



Wes Retherford State Representative

Sponsor Testimony of Representative Wes Retherford Regarding Ohio House Bill 79 Before the Senate Judiciary Committee Tuesday, November 14, 2017

Chairman Bacon, Vice Chair Dolan, Ranking Member Thomas and members of the Senate Judiciary Committee, thank you for the opportunity to testify on behalf of House Bill 79, the SWAT EMT Carry Bill.

This issue was brought to my attention by local EMTs that are members of the Butler County Regional SWAT Team and Hamilton County Regional SWAT Team, along with input from the commander of Butler County SWAT. The intent of the legislation is to clarify existing law pertaining to Medical Members of a SWAT team carrying a sidearm while on duty with the SWAT or Tactical Response team and to establish minimum standards.

SWAT EMTs are a special breed of individuals. They are often employed by local fire departments as a Paramedic or EMT and volunteer their time to be the medic for SWAT teams. These men and women are often part of weekly training, learning group SWAT tactics, participate in firearms training and when called out, can very much find themselves in harm's way, the same as any other member of the team.

House Bill 79 does several things.

- Establishes Revised Code definition of a TACTICAL EMS
- Establishes minimum training requirements by requiring any Tactical EMT to participate in the OPOTA basic firearms portion of the police academy.
- Establishes that TACTICAL EMTs are required to meet additional minimum standards and training that is outlined by their perspective department.
- Provides the same level of civil liability protection for the EMT and the Department when acting in accordance with State Law and Department procedures when in the course of their duties.
- If all requirements are met, then Tactical EMTs will be permitted to carry their firearms for personal protection when they are participating in a call out with their Tactical Response Team or SWAT team via a concealed carry license.
- This legislation does NOT permit the EMT to carry when participating in his duties as a paramedic/emt/firefighter while on duty with his or her fire department.

It is also important to note that this legislation is permissive. It is up to each individual Law Enforcement Department to decide if they will allow this on their SWAT Teams. Each Police Chief or Sheriff who oversees a SWAT Team or Tactical Response Team will have the ultimate say if they participate in this program or not.

The Tactically Trained EMTs that I have spoken to in my area have been part of such programs before, but were discontinued after department legal representatives have determined the ability for departments to do this is not clear in the ORC. So, with HB 79, we seek to clarify everything.

Often when called out, EMTs are left near the vehicles until needed. When the situation presents itself that they are need to enter an active situation, it often requires one or more of the SWAT officers to leave the "Stack" to cover the EMT. This bill would simply allow one EMT to cover the other while he or she is administering first aid.

House Bill 79 unanimously passed out of the House Federalism and Interstate Relations Committee and overwhelmingly passed on the House floor with a vote of 90-7.

I appreciate the opportunity to give testimony on House Bill 79. After my Joint Sponsor gives her testimony, we will be happy to answer any question you may have.

Thank you.

A handwritten signature in black ink, appearing to read 'Wes Retherford', with a stylized flourish at the end.

Wes Retherford
State Representative
Ohio House District 51