



STATE OF OHIO
OFFICE OF THE INSPECTOR GENERAL

RANDALL J. MEYER, INSPECTOR GENERAL

**Proponent Testimony on House Bill 238
Whistleblower Protections
Before the Civil Justice Committee
May 28, 2019
Presented by Randall J. Meyer, Inspector General**

Good afternoon Chairman Hambley, Vice Chair Patton, Ranking Member Brown, and members of the Civil Justice Committee. My name is Randall Meyer and I am the Inspector General for the state of Ohio. I appreciate the opportunity to testify this afternoon about reforms on whistleblower protection, specifically, House Bill 238, which is a proposal to increase and enhance the scope of whistleblower protections afforded to individuals when reporting illegal and specified activity.

As you all know, I am committed to promoting transparency in state government and enhancing accountability by stamping out fraud, waste, and abuse. Whistleblower laws provide an important foundation for good government protecting individuals from retaliation when they come forward. Therefore, it is important to make sure that individuals, at all levels, who have a reasonable belief that misconduct, or wrongdoing has been committed are protected from workplace retaliation.

Unfortunately, whistleblowers who file complaints with the OIG have seen their protections eroded based on the interpretation of the current whistleblower statute by an appellate court. This ruling has severely limited who is afforded whistleblower protections when seeking redress from the OIG. The court's ruling limits coverage to persons who report a violation that is criminal in nature. In 2018, only 12 percent of the investigations my office issued were ultimately determined to be criminal acts. To compound the problem, we rarely know that an investigation is going to be criminal in nature at the time of the initial complaint and frequently don't know until we are well into the investigation. This leaves 88 percent of investigations that are noncriminal in nature for which complainants could experience retribution under the current statute. I support

House Bill 238 because it fixes this loophole and extends whistleblower protections to all persons who file a complaint with my office. In addition, the bill will increase reporting options with safe and secure channels and further protect a whistleblower from certain types of retaliatory actions. The expanded protections of this bill are a step forward in our efforts to ensure increased accountability in government, increased protections for whistleblowers and increased transparency. Individuals filing a complaint with my office will no longer be in fear of workplace retaliation or other disciplinary action.

Chairman Hambley, Vice Chair Patton, Ranking Member Brown, and members of the Civil Justice Committee, I thank you for your time and urge you to support this bill. I will be pleased to answer any questions you may have.