

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**S. B. No. 84**

**Senators Williams, Tavares**

**Cosponsors: Senators Thomas, Brown, Hite**

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**A BILL**

To amend sections 109.73, 109.77, 109.79, 109.80, 1  
and 5503.05 and to enact sections 109.748, 2  
109.749, and 2933.84 of the Revised Code to 3  
require the Ohio Peace Officer Training 4  
Commission to develop a course to train peace 5  
officers in performing their duties without 6  
biased policing or status-based profiling; to 7  
prohibit law enforcement officers and officials 8  
from engaging in biased policing or status-based 9  
profiling; to require each law enforcement 10  
agency to develop and provide annually to its 11  
officers an educational training program on how 12  
to perform law enforcement duties without 13  
engaging in biased policing or status-based 14  
profiling; to create the racial and identity 15  
profiling advisory board; to provide a civil 16  
cause of action for an individual who is a 17  
victim of biased policing or status-based 18  
profiling; and to permit the Attorney General to 19  
seek injunctive relief against a law enforcement 20  
agency served by an officer who commits biased 21  
policing or status-based profiling. 22

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 109.73, 109.77, 109.79, 109.80, 23  
and 5503.05 be amended and sections 109.748, 109.749, and 24  
2933.84 of the Revised Code be enacted to read as follows: 25

**Sec. 109.73.** (A) The Ohio peace officer training 26  
commission shall recommend rules to the attorney general with 27  
respect to all of the following: 28

(1) The approval, or revocation of approval, of peace 29  
officer training schools administered by the state, counties, 30  
municipal corporations, public school districts, technical 31  
college districts, and the department of natural resources; 32

(2) Minimum courses of study, attendance requirements, and 33  
equipment and facilities to be required at approved state, 34  
county, municipal, and department of natural resources peace 35  
officer training schools; 36

(3) Minimum qualifications for instructors at approved 37  
state, county, municipal, and department of natural resources 38  
peace officer training schools; 39

(4) The requirements of minimum basic training that peace 40  
officers appointed to probationary terms shall complete before 41  
being eligible for permanent appointment, which requirements 42  
shall include training in the handling of the offense of 43  
domestic violence, other types of domestic violence-related 44  
offenses and incidents, and protection orders and consent 45  
agreements issued or approved under section 2919.26 or 3113.31 46  
of the Revised Code; crisis intervention training; ~~and~~ training 47  
in the handling of missing children and child abuse and neglect 48

cases; ~~and~~ training in handling violations of section 2905.32 of 49  
the Revised Code; training in performing law enforcement duties 50  
and handling law enforcement matters without engaging in biased 51  
policing or status-based profiling; and the time within which 52  
such basic training shall be completed following appointment to 53  
a probationary term; 54

(5) The requirements of minimum basic training that peace 55  
officers not appointed for probationary terms but appointed on 56  
other than a permanent basis shall complete in order to be 57  
eligible for continued employment or permanent appointment, 58  
which requirements shall include training in the handling of the 59  
offense of domestic violence, other types of domestic violence- 60  
related offenses and incidents, and protection orders and 61  
consent agreements issued or approved under section 2919.26 or 62  
3113.31 of the Revised Code; ~~;~~ crisis intervention training; ~~and;~~ 63  
training in the handling of missing children and child abuse and 64  
neglect cases; ~~and;~~ training in handling violations of section 65  
2905.32 of the Revised Code; training in performing law 66  
enforcement duties and handling law enforcement matters without 67  
engaging in biased policing or status-based profiling; and the 68  
time within which such basic training shall be completed 69  
following appointment on other than a permanent basis; 70

(6) Categories or classifications of advanced in-service 71  
training programs for peace officers, including programs in the 72  
handling of the offense of domestic violence, other types of 73  
domestic violence-related offenses and incidents, and protection 74  
orders and consent agreements issued or approved under section 75  
2919.26 or 3113.31 of the Revised Code; ~~;~~ in crisis intervention; ~~—~~ 76  
~~and;~~ in the handling of missing children and child abuse and 77  
neglect cases; ~~and;~~ in handling violations of section 2905.32 78  
of the Revised Code; training in performing law enforcement 79

duties and handling law enforcement matters without engaging in 80  
biased policing or status-based profiling; and minimum courses 81  
of study and attendance requirements with respect to such 82  
categories or classifications; 83

(7) Permitting persons, who are employed as members of a 84  
campus police department appointed under section 1713.50 of the 85  
Revised Code; who are employed as police officers by a qualified 86  
nonprofit corporation police department pursuant to section 87  
1702.80 of the Revised Code; who are appointed and commissioned 88  
as bank, savings and loan association, savings bank, credit 89  
union, or association of banks, savings and loan associations, 90  
savings banks, or credit unions police officers, as railroad 91  
police officers, or as hospital police officers pursuant to 92  
sections 4973.17 to 4973.22 of the Revised Code; or who are 93  
appointed and commissioned as amusement park police officers 94  
pursuant to section 4973.17 of the Revised Code, to attend 95  
approved peace officer training schools, including the Ohio 96  
peace officer training academy, and to receive certificates of 97  
satisfactory completion of basic training programs, if the 98  
private college or university that established the campus police 99  
department; qualified nonprofit corporation police department; 100  
bank, savings and loan association, savings bank, credit union, 101  
or association of banks, savings and loan associations, savings 102  
banks, or credit unions; railroad company; hospital; or 103  
amusement park sponsoring the police officers pays the entire 104  
cost of the training and certification and if trainee vacancies 105  
are available; 106

(8) Permitting undercover drug agents to attend approved 107  
peace officer training schools, other than the Ohio peace 108  
officer training academy, and to receive certificates of 109  
satisfactory completion of basic training programs, if, for each 110

undercover drug agent, the county, township, or municipal 111  
corporation that employs that undercover drug agent pays the 112  
entire cost of the training and certification; 113

(9) (a) The requirements for basic training programs for 114  
bailiffs and deputy bailiffs of courts of record of this state 115  
and for criminal investigators employed by the state public 116  
defender that those persons shall complete before they may carry 117  
a firearm while on duty; 118

(b) The requirements for any training received by a 119  
bailiff or deputy bailiff of a court of record of this state or 120  
by a criminal investigator employed by the state public defender 121  
prior to June 6, 1986, that is to be considered equivalent to 122  
the training described in division (A) (9) (a) of this section. 123

(10) Establishing minimum qualifications and requirements 124  
for certification for dogs utilized by law enforcement agencies; 125

(11) Establishing minimum requirements for certification 126  
of persons who are employed as correction officers in a full- 127  
service jail, five-day facility, or eight-hour holding facility 128  
or who provide correction services in such a jail or facility; 129

(12) Establishing requirements for the training of agents 130  
of a county humane society under section 1717.06 of the Revised 131  
Code, including, without limitation, a requirement that the 132  
agents receive instruction on traditional animal husbandry 133  
methods and training techniques, including customary owner- 134  
performed practices. 135

