



# OHIO PROSECUTING ATTORNEYS ASSOCIATION

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March 1, 2017

Representative Nathan Manning  
The Ohio House of Representatives  
The Vern Riffe Center  
77 South High Street, 12<sup>th</sup> Floor  
Columbus, Ohio 43215-6111

Dear Rep. Manning

I am writing to voice our support of HB-19, Rep. Blessing's bill amending the arson statute to address the issue of causing a fire while manufacturing a controlled substance.

As you are no doubt aware, current arson code requires the prosecutor to prove the defendant "knowingly" started a fire to be charged with arson. Many of the law enforcement community say this is often a hurdle in meth lab cases. The defendant only need say they didn't intend or know they might start a fire, they were "only cooking meth." The National Drug Intelligence Center states "the chemicals used to produce methamphetamine are extremely hazardous. Some are highly volatile and may ignite or explode if mixed or stored improperly. Fire and explosion pose risks not only to the individuals producing the drug but also to anyone in the surrounding area, including children, neighbors, and passersby." We feel one with a meth lab certainly knows these risks, and we believe the "loop hole" in current law needs addressed. HB-19 will clarify the arson statute for these cases by including the term "recklessly" in the new section dealing with harm to property while engaging in the manufacturing of controlled substances, and will allow law enforcement the ability to charge and prosecute these folks under the arson statute, holding them responsible for their illegal actions.

We believe this is a needed clarification, and will certainly address the issues our front line folks are facing frequently.

Best regards,

Steve C. Hall  
Legislative Assistant

CC: Rep. Louis Blessing  
Rep. Jeffery Rezabek  
Rep. Greta Johnson