Making Marsy's Law Work for Survivors

Iron-clad enforcement, accountability, and clarity amendments to Ohio Constitution Article I, Section 10a and Revised Code Chapter 2930

Prepared by Carey Ann George | November 2026

Every right gets five parts

A right without a deadline, proof, and a consequence is a suggestion. Version 2 attaches the same five parts to every right in Marsy's Law, so no one can get around it:

1. **Duty.** A named role owes it: officer, prosecutor, clerk, court, custodial agency, probation, or defense counsel. Every duty is "shall."
2. **Deadline.** Hours or days, not "reasonable" or "as soon as practicable." Default: 2 business days and before the next hearing (F-1, F-2).
3. **Proof.** A victim rights compliance certificate filed before each key hearing, plus contact logs and a signed rights acknowledgment. If it is not documented, it is presumed not done (F-2).
4. **Consequence.** The hearing is stayed or redone where the Constitution allows, the agency pays the survivor's fees and costs, and findings go to an independent ombudsman, with discipline referral for knowing or repeated failures (S-2, S-8, S-16, F-2).
5. **Remedy.** A free one-page form the clerk must docket within 1 business day, a hearing in 10 days, and a ruling 7 days later (S-1, F-2).

What else would have helped survivors (new in version 2)

- Police and prosecutors must check for protection orders before bail, and criminal no-contact orders go to the family court within 1 business day (S-27, S-28).
- A free copy of the police report, a written correction that travels with it, and review of statements contradicted by the record (S-29).
- Evidence a survivor submits must be receipted, reviewed, and explained, with supervisor review of a decision not to charge, and 911 and camera footage kept 5 years (S-30).
- Firm limits on delay, and a motion that forces a ruling within 14 days (S-24).
- No subpoenas of counseling or medical records without notice and in-camera review; Safe at Home addresses honored; sanctions for abuse of process (S-31).
- Rights in writing within 24 hours, an advocate at interviews, free transcripts, no waiver by the parties, and no retaliation (S-19, S-25, S-32, F-3, F-5).

Recommended route

Statutory first: foundation provisions F-1 to F-5 and amendments S-1 to S-32 can pass as an ordinary bill. Constitutional amendments C-1 to C-5 would make the core permanent and need a three-fifths vote of each house, or an initiative petition, and a statewide vote. Every amendment preserves the accused's rights, including double jeopardy, due process, and speedy trial.

How to read this document

Current language is quoted verbatim from the official text on codes.ohio.gov, retrieved and machine-checked again on November 10, 2026. In the proposed language, underlined green text is inserted and ~~struck-through red text is removed~~. Each amendment also lists the changes plainly as "Insert:" and "Strike:" so the edits survive printing in black and white, and opens with an "Enforcement at a glance" box: who owes the duty, what triggers it, the deadline, the proof, the consequence, and the survivor's remedy. New section numbers (R.C. 2930.21 to 2930.34) are placeholders; the Legislative Service Commission assigns final numbering. Each amendment can be enacted on its own, but F-1 and F-2 make the rest enforceable.

What changed from version 1

- Every existing proposal was tightened: "may" became "shall" where an official owes the duty, soft standards became fixed deadlines, and each now has an enforcement box.
- Five foundation provisions were added: objective definitions (F-1), one enforcement standard with proof, a presumption, and consequences (F-2), no waiver by the parties (F-3), liberal construction and severability (F-4), and no retaliation (F-5).
- Fourteen new amendments were added (S-19 to S-32) and one constitutional amendment (C-5).
- An Enforcement Matrix, a table of loophole words, and an appendix of related reforms outside Marsy's Law were added.

Gaps at a glance

Category	What goes wrong today	Fix
Enforcement	Violations rarely change outcomes; no proof standard; no decision deadline; soft deadlines; delay without limits; counsel only at the survivor's own expense.	F-2, S-1 to S-4, S-9, S-20, S-21, S-23, S-24, C-1
Accountability	No fee shifting, no oversight office, no compliance reporting, no training, no discipline referral, evidence and reports never reviewed.	F-2, F-5, S-8, S-14 to S-17, S-29, S-30, C-2
Clarity	Loophole words; waiver by silence or party agreement; counter-complaints; dense forms; privacy that lapses; no coverage of related family cases.	F-1, F-3, F-4, S-5 to S-7, S-10 to S-12, S-18, S-19, S-22, C-3 to C-5
Protection	Bail set without checking protection orders; slow escape notice; shared waiting areas; litigation used to intimidate.	S-21, S-25 to S-28, S-31

Enforcement Matrix

Each right, who owes it, the deadline, the proof of compliance, the consequence when it is missed, and the survivor's remedy. The basic survivor remedy is the free one-page enforcement request: the clerk dockets it within 1 business day, the court hears it within 10 days and rules within 7 days after the hearing (S-1, F-2).

Right	Who owes it	Deadline	Proof	Consequence	Survivor remedy	Where
Informed of rights in writing	Investigating agency; prosecutor	24 hours after first contact; 7 days after charges	Signed acknowledgment; written case information	Presumed violation; F-2 remedies	Enforcement request; free form	S-19, S-22
Notice of proceedings and changes	Prosecutor (court if none)	7 days before; changes within 1 business day	Contact log; compliance certificate	Proceeding stayed or redone	Enforcement request; ask for stay	S-7, S-23, F-2
Notice of arrest, release, escape	Investigating agency; custodial agency	Arrest 12 hours and before release; escape 2 hours	Notice log	Release hearing redone; fees	Enforcement request; petition on bond	S-20, S-21
Confer with the prosecutor	Prosecutor or designee	3 business days before the decision	Compliance certificate	No plea or diversion accepted	Object at plea; move to reopen in 14 days	S-3, S-4
Present and heard	Court	Every release, plea, sentencing, disposition proceeding	Certificate; record	Continuance; limited reopening in 14 days	Move to reopen in 14 days	S-2, S-25
Advocate at interviews and court	Officers, prosecutor, defense, court	Before each interview	Report notes advocate offered	F-2 remedies	Enforcement request	S-25
Reasonable protection at bail	Court; clerk; prosecutor; police	Search in 24 hours; before bail; orders sent in 1 business day	Search entry; filed notice; docket note	Bail hearing redone	Move to rehear bail	S-27, S-28, S-20
Police report copy and correction	Investigating agency	Copy 3 business days; attach 2; review 30	Transmission confirmations; finding	Report unusable without correction; falsification referral	Written correction; enforcement request	S-29
Evidence considered and preserved	Police; prosecutor; 911 center	Receipt 5 business days; review 30; reasons 10; retain 5 years	Receipt; review confirmation; written reasons	Supervisory review; F-2 remedies	Supervisory review request	S-30
Free from unreasonable delay	Court; party seeking delay	Motion 3 business days before; ruling 14 days after victim motion	Written entry with reason and new date	Limits on serial continuances; report to supreme court	Motion for a ruling	S-24
Privacy and freedom from litigation abuse	Court; parties; clerk	Victim notice 7 days before hearing	In-camera review; written finding	Fees and sanctions; protective order	Object; motion for protective order	S-11, S-31
Who is the victim	Court	7 days and before release hearing	Written findings on factors	Primary aggressor barred from using rights	Motion for determination	S-10, C-3
Restitution	Court; clerk	Disburse in 30 days	Clerk report	Order survives supervision	Ask clerk for judgment certificate, no fee	S-13
Transcripts and recordings	Court; reporter	10 business days (5 if urgent)	Docket note	F-2 remedies	Written request, no fee	S-32
Rights stay on; no waiver by parties	Everyone	Revocation recorded in 1 business day	Signed waiver or on-record colloquy	Waiver void; agreement ineffective	Revoke any waiver at any time	S-5, F-3, C-5
No retaliation	Officials; the accused	Immediate	Court finding	F-2 remedies; release conditions reconsidered	Enforcement request	F-5
Enforcement itself	Clerk; trial court; ombudsman	Docket 1 business day; hear 10 days; rule 7 days	Judgment naming who failed	Fees; discipline referral; contempt; corrective plan	Ombudsman complaint; fee award	S-1, F-2, S-8, S-16

Loophole words: struck or defined

Every soft word that lets an official avoid a duty was found in the current text and in the version 1 drafts, and either struck, replaced with a fixed deadline, or given an objective test that requires a written finding.

Word or phrase	Where it appears	Treatment
"to the extent practicable"	R.C. 2930.06(A)(1)	Struck (S-3)
"as soon as practicable"	R.C. 2930.04(D); 2930.05(B)(2)	Struck; replaced with 24 hours and 1 business day (S-19, S-20)
"practical" / "if ... available"	R.C. 2930.10(B)	Struck; written plan required (S-26)
"practicable" (any remaining use)	Chapter 2930	Defined: possible unless a written finding names the fact that made it impossible (F-1(JJ))
"reasonable period of time" / "reasonable time frame"	R.C. 2930.05(A); 2930.06(C)	Struck; replaced with 12 hours and 7 days (S-20, S-22)
"reasonable effort(s)" / "reasonable means"	R.C. 2930.04(E)(1); 2930.06(G); 2930.09(C)(2); 2930.10(A)	Struck, or defined as diligent contact attempts: 3 attempts, 2 methods, 48 hours (F-1(DD), S-19, S-23, S-25, S-26)
"reasonable under the circumstances"	R.C. 2930.06(D) and (E); 2930.08(C)	Struck; replaced with a written good-cause finding (S-7, S-22, S-24)
"interest(s) of justice" / "good cause"	R.C. 2930.08(C)	Defined narrowly: accused's constitutional right, emergency, or victim's request; workload and party agreement excluded (F-1(HH))
"upon request" / "on request"	Section 10a(A)(2); R.C. 2930.06(A)(1) and (G)	Struck for notice and conferral; rights stay on unless declined in writing (S-3, S-5, S-6, S-23, C-4)
"may" (official duties)	R.C. 2930.05(B)(1); 2929.281(E); version 1 drafts of S-2, S-9, C-1, C-2	Changed to "shall" (S-2, S-9, S-13, S-20, C-1, C-2)
"should"	R.C. 2930.04(E)(1)	Changed to "shall" (S-19)
"endeavor"	R.C. 2930.08(A)(2)	Struck (S-24)
"attempt" (as a substitute for notice)	R.C. 2930.06(G)	Replaced with timely notice or documented diligent attempts, with a presumption against missing records (S-23, F-2)
"to the extent that information ... is available"	R.C. 2919.251(B)	Struck; mandatory records search on the record (S-27)
"unless the parties agree"	R.C. 2930.06(D) and (E)	Struck; only the victim can agree (S-7, S-22, F-3)
"unless" (exceptions that remain)	S-7, S-30(D), S-31, S-18	Allowed only with a written finding tied to a constitutional right, an emergency, or an open investigation
"prompt" / "promptly" / "immediately"	Throughout Chapter 2930	Defined: 2 business days; 24 hours (F-1(FF)); escape notice now 2 hours (S-21)
"reasonable" in Section 10a itself	Section 10a(A)(2), (4), (5), (8)	Constitutional words kept; given statutory content by F-1 and enforced by F-2, which a statute may do because it expands the floor

Part I. Statutory amendments to the Revised Code

The General Assembly can enact these by ordinary bill. Recommended first.

A. Foundation provisions (apply to every right)

F-1. Objective definitions that close the loophole words

NEW IN VERSION 2 | STATUTORY AMENDMENT (General Assembly) | Gap: Clarity

R.C. 2930.01, New divisions (BB) to (NN), after division (AA). Source: https://codes.ohio.gov/ohio-revised-code/section-2930.01

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Every official named in Chapter 2930	Any duty using a defined word	Fixed by each definition (for example, 2 business days for "promptly")	Contact log; written findings	Undefined excuses no longer satisfy a duty	Any assertion of rights relies on the objective tests

Current language (verbatim)	Proposed language
(AA) "Suspect" means a person who is alleged to be the perpetrator of a criminal offense.	(AA) "Suspect" means a person who is alleged to be the perpetrator of a criminal offense. (BB) "Business day" means any day other than a Saturday, Sunday, or legal holiday. (CC) "Confer" means a two-way conversation, in person, by telephone, or by video, in a language the victim understands, in which the prosecutor or designee explains the proposed action and the reasons for it, answers the victim's questions, and records the victim's views in the case file. A letter, voicemail, or electronic message alone is not a conference. (DD) "Diligent contact attempts" means at least three documented attempts to reach the victim, using the contact method the victim selected and at least one other method, spread over at least forty-eight hours, with the last attempt made at least twenty-four hours before the proceeding or action. Each attempt shall be recorded with the date, time, method, contact information used, name of the person making the attempt, and result. Whenever this chapter or Section 10a of Article I of the Ohio Constitution requires "reasonable efforts" or "reasonable means" to notify or reach a victim, that requirement is met only by diligent contact attempts or by actual notice. (EE) "Timely notice" means notice actually received by the victim, or diligent contact attempts completed, not less than seven days before the proceeding, or, for a proceeding scheduled fewer than seven days in advance, within one business day after it is scheduled and before it begins. (FF) "Promptly" means within two business days, and "immediately" means within twenty-four hours,

	unless a shorter time is stated. (GG) "Written finding" means a finding in a journal entry or on the record that states the specific facts and reasons for the decision in that case. A preprinted form, a checked box, or a conclusion without facts is not a written finding. (HH) "Good cause" and "interest of justice," when used to delay, shorten, or limit a right of a victim, mean only a specific reason supported by the record that the action is required to protect a constitutional right of the accused, to respond to an emergency, or to honor the victim's own request. Workload, calendar convenience, or an agreement between the prosecution and the defense is not good cause. (II) "Emergency" means a sudden circumstance beyond the control of the person seeking relief, such as serious illness, death in the family, or the closure of the court, that is documented in writing. (JJ) "Practicable," wherever it remains in this chapter, means possible to perform. An action is not practicable only if the responsible official makes a written finding identifying the specific fact that made the action impossible within the time required. (KK) "Responsible agency" means the public agency whose official, employee, or designee owed the duty that was not performed. (LL) "Intimidation, harassment, or abuse" includes conduct carried out through legal process, including repeated filings against the victim without a basis in law or fact, use of a subpoena, discovery request, or other process to obtain the victim's address, locating information, or privileged or confidential records without prior court approval, and contact with the victim through another person in violation of a no-contact order or protection order. (MM) "Protection order" means any order issued under section 2151.34, 2903.213, 2903.214, 2919.26, or 3113.31 of the Revised Code, any consent agreement approved under section 3113.31 of the Revised Code, any no-contact condition of bond or release, and any protection order issued by another state or tribe that is entitled to full faith and credit. (NN) "Victim rights compliance certificate" means the written certification described in division (C) of section 2930.26 of the Revised Code.

Insert:

- "(BB) "Business day" means any day other than a Saturday, Sunday, or legal holiday. (CC) "Confer" means a two-way conversation, in person, by telephone, or by video, in a language the victim understands, in which the prosecutor or designee explains the proposed action and the reasons for it, answers the victim's questions, and records the victim's views in the case file. A letter, voicemail, or electronic message alone is not a conference. (DD) "Diligent contact attempts" means at least three documented attempts to reach the victim, using the contact method the victim selected and at least one other method, spread over at least forty-eight hours, with the last

attempt made at least twenty-four hours before the proceeding or action. Each attempt shall be recorded with the date, time, method, contact information used, name of the person making the attempt, and result. Whenever this chapter or Section 10a of Article I of the Ohio Constitution requires "reasonable efforts" or "reasonable means" to notify or reach a victim, that requirement is met only by diligent contact attempts or by actual notice. (EE) "Timely notice" means notice actually received by the victim, or diligent contact attempts completed, not less than seven days before the proceeding, or, for a proceeding scheduled fewer than seven days in advance, within one business day after it is scheduled and before it begins. (FF) "Promptly" means within two business days, and "immediately" means within twenty-four hours, unless a shorter time is stated. (GG) "Written finding" means a finding in a journal entry or on the record that states the specific facts and reasons for the decision in that case. A preprinted form, a checked box, or a conclusion without facts is not a written finding. (HH) "Good cause" and "interest of justice," when used to delay, shorten, or limit a right of a victim, mean only a specific reason supported by the record that the action is required to protect a constitutional right of the accused, to respond to an emergency, or to honor the victim's own request. Workload, calendar convenience, or an agreement between the prosecution and the defense is not good cause. (II) "Emergency" means a sudden circumstance beyond the control of the person seeking relief, such as serious illness, death in the family, or the closure of the court, that is documented in writing. (JJ) "Practicable," wherever it remains in this chapter, means possible to perform. An action is not practicable only if the responsible official makes a written finding identifying the specific fact that made the action impossible within the time required. (KK) "Responsible agency" means the public agency whose official, employee, or designee owed the duty that was not performed. (LL) "Intimidation, harassment, or abuse" includes conduct carried out through legal process, including repeated filings against the victim without a basis in law or fact, use of a subpoena, discovery request, or other process to obtain the victim's address, locating information, or privileged or confidential records without prior court approval, and contact with the victim through another person in violation of a no-contact order or protection order. (MM) "Protection order" means any order issued under section 2151.34, 2903.213, 2903.214, 2919.26, or 3113.31 of the Revised Code, any consent agreement approved under section 3113.31 of the Revised Code, any no-contact condition of bond or release, and any protection order issued by another state or tribe that is entitled to full faith and credit. (NN) "Victim rights compliance certificate" means the written certification described in division (C) of section 2930.26 of the Revised Code."