(B) The commission shall appoint an executive director, 136  
with the approval of the attorney general, who shall hold office 137  
during the pleasure of the commission. The executive director 138  
shall perform such duties assigned by the commission. The 139

executive director shall receive a salary fixed pursuant to 140  
Chapter 124. of the Revised Code and reimbursement for expenses 141  
within the amounts available by appropriation. The executive 142  
director may appoint officers, employees, agents, and 143  
consultants as the executive director considers necessary, 144  
prescribe their duties, and provide for reimbursement of their 145  
expenses within the amounts available for reimbursement by 146  
appropriation and with the approval of the commission. 147

(C) The commission may do all of the following: 148

(1) Recommend studies, surveys, and reports to be made by 149  
the executive director regarding the carrying out of the 150  
objectives and purposes of sections 109.71 to 109.77 of the 151  
Revised Code; 152

(2) Visit and inspect any peace officer training school 153  
that has been approved by the executive director or for which 154  
application for approval has been made; 155

(3) Make recommendations, from time to time, to the 156  
executive director, the attorney general, and the general 157  
assembly regarding the carrying out of the purposes of sections 158  
109.71 to 109.77 of the Revised Code; 159

(4) Report to the attorney general from time to time, and 160  
to the governor and the general assembly at least annually, 161  
concerning the activities of the commission; 162

(5) Establish fees for the services the commission offers 163  
under sections 109.71 to 109.79 of the Revised Code, including, 164  
but not limited to, fees for training, certification, and 165  
testing; 166

(6) Perform such other acts as are necessary or 167  
appropriate to carry out the powers and duties of the commission 168

as set forth in sections 109.71 to 109.77 of the Revised Code. 169

(D) In establishing the requirements, under division (A) 170  
(12) of this section, the commission may consider any portions 171  
of the curriculum for instruction on the topic of animal 172  
husbandry practices, if any, of the Ohio state university 173  
college of veterinary medicine. No person or entity that fails 174  
to provide instruction on traditional animal husbandry methods 175  
and training techniques, including customary owner-performed 176  
practices, shall qualify to train a humane agent for appointment 177  
under section 1717.06 of the Revised Code. 178

Sec. 109.748. The attorney general shall do all of the 179  
following: 180

(A) Adopt, in accordance with Chapter 119. or pursuant to 181  
section 109.74 of the Revised Code, rules governing the training 182  
of peace officers in performing law enforcement duties and 183  
handling law enforcement matters without engaging in biased 184  
policing or status-based profiling, including biased policing 185  
and status-based profiling of the type described in divisions 186  
(B) and (C) of section 2933.84 of the Revised Code. The rules 187  
shall specify the amount of that training necessary for the 188  
satisfactory completion of basic training programs at approved 189  
peace officer training schools other than the Ohio peace officer 190  
training academy. The rules shall require that the training 191  
include, but not be limited to, materials that provide an 192  
understanding of the historical and cultural systems that 193  
perpetuate biased policing and status-based profiling, 194  
assistance in identifying biased policing and status-based 195  
profiling practices, and self-evaluation strategies for officers 196  
to preempt biased policing or status-based profiling prior to 197  
stopping an individual. 198

(B) Adopt reasonable rules under Chapter 119. of the 199  
Revised Code prescribing the format and timing of the submission 200  
by law enforcement agencies under division (G)(1) of section 201  
2933.84 of the Revised Code of information gathered under 202  
divisions (E) and (F) of that section. 203

(C) In accordance with division (G) of section 2933.84 of 204  
the Revised Code, analyze all data submitted to the attorney 205  
general pursuant to that division, publish the data and the 206  
analysis of the data in a report, and distribute copies of the 207  
report. 208

**Sec. 109.749.** (A) There is hereby created within the 209  
office of the attorney general the racial and identity profiling 210  
advisory board. The board is established for the purpose of 211  
eliminating biased policing and status-based profiling, and 212  
improving diversity and racial and identity sensitivity in law 213  
enforcement. 214

(B) Unless otherwise stated in this division, the governor 215  
shall appoint members to the board with the advice and consent 216  
of the senate. The board shall consist of the following members: 217

(1) The attorney general, the state public defender, and 218  
the superintendent of the state highway patrol, or their 219  
designees; 220

(2) The president of the Ohio association of chiefs of 221  
police, or the president's designee; 222

(3) The president of the buckeye state sheriffs' 223  
association, or the president's designee; 224

(4) Two members of the senate, one appointed by the 225  
president of the senate and one appointed by the minority leader 226  
of the senate; 227



<u>(5) Two members of the house of representatives, one</u>	228
<u>appointed by the speaker of the house of representatives and one</u>	229
<u>appointed by the minority leader of the house of</u>	230
<u>representatives;</u>	231
<u>(6) A member of the general assembly appointed by the Ohio</u>	232
<u>legislative black caucus;</u>	233
<u>(7) A university professor who specializes in policing and</u>	234
<u>racial and identity equity;</u>	235
<u>(8) Two representatives of civil or human rights nonprofit</u>	236
<u>organizations who specialize in civil or human rights;</u>	237
<u>(9) Two representatives of community organizations who</u>	238
<u>specialize in civil or human rights and criminal justice and who</u>	239
<u>work with victims of biased policing or status-based profiling,</u>	240
<u>with at least one of the representatives being between sixteen</u>	241
<u>and twenty-four years of age;</u>	242
<u>(10) Two religious clergy members with experience in</u>	243
<u>addressing and reducing racial and identity bias toward</u>	244
<u>individuals and groups.</u>	245
<u>(C) The board shall have the following annual duties:</u>	246
<u>(1) Assist the attorney general in analyzing the data</u>	247
<u>reported by law enforcement agencies pursuant to division (G) of</u>	248
<u>section 2933.84 of the Revised Code;</u>	249
<u>(2) Assess state and local law enforcement training</u>	250
<u>regarding biased policing and status-based profiling;</u>	251
<u>(3) Work in partnership with state and local law</u>	252
<u>enforcement agencies to review and analyze biased policing and</u>	253
<u>status-based profiling policies and practices across geographic</u>	254
<u>areas in Ohio;</u>	255

(4) Conduct evidence-based research or consult available 256  
research on intentional and implicit biases and law enforcement 257  
stop, search, and seizure tactics; 258

(5) Hold at least three public meetings across the state 259  
to discuss biased policing and status-based profiling and 260  
potential reforms to prevent those practices, and provide public 261  
notice of each meeting at least sixty days before each meeting; 262

(6) Issue an annual report that provides the board's 263  
assessment of biased policing and status-based profiling in the 264  
state, detailed findings on the past and current status of 265  
racial and identity profiling, and policy recommendations to 266  
eliminate biased policing and profiling. 267

