

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, incumbent Democratic Justice Michael P Donnelly faces a challenge from Republican Hamilton County Court of Common Pleas Judge Megan Shanahan.

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, challenger Shanahan has far outraised incumbent Donnelly, currently enjoying a cash-on-hand advantage of over \$100,000.

Key Findings:

Republican challenger Megan Shanahan has discussed the importance of not legislating from the bench and in past years has touted her support for and from anti-choice organizations. Shanahan has been a judge for over a decade; in 2015, she was appointed to the Hamilton County Court of Common Pleas and won re-election in 2022. "Nearly everyone you know is losing confidence in institutions once seen as credible," she said in 2022. Cincinnati.com has reported that she "has been working...to change the state constitution to make it easier to keep alleged violent offenders in jail while awaiting trial." She announced her candidacy for Supreme Court in 2023, noting that the court "needs more justices that put the constitution above politics.." "I place a high priority on deferring to the policy choices of elected legislators," she said that same year. "They get to make the law, not those of us in black robes." "Will the court be committed to applying the law...to protect liberty...or will it be used as...a weapon, making law and putting a thumb on the scale of justice to promote an agenda?" she asked in 2024. "We have a history in recent years of judges that are making decisions that are in violation of rules...and we need conservative, constitutional-minded judges." While Shanahan has declined to comment on her views on gerrymandering, she has in past years touted support from Ohio's most prominent anti-abortion group. In a 2016 tweet, Shanahan said she was "proud to be at the Cincinnati Right to Life's Evening for Life," also tweeting that she was "proud to be endorsed by Greater Cincinnati Right to Life PAC and CCV."

Shanahan holds a significant fundraising advantage in the race to date. According to reports filed in late April 2024, Shanahan's fundraising in the race has far outpaced Donnelly. Shanahan has disclosed nearly \$112,000 in contributions received compared to nearly \$38,000 for Donnelly. And Shanahan disclosed nearly \$180,000 cash on hand compared to Donnelly's nearly \$70,000.

DONNELLY'S SEAT

MEGAN E. SHANAHAN

Background & Philosophy

Shanahan worked as Hamilton County assistant prosecutor. [Cincinnati Enquirer, 5/12/11]

Worked as municipal court judge. [Cincinnati Enquirer, 8/5/14]

2022: Shanahan: “Nearly everyone you know is losing confidence in institutions once seen as credible.” “Look around - nearly everyone you know is losing confidence in institutions once seen as credible. My profession - judge - hasn't escaped this problem. While my job is to hear cases and make fair decisions, the judicial ethics rules also call for me to educate the public about problems in the judiciary. The credibility gap is just such a problem. A July 2021 Gallup poll found that the percentage of Americans who have ‘a great deal’ or ‘quite a lot’ of confidence in the U.S. Supreme Court dipped to 36% and confidence in the criminal justice system fell to 20%. With violent crime lurking in the back of the minds of most Ohioans, this lack of trust couldn't come at a worse time. Those to whom judges are accountable - the citizens - have a right to know whether courts are issuing sentences that fit the crime. As a result, some people are clamoring for a statewide criminal sentencing database, which would track all sentences and factors surrounding the people being sentenced. The idea is that judges can access this data and see how similarly charged defendants in other courts were sentenced. The goal, which is understandable and laudable, is to eliminate wildly different imposed prison terms where the only difference between two defendants is the judge.” [Cincinnati Enquirer, 3/29/22]

2022: Cincinnati.com: “Shanahan has been working...to change the state constitution to make it easier to keep alleged violent offenders in jail while awaiting trial.” “Democrats see Shanahan as one of the few remaining Republican threats in the courthouse. The Deters protégé has been an electoral juggernaut. Voters love a good Irish name on the ballot, but they also like a principled, hardworking, law-and-order jurist. Shanahan has been working alongside Deters in an effort to change the state constitution to make it easier to keep alleged violent offenders in jail while awaiting trial. Like any Republican running in a blue county, Shanahan faces a tough reelection battle in November. But she bucked the Trump headwinds in 2016 en route to 30-point victory over a little-known opponent. This fall, Shanahan faces another first-time candidate in Silverton's Britt Born.” [Cincinnati.com, 5/20/22]

2023: Announced campaign for Supreme Court. “Republican Megan Shanahan is running for the Ohio Supreme Court in November 2024 but she hasn't decided which Democratic incumbent justice she'll challenge – Michael Donnelly or Melody Stewart. Shanahan, a former prosecutor and current Hamilton County Common Pleas Court judge, is the first to announce her candidacy. Donnelly and Stewart are up for reelection and Justice Joe Deters, who was appointed by Gov. Mike DeWine to an open seat in January, must run for retention in 2024 and for reelection in 2026. Alternately, Deters could run against Donnelly or Stewart to try to secure a six-year term sooner and avoid multiple statewide campaigns.” [Cincinnati.com, 3/15/23]

