

Good afternoon Chairman Manning, Vice Chairman Rezabek, and fellow members of the Criminal Justice Committee.

I appreciate the opportunity to provide you with testimony on behalf of Ohio House Bill 137.

This legislation seeks to close the large loophole mandating that county and municipal peace officers report child abuse and neglect.

At present, 40 states mandate that law enforcement officers report child abuse and neglect. Nine other states require all residents to report incidents of suspected child abuse and neglect.

Only Ohio stands as an outlier by not mandating law enforcement officers to assume the role of mandatory reporters.

Oddly, Ohio was one of the first states in the nation to enact a mandatory reporting law in 1963. But, the original law focused on health care providers. Consequently, numerous professionals have been added to this list, including my own, as an attorney.

I have sued the Columbus Police over this very issue on behalf of State Representative B. Kennedy Kent. I was shocked that the police detective who I sued was not required under state law to report credible evidence of child sexual abuse, but rather had the discretion on whether or not to conduct a criminal investigation or file criminal charges.

My suit was in federal court. The federal court ruled that the standards for police agencies are best left to the states.

What this bill would do is not only allow us to join the ranks of every other state in the union by making law enforcement officers mandatory reporters, but by thus classifying them they would also be required to report to any social service agencies any child abuse or neglect they witness on the job.

Testimony of Robert J. Fitrakis, Ph.D., J.D.