



PCSAO
PUBLIC CHILDREN SERVICES
 association of ohio

HB 209

Representative Anthony Core, Sponsor

Supportive Testimony
House Criminal Justice Committee

Greg Kapcar
March 13, 2008

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Chairman White, Ranking Member DeGeeter and members of the Committee, I am Greg Kapcar the Assistant Legislative Director of the Public Children Services Association of Ohio (PCSAO). PCSAO represents the 88 public child protection agencies here in Ohio. Through this proactive coalition of public child welfare agencies, we promote the development of sound public policy and program excellence for safe children, stable families and supportive communities.

Focusing on the portion of our association’s mission for safe children and protecting them from harm, PCSAO is here today to declare our support for HB 209. This bill adds law enforcement to the list of individuals who would be committing sexual battery, a felony of the third degree, if they have sexual contact with minors. As you know, current law prohibits teachers; coaches; scout troop leaders; counselors, psychologists and psychiatrists; and members of the clergy from having sexual contact with minors. From a child’s perspective, these are all people of influence, power and authority. From a child’s perspective, how is a peace officer any different from these other individuals as having influence, power or authority over them?

In Representative Core’s sponsor testimony, he described a specific case in Logan County about a teenage girl who after a series of horrific personal and life changing events befriended a Sheriff who then had sexual relations with the girl. In talking with the Director of Logan County Children Services, John Holtcamp, he said something that helped put this into perspective and continues to resonate with me.

John said, "So, if someone had a coach's whistle around his neck and committed these acts, he'd be guilty of a felony. But, because he wore a badge it's a misdemeanor."

When we look at this from a child protection point of view, how do we explain the difference in expectations and accountability?

Chairman White and members of the committee I hope you will support HB 209 so we can close this loop hole in the law. So we don't have to explain, to another child, that there are differences in the law for people children are supposed to be able to trust.