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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

**H.B. 3**  
**133rd General Assembly**

## Bill Analysis

**Version:** As Introduced

**Primary Sponsors:** Reps. Boyd and Carruthers

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### SUMMARY

- Expands the offense of “aggravated murder” to also prohibit purposely causing the death of another when the victim was a family or household member of the offender and the offender has previously been convicted of domestic violence or an offense of violence against a family or household member.
- Includes as an aggravating circumstance used for determining whether a person convicted of aggravated murder might face a sentence of death the fact that the victim was a family or household member and the offender had previously been convicted of domestic violence or an offense of violence against a family or household member.
- Expands the offense of “child endangering” to include the offense of domestic violence in an occupied structure when a child is present.
- Expands the definition of “family or household member” for the purpose of petitioning for certain protection orders to include a child whose guardian or custodian is a spouse, person living as a spouse, or former spouse of the respondent and who is residing with or has resided with the respondent.
- Requires every court that issues domestic violence protection orders to have a judge or designated magistrate available to accept a petition for a domestic violence protection order 24 hours a day, 7 days a week.
- Requires each agency, instrumentality, or political subdivision that is served by a peace officer with arrest authority to create a domestic violence high risk team (DVHRT) for handling alleged incidents of domestic violence and alleged incidents of violating a protection order whose victims are determined to be high risk.
- Allows two or more agencies, instrumentalities, or political subdivisions to create a joint DVHRT to cover the geographic area of the combined jurisdiction of the agencies, instrumentalities, or political subdivisions.

- Requires each DVHRT to create policies and procedures, including a policy that peace officers who serve the agency, instrumentality, or political subdivision automatically refer any case of domestic violence that involves an allegation of strangulation to the DVHRT.
- Requires the Attorney General to adopt rules to require that peace officer basic training include training on evidence-based lethality assessment screening tools and DVHRTs.
- Encourages prosecutors to adopt “no-drop” policies for cases of domestic violence.
- Makes changes to evidentiary procedures in criminal cases involving domestic violence and in civil actions to recover damages based on an injury to person or property based on a criminal act of domestic violence.

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## TABLE OF CONTENTS

Aggravated murder .....	3
New offense circumstances .....	3
Death penalty – aggravating circumstances .....	3
Background – capital sentencing law .....	4
Child endangering .....	4
Domestic violence protection orders .....	5
Family or household member .....	5
24/7 access .....	5
Domestic violence high risk teams .....	6
Joint domestic violence high risk teams.....	6
Duties of domestic violence high risk teams.....	7
Domestic violence law enforcement training.....	7
Annual professional training .....	7
Local law enforcement policies.....	8
Domestic violence training.....	8
No-drop policies.....	9
Evidence in civil and criminal domestic violence actions .....	9
Background – hearsay .....	10
Hearsay – statement made at or near the time of physical injury or statement of victim who is 65 or older or a dependent adult .....	10
Requirements for specified hearsay exceptions .....	11
Hearsay – wrongdoing procured unavailability of witness.....	12
History of domestic violence – not admissible character evidence.....	12

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## DETAILED ANALYSIS

### Aggravated murder

#### New offense circumstances

The bill expands the offense of “aggravated murder” to include domestic violence circumstances. Under the bill, a person commits aggravated murder if they purposely cause the death of another when the victim was a family or household member of the offender, and the offender has previously been convicted of domestic violence or an offense of violence against a family or household member. Under continuing law, aggravated murder is punishable by a sentence of death or life imprisonment. The sentence is determined under special sentencing provisions described below in “**Background – capital sentencing law.**”<sup>1</sup>

“Family or household member,” for purposes of the expanded aggravated murder offense, means:<sup>2</sup>

- Any of the following who is residing with or has resided with the respondent:
  - A spouse, person living as a spouse, or a former spouse of the respondent;<sup>3</sup>
  - A parent, a foster parent, or a child of the respondent, or another person related by consanguinity or affinity to the respondent;
  - A parent or a child of a spouse, person living as a spouse, or former spouse of the respondent, or another person related by consanguinity or affinity to a spouse, person living as a spouse, or former spouse of the respondent;
  - A child whose guardian or custodian is a spouse, person living as a spouse, or former spouse of the respondent (this provision is added by the bill and discussed below under “**Domestic violence protection orders; Family or household member**”).
- The natural parent of any child of whom the respondent is the other natural parent or is the putative other natural parent.

