



OHIO TOWNSHIP ASSOCIATION

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May 16, 2018

The Honorable William Coley, II, Chair
Government Oversight & Reform Committee
Ohio Senate
1 Capital Square, 1st Floor
Columbus, OH 43215

Re: SB 268 Theft in Office

Dear Chairman Coley:

On behalf of the Ohio Township Association (OTA), I am writing regarding Senate Bill 268, which increases the penalty for theft in office when the value of property or services stolen is \$150,000.

The public, by voting in favor of the township trustees and fiscal officer holding office in each township, trusts that these public officials will act in the public's best interest. These elected officials, and any persons appointed or hired by these officials, have a duty to the public to uphold the laws of the United States, the State of Ohio and the township. To assist in this endeavor, the Ohio Township Association routinely provides training for elected officials and township employees at our annual conference on ethics, open meeting laws, and other areas of township law. We publish articles in our magazine, newsletter and on our website to further educate our members. We feel it is imperative that township officials and employees serve the public faithfully and hold themselves to the highest standards.

Unfortunately, not all legislators, local government officials or public employees hold themselves to this code of conduct. As you heard in Sponsor Wilson's testimony last month, since 2010, approximately 130 public officials have been convicted of stealing while holding a public office or employed by a political subdivision. Pursuant to current law, a public official or employee that is accused of stealing more than \$7,500 in taxpayers' money may only be charged with an F-3 felony, regardless of the amount stolen. Senate Bill 268 will create two additional classes of felonies (F-1 and F-2), depending on the amount stolen, and brings parity to the theft in office and general thefts statutes.

Senate Bill 268 provides a second layer of protection for the public. The legislation will require a person convicted of theft in office to pay for forensic auditing costs charged to a political subdivision that led to the person's conviction. Without this provision, a township could be left paying for such an audit *and* the loss of property or revenue stolen.

The Ohio Township Association supports Senate Bill 268. Thank you for your consideration of our position. Should you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Matthew J. DeTemple
Executive Director

MJD:hf