Strike: nothing.

Why it matters: Most failures happen inside soft words like "reasonable," "practicable," "promptly," and "good cause," which no one can measure after the fact. These definitions give every soft word an objective test: a number of days, a number of contact attempts, or a written finding with facts. They also make clear that intimidation through repeated filings and subpoenas counts as intimidation.

F-2. New R.C. 2930.26: One enforcement standard for every right (duty, deadline, proof, consequence, remedy)

NEW IN VERSION 2 | STATUTORY AMENDMENT (General Assembly) | Gap: Enforcement and accountability

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Prosecutor (court if no prosecutor); every responsible agency	Every release, plea, diversion, charge change, trial, sentencing, disposition, judicial release, sealing	Default: 2 business days after trigger, and before the next proceeding	Victim rights compliance certificate, served on the victim	Stay; redo; fees; ombudsman report; discipline referral; contempt; corrective action plan	One-page enforcement request, no fee; clerk dockets in 1 business day; hearing in 10 days, ruling 7 days later (S-1, F-2)

Current language (verbatim)	Proposed language
No current provision. Chapter 2930 assigns duties but has no general rule for default deadlines, proof of compliance, who bears the burden when a notice is disputed, or what	Sec. 2930.26. (A) This section applies to every duty owed to a victim under this chapter, under Section 10a of Article I of the Ohio Constitution, and under

happens when a duty is missed.	sections 2919.251 and 2929.281 of the Revised Code. Every duty in those provisions is mandatory. (B) Deadlines. When a provision states no deadline, the responsible official shall perform the duty within two business days after the event that triggers it, and in every case before the next proceeding at which the right could be affected. (C) Proof of compliance. Before any hearing on release, plea, diversion, amendment or dismissal of charges, trial, sentencing, disposition, judicial release, or sealing, the prosecutor, or the court in a delinquency proceeding in which no prosecutor is involved, shall file a victim rights compliance certificate. The certificate shall list each notice, conference, and other duty owed to the victim for that proceeding, state the date, time, method, and person who performed it, attach the record of contact attempts, and state any objection or position of the victim. The clerk shall serve a copy on the victim. (D) Presumption. If a notice, conference, or other duty is not documented as required by division (C) of this section or by the record required under division (G) of section 2930.06 of the Revised Code, it is presumed not to have been performed. The responsible agency may rebut the presumption only with records made at the time the duty was performed. (E) How a victim invokes a remedy. The attorney general shall prescribe a one-page victim's rights enforcement request form, in the languages required by section 2930.04 of the Revised Code. A victim, victim's representative, victim's attorney, or the ombudsman may file the form, or any written request, in person, by mail, by electronic mail, or through the court's electronic filing system, or may make the request orally on the record. No fee shall be charged. The clerk shall docket the request within one business day and serve it on the prosecutor and the defense the same day. The request is an assertion of rights under division (A) of section 2930.19 of the Revised Code. (F) Consequences. If the court finds that a duty was not performed, the court shall do all of the following: (1) Stay the affected proceeding until the duty is performed, unless the stay would violate the accused's right to a speedy trial; (2) Order the remedies required by division (I) of section 2930.19 of the Revised Code, including a new hearing where the Constitution allows; (3) Award fees, costs, and expenses under division (J) of section 2930.19 of the Revised Code; (4) Send its written finding, without the victim's identifying information, to the office of the crime victims' rights ombudsman within three business

	days; (5) If the court finds that an attorney knowingly failed to perform the duty, or that the same office failed to perform a duty to a victim two or more times within twelve months, refer the matter to the office of disciplinary counsel or the appropriate certified grievance committee; (6) If the court finds that a peace officer knowingly failed to perform the duty, send the finding to the officer's appointing authority and to the Ohio peace officer training commission; (7) Punish as contempt any knowing violation of an order issued under this chapter. (G) Repeated violations. A responsible agency with three or more findings under this section in a calendar year shall submit a corrective action plan to the ombudsman within sixty days, and the ombudsman shall publish the plan. (H) Nothing in this section authorizes any remedy that would set aside an acquittal or deny the accused a right secured by Section 10 of Article I of the Ohio Constitution or the Constitution of the United States.

Insert: the entire new section shown above.

Strike: nothing.

Why it matters: This is the backbone of the iron-clad structure. Every right now has a default deadline, a written certificate proving it was honored, a presumption against the agency when the paperwork is missing, a fixed list of consequences, and a free one-page form the clerk must docket within one business day. A survivor no longer has to prove a negative, such as that a call never came.

F-3. New R.C. 2930.27: Rights cannot be bargained away by the prosecution and defense

NEW IN VERSION 2 | STATUTORY AMENDMENT (General Assembly) | Gap: Clarity and enforcement

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Prosecution, defense, and court	Any agreement or order that limits a right	Revocation recorded within 1 business day	Signed waiver form or on-record colloquy	Agreement or order is ineffective; waiver by the accused's side is void	One-page enforcement request, no fee; clerk dockets in 1 business day; hearing in 10 days, ruling 7 days later (S-1, F-2)

Current language (verbatim)	Proposed language
No current provision. Several sections let "the parties" agree to shorten notice (for example R.C. 2930.06(D) and (E)), and current law treats a survivor's silence as a waiver (R.C. 2930.04(B)(1)(e)).	Sec. 2930.27. (A) No right of a victim under this chapter or Section 10a of Article I of the Ohio Constitution shall be waived, limited, shortened, or conditioned by an agreement, stipulation, or plea agreement between the prosecution and the defense, or by an order entered without timely notice to the victim and an opportunity to be heard.

	(B) Only the victim may waive a right, and only by a knowing and voluntary waiver that is either signed by the victim on a form prescribed by the attorney general, in a language the victim understands, after the right and the effect of waiving it are explained, or made by the victim on the record after the court explains the right and the effect of waiving it. (C) A victim may revoke a waiver at any time, orally or in writing, to any responsible agency. The revocation takes effect when received, and the agency shall record it and notify the prosecutor and the court within one business day. (D) A waiver obtained by the accused, by a person acting on behalf of the accused, or as a condition of any benefit is void. (E) Silence, failure to return a form, failure to appear, or failure to request a right is not a waiver.

Insert: the entire new section shown above.

Strike: nothing.

Why it matters: A right that two other people can agree to give away is not a right. The survivor alone holds these rights, and any waiver must be informed, written or on the record, and revocable.

F-4. New R.C. 2930.28: Rule of construction and severability

NEW IN VERSION 2 | STATUTORY AMENDMENT (General Assembly) | Gap: Clarity

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Every court	Any dispute over meaning	Not applicable	Not applicable	Ambiguity resolved for the victim	Raised in any assertion of rights

Current language (verbatim)	Proposed language
No current provision in Chapter 2930. Article I, Section 10a(E) provides that the constitutional provisions "shall be self-executing and severable, and shall supersede all conflicting state laws."	Sec. 2930.28. (A) This chapter shall be liberally construed in favor of victims to secure the rights guaranteed by Section 10a of Article I of the Ohio Constitution. Any ambiguity in this chapter shall be resolved in favor of the victim's rights, consistent with the rights of the accused under Section 10 of Article I of the Ohio Constitution and the Constitution of the United States. (B) Rights under this chapter are in addition to the rights in Section 10a of Article I of the Ohio Constitution and do not limit them. (C) If any provision of this chapter or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications that can be given effect without the invalid provision or application, and to this end the provisions of this chapter are severable, as provided in section 1.50 of the Revised Code.

Insert: the entire new section shown above.

Strike: nothing.

Why it matters: Courts sometimes read victims' statutes narrowly. This tells every court to read doubtful language in the survivor's favor, while keeping the accused's rights intact, and keeps the rest of the package standing if one part is struck down.

F-5. New R.C. 2930.29: No retaliation for asserting rights

NEW IN VERSION 2 | STATUTORY AMENDMENT (General Assembly) | Gap: Accountability

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Public officials, the accused, and anyone acting for them	Victim asserts a right, complains, submits evidence, or asks for a correction	Immediate prohibition	Court finding	F-2 consequences; release conditions reconsidered; referral under R.C. 2921.04	One-page enforcement request, no fee; clerk dockets in 1 business day; hearing in 10 days, ruling 7 days later (S-1, F-2)

Current language (verbatim)	Proposed language
No general provision. R.C. 2930.18 protects a victim only from an employer's retaliation for attending proceedings, and R.C. 2921.04 makes it a crime to knowingly attempt to intimidate or hinder a victim in the filing or prosecution of criminal charges.	Sec. 2930.29. (A) No public official, public agency, defendant, alleged juvenile offender, or person acting on behalf of any of them shall threaten, discipline, deny services to, disclose information about, or take any other adverse action against a victim, a member of the victim's family, a victim's representative, or a victim advocate because that person asserted a right, filed a complaint with the ombudsman, submitted evidence, requested correction of a report, or testified about a violation of this chapter. (B) A victim may assert a violation of division (A) of this section under section 2930.26 of the Revised Code. If the court finds a violation by a public official or public agency, the remedies in division (F) of that section apply. If the court finds a violation by the accused or a person acting on behalf of the accused, the court shall consider the violation in setting or modifying conditions of release and shall refer the matter to the prosecutor for review under section 2921.04 of the Revised Code. (C) Nothing in this section limits the authority of a prosecutor to bring charges supported by evidence, but a charge filed against a victim arising out of the same incident shall be reviewed under the primary aggressor determination in division (H) of section 2930.01 of the Revised Code.

Insert: the entire new section shown above.

Strike: nothing.

Why it matters: Survivors stay silent when speaking up costs them. A clear ban on retaliation, with the same enforcement path as every other right, protects survivors who push back.

B. Amendments to existing sections

S-1. Every rights violation gets a real hearing, a written ruling, and a filing the clerk must accept

STATUTORY AMENDMENT (General Assembly) | Gap: Enforcement

R.C. 2930.19, Division (A)(1). Source: https://codes.ohio.gov/ohio-revised-code/section-2930.19

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Clerk and trial court	Victim files an assertion of rights	Docket in 1 business day; hearing in 10 days; ruling 7 days later	Docket entry; written judgment naming who failed	Affected proceeding cannot go forward until the court rules	Free form; no attorney needed

Current language (verbatim)	Proposed language
(A)(1) A victim, victim's representative, or victim's attorney, if applicable, or the prosecutor, on request of the victim, has standing as a matter of right to assert, or to challenge an order denying, the rights of the victim provided by law in any judicial or administrative proceeding. The trial court shall act promptly on a request to enforce, or on a challenge of an order denying, the rights of the victim. In any case, the trial court shall hear the matter within ten days of the assertion of the victim's rights. The reasons for any decision denying relief under this section shall be clearly stated on the record or in a judgment entry.	(A)(1) A victim, victim's representative, or victim's attorney, if applicable, or the prosecutor, on request of the victim, has standing as a matter of right to assert, or to challenge an order denying, the rights of the victim provided by law in any judicial or administrative proceeding. The clerk of the court shall accept, without fee, and docket within one business day a written or electronic assertion of rights filed by a victim, victim's representative, or victim's attorney and shall not refuse the filing on the ground that the victim is not a party to the case. The attorney general shall prepare a one-page form that a victim may use to assert rights under this section without an attorney. The trial court shall act promptly on a request to enforce, or on a challenge of an order denying, the rights of the victim. In any case, the trial court shall hear the matter within ten days of the assertion of the victim's rights and, if the assertion concerns a proceeding scheduled to occur sooner, before that proceeding goes forward. The court shall issue its decision within seven days after the hearing. If the court does not hear the matter or issue its decision within these times, the victim may notify the administrative judge and the supreme court, and the proceeding that is the subject of the assertion shall not go forward until the court rules. The reasons for any decision ~~denying relief~~granting or denying relief under this section, including a finding on whether each right asserted was violated and, if so, by which public official or public agency, shall be clearly stated ~~on the record or~~ in a judgment entry.

Insert:

- "The clerk of the court shall accept, without fee, and docket within one business day a written or electronic assertion of rights filed by a victim, victim's representative, or victim's attorney and shall not refuse the filing on the ground that the victim is not a party to the case. The attorney general shall prepare a one-page form that a victim may use to assert rights under this section without an attorney."

- "and, if the assertion concerns a proceeding scheduled to occur sooner, before that proceeding goes forward. The court shall issue its decision within seven days after the hearing. If the court does not hear the matter or issue its decision within these times, the victim may notify the administrative judge and the supreme court, and the proceeding that is the subject of the assertion shall not go forward until the court rules"
- "granting or denying relief"
- ", including a finding on whether each right asserted was violated and, if so, by which public official or public agency,"

Strike:

- "denying relief"
- "on the record or"

Why it matters: Current law already promises a hearing within ten days, but it does not say a clerk must accept a survivor's own filing (division (B)(1) provides that a victim is not a party to the case), and it sets no deadline for the ruling itself. This guarantees the filing is accepted, sets a decision deadline, and requires a written finding naming who failed, which is the foundation for every accountability provision below.

S-2. Remedies that actually repair the harm, within constitutional limits

STATUTORY AMENDMENT (General Assembly) | Gap: Enforcement

R.C. 2930.19, Division (D), plus new division (I). Source: https://codes.ohio.gov/ohio-revised-code/section-2930.19

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Trial court	Finding that a right was violated	Victim moves within 14 days to reopen plea or sentence	Written finding explaining any remedy not ordered	Redo of release, plea, or sentencing hearing where allowed; acquittals untouched	One-page enforcement request, no fee; clerk dockets in 1 business day; hearing in 10 days, ruling 7 days later (S-1, F-2)

Current language (verbatim)	Proposed language
(D) The failure of any person or entity to provide a right, privilege, or notice to a victim under this chapter does not constitute grounds for declaring a mistrial or new trial, for setting aside a conviction, sentence, adjudication, or disposition, or for granting postconviction release to a defendant or alleged juvenile offender.	(D) Except as provided in division (I) of this section, ~~The~~the failure of any person or entity to provide a right, privilege, or notice to a victim under this chapter does not constitute grounds for declaring a mistrial or new trial, for setting aside a conviction, sentence, adjudication, or disposition, or for granting postconviction release to a defendant or alleged juvenile offender. (I)(1) If the court finds under division (A) of this section that a right of the victim was violated, the court shall order each of the following remedies that is necessary to restore the right as fully as the Constitution of the United States and the Ohio Constitution allow, and shall state in a written finding why any remedy listed below that the victim requested was not ordered: (a) Continuing the proceeding until the required notice is given and the victim has an opportunity to be heard; (b) Vacating and rehearing a decision on pretrial release, bond, conditions of release, or a no-contact

	order; (c) Vacating the court's acceptance of a negotiated plea and rehearing the plea, if the victim asserted the right to be heard before or during the plea proceeding or did not receive the notice required by this chapter, the victim moves for relief within fourteen days after learning of the plea, and the defendant or alleged juvenile offender did not plead to the highest offense charged; (d) Rehearing a sentencing or disposition proceeding so that the victim may be heard, if the victim moves for relief within fourteen days after learning of the proceeding, the court retains jurisdiction, and the rehearing does not violate the defendant's protection against double jeopardy; (e) Ordering the responsible public official or public agency to provide the omitted notice, conference, information, or redaction by a date certain; (f) Awarding fees, costs, and expenses under division (J) of this section. (2) Nothing in division (I) of this section authorizes a court to set aside an acquittal or a dismissal that operates as an acquittal, to order a new trial, or to deny a defendant any right guaranteed by Section 10 of Article I of the Ohio Constitution or by the Constitution of the United States.

