Ohio Prosecuting Attorneys Association

Louis Tobin
Executive Director
House Bill 372
Written Proponent Testimony
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Chair Thomas, Vice-Chair Swearingen, Ranking Member Synenberg and members of the House Judiciary Committee, I appreciate the opportunity to provide written proponent testimony on House Bill 372, the Larry Henderson Act, to strengthen Ohio's aggravated murder statute by ensuring that individuals who deliberately target and kill those who put themselves in harms way to protect our communities and promote our safety face the harshest penalties under Ohio law – death or life imprisonment without the possibility of parole. These should be the only sentencing options under these circumstances.

As this committee knows, our Association generally opposes the creation or enhancement of penalties for special classes of victims, our view being that all victims who suffer the same harm from a crime should be treated equally under the law. We have made exceptions to this for victims who are particularly vulnerable, like children and the elderly, and for peace officers who put themselves in harms way on behalf of the public. An attack on a peace officer is an attack on the rule of law and the justice system itself.

This year alone, three officers, including Deputy Sheriff Larry Henderson, have been murdered in the line of duty. Others have been shot, shot at, or faced other mortal danger. Our county prosecutors regularly receive death threats and are subjected to other threats to their personal safety.

Significantly, the aggravated murder of a peace officer or prosecutor already qualifies as a death-eligible offense under certain circumstances. The provisions of this bill do not create new crimes. They do ensure that someone who commits such an offense is subject to a death sentence or to a life sentence without the possibility of parole, making certain that such an offender is permanently removed from society to the benefit of public safety and that the victim's family will not in the future have to face years of parole hearings, reliving the trauma of losing a loved one to a horrendous act, or the possibility that the offender could be released back into society.

An AP/NORC Poll published in August indicates that two-thirds of the public think crime is a major problem and 8 in 10 think it is a major problem in large cities.[1] The public is worried about crime and they are looking to policymakers and law enforcement for solutions to keep them safe. House Bill 372 is a part of that. It sends the right message to members of our law enforcement community and the public that we

[1] https://apnorc.org/projects/most-say-crime-is-a-major-problem-in-americas-cities-but-few-support-a-federal-takeover-of-police-departments/

prioritize the safety of our peace officers and that Ohio will simply not tolerate these acts of extreme violence committed against those who sign up to serve and who go out every day to serve and protect the rest of us.

For these reasons, Ohio prosecutors support House Bill 372 and encourage the Committee's favorable consideration of the bill. Thank you again for the opportunity to provide testimony in support of this bill. We also would like to thank Representatives Abrams and Plummer for their leadership on this issue and for honoring the memory of Larry Henderson, whose tragic death is a reminder to all of us of the tremendous sacrifices our law enforcement community makes day in and day out across Ohio.