

Senate Judiciary Committee  
Ohio Attorney General Dave Yost  
Proponent Testimony  
-05.31.2022-

Chairman Manning, Vice Chair McColley, Ranking Member Thomas, and members of the Senate Judiciary Committee. Thank you for allowing me to provide proponent testimony in support of Senate Bill 339. This bill provides an important statutory update to make it easier to charge criminals using tracking devices to commit crimes.

Considering the advent of new technologies in the realm of tracking devices, it is necessary to update and further specify the statute to prevent dangerous behavior from going unpunished. Because prosecuting a stalking charge typically requires demonstrating a pattern of behavior, tagging a vehicle without the owner's permission can prove to be a difficult case to charge under current law.

Senate Bill 339 specifically provides for a misdemeanor of the first degree for affixing a tracking device to the property of another without the owner's consent. The bill also provides for logical exceptions in the cases of elderly or disabled adults, minors, and investigations by law enforcement.

Modern tracking devices, such as the Apple AirTag, are designed to help users locate objects they own. They are also subject to misuse by criminals for nefarious purposes, such as stalking. These products can be purchased online, or in stores often for less than \$30 a piece. They are user-friendly by design and use Bluetooth technology to allow the user to easily locate the item to which the device is attached.

As technology advances, updates to the Ohio Revised Code are needed regularly to allow courts to effectively bring those who violate the privacy of others to justice. Senate Bill 339 would accomplish this goal by clearly prohibiting the use of tracking devices to locate victims against their will.

Mr. Chairman, members of the committee, thank you for the opportunity to provide testimony. I would be happy to answer questions at this time.