

Written Testimony for House Bill 142 6th Hearing – Steve Wood

Hello Chairman Coley, Vice Chair Uecker, ranking member Schiavoni, and the esteemed members of the Government Oversight and Reform Committee. I'm Steve Wood, and last week I presented testimony in support of House Bill 142. I would like to do so again today.

My previous testimony, wherein I outlined how important of an issue this is to a great many people and how problematic the notification requirement can be for otherwise law-abiding citizens, was primarily derived from data collected and generated by my company and addressed how justice would be served by the modifications proposed. After listening to the other arguments presented in regard to this bill, one point which was noticeably absent from the discussion was the opportunity cost of the status quo.

As we have heard during previous testimony, the number of people arrested for unintentional violation of these provisions of the ORC is not insubstantial. As many of these individuals would have been in compliance with the law under the proposed modifications to 2923.12, 2923.126, and 2923.16, which merely shifts the required point of notification to a more location in the encounter, the costs incurred by the state for enforcing the current law which would be reduced by the change merits consideration.

Each time an officer an officer arrests a person for a notification violation, it adds a substantial amount of time to what would have otherwise in many cases been a non-criminal charge. A traffic stop which might take roughly 15 minutes could now require an additional hour or more before the officer can return to patrolling in addition to the time required to complete the added paperwork.

Each officer taken off the streets to address what may result in only a minor misdemeanor means more serious offenders slip by. Missing one drug trafficker due to the time requirements to process several hundred notification violations which often lack *mens rea* presents a serious misallocation of resources by the state in addition to potentially lost revenues.

Ohio police officers associated with agencies participating in the National Incident-Based Reporting System made over 24,000 drug arrests on state streets and highways in 2017. With 8,766 hours in a year, that means these officers are making approximately 2.75 drug arrests on Ohio's roadways every hour impounding nearly 6 million kilograms of illegal drugs. This is a far more effective use of officer's time than booking a senior citizen who spoke a few seconds too late, or a person who had already informed three other officers that he was carrying a weapon but didn't realize there a fourth had arrived on the scene who also needed to be notified.

Additionally, processing notification offenders takes time and resources that are already in short supply. Our jails are overcrowded and the legal system strained as it is; reducing the stresses on our overworked system serves the government's interests as much as it serves individual citizens and taxpayers.

House Bill 142 would alleviate unnecessary strains on the judicial system while freeing up law enforcement to patrol the state and reduce far more serious threats to public safety. Police officers are certainly well served by being informed as to whether an individual they are contacting is in possession of a firearm, but those who seek to comply with the notification requirement are not truly a treat. Tying up scarce resources on these individuals is counterproductive to reducing true threats.

It would be one thing if these detainees were attempting to mislead officers, but this is not generally the case. Those individuals would still be in violation of the same provisions of the ORC under the proposed modifications. House Bill 142 simply makes it easier for generally law-abiding citizens to comply, and increased compliance with the law is always an objective for which we should strive.