

## **2024 OHIO SUPREME COURT ELECTION**

In November 2024, three Ohio Supreme Court seats are up for election. After sweeping three open seats in 2022, Republicans have held a [4-3 majority](#) on the court in recent years.

In one 2024 race, Democrat Lisa Forbes is running against Republican Dan Hawkins to complete the final two years left in the term begun by Republican Justice Sharon Kennedy, whom voters promoted to chief justice in 2022; the seat is currently held by Republican Joseph Deters, whom Governor Mike DeWine appointed to the vacancy; Deters is challenging incumbent Democrat Justice Melody Stewart in a different race for a full term.

Decisions by the court affect issues statewide, including everything from enforcement of constitutional rights to voting, to enforcement of redistricting regulations, and oversight of laws made by the General Assembly. In recent months, the court has made rulings affecting the ballot initiative that would eventually enshrine abortion into the Ohio Constitution, the Ohio Statehouse district map approved by the Ohio Redistricting Commission, the enforcement of a six-week abortion ban, and heard arguments related to the consistency of criminal sentencing.

With the GOP's current narrow majority, the Ohio Supreme Court is the only branch of state government Democrats have an opportunity to win control of in 2024. However, Republicans have fared better in state judicial elections since the passage of a law that requires candidates' party affiliation to appear on the ballot.

As of late April, Hawkins has a profound cash advantage over Forbes, with cash-on-hand totaling over \$255,000 compared to \$41,421.92 for Forbes.

### *Key Findings:*

**Dan Hawkins has touted a conservative judicial philosophy and a tough-on-crime approach.** A prosecutor in Franklin County who had originally thought he'd become a police officer, Hawkins was appointed judge of the Franklin County Environmental Court in 2013. In the prosecutor's office, Hawkins spent eight years as director of the special-victims unit; and as the Environmental Court judge, he endorsed a "broken windows" theory that neighborhoods in physical decline created a welcoming environment for criminal behavior. Despite Franklin County becoming increasingly Democratic, Hawkins won election to the Court of Common Pleas in 2018. "It is essential that we have justices...dedicated to the constitution, upholding the law as it is written, and not legislating from the bench," he said after announcing his Supreme Court candidacy in 2023. "I think judges should just call balls and strikes," Hawkins said in 2024. In 2022, Hawkins criticized the Supreme Court for its 4-3 decision in *DuBose v. McGuffey*. "Issue 1 is a constitutional amendment that will effectively overrule the...decision and restore the common-sense notion that judges should consider public safety when setting the amount of bail in a case," he said.

**Hawkins holds a significant fundraising advantage in the race to date.** According to reports filed in late April 2024, Hawkins' fundraising in the race has far outpaced Forbes. Hawkins disclosed nearly \$89,000 in contributions received compared to nearly \$52,000 for Forbes. Hawkins has over \$255,000 cash on hand, compared to just over \$41,000 for Forbes.

## **DETERS' SEAT**

DAN HAWKINS

## Background & Philosophy

**2013: Hawkins was a prosecutor before becoming a judge.** “Dan Hawkins was prosecuting violent crimes against women and children when someone first suggested that he consider a judgeship. The suggestion came from his boss at the time, Franklin County Prosecutor Ron O'Brien. ‘There was a child-rape case, and the judge gave the defendant a light sentence,’ recalled Hawkins, who was an assistant prosecutor then. ‘It ticked me off. I was venting to Ron, and he made an off-the-cuff remark that ‘maybe you need to run for judge.’” [Columbus Dispatch, 8/24/13]

**2013: Hawkins appointed judge of Franklin County Environmental Court.** “The comment helped put Hawkins on a path that led to his appointment last month as judge of the Franklin County Environmental Court. His ceremonial swearing-in was yesterday, but he's been on the job for four weeks, dealing with blighted properties, tall grass and junk cars. This week, he heard the case of a man cited for having an illegal pet: a 6-foot alligator. ‘It struck me how different this is from when I was handling death-penalty cases,’ Hawkins said. Although his experience was focused on prosecutions in murder and sex-offense cases, the 37-year-old Columbus native said the Environmental Court -- the only one in the state since its creation in 1991 -- makes sense for him. The court has countywide jurisdiction over misdemeanor and felony laws related to housing, the environment, buildings, health, fire, zoning, air pollution and sanitation.” [Columbus Dispatch, 8/24/13]

