

H. B. No. 79
by
John Gilchrist
Legislative Counsel
Ohio Association of Chiefs of Police

Madam Chair and Members of the Committee, I am John Gilchrist and I am here to express the Ohio Association of Chiefs of Police opposition to H. B. No. 79. The Association opposes the bill in its current form for the following reasons:

1. The Association believes that the bill should be amended to clarify that a tactical medical professional can only go armed when providing medical or nursing assistance at the request of a law enforcement special weapons and tactical unit and not when functioning in their role as an EMT, nurse, or physician. This can be accomplished by defining the term “while on duty.”

The Association would suggest that between lines 479-480 insert: © “While on duty” means providing medical or nursing assistance at the request of a law enforcement special weapons and tactics unit

2. As we understand it, tactical medical professionals are not going to be undertaking law enforcement activities. Instead, they will be allowed to be armed for defensive purposes. As a consequence, the Association has concerns with two provisions in the bill that give the impression they are the same as law enforcement or are performing law enforcement activities. The first provision is found in lines 450-451 and states that TMPs may carry firearms while on duty “in the same manner, to the same extent, and in the same areas as a law enforcement officer of the law enforcement agency the professional is serving.”

The second provision is found in the immunity section (lines 473-479). This provision states that a TMP has immunity “to the same extent as a law enforcement officer of the law enforcement agency the professional is serving has such protection.

3. Section 2923.126 (lines 866-870): the Association is ok with this provision if it only provides that the tactical medical professional does not need a CCW license to carry when providing services as a tactical medical professional. However, this provision should not give the TMP the authority to carry in his capacity as an EMT, nurse, or physician or in his civilian capacity.

In closing the Association believes that TMPs are not law enforcement official and are not performing law enforcement activities. To this end, the Association supports the right of a TMP to be armed for defensive purposes when functioning in the capacity as TMP providing medical or nursing assistance at the request of a law enforcement special weapons and tactics unit. In addition, the Association supports the right to carry a concealed weapon without the need for a license when providing services as a tactical medical professional, but not in his capacity as an EMT, nurse, or physician or in his civilian capacity.