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OHIO TOWNSHIP ASSOCIATION

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May 28, 2020

The Honorable George Lang, Chair
Criminal Justice Committee
Ohio House of Representatives
77 S. High Street, 13th Floor
Columbus, OH 43215

Re: HB 539 Township Police

Dear Chairman Lang:

On behalf of the Ohio Township Association (OTA), I am writing in support of House Bill 539, 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 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.

This policy is unnecessarily limiting for townships that have the capability to enforce the law in these areas. The OTA has worked to address this issue for several years, including the last two General Assemblies. HB 539 makes adjustments that allow additional townships to more effectively protect their communities.

After working with interested parties, HB 539 contains some parameters regarding a township's ability to make arrests on the interstate, including that the highway must be in the township's jurisdiction *and* that there must be a permanent access point within the township. While the OTA would prefer not to limit a jurisdiction because of access to the highway, we understand the need for compromise and we appreciate the efforts of Reps. Ghanbari and Blair in reaching an agreement on the bill.

The Ohio Township Association supports HB 539 and requests favorable passage. Thank you for your consideration of our position. Should you have any questions or concerns, please do not hesitate to contact me or Marisa Myers, OTA Director of Governmental Affairs, at 614-863-0045.

Sincerely,

Heidi M. Fought
Executive Director