**Hawkins grew up wanting to be a police officer but changed his mind at Bowling Green State University.** “Hawkins, a graduate of St. Francis DeSales High School, grew up wanting to be a police officer but changed his mind at Bowling Green State University. He graduated from Ohio State University College of Law in 2001 and was hired by the Franklin County prosecutor's office, where he had worked as an intern.” [Columbus Dispatch, 8/24/13]

**At Franklin County Prosecutor's office, Hawkins spent eight years as director of prosecutor's special-victims unit.** “Hawkins spent the past eight years as director of the prosecutor's special-victims unit, which prosecutes violent crimes against women and children. Although his work didn't take him into environmental court, he calls it ‘the most-important court in the county’ because of the impact it can have on neighborhoods. Hawkins said he encountered ‘a docket that was out of control’ when he took office and has worked long hours to resolve cases that had lingered beyond the time limits set by the state Supreme Court.” [Columbus Dispatch, 10/21/13]

**After winning election to environmental court, Hawkins planned to offer program for treatment for hoarders.** “A program to offer treatment for hoarders is among the initiatives that Dan Hawkins plans to pursue after being elected to complete an unexpired term as Franklin County Environmental Court judge. Hawkins, a Republican appointed to the job by Gov. John Kasich in July, defeated two challengers in yesterday's election and will finish a term that expires in January 2016. Hawkins received 51 percent of the vote, according to final, unofficial returns last night. Democrat Frank Macke trailed with 35 percent, followed by independent James W. Adair III with about 13 percent. ‘It's one thing to be appointed by the governor, which is such an honor, but to get affirmation from the voters brings with it an even greater sense of duty,’ Hawkins said last night.” [Columbus Dispatch, 11/6/13]

**2023: Hawkins received GOP endorsement for Supreme Court: “It is essential that we have justices...dedicated to the constitution, upholding the law as it is written, and not legislating from the bench.”** “I'm honored to have received the endorsement and full support of the Ohio Republican

Party. It is essential that we have justices on the court dedicated to the constitution, upholding the law as it is written, and not legislating from the bench, said Judge Hawkins. ‘I look forward to continuing to travel around the state to discuss the importance of the Ohio Supreme Court and the outcome of this election.’” [States News Service, 5/5/23]

**2018: Despite Franklin County moving left, Hawkins elected to Court of Common Pleas.** “In 2018, voters elected Hawkins to the Franklin County Court of Common Pleas. In Franklin County voters have leaned more to the left in recent years, rejecting almost all party-endorsed Republicans at the ballot box, with the exception of Hawkins, who has won without sacrificing his conservative values, his campaign said. ‘Moving forward, Dan Hawkins is committed to ensuring that our Constitution endures and the rule of law is applied equally to all,’ the biography says.” [Plain Dealer, 5/15/23]

**2023: Hawkins said main “issues” were protecting freedom and the rule of law.** “Hawkins currently serves in Franklin County Common Pleas Court. ‘I am running for Supreme Court next year because I believe we are at a turning point in the state of Ohio,’ Hawkins said. ‘We currently have a four-three majority on the court, thanks to the governor’s appointment of Justice Joe Peters, at the end of last year with Sharon Kennedy winning the Chief Justice spot.’ Hawkins also said his main ‘issues’ are protecting the freedom, rights and responsibilities of members and the rule of law.” [Lima News, 11/3/23]

**Hawkins chose not to seek reelection to Court of Common Pleas.** “Incumbent Judge Dan Hawkins, a Republican, did not seek reelection to his seat and is instead running for Ohio Supreme Court justice. With Hawkins’ departure, there will be only one Republican left on the county Common Pleas Court out of 24 judges.” [Columbus Dispatch, 3/19/24]

**2024: Hawkins mentioned ability to win elections in an overwhelmingly Democratic county as a sign of ability to persuade liberal voters and work with more liberal judges.** “She’s running against Franklin County Common Pleas Judge Dan Hawkins, a Republican, who said he’s running to address a ‘shadow hanging over the Supreme Court’ a lack of Ohio State University alumni on the bench. He outlined his background as a prosecutor, with a specialized focus on crimes against women and children. Hawkins noted he has managed to win elections in an overwhelmingly Democratic Franklin County, a sign of his ability to persuade liberal voters and work with more liberal judges. He said justices ought to respect precedent and not become ‘turnover happy’ unless there’s a glaring error that warrants reversing prior case law. Unlike some of the Democratic candidates, however, he said when lawsuits challenge the constitutionality of a state law, he considers the case with a presumption that the law is valid. In practical terms, this favors Ohio’s Republican-dominated General Assembly.” [Plain Dealer, 4/12/24]

