

Good Afternoon,

My name is Jim Kemmerle. I am an Investigative Agent and the Manager of the Investigative Services & Support Department at the Ashtabula County Board of Developmental Disabilities. I am also a former law enforcement officer, having retired after 28 years of service initially as a municipal police officer then as a deputy sheriff. Having served in both the law enforcement and the developmental disabilities arenas, I feel qualified to come before you today to offer my testimony in support of House Bill 144, "Keith's Law".

To demonstrate the need for Keith's Law, we need only to look back at recent events in our country. According to news reports, on April 5th, 2025, an employee of a body shop in Pocatello, Idaho called 9-1-1 to report what he described as a domestic altercation in the backyard of a neighboring house. The caller said that an apparently intoxicated man armed with a large knife was chasing people in a yard. Police body worn camera footage released after the incident showed that the man was down on the ground on his stomach in a fenced yard when the first officer arrived and shouted orders to drop the knife. Adding to the confusion, police sirens, others in the yard yelling to the police officers, and more officers shouting commands to the young man can all be heard in the background. Instead of complying with the officers' orders, the young man got to his feet. As he did so, body worn camera footage shows him take a lunging step toward the officers. In response, the young man was struck with what news media reported to be nine bullets and a less lethal bean bag shotgun round fired from the weapons of four police officers. Officers performed first aid on the young man until EMS arrived and transported him to the hospital. In an attempt to save his life, doctors had to remove the young man's leg. Days later, after no brain activity was detected, he was removed from life support and succumbed to his injuries.

Media reports identified the young man as 17-year old Victor Perez. Victor's family shared that he was non-verbal, diagnosed with autism and cerebral palsy. On this fateful day, Victor's family was trying to take the large kitchen knife away from him when the 9-1-1 caller mistook his disability-induced staggered gait as intoxication.

Tragically, Victor's case was not the only one of its kind. Ryan Gainer was a 15-year old boy diagnosed with autism. On March 9, 2024, Ryan's family called 9-1-1 because he grabbed his sister's arm and broke a window with a garden hoe because his family wouldn't allow him to listen to music on his laptop until his chores were done. Ryan calmed down and even apologized in the six minutes between the family's 9-1-1 call and the arrival of the police officers. As the officers made their way into the home, Ryan appeared in the hallway with the garden hoe and charged toward the officers. Both officers fired their weapons and Ryan was struck three times. First aid provided by the officers wasn't enough to save his life and he died of his injuries at the hospital.

Law enforcement officers are regularly required to make split-second decisions in uncertain, tense, and rapidly evolving situations which others will spend days, weeks, and even years debating in the aftermath of tragedies such as this. One thing is undebatable. In the words of the Editorial Board of the Idaho Statesman newspaper, "Absolutely no one – not the family, not the community, not the police – wants the death of an autistic, nonverbal teenage boy who also had cerebral palsy."

Though in both situations law enforcement had been called to the homes before, there is nothing to indicate that the officers involved in these tragedies were aware of Victor or Ryan's diagnosis. We will never know what the outcome would have been if responding officers had known more about these young men. Were the emergency lights and sirens of the responding officers a behavioral trigger? Were the young men over stimulated from having multiple people yelling at them at once?

Similarly, fire departments and EMS are often called upon to act in emergency situations without critical life-saving information. Having that life-saving information such as mobility challenges which may impair a resident's ability to evacuate a burning home or a diabetic episode that could be mistaken for intoxication or a mental health crisis can save critical minutes for fire fighters and paramedics during an emergency.

Keith's Law will put this information in the hands of Ohio's first responders during times of crisis.

In Ashtabula County, the Board of Developmental Disabilities has partnered with our local law enforcement, fire, and EMS dispatch terminals to create a notification mechanism similar to Keith's Law which shares critical information about a person with dispatchers and first responders. Through this registry, individuals with a developmental disability or their guardian voluntarily complete a form which records identifying information including the individual's name, nickname, address, phone number, birth date, and physical description. The form asks the individual's diagnosis, any sensory or communication needs, and the method by which the person ambulates. The form asks about any triggers that may adversely affect the individual; any life-threatening issues, concerns, or medical devices; any calming methods that can be used to de-escalate the individual; and any location toward which the individual may gravitate if he or she wanders from home. The form allows for the recording of any additional information such as special instructions to enter the home and finally it records the name and phone number of emergency contacts.

Once completed, the information from this form is sent to the dispatch agency that has jurisdiction of the individual's home address. The dispatch agency enters the information from the form into their Computer-Aided Dispatch or CAD system and it appears on-screen as an alert any time the individual's name or address is entered into a call for law enforcement, fire, or EMS service. Though Ashtabula County has five agencies with dispatch terminals, each uses the same CAD program so information is shared among all the terminals and is available should the individual experience an emergency elsewhere in the county. Additionally, by entering the information into CAD rather than a law enforcement only database, access to this important information is available to all first responders.

Our program in Ashtabula County has already brought about successful outcomes by reuniting a child with autism with his family after he wandered from home and by informing an officer of the special communication needs of a developmentally disabled resident who needed to report an incident.

The passage of Keith's Law has the potential to create positive outcomes and prevent tragedies for a vulnerable demographic. Successful implementation will allow law enforcement, fire

departments, and EMS all across the state to effectively, efficiently, and safely tailor their response to calls involving individuals with all manner of disabilities. For these reasons, I strongly offer my support of House Bill 144.