



State Senator Jay Hottinger
Senate Bill 28 Sponsor Testimony
House Criminal Justice Committee
November 21, 2019

Chairman Lang, Vice-Chairman Plummer, Ranking Member Leland, and members of the House Criminal Justice Committee, I am here to provide sponsor testimony on Senate Bill 28.

This needed legislation would increase the penalties for aggravated menacing and menacing if the victim is a person that the offender knows is a “protected person” (someone who is protected by a civil or criminal protection order).

Under current law, aggravated menacing is generally a first degree misdemeanor and menacing is generally a fourth degree misdemeanor. This lack of deterrent is detrimental to the person who sought the protection and the offender is likely to continue menacing the victim.

This bill would increase the penalty for aggravated menacing to a fourth degree felony and the penalty for menacing to a fifth degree felony provided the victim of the offense had a protection order against the offender. Additionally, if the offender is a repeat violator, the penalty would increase to a third degree felony for aggravated menacing and a fourth degree felony for menacing.

The idea for this legislation was originally brought to me by the Licking County Prosecutor, former Representative Bill Hayes, and Newark Chief of Police Barry Connell. These local officials both cited numerous examples of offenders who continue to violate a protection order because there is no meaningful jail time for the violation.

A tragic example of why this bill is needed occurred two years ago at a Kirkersville nursing home when my Newark High School classmate and friend, Marlina Medrano, was killed by a man who had repeatedly violated a protection order between the two individuals. The gunman then went on to kill Cindy Krantz, another employee of the nursing home, as well as Kirkersville Police Chief Eric DiSario.

With the added penalty established by this legislation, I hope to prevent further tragedies like the one in Kirkersville. Victims should never have to face continued threats from offenders.

Senate Bill 28 was passed unanimously out of both the Senate Judiciary Committee and on the Senate floor. I urge favorable consideration of SB 28 and would be happy to answer any questions that you may have.