(D) The annual report of the board is a public record and 268  
shall be posted on the attorney general's web site. Previous 269  
annual reports shall be retained and kept available on the web 270  
site. 271

(E) (1) Members of the board shall serve initial four year 272  
terms. At the end of each term the original appointing authority 273  
may renew the member's appointment. Any vacancy that occurs on 274  
the board shall be filled in the same manner as the original 275  
appointment. 276

(2) The board shall annually elect two of its members as 277  
co-chairpersons. No action of the board shall be valid unless 278  
agreed to by a majority of its members. 279

(3) Members of the board shall serve without compensation. 280

**Sec. 109.77.** (A) As used in this section: 281

(1) "Felony" has the same meaning as in section 109.511 of 282  
the Revised Code. 283

(2) "Companion animal" has the same meaning as in section 959.131 of the Revised Code.	284 285
(B) (1) Notwithstanding any general, special, or local law or charter to the contrary, and except as otherwise provided in this section, no person shall receive an original appointment on a permanent basis as any of the following unless the person previously has been awarded a certificate by the executive director of the Ohio peace officer training commission attesting to the person's satisfactory completion of an approved state, county, municipal, or department of natural resources peace officer basic training program:	286 287 288 289 290 291 292 293 294
(a) A peace officer of any county, township, municipal corporation, regional transit authority, or metropolitan housing authority;	295 296 297
(b) A natural resources law enforcement staff officer, forest-fire investigator, wildlife officer, or natural resources officer of the department of natural resources;	298 299 300
(c) An employee of a park district under section 511.232 or 1545.13 of the Revised Code;	301 302
(d) An employee of a conservancy district who is designated pursuant to section 6101.75 of the Revised Code;	303 304
(e) A state university law enforcement officer;	305
(f) A special police officer employed by the department of mental health and addiction services pursuant to section 5119.08 of the Revised Code or the department of developmental disabilities pursuant to section 5123.13 of the Revised Code;	306 307 308 309
(g) An enforcement agent of the department of public safety whom the director of public safety designates under	310 311

section 5502.14 of the Revised Code;	312
(h) A special police officer employed by a port authority	313
under section 4582.04 or 4582.28 of the Revised Code;	314
(i) A special police officer employed by a municipal	315
corporation at a municipal airport, or other municipal air	316
navigation facility, that has scheduled operations, as defined	317
in section 119.3 of Title 14 of the Code of Federal Regulations,	318
14 C.F.R. 119.3, as amended, and that is required to be under a	319
security program and is governed by aviation security rules of	320
the transportation security administration of the United States	321
department of transportation as provided in Parts 1542. and	322
1544. of Title 49 of the Code of Federal Regulations, as	323
amended;	324
(j) A gaming agent employed under section 3772.03 of the	325
Revised Code.	326
(2) Every person who is appointed on a temporary basis or	327
for a probationary term or on other than a permanent basis as	328
any of the following shall forfeit the appointed position unless	329
the person previously has completed satisfactorily or, within	330
the time prescribed by rules adopted by the attorney general	331
pursuant to section 109.74 of the Revised Code, satisfactorily	332
completes a state, county, municipal, or department of natural	333
resources peace officer basic training program for temporary or	334
probationary officers and is awarded a certificate by the	335
director attesting to the satisfactory completion of the	336
program:	337
(a) A peace officer of any county, township, municipal	338
corporation, regional transit authority, or metropolitan housing	339
authority;	340

(b) A natural resources law enforcement staff officer,	341
park officer, forest officer, preserve officer, wildlife	342
officer, or state watercraft officer of the department of	343
natural resources;	344
(c) An employee of a park district under section 511.232	345
or 1545.13 of the Revised Code;	346
(d) An employee of a conservancy district who is	347
designated pursuant to section 6101.75 of the Revised Code;	348
(e) A special police officer employed by the department of	349
mental health and addiction services pursuant to section 5119.08	350
of the Revised Code or the department of developmental	351
disabilities pursuant to section 5123.13 of the Revised Code;	352
(f) An enforcement agent of the department of public	353
safety whom the director of public safety designates under	354
section 5502.14 of the Revised Code;	355
(g) A special police officer employed by a port authority	356
under section 4582.04 or 4582.28 of the Revised Code;	357
(h) A special police officer employed by a municipal	358
corporation at a municipal airport, or other municipal air	359
navigation facility, that has scheduled operations, as defined	360
in section 119.3 of Title 14 of the Code of Federal Regulations,	361
14 C.F.R. 119.3, as amended, and that is required to be under a	362
security program and is governed by aviation security rules of	363
the transportation security administration of the United States	364
department of transportation as provided in Parts 1542. and	365
1544. of Title 49 of the Code of Federal Regulations, as	366
amended.	367
(3) For purposes of division (B) of this section, a state,	368
county, municipal, or department of natural resources peace	369

officer basic training program, regardless of whether the 370  
program is to be completed by peace officers appointed on a 371  
permanent or temporary, probationary, or other nonpermanent 372  
basis, shall include training in the handling of the offense of 373  
domestic violence, other types of domestic violence-related 374  
offenses and incidents, and protection orders and consent 375  
agreements issued or approved under section 2919.26 or 3113.31 376  
of the Revised Code; crisis intervention training; training, 377  
in accordance with the rules adopted under section 109.748 of 378  
the Revised Code, in performing law enforcement duties and 379  
handling law enforcement matters without engaging in biased 380  
policing or status-based profiling; and training on companion 381  
animal encounters and companion animal behavior. The requirement 382  
to complete training in the handling of the offense of domestic 383  
violence, other types of domestic violence-related offenses and 384  
incidents, and protection orders and consent agreements issued 385  
or approved under section 2919.26 or 3113.31 of the Revised Code 386  
does not apply to any person serving as a peace officer on March 387  
27, 1979, ~~and~~ the requirement to complete training in crisis 388  
intervention does not apply to any person serving as a peace 389  
officer on April 4, 1985, and the requirement to complete 390  
training in performing law enforcement duties and handling law 391  
enforcement matters without engaging in biased policing or 392  
status-based profiling does not apply to any person serving as a 393  
peace officer on the effective date of this amendment. Any 394  
person who is serving as a peace officer on April 4, 1985, who 395  
terminates that employment after that date, and who subsequently 396  
is hired as a peace officer by the same or another law 397  
enforcement agency shall complete training in crisis 398  
intervention as prescribed by rules adopted by the attorney 399  
general pursuant to section 109.742 of the Revised Code. Any 400  
person who is serving as a peace officer on the effective date 401

of this amendment who terminates that employment after that date 402  
and who subsequently is hired as a peace officer by the same or 403  
another law enforcement agency shall complete training in 404  
performing law enforcement duties and handling law enforcement 405  
matters without engaging in biased policing or status-based 406  
profiling, as prescribed by rules adopted by the attorney 407  
general pursuant to section 109.748 of the Revised Code. No 408  
peace officer shall have employment as a peace officer 409  
terminated and then be reinstated with intent to circumvent this 410  
section. 411

