



# Ohio Prosecuting Attorneys Association

Louis Tobin  
Executive Director  
House Bill 56  
Written Proponent Testimony  
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Chair Manning, Vice-Chair Reynolds, Ranking Member Hicks-Hudson and members of the Senate Judiciary Committee, I write to offer our Association's support for House Bill 56. As the Committee knows, this bill addresses two growing problems on Ohio roadways, problems that place offenders, bystanders, and other drivers at great risk – fleeing from the police and stunt driving.

## Fleeing and Eluding

When I talk with prosecutors from across the state many of them tell me that the fastest growing offense in their county over the last several years has been fleeing and eluding. In some counties fleeing offenses are second only to drug possession cases in terms of sheer numbers. Many of these cases involve drivers that exceed speeds of 100 mph with no regard for other innocent drivers that may be on the roadway. These offenses regularly take place on highways where drivers will swerve in and out of traffic, even going so far as to cross medians in an effort to evade police. The problem, however, is not limited to highways. Routine traffic stops in cities and residential areas also lead to fleeing and eluding.

On top of the danger to other drivers, these incidents can take a large law enforcement response, often from multiple jurisdictions, to bring the vehicle to a stop – placing law enforcement in danger as well. Unfortunately, this can be attributed to a general lack of accountability. People are aware of policies that have been adopted in some areas, in response to some high profile pursuits, that place restrictions on police pursuits. People think they can get away with it. House Bill 56 should help remedy this problem by increasing the consequences for fleeing from a misdemeanor to an F4 for a base level offense, from an F4 to an F3 for fleeing after a felony, and from an F3 to a high-tier F3 for fleeing that causes serious physical harm or cause a substantial risk of serious physical harm.

We have to send a message to these individuals that it is not acceptable to run from the police and put others in danger while doing so. Frankly, our Association would have liked some mandatory time or a new specification for fleeing that causes or creates a risk of serious physical harm. But House Bill 56 is a step in the right direction in terms of holding people accountable and we support the effort.

## Stunt Driving and Street Takeover

House Bill 56 addresses a problem that has been largely confined to our cities but that is spreading. I'm sure everyone has read about or seen videos of groups of drivers taking over intersections to do

donuts, wheelies, burnouts and other stunts. Often there are bystanders watching or filming in close proximity to this reckless behavior and some participants even go so far as to hang out the windows of the cars performing these stunts. This is incredibly dangerous behavior for all involved. In one particularly troubling incident, a group of drivers shut down traffic on I-71 in Cincinnati when they did a street takeover in the Lytle Tunnel.<sup>1</sup> Imagine you or your loved ones being stuck in a tunnel with no where to go while groups of reckless drivers perform stunts that could go wrong in any number of ways risking the lives of everyone in the tunnel.

Currently, the most appropriate charge for this is reckless operation, in most cases a fourth degree misdemeanor. This is for behavior that most often creates a substantial risk of serious physical harm to numerous people. House Bill 56 would instead update our “street racing” statute to include stunt driving and street takeovers. This at least makes this dangerous activity a first-degree misdemeanor with a possible license suspension and points. Again, increasing the consequences in a way that will help discourage these dangerous acts in the first place and help law enforcement hold those who continue to put themselves and others at risk accountable.

Our Association is proud to have worked with Representatives Plummer and White on this legislation and to offer our support. We would like to thank them for their advocacy on these issues and encourage the Judiciary Committee’s favorable consideration of this legislation that will help promote public safety and increase safety on our roads.

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<sup>1</sup> <https://www.wcpo.com/news/transportation-development/what-we-know-about-the-cars-taking-over-streets-and-doing-donuts-in-cincinnati-this-weekend>