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Good morning Chairman Thomas, Vice Chair Swearingen, Ranking Member Synenberg, and members of the House Judiciary Committee. Thank you for allowing me to provide proponent testimony on House Bill 36.

I testified on this bill during the previous General Assembly. The arguments have not changed since then, and I have submitted my previous testimony to the committee and respectfully ask that it be entered into the record. I will not try the committee's patience by reiterating the points already made. Once again, I urge you to put this bill to an up-or-down vote.

I appear before you today to raise an additional point not raised previously: inaction is a dishonorable abdication of responsibility.

There are some who believe Ohio should abolish the death penalty. I am not among them, but that in and of itself can be a morally defensible policy position.

No, the dishonor occurs in failing to keep our promises to the family members of the slain... our failure to keep our promises to the juries who sacrificed a piece of their lives to do their duty. The government dishonors your constituents who served on those juries, who were forced to hear and see matters that would turn your stomach – graphic and disturbing details that no one should be forced to know about. The jurors were then required to carry the weight of a decision not merely of guilt, but of execution.

They dutifully shouldered their responsibility.

Ohio's dishonor is thickened and set by allowing private drug companies to veto the public policy and the rule of law in Ohio by simply refusing to provide the drugs they otherwise offer on the open market. Ladies and Gentlemen, *they are defying the law that this body enacted.*

Since the current Governor took office, he has granted 57 reprieves to 25 defendants. To be sure, he has an unfettered right to grant clemency should he wish. But he has not done so, nor has he asked this General Assembly to repeal the capital punishment law he helped author.

Of the 114 people currently on Death Row, 42 of them have no further appeal – that's more than a third. All that prevents their sentences from being imposed is the failure of will of this State's government.

My friends, we are lying to ourselves. This committee can provide the means to carry out the law -- or begin a repeal of the law. Either way you choose, let us have the moral courage to own

our conviction. This current impasse of inaction demeans the very idea of representative democracy and the rule of law. It demeans us all.

Chairman Thomas and members of the committee, thank you again for allowing me to provide proponent testimony before you today. I'd be happy to take any questions at this time.