



OHIO ASSOCIATION OF CHIEFS OF POLICE, INC.

H.B. 288
Testimony in Opposition
Chief (ret.) Heinz von Eckartsberg, Ohio Association of Chiefs of Police

Chair Manning, Vice Chair McColley, Ranking Member Thomas, and members of the Senate Judiciary Committee. My name is Heinz von Eckartsberg, retired Chief of Police in Dublin and former Assistant Superintendent of Ohio BCI, representing the membership of the Ohio Association of Chiefs of Police. Thank you for the opportunity to present our concerns to you regarding SB 288 and its potential effects on law enforcement in Ohio.

As you all are aware, it has become increasingly difficult to recruit and retain quality candidates for law enforcement across the country. To do this effectively, professional law enforcement agencies are always seeking new ways to expand the diversity of our work forces and provide a work environment that will attract good, qualified team members. To meet the needs of our communities, however, we must also ensure that these future police officers do not have a track history of criminal convictions.

Under the revisions to the criminal code as proposed by this bill, the ability to expunge, and not merely seal, many criminal records would be greatly expanded. The proposed language would allow a judge the discretion to expunge criminal records for most F-3, F-4 and F-5 criminal offenses, as long as the offense is not an offense of violence and was not committed against a child under 13 years of age, or a sexually oriented offenses, unless no registration is required. Expunge, as defined by the bill, means to; *destroy, delete, and erase a record as appropriate for the record's physical or electronic form or characteristic so that the record is permanently irretrievable.*

This expansion of the ability to expunge, and not merely seal certain criminal records would mean that many criminal convictions would become unavailable for review by law enforcement when conducting pre-background checks on potential employees.

What does this mean? Potentially, a law enforcement agency could hire an officer with multiple convictions for theft, fraud, or misdemeanor assault, as long as the offense was not specifically exempted by the provisions of this bill. Clearly, this possibility is concerning for us as we try to ensure that the employees we hire to protect Ohioans have a history of trustworthy and honorable behavior.

Thank you for allowing me to express our concerns with SB 288 through written testimony today.