

Dayton Police Department Chief Kamran Afzal
House Bill 56 - Proponent Testimony
Ohio Senate Judiciary Committee
April 23, 2024

Chair Manning, Vice Chair Reynolds, Ranking Member Hicks-Hudson, and members of the Senate Judiciary Committee, I am grateful for the opportunity to provide proponent testimony on House Bill 56.

Beginning in early 2020, the Dayton community began experiencing street racing. We had numerous instances where participants would transport the involved vehicles to the area in a trailer, line up their cars, and race them on public streets or parking lots. After taking strict enforcement action, where we towed vehicles, made arrests for illegal street racing, and implemented some environmental factors such as installing speed bumps, the street racing activity subsided for the most part.

We then began receiving reports of street takeover and stunt-driving events throughout our community, often organized via social media. One frequently utilized location was on Gettysburg Avenue, an area immediately adjacent to neighboring jurisdictions. On May 1, 2022, there was a single-vehicle accident on Gettysburg Avenue involving a vehicle that was driving at a high rate of speed through the area during one of these events, where four of the five occupants lost their lives.

During these events, vehicle occupants would hang from the car, ride in the trunk, and under the open hood while the vehicles were doing doughnuts and burnouts. Spectators would stand in the middle of the intersection filming this activity and would livestream or post the video to various social media sites. In January 2023, this occurred at a major intersection in downtown Dayton.

Street takeover events and stunt driving are concerning since we are dealing with multiple high-performance vehicles, and all it would take is for someone to fall out of a car, be struck by a vehicle, and be severely injured and or killed. When officers arrive on the scene at these events, there are vehicles used to block law enforcement response, allowing the vehicles to flee at high speeds and often go to different locations to continue this dangerous activity. Although we are experiencing fewer planned events, most are now planned quickly via social media or other communication applications.

The proposed legislation being discussed today will help by making this type of activity a misdemeanor offense, which we hope will curtail these events. It will also address another issue regarding large groups of ATVs and dirt bikes that occasionally, in groups of 10 or more, do "wheelies" and block intersections.

An additional and even more prevalent concern is the number of vehicles that flee from officers after attempted traffic stops, sometimes just at the sight of a law enforcement vehicle. These vehicles will drive over 80 miles per hour, proceed through red lights, and drive erratically for some time after an attempted traffic stop. This reckless driving behavior endangers the lives of everyone on the road. The Dayton Police Department has been tracking this data for years, and in 2021, we had 526 documented incidents of a vehicle fleeing from an officer. Last year, we had 397 instances.

Although the current legislation allows for fleeing and eluding to be upgraded to a felony, strengthening the law by automatically increasing it from a first-degree misdemeanor to a fourth-degree felony will hopefully prevent individuals from fleeing from officers, ultimately saving lives.

The Dayton Police Department has a pursuit policy that allows individuals involved in violent crimes to be pursued. When we pursue a vehicle, we conduct an administrative investigation to ensure officers comply with the department's policy and procedures. The increased penalty for failure to comply will not increase the number of pursuits the department is involved in; we ultimately hope to reduce the number of times individuals decide to flee from a traffic stop.

If House Bill 56 is passed and signed into law, the goal would be to advertise these changes to prevent this activity in Dayton and throughout the State. Without changes in legislation allowing for stricter penalties and the potential forfeiture of vehicles, we fear this dangerous activity will continue to occur throughout our communities, resulting in damages to our public and private property, severe injuries to community members, or potential loss of life. Lastly, this activity strains our limited budgetary and staffing resources to address other critical community issues.

I would also like to thank the bill's Co-Sponsors, Representative White and Representative Plummer, for their efforts in addressing these issues. I appreciate your time today, and we hope you will support the passage of House Bill 56.