2023: Shanahan: “The Ohio Supreme Court needs more justices that put the constitution above politics.” “Shanahan has been a judge for 11 years. ‘The Ohio Supreme Court needs more justices that put the constitution above politics,’ Shanahan said in a statement. ‘I'm running for Supreme Court because I have the experience and background to keep Ohio communities safe and thriving.’ Shanahan has been one of the top GOP vote getters in Hamilton County for years. Prior to serving on the bench,

Shanahan was an assistant county prosecutor, handling challenging cases of murder, rape and child molestation.” [Plain Dealer, 3/15/23]

2023: Shanahan: “You might want to read this piece before it gets canceled...that’s how fast cancel culture is moving lately.” “You might want to read this piece before it gets canceled. That’s how fast cancel culture is moving lately. And the black robe I wear in court everyday has no magic ability to shield me. Irony must be dying since there seem to be so many loud voices seeking to silence others. Every day brings yet another ham-handed example of censorship and screeches of perceived offense. Our institutions of higher learning, which should serve as a bright beacon of free speech in the name of civil debate and discussion, are the front lines of cancel culture. Earlier this month, pouty students and an unhinged diversity dean at Stanford University shouted down a federal judge who’d been invited to campus. Worldwide news stories amplified the ridiculous incident. Yet the Queen City has its own example much closer to home.” [Cincinnati.com, 3/24/23]

2023: Shanahan: “I place a high priority on deferring to the policy choices of elected legislators...They get to make the law, not those of us in black robes.” “As a judge, I often have to interpret statutes. And I place a high priority on deferring to the policy choices of elected legislators. They get to make the law, not those of us in black robes. When it comes to the separation of powers, the Constitution is unequivocal. Article One vests legislative power in Congress, our elected representatives. The executive branch, which includes the EPA and all other federal agencies, is mandated to enforce these laws – not create them or expand them. This landmark decision is not about curtailing the EPA's work or undermining environmental protection. As Justice Samuel Alito wrote in the majority opinion, ‘Today, many formerly fetid bodies of water are safe for the use and enjoyment of the people of this country because of the EPA and Clean Water Act.’ We all want a clean environment to enjoy now and the future. But we also want clean government – free from the pollution of abuse of power. This ruling stands as a powerful reminder of a fundamental democratic principle: each branch must carefully avoid veering into the lane of the other.” [Cincinnati.com, 6/16/23]

Shanahan appointed to Hamilton County Court of Common Pleas in 2015; won re-election in 2022. “Megan Shanahan - Shanahan is currently a judge with the Hamilton County Court of Common Pleas, hoping to unseat Justice Donnelly on the court. Shanahan was to the county court in 2011, after being appointed in 2015. She was re-elected to the bench in 2022. Deters, Shanahan and Hawkins all have the endorsement of the Ohio Republican Party, who said in a statement the 'makeup of the Ohio Supreme Court is at stake, and Ohioans stand ready to elect strong, conservative justices who will uphold the law as it is written.” [Ohio Capital Journal, 12/22/23]

2024: Shanahan: “Will the court be committed to applying the law and our state constitution to protect liberty and the rule of law? Or will it be used as...a weapon, making law and putting a thumb on the scale of justice to promote an agenda.” “The state, according to Shanahan, exists to ‘preserve freedom.’ And she like all the candidates on stage said justices shouldn't ‘legislate from the bench,’ although some clashed on what exactly the phrase (a mainstay in conservative legal circles) means. ‘Will the court be committed to applying the law and our state constitution to protect liberty and the rule of law?’ said Shanahan, a Hamilton County Common Pleas Court judge. ‘Or will it be used as what I would call a weapon, making law and putting a thumb on the scale of justice to promote an agenda.’” [Plain Dealer, 4/12/24]

2024: Shanahan: “We have a history in recent years of judges that are making decisions that are in violation of rules, laws, and the Constitution, and we need conservative, constitutional-minded judges.” “Hamilton County Common Pleas Court Judge Megan Shanahan was the keynote speaker at

the Allen County Republican Party luncheon Friday at the Lima Eagles. Shanahan is hoping to unseat current Ohio Supreme Court Justice Michael Donnelly this November. Having served as a common pleas court judge since 2015 after nearly four years as a municipal court judge and prior experience as a prosecutor in Butler and Hamilton counties, Shanahan said she decided to run for the state's highest court because of what she described as concerning trends in that judicial body. 'I saw the distinct need in Ohio, particularly on the Supreme Court, for judges that do not legislate from the bench,' she said. 'We have had a history in recent years of judges that are making decisions that are in violation of rules, laws and the Constitution, and we need conservative, constitutional-minded judges.'" [Lima News, 5/3/24]