#### Death penalty – aggravating circumstances

The bill also expands the list of aggravating circumstances that, if specified in an indictment for aggravated murder and proved beyond a reasonable doubt, may result in imposition of the death penalty. Under the bill, if the victim of the offense was a family or household member of the offender and the offender had previously been convicted of domestic violence or an offense of violence against a family or household member, the

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<sup>1</sup> R.C. 2903.01(G).

<sup>2</sup> R.C. 2903.01(I)(5), by reference to R.C. 3113.31.

<sup>3</sup> References to “respondent” in the definition result from the definition’s location within another statute and should probably be to “defendant” to reflect the criminal nature of the proceedings.

offender may receive the death penalty (see “**Background – capital sentencing law,**” below).<sup>4</sup>

### **Background – capital sentencing law**

Under continuing law, the only situation in which a person may face a sentence of death is when the person is convicted of the offense of “aggravated murder” and of a specification of an “aggravating circumstance.” If a person is convicted of the offense but no aggravating circumstance specification, the court must sentence the person to life imprisonment with parole eligibility after serving 20 years of imprisonment or a special type of sentence of life imprisonment under the Sexually Violent Predator Law.<sup>5</sup> If a person is convicted of the offense and one or more aggravating circumstance specifications, the trial jury and trial judge or, if the person was not tried by a jury, the three-judge panel that tried the case conducts a sentencing hearing to determine the sentence to impose on the person. The person may be sentenced to death only if the trial jury and trial judge, or the three-judge panel, determines at the hearing in accordance with specified procedures that the aggravating circumstances the person was convicted of committing outweigh all mitigating factors in the case. If the trial jury and trial judge, or the three-judge panel, does not sentence the person to death, it must sentence the person to life imprisonment without parole, life imprisonment with parole eligibility after serving 30 full years of imprisonment, life imprisonment with parole eligibility after serving 25 full years of imprisonment, or a special type of sentence of life imprisonment under the Sexually Violent Predator Law.<sup>6</sup>

### **Child endangering**

Under the bill, a person who commits domestic violence, in violation of existing law, in an occupied structure where one or more children under 18 years old are present, is also guilty of endangering children. A violation of endangering children under these circumstances is a first degree misdemeanor.

A person may be convicted of endangering children under this provision in addition to any conviction for domestic violence for the conduct that constitutes the basis for the endangering children offense. This new endangering children offense is a strict liability offense and, outside of the degree of culpability required to prove domestic violence that constitutes the basis of the endangering children offense, existing law that requires every new criminal offense to specify a degree of mental culpability does not apply.

The designation of this offense as a strict liability offense is not to be construed to imply that any other offense for which there is no specified degree of culpability, whether in this section or another section of the Revised Code, is not a strict liability offense.<sup>7</sup>

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<sup>4</sup> R.C. 2929.04(A)(11).

<sup>5</sup> R.C. 2929.022(B).

<sup>6</sup> R.C. 2929.02 and 2929.03, not in the bill; and R.C. 2929.022 and 2929.04.

<sup>7</sup> R.C. 2919.22(D) and (F)(6) with conforming changes in R.C. 4510.13 and 4510.31.

For purposes of the new endangering children offense, “occupied structure” means any house, building, outbuilding, watercraft, aircraft, railroad car, truck, trailer, tent, or other structure, vehicle, or shelter, or any portion of such a space, to which any of the following applies:<sup>8</sup>

1. It is maintained as a permanent or temporary dwelling, even though it is temporarily unoccupied and whether or not any person is actually present.
2. It is occupied as the permanent or temporary habitation of any person, whether or not any person is actually present.
3. At the time, is specially adapted for overnight accommodation of any person, whether or not any person is actually present.
4. At the time, any person is present or is likely to be present in it.

## **Domestic violence protection orders**

### **Family or household member**

The bill expands the definition of “family or household member” to include a child whose guardian or custodian is a spouse, person living as a spouse, or former spouse of the respondent and who is residing with or has resided with the respondent. As a result, a guardian or custodian of such a child may petition for a domestic violence protection order, a juvenile civil protection order, or a civil stalking protection order on behalf of such a child.<sup>9</sup>

For purposes of this provision, a child is a person under 18 years old, a custodian is an individual with legal custody of a child, and a guardian is an individual granted authority by a probate court to exercise parental rights over a child to the extent provided in the court’s order and subject to the residual parental rights, privileges, and responsibilities of the child’s parents.<sup>10</sup>

### **24/7 access**

Not later than 90 days after the bill’s effective date, every court that issues domestic violence protection orders must have a judge or designated magistrate available to accept a petition for a domestic violence protection order 24 hours a day, 7 days a week.<sup>11</sup>

Under continuing law, the following courts handle domestic violence protection orders:<sup>12</sup>

- The domestic relations division of the court of common pleas in a county that has a domestic relations division;

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<sup>8</sup> R.C. 2919.22(J)(4), by reference to R.C. 2909.01, not in the bill.

