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Senate Judiciary Committee
SB 295 Sponsor Testimony
October 29, 2025

Vice Chair Reynolds, Ranking Member Hicks-Hudson, and members of the Committee, thank you for the opportunity to testify on Senate Bill 295, which would extend the timeline for prosecutors to restore a defendant to competency to stand trial.

This bill came to us as a result of a recent pre-trial competency case surrounding the July 2024 murder of Cleveland police officer Jamieson Ritter. The defendant, Delawnte Hardy, was deemed incompetent to stand trial for the murder of Officer Ritter and ordered to undergo treatment to restore him to competency beginning September 2024. Under current law, the timeline for restoring competency for the most serious charges such as aggravated murder is one year from the start of treatment, at which point the case is dismissed if the defendant is not deemed competent. Delawnte Hardy refused his treatment for over five months, thus delaying his restoration to competency and attempting to "run out the clock" on the one-year timeline. In fact, Mr. Hardy had a previous misdemeanor case dismissed as a result of this strategy.

This bill would change this timeline from one year to five years for the most serious charges such as aggravated murder, including murder of a police officer. It would require the chief clinical officer of the treatment facility to report a patient's refusal of medication to the court within 14 days, and further require the court to "toll" the amount of time in which the medication was refused against the restoration to competency timeline.

In the case of Delawnte Hardy, Judge Ashley Kilbane ruled that the five months that Hardy refused medication would not count toward the one-year timeline. We believe this was a fair ruling and we want to ensure future cases are handled in the same manner. Additionally, given the severity of aggravated murder, we believe the competency timeline should be extended to five years to allow for even the most complex competency cases to proceed to trial when necessary.

Thank you for the opportunity to testify on this legislation. I will now allow my joint sponsor, Senator Manning, to provide more details on Senate Bill 295.