



OHIO ALLIANCE FOR THE MENTAL ILLNESS EXEMPTION

Prohibiting the Execution of Individuals Suffering with Severe Mental Illness

December 11, 2020

The Honorable Mike DeWine
Governor of Ohio
77 S. High St.
Columbus, OH 43215

Dear Governor DeWine,

The Ohio Alliance for the Mental Illness Exemption (OAMIE), in coalition with the undersigned organizations, is writing to respectfully request you to sign AM Sub. H.B. 136 into law, as we expect the Ohio House to concur with the Senate during the next session. This week, the Ohio Senate voted in support of the legislation 27-3 to end the execution of individuals with certain serious mental illnesses in Ohio. Years of vetting the legislation includes the work of both chambers incorporating thirteen changes to the proposal during this current General Assembly. We are requesting your support, and your signature pending concurrence from the House of Representatives who passed the bill June 5, 2019 voting 76-18.

This legislation was recommended by the Ohio Supreme Court’s Joint Task Force to Review the Administration of Ohio’s Death Penalty. The Task Force recognized the need to address serious mental illness as part of the Eighth Amendment, which protects individuals who have less culpability or blameworthiness, such as juveniles and people with intellectual disabilities. The high court’s recommendation is an issue that must be passed as a law by the General Assembly.

The General Assembly overwhelmingly agrees that individuals with certain serious mental illnesses that significantly impair their capacity, including schizophrenia, bipolar disorder, schizoaffective disorder, or delusional disorder, have reduced culpability. Just as juveniles or those with intellectual disabilities have been deemed by the United States Supreme Court to lack the culpability normally associated with death penalty offenses, so too should those who suffer from serious biological brain disorders. The Eighth Amendment of the U.S. Constitution protects individuals against cruel and unusual punishment. Applying the ultimate penalty to individuals who are less culpable as a result of their diminished capacity is not in keeping with the protections afforded under the Eighth Amendment. Under the bill, however, they are held accountable and sentenced to life in prison.

Many people live without access to mental health care. When left untreated, we see other societal issues, such as homelessness, involvement with the criminal justice system, and daily challenges in functioning. We are urging your support to ensure that capital punishment is administered more fairly by protecting individuals with certain serious mental illnesses from the ultimate penalty of death. Passing this bill is an important step forward in recognizing mental illness and breaking through years of stigma.

Please, do not delay passage of this bipartisan legislation.





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Sincerely,

Justice Evelyn Lundberg Stratton, Retired; Ohio Supreme Court
Michele Tarsitano-Amato, President; Buckeye Art Therapy Association
Carolyn Jurkowitz, Executive Director; Catholic Conference of Ohio
Allison Reynolds-Berry, Executive Director; Intercommunity Justice and Peace Center
Kenton Beachy; Executive Director; Mental Health America of Ohio
Joan Englund, Executive Director; Mental Health and Addiction Advocacy Coalition
Tracy Maxwell Heard, Executive Director; Multiethnic Advocates for Cultural Competence
Terry Russell, Executive Director; National Alliance on Mental Illness of Ohio
Danielle Smith, Executive Director; National Association of Social Workers – Ohio
Cheri Walter, CEO; Ohio Association of County Behavioral Health Authorities
Jason M. McGlothlin, President; Ohio Counseling Association
Teresa Lampl, Executive Director; Ohio Council of Behavioral Health & Family Services Providers
David Singleton, Executive Director; Ohio Justice and Policy Center
Janet Shaw, Executive Director; Ohio Psychiatric Physicians Association
Michael Ranney, Executive Director; Ohio Psychological Association
Joe Rosato, Director of Governmental Relations; Ohio State Medical Association
Fran Gerbig, Executive Director; Prevention Action Alliance
Betsy Johnson, Policy Advisor; Treatment Advocacy Center
Tim Young, State Public Defender; Office of the Ohio Public Defender
Danielle Gray, Ohio Recovery Housing
Tony Coder, Ohio Suicide Prevention Foundation



OHIO'S VOICE FOR SUICIDE PREVENTION

