



Ohio Legislative Service Commission

Bill Analysis

David M. Gold

H.B. 445

130th General Assembly
(As Introduced)

Reps. R. Hagan, Foley, Phillips

BILL SUMMARY

- Requires that the Governor and Director of Rehabilitation and Correction be present at the execution of a death sentence.

CONTENT AND OPERATION

Presence of Governor and Director of Rehabilitation and Correction at executions

The bill requires that the Governor and the Director of Rehabilitation and Correction be present at the execution of a death sentence.¹

Existing law does not specify who *must* be present at an execution, but it provides that only the following persons *may* be present:²

(1) The warden of the state correctional institution in which the sentence is executed or a deputy warden, any other person selected by the Director to ensure that the death sentence is executed, any persons necessary to execute the death sentence by lethal injection, and the number of correction officers that the warden thinks necessary;

(2) The sheriff of the county in which the prisoner was tried and convicted;

(3) The Director or the Director's agent;

¹ R.C. 2949.25(A).

² R.C. 2949.25(A).

(4) Physicians of the state correctional institution in which the sentence is executed;

(5) The clergyperson in attendance upon the prisoner and not more than three other persons, to be designated by the prisoner, who are not confined in any state institution;

(6) Not more than three persons to be designated by the immediate family of the victim;

(7) Representatives of the news media, as authorized by the Director.

The bill eliminates the Director or the Director's agent from the foregoing list.

Existing law, unchanged by the bill, requires the Director to authorize at least one representative of a newspaper, at least one representative of a television station, and at least one representative of a radio station to be present at an execution.³

HISTORY

ACTION	DATE
Introduced	02-11-14

H0445-I-130.docx/emr

³ R.C. 2949.25(B).

