



Ohio Association of Professional Fire Fighters

140 E Town St., Suite 1225; Columbus OH 43215

Michael P. Taylor, President

Mark Horton, Secretary/Treasurer

Chairman Manning, Vice Chair Rezabek, Ranking Member Johnson and respectfully through the House Criminal Justice Committee, thank you for the opportunity to testify about this very important issue.

My name is Mike DeFrancisco, I am a firefighter employed by the City of Columbus, Ohio and am a member of Columbus Firefighters, Local 67. I have been employed by the Columbus Division of Fire for the past 30 years, and I am currently assigned to the Fire and Explosive Investigation unit, as well as a specialist with the Columbus Division of Fire, Bomb Squad.

I am here today as a member of the Ohio Association of Professional Fire Fighters (OAPFF) representing over 12,000 full-time fire and emergency medical services providers across Ohio.

During the past 17 years I have investigated over 2000 fires, many that were the result of illegal manufacturing of controlled substances, such as methamphetamine and butane honey oil labs and marijuana grows. I have investigated fires in automobiles that were traveling down the street when the vehicle caught fire, the fire the result of a mobile meth lab. I have investigated fires in marijuana growing operations in both single family and multifamily dwellings and a fire in local hotel that was the result of the occupants who rented the hotel room, choosing to illegally manufacture methamphetamine, this all

unbeknownst to a traveling team of cheerleaders and their families staying in the same hallway.

I am here today to ask for your support of house bill 19. This legislation will expand the offense of arson by prohibiting a person from recklessly causing property damage while manufacturing or attempting to manufacture a controlled substance and makes the violation a first-degree misdemeanor or a fourth degree felony if the damage is over \$1000.00.

It has been my experience that when a person illegally manufactures controlled substances and causes a fire, that it becomes an issue for prosecutors to prove that the person did so KNOWINGLY. The Ohio Revised Code, Aggravated Arson statute, requires that the culpable mental state of the offender while in the commission of the offense, to be knowingly, and that they knowingly caused or created harm to the property of another, in this case, the harm being a fire or explosion.

House Bill 19 would change the culpable mental state from Knowingly to Recklessly, which would allow prosecutors to demonstrate that the offenders action of illegally manufacturing a controlled substance was reckless in nature. The proliferation of illicit drugs is destroying families and communities across our state. This is no longer an inner-city issue. Illegal drug manufacturing operations have been found in cities and towns, villages and townships.

Rural or metropolitan, our communities are struggling to deal with illegal drug manufacturing and the societal costs associated with it.

On behalf of the Ohio Association of Professional Fire Fighters, I ask for your support of HB 19.

Thank you for your time and consideration. Are there any questions at this time?