



Judicial Impact Statement

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HB 139 – Assault against sports official

HB 139

As Passed by House

Rep. Roemer and Rep.
J. Miller

Title Information

To amend sections 2903.13 and 2929.13 of the Revised Code to increase the penalties for assault if the victim is acting as a sports official or the assault is committed in retaliation for the victim's actions as a sports official.

Background

The bill imposes a mandatory fine and community service for the offense of misdemeanor assault when committed against a sports official, if the act is committed during or immediately before or after a sports event, in retaliation for the official's actions as a sports official. Additionally, if the offender had previously been convicted of this type of the offense, the bill increases the penalty to a fifth degree felony.

Judicial Impact

The Judicial Conference generally disfavors sentence or penalty enhancements based on a special class of victims, in this case those who work or volunteer as "sports officials." The harm that a particular victim suffers should be dealt with no differently simply because that victim falls into a particular class. Judges believe the law must be applied equally regardless of who the victim is and will always use their discretion in imposing sentences based on all relevant circumstances surrounding the offense, including, but not limited to, the occupation or volunteer activities of the victim.

Conclusion

The Judicial Conference does not support efforts to increase or enhance penalties based on a special class of victim.

What is a Judicial Impact Statement?

A Judicial Impact Statement describes as objectively and accurately as possible the probable, practical effects on Ohio's court system of the adoption of the particular bill. The court system includes people who use the courts (parties to suits, witnesses, attorneys and other deputies, probation officials, judges and others). The Ohio Judicial Conference prepares these statements pursuant to R.C. 105.911.