



October 5, 2020

In Case You Missed It:

[DeWine Cites Boy's Death to Push for Gun Bill: Youngstown Vindicator, September 23, 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.

Legislative News: Two-Week Review

- [SB 369](#) (Sens. Lehner, Manning) **Victim Reparations Fund**, introduced 9.23.20. The bill changes eligibility to the Attorney General's fund for compensating victims of crime. Currently, there is a 10-year look-back for certain offenses and felonies that disqualify claimants; the bill shortens the look-back to 5 years, makes an exception for claimants applying on behalf of minors in their care, and removes the felony drug possession disqualifier. Under certain circumstances, the bill allows immediate family members of victims of specific offenses to apply for compensation, which is capped. Anyone incarcerated or on community control or PRC who is awarded compensation from the AG's fund must wait until final discharge of the case before receiving funds.
- [SB 370](#) (Sen. Brenner) **Arson Penalties**, introduced 9.23.20. The bill generally increases penalties: aggravated arson by causing harm to an occupied structure is an F1 (from an F2); arson is an F5 (from an M1); arson totaling \$1,000 or more is an F3 (from an F4); arson for hire is an F2 (from an F3); other arson violations are F3s (from F4s); disrupting public services is an F3 (from an F4); vandalism is an F4 (from F5), with accompanying increases depending on value of damage; criminal damaging and criminal mischief that causes risk of physical harm is an F5 (from an M1); and criminal mischief that involves computer networks is an F5 (from an M1).
- In [State v. Smith](#) and [State v. Hartman](#), decided 9.22.20, the Ohio Supreme Court held that **other-acts evidence relating to past criminal charges** are permissible but must be probative of a proper particular purpose and must prove something other than a defendant's disposition or propensity to commit certain acts. A trial court's limiting instruction to a jury should be narrowly tailored to state the specific purpose for which the evidence is being offered.
- In [Mohamed v. Eckelberry](#), decided 9.28.20, the Ohio Supreme Court held that in an original action, an appellate court may permit a habeas petitioner to introduce evidence to prove his **excessive-bail claim** and then exercise its own discretion in imposing an appropriate bail amount.
- The Ohio Supreme Court is accepting public comment on [proposed changes](#) to the **Rules of Practice and Procedure** until 11.5.20. Proposed changes include: allowing sanctions and remedy for destruction of electronic discovery (CivR 37); correcting the transfer of an OVI charge to the common pleas court (CrimR 1, 3, 7, 13 and TrafR 2, 3, 13); clarifying electronic appearance is allowed for plea hearings and search warrant applications (CrimR 11, 41); conforming motions for new trials to [Ramirez](#) (CrimR 33); and requiring audio or video recording of any oral argument, to be provided to the public upon request (AppR 21). Comments can be submitted 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 **Ohio Debate Commission** announced that all four of the candidates for the 2020 Ohio Supreme Court races have agreed to participate in a [virtual forum](#), 10.9.20.

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



[Marta Mudri](#)

Legislative Counsel
Civil Law; Specialized Dockets; Community Corrections



[Shawn Welch](#)

Deputy Legislative Counsel
Probate Law; Domestic Relations Law; Juvenile Law



[Josh Williams](#)

Deputy Legislative Counsel
Criminal Law; Traffic Law; Appellate Law; Magistrates



[Justin Long](#)

Legislative Services Specialist;
Publications; PCCO; Professionalism