<sup>9</sup> R.C. 3113.31(A)(3)(a)(iv), and R.C. 2151.34 and 2903.214, not in the bill.

<sup>10</sup> R.C. 3113.31(A)(10) by reference to R.C. 3109.51, not in the bill.

<sup>11</sup> R.C. 3113.31(D)(1).

<sup>12</sup> R.C. 3113.31(A)(2).

- The court of common pleas in a county that does not have a domestic relations division;
- The juvenile division of the court of common pleas if the person to be protected by an order is younger than 18 years old.

### **Domestic violence high risk teams**

Within 90 days after the bill's effective date, the chief law enforcement officer of each agency, instrumentality, or political subdivision that is served by any peace officer who has arrest authority for violations of state or local law, must create a domestic violence high risk team (DVHRT) for handling alleged incidents of domestic violence and alleged incidents of violating a protection order whose victims are determined to be high risk.<sup>13</sup>

All of the following members must be appointed by the chief law enforcement officer of the agency, instrumentality, or political subdivision to the DVHRT:<sup>14</sup>

- At least one peace officer, probation officer, or parole officer who regularly handles domestic violence cases and works in partnership with community advocacy groups to connect victims of domestic violence with available resources;
- At least one person who represents a community advocacy group that responds to domestic violence cases and who works in partnership with peace officers handling domestic violence cases;
- Any other person whom the chief law enforcement officer determines is necessary to allow the team to keep victims safe, refer victims to available community resources, and hold abusers accountable.

### **Joint domestic violence high risk teams**

Two or more agencies, instrumentalities, or political subdivisions may work together to create a joint DVHRT to serve a geographic area consisting of the cumulative geographic jurisdiction of each of the agencies, instrumentalities, and political subdivisions participating in the DVHRT. The chief law enforcement officers of agencies, instrumentalities, or political subdivisions participating in the joint DVHRT must choose one chief, among themselves, to serve as head of the joint team. The head of the joint DVHRT must appoint members to the joint DVHRT in the same manner as the chief law enforcement officer appoints members to a single jurisdiction team, as outlined above.<sup>15</sup>

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<sup>13</sup> R.C. 2935.033(B).

<sup>14</sup> R.C. 2935.033(C).

<sup>15</sup> R.C. 2935.033(D).

## Duties of domestic violence high risk teams

Each DVHRT must create individualized intervention plans that incorporate the entire domestic violence response system to increase victim safety and hold offenders accountable and must be built based on the following fundamental strategies:<sup>16</sup>

- Early identification of high risk cases through the use of risk assessment;
- Engagement of a multidisciplinary team;
- Ongoing monitoring and management of high risk offenders;
- Victim services.

The bill requires each DVHRT to adopt written policies, written procedures implementing the policies, and any other necessary written procedures for the peace officers who serve the agency, instrumentality, political subdivision, or geographic region to follow in screening alleged incidents of domestic violence and alleged incidents of violating a protection order for referral to the DVHRT. The policies and procedures must include all of the following:<sup>17</sup>

- A requirement that peace officers who serve the agency, instrumentality, or political subdivision automatically refer any case of domestic violence that involves an allegation of strangulation to the DVHRT;
- A lethality assessment screening tool, selected by the team from those qualified by the Attorney General (AG) under “**Domestic violence training**,” below, to be used by peace officers to screen victims of alleged incidents of domestic violence and alleged incidents of violating a protection order for referral to the DVHRT;
- Procedures for connecting high risk victims to domestic violence advocacy programs, community and faith-based programs, nonprofit mental health programs, and other programs that may be able to assist high risk victims;
- Procedures for the team to consult with prosecutors on charges and negotiated plea agreements in cases referred to the DVHRT.

## Domestic violence law enforcement training

### Annual professional training

The bill requires the AG, with the advice of the Ohio Peace Officer Training Commission (OPOTC), to adopt rules, in accordance with the Administrative Procedure Act<sup>18</sup> that require every peace officer and trooper who handles complaints of domestic violence to complete annual professional training on both of the following:

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<sup>16</sup> R.C. 2935.033(B).

<sup>17</sup> R.C. 2935.033(E).

