

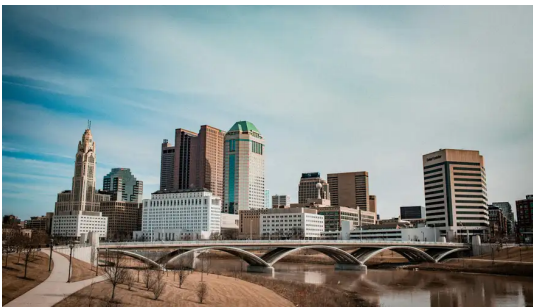
NEWS

Examining the Implications of Uncontested Prosecutor Elections in Ohio

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In a [new article from Bolts](#), journalist Daniel Nichanian writes about the dearth of candidates in Ohio’s county prosecutor elections. “Of the 27 counties with more than 100,000 residents in Ohio, 70 percent drew just one candidate” to run for election or reelection as county prosecutor. Only 15 of Ohio’s 88 prosecutor elections this year drew multiple candidates by the December deadline, according to Bolts’ research: “This means that the vast majority of the state’s prosecuting attorneys are running unopposed this year; Bolts has confirmed that no more than one candidate has filed to run in 73 of the 88 counties.”

Uncontested elections can suggest stability and satisfaction with the incumbent, but they also prompt a discussion about the dynamics of electoral competition and have broader implications for democratic accountability. For example, Bolts reports that although many Ohio prosecutors have faced serious misconduct charges, there have been no

consequences from state officials. These same prosecutors are running unopposed in upcoming elections, providing no incentives to change their policies or investigate their own mistakes.

In their 2021 study, Ronald F. Wright, Jeffrey L. Yates, and Carissa Byrne Hessick describe a growing interest in and attention to the roles of prosecutors, reflecting broader changes in the political and social landscape surrounding criminal justice issues, which they argue can contribute to strengthening democracy. According to Gregory DeAngelo and Bryan C. McCannon, several states are reconsidering the practice of listing political party affiliations on ballots. Among other observations, they note that more partisan candidates tend to spend more money on the campaign trail due to funding availability, disadvantaging challengers.

There are many reasons explaining the lack of challengers, including fundraising pressures, gerrymandering, general election fatigue, and the increasing polarization of voters within the political landscape, as Mr. Nichanian explains. There are also racial and gender biases that affect races, and the possibility of retaliation, all of which may deter potential candidates. Whatever the reason, when incumbents are not challenged, established practices remain in place and the accountability that is essential in a healthy democratic process suffers. Political scientists categorize uncontested elections as a symptom of what is often labeled 'democratic erosion.' Nancy Bermeo, a political scientist working at Princeton and Oxford universities, defines democratic erosion, or 'democratic backsliding,' as the weakening of the political institutions that underpin the existing democracy and/or its checks and balances.

The current occupant of Ohio's Trumbull County Prosecuting Attorney's Office, Dennis Watkins, has been in office since 1984 and remains unchallenged in this election cycle. As reported in Bolts, Mr. Watkins has never faced a challenger in any of his other nine reelection bids. Despite an Ohio law excluding people with serious mental illness from death penalty eligibility, he has fought to keep people with mental illness on death row. In 2019, he also defended a prosecutor in his office who frequently mocked defendants with crude public jokes, dismissing ethics concerns.

Mr. Watkins, along with his Assistant, Christopher Becker, have tenaciously pursued capital punishment in their jurisdiction— asserting that “the death penalty should not be viewed as a deterrent, but as punishment for the most violent and destructive members of society.” Andre “Kokomo” Williams appealed the death sentence secured by Mr. Watkins in 1991, arguing that his intellectual disability made him ineligible for the death penalty. On December 11, 2023, the Eleventh District Court of Appeals in Ohio agreed. In her 51-page decision, District Judge Mary Jane Trapp wrote that “the trial court excluded and/or failed to address evidence that support a finding Mr. Williams is intellectually disabled” (Mahoning Matters, 2023). Prosecutor Watkins stated that, regardless, he intends to ‘undertake an appeal to the Ohio Supreme Court seeking to have the trial court’s opinion reinstated,’ which would reopen the path to Mr. Williams’s execution.

