



# PREBLE COUNTY SHERIFF'S OFFICE

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Good Afternoon,

I am Sheriff Mike Simpson of the Preble County Sheriff's Office and I appreciate the opportunity to address the committee today.

I am a 32-year veteran of the Sheriff's Office, with the last (16) years serving as Sheriff. I also serve as the Legislative Committee Chairman for the Buckeye State Sheriffs' Association.

I have highlighted four areas in SB 221 that I believe are key components:

1. **Gun Safety:** SB 221 addresses several key issues that will enhance law enforcement's ability to manage certain areas that are lacking, as it relates to gun safety.
  - Adds the ability for law enforcement to transport to a hospital for evaluation, an individual who is intoxicated and may be suffering from alcohol or other drug abuse and represents a substantial risk of physical harm to self or others. This is an enhancement of current law that allows the same process for emergency mental health evaluation.
  - Provides a mechanism for a court to issue a Safety Protection Order if the court determines that an individual is under a drug dependency or chronic alcoholism firearms disability and has access to firearms or dangerous ordinance. This is a parallel process to the mental health component in existing law. If a Judge finds that a person is a danger to themselves or others, it will allow the judge to place the person under a firearms disability and into court ordered treatment.
  - Ensures due process to the individual and requires law enforcement to meet certain requirements when serving the SPO and retrieving firearms.

Every day, law enforcement agencies across the state are in contact with individuals who may fall into the areas outlined above. Current law does not permit law enforcement to address anything other than the mental health crisis. This bill would give us the tools necessary to address the drug and alcohol issues.

2. **Seller Protection Certificate:** The bill would establish a process to obtain a Seller's Protection Certificate. The Department of Public Safety, in conjunction with Ohio's 88 Sheriffs, would provide a **voluntary** process for a seller to ensure that he or she is selling a firearm to someone who is not currently under a disability that would prohibit the possession of a firearm. Sheriffs across Ohio have been providing background checks in conjunction with Ohio's concealed carry law, since 2004. It makes sense that a citizen could come to a centralized location in each county to have a check conducted. This provision is voluntary and does not infringe upon the rights of

law-abiding citizens who own firearms. Ohio's Sheriffs are adamant supporters of the Second Amendment and would not support a process that would violate that.

3. **Increase Penalties:** This bill increases penalties for "Having Weapons While Under Disability" to a 2<sup>nd</sup> degree felony. For those offenders who chose to possess weapons even though they are under a disability and have been convicted of such, the offense is a first-degree felony.

The bill also increases the penalty for having a firearm on or about their person or under their control while committing certain felonies, or for those who furnish a firearm to a juvenile. This provision is a much-needed enhancement to allow the criminal justice system to deal with those felony offenders who make the conscious decision to have or use a firearm and commit crime in Ohio, many of which are violent felonies. We must send a message to those who possess or use firearms while committing felonies that gun violence will be dealt with harshly in Ohio.

4. **Warrants in LEADS:** Finally, the bill would require law enforcement agencies to enter warrants into the Law Enforcement Automated Data System (LEADS) for Tier 1 offenses, including Domestic Violence. This provision is a public safety and officer safety enhancement. Currently, agencies across Ohio make a decision on whether or not a warrant will be entered into LEADS and what the extradition parameters may be. Surprisingly, we have found that some agencies do not enter all warrants for Tier 1 offenses, including domestic violence. Ensuring that all Tier 1 warrants, 32 of our most serious and violent crimes, are entered into a national database, will flag other databases. This includes the nationwide NICS background system, where firearm dealers query potential purchasers to determine if they are eligible to own a firearm under current law.

In closing, SB 221 provides much needed enhancements and tools to both law enforcement and the courts to address gaps in our current system.

Thank you for the opportunity to speak on behalf of Ohio's Sheriffs.