**Hawkins: “It’s important to provide consistency and stability in the law...that means following a law or a court precedent that I might not necessarily personally agree with but recognizing that my job is to say what the law is and what the law should be.”** “‘I believe as a judge it’s important to provide consistency and stability in the law,’ Judge Hawkins said. ‘At times that means following a law or a court precedent that I might not necessarily personally agree with but recognizing that my job is to say what the law is and what the law should be.’” [Toledo Blade, 4/13/24]

**Hawkins: “I think judges should just call balls and strikes...If you disagree with the law, it is up to the Legislature to change it and that’s how our system works.”** “Hawkins was asked about his judicial philosophy and approach to the bench. ‘I think judges should just call balls and strikes,’ he said. ‘A judge’s role is to say what is the law and not what they think the law should be. My job as a judge is to interpret the law and not invent new laws or legislate from the bench. If you disagree with the law, it is up to the legislature to change it and that’s how our system works.’” [Ironton Tribune, 4/25/24]

## Crime & Criminal Justice

**2013: Hawkins believed in “broken windows” theory that neighborhoods in physical decline created welcoming environment for criminal behavior.** “‘Vacant, run-down houses are havens for drug abuse and prostitution,’ said Hawkins, a believer in the ‘broken windows’ theory that neighborhoods in physical decline create a welcoming environment for criminal behavior.” [Columbus Dispatch, 8/24/13]

- **“I see this as a way to attack the problem from the beginning.”** “‘If a neighborhood has signs that the government doesn't care and the neighbors don't care, it attracts crime. As a person who came from a law-enforcement background, I see this as a way to attack the problem from the beginning.’” [Columbus Dispatch, 8/24/13]

**2022: Hawkins: “In a 4-3 decision, the court ruled that...local judges could not consider the safety of the public when setting the amount of bail for accused criminals.”** “During my 20-plus years working in Ohio’s trial courts — both as a prosecutor and a judge — I have dealt with literally thousands of cases involving a wide range of criminal activity. Throughout this time, the issue of setting bail in a case was never a particularly difficult or controversial concept to grasp. A person arrested for a criminal offense goes before a trial court judge who looks at a number of different factors including the background of the accused, his or her criminal history, and the nature and circumstances of the crime charged. The judge uses this information to set bail on the case. It was pretty straightforward, really...Straightforward, that is, until a divided Ohio Supreme Court issued its decision in *DuBose v. McGuffey*. The *DuBose* case involved a man charged with committing murder with a gun during an armed robbery and then fleeing the state to avoid apprehension. In a 4-3 decision, the Court ruled that moving forward, local judges could not consider the safety of the public when setting the amount of bail for accused criminals.” [Columbus Dispatch, 10/27/22]

- **“Issue 1 is a constitutional amendment that will effectively overrule the *DuBose* decision and restore the common-sense notion that judges should consider public safety when setting the amount of bail in a case.”** “This decision sent shockwaves throughout the criminal justice system. Judges in Ohio have always considered public safety when setting bail. Nevertheless, the decision of these four justices is now the law in Ohio and my colleagues and I who preside over the state’s trial courts are adapting to this new reality...The issue is now in the hands of voters. Issue 1 is a constitutional amendment that will effectively overrule the *DuBose* decision and restore the common-sense notion that judges should consider public safety when setting the amount of bail in a case. This proposed amendment is nothing radical – it simply takes us back to where we were before.” [Columbus Dispatch, 10/27/22]
- **“A vote for Issue 1 will...restore a judge’s ability to consider public safety in making these critical decision.”** “The Ohio Supreme Court has made it clear: when I set a bail amount, I am not allowed to ask, ‘What makes sense in order to keep the public safe?’ A vote for Issue 1 will put an end to this and restore a judge’s ability to consider public safety in making these critical decisions.” [Columbus Dispatch, 10/27/22]