

**HB 488**

**COURT COSTS** ([Baker, N.](#), [Slaby, L.](#)) To generally impose an additional court cost of \$100 for a felony or misdemeanor in cases in which a person is convicted of a sexually oriented offense; to require the deposit of the additional court cost into the Rape Crisis Program Trust Fund administered by the Attorney General; to fund rape crisis centers out of the Fund; to increase to \$50 for a felony and \$15 for a misdemeanor the additional court cost that is charged to fund the Reparations Fund; and to add a representative of rape crisis centers as a member of the State Victims Assistance Advisory Committee.  
(**CONTINUED**; 1st Hearing-Sponsor)

Rep. Baker, in her sponsor testimony, said general misdemeanor and felony courts costs, not increased since 1998, will be used to support all victims of crime and imposes a new \$100 court cost on persons found guilty of a sex offense at either the misdemeanor or felony level. That new court cost would be directed into the Ohio Rape Crisis Program Trust Fund, administered by the Attorney General's Office, and redistributed to local rape crisis service providers who offer services to victims of rape and sexual abuse.

Rep. Baker said the proposed new funding stream for the trust fund would ultimately save costs for their victims. She said experts report that each rape costs more than \$150,000 as rape survivors are three times more likely to suffer from depression, 13 times more likely to abuse alcohol and 25 times more likely to abuse drugs. And she noted sexual assault survivors also experience reduced income in adulthood as a result of victimization in adolescence, estimated at \$241,600 during a lifetime.

She continued that crisis intervention and counseling services can decrease the negative effects of a sexual assault and expedite the survivor's opportunity to return to work. These are the positive outcomes that rape crisis programs offer, she said, adding that the centers receive no consistent, dedicated state funding. She noted that Domestic Violence Shelters receive consistent funding through court fees involving marriage license and divorce filing fees. Further precedent is set, she added, for funding of child abuse programs by fees assessed for birth certificates, death certificates and divorce decrees and dissolutions.

**Budget Discussions:** John Murphy, executive director of the Ohio Prosecuting Attorneys

Association, expressed sharp opposition to a MBR budget proposal what he said amounted to an expansion of earned credit eligibility for Ohio inmates. He said previous legislation ([HB 86](#)) was sold to the General Assembly that expanding earned credit would apply only to those who committed offenses after the effective date of that bill, but six months later, the DRC is attempting to expand the credit to offenders committing an act before that date.

Mr. Murphy said prosecutors are generally opposed to earned credit on the ground that it is detrimental to public safety and is opposed to this expansion for the same reason. "We believe that its main effect is to give offenders a head start on committing more crimes and that the long term costs will far outweigh any possible benefit if all costs are taken into account, including the cost of additional crimes on society as a whole," he said.

And, Mr. Murphy said he was surprised to hear in testimony last week that the Department of Rehabilitation and Correction gives priority for participation in the training and education programs to those who are most likely to re-offend. He said that it only follows that those earning the most credit - those mostly likely to be released early - are also those most likely to commit more crimes once released. "This is another reason why earned credit should not have been enacted and certainly should not be expanded," he said requesting the earned credit section be removed from the MBR bill ([HB 487](#)).

Linda Janes, chief of staff at DRC, said the bill would correct a disparity and restore fairness to the earned credit program for all eligible inmates regardless of the date their crime was committed. She noted, however, the language does not clearly state that eligible inmates may earn a one time award of up to five additional credit days for completing two evidence-based programs as allowed in HB 86 for inmates sentenced after September 30, 2011. She said a DRC amendment addresses this by clarifying the department's intent that

all eligible inmates may earn the five-day monthly credit and the one-time award regardless of when their crime was committed.

Ms. Janes emphasized the importance of keeping the earned credit program in place and other DRC "clean-up" items in the bill. She said those items were all agreed upon by a workgroup led by the Supreme Court of Ohio and all are deemed to be technical and non-controversial.