



State Senator Jay Hottinger
Senate Bill 28 Sponsor Testimony
Senate Judiciary Committee
March 6, 2019

Chairman Eklund, Vice-Chairman Manning, Ranking Member Thomas, and members of the Senate Judiciary Committee, I am here to provide sponsor testimony on Senate Bill 28.

This needed legislation would increase the penalty for repeat violations of a protection order by implementing the stiffer penalties associated with repeat domestic violence offenders. Under current law, an individual who violates a protection order is able to continue menacing the victim who sought the order with little deterrent because the offender is likely to be only given a misdemeanor for the violation. Furthermore, the penalty never goes beyond a felony of the fifth degree regardless of the number of violations. This lack of deterrent is detrimental to the person who sought the protection.

The idea for this legislation was 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 this occurred a year and a half 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.

Under my proposal, the penalty for the offense of violating a protection order would be increased to a fourth degree felony if the offender has one or more prior convictions of that offense or two specified menacing-related offenses or a protection order violation. The penalty would also be increased to a third degree felony if the offender has two or more prior convictions of that offense or three or more prior convictions of a specified menacing-related or trespass-related offense or two or more offenses of violating a protection order.

With the added penalty that my legislation would bring to repeat protection order violations, I hope to prevent further tragedies like the one in Kirkersville. Victims should never have to face continued threats from offenders. If Ohio law is strengthened, we can better deter offenders from violating protection orders and further protect innocent victims from being subject to abuse or harm.

For these reasons, I urge your favorable consideration on Senate Bill 28.