<sup>18</sup> R.C. Chapter 119.

- Intervention techniques in domestic violence cases and the use of an evidence-based lethality assessment screening tool to determine the level of risk to a victim of domestic violence;
- The referral of high risk victims to a DVHRT.

Additionally, the AG must adopt rules, with the advice of OPOTC to allow OPOTC to pay for this training using federal funds made available to the state or localities pursuant to a program of the United States Department of Justice or using funds appropriated by the General Assembly or allocated for that purpose by the AG.<sup>19</sup>

### **Local law enforcement policies**

Under existing law, each agency, instrumentality, or political subdivision that is served by any peace officer must adopt written policies, written procedures implementing the policies, and other written procedures for the appropriate response to each report of an alleged incident of domestic violence or violating a protection order. The bill requires those entities to include an additional policy to require a peace officer to screen a victim of domestic violence or violating a protection order using an evidence-based lethality assessment screening tool to determine if the case should be referred to the appropriate DVHRT.<sup>20</sup>

### **Domestic violence training**

The bill requires the AG to include both of the following in rules that govern the training of peace officers in the handling of domestic violence, domestic violence-related offenses and incidents, and protection orders or consent agreements issued under continuing law:<sup>21</sup>

- A requirement that basic training for peace officers include training in using an evidence-based lethality assessment screening tool to determine the level of risk to a victim of domestic violence and to refer high risk victims to a DVHRT;
- A list of validated and evidence-based lethality assessment screening tools that constitute “qualified lethality assessment screening tools,” including all of the following:
  - The domestic violence lethality screen for first responders developed by the Maryland Network Against Domestic Violence;
  - The danger assessment for law enforcement tool developed by the Jeanne Geiger Crisis Center;
  - Any other lethality assessment screening tool endorsed by the United States Department of Justice and found to meet criteria established by the AG.

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<sup>19</sup> R.C. 109.803(B)(4) and (5).

<sup>20</sup> R.C. 2935.032(A)(2)(e).

<sup>21</sup> R.C. 109.744(B)(4) and (C).

## No-drop policies

The General Assembly, in enacting this bill, encourages prosecuting attorneys to employ no-drop policies in an effort to curb instances of domestic violence. No-drop policies rely on a presumption against seeking voluntary dismissal or a formal entry dropping charges in a case related to an incident of domestic violence and may include any of the following:<sup>22</sup>

- A policy of informing the victim in a domestic violence case that the office generally does not drop charges of domestic violence, but that there are exceptions under certain circumstances;
- A requirement that the victim of the offense of domestic violence speak to a victim's advocate or prosecutor before charges may be dropped;
- A requirement that certain categories of crimes or offenders be removed from consideration for voluntary dismissal or a formal entry dropping charges, such as offenders with prior domestic violence convictions, offenders who have another concurrent case of domestic violence pending, or offenders on probation;
- A policy that charges of domestic violence not be voluntarily dismissed prior to an initial hearing;
- A requirement that, in the event that a victim requests a pending domestic violence charge be dismissed, the victim be advised of the increased risk of being victimized;
- A requirement that the victim of an offense of domestic violence be asked to watch a video program about domestic violence or attend a victims' support group meeting prior to voluntarily dismissing domestic violence charges;
- A requirement that a victim of domestic violence be permitted to sign a "no drop form" that the court may hold for 90 days, after which time the prosecutor will file a motion to dismiss if no further violence occurs.

## Evidence in civil and criminal domestic violence actions

The bill makes changes to procedures in criminal proceedings involving domestic violence and civil actions to recover damages based on an injury to person or property based on a criminal act of domestic violence (see **COMMENT**, below).<sup>23</sup> The changes apply to any criminal proceedings involving domestic violence initiated or pending as of January 1, 2020, and civil actions to recover damages based on an injury to person or property based on a criminal act of domestic violence initiated or pending as of January 1, 2020.<sup>24</sup>

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<sup>22</sup> Section 3.

<sup>23</sup> R.C. 2307.602, 2307.603, 2945.483, and 2945.484.

<sup>24</sup> R.C. 2307.602(G), 2307.603(G), 2945.483(G), and 2945.484(G).