Trumbull County Death Sentences (1984-2023)

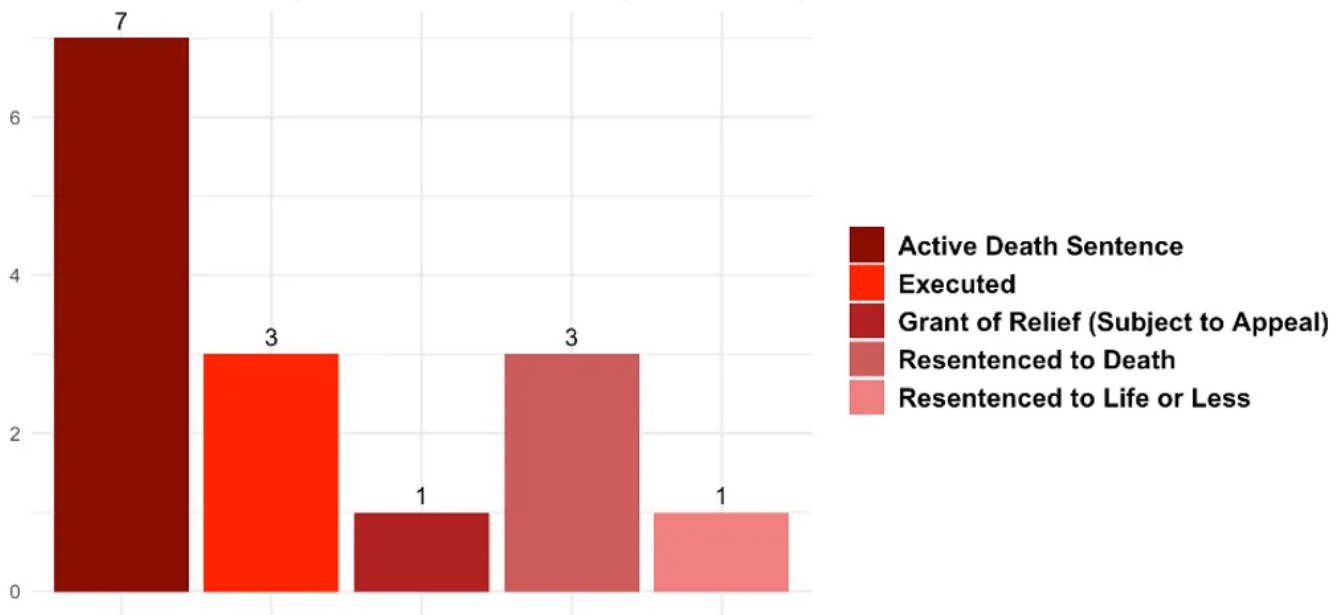


Figure 1. Chart of Trumbull County Death Sentences from 1984 to 2023

According to the [DPIC Death Penalty Census Database](#), since Mr. Watkins assumed office in 1984, 11 people were sentenced to death, three of them were executed, and one was granted relief. As stated on the Trumbull County Prosecutor’s [website](#): “Mr. Watkins has successfully prosecuted 46 murder trials, and has personally obtained convictions which resulted in nine (9) of the twelve (12) Trumbull County murderers who have been sentenced to death under the Ohio law.” As the charts below illustrate, although Trumbull County ranks eighth in death penalty sentences among Ohio counties, when adjusted by population

size, it ranks as the fourth highest, a disproportionately high rate of death sentencing relative to its population. This data may suggest a notable inclination towards the use of capital punishment during Mr. Watkins’s tenure.

