

Chair LeRe, Vice Chair Swearingen, Ranking Member Leland and members of the Criminal Justice Committee: My name is Lynn Buffington and I live in Beavercreek, a suburb of Dayton. I am here to respectfully ask that you do not pass HB 22 out of committee.

It should be a warning sign when groups at opposite ends of the political spectrum agree that the language in the bill is problematic. The Ohio chapter of the conservative Americans For Prosperity called it “highly subjective” and the Ohio ACLU criticized its “lack of clarity.”

Putting the problematic language aside, when I heard about HB 22, I asked myself, who might this harm. Could this harm my family or people in my town? It could. Last summer, there was a vigil and rally held in Beavercreek on a Monday evening at a busy intersection with a Walmart, several restaurants and the Fairfield Commons Mall. There were many present who were part of the vigil and even more who were not. A curfew for 8:00 pm was issued by the City of Beavercreek at 6:45 pm, but the curfew was not announced at the vigil until 7:58 pm, giving only two minutes notice! Perhaps the two minute notice was due to confusion with the presence of Beavercreek police, Ohio state police and Greene County deputies. A police officer told a bystander at 7:50 pm that he expected a curfew and that police were waiting for word from the mayor to announce the curfew. Furthermore, the curfew applied not only to the shopping area near the vigil but to The Greene shopping area, eight miles away!

Let's consider HB 22 in this context. The legislative summary states HB 22 is “To amend the Revised Code to expand the offense of obstructing justice to include failure to follow a lawful order from a law enforcement officer or diverting a law enforcement officer's attention.” The curfew announcement was a lawful order. The obstruction of justice section of the revised code states it applies to an action done “with purpose to hinder the discovery, apprehension, prosecution, conviction, or another for crime.” Under HB 22, any person at any of these two large shopping centers, who did not comply with the curfew could be charged or arrested for obstructing justice in the discovery or apprehension of any number of alleged crimes by other persons in the two shopping areas. Imagine one of your family members, perhaps your son or daughter, is peacefully attending the vigil or just out shopping or eating dinner, and through no fault of their own, they

might be swept up in an arrest. Now, in such a case, the accused bystander could likely go to court and make the case that they did not show "purpose to hinder." Perhaps they would be successful, perhaps not. Either way, the legal processes would waste government time and money as well as your family's time and money.

I do not believe that legislators, should be unnecessarily adding to the revised code, creating new and ill-defined crimes that could lead to government over-reach. I believe most Ohioans agree with me. Please do not pass HB 22 out of committee.