



## OHIO TOWNSHIP ASSOCIATION

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September 12, 2017

The Honorable Doug Green, Chair  
Transportation & Public Safety Committee  
Ohio House of Representatives  
77 S. High Street  
Columbus, OH 43215

Re: HB 255 Township Police Departments

Dear Chairman Green:

On behalf of the Ohio Township Association (OTA), I am writing regarding HB 255, which alters the arrest authority of a township officer who serves a township with a population greater than 5,000 on interstate highways within the township. Current law (R.C. §4513.39) permits township police officers serving a township with a population over 50,000 to make motor vehicle-related arrests on these roads.

An Ohio Supreme Court decision (*State of Ohio v. Brown*) initiated the need for this legislation. The case involved a Lake Township police officer who pulled over a motor vehicle for crossing the marked centerline on an interstate highway. The township officer used a drug dog and discovered drugs in the vehicle and arrested the driver. All of the evidence was suppressed due to the township police officer lacking the statutory authority to pull over the vehicle on the interstate and portions of state highways classified as part of the national highway system.

For townships in northern Ohio, this is very troublesome. Townships such as Perkins in Erie County or Lake in Wood County have very heavy traffic on interstate highways running through their townships. These townships have police departments because their residents have demanded the service and are willing to pay for the protection. Those residents demand protection whether they are traveling on township roads or interstates.

Concern has been raised previously about smaller jurisdictions setting up speed traps to bolster revenue for the township through fines assessed for motor vehicle related offenses. The Ohio Township Association does not believe this legislation will entice small or medium-sized townships to create their own police departments and the population threshold of 5,000 helps to ensure this. Furthermore, to adequately fund and operate a township police department, a levy must be passed by township residents. Townships may not create their own traffic code like municipalities. Revenue collected from township traffic citations is divvied up per the Ohio Revised Code and townships receive very little revenue from said citations.

The Ohio Township Association supports altering the arrest authority of a township officer on interstate highways within their jurisdiction. Thank you for your consideration of our position. Should you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Matthew J. DeTemple  
Executive Director

MJD:hf