## **Background – hearsay**

Under the Rules of Evidence promulgated by the Ohio Supreme Court, “hearsay” is a statement, other than one made by the declarant while testifying at the trial or hearing, offered in evidence to prove the truth of the matter asserted. A “declarant” is a person who makes a statement. Under the Rules of Evidence, hearsay is not admissible except as otherwise provided by the U.S. Constitution, the Ohio Constitution, or a statute enacted by the General Assembly not in conflict with a rule of the Supreme Court of Ohio, by the Rules of Evidence, or by other rules prescribed by the Supreme Court of Ohio.<sup>25</sup>

### **Hearsay – statement made at or near the time of physical injury or statement of victim who is 65 or older or a dependent adult**

Under the bill, evidence of a statement by a declarant is not made inadmissible by the hearsay rule if all of the following conditions are met:<sup>26</sup>

- The statement purports to narrate, describe, or explain the infliction or threat of physical injury on the declarant.
- The declarant is unavailable as a witness under Evidence Rule 804.
- The statement was made at or near the time of the infliction or threat of physical injury (evidence of statements made more than five years before the filing of the current action or proceeding are inadmissible).
- The statement was made under circumstances that would indicate its trustworthiness.
- The statement was made in writing, was electronically recorded, or was made to a physician, nurse, paramedic, or law enforcement officer.

Circumstances relevant to the issue of trustworthiness include (1) whether the statement was made in contemplation of pending or anticipated litigation in which the declarant was interested, (2) whether the declarant has a bias or motive for fabricating the statement, and the extent of any bias or motive, and (3) whether the statement is corroborated by evidence other than statements that are admissible only pursuant to the bill.<sup>27</sup>

Additionally under the bill, evidence of a statement made by a declarant is not made inadmissible by the hearsay rule if the declarant is unavailable as a witness, under Evidence Rule 804, and all of the following are true:<sup>28</sup>

- The party offering the statement has made a showing of particularized guarantees of trustworthiness regarding the statement, the statement was made under circumstances which indicate its trustworthiness, and the statement was not the result of promise,

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<sup>25</sup> Evid. R. 801 and 802.

<sup>26</sup> R.C. 2307.602(A) and 2945.483(A).

<sup>27</sup> R.C. 2307.602(C) and 2945.483(C).

<sup>28</sup> R.C. 2307.602(B) and 2945.483(B).

inducement, threat, or coercion (in making its determination, the court may consider only the circumstances that surround the making of the statement and that render the declarant particularly worthy of belief).

- There is no evidence that the unavailability of the declarant was caused by, aided by, solicited by, or procured on behalf of, the party who is offering the statement.
- The entire statement has been memorialized in a videotape recording made by a law enforcement official, prior to the death or disabling of the declarant.
- The statement was made by the victim of the alleged domestic violence.
- The statement is supported by corroborative evidence.
- The victim of the alleged domestic violence is an individual who was 65 years of age or older or was a dependent adult when the alleged domestic violence or attempted domestic violence occurred and at the time of any proceeding in the civil action, the victim of the alleged domestic violence is either deceased or suffers from the infirmities of aging as manifested by advanced age or organic brain damage, or other physical, mental, or emotional dysfunction, to the extent that the ability of the person to provide adequately for the person's own care or protection is impaired.

### **Requirements for specified hearsay exceptions**

A statement is admissible under one of the two hearsay exceptions above only if the proponent of the statement makes known to the adverse party the intention to offer the statement and the particulars of the statement sufficiently in advance of the proceedings to provide the adverse party with a fair opportunity to prepare to meet the statement.<sup>29</sup>

If the plaintiff or prosecution intends to offer a statement under one of the two hearsay exceptions above, the plaintiff or prosecution must serve the defendant with a written notice at least ten days before the hearing or trial at which the plaintiff or prosecution intends to offer the statement, unless the plaintiff or prosecution shows good cause for the failure to provide that notice. If good cause is shown, the defendant is entitled to a reasonable continuance of the hearing or trial.<sup>30</sup>

If a statement is offered under one of the two hearsay exceptions above, the court's determination as to the availability of the victim as a witness must be made out of the presence of the jury. If the defendant elects to testify at the hearing on a motion brought pursuant to one of the two hearsay exceptions, the court must exclude from the examination every person except the clerk, the court reporter, the bailiff, the plaintiff and the plaintiff's counsel or the prosecution, the investigating officer, the defendant and the defendant's counsel, an investigator for the defendant, and the officer having custody of the defendant. Regardless of any other provision of law to the contrary, the defendant's testimony at the hearing is not

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<sup>29</sup> R.C. 2307.602(D) and 2945.483(D).

