



OHIO TOWNSHIP ASSOCIATION

6500 Taylor Road, Ste. A

Blacklick, OH 43004

Phone: (614) 863-0045 Fax: (614) 863-9751

www.OhioTownships.org

**HB 539 – Township Police
Proponent Testimony
December 16, 2020
Senate Judiciary Committee**

Good morning Chairman Eklund, Vice Chair Manning, Ranking Member Thomas, and members of the Senate Judiciary Committee. My name is Marisa Myers, and I am the Director of Governmental Affairs for the Ohio Township Association. On behalf of the Ohio Township Association (OTA), I appreciate the opportunity to testify as a proponent of House Bill 539, which alters the arrest authority of a township officer who serves a township with a population greater than 5,000 on interstate highways within the township. Current law (R.C. §4513.39) already permits township police officers serving a township with a population over 50,000 to make motor vehicle-related arrests on these roads.

An Ohio Supreme Court decision (*State of Ohio v. Brown*) initiated the need for this legislation. The case involved a township police officer who pulled over a motor vehicle for crossing the marked centerline on an interstate highway. The township officer used a drug dog and discovered drugs in the vehicle and arrested the driver. All of the evidence was suppressed due to the township police officer lacking the statutory authority to pull over the vehicle on the interstate.

This policy is unnecessarily limiting for townships that have the capability to enforce the law in these areas. The OTA has worked to address this issue for several years, including the last two General Assemblies. HB 539 makes adjustments that allow additional townships to more effectively protect their communities.

After working with interested parties, HB 539 contains some parameters regarding a township's ability to make arrests on the interstate, including that the highway must be in the township's jurisdiction *and* that there must be a permanent access point within the township. We appreciate the efforts of Reps. Ghanbari and Blair in reaching an agreement on the bill, and there are no known opponents to this legislation.

Additionally, we have heard concern from some members that the changes in HB 539 could allow for the creation of speed traps on the interstates. Unlike municipalities that can cite under their ordinances, townships must cite under the Revised Code and follow the statutory disposition of fines. Fines collected by township officers under R.C. §4513.39 for speed violations are deposited into the county treasury. There simply is no financial incentive for a township to create a speed trap under the authority in this bill.

The Ohio Township Association supports HB 539 and we strongly encourage your support as well. Mr. Chairman, thank you for the opportunity to testify before you this morning. I would be happy to answer any questions you or the committee members may have.