(4) Division (B) of this section does not apply to any 412  
person serving on a permanent basis on March 28, 1985, as a park 413  
officer, forest officer, preserve officer, wildlife officer, or 414  
state watercraft officer of the department of natural resources 415  
or as an employee of a park district under section 511.232 or 416  
1545.13 of the Revised Code, to any person serving on a 417  
permanent basis on March 6, 1986, as an employee of a 418  
conservancy district designated pursuant to section 6101.75 of 419  
the Revised Code, to any person serving on a permanent basis on 420  
January 10, 1991, as a preserve officer of the department of 421  
natural resources, to any person employed on a permanent basis 422  
on July 2, 1992, as a special police officer by the department 423  
of mental health and addiction services pursuant to section 424  
5119.08 of the Revised Code or by the department of 425  
developmental disabilities pursuant to section 5123.13 of the 426  
Revised Code, to any person serving on a permanent basis on May 427  
17, 2000, as a special police officer employed by a port 428  
authority under section 4582.04 or 4582.28 of the Revised Code, 429  
to any person serving on a permanent basis on March 19, 2003, as 430  
a special police officer employed by a municipal corporation at 431  
a municipal airport or other municipal air navigation facility 432

described in division (A) (19) of section 109.71 of the Revised Code, to any person serving on a permanent basis on June 19, 1978, as a state university law enforcement officer pursuant to section 3345.04 of the Revised Code and who, immediately prior to June 19, 1978, was serving as a special police officer designated under authority of that section, or to any person serving on a permanent basis on September 20, 1984, as a liquor control investigator, known after June 30, 1999, as an enforcement agent of the department of public safety, engaged in the enforcement of Chapters 4301. and 4303. of the Revised Code.

(5) Division (B) of this section does not apply to any person who is appointed as a regional transit authority police officer pursuant to division (Y) of section 306.35 of the Revised Code if, on or before July 1, 1996, the person has completed satisfactorily an approved state, county, municipal, or department of natural resources peace officer basic training program and has been awarded a certificate by the executive director of the Ohio peace officer training commission attesting to the person's satisfactory completion of such an approved program and if, on July 1, 1996, the person is performing peace officer functions for a regional transit authority.

(C) No person, after September 20, 1984, shall receive an original appointment on a permanent basis as a veterans' home police officer designated under section 5907.02 of the Revised Code unless the person previously has been awarded a certificate by the executive director of the Ohio peace officer training commission attesting to the person's satisfactory completion of an approved police officer basic training program. Every person who is appointed on a temporary basis or for a probationary term or on other than a permanent basis as a veterans' home police officer designated under section 5907.02 of the Revised Code



shall forfeit that position unless the person previously has 464  
completed satisfactorily or, within one year from the time of 465  
appointment, satisfactorily completes an approved police officer 466  
basic training program. 467

(D) No bailiff or deputy bailiff of a court of record of 468  
this state and no criminal investigator who is employed by the 469  
state public defender shall carry a firearm, as defined in 470  
section 2923.11 of the Revised Code, while on duty unless the 471  
bailiff, deputy bailiff, or criminal investigator has done or 472  
received one of the following: 473

(1) Has been awarded a certificate by the executive 474  
director of the Ohio peace officer training commission, which 475  
certificate attests to satisfactory completion of an approved 476  
state, county, or municipal basic training program for bailiffs 477  
and deputy bailiffs of courts of record and for criminal 478  
investigators employed by the state public defender that has 479  
been recommended by the Ohio peace officer training commission; 480

(2) Has successfully completed a firearms training program 481  
approved by the Ohio peace officer training commission prior to 482  
employment as a bailiff, deputy bailiff, or criminal 483  
investigator; 484

(3) Prior to June 6, 1986, was authorized to carry a 485  
firearm by the court that employed the bailiff or deputy bailiff 486  
or, in the case of a criminal investigator, by the state public 487  
defender and has received training in the use of firearms that 488  
the Ohio peace officer training commission determines is 489  
equivalent to the training that otherwise is required by 490  
division (D) of this section. 491

(E) (1) Before a person seeking a certificate completes an 492

approved peace officer basic training program, the executive 493  
director of the Ohio peace officer training commission shall 494  
request the person to disclose, and the person shall disclose, 495  
any previous criminal conviction of or plea of guilty of that 496  
person to a felony. 497

(2) Before a person seeking a certificate completes an 498  
approved peace officer basic training program, the executive 499  
director shall request a criminal history records check on the 500  
person. The executive director shall submit the person's 501  
fingerprints to the bureau of criminal identification and 502  
investigation, which shall submit the fingerprints to the 503  
federal bureau of investigation for a national criminal history 504  
records check. 505

Upon receipt of the executive director's request, the 506  
bureau of criminal identification and investigation and the 507  
federal bureau of investigation shall conduct a criminal history 508  
records check on the person and, upon completion of the check, 509  
shall provide a copy of the criminal history records check to 510  
the executive director. The executive director shall not award 511  
any certificate prescribed in this section unless the executive 512  
director has received a copy of the criminal history records 513  
check on the person to whom the certificate is to be awarded. 514

(3) The executive director of the commission shall not 515  
award a certificate prescribed in this section to a person who 516  
has been convicted of or has pleaded guilty to a felony or who 517  
fails to disclose any previous criminal conviction of or plea of 518  
guilty to a felony as required under division (E) (1) of this 519  
section. 520

(4) The executive director of the commission shall revoke 521  
the certificate awarded to a person as prescribed in this 522

section, and that person shall forfeit all of the benefits 523  
derived from being certified as a peace officer under this 524  
section, if the person, before completion of an approved peace 525  
officer basic training program, failed to disclose any previous 526  
criminal conviction of or plea of guilty to a felony as required 527  
under division (E) (1) of this section. 528

(F) (1) Regardless of whether the person has been awarded 529  
the certificate or has been classified as a peace officer prior 530  
to, on, or after October 16, 1996, the executive director of the 531  
Ohio peace officer training commission shall revoke any 532  
certificate that has been awarded to a person as prescribed in 533  
this section if the person does either of the following: 534

(a) Pleads guilty to a felony committed on or after 535  
January 1, 1997; 536

(b) Pleads guilty to a misdemeanor committed on or after 537  
January 1, 1997, pursuant to a negotiated plea agreement as 538  
provided in division (D) of section 2929.43 of the Revised Code 539  
in which the person agrees to surrender the certificate awarded 540  
to the person under this section. 541

