

Proponents Testimony, Licking County Prosecutor's Office, in Support of Senate Bill 28:

Thank you for providing me this opportunity to speak to you in support of Senate Bill 28. I'm here, on behalf of Licking County law enforcement and our victims, asking for your support of Senate Bill 28, which will enhance the level of offense and the maximum penalty for repeat offenders for violation of a civil protection order (CPO).

Currently, repeat offenders of a violation of a CPO can only be charged with a felony of the 5th degree, which carries with it a maximum penalty of only a year in prison. This is not a sufficient deterrent for our worst offenders from future violations. A few cases come to mind when I talk to you about this. The most tragic example would be what occurred in Kirkersville in May 2017, which resulted not only in the death of the person the CPO was to protect, but also the death of her coworker and the Chief of Police of Kirkersville. Many other cases that we deal with haven't reached this result yet, but it's only another violation away from such a result.

Multiple, on-going violations of CPO's are common. For the offenders, their actions are driven by the need to have power over and control of the victims, the same as in domestic violence cases. We see the contact progressing and becoming more dangerous to our victims. In one case I am familiar with, the contact progressed from driving by the home, to yelling threats and threatening gestures, to slashing tires, to physically confronting the victim in a restaurant and threatening her. In another case, it went from phone calls, to presents left at the home, to physically being at the home and waiting hours for the victim to walk out the door to confront her. In this same case, the defendant proceeded to write her letters from jail, threatening to kill her if she testified against him. This victim told me that she hasn't felt safe in her home since then, that she has problems leaving the home to go to work & other appointments, that she's suffered on-going physical and mental health issues due to this. Her husband has told me that he's watched a strong, independent woman become a frightened, dependent woman.

One of the worst offenders in our county is working on a life sentence in prison, one year at a time. So is our victim. The victim in this case obtained a civil protection order in October 2013, after the defendant had beaten her and been charged with domestic violence. Within approximately 30 days, the defendant had violated the CPO for the 1st time, and was charged with a misdemeanor. He then proceeded to violate the CPO and was charged in two different cases in 2014, 1st for writing letters to her while in prison for the domestic violence, and 2nd for showing up at her house after his release from prison. He served another 12 months in prison on these cases. He then violated the CPO again in 2015, again by writing letters to her from prison, and was again sentenced to 12 months in prison. This year, the defendant violated the CPO again, this time by driving by her house, trying to locate her. Luckily, she wasn't home at the time, but she's told us repeatedly that she is scared of what will happen if he ever finds her at home. We're worried about that same thing! This victim has told us that "every little thing makes me jump when he is out of prison." We've asked her why she doesn't move and she's told us – this is the only home she's known for over 15 years, her neighbors know her and she trusts them, and she's afraid of what would happen if she moves and doesn't know anyone who will help protect her. Without this change in the law, she'll suffer through this fear at a minimum of once every year, for the rest of her life.

Our victims deserve the peace of mind & protection that this change in the law can provide. They deserve to be able to live peacefully for more than 1 year at a time. This change in the law can provide them with this opportunity. Thank you!