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Committees:
Agriculture & Natural Resources, Chair
Government Oversight and Reform
Insurance
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Special Appointments:
Environmental Education Fund Advisory Council
Joint Committee on Force Accounts
Ohio Dentist Loan Repayment Advisory Board
Ohio Expositions Commission

House Criminal Justice Committee
Senate Bill 16 — Sponsor Testimony
Tuesday, October 26, 2021

Chairman LaRe, Vice Chairman Swearingen, Ranking Member Leland, and members of the House Criminal Justice Committee, thank you for the opportunity to present sponsor testimony on Senate Bill 16.

Senate Bill 16 enhances protections for Ohio's first responder's -- professional and volunteer firefighters, emergency medical technicians, and police officers -- as well as their families.

Over the past several months, we have seen how our nation's first responders have been the targets of intimidation, menacing, and assault.

Around the country, first responders have been followed home, their property has been targeted, and their families assaulted.

Here in Ohio, traffic cones have even been used to identify an officer's home so that protestors can find it, protesters show up to first responder's houses, and flyers containing threats to first responders have circulated throughout their own neighborhoods.

Such incidents have caused many of these brave men and women to leave their careers in increased numbers.

In the whole of 2019, 51 Columbus Police officers retired and 26 resigned; a total loss of 77 officers. These numbers significantly increased in 2020, and as of August 5, 2021 there has been a 45% increase in retirements that have occurred in comparison to 2019 as a whole.

Table 1: Columbus Police Attrition (As of August 5, 2021)

	Retired	Resigned
2018	47	32
2019	51	26
2020	80	32
2021	74	15

Ladies and gentlemen, we have a profession that has the dangerous job of serving and protecting the public, and they don't feel safe or supported.

In order to alleviate concerns that our first responders and their families now face, this legislation aims to improve provisions on assault and menacing to cover first responders when they are off duty.

Currently, while on duty, an assault of a first responder would warrant a possible 4th degree felony. Under Senate Bill 16, this same penalty would be extended to protect first responders and their families while off duty. However, guardrails were added to ensure that it only covers incidents where the attacker knows the profession of the first responder and had the specific purpose to commit the offense because of that profession.

Senate Bill 16 uses those same guardrails for menacing of first responders or a first responder's family member. Those who put a first responder, or their family, in reasonable fear of physical harm or death through the use of a deadly weapon would be charged with a 1st degree misdemeanor. This is the same charge, in current code, for those who menace a public children services agency officer or employee.

Additionally, the bill introduces penalties for obstructing a public passageway making it impassable. If done to prevent an emergency vehicle from responding to or exiting an emergency, or to prevent an emergency vehicle from accessing a highway or street, the bill makes it a 1st degree misdemeanor. However, this charge can only be applied when a first responder has ordered the removal of the obstruction and an individual refuses to remove the obstruction.

Lastly, at the request of the Ohio Casino Control Commission, this bill amends current code's definition of "peace officers" to include gaming agents.

This bill has gone through a rigorous process to ensure that the intended goal of protecting our first responders is achieved, while also working with opponents to make sure that their voices are heard. As such, after the removal of 1st amendment concerns brought to our attention by the ACLU, this bill passed the Senate unanimously, and with bipartisan cosponsors.

I would also like to thank the numerous organizations that support the bill:

Fraternal Order of Police,	Prosecuting Attorneys Association,
Ohio Fire Chiefs Association,	Ohio Association of Chiefs of Police,
Northern Ohio Fire Fighters,	Ohio Ambulance and Medical
Troopers for a Safer Ohio,	Transportation Association,
Buckeye State Sheriff's Association,	Ohio Municipal League, and
Police and Fire Retirees of Ohio,	Ohio Christian Alliance

Thank you once again Chairman LaRe and members of the committee for the opportunity to present this legislation to you today. I will be glad to answer any questions at this time.