



Ohio Prosecuting Attorneys Association

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Senate Bill 20
Proponent Testimony
April 10, 2018

Chairman Manning, Vice-Chair Rezabek, Ranking Member Celebrezze and members of the House Criminal Justice Committee, thank you for the opportunity to provide proponent testimony on Senate Bill 20, a bill to require an additional mandatory prison term for a felonious assault that results in permanent disabling harm.

As you all know, this bill is a response to a tragic case in Clark County where a man abused and assaulted a young girl named Destiny Shepherd leaving her with permanent debilitating brain injuries. The man received the maximum sentence for a felonious assault, eight years, and was released from prison in 2015. While he received the maximum sentence, eight years hardly seems like justice for an offense that changed the course of a young girl's life.

Senate Bill 20, by requiring an additional mandatory prison term of six years when a felonious assault results in permanent disabling harm, is an appropriate response to this injustice. It targets violent criminals who cause very serious injuries to their victims. While our Association did prefer the As Introduced version of the bill, which did not draw distinctions based upon age and applied to any felony offense of violence that resulted in permanent disabling harm, we can appreciate the desire to tailor the legislation to address what happened to Destiny. To be sure, young children are at greater risk of being permanently and substantially harmed by violent crime.

That said, we do encourage you to revisit the breadth of this protection in separate legislation. The eighteen year old domestic violence victim and the seventy-five year old victim of elder abuse who suffer permanent disabling harm are, after all, no less deserving of this type of justice.

Thank you, again for the opportunity to testify on Senate Bill 20. I want to thank Sen. Hackett for his continued work on this and thank the committee for recognizing the importance of addressing this issue. We encourage you to favorably report the bill. I would be happy to answer any questions you might have.