



# Ohio Prosecuting Attorneys Association

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Executive Director

House Bill 253

Interested Party Testimony – Written Only

January 24, 2018

Chair Roegner, Vice-Chair Lipps, Ranking Member Leland and members of the House Federalism and Interstate Relations Committee, thank you for the opportunity to provide written interested party testimony on House Bill 253, a bill to authorize off-duty law enforcement officers to carry firearm on certain premises open to the public.

Ohio's prosecuting attorneys are generally supportive of allowing off-duty law enforcement officers to carry concealed weapons under the circumstances authorized under this bill. Allowing trained law enforcement officers to carry into venues serving large numbers of people will, we believe, provide additional safety. We are testifying today as an interested party, however, because there are two changes to House Bill 253 that we believe are necessary in order to ensure the safety of these off-duty officers and to protect their employing law enforcement agency.

First, we recommend adding to the bill a requirement that an off-duty officer have his identification and badge when carrying the weapon off-duty. There have been some recent instances where an officer was off-duty in a public place, not in uniform, and had a weapon but no badge or identification. As you can imagine, this can lead to some tense moments between the off-duty officer and law enforcement that arrives on the scene without any context about who is carrying a weapon. It puts the safety of the off-duty officer at risk until matters get sorted out.

Second, the bill provides that "A law enforcement officer or investigator, who is authorized to carry firearms" is not prohibited from carrying a firearm on the premises specified in the bill – even when not acting within the scope of his or her duties. Because the authority to carry the firearm while on-duty comes from the employing agency, the authority to carry while off-duty should come from the employing agency as well. As such, we recommend specifying that a law enforcement officer's authority to carry while off-duty be authorized by a policy of the employing agency. Requiring such a policy to be in place protects both the officer and the employer.

I thank you again for the opportunity to provide written testimony. I would be happy to discuss our recommendations with any of you at a later time and at your convenience.