



Ohio Prosecuting Attorneys Association

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House Bill 109
Proponent Testimony
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Chairman LaRe, Vice-Chair Swearingen, Ranking Member Leland and members of the House Criminal Justice Committee, thank you for the opportunity to provide proponent testimony on House Bill 109, another bill that we feel provides several important updates to our criminal law in response to riots and vandalism that took place last year that created widespread dangers to the public, to peaceful protesters, to bystanders, to our business community and to first responders and their families.

Peaceful protest deserves to be protected. Riots and vandalism do not. The bill provides more appropriate penalties than current law for riot related offenses that involve vandalism, assault, harassment and intimidation, disorderly conduct, and corrupt activity. While we are supportive of all of these changes, I want to highlight two that we think are the most important in terms of public safety and the safety of our first responders.

First, and maybe most importantly, the bill amends R.C. 2917.11, our disorderly conduct statute, to increase the penalty hindering or preventing the movement of persons on our roadways in a way that interferes with the rights of others. We feel that this is where the bill really gets to the heart of some of the more widespread dangers that were created last year when riots spilled into the streets and even sometimes highways. Impeding public passage in this way is not just an inconvenience for those who might simply have to find a different route. It can prevent police from responding to violence, EMS from responding to medical emergencies or making it to the hospital, fire departments from responding to burning buildings, and can place those who may simply be stuck in traffic in danger.

Second, we strongly support the greater protection that the bill will offer to our first responders through its enactment of R.C. 2927.121 that would create the offense of bias motivated intimidation prohibiting the intimidation, harassment, or terrorizing of another person because of their actual or perceived status as a first responder. Our organization typically opposes legislation that increases penalties for special classes of victims. But we have in the past and continue to make exceptions for the most vulnerable, those like children and the elderly, and for those like first responders whose jobs require them to be in harms way in the name of public safety. Our first responders have an incredibly difficult job as it is. They should not on top of that be subjected to harassment and intimidation because of what they do.

The penalty enhancements in the bill provide prosecutors with some additional measures that should help keep our communities and our first responders safe from individuals who take things too far. They will give us a greater ability to secure justice for those who set out to promote the public's safety and will hopefully help prevent acts like impeding public passage that place the lives of many at great risk.

Thank you for the opportunity to provide testimony. I would be happy to answer questions.

