



## **J. Todd Smith and Phil Plummer**

State Representatives

Serving Ohio's 43<sup>rd</sup> and 40<sup>th</sup> House Districts

### **Sponsor Testimony for Sub. H.B. 236**

Chairman Eklund, Vice-Chair Manning, Ranking Member Thomas and members of the Senate Judiciary Committee, thank you for allowing me the opportunity to provide sponsor testimony for Substitute House Bill 236 alongside my colleague Representative Plummer.

When I first came to Columbus I was told to always listen to my constituents and to simply try to find a need and in that need I would find an opportunity to help, to serve and make a difference.

The impetus for HB236 came when my office received a message from an officer who is employed by a hospital in my district. This officer is fully OPOTA certified according to the State Attorney General and is a badge wearing, handgun carrying officer who can actually be called in for backup for the City of Eaton Police Department.

The officer was assaulted one day, punched in the face, while helping a patient with mental illness into the hospital. He was informed by the prosecutor that the assailant would be prosecuted for assault but not assault on an officer, because he was technically not an officer by definition in the assault statutes of the Ohio Revised Code.

Substitute House Bill 236 simply seeks to create equality in the assault codes between public officers and hospital-employed officers. To achieve this, our bill inserts directly in the assault codes, the term "hospital police officer" in connection with each reference of "peace officer".



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The bill also clearly defines a hospital police officer as someone who is employed by a hospital, is commissioned by the Secretary of State and fully OPOTA certified.

These officers are fully certified by the law and should also be fully protected by the law.

An interesting situation could occur if this officer were called in for backup by the city department. If the hospital employed officer and a city employed officer were assaulted on the same call, on the same day, by the same criminal, in the same way, the criminal would be prosecuted differently simply based on the officers' employer.

To me this seems to be a clear need and a simple fix. After running this bill by interested parties we now have the support of the Buckeye Sheriffs Association, The Ohio Prosecuting Attorney's Association, the Fraternal Order of Police and the Ohio Police Chief's Association.

Thank you once again Chairman Eklund, Vice-Chair Manning, Ranking Member Thomas and members of the Senate Judiciary Committee for your time here today. My colleague Representative Plummer and I will be glad to answer any questions you may have.