



LOCAL GOVERNMENT,  
PUBLIC SAFETY AND  
VETERANS AFFAIRS  
COMMITTEE

Witness Form

Today's Date May 27, 2020

Name: John P. T. Gordon

Address: 5291 Morral Kirkpatrick Rd. W.

Morral, Ohio 43337

Telephone: (740) 465-9212

Organization Representing: Rusty's Story & Self

Testifying on Bill Number: SB-285

Testimony:  Verbal  Written  Both

Testifying As:  Proponent  Opponent  Interested Party

Are you a Registered Lobbyist?  Yes  No

Special Requests: \_\_\_\_\_

## Local Government, Public Safety and Veterans Affairs Committee

### SB 285

Thank you Chairman Manning and Ranking Member Maharath for giving me the opportunity to address this committee. My name is John P. T. Gordon from Marion, Ohio. I am a retired city police officer and an eight year Veteran of the USAF where I was assigned to the security detail of flying aboard Special Air Missions aircrafts, including Air Force One worldwide. After my retirement from the Marion Police Department, I took a position as the senior bailiff in our Common Pleas Court.

I am here in support of this bill for several reasons, but most of all because my only child was killed by a distracted driver on May 18, 2008. That driver was utilizing his cell phone at the time of the crash. The pain never goes away. My son was married and the father of two young children. He was an Eagle Scout and became a police officer for the City of Upper Sandusky. In order to work with me, he became the second bailiff in our Common Pleas Court. The crash occurred in the evening hours on a state highway. The driver swerved left of center and hit my son's motorcycle head-on. This crash was 100% preventable.

His death has not forced me to become just another grieving father as I decided to use my training to educate others about the dangers of distracted driving and hopefully save lives. Before his death, I received training to be a Technical Crash Investigator and Basic Training Instructor through the Ohio Peace Officer Training Council curriculum. Both my son and the man who killed him were graduate students from the academy where my classes were taught. I knew that I had to make a difference, so I received specialized training with the United States Department of Transportation, the National Transportation Safety Board, and the National Safety Council. I combined all of my training and created a distracted driving safety course called "Rusty's Story." I have talked with 34,000 people in four states. Additionally more than 20 companies have initiated company policies prohibiting cell phone usage while driving.

I will not bore you with a lot of statistics, facts, and figures, but I am happy that Ohio is taking steps to stop another epidemic through this committee. When the State of Georgia initiated a Hands Free law, distracted-driving behaviors fell to 15.4 percent of total driving time after the law took effect which was a 21 percent decrease. The epidemic of distracted driving through electronic devices effects every Ohio resident, and those who visit this state for business or tourism. A strong law is needed as a vaccine to save lives in the Buckeye State.

Many local governments have recognized the dangers of distracted driving and have taken it upon themselves to enact a distracted driving law. That means that the state is divided into a checker board of laws which is not uniform from city to city. The average driver may violate local laws and drive distracted without knowing the local ordinances or the jurisdictional boundaries. That in itself creates a different type of distraction as the driver's focus is not on the task at hand, driving. By enacting a law that is uniform throughout the State of Ohio, our roads will be safer and in the end, save lives.

Senator Thomas, I was here last week and heard your concerns about selective enforcement. Having been a law enforcement officer for 42 years, I do understand these concerns. When Ohio enacted the first texting law in 2012, the legislature placed handcuffs on law enforcement by making it a secondary offense. The law was also written in two categories, over 18 and under 18. Under 18 was a primary offense; whereas over 18 was a secondary offense. Officers found that they could not determine the age difference in order to fully enforce the law. Many officers may have become creative in their enforcement techniques (such as a burnt out license plate light) in order to effect the traffic stop and save lives. The traffic stop could appear to be profiling by the officer, but in reality, it is against the law. With that thought in mind, I can understand your increased concerns. With the bill before you, you have the opportunity to give law enforcement the proper tools to save lives with little fear of suspecting selective enforcement.

So I ask this committee to do the right thing for the many families who continue to be impacted by these needless deaths and injuries. Please support a strong bill, and please do not water it down. Do it for my Rusty; do it for the other victim's family members; do it to keep your own family safe; and do it for all Ohioans. It's a change we can live with.