



## OHIO ASSOCIATION OF CHIEFS OF POLICE

277 Riverside Drive Dublin, Ohio 43017

September 12, 2017

RE: House Bill 255

Dear Chair Green,

I would like to thank you and the members of the Transportation and Public Safety Committee for the opportunity to offer written testimony in support of House Bill 255.

As a result of the 2015 Ohio Supreme Court decision in *State of Ohio v. Brown*, Slip Opinion No. 2015-Ohio-2438 township police departments in Ohio with populations of 50,000 or less do not have the authority to enforce traffic laws and make stops on an interstate highways. In the case in question, a township officer from Lake Township pulled over a motorist for a marked lane violation. The driver was operating under a suspended license and had an active felony warrant through the state of Michigan. A drug detecting dog alerted to the car and officers found 120 tablets of oxycodone and marijuana. Unfortunately, this evidence was suppressed because the Township officer lacked the statutory authority to stop the motorist for a marked lane violation on an interstate highway.

This ruling effectively nullifies any opportunities for Township police officers who are employed by Townships with populations of 50,000 or less to cooperate in coordinated regional drug interdiction operations, target high traffic crash areas for enforcement, and limits the ability to partner with other agencies to target OVI drivers when these violations occur on interstate highways.

H.B. 378, which became law in 2016, did assist townships with jurisdictional issues on the portion of State Highways that are designated as part of the National Highway System. What H.B. 378 did not address, however, was the jurisdictional problems for township officers on the Interstate Highway System.

Officers working for a small city of over 5,000 residents and officers working for a township of over 5,000 residents receive the same state mandated training and certification through the Ohio Peace Officers Training Commission. That certification does not differentiate between the two. We do not believe the laws of arrest should differentiate between them either.

If the provisions in House Bill 255 should become law these changes would permit all Township police department officers (who are all certified as peace officers through Ohio Police Officers Training Academy standards) whose township populations exceed 5,000 to contribute to all traffic crash reduction efforts, OVI enforcement initiatives, as well as contribute needed help stemming the flow of drugs in the State of Ohio.

The Townships affected by this legislation will not see any significant financial gain if this legislation is passed. The majority of the monies from fines collected from violations occurring on interstates would go to the municipal court of jurisdiction. This point is reinforced by the fact that

this legislation would also prohibit the use of traffic law photo monitoring devices by township police officers on Interstate Highways.

The Ohio Association of Chiefs of Police offers its support of House Bill 255. Thank you for allowing me to deliver written testimony today.

Respectfully Submitted,



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