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**Montgomery County Prosecuting Attorney**

**PRESS RELEASE**

July 1, 2010

**Prosecutor Gets Law Changed**  
**Failure to Stop After An Accident**

At the request and assistance of Montgomery County Prosecuting Attorney Mathias H. Heck, Jr., the Ohio Prosecuting Attorney's Association worked with the Ohio Legislature to change the law dealing with failing to stop after an accident. Mr. Heck believed the law needed to be changed after seeing a case that could not be prosecuted because of a "loophole."

On July 10, 2009, a worker in a construction zone was struck by a vehicle on Northbound I-75 near the Third Street entrance ramp. Witnesses pursued the vehicle and called the police. The driver of the vehicle that struck the worker was eventually arrested.

Even though the victim, the construction worker, was seriously injured, it was determined that the driver of the vehicle that hit him could not be charged with a felony charge of failing to stop after an accident, due to the language of the law. The law stated that the act of leaving the scene of an accident had to cause serious harm before the driver could be charged with a felony of leaving the scene of an accident.

Prosecutor Heck asked that the law be changed. On June 18, 2010, House Bill 338 closed this loophole. The law now states that "if the accident or collision results in serious harm to a person, failure to stop after an accident is a felony of the fifth degree." Additionally, if the accident causes the death of another, the crime is elevated to a felony of the third degree.

Prosecuting Attorney Mat Heck, Jr. said, "Hit-and-run drivers leave the scene of crashes to avoid punishment, some because they have been drinking. This change in the law will help us hold these drivers responsible, and insure justice for the victim."

The new law will be effective September 17, 2010.

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For additional information, contact: Mr. Greg Flannagan, Public Information Officer, 937-225-5610

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