

JOHN GILCHRIST
ATTORNEY AND COUNSELOR AT LAW

Honorable Tim Ginter, Chair
and members of the Committee

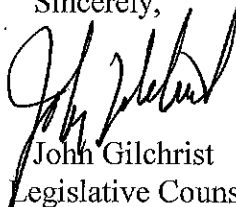
re: H. B. No. 64
Ohio Association of Chiefs of Police

Mr. Chairman and Members of the Committee:

The Ohio Association of Chiefs of Police has concerns with the provision in H. B. No. 64 which provides for the destruction of all records related to a case involving a person charged with an offense based on a mistaken identity. Charging documents, docket entries, journal entries, subpoenas, and filings in the case could be expunged; but not the investigative files—these need to be maintained.

In addition, the procedure for the expungement process should be changed by giving the court the authority to make the determination that there was in fact a mistaken identity. Further, the statute should provide that the process could be initiated by the prosecutor, the judge, or by the individual who is subject of the mistaken identity.

Sincerely,



John Gilchrist
Legislative Counsel
Ohio Association of Chiefs of Police