



Representative Bill Roemer
District 38

Senate Judiciary Committee
House Bill 44 Sponsor Testimony
October 19th, 2021

Chairman Manning, Vice Chairman McColley, Ranking Member Thomas, and members of the Senate Judiciary Committee. I appreciate this opportunity to come before you to deliver sponsor testimony in support of House Bill 44. This bill was previously considered as House Bill 208 during last General Assembly, where it received strong bipartisan support and overwhelmingly passed the House last November. We reintroduced this legislation, as it did not make it through the process before the end of the year, but we still believe strongly that these reforms can and will make a difference in protecting sports officials from undue harm.

The idea for this bill was initially brought to us by sports officials who are growing very concerned for the safety of their profession. We have been informed by interested parties that nearly 70 percent of officials quit in their first three years on the job, and their primary reason for quitting is spectator abuse. We also became aware of multiple instances in which sports officials were subjected to physical harm, including an incident in Dayton last year in which a football official was seriously injured by a player, and incurred great costs as a result.

In my own life, I have seen unsportsmanlike behavior escalate to extremes. My son Greg was a Double-A Minor League baseball umpire. While working as an OHSAA certified umpire, he - at 16 years old - had his car blocked in and was confronted by an angry coach in relation to the performance of his duties. We, as a society, encourage athletic activity as a character building exercise that inspires teamwork and camaraderie between our youth. There is simply no place for violence against the officials that put so much time and effort into making sports a fun, safe and worthwhile environment.

As some of you may know, I also have coached baseball for 27 years, and have personally played baseball, football and basketball for decades. In coaching and playing over a thousand games, I have never received a red card, been ejected, or received even a technical foul. Many of those involved in sports throughout our state cannot say the same. Indeed, sports are a competitive pastime that frequently involve frustration and even outright hostility. In knowing how tense this environment can often be, I believe it is important our state takes steps to ensure the protection of sports officials. More often than not, these individuals bear the majority of abuse in our sporting events, and, in current Ohio statute, are afforded minimal protections.

The Ohio Revised Code generally specifies that the crime of assault is a first degree misdemeanor. However, 2903.13(A)(4)(d) of that section increases the penalty to a fifth degree felony if the victim of the assault is a school teacher, administrator or bus driver either on school grounds or who is targeted while acting in their official capacity. This legislation adds a mandatory \$1,500 fine and 40 hours of community service for committing misdemeanor assault against sports

officials who are targeted in retaliation for their work while engaged as an athletic official. In addition, subsequent offenses would be elevated to a fifth degree felony, in harmony with the protections I mentioned that already exist for school employees.

During the House committee process, I worked extensively with Majority Leader Seitz and Speaker Cupp to make further clarifications in the law. In alignment with the Ohio Prosecuting Attorneys' Association's recommendation, the bill now also specifies that any fifth-degree felony resulting from such subsequent offenses would be classified as a "qualifying assault offense." Generally, this designation requires a court to sentence offenders to community control if they: (1) have not been convicted or pled guilty to a felony offense, (2) the most serious charge is a fourth- or fifth-degree felony, and (3) they have not been convicted of or pled guilty to a misdemeanor offense of violence in the preceding two years. This designation would also give the court discretion to impose a prison term under certain circumstances for the 5th degree felony charge resulting from a subsequent offense.

I hope that this provision is never utilized as players, coaches, parents and spectators recognize the increased consequences of their actions and better control their behavior. However, it is also imperative to ensure our sporting officials are adequately protected under the law, and I therefore urge the committee to support this bill to provide that protection. Sports officials deserve to be safe from undue harm on the job – not just for their safety, but for the integrity of sports at large.

Thank you again to Chariman Manning and to the committee for allowing me to testify today. I would be happy to take any questions at this time.