

Opposition **Written Testimony** Re: HB 488

Written on December 6, 2021

Witness: Kenneth E. Radke, Jr

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To: Chairman Hillyer, Ohio House of Representatives Civil Justice Committee

My name is Kenneth E. Radtke, Jr. and for the past 10 years I have had the honor, privilege and responsibility of serving the residents of Chester Township in Geauga County, Ohio as trustee.

Through a vigilant citizen, I became aware of legislation proposed by State Representative Grendell that as I understand it, would expand the spending authority of judges in our state enabling them to unilaterally hire outside counsel and assign those debts to a county general fund.

Before you make a decision on this language in HB 488, ask yourself if this proposed change is meant to address a pervasive problem within our state or is this merely 'targeted legislation' meant to give a judge an 'upper hand' in disputes with other elected officials? I speculate it is the latter.

State Representative Grendell, wife of Probate Judge Grendell is the one proposing this legislative change. A legislative change proposed by the wife of a judge that benefits a judge on it's face should pique your curiosity and raise suspicion. It is important to understand the backstory and why this change is being proposed.

I believe this proposed change is meant to bypass the legitimate role of other county elected officials serving as a checks and balances on one another. Currently there is an ongoing dispute with the Geauga County Auditor, Charles Walder and Geauga County Probate Judge Timothy Grendell regarding what is or is not considered a lawful/authorized expenditure by the court. This proposed change would greatly inhibit the ability and duty of the Auditor's office to protect taxpayer dollars and question expenditures.

Judge Grendell has a history of adversarial engagement with various elected officials. In fact, several years ago improperly injected himself into a matter with Chester Township Park Board and the Chester Township Board of Trustees on which I was serving. When I voted to terminate a contract between the park board and the trustees (because of Judge Grendell's interference in that relationship), Judge Grendell falsely accused me of violating his Constitutional rights and, in bypassing the Prosecutor's Office and authority, initiated an unlawful criminal investigation against me; accusing me of 3<sup>rd</sup> degree felony intimidation (up to 5 years in jail, \$10,000 fine). After spending more than \$100,000 of taxpayer money in defending the Chester Township Board of Trustees, the 11<sup>th</sup> District Court of Appeals unanimously overturned and vacated those orders by Judge Grendell. It is a shame that taxpayers have no recourse to recover those funds spent battling an unlawful order by a judge.

Based on history and experience, providing an 'open checkbook' for the courts (or any government entity) only increases the likelihood of further taxpayer abuse, and I strongly urge you to remove that language from HB 488.

Respectfully,

Kenneth E. Radtke, Jr.

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