Insert:

- "Except as provided in division (I) of this section,"
- "the"
- "(I)(1) If the court finds under division (A) of this section that a right of the victim was violated, the court shall order each of the following remedies that is necessary to restore the right as fully as the Constitution of the United States and the Ohio Constitution allow, and shall state in a written finding why any remedy listed below that the victim requested was not ordered: (a) Continuing the proceeding until the required notice is given and the victim has an opportunity to be heard; (b) Vacating and rehearing a decision on pretrial release, bond, conditions of release, or a no-contact order; (c) Vacating the court's acceptance of a negotiated plea and rehearing the plea, if the victim asserted the right to be heard before or during the plea proceeding or did not receive the notice required by this chapter, the victim moves for relief within fourteen days after learning of the plea, and the defendant or alleged juvenile offender did not plead to the highest offense charged; (d) Rehearing a sentencing or disposition proceeding so that the victim may be heard, if the victim moves for relief within fourteen days after learning of the proceeding, the court retains jurisdiction, and the rehearing does not violate the defendant's protection against double jeopardy; (e) Ordering the responsible public official or public agency to provide the omitted notice, conference, information, or redaction by a date certain; (f) Awarding fees, costs, and expenses under division (J) of this section. (2) Nothing in division (I) of this section authorizes a court to set aside an acquittal or a dismissal that operates as an acquittal, to order a new trial, or to deny a defendant any right guaranteed by Section 10 of Article I of the Ohio Constitution or by the Constitution of the United States."

Strike:

- "The"

Why it matters: Today, a violation almost never changes anything once a plea or sentence is entered. This borrows the limited reopening model in the federal Crime Victims' Rights Act, 18 U.S.C. 3771(d)(5), so a survivor

who was shut out can be heard on release, plea, and sentencing, while acquittals and the accused's constitutional rights stay fully protected.

S-3. The duty to confer becomes a real duty, before every major decision

STATUTORY AMENDMENT (General Assembly) | Gap: Enforcement and clarity

R.C. 2930.06, Division (A)(1). Source: https://codes.ohio.gov/ohio-revised-code/section-2930.06

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Prosecutor or designee	Diversion, charge change, plea, trial, release position, sentencing recommendation	At least 3 business days before the action	Compliance certificate with date, time, and method	Court cannot act until the certificate is filed	One-page enforcement request, no fee; clerk dockets in 1 business day; hearing in 10 days, ruling 7 days later (S-1, F-2)

Current language (verbatim)	Proposed language
(A)(1) The prosecutor in a case or the prosecutor's designee, to the extent practicable, shall, on the victim's request, confer with the victim and the victim's representative, if applicable, at each of the following stages: (a) Before pretrial diversion is granted to the defendant or alleged juvenile offender in the case; (b) Before amending or dismissing an indictment, information, or complaint against that defendant or alleged juvenile offender, unless the amendment to the indictment, information, or complaint is a correction of a procedural defect that is not substantive in nature; (c) Before agreeing to a negotiated plea for that defendant or alleged juvenile offender; (d) Before a trial of that defendant by judge or jury; (e) Before the juvenile court conducts an adjudicatory hearing for that alleged juvenile offender.	(A)(1) The prosecutor in a case or the prosecutor's designee~~, to the extent practicable,~~ shall~~, on the victim's request,~~, unless the victim has declined conferral in a waiver that complies with section 2930.27 of the Revised Code, and not later than three business days before the action,~~ confer with the victim and the victim's representative, if applicable, at each of the following stages: (a) Before pretrial diversion is granted to the defendant or alleged juvenile offender in the case; (b) Before amending or dismissing an indictment, information, or complaint against that defendant or alleged juvenile offender, unless the amendment to the indictment, information, or complaint is a correction of a procedural defect that is not substantive in nature; (c) Before agreeing to a negotiated plea for that defendant or alleged juvenile offender; (d) Before a trial of that defendant by judge or jury; (e) Before the juvenile court conducts an adjudicatory hearing for that alleged juvenile offender~~.~~; (f) Before taking a position on pretrial release, bond, or conditions of release, when the victim is a victim of domestic violence, violating a protection order, an offense of violence, or a sexually oriented offense; (g) Before making a sentencing or disposition recommendation to the court. (6) "Confer" has the meaning defined in section 2930.01 of the Revised Code. The prosecutor or designee shall file a victim rights compliance certificate under section 2930.26 of the Revised Code stating the date, time, and method of each conference, or of each diligent contact attempt if the victim could not be reached, before the court acts on any matter listed in division (A)(1) of this section.

Insert:

- ", unless the victim has declined conferral in a waiver that complies with section 2930.27 of the Revised Code, and not later than three business days before the action,"
- "; (f) Before taking a position on pretrial release, bond, or conditions of release, when the victim is a victim of domestic violence, violating a protection order, an offense of violence, or a sexually oriented offense; (g) Before making a sentencing or disposition recommendation to the court. (6) "Confer" has the meaning defined in section 2930.01 of the Revised Code. The prosecutor or designee shall file a victim rights compliance certificate under section 2930.26 of the Revised Code stating the date, time, and method of each conference, or of each diligent contact attempt if the victim could not be reached, before the court acts on any matter listed in division (A)(1) of this section."

Strike:

- "to the extent practicable"
- "on the victim's request"

Why it matters: "To the extent practicable" lets the duty disappear whenever an office is busy. Removing it, adding the two decisions survivors most often learn about too late (release conditions and the sentencing recommendation), and defining "confer" turns a courtesy into an enforceable duty without giving victims a veto over prosecutorial decisions.

S-4. No plea without a finding that the victim was consulted

STATUTORY AMENDMENT (General Assembly) | Gap: Enforcement

R.C. 2930.06, Division (A)(3), last sentence. Source: https://codes.ohio.gov/ohio-revised-code/section-2930.06

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Court and prosecutor	Proposed plea or diversion	Before the plea is accepted	Finding on the record plus compliance certificate	Plea not accepted; proceeding continued	Object at the hearing or file the form

Current language (verbatim)	Proposed language
A prosecutor's failure to confer with a victim as required by this division and a court's failure to provide the notice as required by this division do not affect the validity of an agreement between the prosecutor and the defendant or alleged juvenile offender in the case, a pretrial diversion of the defendant or alleged juvenile offender, an amendment or dismissal of an indictment, information, or complaint filed against the defendant or alleged juvenile offender, a plea entered by the defendant or alleged juvenile defender, an admission entered by the defendant or alleged juvenile offender, or any other disposition in the case.	Before accepting a negotiated plea or granting pretrial diversion, the court shall find on the record that the prosecutor conferred with the victim as required by this section or made diligent contact attempts, as defined in section 2930.01 of the Revised Code, and has filed the victim rights compliance certificate required by section 2930.26 of the Revised Code. If the court cannot make that finding, the court shall not accept the plea or grant diversion and shall continue the proceeding as provided in division (A)(2)(b) of section 2930.09 of the Revised Code. Except as provided in division (I) of section 2930.19 of the Revised Code, ~~A~~a prosecutor's failure to confer with a victim as required by this division and a court's failure to provide the notice as required by this division do not affect the validity of an agreement between the prosecutor and the defendant or alleged juvenile offender in the case, a pretrial diversion of the defendant or alleged juvenile offender, an amendment or dismissal of an indictment, information, or complaint filed against the defendant or alleged juvenile offender, a plea entered by the

	defendant or alleged juvenile defender, an admission entered by the defendant or alleged juvenile offender, or any other disposition in the case.

Insert:

- "Before accepting a negotiated plea or granting pretrial diversion, the court shall find on the record that the prosecutor conferred with the victim as required by this section or made diligent contact attempts, as defined in section 2930.01 of the Revised Code, and has filed the victim rights compliance certificate required by section 2930.26 of the Revised Code. If the court cannot make that finding, the court shall not accept the plea or grant diversion and shall continue the proceeding as provided in division (A)(2)(b) of section 2930.09 of the Revised Code. Except as provided in division (I) of section 2930.19 of the Revised Code,"
- "a"

Strike:

- "A"

Why it matters: This sentence is the clearest example of a right with no consequence: a plea stands even when the legally required conference never happened. Requiring a finding before the plea is accepted prevents the violation instead of excusing it afterward, and ties any later relief to the limited remedies in S-2.

S-5. Rights stay on unless the survivor turns them off

STATUTORY AMENDMENT (General Assembly) | Gap: Clarity and enforcement

R.C. 2930.04, Division (B)(1)(e). Source: https://codes.ohio.gov/ohio-revised-code/section-2930.04

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Law enforcement and prosecutor	Rights form given	At first contact	Form shows rights on unless declined	Silence no longer waives rights	Change elections at any time

Current language (verbatim)	Proposed language
(e) Inform the victim and victim's representative that failure to affirmatively request the rights that are not automatically granted is a waiver of those rights once contacted by the prosecutor, but that the victim or victim's representative may request those rights at a later date;	(e) Inform the victim and victim's representative that ~~failure to affirmatively request the rights that are not automatically granted is a waiver of those rights once contacted by the prosecutor, but that the victim or victim's representative may request those rights at a later date~~all rights under this chapter and under Section 10a of Article I of the Ohio Constitution remain in effect unless the victim declines a right in writing or on the record, and that a victim who declines a right may request it again at any time;

Insert:

- "all rights under this chapter and under Section 10a of Article I of the Ohio Constitution remain in effect unless the victim declines a right in writing or on the record, and that a victim who declines a right may request it again at any time"

Strike:

- "failure to affirmatively request the rights that are not automatically granted is a waiver of those rights once contacted by the prosecutor, but that the victim or victim's representative may request those rights at a later date"

Why it matters: A survivor in crisis, often on the night of an assault, can lose notice and conferral rights by not checking a box. Making rights automatic unless declined is consistent with the constitutional floor, which a statute may exceed. A matching change is needed in R.C. 2930.06(C)(7)(a), which repeats the waiver rule, and in R.C. 2930.03(B)(1).

S-6. Matching fix to the prosecutor's rights form

STATUTORY AMENDMENT (General Assembly) | Gap: Clarity

R.C. 2930.06, Division (C)(7)(a). Source: https://codes.ohio.gov/ohio-revised-code/section-2930.06

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Prosecutor	Rights form given	At first prosecutor contact	Form wording	Same as S-5	Same as S-5

Current language (verbatim)	Proposed language
(7)(a) The victim's rights request form, or a similar form that, at a minimum, contains the required information listed in this section and on the victim's rights request form, that allows the victim and the victim's representative, if applicable, to request applicable rights to which the victim and victim's representative are entitled under this chapter, including notice to the victim and the victim's representative that failure to affirmatively request these rights will be considered a waiver of these rights, but that the victim or victim's representative may request these rights at a later date;	(7)(a) The victim's rights request form, or a similar form that, at a minimum, contains the required information listed in this section and on the victim's rights request form, that allows the victim and the victim's representative, if applicable, to ~~request~~confirm or decline applicable rights to which the victim and victim's representative are entitled under this chapter, including notice to the victim and the victim's representative that ~~failure to affirmatively request these rights will be considered a waiver of these rights, but that the victim or victim's representative may request these rights at a later date~~these rights remain in effect unless the victim declines them, and that the victim or victim's representative may change any election at any time;

Insert:

- "confirm or decline"
- "these rights remain in effect unless the victim declines them, and that the victim or victim's representative may change any election at any time"

Strike:

- "request"
- "failure to affirmatively request these rights will be considered a waiver of these rights, but that the victim or victim's representative may request these rights at a later date"

Why it matters: Keeps the prosecutor's form consistent with S-5 so no office can rely on the old waiver language.

S-7. Notice deadlines the defense and prosecution cannot shorten without the survivor

STATUTORY AMENDMENT (General Assembly) | Gap: Clarity and enforcement

R.C. 2930.06, Division (E). Source: https://codes.ohio.gov/ohio-revised-code/section-2930.06

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Prosecutor (court if no prosecutor)	Any proceeding or schedule change	7 days before; changes within 1 business day	Contact log; written entry for any shorter period	Proceeding continued (R.C. 2930.09(A)(2)(b))	One-page enforcement request, no fee; clerk dockets in 1 business day; hearing in 10 days, ruling 7 days later (S-1, F-2)

Current language (verbatim)	Proposed language
(E) On the request of the victim or victim's representative, the prosecutor or, if it is a delinquency proceeding and a prosecutor is not involved in the case, the court shall give the victim and the victim's representative, if applicable, notice of the date, time, and place of any criminal or juvenile proceedings in the case and notice of any changes in those proceedings or in the schedule in the case not less than seven days prior to the criminal or juvenile proceedings in the case unless the parties agree that a shorter notice period is reasonable under the circumstances.	(E) On the request of the victim or victim's representative, the prosecutor or, if it is a delinquency proceeding and a prosecutor is not involved in the case, the court shall give the victim and the victim's representative, if applicable, notice of the date, time, and place of any criminal or juvenile proceedings in the case and notice of any changes in those proceedings or in the schedule in the case not less than seven days prior to the criminal or juvenile proceedings in the case, and notice of any change in the schedule within one business day after the change is made, unless ~~the parties agree that a shorter notice period is reasonable under the circumstances~~the victim agrees to a shorter notice period or the court finds on the record that a shorter period is required to protect the defendant's right to a speedy trial or to address an emergency, as defined in section 2930.01 of the Revised Code, and states that finding in a written entry before the proceeding goes forward.

Insert:

- ", and notice of any change in the schedule within one business day after the change is made,"
- "the victim agrees to a shorter notice period or the court finds on the record that a shorter period is required to protect the defendant's right to a speedy trial or to address an emergency, as defined in section 2930.01 of the Revised Code, and states that finding in a written entry before the proceeding goes forward"

Strike:

- "the parties agree that a shorter notice period is reasonable under the circumstances"

Why it matters: The victim is not a party, so today the prosecution and defense can agree between themselves to shorten the survivor's notice. The survivor should decide whether shorter notice is acceptable, with narrow exceptions for speedy trial and emergencies.

S-8. Attorney's fees and real costs when the government violates a survivor's rights

STATUTORY AMENDMENT (General Assembly) | Gap: Accountability

R.C. 2930.19, Division (C), plus new division (J). Source: https://codes.ohio.gov/ohio-revised-code/section-2930.19

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Responsible agency	Victim prevails on an assertion of rights	Paid within 60 days after award is final	Fee award in judgment entry	Agency pays fees, costs, lost wages, travel, child care	Request in the same filing

Current language (verbatim)	Proposed language
(C) The failure of a public official or public agency or the public official's or public agency's designee to comply with the requirements of this chapter does not give rise to a claim for damages against that public official or public agency or that public official's or public agency's designee, except that a public agency as an employer may be held responsible for a violation of section 2930.18 of the Revised Code.	(C) The failure of a public official or public agency or the public official's or public agency's designee to comply with the requirements of this chapter does not give rise to a claim for damages against that public official or public agency or that public official's or public agency's designee, except that a public agency as an employer may be held responsible for a violation of section 2930.18 of the Revised Code, and except as provided in division (J) of this section.

	(J) Notwithstanding Chapter 2744. of the Revised Code, if a victim prevails in whole or in part on an assertion of rights under division (A) of this section or on an appeal or petition under this section, the court shall award the victim attorney's fees at the prevailing market rate, costs, and the victim's documented out-of-pocket expenses, including lost wages, travel, and child care, caused by the violation or by any proceeding that must be repeated because of it. The award shall be paid by the public agency whose official, employee, or designee failed to comply, within sixty days after the award becomes final. An award under this division is not damages and does not create any other cause of action.

