



DAVE YOST

OHIO ATTORNEY GENERAL

Policy & Legislation

June 12, 2023

To Whom It May Concern:

I write to offer my support of Senate Bill 122 and House Bill 191. The purpose of these identical bills is to include the provisions of the Criminal Rule 46 as it currently exists in the Ohio Revised Code. This new development has necessitated immediate action to harmonize the Ohio Constitution, as recently amended, with the Ohio Revised Code.

Criminal Rule 46 has long governed Ohio's policies on pre-trial release, detention, and bail. The language has been successful in providing courts with guidance as they navigate this often-complex landscape.

Last year, Ohioans voted by an overwhelming majority to amend the state's constitution to require that courts consider public safety as a factor when setting bail. In the wake of this fortuitous election result, the rules package submitted by the Ohio Supreme Court to the General Assembly this month included a repeal of Criminal Rule 46.

Should the state legislature neglect to act prior to July 1st, 2023, the rule will be repealed. A repeal of Criminal Rule 46 would almost certainly cause serious confusion throughout Ohio's judicial system. To avoid potential chaos, this legislation must swiftly pass through the legislature.

It is for the aforementioned reasons that I support the codification of Criminal Rule 46 through the passage of Senate Bill 122, or House Bill 191. I commend the sponsors, Senator Manning, Senator Hicks-Hudson, Representative Seitz, and Representative Swearingen for introducing the legislation expeditiously.

Respectfully,

A handwritten signature in blue ink, appearing to read "Dave Yost", with a long horizontal flourish extending to the right.

Dave Yost
Ohio Attorney General