

Ohioans to Stop Executions

Criminal Justice Issues and Prisoners' Rights

<https://otse.org/editorial-ohio-lawmakers-keep-seriously-mentally-ill-off-death-row/>

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[Hannah Kubbins](#) / January 3, 2018

The Ohio General Assembly should pass a bipartisan bill forbidding Ohio to give a death sentence to someone convicted of aggravated murder but also found to have a serious mental illness. He or she would instead be sentenced to life imprisonment, which is far more reasonable and compassionate.

State Sens. John Ecklund, a Munson Township Republican, and Sandra Williams, a Cleveland Democrat, are lead sponsors of Senate Bill 40, which defines serious mental illness as schizophrenia; schizoaffective disorder; bipolar disorder; major depressive disorder; or delusional disorder.

Ohio already has a Not Guilty by Reason of Insanity defense. But retired Supreme Court Justice Evelyn Lundberg Stratton, a Republican, told the Senate Judiciary Committee that NGRI often does not apply [when] individuals may know what they have done is wrong, but their delusional thinking may cause them to believe they are impervious to punishment or that some greater force compels them to act.

Under SB 40, if a court ruled that a defendant was ineligible for the death penalty due to a major mental illness, he or she would have to be sentenced to life imprisonment without parole; life imprisonment with parole eligibility after serving 25 or 30 full years in prison; or, in certain instances, an indefinite sentence of 30 years to life.

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