2024: Shanahan declined to comment on her views on gerrymandering. "So what are Judge Shanahan's views on that other controversial issue — gerrymandering. 'Judges in Ohio are prohibited from commenting on cases or matters that are or are likely to come before the court, which this subject obviously is,' she said in an email. 'However, whatever the Ohio Constitution says is what the law is and should be. I'll faithfully apply the text of the Ohio Constitution that's relevant to elections.'" [Ohio Capital Journal, [1/10/24](#)]

Abortion & Reproductive Rights

Shanahan has touted support from Ohio's most prominent anti-abortion group. "Megan Shanahan, a candidate for Ohio Supreme Court, has publicly slammed a Wisconsin jurist for anti-gerrymandering comments she made as she was running last year for that state's high court. Shanahan said that as a candidate, Janet Protasiewicz was effectively pre-judging an issue that was likely to come before her if she won the election, which she did by 11 percentage points. But Shanahan, a Cincinnati Republican, in the past has touted the endorsement of Ohio's most prominent anti-abortion group." [Ohio Capital Journal, [1/10/24](#)]

In 2016 tweet, Shanahan said she was "proud to be at the Cincinnati Right to Life's Evening for Life." "On Shanahan's account on X, the social media site formerly known as Twitter, is a tweet from 2016. 'So proud to be at the Cincinnati Right to Life's Evening for Life,' it says, referring to anti-abortion group that helped lead the fight against last year's abortion-rights amendment." [Ohio Capital Journal, [1/10/24](#)]

In 2016, Shanahan tweeted she was "proud to be endorsed by Greater Cincinnati Right to Life PAC and CCV." "Also in 2016, as a Hamilton County common pleas judge, Shanahan tweeted that she was 'Proud to be endorsed by Greater Cincinnati Right to Life PAC and CCV.'" [Ohio Capital Journal, [1/10/24](#)]

Spokesman for Ohio Democratic Party: "It's clear that abortion rights are once again on the ballot in 2024, and Judge Shanahan has already shown her true colors." "To Matt Keyes, a spokesman for the Ohio Democratic Party, Shanahan made clear how she'll proceed on one of the most controversial issues that is likely to come before the Ohio Supreme Court. 'It's clear that abortion rights are once again on the ballot in 2024, and Judge Shanahan has already shown her true colors: rubbing elbows with anti-abortion activists and touting endorsements from the very groups who tried to take away abortion rights last fall,' he said in an email." [Ohio Capital Journal, [1/10/24](#)]

Crime & Criminal Justice

Supreme Court unanimously ruled Shanahan was wrong to allow Cincinnati police officer to anonymously sue people who accused him of racism. "A Hamilton County judge was wrong to allow a Cincinnati police officer to anonymously sue people who accused him of being racist, according to an

Ohio Supreme Court ruling issued Thursday. The Enquirer and UCLA law professor Eugene Volokh sued to have the case unsealed and the officer's name on the records. In a unanimous decision, the court barred Hamilton County Common Pleas Judge Megan Shanahan from allowing the plaintiff to proceed under a pseudonym. She must also release an unredacted affidavit in the case.” [Cincinnati Enquirer, 2/18/22]

2022: Shanahan: “Four justices of the Ohio Supreme Court inexplicably decided that Ohio’s law didn’t say what it clearly says and forbid judges from ever considering the threat a defendant poses to the victim or the community when setting the amount of bail.” “These factors, many centered around protecting the community or victim, had been applied by judges for decades...Ohio Supreme Court misinterpreted Ohio law...Sounds good, right? Yet that came to a crashing halt in January of this year when four justices of the Ohio Supreme Court inexplicably decided that Ohio’s law didn’t say what it clearly says and forbid judges from ever considering the threat a defendant poses to the victim or the community when setting the amount of bail. The case that went to the Ohio Supreme Court came from Hamilton County, where I serve as a common pleas court judge. Since the slim majority of the Ohio Supreme Court decided that public safety or the safety of a victim can never be a factor when setting bail amounts, there have been countless defendants in Hamilton County, and all over Ohio, who have had their bond lowered as a result. These cases we’re talking about are violent felonies.” [Columbus Dispatch, 5/23/22]