Insert:

- ", and except as provided in division (J) of this section"
- "(J) Notwithstanding Chapter 2744. of the Revised Code, if a victim prevails in whole or in part on an assertion of rights under division (A) of this section or on an appeal or petition under this section, the court shall award the victim attorney's fees at the prevailing market rate, costs, and the victim's documented out-of-pocket expenses, including lost wages, travel, and child care, caused by the violation or by any proceeding that must be repeated because of it. The award shall be paid by the public agency whose official, employee, or designee failed to comply, within sixty days after the award becomes final. An award under this division is not damages and does not create any other cause of action."

Strike: nothing.

Why it matters: Article I, Section 10a(C) says the amendment itself creates no damages claim; it does not forbid the General Assembly from creating a narrow fee and expense remedy. Making the responsible agency pay the survivor's fees and costs gives every office a budget reason to comply and makes enforcement affordable for survivors.

S-9. Counsel for survivors who cannot afford it

STATUTORY AMENDMENT (General Assembly) | Gap: Enforcement

R.C. 2930.19, Division (B)(1), second sentence. Source: https://codes.ohio.gov/ohio-revised-code/section-2930.19

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Trial court	Indigent victim of violence requests counsel	At the time of request	Appointment entry	Counsel appointed and paid by the state office	Ask the court in writing or on the record

Current language (verbatim)	Proposed language
Nothing in this section creates a right to an attorney at public expense for a victim.	Nothing in this section creates a right to an attorney at public expense for a victim, except that, on the victim's request, a court shall appoint counsel for an indigent victim of domestic violence, violating a protection order, a sexually oriented offense, or another offense of violence to assert the victim's rights under this section, to be paid from funds appropriated to the office established under section 2930.23 of the Revised Code.

Insert:

- ", except that, on the victim's request, a court shall appoint counsel for an indigent victim of domestic violence, violating a protection order, a sexually oriented offense, or another offense of violence to assert the victim's rights under this section, to be paid from funds appropriated to the office established under section 2930.23 of the Revised Code"

Strike: nothing.

Why it matters: Rights that require a lawyer to enforce are out of reach for most survivors. A limited appointment power, tied to dedicated funding rather than county budgets, opens the courthouse door for the survivors most at risk.

S-10. Who is the victim when both people claim to be

STATUTORY AMENDMENT (General Assembly) | Gap: Clarity

R.C. 2930.01, Division (H). Source: https://codes.ohio.gov/ohio-revised-code/section-2930.01

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Trial court	Both people claim to be the victim	7 days after motion and before any release hearing	Written findings on each factor	Primary aggressor cannot use victims' rights against the victim	One-page enforcement request, no fee; clerk dockets in 1 business day; hearing in 10 days, ruling 7 days later (S-1, F-2)

Current language (verbatim)	Proposed language
(H) "Victim" has the same meaning as in Section 10a of Article I of the Ohio Constitution.	(H) "Victim" has the same meaning as in Section 10a of Article I of the Ohio Constitution. When family or household members, or persons in a dating relationship, each allege that the other committed a criminal offense arising out of the same incident or course of conduct, the court, on motion or on its own, shall determine which person is the victim for purposes of this chapter, within seven days after the motion is filed and before any hearing on release conditions or a no-contact order, and shall state its determination in written findings that address each factor listed in this division. The court shall consider the factors in division (B)(3)(d) of section 2935.03 of the Revised Code for identifying the primary physical aggressor, any history of domestic violence between them, any protection order, whether a complaint was made in retaliation for the other person's report, and whether a statement relied on by either person is contradicted by the record. A person the court finds to be the primary aggressor shall not use the rights in this chapter to obtain the other person's address or locating information, to prevent the other person from being present or heard, or to refuse discovery that the other person's defense requires.

Insert:

- "When family or household members, or persons in a dating relationship, each allege that the other committed a criminal offense arising out of the same incident or course of conduct, the court, on motion or on its own, shall determine which person is the victim for purposes of this chapter, within seven days after the motion is filed and

before any hearing on release conditions or a no-contact order, and shall state its determination in written findings that address each factor listed in this division. The court shall consider the factors in division (B)(3)(d) of section 2935.03 of the Revised Code for identifying the primary physical aggressor, any history of domestic violence between them, any protection order, whether a complaint was made in retaliation for the other person's report, and whether a statement relied on by either person is contradicted by the record. A person the court finds to be the primary aggressor shall not use the rights in this chapter to obtain the other person's address or locating information, to prevent the other person from being present or heard, or to refuse discovery that the other person's defense requires."

Strike: nothing.

Why it matters: Abusers sometimes file a counter-report first and then invoke victim's rights to silence or locate the real victim. Ohio already directs officers to identify the primary physical aggressor (R.C. 2935.03(B)(3)); this applies the same factors in court. A statute cannot narrow the constitutional definition, so this is written as a determination of which person is the victim, and C-3 below makes it constitutional.

S-11. Automatic privacy for survivors of violence, without paperwork

STATUTORY AMENDMENT (General Assembly) | Gap: Clarity (privacy)

R.C. 2930.07, Division (D)(1)(a)(i). Source: https://codes.ohio.gov/ohio-revised-code/section-2930.07

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Law enforcement, prosecutor, clerk	Any public release of a record	Before release	Redacted record	Unredacted release is a violation under F-2	One-page enforcement request, no fee; clerk dockets in 1 business day; hearing in 10 days, ruling 7 days later (S-1, F-2)

Current language (verbatim)	Proposed language
(D)(1)(a)(i) On written request of the victim or victim's representative to a law enforcement agency, prosecutor's office, or court, all case documents related to the cases or matters specified by the victim maintained by the entity to whom the victim or victim's representative submitted the request shall be redacted prior to public release pursuant to section 149.43 of the Revised Code to remove the name, address, or other identifying information of the victim.	(D)(1)(a)(i) On written request of the victim or victim's representative to a law enforcement agency, prosecutor's office, or court, all case documents related to the cases or matters specified by the victim maintained by the entity to whom the victim or victim's representative submitted the request shall be redacted prior to public release pursuant to section 149.43 of the Revised Code to remove the name, address, or other identifying information of the victim. For a victim of violating a protection order, an offense of violence, or a sexually oriented offense, the redaction of the victim's address and locating information required by this division applies automatically for the life of the case and any related protection order or parental rights proceeding, without a written request, unless the victim waives it in writing under section 2930.27 of the Revised Code. The entity holding the record shall complete the redaction before any release of the record, and a release made without the redaction is a violation of this chapter subject to section 2930.26 of the Revised Code.

Insert:

- "For a victim of violating a protection order, an offense of violence, or a sexually oriented offense, the redaction of the victim's address and locating information required by this division applies automatically for the life of the case and any related protection order or parental rights proceeding, without a written request, unless the victim waives it in writing under section 2930.27 of the Revised Code. The entity holding the record shall complete the redaction before any release of the record, and a release made without the redaction is a violation of this chapter subject to section 2930.26 of the Revised Code."

Strike: nothing.

Why it matters: Today automatic redaction for survivors of violence lasts only until the first contact with a prosecutor (division (D)(1)(a)(ii)); after that, a survivor who misses the paperwork can have an address released. A survivor's location should never depend on filing a form.

S-12. Plain-language rights notice in the languages Ohioans speak

STATUTORY AMENDMENT (General Assembly) | Gap: Clarity

R.C. 2930.04, Division (A), first two sentences. Source: https://codes.ohio.gov/ohio-revised-code/section-2930.04

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Attorney general; every agency	Victim has limited English or a disability	At every notice, conference, and proceeding	Interpreter noted in the record	F-2 consequences	One-page enforcement request, no fee; clerk dockets in 1 business day; hearing in 10 days, ruling 7 days later (S-1, F-2)

Current language (verbatim)	Proposed language
(A) The attorney general shall provide access to a sample victim's rights request form, which shall include the information specified in division (B) of this section. The form shall be created in English, Spanish, and Arabic, and any other languages upon request.	(A) The attorney general shall provide access to a sample victim's rights request form, which shall include the information specified in division (B) of this section. The form shall be written in plain language at or below a sixth-grade reading level, tested for readability with crime survivors, and created in English, Spanish, and Arabic, in each other language spoken by at least one per cent of Ohio residents with limited English proficiency, and in any other languages upon request. The attorney general shall also make a one-page summary, an audio version, and a version accessible to persons with disabilities available to every law enforcement agency, prosecutor, and court. When a victim has limited English proficiency or is deaf or hard of hearing, each public official and public agency with a duty under this chapter shall provide a qualified interpreter at no cost to the victim for every notice, conference, and proceeding under this chapter.

Insert:

- "written in plain language at or below a sixth-grade reading level, tested for readability with crime survivors, and"
- "in each other language spoken by at least one per cent of Ohio residents with limited English proficiency,"
- "in"
- "The attorney general shall also make a one-page summary, an audio version, and a version accessible to persons with disabilities available to every law enforcement agency, prosecutor, and court. When a victim has limited

English proficiency or is deaf or hard of hearing, each public official and public agency with a duty under this chapter shall provide a qualified interpreter at no cost to the victim for every notice, conference, and proceeding under this chapter."

Strike: nothing.

Why it matters: Section 10a(A)(10) promises rights "in writing," but a dense legal form is not real notice to someone in shock or who reads another language. Plain language, more languages, accessible formats, and free interpreters for conferences (not only courtroom hearings) make the notice meaningful.

S-13. Restitution that is actually collected and covers the cost of showing up

STATUTORY AMENDMENT (General Assembly) | Gap: Enforcement (restitution)

R.C. 2929.281, Division (E), plus new divisions (A)(6) and (H). Source: https://codes.ohio.gov/ohio-revised-code/section-2929.281

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Court and clerk	Restitution order	Judgment certificate on request at no cost; disbursement within 30 days	Clerk's annual report	Order survives end of supervision	Ask the clerk; no fee

Current language (verbatim)	Proposed language
(E) Pursuant to division (D) of section 2929.18 and division (E) of section 2929.28 of the Revised Code, a court order for restitution imposed under this section may be reduced to a certificate of judgment in favor of the victim. If the order is reduced to such a judgment, the person required to pay the restitution under the order is the judgment debtor.	(E) Pursuant to division (D) of section 2929.18 and division (E) of section 2929.28 of the Revised Code, a court order for restitution imposed under this section ~~may~~shall, on the victim's request and at no cost to the victim, be reduced to a certificate of judgment in favor of the victim. If the order is reduced to such a judgment, the person required to pay the restitution under the order is the judgment debtor. (A)(6) Wages lost, and reasonable travel and child care expenses incurred, because the victim attended proceedings in the case in the exercise of the victim's rights under Section 10a of Article I of the Ohio Constitution or this chapter. (H) The clerk shall disburse restitution payments to the victim within thirty days after receipt. The expiration or termination of community control, probation, or any other sanction does not extinguish an unpaid restitution order. Each clerk shall report annually under section 2930.22 of the Revised Code the amount of restitution ordered, collected, and disbursed.

Insert:

- "shall, on the victim's request and at no cost to the victim,"
- "(A)(6) Wages lost, and reasonable travel and child care expenses incurred, because the victim attended proceedings in the case in the exercise of the victim's rights under Section 10a of Article I of the Ohio Constitution or this chapter. (H) The clerk shall disburse restitution payments to the victim within thirty days after receipt. The expiration or termination of community control, probation, or any other sanction does not extinguish an unpaid restitution order. Each clerk shall report annually under section 2930.22 of the Revised Code the amount of restitution ordered, collected, and disbursed."

Strike:

- "may"

Why it matters: In State v. Yerkey, 2022-Ohio-4298, the Supreme Court of Ohio held that wages a victim lost by choosing to attend court were not recoverable because they were not a direct and proximate result of the offense under the existing statute. The General Assembly can expressly add those costs so that exercising a constitutional right does not cost survivors their paychecks, and can make collection automatic and transparent.

S-19. Rights in writing at first contact, within 24 hours, with a signed acknowledgment

NEW IN VERSION 2 | STATUTORY AMENDMENT (General Assembly) | Gap: Clarity and enforcement

R.C. 2930.04, Division (D), opening paragraph, and division (E)(1). Source: https://codes.ohio.gov/ohio-revised-code/section-2930.04

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Investigating law enforcement agency	First contact with the victim	Within 24 hours	Signed acknowledgment sent to prosecutor	Presumed not given if no acknowledgment	One-page enforcement request, no fee; clerk dockets in 1 business day; hearing in 10 days, ruling 7 days later (S-1, F-2)

Current language (verbatim)	Proposed language
(D) At the time of its initial contact with a victim of a criminal offense or delinquent act, or as soon as practicable following the initial contact, the law enforcement agency responsible for investigating the criminal offense or delinquent act shall provide the victim in writing, or provide access to, as specified in division (E)(2) of this section, all of the following information:	(D) At the time of its initial contact with a victim of a criminal offense or delinquent act, or ~~as soon as practicable~~not later than twenty-four hours following the initial contact, the law enforcement agency responsible for investigating the criminal offense or delinquent act shall provide the victim in writing, ~~or provide access to,~~ and in a language the victim understands, and shall review with the victim, as specified in division (E)(2) of this section, all of the following information, and shall ask the victim to sign an acknowledgment of receipt on a form prescribed by the attorney general. The officer shall note on the acknowledgment if the victim declined or was unable to sign. The agency shall give the victim a copy and transmit the acknowledgment to the prosecutor with the report. Signing the acknowledgment is not a waiver of any right:
(E)(1) The law enforcement officer responsible for providing information under this section shall use reasonable efforts to identify the victim. At a minimum, this information should be disseminated to the individual or individuals identified in the police report as victims.	(E)(1) The law enforcement officer responsible for providing information under this section shall ~~use reasonable efforts to~~ identify the victim, including by applying the primary physical aggressor factors in division (B)(3) of section 2935.03 of the Revised Code when more than one person claims to be the victim. At a minimum, this information ~~should~~shall be disseminated to the individual or individuals identified in the police report as victims.

Insert:

- "not later than twenty-four hours"

- "and in a language the victim understands, and shall review with the victim,"
- ", and shall ask the victim to sign an acknowledgment of receipt on a form prescribed by the attorney general. The officer shall note on the acknowledgment if the victim declined or was unable to sign. The agency shall give the victim a copy and transmit the acknowledgment to the prosecutor with the report. Signing the acknowledgment is not a waiver of any right"
- ", including by applying the primary physical aggressor factors in division (B)(3) of section 2935.03 of the Revised Code when more than one person claims to be the victim"
- "shall"

Strike:

- "as soon as practicable"
- "or provide access to"
- "use reasonable efforts to"
- "should"

Why it matters: Section 10a(A)(10) promises that survivors are informed of their rights in writing. Today an officer can satisfy the duty "as soon as practicable" and by providing "access" to the information, and the statute only says the information "should" go to the named victim. A 24-hour deadline, a reviewed written notice, and a signed acknowledgment create proof that the duty was met.

