

**Proponent Testimony on House Bill 41**  
**Civil Justice Committee**  
**Brian O'Reilly, Ph.D.**  
**February 23, 2021**

Chairman Hillyer, Vice Chair Grendell, Ranking Member Galonski, and members of the committee, I would like to thank you for the opportunity to provide proponent testimony on HB 41, legislation to include forensic evaluation examiners, mental health evaluation providers, and regional psychiatric hospital employees as individuals whose residential and familial information is exempt from disclosure under the Public Records Law, and whose addresses public offices, upon request, must redact from records available to the general public on the internet.

I am a clinical and forensic psychologist who routinely provides psychological services to U.S. Military veterans and psychological assessment services to Common Pleas and Municipal courts through Certified Forensic Centers in the State of Ohio. My work provides me the opportunity to diagnose and treat veterans suffering from a range of mental illnesses and assist them in building and leading lives worth living. It also gives me the opportunity to assist the courts in making important decisions regarding the resolution of criminal court cases, including criminal responsibility, competency to stand trial, and commitment to mental health facilities. My work with the courts brings me into direct contact with individuals with extensive histories of violence and criminal behavior, who may be at elevated risk of engaging in retaliation, violence, and illegal conduct.

I conducted a court-ordered competency to stand trial evaluation with an individual with an extensive history of aggression, harassment, fraud, and violent offenses resulting in his prior imprisonment at The Ohio State Penitentiary super maximum-security facility. After completing the evaluation, he waited for me in the parking lot before driving slowly behind my vehicle, in what appeared to be an attempt at intimidation and to record my license plate number. Four days later he filed unfounded/false grievances against me with my employer, claiming I violated his rights, and sent several subsequent emails to my employer. He also accessed a social media account I have used.

Due to what I considered a clear attempt to intimidate/retaliate against me for conducting the court ordered evaluation, to interfere with my objectivity, and/or to fabricate a conflict of interest that I believed the man would use to file appeals in the future or subvert the court's order, I notified the judge of my concerns. During a subsequent hearing, the judge revoked the defendant's bond and had him taken into custody. However, within days, the man continued to file handwritten complaints from jail that included my birth date, home address, and social security number, information that he likely obtained from Internet sources. Given his history of violence, aggression, and fraudulent activity, I considered his inclusion of my personal information as a direct threat to the physical safety of myself, my family, and my financial security. I notified the judge of his behavior and the judge ordered the restriction of his visitors and ability to send letters.

Upon his release from jail, the man immediately continued to file false complaints against me with the State Board of Psychology and a lawsuit against my supervisor, administrators, and myself, which were ultimately dismissed. He was also adjudicated a vexatious litigator (he previously filed 12 civil suits against different parties), which prohibited him from filing additional lawsuits against others without demonstrating cause to do so.

Individuals are welcome to exercise legal remedies for filing complaints, but there is no reason for a defendant such as this one to locate my home address, which is made available through public records. When I contacted my County Auditor and the Bureau of Motor Vehicles to request my personal information be blocked from public access, I was shocked to learn law did not permit this for individuals who were not law enforcement officers, paramedics, judges, or prosecuting attorneys. With the ease of access of information via the Internet, HB 41 represents a necessary step in providing forensic evaluators and other mental health providers the same protection currently afforded to other professionals working with the same dangerous/high-risk individuals.

I would like to thank Representative Liston and colleagues for their work on this important bill, and thank the committee for the opportunity to provide proponent testimony. The committee's yes vote on this necessary legislation is greatly appreciated.