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Ohio Senate Judiciary Committee
1 Capitol Square, Ground Floor
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Chairman Manning and members of the Committee,

I write today in support of Senate Bill 295, which would increase the timeline for restoration of competency treatment for serious offenses, and codify recent court decisions.

Currently, when a defendant undergoes treatment to restore competency to stand trial, a blanket timeline exists for all offenses. A defendant, no matter what they have been charged with, may only undergo treatment for one year. SB 295 would extend the timeline for treatment to five years for the most serious offenses – murder, aggravated murder, or complicity in those. The bill would also codify a tolling of the competency timeline if a defendant refuses medication or other treatment.

The need for these changes is evident from the proceedings related to the murder of Cleveland Police Officer Jamieson Ritter. His accused killer refused medication and treatment for five months, and his doctors had no duty to notify the court of this refusal of treatment. The defendant has allegedly used this same loophole in the past, and walked free. The timeline for restoration of competency is meant to balance the state's and victim's interests with a defendant's personal rights. The balance is thrown off if a refusal or petition regarding treatment is counted against the treatment timeline. The bill's changes restore that balance and ensure a defendant cannot abuse the system by running out the clock on their treatment and criminal trial.

SB 295 is an important step in preventing defendants with mental health issues from slipping through the cracks of our justice system. I thank you, Chairman Manning, and Senator Patton, for your swift work on this issue. I would be happy to discuss this legislation with you or members of your committee at their convenience.

Sincerely,

Dave Yost
Ohio Attorney General