

Ohio House Criminal Justice Committee  
December 4, 2018  
Substitute Senate Bill 171 – Proponent Testimony

My name is Phyllis Carlson-Riehm and I represent ACTION OHIO Coalition For Battered Women, a statewide domestic violence coalition. On behalf of ACTION OHIO, I am submitting written testimony in support of the passage of Substitute Senate Bill 171.

Substitute Senate Bill 171 will increase the penalty for the offense of “violating a protection order” if either of the following applies:

- The offender has one or more prior convictions or delinquency adjudications of that offense or another specified stalking-related offense or protection order violations under the law of Ohio or any other specified jurisdiction;
- The offender has two or more prior convictions or delinquency adjudications of a specified menacing-related or trespass-related offense under the law of Ohio or any other specified jurisdiction.

On May 12, 2017, in Kirkersville, Ohio, Thomas Hartless showed up at the workplace of his ex-girlfriend Marlina Medrano. After shooting Kirkersville Police Chief Eric DiSario outside of Pine Kirk Care Center, he entered the facility and shot Cindy Kurtz, an aide, and then Marlina, a nurse. Next he ended his own life.

Marlina had obtained three protection orders against Thomas Hartless, the last one on May 5. In spite of her attempts to protect herself, a Licking County probation officer recommended the offender’s early release from a 90-day jail sentence and a judge granted the release.

As a result of the triple murder in cold blood by a repeat offender with 60 firearms in his possession, community outrage was expressed for the cascading failures of the county’s probation department and court system. Probation officers failed to adequately assess the offender’s lethality and unwillingness to change his behavior. They also failed to visit the offender’s residence and remove all firearms in his possession as required. The judge failed to familiarize himself with the offender’s wrong doing and the victim’s repeated efforts to seek protection from her ex-boyfriend.

We are grateful that Senator Jay Hottinger introduced this bill as a direct result of the need to strengthen Ohio law and remedy some of the systemic short-comings that led to the horrific tragedy of Kirkersville. Although the increased penalties for repeat acts of violence may not prevent violence in every case, it will help to save some lives and give those victims the chance to become survivors. And although the bill does not address all the failures that contributed to the triple murder, it represents a step in the right direction.

I urge committee members to support passage of Substitute Senate Bill 171 in committee and on the House floor. Thank you for the opportunity to present this testimony.

Phyllis L Carlson-Riehm, Executive Director  
ACTION OHIO Coalition For Battered Women  
PO Box 423, Worthington OH 43085-0423  
614 825-0551 / [actionohio@wowway.biz](mailto:actionohio@wowway.biz)