

Ohioans to Stop Executions

Criminal Justice Issues and Prisoners' Rights

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A Dec. 29 ruling by the Ohio Supreme Court offers some encouragement that the state will stop hiding information about the drugs it uses to execute condemned prisoners.

The court is considering whether the state Department of Rehabilitation and Correction can deny a public-records request from a lawyer who wants information on Ohio's lethal-injection drugs, including who sold them and when they expire.

In the meantime, the court has ordered the department to turn the records over to judges for their review.

Killing a convicted prisoner is the most serious, and irrevocable, action the state government can take, and it has been shrouded in secrecy since the General Assembly three years ago passed a law that allows makers of such drugs to ask the state not to disclose where they bought them.

Lawmakers passed the bill in a hurry, hoping it would make it easier for the Department of Rehabilitation and Correction to obtain needed drugs. They've become harder to come by, in part because many of the companies that make the lethal drugs are based in countries where capital punishment is illegal and they refuse to sell to the state because they don't want their businesses to be associated with execution.

The 2014 law didn't solve the problem; suppliers of lethal drugs didn't suddenly appear, and executions, which had been put on hold in 2014 after Dennis McGuire appeared to choke and struggle for 15 minutes before dying, remained under moratorium until 2017.

Securing a supply of a drug cocktail that works smoothly and can survive a court challenge continues to be a problem.

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