
Detailed Fiscal Analysis

Potentially, the number of people charged and convicted of a fifth degree felony for either menacing by stalking or telephone harassment could increase. Currently, a repeat violation of these crimes results in a fifth degree felony charge, but only if the crime involves the same victim. This bill would allow a repeat offender to be sentenced to the longer term even if the victim is not the same from the earlier offense. This bill should affect very few individuals. The Franklin County Prosecutor's Office has indicated that they have not yet prosecuted anyone for a repeat offense of menacing by stalking. Stalkers tend to repeat the crime upon a single victim. But, this bill eliminates a potential loophole that exists for other victims. Prosecutors in Franklin and Cuyahoga Counties also expressed a belief that removing the repeat offense loophole from the offense of telephone harassment could possibly have a strong deterrent effect that might diminish the number of individuals violating this statute.

The fiscal effects of this bill on the state are very minimal. On the local level, the fiscal effect is a shift in the burden from municipalities to counties. The increased number of offenders charged with felonies will provide additional fine and court cost revenue to the counties at a rate that is higher than what is lost from just the municipalities diminished court cost revenues. Fine revenue generated by violating state law, felony or misdemeanor, is revenue for the counties. Municipalities will also be relieved of the expenditures related to the adjudication of the repeat offenders who are currently charged with misdemeanors.

□ *LBO staff: Corey C. Schaal, Budget/Policy Analyst*

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