

**MORRIS J. MURRAY**  
**DEFIANCE COUNTY PROSECUTING ATTORNEY**

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THURSDAY, JANUARY 09, 2025

**OHIO ATTORNEY GENERAL**  
**ATTENTION: OPINIONS SECTION**  
STATE OFFICE TOWER  
30 E. Broad Street ~ 17th Floor  
Columbus, Ohio 43215-3428

**RE: REQUEST FOR AN OPINION OF THE OHIO ATTORNEY GENERAL AS TO: ABILITY OF OHIO ADULT PAROLE AUTHORITY OFFICER TO WORK FOR LOCAL DRUG UNIT/LOCAL COUNTY SHERIFF'S OFFICE.**

TO WHOM IT MAY CONCERN:

Pursuant to R.C. § 109.14, the Office of the DEFIANCE COUNTY PROSECUTING ATTORNEY, MORRIS J. MURRAY, hereby formally requests a written opinion from your office pertaining to the above-referenced matter.

Our office presents the following situation and requests an opinion relating to the ability of a Probation / Parole Officer of the OHIO ADULT PAROLE AUTHORITY (APA Officer) to work for a multi-jurisdictional drug unit (MULTI-AREA NARCOTICS UNIT), who is also sworn in as a DEFIANCE COUNTY SHERIFF'S OFFICE Deputy to enforce Ohio laws in that same jurisdiction.

We include for your review a copy of a Memorandum of Understanding between the MULTI-AREA NARCOTICS UNIT, the DEFIANCE COUNTY SHERIFF'S OFFICE, and the OHIO ADULT PAROLE AUTHORITY that details the current working relationship between the above parties. However, recent questions have arisen between the parties regarding the legal authority of such a person fulfilling each of these roles at the same time. These questions are related to the exercise of Law Enforcement actions, such as the execution of Search Warrants, Arrests, and use of force scenarios when these situations do not involve persons under any form of APA supervision. It is our understanding that APA Officers are assigned to several multi-jurisdictional task forces throughout Ohio. These Officers carry out differing Law Enforcement functions under differing interpretations of their authority as APA Officers. Concerns have arisen regarding liability for these officers if, in any of these circumstances, they are acting outside the scope of their authority

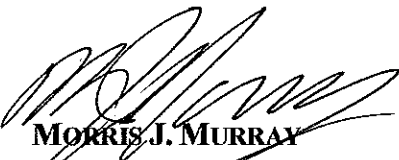
as APA Officers. For additional clarification, these questions are particularly of concern for APA Officers who have been authorized through the Adult Parole Authority to participate on these task forces, have appropriate training and certifications to perform the duties of an adult probation or parole officer, may have been appointed as a Special Deputy Sheriff, but who DO NOT have OPOTA Certification as a Peace Officer.

More specifically:

1. May an Adult Parole Authority (APA) officer participate in a multi-jurisdictional drug unit as a special deputy sheriff and enforce laws in that capacity?
2. More specifically, may an APA officer participate with the drug unit in executing warrants, making arrests, and using deadly force, when necessary?
3. Would the APA officer risk personal liability in participating in those law enforcement activities if the officer is not certified by the Ohio Peace Officer Training Commission as a peace officer?

If you have any questions about this request, please feel free to contact me at my office, and thank you for your consideration.

SINCERELY YOURS,



**MORRIS J. MURRAY**  
PROSECUTING ATTORNEY  
DEFIANCE COUNTY, OHIO

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