(2) The executive director of the commission shall suspend 542  
any certificate that has been awarded to a person as prescribed 543  
in this section if the person is convicted, after trial, of a 544  
felony committed on or after January 1, 1997. The executive 545  
director shall suspend the certificate pursuant to division (F) 546  
(2) of this section pending the outcome of an appeal by the 547  
person from that conviction to the highest court to which the 548  
appeal is taken or until the expiration of the period in which 549  
an appeal is required to be filed. If the person files an appeal 550  
that results in that person's acquittal of the felony or 551  
conviction of a misdemeanor, or in the dismissal of the felony 552

charge against that person, the executive director shall 553  
reinstate the certificate awarded to the person under this 554  
section. If the person files an appeal from that person's 555  
conviction of the felony and the conviction is upheld by the 556  
highest court to which the appeal is taken or if the person does 557  
not file a timely appeal, the executive director shall revoke 558  
the certificate awarded to the person under this section. 559

(G) (1) If a person is awarded a certificate under this 560  
section and the certificate is revoked pursuant to division (E) 561  
(4) or (F) of this section, the person shall not be eligible to 562  
receive, at any time, a certificate attesting to the person's 563  
satisfactory completion of a peace officer basic training 564  
program. 565

(2) The revocation or suspension of a certificate under 566  
division (E) (4) or (F) of this section shall be in accordance 567  
with Chapter 119. of the Revised Code. 568

(H) (1) A person who was employed as a peace officer of a 569  
county, township, or municipal corporation of the state on 570  
January 1, 1966, and who has completed at least sixteen years of 571  
full-time active service as such a peace officer, or equivalent 572  
service as determined by the executive director of the Ohio 573  
peace officer training commission, may receive an original 574  
appointment on a permanent basis and serve as a peace officer of 575  
a county, township, or municipal corporation, or as a state 576  
university law enforcement officer, without complying with the 577  
requirements of division (B) of this section. 578

(2) Any person who held an appointment as a state highway 579  
trooper on January 1, 1966, may receive an original appointment 580  
on a permanent basis and serve as a peace officer of a county, 581  
township, or municipal corporation, or as a state university law 582

enforcement officer, without complying with the requirements of 583  
division (B) of this section. 584

(I) No person who is appointed as a peace officer of a 585  
county, township, or municipal corporation on or after April 9, 586  
1985, shall serve as a peace officer of that county, township, 587  
or municipal corporation unless the person has received training 588  
in the handling of missing children and child abuse and neglect 589  
cases from an approved state, county, township, or municipal 590  
police officer basic training program or receives the training 591  
within the time prescribed by rules adopted by the attorney 592  
general pursuant to section 109.741 of the Revised Code. 593

(J) No part of any approved state, county, or municipal 594  
basic training program for bailiffs and deputy bailiffs of 595  
courts of record and no part of any approved state, county, or 596  
municipal basic training program for criminal investigators 597  
employed by the state public defender shall be used as credit 598  
toward the completion by a peace officer of any part of the 599  
approved state, county, or municipal peace officer basic 600  
training program that the peace officer is required by this 601  
section to complete satisfactorily. 602

(K) This section does not apply to any member of the 603  
police department of a municipal corporation in an adjoining 604  
state serving in this state under a contract pursuant to section 605  
737.04 of the Revised Code. 606

**Sec. 109.79.** (A) The Ohio peace officer training 607  
commission shall establish and conduct a training school for law 608  
enforcement officers of any political subdivision of the state 609  
or of the state public defender's office. The school shall be 610  
known as the Ohio peace officer training academy. No bailiff or 611  
deputy bailiff of a court of record of this state and no 612

criminal investigator employed by the state public defender 613  
shall be permitted to attend the academy for training unless the 614  
employing court of the bailiff or deputy bailiff or the state 615  
public defender, whichever is applicable, has authorized the 616  
bailiff, deputy bailiff, or investigator to attend the academy. 617

The Ohio peace officer training commission shall develop 618  
the training program, which shall include courses in both the 619  
civil and criminal functions of law enforcement officers, a 620  
course in crisis intervention with six or more hours of 621  
training, training in the handling of missing children and child 622  
abuse and neglect cases, training in performing law enforcement 623  
duties and handling law enforcement matters without engaging in 624  
biased policing or status-based profiling, and training on 625  
companion animal encounters and companion animal behavior, and 626  
shall establish rules governing qualifications for admission to 627  
the academy. The training in performing law enforcement duties 628  
and handling law enforcement matters without engaging in biased 629  
policing or status-based profiling shall be consistent with the 630  
training specified in the rules adopted under section 109.748 of 631  
the Revised Code. The commission may require competitive 632  
examinations to determine fitness of prospective trainees, so 633  
long as the examinations or other criteria for admission to the 634  
academy are consistent with the provisions of Chapter 124. of 635  
the Revised Code. 636

The Ohio peace officer training commission shall determine 637  
tuition costs sufficient in the aggregate to pay the costs of 638  
operating the academy. The costs of acquiring and equipping the 639  
academy shall be paid from appropriations made by the general 640  
assembly to the Ohio peace officer training commission for that 641  
purpose, from gifts or grants received for that purpose, or from 642  
fees for goods related to the academy. 643

The Ohio peace officer training commission shall create a gaming-related curriculum for gaming agents. The Ohio peace officer training commission shall use money distributed to the Ohio peace officer training academy from the Ohio law enforcement training fund to first support the academy's training programs for gaming agents and gaming-related curriculum. The Ohio peace officer training commission may utilize existing training programs in other states that specialize in training gaming agents.

The law enforcement officers, during the period of their training, shall receive compensation as determined by the political subdivision that sponsors them or, if the officer is a criminal investigator employed by the state public defender, as determined by the state public defender. The political subdivision may pay the tuition costs of the law enforcement officers they sponsor and the state public defender may pay the tuition costs of criminal investigators of that office who attend the academy.

If trainee vacancies exist, the academy may train and issue certificates of satisfactory completion to peace officers who are employed by a campus police department pursuant to section 1713.50 of the Revised Code, by a qualified nonprofit corporation police department pursuant to section 1702.80 of the Revised Code, or by a railroad company, who are amusement park police officers appointed and commissioned by a judge of the appropriate municipal court or county court pursuant to section 4973.17 of the Revised Code, or who are bank, savings and loan association, savings bank, credit union, or association of banks, savings and loan associations, savings banks, or credit unions, or hospital police officers appointed and commissioned by the secretary of state pursuant to sections 4973.17 to