S-20. Arrest notice within 12 hours, and a required response when the accused threatens the victim

NEW IN VERSION 2 | STATUTORY AMENDMENT (General Assembly) | Gap: Enforcement (reasonable protection)

R.C. 2930.05, Division (A), opening paragraph, and division (B). Source: https://codes.ohio.gov/ohio-revised-code/section-2930.05

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Investigating agency; prosecutor; court	Arrest; victim affidavit of threats	Arrest notice in 12 hours and before release; prosecutor decides in 2 business days; hearing in 3	Contact log; filed motion or written reasons	Release hearing redone (S-2)	Victim's own petition plus free form

Current language (verbatim)	Proposed language
(A) Within a reasonable period of time after the arrest or detention of a defendant or an alleged juvenile offender for the underlying criminal offense or delinquent act, the law enforcement agency that investigates the criminal offense or delinquent act shall give the victim and the victim's representative notice of all of the following:	(A) ~~Within a reasonable period of time~~Not later than twelve hours after the arrest or detention of a defendant or an alleged juvenile offender for the underlying criminal offense or delinquent act, and in every case before the defendant's or alleged juvenile offender's release, the law enforcement agency that investigates the criminal offense or delinquent act shall give the victim and the victim's representative notice of all of the following, and shall record the notice under division (G) of section 2930.06 of the Revised Code:
(B)(1) If a defendant or alleged juvenile offender has been released from custody on a bond or personal recognizance or has been released from detention and the prosecutor in the case has received the affidavit of a victim stating that the defendant or alleged juvenile offender, or someone acting at the defendant's or alleged juvenile offender's direction,	(B)(1) If a defendant or alleged juvenile offender has been released from custody on a bond or personal recognizance or has been released from detention and the prosecutor in the case has received the affidavit of a victim stating that the defendant or alleged juvenile offender, or someone acting at the defendant's or alleged juvenile offender's direction,

has committed or threatened to commit one or more acts of violence, harassment, or intimidation against the victim, the victim's family, or the victim's representative, the prosecutor may file a motion asking the court to reconsider the conditions of the bond or personal recognizance granted to the defendant or alleged juvenile offender or to consider returning the defendant or alleged juvenile offender to detention. (2) If the prosecutor elects not to file a motion under division (B)(1) of this section, the prosecutor or the prosecutor's designee shall inform the victim as soon as practicable that the victim or the victim's attorney may file a petition asking the court to reconsider the conditions of the bond or personal recognizance granted to the defendant or alleged juvenile offender.	has committed or threatened to commit one or more acts of violence, harassment, or intimidation against the victim, the victim's family, or the victim's representative, the prosecutor ~~may~~shall, within two business days after receiving the affidavit, either file a motion asking the court to reconsider the conditions of the bond or personal recognizance granted to the defendant or alleged juvenile offender or to consider returning the defendant or alleged juvenile offender to detention, or file with the court a written statement of the reasons for not filing the motion. The court shall hear a motion or petition under this division within three business days after it is filed. (2) If the prosecutor elects not to file a motion under division (B)(1) of this section, the prosecutor or the prosecutor's designee shall inform the victim ~~as soon as practicable~~within one business day, in writing, of the reasons and that the victim or the victim's attorney may file a petition asking the court to reconsider the conditions of the bond or personal recognizance granted to the defendant or alleged juvenile offender, and shall give the victim the form prescribed under division (E) of section 2930.26 of the Revised Code.

Insert:

- "Not later than twelve hours"
- "and in every case before the defendant's or alleged juvenile offender's release,"
- ", and shall record the notice under division (G) of section 2930.06 of the Revised Code"
- "shall, within two business days after receiving the affidavit, either"
- ", or file with the court a written statement of the reasons for not filing the motion. The court shall hear a motion or petition under this division within three business days after it is filed"
- "within one business day, in writing, of the reasons and"
- ", and shall give the victim the form prescribed under division (E) of section 2930.26 of the Revised Code"

Strike:

- "Within a reasonable period of time"
- "may"
- "as soon as practicable"

Why it matters: A survivor who swears that the accused is threatening her should not wait an unknown time for a decision that may never come. This keeps the prosecutor's discretion, but requires a decision within two business days, written reasons if the answer is no, and a hearing within three business days.

S-21. Escape and release notice in hours, not days

NEW IN VERSION 2 | STATUTORY AMENDMENT (General Assembly) | Gap: Enforcement (release and escape notice)

R.C. 2930.16, Division (C)(2)(d) and (g). Source: https://codes.ohio.gov/ohio-revised-code/section-2930.16

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Custodial agency	Escape; scheduled or unscheduled release	2 hours after escape or unscheduled release; 24 hours before scheduled release	Notice log	F-2 consequences; reported to ombudsman	One-page enforcement request, no fee; clerk dockets in 1 business day; hearing in 10 days,

					ruling 7 days later (S-1, F-2)

Current language (verbatim)	Proposed language
(d) Prompt notice, but not more than three days after the escape, of the defendant's or alleged juvenile offender's escape from a facility of the custodial agency in which the defendant was incarcerated or in which the alleged juvenile offender was placed after commitment, of the defendant's or alleged juvenile offender's absence without leave from a mental health or developmental disabilities facility or from other custody, and of the capture of the defendant or alleged juvenile offender after an escape or absence;	(d) ~~Prompt notice, but not more than three days~~Notice not more than two hours after the custodial agency learns of the escape, of the defendant's or alleged juvenile offender's escape from a facility of the custodial agency in which the defendant was incarcerated or in which the alleged juvenile offender was placed after commitment, of the defendant's or alleged juvenile offender's absence without leave from a mental health or developmental disabilities facility or from other custody, and of the capture of the defendant or alleged juvenile offender after an escape or absence;
(g) Notice of the defendant's or alleged juvenile offender's post-conviction release from confinement or custody, including jail or local custody, and the terms and conditions of the release as soon as the custodial agency becomes aware of the release.	(g) Notice of the defendant's or alleged juvenile offender's post-conviction release from confinement or custody, including jail or local custody, and the terms and conditions of the release ~~as soon as the custodial agency becomes aware of the release~~not less than twenty-four hours before a scheduled release and not more than two hours after an unscheduled release. The custodial agency shall also give this notice for any pretrial release of a defendant charged with an offense of violence, violating a protection order, or a sexually oriented offense.

Insert:

- "Notice not more than two hours"
- "custodial agency learns of the"
- "not less than twenty-four hours before a scheduled release and not more than two hours after an unscheduled release. The custodial agency shall also give this notice for any pretrial release of a defendant charged with an offense of violence, violating a protection order, or a sexually oriented offense"

Strike:

- "Prompt notice, but not more than three days"
- "as soon as the custodial agency becomes aware of the release"

Why it matters: Three days is far too long for a survivor to learn that the person who hurt her has escaped. Hours matter for safety planning, so the deadlines are now two hours for escapes and unscheduled releases and twenty-four hours before a scheduled one.

S-22. Case information within 7 days, and no shortcut on the court's notice to the prosecutor

NEW IN VERSION 2 | STATUTORY AMENDMENT (General Assembly) | Gap: Clarity (notice)

R.C. 2930.06, Division (C), opening paragraph, and division (D). Source: https://codes.ohio.gov/ohio-revised-code/section-2930.06

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Prosecutor; court	Charges filed; proceeding scheduled	Case information in 7 days; court tells prosecutor 10 days	Written information; docket	Proceeding continued	One-page enforcement request, no fee;

		before			clerk dockets in 1 business day; hearing in 10 days, ruling 7 days later (S-1, F-2)

Current language (verbatim)	Proposed language
(C) After a prosecution in a case has been commenced, the prosecutor or a designee of the prosecutor other than a court or court employee shall give the victim and the victim's representative, if applicable, all of the following information within a reasonable time frame, except that, if the juvenile court disposes of a case prior to the prosecutor's involvement in the case, the court or a court employee promptly shall give the victim and the victim's representative all of the following information:	(C) After a prosecution in a case has been commenced, the prosecutor or a designee of the prosecutor other than a court or court employee shall give the victim and the victim's representative, if applicable, all of the following information ~~within a reasonable time frame~~in writing within seven days after the prosecution is commenced and before the first hearing on release conditions, whichever is sooner, except that, if the juvenile court disposes of a case prior to the prosecutor's involvement in the case, the court or a court employee promptly shall give the victim and the victim's representative all of the following information:
(D) Unless a shorter notice period is reasonable under the circumstances, the court shall provide the prosecutor or prosecutor's designee with oral or written notice of any court proceeding not less than ten days prior to that court proceeding unless the parties agree that a shorter notice period is reasonable under the circumstances.	(D) ~~Unless a shorter notice period is reasonable under the circumstances, the~~The court shall provide the prosecutor or prosecutor's designee with oral or written notice of any court proceeding not less than ten days prior to that court proceeding ~~unless the parties agree that a shorter notice period is reasonable under the circumstances~~or, for a proceeding that must be scheduled sooner to protect the accused's right to a speedy trial or to address an emergency, on the day it is scheduled. A shorter notice period agreed to by the parties does not shorten the victim's notice under division (E) of this section.

Insert:

- "in writing within seven days after the prosecution is commenced and before the first hearing on release conditions, whichever is sooner"
- "The"
- "or, for a proceeding that must be scheduled sooner to protect the accused's right to a speedy trial or to address an emergency, on the day it is scheduled. A shorter notice period agreed to by the parties does not shorten the victim's notice under division (E) of this section"

Strike:

- "within a reasonable time frame"
- "Unless a shorter notice period is reasonable under the circumstances, the"
- "unless the parties agree that a shorter notice period is reasonable under the circumstances"

Why it matters: "A reasonable time frame" has no end date, and the court's own notice to the prosecutor can be cut short whenever a shorter period seems "reasonable" or the parties agree. Since the survivor's notice depends on the prosecutor's notice, both get fixed deadlines.

S-23. Notice records become proof, and missing records count against the agency

NEW IN VERSION 2 | STATUTORY AMENDMENT (General Assembly) | Gap: Enforcement (proof of notice)

R.C. 2930.06, Division (G). Source: https://codes.ohio.gov/ohio-revised-code/section-2930.06

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Prosecutor or court	Every hearing	Timely notice, as defined	Contact log attached to compliance certificate; free copy in 2 business days	Missing log is presumed no notice	One-page enforcement request, no fee; clerk dockets in 1 business day; hearing in 10 days, ruling 7 days later (S-1, F-2)

Current language (verbatim)	Proposed language
(G) A prosecutor, the prosecutor's designee, or a court that is required to notify a victim or victim's representative of hearings, on request, shall attempt a notification and keep a record of attempted notifications. The record shall indicate the person who was to be the recipient of the notice, the date on which the attempt was made, the manner in which the attempt was made, and the person who made the attempt. The notification shall be provided to the victim using the victim contact information provided on the victims' rights request form or otherwise provided by the victim or victim representative by any reasonable means, including regular mail, telephone, or electronic mail.	(G) A prosecutor, the prosecutor's designee, or a court that is required to notify a victim or victim's representative of hearings~~, on request,~~ shall ~~attempt a notification~~give timely notice, as defined in section 2930.01 of the Revised Code, and keep a record of each attempted and completed notification~~s~~. The record shall indicate the person who was to be the recipient of the notice, the date and time on which the attempt was made, the manner in which the attempt was made, the contact information used, the result, and the person who made the attempt. The notification shall be provided to the victim using the victim contact information provided on the victims' rights request form or otherwise provided by the victim or victim representative by ~~any reasonable means, including regular mail, telephone, or electronic mail~~the method the victim selected and at least one other method, including regular mail, telephone, text message, or electronic mail. The record shall be attached to the victim rights compliance certificate required by section 2930.26 of the Revised Code, shall be provided free to the victim within two business days after a request, and is subject to the presumption in division (D) of that section.

Insert:

- "give timely notice, as defined in section 2930.01 of the Revised Code,"
- "each"
- "and completed"
- "and time"
- "the contact information used, the result,"
- "the method the victim selected and at least one other method, including regular mail, telephone, text message, or electronic mail. The record shall be attached to the victim rights compliance certificate required by section 2930.26 of the Revised Code, shall be provided free to the victim within two business days after a request, and is subject to the presumption in division (D) of that section"

Strike:

- "on request"
- "attempt a notification"
- "s"
- "any reasonable means, including regular mail, telephone, or electronic mail"

Why it matters: Today the duty is only to "attempt" notice by "any reasonable means," so one unanswered letter can satisfy it. This requires actual timely notice or documented diligent attempts, two methods of contact, and records the survivor can see. If the record is missing, the law presumes the notice was never given.

S-24. Freedom from unreasonable delay, with deadlines and a motion to force a ruling

NEW IN VERSION 2 | STATUTORY AMENDMENT (General Assembly) | Gap: Enforcement (delay)

R.C. 2930.08, Division (A)(2) and division (C), plus new division (D). Source: https://codes.ohio.gov/ohio-revised-code/section-2930.08

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Court; party seeking delay	Continuance requested; matter stalled	Continuance motion 3 business days before; ruling on victim's motion in 14 days	Written entry with reason, victim's position, new date	Third continuance needs constitutional reason or emergency; report to administrative judge and supreme court	Motion for a ruling; clerk dockets in 1 business day

Current language (verbatim)	Proposed language
(2) A victim has the right to proceedings free from unreasonable delay and a prompt conclusion of the case. The court and all participants shall endeavor to complete the case within the time frame provided by the Rules of Superintendence.	(2) A victim has the right to proceedings free from unreasonable delay and a prompt conclusion of the case. The court and all participants shall ~~endeavor to~~ complete the case within the time frame provided by the Rules of Superintendence. Delay beyond that time frame, or a motion pending without a ruling for more than thirty days after it is fully briefed, is unreasonable delay unless the court makes a written finding of good cause, as defined in section 2930.01 of the Revised Code.
(C) If the victim, victim's representative, or victim's attorney, if applicable, objects to a delay in the prosecution of the case, the court shall grant a motion, request, or agreement for a continuance of the case only if the party seeking the continuance demonstrates that the delay in the prosecution of the case is reasonable under the circumstances or is otherwise in the interest of justice. The court may grant a motion, request, or agreement for a continuance of the case only for the time necessary to serve the interests of justice. If a continuance is granted, the court shall state on the record or in a judgment entry the specific reason for the continuance.	(C) Every motion, request, or agreement for a continuance shall be in writing, shall state the specific reason for the delay and the length requested, and shall be filed not less than three business days before the proceeding unless it arises from an emergency. The prosecutor shall state the victim's position on the continuance. If the victim, victim's representative, or victim's attorney, if applicable, objects to a delay in the prosecution of the case, the court shall grant a motion, request, or agreement for a continuance of the case only if the party seeking the continuance demonstrates that the delay in the prosecution of the case is ~~reasonable under the circumstances or is otherwise in the interest of justice~~supported by good cause, as defined in section 2930.01 of the Revised Code. The court may grant a motion, request, or agreement for a continuance of the case only for the time necessary to serve the interests of justice. If a continuance is granted, the court shall state ~~on the record or~~ in a judgment entry the specific reason for the continuance, the victim's position, and the new date. A third or later continuance requested by the same party requires a written finding that the delay is necessary to protect a

	constitutional right of the accused or to respond to an emergency. (D) If a case or motion has been pending beyond the time described in division (A)(2) of this section, the victim, victim's representative, or victim's attorney may file a motion for a ruling or for a trial date. The clerk shall docket the motion within one business day. The court shall rule on the pending matter, or set a firm date not more than thirty days away and state the reason in a written finding, within fourteen days after the motion is filed. If the court does not do so, the victim may notify the administrative judge and the supreme court, and the notification is a public record without the victim's identifying information.

Insert:

- ". Delay beyond that time frame, or a motion pending without a ruling for more than thirty days after it is fully briefed, is unreasonable delay unless the court makes a written finding of good cause, as defined in section 2930.01 of the Revised Code"
- "Every motion, request, or agreement for a continuance shall be in writing, shall state the specific reason for the delay and the length requested, and shall be filed not less than three business days before the proceeding unless it arises from an emergency. The prosecutor shall state the victim's position on the continuance."
- "supported by good cause, as defined in section 2930.01 of the Revised Code"
- ", the victim's position, and the new date. A third or later continuance requested by the same party requires a written finding that the delay is necessary to protect a constitutional right of the accused or to respond to an emergency. (D) If a case or motion has been pending beyond the time described in division (A)(2) of this section, the victim, victim's representative, or victim's attorney may file a motion for a ruling or for a trial date. The clerk shall docket the motion within one business day. The court shall rule on the pending matter, or set a firm date not more than thirty days away and state the reason in a written finding, within fourteen days after the motion is filed. If the court does not do so, the victim may notify the administrative judge and the supreme court, and the notification is a public record without the victim's identifying information"

Strike:

- "endeavor to"
- "reasonable under the circumstances or is otherwise in the interest of justice"
- "on the record or"

Why it matters: "Endeavor" and "reasonable under the circumstances" let cases drift for months while a survivor waits in fear. This sets a measurable line for unreasonable delay, requires written, timely continuance requests with the survivor's position stated, limits serial continuances, and gives the survivor a motion that forces a ruling within fourteen days.

