

Chair Manning, Vice Chair Rezabek, Ranking member Johnson and members of the House Criminal Justice Committee, thank you for the opportunity to offer proponent testimony on behalf of House Bill 38, which will expand the offense of aggravated murder, increase the penalty for felonious assault and require a mandatory prison term as it relates to offenses against first responders and military personnel.

“Greater love hath no man than this, that a man lay down his life for his friend”. John 15:13

My name is Angela McDowell and I am the surviving widow of Officer Terry McDowell, Whitehall Police Department, EOW 8/24/01. While serving a traffic citation, my husband was ambushed and killed and his partner, Officer Eric Brill critically wounded, subsequently ending Officer Brill’s law enforcement career. In my case, the shooter made the decision to take it to a shootout with the responding officers which ended in the death of my husband’s killer. While the shootout was occurring in the backyard, the EMS personnel on scene put themselves in harm’s way to save the life of Eric with no regard for the danger they were placing themselves in. This heroic act is nothing short of the selfless positions first responders place themselves in while protecting the lives of others. This senseless act of violence against a first responder whose only objective is to protect the lives of others and uphold the laws of this country is staggering and mind-blowing at best.

I personally have not had to endure the heartache and agony of a trial, the months or years of uncertainty in not knowing the outcome for an offender in the justice system or looking into the face of someone who literally would change lives forever. I have counselled many families during and after trials. I have looked into the faces and held the hands of families during these times and promised that somehow/some way justice would prevail. The devastation a family endures during these times, the reliving of having their families torn apart is nothing short of heart-wrenching.

First responders put the needs of others before their own. As they say good-bye to their families before a shift, they are aware of the sacrifices they may have to make that day to protect the life of another. Our current culture has a divided line where our first responders are concerned. When you need help, you call upon them to protect you but then shun and target them because you may not like how the situation was handled or the outcome of that situation. They can go from saving a downing child at 4 p.m. to being shot at by someone robbing a store at 7 p.m all the while being filmed, to ending their shift by stopping for a sandwich (thankful to be going home) only to be ridiculed and told you are a no good cop only out to kill everyone. These are every day occurrences for our first responders but they do not shy away from their duty to uphold the law and protect others, no matter what the cost.

According to the Officer Down Memorial Page, there have been 831 line of duty deaths recorded for the State of Ohio. Most recently, Columbus Police Officer Steven Smith EOW 4/12/16 while attempting to serve a felony arrest warrant – suspect taken into custody. Officer Thomas Cottrell EOW 1/17/16 ambushed after a warning came that officer’s were endanger – suspect in custody. Cincinnati Police Officer Sonny Kim EOW 6/19/15 after responding to a 911 call for help.

While the country as a whole has been faced with our first responders being targets for senseless acts of brutality, it is time to take a stand and do the best we can to insure that tougher penalties are in place for those whose disregard for the law comes with a price.

House Bill 38 does just that. With the expansion in terms specifically outlined in the existing law, knowingly causing harm or injury to a first responder and/or military personnel sends a strong message that we as a society will no longer have our first responders targets simply because of the profession they have chosen. It takes a specific individual to be able to selflessly be willing to give his life for another, whether protecting the citizens of a community or the country as a whole.

The importance in expanding the verbage in the existing law is crucial. Mandating prison terms and/or death penalty specifications provides specific language and expectations to a jury making it crystal clear that targeting first responders and military personnel comes with clear-cut consequences and specific outcomes at a trial with the subjective component being removed. It can no longer be acceptable to knowingly cause harm simply because of the profession and badge you wear. It is imperative that we must send strong messages, with specific outcomes, to those who blatantly disregard the life of a first responder, simply because they were doing their job and protecting others with no regard for their own safety. It is time we, as Ohioans, take a stand with a true hero... A FIRST RESPONDER!

Thank you, again, for allowing me the opportunity to offer sponsor testimony on House Bill 38.