



FRATERNAL ORDER OF POLICE OF OHIO, INC.

222 East Town Street, Columbus, Ohio 43215-4611

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www.fopohio.org



PENSION REFORM NOW! Put it in the Ohio budget.

The Ohio Police and Fire Pension Board suggested long ago common-sense reforms to protect and extend the fund for another generation. Lawmakers agreed that it was a problem that needed to be fixed, promised action, **and then adjourned**. Then, in the new general assembly, a new bill was introduced with feedback from legislators and interested parties to “get it done.” Promises were made. Support was lined up. The House passed the bill. And then **the senate adjourned**.

Stop adjourning on our pension reform.

Put first responder pension reform in the budget.

The mechanics of this have no changes. We’ve told you the reasons enough, but one more time:

- Our members have seen their benefits cut. Aggressively.
- Our members have seen their contribution increase.
- Municipalities have not increased the share they pay since the Reagan administration.

It’s time. It’s past time.

When we started this, it was about good government and fixing this before it became a problem. Now, the problem is **here**. Now we **need** this solution.

Look at what we’ve already weathered:

1. Increasing member contributions from 10% to 12.25%.
2. Increasing the retirement age to 52.
3. No members receiving a COLA until age 55.
4. COLA is matched to CPI with a cap of 3%
5. OP&F moved to a stipend-based healthcare model and reduced contributions to .05 of employer contributions.

We even agreed last year to a 0.25% increase in our employee contribution in addition to the employer increase.

The general assembly must equalize the employer contribution for police.

Pass pension reform now!



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HB 73 OPERS DROP

FOP advocates for Representatives Hall and Miller's HB 73. The bill establishes a Deferred Retirement Option Plan (DROP) for law enforcement officers in the Public Employees' Retirement System. Suppose you are eligible for a standard service retirement. In that case, you can enter the DROP program by delaying retirement and continuing to work as a police officer. While you continue to work and draw your typical salary, the amount you would have received in retirement benefits accumulates tax-deferred on your behalf with a portion of your employee contribution and interest. This program already exists in OP & F and OHPRS and has been instrumental in recruitment and retention.

OPERS Service Credit

Another pension issue that the FOP wishes to address is the transfer of service credit from OP&F to the Ohio Public Employees Retirement System – Law Enforcement (OPERS-LE). Senate Bill 42 of the 130th General Assembly, which took effect on March 25, 2015, included several changes to the pension system that the Ohio Retirement Study Council had not generally reviewed. One significant change mandated that former OP&F and State Highway Patrol Retirement System (SHPRS) members must work longer in OPERS to be eligible for retirement from OPERS. For instance, if a city police officer leaves their agency to take a position as a sheriff's deputy, they must accrue more service credits in OPERS than they have in OP&F to be eligible for retirement.

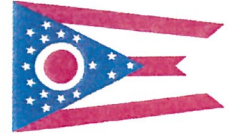
This change has negatively impacted lateral transfers across the state and hindered upward mobility for some officers, such as a city officer who could have been the first female police chief for an extensive metropolitan park system. Our members have opted not to take positions under OPERS throughout the state. Unfortunately, some who chose to transfer were unaware of this change and now face additional years—possibly a decade—before they can retire. Those who switched before the law was enacted are particularly affected, as the change did not provide any grandfathering provisions.

The FOP of Ohio urges you to address the changes made by OPERS, as they delay retirements and hinder lateral transfers. This has become a significant workforce issue for many current and potential new members.



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Police Officers with the Departments of Mental Health and Addiction Services and Developmental Disabilities

The sworn police officers in the Departments of Mental Health and Addiction Services, as well as Developmental Disabilities, are not authorized to carry firearms. Despite being OPOTC-certified and meeting the requirements for continuing education, these officers are prohibited from possessing any lethal or nonlethal weapons. This leaves them vulnerable in the increasingly forensic environment of these facilities, where many clients are violent offenders. The FOP, while not advocating for officers to be armed within patient areas, strongly believes that those patrolling the grounds, operating the metal detectors, and providing patient escorts should be armed. These forensic patients, with access to phones and off-site appointments, often have gang affiliations and family members with criminal backgrounds. The FOP is deeply concerned about the safety of these dedicated police officers and strongly urges their arming.