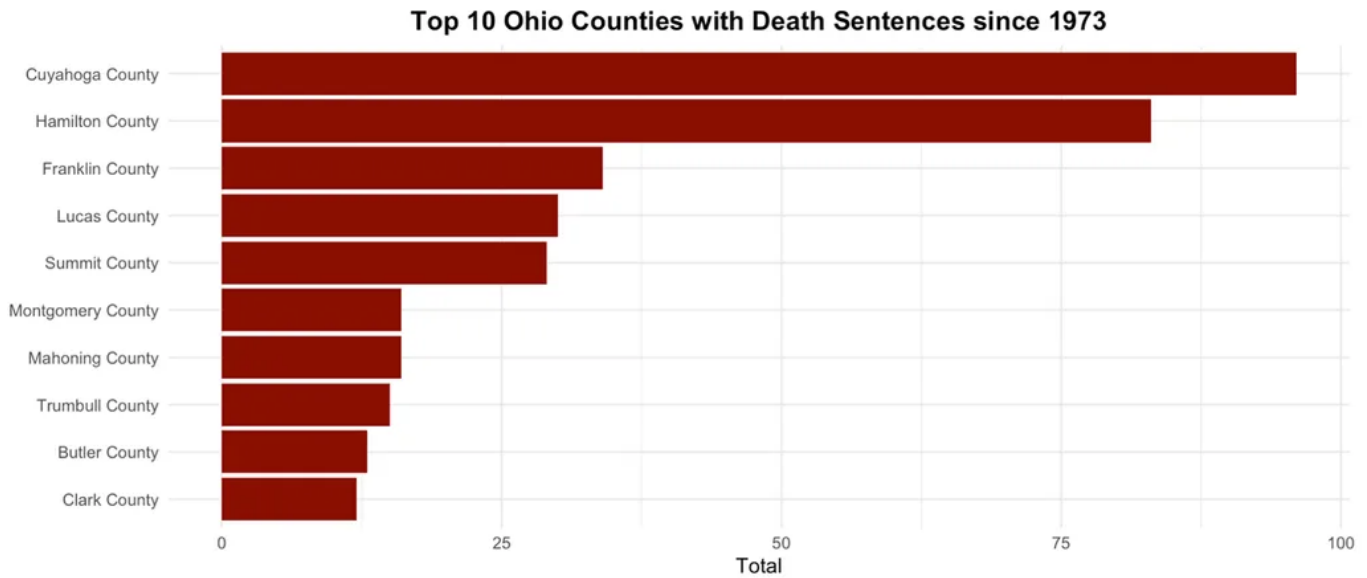


Figure 2. List of the top 10 Ohio counties with Death Sentences since 1973

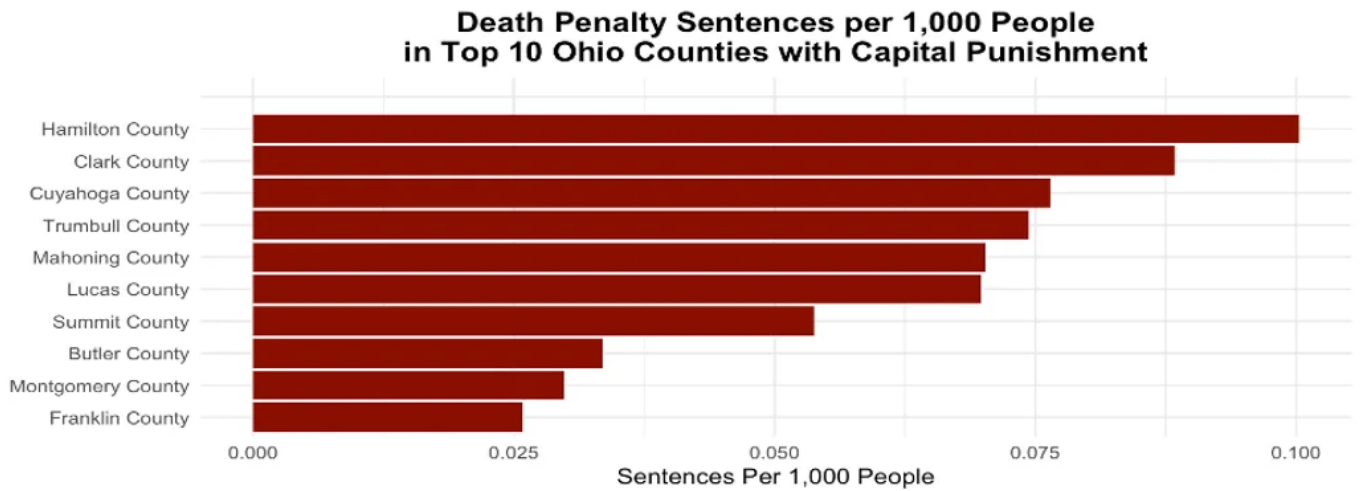


Figure 3. The same counties sorted based on death sentence occurrences per capita

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SOURCES

Photo by Oz Seyrek on [Unsplash](#).

Daniel Nichanian, *In Ohio, Uncontested Elections Worsen a Breakdown in Accountability for Prosecutor*, BOLTS, January 19th, 2024; DeAngelo G, McCannon BC., "[Political competition in judge and prosecutor elections](#)," *European Journal of Law and Economics*, 2019 Oct 15;48:167–93; Hessick CB, Morse M., "[Picking Prosecutors](#)," *Iowa L. Rev.* 2019;105:1537; Wright RF, Yates J, Hessick CB., "[Election Contestation and Progressive Prosecutors](#)," *Ohio State Journal of Criminal Law*, Forthcoming; Bermeo, N., "[On Democratic Backsliding](#)," *Journal of Democracy*, 27(1), 5–19, 2016; Levitsky S, Ziblatt D. *How Democracies Die*. Crown; 2019 or Przeworski A. *Crises of Democracy*. Cambridge University Press; 2019.

See **how erosion of democracy has been measured**, e.g., thanks to the Varieties of Democracy project: <https://v-dem.net>; Freedom House: <https://freedomhouse.org>; or the Economist Intelligence Unit: <https://www.eiu.com/n/campaigns/democracy-index-2022/>.

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