S-25. An advocate at every stage, including interviews, and no plea on "reasonable efforts" alone

NEW IN VERSION 2 | STATUTORY AMENDMENT (General Assembly) | Gap: Clarity and enforcement

R.C. 2930.09, Division (A)(1) and division (C)(2). Source: https://codes.ohio.gov/ohio-revised-code/section-2930.09

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Law enforcement, prosecutor, defense, court	Any interview, meeting, or proceeding	Before the interview; wait no more than 4 hours unless victim asks	Report notes advocate present or declined	F-2 consequences	One-page enforcement request, no fee; clerk dockets in 1 business day;

					hearing in 10 days, ruling 7 days later (S-1, F-2)

Current language (verbatim)	Proposed language
(A)(1) A victim and victim's representative in a case, if applicable, have the right to be present, during any public proceeding, other than a grand jury proceeding. At any stage of the case at which the victim is present, the court shall permit the victim to be accompanied by an individual to provide support to the victim, a victim advocate and victim representative. The victim, victim's representative, and victim's attorney, if applicable, have the right to be heard by the court at any proceeding in which any right of the victim is implicated. If present, the victim, victim's representative, and victim's attorney, if applicable, have the right to be heard orally, in writing, or both.	(A)(1) A victim and victim's representative in a case, if applicable, have the right to be present, during any public proceeding, other than a grand jury proceeding. At any stage of the case at which the victim is present, including any interview of the victim by a law enforcement officer, prosecutor, defense counsel, or investigator, any forensic or medical examination at the victim's request, and any meeting with the prosecutor, the court and each public official conducting the interview or meeting shall permit the victim to be accompanied by an individual to provide support to the victim, a victim advocate and victim representative. Before any interview, the official shall tell the victim of this right, and shall note in the report whether an advocate was present or declined. An interview shall not be refused or delayed more than four hours to wait for an advocate unless the victim asks to wait. The victim, victim's representative, and victim's attorney, if applicable, have the right to be heard by the court at any proceeding in which any right of the victim is implicated. If present, the victim, victim's representative, and victim's attorney, if applicable, have the right to be heard orally, in writing, or both.
(2) The prosecutor made reasonable efforts to give the victim and victim's representative, if applicable, notice of the plea proceedings and to inform the victim and victim's representative of the victim's and victim's representative's right to be present and be heard at the plea proceedings.	(2) The prosecutor ~~made reasonable efforts to give~~gave the victim and victim's representative, if applicable, timely notice of the plea proceedings, or made diligent contact attempts as defined in section 2930.01 of the Revised Code, and ~~to inform~~informed the victim and victim's representative of the victim's and victim's representative's right to be present and be heard at the plea proceedings, and filed the victim rights compliance certificate required by section 2930.26 of the Revised Code.

Insert:

- "including any interview of the victim by a law enforcement officer, prosecutor, defense counsel, or investigator, any forensic or medical examination at the victim's request, and any meeting with the prosecutor,"
- "and each public official conducting the interview or meeting"
- ". Before any interview, the official shall tell the victim of this right, and shall note in the report whether an advocate was present or declined. An interview shall not be refused or delayed more than four hours to wait for an advocate unless the victim asks to wait"
- "gave"
- "timely"
- ", or made diligent contact attempts as defined in section 2930.01 of the Revised Code,"
- "informed"
- ", and filed the victim rights compliance certificate required by section 2930.26 of the Revised Code"

Strike:

- "made reasonable efforts to give"
- "to inform"

Why it matters: Survivors are often interviewed alone, sometimes in a way that is later used against them, even though the law lets an advocate stand with them in court. This extends the advocate right to interviews and meetings and requires the report to show whether an advocate was offered. It also replaces "reasonable efforts" before a plea taken without the survivor with a measurable standard.

S-26. Separate waiting areas are required, not optional

NEW IN VERSION 2 | STATUTORY AMENDMENT (General Assembly) | Gap: Enforcement (reasonable protection, dignity)

R.C. 2930.10, Divisions (A) and (B). Source: https://codes.ohio.gov/ohio-revised-code/section-2930.10

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Court	Any proceeding	Written plan within 180 days	Posted plan	F-2 consequences	One-page enforcement request, no fee; clerk dockets in 1 business day; hearing in 10 days, ruling 7 days later (S-1, F-2)

Current language (verbatim)	Proposed language
(A) The court in which a criminal prosecution or delinquency proceeding is held shall make a reasonable effort to minimize any contact between the victim in the case, members of the victim's family, the victim's representative, or witnesses for the prosecution and the defendant or alleged juvenile offender in the case, members of the defendant's or alleged juvenile offender's family, or witnesses for the defense before, during, and immediately after all court proceedings.	(A) The court in which a criminal prosecution or delinquency proceeding is held shall ~~make a reasonable effort to~~ minimize any contact between the victim in the case, members of the victim's family, the victim's representative, or witnesses for the prosecution and the defendant or alleged juvenile offender in the case, members of the defendant's or alleged juvenile offender's family, or witnesses for the defense before, during, and immediately after all court proceedings, including by staggered arrival and departure times and escort by court security on the victim's request.
(B) The court shall provide a waiting area for the victim, members of the victim's family, the victim's representative, or witnesses for the prosecution that is separate from the waiting area provided for the defendant or alleged juvenile offender, members of the defendant's or alleged juvenile offender's family, and defense witnesses if a separate waiting area is available and the use of the area is practical.	(B) The court shall provide a waiting area for the victim, members of the victim's family, the victim's representative, or witnesses for the prosecution that is separate from the waiting area provided for the defendant or alleged juvenile offender, members of the defendant's or alleged juvenile offender's family, and defense witnesses ~~if a separate waiting area is available and the use of the area is practical~~. A court that does not have a separate waiting area shall adopt, within one hundred eighty days after the effective date of this amendment, a written plan describing the alternative measures it uses, such as a staffed room, remote appearance, or a separate entrance, and shall post the plan on its website.

Insert:

- ", including by staggered arrival and departure times and escort by court security on the victim's request"

- ". A court that does not have a separate waiting area shall adopt, within one hundred eighty days after the effective date of this amendment, a written plan describing the alternative measures it uses, such as a staffed room, remote appearance, or a separate entrance, and shall post the plan on its website"

Strike:

- "make a reasonable effort to"
- "if a separate waiting area is available and the use of the area is practical"

Why it matters: "Reasonable effort" and "if ... available and ... practical" allow a survivor to sit in a hallway next to the person who hurt her. Every court can do something: a separate room, a staggered schedule, an escort, or a remote appearance. This requires a written plan instead of an excuse.

S-27. Before bail in a domestic violence case, the court must check for protection orders and related family cases

NEW IN VERSION 2 | STATUTORY AMENDMENT (General Assembly) | Gap: Enforcement (reasonable protection)

R.C. 2919.251, Division (B), opening paragraph and (B)(11). Source: https://codes.ohio.gov/ohio-revised-code/section-2919.251

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Court or clerk	Bail in a domestic violence case	Before bail is set	Entry on the record of the search and its result	Bail hearing redone (S-2)	One-page enforcement request, no fee; clerk dockets in 1 business day; hearing in 10 days, ruling 7 days later (S-1, F-2)

Current language (verbatim)	Proposed language
(B) To the extent that information about any of the following is available to the court, the court shall consider all of the following, in addition to any other circumstances considered by the court and notwithstanding any provisions to the contrary contained in section 2937.011 of the Revised Code, before setting bail for a person who appears before the court pursuant to division (A) of this section:	(B) ~~To the extent that information about any of the following is available to the court, the~~Before setting bail, the court, or the clerk at the court's direction, shall search the law enforcement automated data system, the protection order records of the clerks of the county, and the court's own docket and the dockets of the domestic relations and juvenile divisions of the county for any protection order or any pending or concluded proceeding involving the person and the alleged victim, and shall enter on the record that the search was made and its result. The court shall consider all of the following, in addition to any other circumstances considered by the court and notwithstanding any provisions to the contrary contained in section 2937.011 of the Revised Code, before setting bail for a person who appears before the court pursuant to division (A) of this section:
(11) Any information contained in the complaint and any police reports, affidavits, or other documents accompanying the complaint.	(11) Any information contained in the complaint and any police reports, affidavits, or other documents accompanying the complaint; (12) Any protection order in effect or previously issued involving the person and the alleged victim, and any pending proceeding for a protection order or for the allocation of parental rights and

	responsibilities between them, as disclosed by the search required by this division and by the notice required under section 2930.30 of the Revised Code.

Insert:

- "Before setting bail, the court, or the clerk at the court's direction, shall search the law enforcement automated data system, the protection order records of the clerks of the county, and the court's own docket and the dockets of the domestic relations and juvenile divisions of the county for any protection order or any pending or concluded proceeding involving the person and the alleged victim, and shall enter on the record that the search was made and its result. The"
- "; (12) Any protection order in effect or previously issued involving the person and the alleged victim, and any pending proceeding for a protection order or for the allocation of parental rights and responsibilities between them, as disclosed by the search required by this division and by the notice required under section 2930.30 of the Revised Code"

Strike:

- "To the extent that information about any of the following is available to the court, the"

Why it matters: Bail decisions in domestic violence cases are often made without the judge knowing that a protection order already exists or that the same people are in a custody or protection-order case down the hall. "To the extent that information ... is available" lets no one look. This requires a records check on the record before bail is set, so release conditions protect the survivor and match orders already in place.

C. New sections (no current language exists)

S-14. New R.C. 2930.21: Written compliance duties for police, prosecutors, and clerks

STATUTORY AMENDMENT, NEW SECTION (General Assembly) | Gap: Accountability

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Every agency with a Chapter 2930 duty	Effective date	Policy in 180 days; compliance officer answers in 10 business days	Posted policy and case-level records	Ombudsman findings and public report	Contact the compliance officer or ombudsman

Current language (verbatim)	Proposed language
No current provision. Chapter 2930 assigns many duties but does not require any agency to adopt a written compliance policy, designate a responsible person, or keep compliance records beyond the notification log in R.C. 2930.06(G).	Sec. 2930.21. (A) Each law enforcement agency, prosecutor's office, clerk of court, custodial agency, and probation department with a duty under this chapter shall do all of the following: (1) Adopt a written policy, within one hundred eighty days after the effective date of this section, describing how it carries out each duty it has under this chapter and Section 10a of Article I of the Ohio Constitution; (2) Designate a victims' rights compliance officer who receives and responds to victim concerns within ten business days; (3) Keep a record, for each case, of each notice given or attempted, each conference requested and held, each rights request form received, and each redaction request, and make the record available to the victim

	and the victim's attorney on request; (4) Post the policy and the compliance officer's contact information on its website. (B) The supreme court is requested to adopt rules of superintendence establishing corresponding procedures for courts.

Insert: the entire new section shown above.

Strike: nothing.

Why it matters: Survivors cannot enforce duties that no office has written down or tracked. A written policy, a named contact, and a case-level record give survivors and oversight bodies something concrete to check against.

S-15. New R.C. 2930.22: Annual public compliance report

STATUTORY AMENDMENT, NEW SECTION (General Assembly) | Gap: Accountability

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Every agency; ombudsman	Calendar year ends	Agency report by March 1; statewide report by June 30	Published report	Public, agency-by-agency results	Public record

Current language (verbatim)	Proposed language
No current provision. Chapter 2930 contains no compliance reporting requirement.	Sec. 2930.22. (A) Not later than the first day of March each year, each entity described in division (A) of section 2930.21 of the Revised Code shall report to the office established under section 2930.23 of the Revised Code, for the preceding calendar year: the number of cases with an identified victim; the number of rights request forms collected; the number of notices required, attempted, and delivered; the number of conferences requested and held before a plea or diversion; the number of assertions of rights under section 2930.19 of the Revised Code and their outcomes; the number of continuances ordered under division (A)(2)(b) of section 2930.09 of the Revised Code; the number of redaction requests received and completed; and restitution ordered, collected, and disbursed. (B) Not later than the thirtieth day of June each year, the office shall publish a statewide report, by county and by agency, on its website and deliver it to the governor, the president of the senate, the speaker of the house of representatives, and the chief justice of the supreme court. (C) No report shall contain a victim's name or identifying information.

Insert: the entire new section shown above.

Strike: nothing.

Why it matters: What gets measured gets fixed. Public, agency-by-agency numbers show legislators and voters where rights are honored and where they are not, without exposing any survivor.

S-16. New R.C. 2930.23: Independent Office of the Crime Victims' Rights Ombudsman

STATUTORY AMENDMENT, NEW SECTION (General Assembly) | Gap: Accountability

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Ombudsman	Complaint filed	Acknowledge in 5 business days; findings in 90 days	Written findings	Discipline referrals; corrective action plans	File a complaint; no fee

Current language (verbatim)	Proposed language
No current provision. Chapter 2930 creates no office to receive or investigate complaints that a right was violated; a survivor's only path is a motion or appeal in the case itself under R.C. 2930.19.	Sec. 2930.23. (A) There is hereby created the office of the crime victims' rights ombudsman. The governor, with the advice and consent of the senate, shall appoint the ombudsman for a term of six years from among persons with substantial experience in victims' rights. The ombudsman may be removed only for cause. (B) The ombudsman shall do all of the following: (1) Receive complaints from victims, victims' representatives, and victim advocates that a public official or public agency failed to comply with this chapter or Section 10a of Article I of the Ohio Constitution; (2) Investigate complaints, with access to the non-privileged records of any public agency relevant to the complaint; (3) Issue written findings and recommend corrective action, and publish annual findings without victim-identifying information; (4) At the request of a victim, assert the victim's rights in court as the victim's lawful representative under division (B) of Section 10a of Article I of the Ohio Constitution and section 2930.19 of the Revised Code; (5) Refer findings that an attorney or judge may have violated a rule of professional or judicial conduct to the office of disciplinary counsel, and refer findings concerning a peace officer to the officer's appointing authority and the Ohio peace officer training commission; (6) Compile the reports required by section 2930.22 of the Revised Code. (C) No public official or public agency shall retaliate against a person for filing a complaint or cooperating with the ombudsman. (D) Nothing in this section authorizes the ombudsman to direct a prosecutor's charging decision or a court's decision in a pending case. (E) The ombudsman shall acknowledge each complaint within five business days and issue written findings within ninety days after receipt.

Insert: the entire new section shown above.

Strike: nothing.

Why it matters: Right now the only enforcer is the survivor, inside the very case where the failure happened. An independent office can investigate patterns, speak for survivors who cannot hire a lawyer, and send findings to the bodies that already discipline attorneys, judges, and officers, while respecting prosecutorial discretion and judicial independence. Drafting option: the same duties could instead be given to a victims' rights enforcement unit in the office of the attorney general.

S-17. New R.C. 2930.24: Mandatory victims' rights training

STATUTORY AMENDMENT, NEW SECTION (General Assembly) | Gap: Accountability

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
OPOTA, attorney general, courts	Hiring and every two years	Basic training and every 2 years	Training records	Ombudsman finding; listed in annual report	Complaint to ombudsman

Current language (verbatim)	Proposed language
No current provision. Chapter 2930 does not require training on victims' rights for any official.	Sec. 2930.24. (A) The Ohio peace officer training commission shall include in basic training, and in continuing professional training at least every two years, not less than two hours on the rights of crime victims under this chapter and Section 10a of Article I of the Ohio Constitution, including the rights request form, notice duties, privacy, and identifying the primary physical aggressor in domestic violence cases. (B) The attorney general shall provide, at no cost, initial and biennial training on this chapter for prosecutors, prosecutors' designees, and victim advocates. (C) The supreme court is requested to include victims' rights in the continuing education required of judges, magistrates, and court staff.

Insert: the entire new section shown above.

Strike: nothing.

Why it matters: Many failures come from people who do not know the duty exists. Regular, practical training through the bodies that already train officers, prosecutors, and judges is the least expensive fix.

