

Ohio Senate Judiciary Committee
Wednesday, March 13, 2019
Senate Bill 28
Proponent Testimony

My name is Phyllis Carlson-Riehm and I am representing ACTION OHIO Coalition For Battered Women, a statewide domestic violence coalition. I am submitting written testimony in support of the passage of Senate Bill 28.

Senate Bill 28 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, Thomas Hartless set out to punish ex-girlfriend Marlina Medrano, who had broken off their relationship once again and filed yet another protection order against him. First, after arriving in proximity of Pine Kirk Nursing Home, he took two people as hostages to prevent their alerting anyone in the nursing. Then he shot and fatally wounded the part-time Kirkersville Police Chief as he arrived to respond to a call for help. Next he entered the nursing home where Marlina worked, confronting first a nurse’s aide and then Marlina, killing both of them with his shotgun, before he ended his own life.

Hartless’s rampage was/is an example of the lethality of domestic violence abusers and the criminal justice system’s failure to recognize the danger that they pose not only to the targeted victim, but also to the many people in the victim’s life as well as random people on the scene who become collateral damage. DV abusers are all too frequently found to be responsible for mass murder, as the FBI defines it (4 or more murders in a single event) – including family members, children and bystanders.

We are grateful to Senator Hottinger, who represents Licking County, where the crimes took place, for introducing Senate Bill 28 and leading the effort to increase penalties for violating protection orders.

Thomas Hartless had a history of domestic violence, not limited to his crimes against Marlina. Well meaning people in the criminal justice system made decisions to allow him to get early release from jail and to maintain his large gun collection at his home, providing him the opportunity to go on a rampage.

We urge committee members to support passage of Senate Bill 28. The most violent and lethal individuals in society do not deserve early release or a slap on the wrist for multiple violations of protection orders. And Ohioans deserve to be protected from becoming homicide statistics. Thank you for your consideration of our viewpoint.

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