



Ohio Prosecuting Attorneys Association

Louis Tobin
Executive Director
House Bill 236
Proponent Testimony
June 4, 2019

Chairman Green, Vice-Chair McClain, Ranking Member Sheehy and members of the House Transportation and Public Safety Committee, thank you for the opportunity to provide proponent testimony in support of House Bill 236.

House Bill 236 corrects what is a relatively simple issue in the Ohio Revised Code by adding hospital police who are employed by a hospital that employs and maintains its own proprietary police department or security department, and who are appointed and commissioned by the secretary of state, to the definition of “peace officer” in Revised Code section 2935.01. These officers are already considered peace officers under Revised Code under sections 109.71 to 109.801 of the Revised Code that establish the Ohio Peace Officer Training Commission and govern the training and certification of peace officers in Ohio. They undergo the same training as any other police and are granted the same powers as police employed by municipalities.

Despite undergoing the same training and having the same authority as other police, these hospital police officers are not considered peace officers for the purposes of our assault statutes, statutes that provide for penalty enhancements for assaulting peace officers. While our Association generally disfavors these types of penalty enhancements based on special classes of victims, we have historically and continue to support such an enhancement when the victims are the particularly vulnerable – children, the elderly, and peace officers who place themselves in harm’s way in the name of public safety. Our view has been that an assault on a peace officer is an assault on the justice system itself. Such an assault should be deterred and punished more harshly through penalty enhancements. House Bill 236 does the right thing and the simple thing to ensure that this policy applies to these hospital police.

Thank you, again, for the opportunity to provide testimony in support of House Bill 236. We encourage the committee’s favorable consideration. I would be happy to answer any questions.