



Ohio Revised Code

Section 5907.021 Superintendent to terminate employment of police upon felony conviction.

Effective: September 17, 2010

Legislation: House Bill 449 - 128th General Assembly

(A) As used in this section, "felony" has the same meaning as in section 109.511 of the Revised Code.

(B)(1) The superintendent of the Ohio veterans' homes shall not appoint a person as a chief of police or an employee as a Ohio veterans' home police officer on a permanent basis, on a temporary basis, for a probationary term, or on other than a permanent basis if the person or employee previously has been convicted of or has pleaded guilty to a felony.

(2)(a) The superintendent shall terminate the employment of a chief of police or the employment as a veterans' home police officer of an employee appointed as a veterans' home police officer if that chief of police or employee does either of the following:

(i) Pleads guilty to a felony;

(ii) Pleads guilty to a misdemeanor pursuant to a negotiated plea agreement as provided in division (D) of section 2929.43 of the Revised Code in which the chief of police or employee agrees to surrender the certificate awarded to that chief of police or employee under section 109.77 of the Revised Code.

(b) The superintendent shall suspend from employment a chief of police or from employment as a veterans' home police officer an employee appointed as a veterans' home police officer if that chief of police or employee is convicted, after trial, of a felony. If the chief of police or the employee files an appeal from that conviction and the conviction is upheld by the highest court to which the appeal is taken or if the chief of police or the employee does not file a timely appeal, the superintendent shall terminate the employment of that chief of police or that employee as a veterans' home police officer. If the chief of police or the employee files an appeal that results in that chief of police's or that employee's acquittal of the felony or conviction of a misdemeanor, or in the dismissal of the



felony charge against that chief of police or that employee, the superintendent shall reinstate that chief of police or that employee as a veterans' home police officer. A chief of police or an employee who is reinstated as a veterans' home police officer under division (B)(2)(b) of this section shall not receive any back pay unless the conviction of that chief of police or that employee of the felony was reversed on appeal, or the felony charge was dismissed, because the court found insufficient evidence to convict the chief of police or the employee of the felony.

(3) Division (B) of this section does not apply regarding an offense that was committed prior to January 1, 1997.

(4) The suspension from employment, or the termination of the employment, of a chief of police or a veterans' home police officer under division (B)(2) of this section shall be in accordance with Chapter 119. of the Revised Code.