

J. Todd Smith
State Representative
Ohio's 43rd District



Gil Blair
State Representative
Ohio's 63rd District

Sponsor Testimony for H.B. 421

Chairman Hambley, Vice-Chair Patton, Ranking Member Brown, and members of the House Civil Justice Committee. Thank you for allowing me the opportunity to provide sponsor testimony for House Bill 421 alongside my colleague Representative Blair.

Last spring I introduced House Bill 236, which also involves hospital police officers, and while working through that bill that we discovered the impetus for this legislation before you today. Hospitals with their own proprietary police departments (recognized by the Sec. of State) operate within the jurisdiction of a public law enforcement agency. For a hospital's police force to exist, they must be granted permission by a written agreement with either the county sheriff or local police chief per ORC sec. 4973.17 (D)(1)(b).

Last year there was a situation in Cincinnati where the City broke their mutual aid agreement with the University of Cincinnati Health network. A family sued a hospital police officer who they believed had violated their rights, and also sued the City of Cincinnati for that officer's actions. Without that mutual aid agreement in place, the hospital police officers have no arrest authority. Thus, they rely on public department officers to respond to every situation at the hospital, even where fully-trained, OPOTA-certified officers are already present.

The basic premise of H.B. 421 is that a local government should not be held responsible for the actions of officers who are not their employees. The permission of a sheriff or police chief for a hospital police department to carry out their duties should not make them liable for that department's officers.

By immunizing local governments from liability, police officers employed by hospitals with their own proprietary police departments will be free to exercise their duties and allow public law enforcement to best utilize their resources when responding to situations in their jurisdiction. To clarify, our bill would not immunize hospital police officers, but only the local government where the hospital they work at is located.

We are hosting an interested parties meeting tomorrow afternoon and look forward to garnishing support from the healthcare and law enforcement groups that would

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be impacted by H.B. 421. Thank you for your time here today and we would be pleased to answer any questions.