# OHIO TOWNSHIP ASSOCIATION

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March 5, 2019

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

Re: SB 10 Theft in Office

Dear Chairman Coley:

On behalf of the Ohio Township Association (OTA), I am writing to express our support for Senate Bill 10, which increases the penalty for theft in office when the value of property or services stolen is $150,000 or more.

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 person appointed or hired by them, 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 OTA 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 public officials and employees hold themselves to this code of conduct. As you heard in Sponsor Wilson's testimony, the Auditor's office has charged 74 public officials with theft in office since 2011 – a potential loss of over $2 million to Ohio taxpayers. Pursuant to current law, a public official or employee that is accused of stealing more than $7,500 in taxpayer money may only be charged with an F-3 felony, regardless of the amount stolen. Senate Bill 10 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 10 provides a second layer of protection for the public. The legislation will require a person convicted of theft in office to pay the auditing costs a political subdivision incurs in determining the loss that led to the person's conviction. Without this provision, a township could be left paying for such an audit even if the property or revenue lost is rectified by the court.

The OTA continues to support the concepts in Senate Bill 10 and encourages your favorable support. Thank you for your consideration of our position. Should you have any questions or concerns about our position, please do not hesitate to contact me or Marisa Myers, OTA Director of Governmental Affairs, at 614-863-0045.

Sincerely,

Matthew J. DeTemple
Executive Director

MJD:mm
cc:     Sen. Steve Wilson