4973.22 of the Revised Code, provided that no such officer shall 675  
be trained at the academy unless the officer meets the 676  
qualifications established for admission to the academy and the 677  
qualified nonprofit corporation police department; bank, savings 678  
and loan association, savings bank, credit union, or association 679  
of banks, savings and loan associations, savings banks, or 680  
credit unions; railroad company; hospital; or amusement park or 681  
the private college or university that established the campus 682  
police department prepays the entire cost of the training. A 683  
qualified nonprofit corporation police department; bank, savings 684  
and loan association, savings bank, credit union, or association 685  
of banks, savings and loan associations, savings banks, or 686  
credit unions; railroad company; hospital; or amusement park or 687  
a private college or university that has established a campus 688  
police department is not entitled to reimbursement from the 689  
state for any amount paid for the cost of training the bank, 690  
savings and loan association, savings bank, credit union, or 691  
association of banks, savings and loan associations, savings 692  
banks, or credit unions peace officers; the railroad company's 693  
peace officers; or the peace officers of the qualified nonprofit 694  
corporation police department, campus police department, 695  
hospital, or amusement park. 696

The academy shall permit investigators employed by the 697  
state medical board to take selected courses that the board 698  
determines are consistent with its responsibilities for initial 699  
and continuing training of investigators as required under 700  
sections 4730.26 and 4731.05 of the Revised Code. The board 701  
shall pay the entire cost of training that investigators receive 702  
at the academy. 703

(B) As used in this section: 704



(1) "Law enforcement officers" include any undercover drug agent, any bailiff or deputy bailiff of a court of record, and any criminal investigator who is employed by the state public defender.

(2) "Undercover drug agent" means any person who:

(a) Is employed by a county, township, or municipal corporation for the purposes set forth in division (B) (2) (b) of this section but who is not an employee of a county sheriff's department, of a township constable, or of the police department of a municipal corporation or township;

(b) In the course of the person's employment by a county, township, or municipal corporation, investigates and gathers information pertaining to persons who are suspected of violating Chapter 2925. or 3719. of the Revised Code, and generally does not wear a uniform in the performance of the person's duties.

(3) "Crisis intervention training" has the same meaning as in section 109.71 of the Revised Code.

(4) "Missing children" has the same meaning as in section 2901.30 of the Revised Code.

(5) "Companion animal" has the same meaning as in section 959.131 of the Revised Code.

**Sec. 109.80.** (A) The Ohio peace officer training commission shall develop and conduct a basic training course lasting at least three weeks for appointed and newly elected sheriffs appointed or elected on or after January 1, 1988, and shall establish criteria for what constitutes successful completion of the course. The basic training course shall include instruction in contemporary law enforcement, criminal investigations, the judicial process, civil rules, corrections,

and other topics relevant to the duties and operations of the 734  
office of sheriff. The basic training course also shall include 735  
training in performing law enforcement duties and handling law 736  
enforcement matters without engaging in biased policing or 737  
status-based profiling, and the training shall be consistent 738  
with the training specified in the rules adopted under section 739  
109.748 of the Revised Code. The commission shall offer the 740  
course every four years within six months after the general 741  
election of sheriffs in each county and at other times when it 742  
is needed to permit sheriffs to attend within six months after 743  
appointment or election. The course shall be conducted by the 744  
Ohio peace officer training academy. The ~~council~~ commission 745  
shall provide that not less than two weeks of the course 746  
conducted within six months after the general election of 747  
sheriffs in each county shall be conducted prior to the first 748  
Monday in January next after that general election. 749

(B) The attorney general shall appoint a continuing 750  
education committee, consisting of not fewer than five nor more 751  
than seven members, including but not limited to, members of the 752  
Ohio peace officer training commission and sheriffs. The 753  
commission and the committee jointly shall determine the type of 754  
continuing education required for sheriffs to complete the 755  
requirements of division (E) of section 311.01 of the Revised 756  
Code, shall include as a required part of that continuing 757  
education training in performing law enforcement duties and 758  
handling law enforcement matters without engaging in biased 759  
policing or status-based profiling, and shall establish criteria 760  
for what constitutes successful completion of the requirement. 761  
The training in performing law enforcement duties and handling 762  
law enforcement matters without engaging in biased policing or 763  
status-based profiling shall be consistent with the training 764

specified in the rules adopted under section 109.748 of the 765  
Revised Code. The committee shall approve the courses that 766  
sheriffs may attend to complete the continuing education 767  
requirement and shall publish an approved list of those courses. 768  
The commission shall maintain a list of approved training 769  
schools that sheriffs may attend to complete the continuing 770  
education requirement. Upon request, the committee may approve 771  
courses other than those courses conducted as part of a 772  
certified law enforcement manager program. 773

(C) Upon presentation of evidence by a sheriff that 774  
because of medical disability or for other good cause ~~that~~ the 775  
sheriff is unable to complete the basic or continuing education 776  
requirement, the commission may waive the requirement until the 777  
disability or cause terminates. 778

(D) As used in this section, "newly elected sheriff" means 779  
a person who did not hold the office of sheriff of a county on 780  
the date the person was elected sheriff of that county. 781

**Sec. 2933.84.** (A) As used in this section: 782

(1) "Gender identity" means the gender-related identity, 783  
appearance, or mannerisms or other gender-related 784  
characteristics of an individual, with or without regard to the 785  
individual's designated gender at birth. 786

(2) "Minority group" means any of the following: 787

(a) African Americans, including, but not limited to, 788  
persons of African descent; 789

(b) Latinos, including, but not limited to, persons of 790  
Hispanic descent; 791

(c) Persons of Arab or Middle Eastern descent or 792

<u>appearance;</u>	793
<u>(d) Asians, including, but not limited to, persons of</u>	794
<u>Mongoloid descent;</u>	795
<u>(e) Native Americans;</u>	796
<u>(f) Pacific Islanders;</u>	797
<u>(g) Any persons not described in division (A) (2) (a), (b),</u>	798
<u>(c), (d), (e), or (f) of this section who are members of a</u>	799
<u>socially or economically disadvantaged group, whose disadvantage</u>	800
<u>arises from discrimination on the basis of race, religion, sex,</u>	801
<u>disability, military status, national origin, ancestry, or other</u>	802
<u>similar cause.</u>	803
<u>(3) Except as otherwise provided in this division, "minor</u>	804
<u>traffic violation" means any violation of a prohibition set</u>	805
<u>forth in Title XLV of the Revised Code or of an ordinance of a</u>	806
<u>municipal corporation that is substantially equivalent to any</u>	807
<u>prohibition set forth in Title XLV of the Revised Code. "Minor</u>	808
<u>traffic violation" does not include any violation that is a</u>	809
<u>moving violation as defined in section 2743.70 of the Revised</u>	810
<u>Code.</u>	811
<u>(4) "Sexual orientation" means actual or perceived</u>	812
<u>heterosexuality, homosexuality, or bisexuality.</u>	813
<u>(5) "Traffic stop" means a law enforcement officer's stop</u>	814
<u>of a motor vehicle, bicycle, or pedestrian for any minor traffic</u>	815
<u>violation.</u>	816
<u>(B) No law enforcement officer shall do any of the</u>	817
<u>following:</u>	818
<u>(1) Engage in a practice of targeting or stopping an</u>	819
<u>individual who is a motorist, bicyclist, or pedestrian on the</u>	820

basis, in whole or in part, of the ethnic, minority group, 821  
religious affiliation, sexual orientation, or gender identity 822  
status of the individual by means of detention, interdiction, or 823  
other disparate treatment, unless that status is used in 824  
combination with one or more other identifying factors seeking 825  
to apprehend a specific suspect whose ethnic, minority group, 826  
religious affiliation, sexual orientation, or gender identity 827  
status as perceived by the officer is part of the description of 828  
the suspect and that description is timely and reliable; 829