S-18. New R.C. 2930.25: Protection-order, family court, and juvenile proceedings

STATUTORY AMENDMENT, NEW SECTION (General Assembly) | Gap: Clarity (scope)

Source: https://codes.ohio.gov/ohio-revised-code/section-2930.01

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Court in protection-order, custody, juvenile case; criminal clerk	Party is a victim in a related criminal case	Transmission of criminal orders in 1 business day	Docket notation	Same remedies as criminal court	Assert rights in that court under R.C. 2930.19

Current language (verbatim)	Proposed language
Current law: R.C. 2930.01(L) defines "Case" as "a delinquency proceeding and all related activity or a criminal prosecution and all related activity." Section 10a(A) secures rights "throughout the criminal and juvenile justice systems." Civil protection order and custody proceedings, where survivors often face the same person, are not expressly covered. Verbatim: "(L) "Case" means a delinquency proceeding and all related activity or a criminal prosecution and all related activity."	Sec. 2930.25. (A) This section applies to a proceeding under section 2903.214, 2151.34, or 3113.31 of the Revised Code, and to a proceeding to allocate parental rights and responsibilities or determine custody under section 2151.23 or 3109.04 of the Revised Code, in which a party is a victim in a pending or concluded case involving the other party or is the petitioner for or holder of a protection order against the other party. (B) In a proceeding described in division (A) of this section, the party who is a victim has all of the following rights: (1) To be accompanied by a support person and a victim advocate, as provided in division (A)(1) of section 2930.09 of the Revised Code; (2) To a separate waiting area and reasonable efforts to minimize contact, as provided in section 2930.10 of the Revised Code; (3) Not to disclose the party's address or locating information, as provided in division (B) of section 2930.07 of the Revised Code, unless the court orders otherwise after an in-camera review and a written finding that due process requires disclosure; (4) To a qualified interpreter at no cost; (5) To have the clerk of the court in the criminal or delinquency case transmit, within one business day, any bond condition, no-contact order, conviction, or adjudication involving the parties to the court hearing the proceeding; (6) To assert these rights under section 2930.19 of the Revised Code in the court hearing the proceeding. (C) A court shall not treat, by itself, a party's good-faith report of abuse, petition for a protection order, or exercise of rights under this chapter as evidence of a lack of cooperation or of parental unfitness. (D) Nothing in this section limits any party's right to due process, including notice, the right to present evidence, and the right to cross-examine witnesses.

Insert: the entire new section shown above.

Strike: nothing.

Why it matters: Survivors frequently face the same person in a protection-order or custody case at the same time as the criminal case, without any of the safety protections they have in criminal court. The General Assembly can extend these statutory protections to related civil proceedings now, while C-4 below would make it a constitutional guarantee.

S-28. New R.C. 2930.30: Protection order checks, disclosure, and court-to-court transmission

NEW IN VERSION 2 | STATUTORY AMENDMENT, NEW SECTION (General Assembly) | Gap: Enforcement (reasonable protection)

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Law enforcement; prosecutor; clerk	Arrest or complaint; any bond or no-contact order	Search in 24 hours; notice before first release hearing; transmission in 1 business day	Written search result; filed notice; docket notation	Release hearing redone; omission reported to issuing court	One-page enforcement request, no fee; clerk dockets in 1 business day; hearing in 10 days, ruling 7 days later (S-1, F-2)

Current language (verbatim)	Proposed language
No current provision in Chapter 2930 requires law enforcement or the prosecutor to check for, or tell the criminal court about, a victim's existing protection order, or requires the criminal court to send its bond and no-contact orders to a court hearing a related custody or protection-order case. R.C. 2930.06(B) requires the prosecutor, on request, to keep the victim apprised of communications from the defense that could affect the victim's privacy or safety.	Sec. 2930.30. (A) In any case involving domestic violence, violating a protection order, menacing by stalking, an offense of violence against a family or household member or a person in a dating relationship, or a sexually oriented offense, all of the following apply: (1) Within twenty-four hours after an arrest, citation, or the filing of a complaint, the investigating law enforcement agency shall search the law enforcement automated data system and the protection order records of the clerks of the county for any protection order involving the accused and the victim and shall send the result in writing to the prosecutor. (2) Before the first hearing on release conditions, the prosecutor shall file with the court a notice listing every protection order and every pending proceeding for a protection order or for the allocation of parental rights and responsibilities involving the accused and the victim of which the prosecutor or the investigating agency has knowledge. (3) Within one business day after a court in the case issues, modifies, or terminates a bond condition, a no-contact order, or a criminal protection order, or enters a conviction or adjudication, the clerk shall transmit a certified copy to the victim, to the law enforcement agency that serves the victim's residence, for entry in the law enforcement automated data system, and to every court in which a proceeding for a protection order or for the allocation of parental rights and responsibilities involving the accused and the victim is pending, and shall note the transmission on the docket. (B) If the accused, or counsel for the accused, applies to any court for an order affecting contact with the victim, the victim's residence, or a child the accused shares with the victim, and fails to disclose a protection order or no-contact order known to the

	accused, the court that learns of the omission shall notify the court that issued the order within one business day. The failure to disclose may be considered in setting or modifying release conditions. (C) A failure to perform a duty in this section is subject to section 2930.26 of the Revised Code, including a new hearing on release conditions under division (I)(1)(b) of section 2930.19 of the Revised Code.

Insert: the entire new section shown above.

Strike: nothing.

Why it matters: Survivors describe protection orders that existed but were never mentioned when the accused or his lawyer asked another court for related orders, and criminal no-contact orders the family court never saw. This puts the duty to check and to share on the professionals, on a one-business-day clock, and makes the omission something every court can act on.

S-29. New R.C. 2930.31: A free copy of the police report, and the right to correct it

NEW IN VERSION 2 | STATUTORY AMENDMENT, NEW SECTION (General Assembly) | Gap: Fairness, dignity, and accountability

Source: https://codes.ohio.gov/ohio-revised-code/section-2921.13

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Investigating law enforcement agency	Victim requests report or submits correction	Copy in 3 business days; correction attached in 2; review in 30 days	Written confirmation of each transmission; written finding	Report cannot be used against the victim without the correction; falsification referral	One-page enforcement request, no fee; clerk dockets in 1 business day; hearing in 10 days, ruling 7 days later (S-1, F-2)

Current language (verbatim)	Proposed language
No current provision. Chapter 2930 gives a victim no right to a free copy of the police report, no way to add a written correction when a report contains statements contradicted by the record, and no duty to review a report that appears knowingly false. R.C. 2921.13(A)(3) makes it falsification to knowingly make a false statement "with purpose to mislead a public official in performing the public official's official function." Verbatim: "(3) The statement is made with purpose to mislead a public official in performing the public official's official function."	Sec. 2930.31. (A) Within three business days after a request, the law enforcement agency that investigated the criminal offense or delinquent act shall give the victim, free of charge, a copy of each incident report, supplemental report, and written statement concerning the offense, redacted only as required by law to protect another person or an open investigation. If the agency withholds any part, it shall identify in writing what was withheld and the specific legal basis. (B) A victim may submit a written correction or supplement to any report concerning the offense, with supporting records. Within two business days after receipt, the agency shall attach the correction or supplement to the report, without alteration, and shall transmit it to every person and court to which the report has been or is later sent, including the prosecutor, the court in the case, and any court in which the report has been filed in a related protection-order or parental rights proceeding. The

	agency shall give the victim written confirmation of each transmission. (C) If a statement in a report by the accused or another person is contradicted by the record, including recordings, medical records, or documents, the agency shall, within thirty days after the victim submits the supporting records, review the statement and send the victim and the prosecutor a written finding. If the agency finds probable cause to believe that the statement was knowingly false and made with purpose to mislead a public official or to incriminate another, it shall refer the matter to the prosecutor for review under section 2921.13 of the Revised Code. (D) A report that a victim has corrected or supplemented under this section shall not be used in any proceeding against the victim without the correction or supplement attached.

Insert: the entire new section shown above.

Strike: nothing.

Why it matters: When a report repeats the accused's account and that account is contradicted by the record, the report can follow a survivor into bail hearings, custody cases, and protection-order hearings. A free copy, a correction that travels with the report everywhere it goes, and a required review of statements contradicted by the record restore fairness and dignity without deciding guilt.

S-30. New R.C. 2930.32: Evidence the victim submits must be acknowledged, reviewed, explained, and preserved

NEW IN VERSION 2 | STATUTORY AMENDMENT, NEW SECTION (General Assembly) | Gap: Fairness and enforcement

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Law enforcement; prosecutor; 911 center	Victim submits evidence; declination; incident occurs	Receipt in 5 business days; review in 30 days; reasons in 10; retention 5 years or final disposition	Written receipt, review confirmation, explanation	Supervisory review; F-2 consequences	Written request for supervisory review

Current language (verbatim)	Proposed language
No current provision. Chapter 2930 does not require law enforcement or a prosecutor to acknowledge evidence a victim provides, to explain a decision not to charge, or to preserve 911 recordings and body-worn camera video for a set period.	Sec. 2930.32. (A) When a victim submits evidence concerning the offense to the investigating law enforcement agency or the prosecutor, the agency or prosecutor shall give the victim a written receipt listing each item within five business days, and shall send the victim written confirmation that each item was reviewed, and by whom, within thirty days. (B) If the prosecutor declines to file charges, dismisses charges, or decides not to use evidence the victim submitted, the prosecutor shall give the victim a written explanation of the decision within ten business days. On the victim's written request within thirty days after receiving the explanation, a

	supervising prosecutor who did not make the original decision shall review it and give the victim a written decision within thirty days. Nothing in this division limits the prosecutor's discretion to decide whether to bring charges. (C) Each law enforcement agency and public safety answering point shall preserve every 911 recording, dispatch record, body-worn camera recording, and dashboard camera recording related to an offense described in division (A) of section 2930.30 of the Revised Code until the later of five years after the incident or final disposition of the case and all appeals, and shall not destroy it while a related protection-order or parental rights proceeding is pending and the agency has been notified of it. (D) On request, the agency shall give the victim a free copy of any 911 recording made by the victim and any recording that depicts the victim, within ten business days, unless the prosecutor files a written finding that release would compromise a pending investigation, in which case the copy shall be provided within ten business days after the reason ends. (E) A failure to perform a duty in this section is subject to section 2930.26 of the Revised Code.

Insert: the entire new section shown above.

Strike: nothing.

Why it matters: Survivors report giving police and prosecutors photos, messages, and recordings that were never acknowledged, while key 911 audio and camera footage was lost. A receipt, a confirmed review, a written reason for declining, a second look by a supervisor, and a firm retention period make sure evidence is actually considered, while leaving charging decisions with the prosecutor.

S-31. New R.C. 2930.33: Protection from intimidation through litigation and court process

NEW IN VERSION 2 | STATUTORY AMENDMENT, NEW SECTION (General Assembly) | Gap: Freedom from intimidation, harassment, and abuse; privacy

Source: https://codes.ohio.gov/ohio-revised-code/section-2930.07

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Court; parties; clerk	Subpoena or discovery for victim records or location	Victim notice 7 days before hearing	In-camera review; written finding; protective order	Fees and sanctions against abusive party; release conditions reconsidered	Object and be heard; motion for protective order

Current language (verbatim)	Proposed language
No current provision addresses abuse of court process against a victim in a criminal or delinquency case. R.C. 2930.07(B) protects a victim from testifying about locating information, and R.C. 111.42 allows survivors to join the secretary of state's address confidentiality program (Safe at	Sec. 2930.33. (A) No subpoena or other process for a victim's counseling, mental health, medical, school, or victim services records, or for records showing the victim's address or location, shall be issued or enforced in a criminal or delinquency case unless all

Home), but Chapter 2930 does not limit subpoenas for a victim's counseling or medical records or require courts to honor a program address. Verbatim: "The victim and victim's representative, if applicable, have the right at any court proceeding, including any juvenile court proceeding, not to testify regarding the victim's address, telephone number, place of employment, or other locating information unless the victim specifically consents or the court determines that the fundamental demands of due process of law in the fair administration of criminal justice prevails over the victim's rights to keep the information confidential."	of the following occur: (1) The party seeking the records files a motion stating the specific records sought and the specific reason they are material to the defense or prosecution; (2) The victim receives notice of the motion and a copy at least seven days before any hearing, and has the right to be heard and to be represented; (3) The court reviews the records in camera and orders disclosure only of the portions it finds, in a written finding, are material and required by the accused's constitutional rights, under a protective order limiting their use to the case. (B) A court, clerk, prosecutor, defense counsel, and law enforcement agency shall use the designated address of a participant in the address confidentiality program under section 111.42 of the Revised Code in every filing, order, and notice, and shall not disclose the participant's actual address. (C) On motion of the victim or the prosecutor, the court shall issue a protective order prohibiting the accused, and any person acting on behalf of the accused, from using discovery, subpoenas, public records requests, or filings in the case to obtain the victim's locating information or to contact the victim other than through counsel. (D) If the court finds that the accused or any person acting on behalf of the accused used legal process in the case to intimidate, harass, or abuse the victim, as defined in section 2930.01 of the Revised Code, the court shall award the victim attorney's fees and costs against that person, may impose any other sanction allowed by law or rule, and shall consider the finding in setting or modifying release conditions. (E) The supreme court is requested to adopt conforming rules of criminal and juvenile procedure.

Insert: the entire new section shown above.

Strike: nothing.

Why it matters: Abusers can keep reaching a survivor through the court itself: subpoenas for counseling records, discovery aimed at finding a new address, and repeated filings. This sets a clear procedure: notice to the survivor, in-camera review by the judge, written findings, protective orders, use of the Safe at Home address, and sanctions for abuse of process. The accused's right to evidence the Constitution requires is fully preserved.

S-32. New R.C. 2930.34: Free transcripts and recordings of proceedings where the victim was heard or affected

NEW IN VERSION 2 | STATUTORY AMENDMENT, NEW SECTION (General Assembly) | Gap: Fairness and access

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Court and court reporter	Victim requests a transcript or	10 business days, or 5 if needed for	Delivery noted on docket	F-2 consequences	Written request; no fee

	recording	another case			

Current language (verbatim)	Proposed language
No current provision. Chapter 2930 gives a victim no right to a transcript or recording of a proceeding, even one at which the victim spoke or a right of the victim was decided.	Sec. 2930.34. (A) On request, the court shall give the victim, free of charge, a copy of the audio or video recording, or the transcript if one has been prepared, of any part of a proceeding at which the victim was heard, at which a right of the victim was decided, or at which a plea, sentence, disposition, or release condition was entered, within ten business days after the request, or within five business days if the victim states that it is needed for a protection-order or parental rights proceeding or an appeal under section 2930.19 of the Revised Code. (B) If no transcript exists and the victim requests one for an appeal or petition under section 2930.19 of the Revised Code, the court shall provide it at no cost to an indigent victim and at the reduced rate set by the court for indigent parties to any other victim. (C) The cost of transcripts and recordings provided under this section shall be paid from the court's special projects or computerization funds or from funds appropriated to the office established under section 2930.23 of the Revised Code.

Insert: the entire new section shown above.

Strike: nothing.

Why it matters: A survivor cannot enforce a right, appeal a denial, or show another court what was ordered without the record. Today she may have to pay for a transcript of a hearing where her own rights were decided. Free, timely access fixes that.

Part II. Constitutional amendments to Article I, Section 10a

These require a joint resolution adopted by three-fifths of the members of each house, or an initiative petition, and approval by Ohio voters. They are recommended after, or together with, the statutory package, to make its core protections permanent.

C-1. Courts must remedy violations, and the legislature must provide enforcement

CONSTITUTIONAL AMENDMENT (requires statewide ballot) | Gap: Enforcement and accountability

Ohio Constitution, Article I, Section 10a, Division (B). Source: https://codes.ohio.gov/ohio-constitution/section-1.10a

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Every court	Assertion of rights	Prompt hearing and decision	Written decision	Constitutional duty to remedy	Constitutional standing

Current language (verbatim)	Proposed language
(B) The victim, the attorney for the government upon request of the victim, or the victim's other lawful representative, in any proceeding involving the criminal offense or delinquent act against the victim or in which the victim's rights are implicated, may assert the rights enumerated in this section and any other right afforded to the victim by law. If the relief sought is denied, the victim or the victim's lawful representative may petition the court of appeals for the applicable district, which shall promptly consider and decide the petition.	(B) The victim, the attorney for the government upon request of the victim, or the victim's other lawful representative, in any proceeding involving the criminal offense or delinquent act against the victim or in which the victim's rights are implicated, may assert the rights enumerated in this section and any other right afforded to the victim by law. The court shall promptly hear and decide the assertion. If the court finds that a right was violated, the court shall provide each remedy necessary to restore the right, including reopening a decision on release, plea, sentencing, or disposition as provided by law, but no remedy shall set aside an acquittal or deny the accused any right secured by section 10 of this article or by the Constitution of the United States. If the relief sought is denied, the victim or the victim's lawful representative may petition the court of appeals for the applicable district, which shall promptly consider and decide the petition. The General Assembly shall provide by law for the enforcement of this section, including an independent office to receive and investigate complaints and to report publicly each year on compliance.

