



Ohio Prosecuting Attorneys Association

Legislative Newsletter

January 29, 2018

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[Trooper's Search of Detained Suspect's Purse Unconstitutional](#)

[State Law Hamstrings Peace Keeping in Cuyahoga County Juvenile Detention](#)

[Human Trafficking – Ohio's Current Landscape](#)

[Marion Death Penalty Case Goes Before Ohio Supreme Court](#)

[Fentanyl Laced Cocaine is Ohio's Newest Killer](#)

OPAA NEWS

The OPAA is hosting a webinar on Marsy's Law on Friday, February 16.

Recently Introduced Legislation

[Senate Bill 248](#) (Wrongful Imprisonment) sponsored by Sens. Sykes and Eklund would make an individual eligible for a claim of wrongful imprisonment if "subsequent to sentencing or during or subsequent to imprisonment, an error in procedure was discovered that occurred prior to, during, or after sentencing that involved a violation of the Brady Rule which violated the individual's rights to a fair trial under the Ohio Constitution or the United States Constitution, and that resulted in the individual's release..." Senate Bill 248 is a companion bill to House Bill 411.

[Senate Bill 250](#) (Trespass – Critical Infrastructure) sponsored by Sen. Hoagland would prohibit criminal mischief, criminal trespass, and aggravated trespass on a critical infrastructure facility and provide for increased penalties for such offenses. Critical infrastructure includes utilities, ports, and other industrial sites.

[Senate Bill 251](#) (Nonconsensual Image Dissemination) sponsored by Sen. Schiavoni would enact R.C.2917.211 to prohibit the nonconsensual dissemination of private sexual images and would create a civil cause of action.

[House Bill 475](#) (Skateboarding Behind Vehicles) sponsored by Rep. West would add skateboards to the list of items that individuals are prohibited from riding while attaching themselves to a vehicle.

Bills Heard in Committee

[House Bill 56](#) (Expungement/Sealing – Human Trafficking) sponsored by Reps. Dever and Gavarone was amended in House Criminal Justice to authorize a court to seal the record of any conviction of any person whose participation in the offense was the result of the person being a victim of human trafficking. Certain offenses including aggravated murder, murder, and rape are excluded.

[House Bill 276](#) (Aggravated Menacing – Utility Worker) sponsored by Reps. Rezabek and Greenspan provides for increased penalties for the aggravated menacing of a utility worker under certain circumstances. The bill was reported out of House Criminal Justice on January 16.

[House Bill 405](#) (Counterfeiting) sponsored by Rep. Perales would create the offense of counterfeiting and include counterfeiting within the definition of corrupt activity under the corrupt activities law. The bill was reported out of House Criminal Justice on January 23.

For a complete list of bills that the OPAA is tracking and OPAA positions on legislation, please visit www.ohiopa.org.