(2) Use any violation of any state or local traffic law as 830  
a pretense for stopping a motor vehicle, bicycle, or pedestrian 831  
for any reason, unless the reason for the stop is the occurrence 832  
of an offense that the officer can explicitly articulate; 833

(3) Request an operator of a motor vehicle or bicycle that 834  
is stopped solely for a minor traffic violation, or a pedestrian 835  
who is stopped solely for a minor traffic violation, to consent 836  
to a search by the officer of the motor vehicle or bicycle or of 837  
the pedestrian; 838

(4) After a traffic stop of a motor vehicle, bicycle, or 839  
pedestrian, detain the motor vehicle, its operator, or its 840  
passengers, the bicycle or its operator, or the pedestrian to 841  
provide time for arrival of a canine unit or any other animal 842  
used in an inspection or sniffing of a motor vehicle, bicycle, 843  
or person, or otherwise extend the traffic stop beyond the time 844  
reasonably necessary to address the traffic violation that is 845  
the basis of the stop, unless there exists probable cause to 846  
believe that the operator of the vehicle or bicycle, one or more 847  
passengers of the vehicle, or the pedestrian has been involved 848  
in criminal activity. 849

(C) No official of a law enforcement agency shall engage 850

in, or authorize or allow the law enforcement officers the 851  
agency employs or is served by to engage in a practice of 852  
targeting or stopping an individual who is a motorist, 853  
bicyclist, or pedestrian on the basis, in whole or in part, of 854  
the ethnic, minority group, religious affiliation, sexual 855  
orientation, or gender identity status of the individual by 856  
means of detention, interdiction, or other disparate treatment, 857  
unless that status is used in combination with one or more other 858  
identifying factors seeking to apprehend a specific suspect 859  
whose ethnic, minority group, religious affiliation, sexual 860  
orientation, or gender identity status as perceived by the 861  
officer is part of the description of the suspect and that 862  
description is timely and reliable. 863

(D) Each law enforcement agency in this state that employs 864  
or is served by any law enforcement officer shall do all of the 865  
following: 866

(1) Develop and maintain a policy that is designed to 867  
eliminate biased policing or status-based profiling by the 868  
agency and its law enforcement officers, including biased 869  
policing and status-based profiling of the type described in 870  
divisions (B) and (C) of this section, and to cease existing 871  
practices by the agency and its officers that permit, 872  
perpetuate, or encourage biased policing and status-based 873  
profiling; 874

(2) Develop an educational training program that is 875  
designed to train its law enforcement officers and officials how 876  
to perform law enforcement duties and handle law enforcement 877  
matters without engaging in biased policing or status-based 878  
profiling, including biased policing and status-based profiling 879  
of the type described in divisions (B) and (C) of this section. 880

The educational training program shall include training 881  
materials that provide an understanding of the historical and 882  
cultural systems that perpetuate biased policing and status- 883  
based profiling, assistance in identifying biased policing and 884  
status-based profiling practices, and self-evaluation strategies 885  
for officers to preempt biased policing or status-based 886  
profiling prior to stopping an individual; 887

(3) Annually provide training under the program developed 888  
pursuant to division (D)(2) of this section to each law 889  
enforcement officer who is employed by or serves the agency and 890  
to each official of the agency; 891

(4) In addition to the training required by division (D) 892  
(3) of this section, provide training under the program 893  
developed pursuant to division (D)(2) of this section to each 894  
law enforcement officer who is employed by or serves the agency 895  
and violates division (B) of this section and to each official 896  
of the agency who violates division (C) of this section, within 897  
a reasonable period of time after the violation. 898

(E)(1) Whenever a law enforcement officer causes the stop, 899  
delay, or questioning of the operator of a motor vehicle, the 900  
operator of a bicycle, or a pedestrian, the law enforcement 901  
agency that employs or is served by the law enforcement officer 902  
shall obtain from the law enforcement officer and record all of 903  
the following data: 904

(a) Regarding a motor vehicle or bicycle, a description of 905  
the motor vehicle or bicycle, including its manufacturer and 906  
model; 907

(b) Regarding a motor vehicle, the identifying numerals, 908  
letters, or numerals and letters that appear on the motor 909

vehicle's license plate; 910

(c) The race, ethnicity, approximate age, and gender of 911  
the operator and all passengers of the motor vehicle, the 912  
operator of the bicycle, or the pedestrian; 913

(d) The location of the stop, delay, or questioning, 914  
including the street and address number; 915

(e) The approximate duration of the stop, delay, or 916  
questioning; 917

(f) The basis for the stop, delay, or questioning, 918  
including any local, state, or federal offense alleged to have 919  
been committed by the operator or any passenger of the motor 920  
vehicle, the operator of the bicycle, or the pedestrian; 921

(g) The date on which and exact time at which the stop, 922  
delay, or questioning occurred. 923

(2) The identification of the characteristics described in 924  
divisions (E) (1) (a) to (g) of this section shall be based on the 925  
observation and perception of the law enforcement officer 926  
conducting the stop, delay, or questioning. No operator of or 927  
passenger in the involved motor vehicle, no operator of the 928  
involved bicycle, and no involved pedestrian, whichever is 929  
applicable, shall be asked to provide the information regarding 930  
those characteristics. 931

(F) Whenever a law enforcement officer conducts a search 932  
or inventory of a motor vehicle or bicycle, or otherwise causes 933  
a motor vehicle, bicycle, or pedestrian to be inspected or 934  
sniffed by a canine unit or any other animal for the detection 935  
of illegal drugs or contraband, the law enforcement agency that 936  
employs or is served by the law enforcement officer shall obtain 937  
from the law enforcement officer and record all of the following 938