<sup>30</sup> R.C. 2307.602(E) and 2945.483(E).

admissible in any proceeding other than the hearing on the motion to offer a statement under one of the above hearsay exceptions. If a transcript is made of the defendant's testimony, it must be sealed and transmitted to the clerk of the court in which the action is pending.<sup>31</sup>

### **Hearsay – wrongdoing procured unavailability of witness**

The bill also excludes from the hearsay rule a statement that is offered against a party that has engaged, or aided and abetted, in wrongdoing that was intended to, and did, procure the unavailability of the declarant as a witness.<sup>32</sup>

The party seeking to introduce a statement under this wrongdoing exclusion must establish, by a preponderance of the evidence, that the above elements of exclusion have been met at a preliminary hearing. The hearsay evidence that is the subject of the preliminary hearing is admissible at the preliminary hearing. However, a finding that the above elements have been met must not be based solely on a hearsay statement of the unavailable declarant that was not subject to confrontation, and must be supported by independent corroborative evidence.

This preliminary hearing must be conducted outside the presence of the jury. However, if the hearing is conducted after a jury trial has begun, the judge presiding at the hearing may consider evidence already presented to the jury in deciding whether the elements of the exclusion have been met. In deciding whether or not to admit the statement, the judge may take into account whether it is trustworthy and reliable.<sup>33</sup>

### **History of domestic violence – not admissible character evidence**

Under the bill, evidence of the defendant's commission of other acts of domestic violence is not generally inadmissible character evidence in criminal proceedings involving domestic violence and civil actions to recover damages based on an injury to person or property based on a criminal act of domestic violence if it is not otherwise inadmissible under Evidence Rule 403.<sup>34</sup>

In an action in which evidence is to be offered under this provision, the plaintiff or prosecutor must disclose the evidence to the defendant, including statements of witnesses or a summary of the substance of any testimony that is expected to be offered, in accordance with the Rules of Criminal Procedure or Civil Procedure, as applicable.<sup>35</sup>

This provision is not to be construed to limit or preclude the admission or consideration of evidence under any other law.<sup>36</sup>

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<sup>31</sup> R.C. 2307.602(F) and 2945.483(F).

<sup>32</sup> R.C. 2307.603(A)(1) and 2945.484(A)(1).

<sup>33</sup> R.C. 2307.603(A)(2) and 2945.484(A)(2).

<sup>34</sup> R.C. 2307.603(B) and 2945.484(B).

<sup>35</sup> R.C. 2307.603(C) and 2945.484(C).

<sup>36</sup> R.C. 2307.603(D) and 2945.484(D).

However, evidence of acts occurring more than ten years before the conduct involved in criminal proceedings involving domestic violence or civil actions to recover damages based on an injury to person or property based on a criminal act of domestic violence are not admissible under this provision, unless the court determines that the admission of this evidence is in the interest of justice.<sup>37</sup>

“Domestic violence” for purposes of this provision means the occurrence of any of the following acts against a family or household member or against a person with whom the respondent<sup>38</sup> is or was in a dating relationship: (1) attempting to cause or recklessly causing bodily injury, (2) placing another person by the threat of force in fear of imminent serious physical harm or committing the offense of menacing by stalking or aggravated trespass, (3) committing any act with respect to a child that would result in the child being an abused child under continuing law, (4) committing a sexually oriented offense.<sup>39</sup>

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## COMMENT

To the extent that statutes in the bill conflict with Ohio’s Rules of Evidence, they may have no effect.

Division (B) of Article IV, Section 5 of the Ohio Constitution requires the Supreme Court to “prescribe rules governing practice and procedure in all courts of the state, which rules shall not abridge, enlarge, or modify any substantive right.” That constitutional provision also provides a process by which these rules must be adopted and approved by the General Assembly. All laws in conflict with these rules are of no further force or effect after the rules have taken effect. Ohio’s Rules of Evidence, adopted under this procedure, may conflict with provisions in the bill that detail the ways in which a court should treat evidence in civil and criminal domestic violence proceedings. The Supreme Court, in at least one prior case, has found that statutes concerning the admission of evidence that conflict with the Rules of Evidence have no effect.<sup>40</sup>

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<sup>37</sup> R.C. 2307.603(F) and 2945.484(F).

<sup>38</sup> References to “respondent” in this definition result from the definition’s location within another statute and should probably be amended to “defendant” to reflect the applicability of the rules to civil and criminal domestic violence actions.

<sup>39</sup> R.C. 2307.603(E) and 2945.484(E), by reference to R.C. 3113.31.

<sup>40</sup> *In re Coy* (1993), 67 Ohio St.3d 215, 218-219, 616 N.E.2d 1105, 1108.

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## HISTORY

Action	Date
Introduced	05-16-19

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