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FOR IMMEDIATE RELEASE

From: Eric Hoffman, Prosecuting Attorney
Subject: Press Release
Date: June 28, 2019

Several Important Criminal Justice Laws Take Effect July 1

(Muncie, IN – June 28, 2019) – The vast majority of the bills signed by Gov. Eric Holcomb officially become law on July 1, 2019. Many will directly impact criminal justice, the prosecutor’s office, and our local community. Delaware County Prosecutor Eric Hoffman wanted to highlight some of these important measures before they go into effect.

Some of the highlights include:

SEA 551 – allows parents to seek a protective order against a person they believe is grooming their child for sexual activity. It also creates a provision so crime victims’ initials are not listed in court documents. Instead, victims will be identified by number only. The bill also creates enhancements for domestic battery charges that involve strangulation. Strangulation is one of the fastest rising charges that prosecutors are seeing statewide and is often a precursor to more violent acts in the future.

HEA 1186 – allows prosecutors to charge the abuse and trafficking of a synthetic drug as the drug it is designed to mimic. For instance, synthetic drugs designed to act like heroin will be charged at the same level as possessing and dealing heroin itself.

SEA 186 – This bill makes all Operating While Intoxicated Causing Death cases Level 4 felonies. In addition, it makes OWI Causing Serious Bodily Injury a Level 5 felony and creates a sentencing enhancement for “catastrophic injury.”

SEA 240 – This new bill deals with intimidation, particularly threats to schools and school buildings. SEA 240 expands the intimidation statute to include threats made to any person that puts said person in fear that the threat will be carried out. The hope is that this bill will make it easier for prosecutors to charge those who make bomb or shooting threats to schools.

SEA 198 – This was the much-discussed bias crimes bill. The new law makes it an aggravating circumstance if a crime was committed due to the perceived or actual characteristics, traits, beliefs, practices, or associations of the victim, including but not limited to color, creed, disability, national origin, race, religion or sexual orientation. A judge would decide at sentencing if it is appropriate to apply this aggravator.

HEA 1615 – This legislation broadens language in the animal abuse statutes to make it easier to charge offenses related to animals.

SEA 243 – Provides that a person who distributes an intimate image knowing that the depicted individual does not consent to its distribution commits distribution of an intimate image, a Class A misdemeanor. The offense is enhanced to a Level 6 felony if the person has a prior unrelated conviction.

HEA 1192 – Theft by public servants. Allows an employer to be reimbursed from a public servant's pension fund if the public servant is convicted of theft of public funds. Provides that the employer may withhold payment of the public servant's pension contributions and interest while the case is pending. Prohibits the withholding of pension funds in the case of a retired public servant and prohibits withholding disability benefits from a public servant who becomes disabled while the case is pending

SEA 2 – School bus safety. Increases penalty for passing a school bus with an extended arm to a Class A Misdemeanor. The penalty is enhanced to a Level 6 Felony for causing bodily injury, and a level 6 Felony for causing death.

These are just a few of hundreds of new laws that will come into effect on July 1. Delaware County residents are encouraged to visit www.iga.in.gov/legislative/2019/bills for a complete list.

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