ONU Boot camp – August 5th – 7th (limited to 16 counties)

Fall - September 24-25

Administrative Professionals - October 15

Annual Meeting - December 3-4



Your 2025 OPAA Officers



Keller J. Blackburn
Athens County
President



David P. Fornshell
Warren County
President-Elect



Gwen Howe-Gebbers
Henry County
Vice President



Steven D. Barnett
Carroll County
Treasurer



Christopher R. Tunnell
Ashland County
Secretary

2025 OPAA Executive and Legislative Committee Meeting Dates

November – No Meeting

December – Wednesday, December 3 – Hilton Easton (Annual Meeting)