

House Criminal Justice Committee
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Proponent Testimony

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Chairman LaRe, Vice Chair Swearingen, Ranking Member Leland, and members of the House Criminal Justice Committee, thank you for the opportunity to testify today in support of House Bill 462.

“Swatting” is the practice of falsely reporting criminal activity with the intent of eliciting an emergency response, typically directed towards the residence of another. As expected, law enforcement then responds to the fraudulent calls with appropriate force, creating a dangerous situation for the unsuspecting residents as well as for responding officers.

Twice during the month of June 2021, dangerous instances of swatting occurred in Delaware County. One call described a murder and hostage situation, and the other expressed potential for gun violence accompanied by sounds mimicking gunshots.

As expected, officers reported to the scenes of the alleged crimes and eventually encountered confused residents with no knowledge of the reported emergencies. I believe the committee will hear firsthand accounts from law enforcement about their responses to both of these events.

Currently, this type of offense can be charged with anywhere from a misdemeanor to a third-degree felony. House Bill 462 simplifies the code and addresses the level of danger caused by swatting by defining the term in code and specifying that the offender be charged with a third-degree felony. If serious physical harm results from the swatting offense, the penalty can be enhanced to a first-degree felony.

The bill also specifies that the first responders who respond to a swatting offense may also file a statement of costs with the court. The court may then order the offender to reimburse all or some of those costs.

Mr. Chairman and members of the committee, thank you again for allowing me to provide proponent testimony today on HB 462. I would be glad to take questions at this time.