
Joan Bauer, Owner/Chief Investigator
Oral Testimony before Ohio House Criminal Justice Committee
House Bill 91- Proponent
October 17, 2023

Good afternoon chair Cindy Abrams, Vice Chair Josh Williams, and Ranking Member Richard Brown along with all members of the Ohio House Criminal Justice Committee. Thank you for the opportunity to speak with you today regarding my position as a **proponent** of House Bill 91.

My name is Joan Bauer, and I am the owner and chief investigator for Narrow Path Investigations. I began my investigation company in 2021 following an extensive career in law enforcement.

This career began in 1990 when I entered the Cincinnati Police training academy and became a police officer. I was employed with the Cincinnati Police for over 8 years, assigned to uniform patrol, bicycle patrol, central vice unit, as a neighborhood officer and assigned to several task forces.

In 1998, I moved to Northeast Ohio and began employment as a police officer for the city of Ravenna, assigned to their drug task force. During my time on the drug task force, I participated in two federal investigations and was ultimately assigned to the Bureau of ATF as a Task Force Officer.

During my time with the ATF, I was a lead undercover officer in three long term operations resulting in over two hundred state and federal indictments. While working on those assignments, I continued with both local investigations and was assigned multiple federal cases as well. I have successfully written and obtained local and federal search warrants and testified in their respected courts.

I changed gears and began working for OPOTA (Ohio Peace Officer Training Academy) in advanced training out of the Richfield office. I taught sworn officers in many courses, including extensive training that I personally developed for the State of Ohio. During this time, along with a team from the Ohio Attorney Generals office, I developed the Narcan training program for the State of Ohio. This training module became the standard and required training for all sworn officers to take.

Upon completion of OPOTA in Richfield Ohio, I became a sworn police officer for the Village of Hartville Ohio. Before going back to uniform for the village, I embarked on an undercover assignment which ultimately resulted in a conviction of Aggravated Murder, Gross Misuse of a

corpse and tampering with evidence on a suspect. This conviction was ultimately shown in a documentary titled "When Philip Met Missy" and most recently on A&E's series "Interrogation Raw". I remain an auxiliary officer with the Village of Hartville to this date.

My intent in citing my career is not to sound pretentious, but to lay the foundation for my decision to explore investigations on a private level. I do not take investigative techniques lightly and I am consistent with providing work product at a top level.

After much thought, research, and hard work, I decided to start my own Private Investigations Company. I embarked on this carefully and chose the name of my company from which I personally use as my mission statement. My investigators and employees are aligned with my purpose of the direction of our investigations. We choose to take the Narrow Path on every investigation. I hand pick each case that we take and forbid investigations that delve into matters that are unclear and provide intimate information for matters that are not of safety.

I am here to testify as a "Proponent" on House Bill 91. I would like to personally thank Representative Patton for his leadership in the sponsorship of a Bill that I wholeheartedly agree with. While the personal, undocumented use of GPS tracking violates the freedom of movement to citizens, the exemption language presented in House Bill 91 provides Private Investigators to use such devices. It is a misconception within my organization that the use of such trackers is used for anything other than clean, court-ready documentation for further investigation and/or to be turned over for the safety of the client and/or client's family.

The use of GPS Tracking devices by NPI is utilized as a tool after we determine standard surveillance can not be conducted due to factors such as: the subject traveling in and around remote locations, the subject not having any measurable pattern of travel and most importantly that the subject is actively trying to evade standard surveillance. Oftentimes all three of the factors combined.

One example of using a GPS tracking system is when investigating Workers Compensation Fraud complaints. Under the proposed SB 100, if it were to become law, it would be illogical for the subject of the investigation to give consent to be tracked while committing such fraud.

One investigation that we closed successfully was for a client that suspected such fraud as the subject was collecting workers compensation and working for other crews off the books providing the exact same labor he was medically excused from. In this instance, the work was sporadic for the subject and extremely difficult to decipher patterns of conduct by standard surveillance. The use of GPS provided us with the location on job sites, where we were able to continue the investigation. This investigation was properly documented, provided to the client's attorney and for prosecution of the subject in criminal court. Cited by the Ohio Bureau of Workers Compensation, the state of Ohio an estimated \$80 million to \$320 million in fraudulent medical and compensation payments are made each year. According to The Ohio Attorney General Dave Yost website Fraud is defined in this system as a hidden cost to employers, injured workers not receiving benefits to which they are entitled and the overall

workers compensation system. Workers Compensation Investigators assigned to the fraud unit are tasked with an enormous amount of fraud allegations resulting in companies opting to hire into the private sector to expedite their individual investigation. This provides relief to the investigators and ultimately saves the state the cost of running the investigation.

Narrow Path Investigations has also partnered with a local nonprofit organization that provides housing among other things to victims of domestic violence. These victims often go into the safe housing provided by the organization with a distrust in the abilities of local law enforcement to enact in time in the event of a critical breach of both their personal and often their children as well immediate safety. The use of such devices in circumstances such as these potential breaches provides the victim(s) and the organization itself with security that cannot be met by a protection order or local law enforcement's increase of visibility. It is unrealistic that an officer can set up at the driveway of a victim to ensure their safety. With the ability to utilize the features such as assigning geofence alerts to the subject breaching into a designated area allows us as investigators to contact law enforcement in the area and advise them of such. The ultimate response by the police agency on such an accurate timeline of breach with description of suspect, suspects' vehicle and location clearly can be invaluable.

Provided today is written testimony of a previous client of NPI where the use of GPS Tracking served as invaluable evidence in the custody of their child that was in clear danger of being placed into the hands of a parent that was deceiving court orders and living with a registered sexual offender outside of his documented address. The victim from the initial sex offense was the daughter of the spouse seeking custody. After testimony in the Summit County Domestic Relations Court, the evidence provided secure safe housing of the child with our client. As a result, the order was sustained in the Court of Appeals denying the fraudulent claims and keeping the child in the permanent custody of our client. There were many hours of surveillance attempting to find the information while the subjects were utilizing different vehicles and extremely evasive tactics to shake the surveillance. This is an example of the utilization of such devices under the exemption listed in HB 91. Private Investigators in this case can shield the placement of children in the hands of someone defiling the system to its extreme.


As the increase in crimes against children/families escalates, we are experiencing a decrease in funding and sadly an interest in law enforcement as a career. The need for private investigators to supplement and to give such cases the time needed for successful outcomes is constantly rising. I find it a hinderance to the law abiding, truth seeking and safety of innocent people to not be allotted privileges provided in the exception of HB 91.

I would like to conclude by stating that I can only testify to my company and how my investigators operate. GPS Tracking is used sparingly and with much calculation. The requirement once the decision is made to utilize such a device is that it is placed and retrieved while the vehicle is on public property. This ensures two things, the avoidance of trespassing and most importantly the safety of my personal. I am very familiar with the danger of placing

such devices and I do not approve of attaching GPS equipment without the implementation of an approved operations plan. I am personally unaware of a private investigations company utilizing tracking devices inappropriately and condone such use. At NPI we are diligently utilizing other means than using GPS tracking, however we would be greatly impacted if the opportunity for such use became illegal.

Thank you for your time, and the opportunity to voice my sentiment.

Respectfully,

A handwritten signature in cursive script that reads "Joan E. Bauer". The signature is written in black ink and is positioned below the word "Respectfully,".

Chief Investigator/CEO
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