<u>data:</u>	939
<u>(1) The legal basis and rationale for the stop, search,</u>	940
<u>inventory, or sniffing of the motor vehicle, bicycle, or</u>	941
<u>pedestrian;</u>	942
<u>(2) The nature of any contraband that was discovered in</u>	943
<u>the course of the search, inventory, or sniffing;</u>	944
<u>(3) The exact oral or written warning or instructions</u>	945
<u>given to the operator of or passenger in the motor vehicle, the</u>	946
<u>operator of the bicycle, or the pedestrian prior to the search,</u>	947
<u>inventory, or sniffing;</u>	948
<u>(4) The charge or charges, if any, that were filed against</u>	949
<u>the operator of or passenger in the motor vehicle, the operator</u>	950
<u>of the bicycle, or the pedestrian as a result of the search,</u>	951
<u>inventory, or sniffing;</u>	952
<u>(5) The reason as to why the search, inventory, or</u>	953
<u>sniffing was instituted.</u>	954
<u>(G) (1) Each law enforcement agency that collects data</u>	955
<u>under division (E) or (F) of this section shall annually submit</u>	956
<u>the data collected to the attorney general. The agency shall</u>	957
<u>submit the data not later than the first day of February of the</u>	958
<u>calendar year following the year for which the data is</u>	959
<u>collected, in accordance with the rules adopted by the attorney</u>	960
<u>general under division (B) of section 109.748 of the Revised</u>	961
<u>Code. Upon receipt of the data, the attorney general shall</u>	962
<u>analyze the data in accordance with general statistical</u>	963
<u>standards to determine whether disparities exist in the stopping</u>	964
<u>and searching of motor vehicles, bicycles, or pedestrians that</u>	965
<u>cause a disproportionately adverse effect on a particular</u>	966
<u>minority group or groups or any other group of persons linked by</u>	967

ethnic, religious affiliation, sexual orientation, or gender 968  
identity status. Not later than the first day of April of the 969  
calendar year in which the attorney general receives the data 970  
under this division, the attorney general shall publish the data 971  
and the analysis conducted under this division in a report that 972  
the attorney general prepares annually and shall distribute 973  
copies of the report in accordance with division (G) (3) of this 974  
section. 975

(2) The attorney general shall distribute copies of 976  
reports published under division (G) (1) of this section to the 977  
general assembly, the governor, and law enforcement agencies. 978  
The reports are public records under section 149.43 of the 979  
Revised Code and shall be made readily available to the public. 980

(3) The attorney general shall exclude from the reports 981  
described in division (G) (1) of this section all information 982  
that would personally identify any motor vehicle operator or 983  
passenger, any bicycle operator, or any pedestrian who is the 984  
subject of any stop, search, inventory, or sniffing described in 985  
this section or any law enforcement officer who conducts any 986  
stop, search, inventory, or sniffing described in this section. 987  
The attorney general and local law enforcement agencies shall 988  
maintain the information so excluded for a reasonable period of 989  
time. 990

Information of the nature described in this division that 991  
is excluded from the report described in division (G) (1) of this 992  
section is not a public record for purposes of section 149.43 of 993  
the Revised Code, and the attorney general or law enforcement 994  
agency shall redact all information of that nature from any 995  
records released by the attorney general or law enforcement 996  
agency. The attorney general or a law enforcement agency may 997

disclose information of that nature for purposes of a civil 998  
proceeding brought under division (I) or (J) of this section and 999  
may release information of that nature to relevant parties of a 1000  
motion seeking to exclude from admission as evidence any 1001  
information obtained through a potentially unconstitutional or 1002  
unlawful search. 1003

(H) If the attorney general determines in the analysis 1004  
conducted under division (G) of this section that the 1005  
statistical data collected and analyzed under this section shows 1006  
any pattern of disparate traffic and law enforcement practices 1007  
by a law enforcement agency or its officers or officials, that 1008  
has a disproportionately adverse effect on a particular minority 1009  
group or groups or any other group of persons linked by 1010  
ethnicity, religious affiliation, sexual orientation, or gender 1011  
identity status, the law enforcement agency shall take immediate 1012  
remedial actions to eradicate the practices by the agency or its 1013  
officers or officials. 1014

(I) An individual who is a victim of a violation of 1015  
division (B) or (C) of this section has a cause of action 1016  
against the law enforcement agency that employs or is served by 1017  
the law enforcement officer or official who committed the 1018  
violation. The individual may file a civil action asserting the 1019  
cause under section 2307.60 of the Revised Code. In the action, 1020  
the individual may seek appropriate and equitable relief in a 1021  
court of record in this state having jurisdiction. The court 1022  
shall award reasonable attorneys' fees, including expert fees as 1023  
part of the attorneys' fee, to the prevailing party as costs. 1024

(J) The attorney general may institute civil proceedings 1025  
for injunctive relief against a law enforcement agency that 1026  
employs or is served by a law enforcement officer or official 1027

who violates division (B) or (C) of this section to compel the 1028  
termination of the violation and prevent future violations. The 1029  
attorney general may bring the proceedings in any court of 1030  
competent jurisdiction. If the attorney general proves in the 1031  
proceedings that a law enforcement officer or official that the 1032  
agency employs or is served by has committed or is committing 1033  
the violation, the court shall order the agency to discontinue 1034  
all biased policing and status-based profiling, to discontinue 1035  
all practices that permit, perpetuate, or encourage biased 1036  
policing or status-based profiling, and to submit to the 1037  
attorney general a corrective action plan for discontinuing all 1038  
biased policing or status-based profiling and all such 1039  
practices. The court shall order the agency to submit the 1040  
corrective action plan to the attorney general by a specified 1041  
date that is agreed upon by the agency and the attorney general 1042  
and approved by the court. 1043

**Sec. 5503.05.** The superintendent of the state highway 1044  
patrol, with the approval of the director of public safety, may 1045  
conduct training schools for prospective state highway patrol 1046  
troopers. The training provided at the training schools shall 1047  
include, but not be limited to, training in performing law 1048  
enforcement duties and handling law enforcement matters without 1049  
engaging in biased policing or status-based profiling. Training 1050  
on the subject of biased policing and status-based profiling 1051  
shall be consistent with the training specified in the rules 1052  
adopted under section 109.748 of the Revised Code. The 1053  
prospective troopers, during the period of their training and as 1054  
members of the state patrol school, shall be paid a reasonable 1055  
salary out of highway funds. The superintendent may furnish the 1056  
necessary supplies and equipment for the use of the prospective 1057  
troopers during the training period. 1058

The superintendent may establish rules governing the 1059  
qualifications for admission to training schools for prospective 1060  
troopers and provide for competitive examinations to determine 1061  
the fitness of the students and prospective troopers, not 1062  
inconsistent with the rules of the director of administrative 1063  
services. 1064

**Section 2.** That existing sections 109.73, 109.77, 109.79, 1065  
109.80, and 5503.05 of the Revised Code are hereby repealed. 1066

**Section 3.** Section 109.80 of the Revised Code is presented 1067  
in this act as a composite of the section as amended by both 1068  
Sub. H.B. 351 and Sub. H.B. 670 of the 121st General Assembly. 1069  
The General Assembly, applying the principle stated in division 1070  
(B) of section 1.52 of the Revised Code that amendments are to 1071  
be harmonized if reasonably capable of simultaneous operation, 1072  
finds that the composite is the resulting version of the section 1073  
in effect prior to the effective date of the section as 1074  
presented in this act. 1075