SB 114/HB 131 Ticket and Arrest Quotas

SB 114 and HB 131 will finally end the outdated and draconian practice of setting quotas for arrests and citations. The FOP strongly believes that traffic enforcement should not be used to generate revenue, nor should an officer be required to make arrests solely to meet a quota. When applied correctly, traffic enforcement ensures road safety and modifies drivers' behavior to improve it. However, quotas put unnecessary pressure on officers to ignore their discretion and function as a wedge between them and their communities, damaging the crucial police-community relationship.

Using quotas, activity, or performance measures is an unfair system for officer evaluation. Officers, deputies, and troopers work different shifts on different days in various areas. Applying an arbitrary number of arrests and citations that a law enforcement officer must make is unfair and unrealistic. It is well established that second-shift officers are typically dispatched to more calls, which often require completing paperwork that takes them off the street. On the third shift, there are fewer people out and about. This system of evaluation is unjust and needs to be eliminated.



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Post Traumatic Stress

The FOP firmly asks you to support funding treatment post-traumatic stress (PTS) for first responders.

On April 12, 2021, Sub. HB 308 of the 133rd General Assembly went into effect. The bill created the State Post-Traumatic Stress Fund in the state treasury and designated the Director of Budget and Management as the fund's trustee. Unfortunately, the fund has not received any monies to cover claims, and no designated fund manager exists. Dozens of states provide funding for the treatment of PTS but Ohio's first responders do not get the same benefit.

Providing coverage for first responders who experience PTS is critically important. Failing to treat PTS often leads to death through suicide and creates on-the-job issues such as avoidance and hypersensitivity. Once identified, PTS can be treated effectively, allowing first responders to continue their careers serving their communities and our great state. The FOP's proposal is limited to first responders and is limited to one mental health condition: PTS.

The FOP strongly believes that the Bureau of Workers' Compensation is the most appropriate place to provide treatment of first responders but all we are asking for now is the Post-Traumatic Stress Fund to be provided with the resources to provide treatment to Ohio's first responders. We can determine the vehicle to deliver treatment after the funding is in place and are open to discussions about alternative suggestions on how best to obtain treatment of PTS for our members.

We believe that the funding for the Post-Traumatic Stress Fund can be obtained through the tax revenue from recreational marijuana sales; from sports betting; or any other number of sources.

This is an issue that everyone agrees needs to be addressed but while we debate the solution, our members continue to suffer and sometimes die.



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Collective Bargaining

The Fraternal Order of Police opposes any attempts to weaken or eliminate Ohio's collective bargaining laws for public employees, such as Senate Bill 8. Senate Bill 8 will eliminate union release time, a mutually agreed-upon benefit between employers and employees. This legislation is a direct attack on the ability of first responders to engage in collaborative problem-solving, advocate for public safety policies, and negotiate the very agreements that keep our departments running effectively.

Ohio's first responders have worked in good faith with local governments for decades to develop fair, responsible agreements serving workers and taxpayers. Senate Bill 8 undermines that trust and threatens the efficiency and safety of our fire and police departments. We urge you to reject Senate Bill 8 and stand with the first responders who risk their lives daily to protect Ohio's people.

Due Process

Police officers in Ohio deserve due process before being placed on a Brady list because such a designation can effectively end their careers, tarnish their reputations, and strip them of their ability to serve their communities. The *Brady v. Maryland* ruling mandates that prosecutors disclose exculpatory or impeaching evidence to defense attorneys, and inclusion on a Brady list often implies credibility concerns that may impact an officer's testimony in court. Without due process protections, officers risk being labeled as unreliable without an opportunity to challenge the allegations or present evidence in their defense. This lack of procedural fairness could lead to unjust career setbacks, including loss of employment, reassignment to non-enforcement roles, or difficulty obtaining future law enforcement positions.

Iowa has recognized the need for fairness by enacting due process protections for officers before they can be placed on a Brady list, ensuring they are given notice, an opportunity to respond, and an impartial review of the allegations. This model provides a safeguard against unfounded or politically motivated decisions that could unfairly damage an officer's career. Ohio should follow Iowa's lead by passing similar legislation that guarantees officers a fair process before they are added to a Brady list. Such a law would not only protect officers from wrongful inclusion but also reinforce public trust in the criminal justice system by ensuring that Brady designations are based on verified misconduct rather than arbitrary or retaliatory actions. This balance protects both the rights of officers and the integrity of the criminal justice system by ensuring that only truly compromised testimony is flagged, preventing unwarranted damage to law enforcement personnel while upholding prosecutorial obligations.