

JEFFERY S. REZABEK

CRIMINAL JUSTICE - VICE CHAIR

CIVIL JUSTICE

AGRICULTURE AND RURAL  
DEVELOPMENT

CRIMINAL SENTENCING COMMISSION

RECLAIM ADVISORY COMMITTEE



**Ohio General Assembly**  
**House of Representatives**

DAVE GREENSPAN

TRANSPORTATION AND PUBLIC  
SAFETY - VICE CHAIR

ECONOMIC DEVELOPMENT,  
COMMERCE AND LABOR

GOVERNMENT  
ACCOUNTABILITY AND  
OVERSIGHT

TRANSPORTATION AND PUBLIC  
SAFETY

Chairman Manning, Ranking Member Celebrezze, and members of the House Criminal Justice Committee, I want to thank you for allowing Representative Greenspan and I the opportunity to provide sponsor testimony on House Bill 276. This bill will protect utility workers from being threatened while performing their duties as a utility worker.

We have seen many cases where an individual, whether they are installing cable services or cutting a tree down, is threatened with a deadly weapon. This piece of legislation aims to end this. House Bill 276 will expand the offense of aggravated menacing to prohibit threatening a utility worker with intent to obstruct the operation of a utility. The individual committing this offense would have to know or have reasonable cause to know that the victim is a utility worker.

Just recently, in Florida, a man shot out the tires of an AT&T truck because he was, “upset that the trucks were parked in front of his house.”<sup>1</sup> While we understand that this situation is one of the egregious variety, over the course of working through this piece of legislation, we were approached by utility companies explaining that their workers have been threatened many times and that having House Bill 276 in statute, it would protect their workers greatly.

Currently, aggravated menacing is a misdemeanor of the first degree. With our bill, this penalty would raise to a felony of the fourth degree. As my colleague stated, there are multiple facets to this bill:

1. The offender has to know or has reasonable cause to know that the victim is a utility worker
2. The victim is engaged in the performance of their duties
3. The offender has to threaten the victim with a deadly weapon with intent to obstruct the operation of a utility

If, and only if, these three facts are present, then this new enhancement can be used. My joint sponsor and I are open to working with the committee to improve this bill wherever it is deemed necessary. This piece of legislation is supported by much if not all of the utility industry and we look forward to having them come in and testify before the committee if the Chair would be so kind. At this time, Representative Rezabek and I would be happy to answer any question that the committee may have.

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<sup>1</sup> Carly Teproff, “He didn’t like the AT&T trucks parked in front of his home. So he shot them.” [The Miami Herald](#) 19 July 2017.