Insert:

- "The court shall promptly hear and decide the assertion. If the court finds that a right was violated, the court shall provide each remedy necessary to restore the right, including reopening a decision on release, plea, sentencing, or disposition as provided by law, but no remedy shall set aside an acquittal or deny the accused any right secured by section 10 of this article or by the Constitution of the United States."
- "The General Assembly shall provide by law for the enforcement of this section, including an independent office to receive and investigate complaints and to report publicly each year on compliance."

Strike: nothing.

Why it matters: This writes the duty to remedy, and the duty to build an enforcement system, into the constitution so they cannot be repealed by ordinary statute. The Supreme Court of Ohio's decisions in State ex

rel. Thomas v. McGinty, 2020-Ohio-5452, State ex rel. Suwalski v. Peeler, 2021-Ohio-4061, and State v. Brasher, 2022-Ohio-4703, show how much litigation it has taken just to settle which procedure a victim must use.

C-2. Allow fee and expense remedies against noncompliant agencies

CONSTITUTIONAL AMENDMENT (requires statewide ballot) | Gap: Accountability

Ohio Constitution, Article I, Section 10a, Division (C). Source: https://codes.ohio.gov/ohio-constitution/section-1.10a

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
General Assembly	Ratification	By law	Statute	Fee remedy cannot be challenged under division (C)	Fee award

Current language (verbatim)	Proposed language
(C) This section does not create any cause of action for damages or compensation against the state, any political subdivision of the state, any officer, employee, or agent of the state or of any political subdivision, or any officer of the court.	(C) This section does not create any cause of action for damages or compensation against the state, any political subdivision of the state, any officer, employee, or agent of the state or of any political subdivision, or any officer of the court. The General Assembly shall provide by law for the award of attorney's fees, costs, and expenses to a victim whose rights under this section were violated, payable by the public entity responsible.

Insert:

- "The General Assembly shall provide by law for the award of attorney's fees, costs, and expenses to a victim whose rights under this section were violated, payable by the public entity responsible."

Strike: nothing.

Why it matters: The statutory fee remedy in S-8 should stand on its own, but this removes any argument that division (C) blocks it.

C-3. An abuser cannot become the "victim" to silence the real victim

CONSTITUTIONAL AMENDMENT (requires statewide ballot) | Gap: Clarity

Ohio Constitution, Article I, Section 10a, Division (D). Source: https://codes.ohio.gov/ohio-constitution/section-1.10a

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Every court	Competing victim claims	Before rights are applied	Determination	Primary aggressor cannot use the rights	Constitutional standing

Current language (verbatim)	Proposed language
(D) As used in this section, "victim" means a person against whom the criminal offense or delinquent act is committed or who is directly and proximately harmed by the commission of the offense or act. The term "victim" does not include the accused or a person whom the court finds would not act in the best interests of a deceased, incompetent, minor, or incapacitated victim.	(D) As used in this section, "victim" means a person against whom the criminal offense or delinquent act is committed or who is directly and proximately harmed by the commission of the offense or act. The term "victim" does not include the accused or a person whom the court finds would not act in the best interests of a deceased, incompetent, minor, or incapacitated victim. When two or more persons each claim to be the victim of the other arising from the

	same incident or course of conduct, the court shall determine which person is the victim, considering the primary aggressor, any history of abuse, and any protection order. A person found to be the primary aggressor shall not exercise the rights in this section against the person found to be the victim.

Insert:

- "When two or more persons each claim to be the victim of the other arising from the same incident or course of conduct, the court shall determine which person is the victim, considering the primary aggressor, any history of abuse, and any protection order. A person found to be the primary aggressor shall not exercise the rights in this section against the person found to be the victim."

Strike: nothing.

Why it matters: The current text excludes "the accused" but does not address counter-complaints, where the person who caused the harm is also listed as a victim. Note for drafters: in State ex rel. GateHouse Media Ohio Holdings II, Inc. v. Columbus Police Dept., 2025-Ohio-5243, the Supreme Court of Ohio applied the plain text of division (D) to hold that police officers can be victims; any change to division (D) will be read just as literally, so the words must be precise.

C-4. Rights apply in related protection-order and custody proceedings, and notice is automatic

CONSTITUTIONAL AMENDMENT (requires statewide ballot) | Gap: Clarity (scope)

Ohio Constitution, Article I, Section 10a, Division (A), opening clause, and (A)(2). Source: https://codes.ohio.gov/ohio-constitution/section-1.10a

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Every court	Related protection-order or custody case	Notice automatic unless declined	Record of notice	Same as criminal court	Constitutional standing

Current language (verbatim)	Proposed language
(A) To secure for victims justice and due process throughout the criminal and juvenile justice systems, a victim shall have the following rights, which shall be protected in a manner no less vigorous than the rights afforded to the accused:	(A) To secure for victims justice and due process throughout the criminal and juvenile justice systems, and in any proceeding for a protection order or to allocate parental rights and responsibilities in which the criminal offense or delinquent act is at issue, a victim shall have the following rights, which shall be protected in a manner no less vigorous than the rights afforded to the accused:
(2) upon request, to reasonable and timely notice of all public proceedings involving the criminal offense or delinquent act against the victim, and to be present at all such proceedings;	(2) ~~upon request,~~ to reasonable and timely notice of all public proceedings involving the criminal offense or delinquent act against the victim, unless the victim declines notice, and to be present at all such proceedings;

Insert:

- "and in any proceeding for a protection order or to allocate parental rights and responsibilities in which the criminal offense or delinquent act is at issue,"
- "unless the victim declines notice,"

Strike:

- "upon request"

Why it matters: Survivors' safety is often decided in family and protection-order courts, not only criminal court. Extending the scope, and making notice automatic unless declined, closes the two gaps survivors describe most often. The same "upon request" change could be made to division (A)(5) for release and escape notice.

C-5. Read the victims' rights broadly, and only the victim can waive them

NEW IN VERSION 2 | CONSTITUTIONAL AMENDMENT (requires statewide ballot) | Gap: Clarity

Ohio Constitution, Article I, Section 10a, Division (E). Source: https://codes.ohio.gov/ohio-constitution/section-1.10a

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Every court; General Assembly	Any waiver or dispute over meaning	By law	Written or on-record waiver	Agreements between the parties cannot waive rights	Constitutional standing

Current language (verbatim)	Proposed language
(E) All provisions of this section shall be self-executing and severable, and shall supersede all conflicting state laws.	(E) All provisions of this section shall be self-executing and severable, and shall supersede all conflicting state laws. This section shall be liberally construed to secure the rights of victims. The rights in this section may be waived only by the victim, knowingly and voluntarily, and no agreement between the prosecution and the accused shall waive or limit them. The General Assembly shall provide by law deadlines, proof of compliance, and consequences for failure to honor each right.

Insert:

- "This section shall be liberally construed to secure the rights of victims. The rights in this section may be waived only by the victim, knowingly and voluntarily, and no agreement between the prosecution and the accused shall waive or limit them. The General Assembly shall provide by law deadlines, proof of compliance, and consequences for failure to honor each right."

Strike: nothing.

Why it matters: This locks the iron-clad structure into the constitution: courts read the rights broadly, only the survivor can give them up, and the legislature must attach deadlines, proof, and consequences to each one. It also overrides any future statute that lets the parties bargain the rights away.

Part III. Constitutional limits and drafting notes

- **Double jeopardy.** No remedy in this package can set aside an acquittal, a dismissal that operates as an acquittal, or a verdict, or order a new trial. Reopening a sentence is limited to cases where the court retains jurisdiction and the change does not violate the protection against double jeopardy in Article I, Section 10 of the Ohio Constitution and the Fifth Amendment. F-2(H) repeats this limit for every remedy.
- **Due process, confrontation, compulsory process, and speedy trial.** The accused keeps every right in Article I, Section 10 and the federal Constitution. R.C. 2930.06(A)(5), which protects speedy-trial deadlines, is unchanged; F-2(F)(1) does not allow a stay that would violate speedy trial; S-31 allows disclosure of a victim's records whenever the court finds the accused's constitutional rights require it; and S-18(D) preserves due process in civil proceedings.
- **Prosecutorial discretion.** Survivors gain a voice, not a veto. S-20 lets the prosecutor decline a bond motion with written reasons; S-30 requires an explanation and a supervisor's second look, but the charging decision

stays with the prosecutor; R.C. 2930.06(A)(4) is unchanged; and the ombudsman cannot direct charging decisions.

- **Separation of powers and the Modern Courts Amendment.** Under Article IV, Section 5(B), the Supreme Court of Ohio prescribes rules governing practice and procedure, which "shall not abridge, enlarge, or modify any substantive right," and "all laws in conflict with such rules shall be of no further force or effect." Article IV, Section 2(B)(1)(g) gives the Supreme Court original jurisdiction over "the discipline of persons so admitted" to the practice of law, and Section 5(A) gives it superintendence over all courts. For that reason the package frames court duties as substantive victims' rights with deadlines, gives the ombudsman and courts only a power to refer for discipline, and asks the Supreme Court to adopt conforming rules (S-14, S-17, S-31). Deadlines in S-1, S-24, and S-32 may need matching Rules of Superintendence or Criminal Rules.
- **Constitutional floor.** Section 10a(E) makes the amendment self-executing and supreme over conflicting state law. Statutes that give survivors more protection, such as the definitions in F-1 and the enforcement standard in F-2, are consistent with it; a statute cannot narrow who counts as a victim. In State ex rel. GateHouse Media Ohio Holdings II, Inc. v. Columbus Police Dept., 2025-Ohio-5243, the Supreme Court of Ohio read the definition of "victim" by its plain text, which is why the counter-complaint fix appears both as a statute (S-10) and as a constitutional amendment (C-3).
- **Damages bar.** Section 10a(C) says the amendment itself creates no claim for damages or compensation. S-8 and F-2 award fees, costs, and documented expenses by statute, not damages, and C-2 would remove any doubt.
- **Speech and the right to petition.** S-31 sanctions only filings and process the court finds were used to intimidate, harass, or abuse the victim, after notice and a hearing, consistent with existing sanctions for frivolous or vexatious conduct in R.C. 2323.51 and 2323.52.
- **Restitution.** State v. Yerkey, 2022-Ohio-4298, held that Marsy's Law did not change the statutory meaning of restitution. S-13 therefore changes the statute directly. Centerville v. Knab, 2020-Ohio-5219, held that a municipality is not a victim under Marsy's Law; nothing here changes that.
- **Procedure for appeals.** State ex rel. Thomas v. McGinty, 2020-Ohio-5452, State ex rel. Suwalski v. Peeler, 2021-Ohio-4061, State v. Fisk, 2022-Ohio-4435, and State v. Brasher, 2022-Ohio-4703, show years of litigation over which procedure a victim or the state must use. S-1, F-2, and C-1 reduce that uncertainty by requiring a prompt written ruling and a remedy in the trial court first.
- **Federal model.** The limited reopening remedy in S-2 follows the federal Crime Victims' Rights Act, 18 U.S.C. 3771(d)(5), which allows a victim to move to reopen a plea or sentence only after asserting the right and seeking review within fourteen days, and not when the accused pleaded to the highest offense charged.
- **Deadlines and numbers chosen for this draft.** The specific hours and days (for example 12 hours for arrest notice, 2 hours for escape notice, 3 contact attempts over 48 hours, 5-year retention, 14 days to rule on a motion for a ruling) are drafting proposals, not existing Ohio standards. Legislators may adjust them, but each right should keep a fixed number.
- **Cost.** F-2, S-8, S-9, S-16, S-30, and S-32 carry costs. Fee awards apply only when a court finds a violation, so compliant agencies pay nothing. A fiscal note from the Legislative Service Commission should be requested.

Appendix. Related reforms outside Marsy's Law

Marsy's Law covers criminal and delinquency proceedings. These related gaps belong in other parts of the Revised Code and are addressed in companion documents in the What Must Change in Ohio series.

Reform	Why it belongs elsewhere, and where it is addressed
Protection order courts must check criminal dockets and honor criminal no-contact orders (R.C. 3113.31, 2903.214).	S-28 here places the sending duty on the criminal court and police. The receiving court's duty to search, consider, and reconcile orders belongs in the civil protection order statutes. See the companion Protection Orders Amendments document.

Reform	Why it belongs elsewhere, and where it is addressed
Custody decisions must weigh documented abuse and must not penalize a protective parent (R.C. 3109.04 and 3109.051).	S-18(C) covers only the narrow point that exercising victims' rights is not evidence of unfitness. Best-interest factors, abuse findings, and parenting time safety belong in domestic relations law. See the forthcoming Custody and Guardian ad Litem Amendments document.
Guardian ad litem and custody evaluator standards, training, and complaint process.	Not a criminal or delinquency matter. Addressed in the forthcoming Custody and Guardian ad Litem Amendments document.
False or misleading filings in civil protection order and custody cases.	S-29 addresses police reports in criminal cases and R.C. 2921.13 referrals. Sanctions for frivolous or vexatious conduct in civil cases are governed by R.C. 2323.51 and 2323.52 and belong with the domestic relations package.
Victims of crime compensation (R.C. 2743.51 and following).	Separate program. Planned as its own document in the What Must Change in Ohio series.

Sources

- Ohio Constitution, Article I, Section 10a: https://codes.ohio.gov/ohio-constitution/section-1.10a
- R.C. Chapter 2930 (sections 2930.01, 2930.04 to 2930.10, 2930.16, 2930.19): https://codes.ohio.gov/ohio-revised-code/chapter-2930
- R.C. 2919.251 (bail in domestic violence cases): https://codes.ohio.gov/ohio-revised-code/section-2919.251
- R.C. 2921.13 (falsification): https://codes.ohio.gov/ohio-revised-code/section-2921.13
- R.C. 2921.04 (intimidation of a victim or witness): https://codes.ohio.gov/ohio-revised-code/section-2921.04
- R.C. 111.41 and 111.42 (address confidentiality program): https://codes.ohio.gov/ohio-revised-code/section-111.42
- R.C. 1.50 (severability): https://codes.ohio.gov/ohio-revised-code/section-1.50
- R.C. 2323.51 and 2323.52 (frivolous and vexatious conduct): https://codes.ohio.gov/ohio-revised-code/section-2323.52
- R.C. 2929.18 and 2929.281 (restitution): https://codes.ohio.gov/ohio-revised-code/section-2929.281
- R.C. 2935.03(B)(3) (primary physical aggressor): https://codes.ohio.gov/ohio-revised-code/section-2935.03
- State ex rel. Thomas v. McGinty, 164 Ohio St.3d 167, 2020-Ohio-5452: https://www.supremecourt.ohio.gov/rod/docs/pdf/0/2020/2020-Ohio-5452.pdf
- Centerville v. Knab, 162 Ohio St.3d 623, 2020-Ohio-5219: https://www.supremecourt.ohio.gov/rod/docs/pdf/0/2020/2020-Ohio-5219.pdf
- State ex rel. Suwalski v. Peeler, 167 Ohio St.3d 38, 2021-Ohio-4061: https://www.supremecourt.ohio.gov/rod/docs/pdf/0/2021/2021-Ohio-4061.pdf
- State v. Yerkey, 171 Ohio St.3d 367, 2022-Ohio-4298: https://www.supremecourt.ohio.gov/rod/docs/pdf/0/2022/2022-Ohio-4298.pdf
- State v. Fisk, 171 Ohio St.3d 479, 2022-Ohio-4435: https://www.supremecourt.ohio.gov/rod/docs/pdf/0/2022/2022-Ohio-4435.pdf
- State v. Brasher, 171 Ohio St.3d 534, 2022-Ohio-4703: https://www.supremecourt.ohio.gov/rod/docs/pdf/0/2022/2022-Ohio-4703.pdf
- State ex rel. GateHouse Media Ohio Holdings II, Inc. v. Columbus Police Dept., Slip Opinion No. 2025-Ohio-5243: https://www.supremecourt.ohio.gov/rod/docs/pdf/0/2025/2025-Ohio-5243.pdf
- Crime Victims' Rights Act, 18 U.S.C. 3771: https://www.law.cornell.edu/uscode/text/18/3771