



ENACTMENT NEWS

Senate Bill 33

LEADS disclosure; Intervention-in-Lieu-of-Conviction

Effective March 23, 2018

On December 22, 2017, Governor Kasich signed Senate Bill 33 (Sen. John Eklund), which made changes relevant to LEADS disclosure law and expanded judicial discretion as it relates to intervention-in-lieu-of-conviction. The bill takes effect on March 23, 2018.

LEADS disclosure

The bill provides that a defendant's traffic or criminal record contained in the law enforcement automated data system, or LEADS, may be disclosed to the defendant or the defendant's counsel when formally requested during discovery. Upon a motion from the prosecution, the court may order the redaction of the residential address, date of birth, social security number, and any photograph of any witness, law enforcement officer, or prosecutor.

ILC – expanded discretion

Under existing law, if a person on an intervention-in-lieu-of-conviction, or ILC, plan fails to comply with any term or condition of the plan, the court shall enter a finding of guilty for the underlying offense. S.B. 33 gives judges greater discretion, allowing a judge to continue the offender on the ILC plan, to impose additional terms or conditions on the offender, or to enter the finding of guilty.