

72nd House District

Coshocton County
Perry County
Licking County

Columbus Office

Vern Riffe Center
77 S. High Street
13th Floor
Columbus, Ohio 43215-6111
(614) 466-2500
Rep72@ohiohouse.gov



Committees

Infrastructure and Rural
Development
Transportation and Public Safety

Kevin D. Miller State Representative

Chairman LaRe, Vice Chair Swearingen, Ranking Member Leland and members of the House Criminal Justice Committee, thank you for the opportunity to present sponsor testimony on House Bill 580 which would increase penalties for those who choose to engage in the extremely dangerous and reckless behavior of fleeing from law enforcement in a motor vehicle.

There has been an increasing trend in police departments across the country and within our state of adopting no chase/pursuit policies. This has emboldened criminals to simply flee authorities knowing they won't be chased and if so, may only be charged with a simple misdemeanor in some cases. According to statistics provided by the Ohio State Highway Patrol, vehicle pursuits have increased over 33% in the past five years.

As a former State Trooper, I can tell you from personal experience that pursuits are extremely dangerous for everyone involved from the violator to the pursuing officer and any motorists or pedestrians in the vicinity. The main goal of this legislation is to dissuade anyone from fleeing due to the severity of the new penalties and the proposed vehicle sanctions. I believe these penalties are appropriate and commensurate with the increased risk of harm involved in fleeing circumstances.

Under current Ohio law, simply fleeing from a law enforcement officer is a first-degree misdemeanor. The penalty is not increased to a felony until other circumstances, such as endangering the lives of innocent civilians, causing severe physical harm, etc., come into play. Consequently, current law does not consider the endangerment of the pursuing law enforcement officer's life to be grounds for an increased penalty in and of itself. As a result, that demonstrates to our law enforcement officers their lives are not as important as the lives of the citizens they serve. This could not be further from the truth and this legislation corrects this unacceptable double standard.

This legislation would increase the penalty for fleeing from law enforcement officers from a 1st degree misdemeanor to a 4th degree felony at minimum in all cases. The legislation would also subject defendants to a high tier 3rd degree felony if they are fleeing immediately after the commission of a felony, or if they posed a substantial risk of serious physical harm. Defendants who caused serious physical harm while fleeing would be charged with a 2nd degree felony. In a

further attempt to deter vehicle pursuits, this legislation allows for the offender's vehicle to be seized and subject to forfeiture when applicable.

Under current law, a judge is prohibited from granting limited driving privileges to a felony offender under this section. In exchange for the increased penalties in House Bill 580, this legislation includes a provision which would allow for judicial discretion regarding limited driving privileges after a conviction.

House Bill 580 is a pro-law enforcement piece of legislation aimed at reducing the prevalence of dangerous and reckless vehicle pursuits while holding those who engage in these actions accountable to appropriate penalties and sanctions.

I would like to thank the members of the Criminal Justice Committee for allowing me to give testimony and would be happy to entertain any questions you might have.

A handwritten signature in black ink that reads "Kevin Miller". The signature is written in a cursive, flowing style.

Kevin Miller
State Representative, 72nd District