



# Ohio Judicial Conference

The Voice of Ohio Judges

February 12, 2020

The Honorable Stephanie Kunze  
Ohio Senate  
1 Capitol Square, 1<sup>st</sup> Floor  
Columbus, OH 43215

Re: S.B. 265

Dear Senator Kunze:

The Criminal Law and Procedure Committee of the Ohio Judicial Conference has reviewed your bill, Senate Bill 265, which provides for enhanced penalties for the offense of domestic violence when the victim is a “functionally impaired person.”

The Judicial Conference generally disfavors sentencing or penalty enhancements based on a special class of victims. 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.

Thank you for considering the feedback of Ohio’s judges. If you have any further questions, please do not hesitate to contact me or Josh Williams, OJC Deputy Legislative Counsel, at (614) 387-9767 or [Joshua.Williams@sc.ohio.gov](mailto:Joshua.Williams@sc.ohio.gov).

Sincerely,

Paul E. Pfeifer  
Executive Director

CC: Sen. John Eklund, Chair, Senate Judiciary Committee  
Sen. Cecil Thomas, Ranking Member, Senate Judiciary Committee

OHIO JUDICIAL CONFERENCE

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