



**Written Proponent Testimony on SB 103
Presented to the Senate Judiciary Committee
by Sergeant Andy Ezzo, Cleveland Policy Department and
Lead Investigator for the Cleveland-Cuyahoga County Environmental Crimes Task Force
October 9, 2019**

Dear Chairman Eklund, Vice-Chair Manning, Ranking Member Thomas and members of the Senate Judiciary Committee. Thank you for the opportunity to submit this written testimony in support of Senate Bill 103 which would grant the Cleveland Housing Division the ability to hear felony environmental cases.

The Environmental Crimes Task Force (ECTF) was organized in 2013. The criminal enforcement unit of the Task Force was created in 2014 and consists of Cleveland Police Sergeant Andrew Ezzo, Detective Robert Cupach, Detective Jason Hagy and Sheriff Deputy Detective Shaun Thomas. The enforcement unit investigates misdemeanor and felony crimes. The majority of the felony crimes fall under Ohio Revised Code section 3734. The misdemeanor crimes are City of Cleveland codified ordinances related to illegal dumping and littering. The following information details statistics and accomplishments of the ECTF Enforcement Unit since its inception in April of 2014 thru 2018:

- 1247 Investigations
- 121 inspections completed (included in case numbers)
- 56 search warrants have been executed
- 92 felony arrests
- 6 misdemeanor arrest
- 77 vehicle tows
- 61 MM citations
- 7 weapons recovered
- 852 felony indictments / charges
- 177 misdemeanor indictments / charges
- 193 felony convictions
- 143 misdemeanor convictions
- 892 locations have been cleaned up of either tires and/or debris
- 19 Vehicles forfeited

On average, our team sends over 40 investigations to the Grand Jury annually. As recorded, in 2017, the investigations sent to the City of Cleveland increased to over 20. These investigations normally start as felonies and will be charged as illegal dumping M1 or a littering MM. We handle cases related to open dumping, illegal dumping of scrap tires, scrap metal theft.



Increasingly, the Task Force receives reports of scrap metal theft from local businesses which is one of the primary reasons businesses leave the City of Cleveland or decide not to invest in the City. As a result, our unit has taken on the responsibility of enforcing ORC Section 4737 (Scrap Dealer Law) by investigating all the scrap yards in Cuyahoga County. Since Ohio scrap metal law changes in 2013, 2014 and 2015, we have conducted seminars, meetings and training for all the yards within the county. Our Unit has become Northeast Ohio's scrap law experts. We conduct business with Ohio Homeland Security, Department of Public Safety related to all scrap theft in Northeast Ohio. Scrap theft investigations are conducted strictly at the felony level. This equates to approximately half of the annual Grand Jury cases.

SB 103 would allow the Cleveland Housing Court the ability to hear both felony and misdemeanor cases related to Ohio's environmental and scrap metal laws which would greatly help with the prosecution of these cases. Cleveland's housing court would have the capability of dedicating itself to enforcing environmental laws without any distractions from other types of felony crimes. Having one judge hearing environmental cases would allow for expertise to be developed regarding Ohio's complex environmental laws and result in more consistent sentencing.

SB 103 also has the support of the Cuyahoga County Prosecutor's office since having concurrent jurisdiction for felony environmental crimes with the Cleveland Housing Court would take the burden off of Common Pleas Court judges and prosecutors who do not have time to dedicate to learning the laws.

Our team appreciates the team work that has been conducted over the last 4 years between our Unit and the County Prosecutor's office. However, we are extremely excited to see the possibility of having the Cleveland Housing Court have concurrent jurisdiction with the Court of Common Pleas in criminal cases related to environmental pollution. This would be a more efficient and effective way to charge and prosecute cases.

Thank you for considering this testimony.

Respectfully,

Sgt Andrew J Ezzo #9084