

Contact Information:

Phone: 614.466.9078

Email: Rep50@OhioHouse.gov



Committees:

Vice Chair of Energy and Natural Resources
Community and Family Advancement
Agriculture & Natural Development
Public Utilities

State Representative Christina M. Hagan
Ohio House District 50

Sponsor Testimony HB 426
Criminal Justice Committee
December 4, 2017

Chairman Mannin, Vice Chairman Rezabek, Ranking Member Celebreze, and members of the House Criminal Justice Committee, it is my pleasure to bring you House Bill 426. This bill, which passed unanimously through the House in the last two General Assemblies, is necessary to close a glaring loophole in Ohio's law that allows employees in public and nonpublic districts, who are not teachers or administrators, to engage in sex with some students without facing criminal charges.

It may surprise some of you to learn that in the State of Ohio, you cannot send pornographic images of yourself to a student as a non-authority employee of our school systems, but a person in that position may currently engage in sexual activity with students above 16 without legal repercussions.

Therefore, at the behest of many County Prosecutors across the great State of Ohio, I am proud to offer legislation that closes the unfortunate imbalance in our law. H.B. 92 prohibits school employees from engaging in sexual activity with students regardless of their position. A broader context needs to exist in law dealing with sexual relationships between students and school employees. Under current law, a person employed by a school who is a "person in authority" is not permitted to engage in sexual conduct with a student enrolled in that school. Unfortunately this leaves out a large group of employees that are considered "non-authority" and therefore are not legally restrained from engaging in sexual activity with students. This group includes lunch ladies, janitors, and many other miscellaneous school employees.

Perhaps even less fortunate is how this came to my attention. A few years ago, Stacy St. Jean-Baron, a cafeteria worker at a high school in Stark County, was found to be engaging in sexual conduct with six male students in 2011. However, as a lunch lady, St. Jean-Baron could not be prosecuted because the students were above the age of 16, which is the age of consent in Ohio. To the chagrin of the Stark County Prosecutors, the boy's parents, and myself, there is no law prohibiting Ms. St. Jean-Baron's sexual misconduct.

Though Ms. St. Jean-Baron was ultimately sentenced to twenty-two months in prison, it was for another charge; sending nude photographs of herself to the students. Her status as nonacademic staff enabled Ms. St. Jean-Baron to slip through a loophole and prevented the Stark County Prosecutors from pursuing additional charges.

Contact Information:

Phone: 614.466.9078

Email: Rep50@OhioHouse.gov



Committees:

Vice Chair of Energy and Natural Resources
Community and Family Advancement
Agriculture & Natural Development
Public Utilities

State Representative Christina M. Hagan
Ohio House District 50

My intention with House Bill 92 is to ensure that our parents and students can rest assured that they are safe to learn without concern of such interactions occurring without legal ramifications. My hope is that by passing this bill into law we will deter behaviors of sexual engagement with students from occurring in the future. Students have enough complexities during their developmental years and the last thing they need is a peculiar encounter that could potentially devastate them or leave them in disarray during their educational experience in Ohio. Thank you for allowing me to testify on behalf of House Bill 92, and at this time I would be happy to take any questions you may have.

