A BILL

To amend sections 109.73, 109.77, 109.79, 109.80, 109.803, and 5503.05 and to enact sections 109.805, 109.806, 2933.84, 2933.85, 2933.86, 2933.87, and 2933.88 of the Revised Code to prohibit police officers from engaging in biased policing and other status-based profiling and to require the attorney general's office to establish rules regarding such police practices.

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

Section 1. That sections 109.73, 109.77, 109.79, 109.80, 109.803, and 5503.05 be amended and sections 109.805, 109.806, 2933.84, 2933.85, 2933.86, 2933.87, and 2933.88 of the Revised Code be enacted to read as follows:

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

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

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

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

(4) The requirements of minimum basic training that peace officers appointed to probationary terms shall complete before being eligible for permanent appointment, which requirements shall include training in the handling of the offense of domestic violence, other types of domestic violence-related offenses and incidents, and protection orders and consent agreements issued or approved under section 2919.26 or 3113.31 of the Revised Code; crisis intervention training; training in handling cases; and training in handling violations of section 2905.32 of the Revised Code; training in performing law enforcement duties and handling law enforcement matters without engaging in biased policing or status-based profiling as described in section 2933.85 of the Revised Code; and the time within which such basic training shall be completed following appointment to a probationary term;

(5) The requirements of minimum basic training that peace officers not appointed for probationary terms but appointed on other than a permanent basis shall complete in order to be eligible for continued employment or permanent appointment, which requirements shall include training in the handling of the
offense of domestic violence, other types of domestic violence-related offenses and incidents, and protection orders and consent agreements issued or approved under section 2919.26 or 3113.31 of the Revised Code; crisis intervention training; and; training in the handling of missing children and child abuse and neglect cases; and; training in handling violations of section 2905.32 of the Revised Code; training in performing law enforcement duties and handling law enforcement matters without engaging in biased policing or status-based profiling as described in section 2933.85 of the Revised Code; and the time within which such basic training shall be completed following appointment on other than a permanent basis;

(6) Categories or classifications of advanced in-service training programs for peace officers, including programs in the handling of the offense of domestic violence, other types of domestic violence-related offenses and incidents, and protection orders and consent agreements issued or approved under section 2919.26 or 3113.31 of the Revised Code; in crisis intervention; and; in the handling of missing children and child abuse and neglect cases; and; in handling violations of section 2905.32 of the Revised Code; training in performing law enforcement duties and handling law enforcement matters without engaging in biased policing or status-based profiling as described in section 2933.85 of the Revised Code; and minimum courses of study and attendance requirements with respect to such categories or classifications;

(7) Permitting persons, who are employed as members of a campus police department appointed under section 1713.50 of the Revised Code; who are employed as police officers by a qualified nonprofit corporation police department pursuant to section 1702.80 of the Revised Code; who are appointed and commissioned
as bank, savings and loan association, savings bank, credit union, or association of banks, savings and loan associations, savings banks, or credit unions police officers, as railroad police officers, or as hospital police officers pursuant to sections 4973.17 to 4973.22 of the Revised Code; or who are appointed and commissioned as amusement park police officers pursuant to section 4973.17 of the Revised Code, to attend approved peace officer training schools, including the Ohio peace officer training academy, and to receive certificates of satisfactory completion of basic training programs, if the private college or university that established the campus police department; qualified nonprofit corporation police department; bank, savings and loan association, savings bank, credit union, or association of banks, savings and loan associations, savings banks, or credit unions; railroad company; hospital; or amusement park sponsoring the police officers pays the entire cost of the training and certification and if trainee vacancies are available;

(8) Permitting undercover drug agents to attend approved peace officer training schools, other than the Ohio peace officer training academy, and to receive certificates of satisfactory completion of basic training programs, if, for each undercover drug agent, the county, township, or municipal corporation that employs that undercover drug agent pays the entire cost of the training and certification;

(9)(a) The requirements for basic training programs for bailiffs and deputy bailiffs of courts of record of this state and for criminal investigators employed by the state public defender that those persons shall complete before they may carry a firearm while on duty;
(b) The requirements for any training received by a trial officer or deputy trial officer of a court of record of this state or by a criminal investigator employed by the state public defender prior to June 6, 1986, that is to be considered equivalent to the training described in division (A)(9)(a) of this section.

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

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

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

(13) Permitting tactical medical professionals to attend approved peace officer training schools, including the Ohio peace officer training academy, to receive training of the type described in division (A)(14) of this section and to receive certificates of satisfactory completion of training programs described in that division;

(14) The requirements for training programs that tactical medical professionals shall complete to qualify them to carry firearms while on duty under section 109.771 of the Revised Code, which requirements shall include at least the firearms training specified in division (A) of section 109.748 of the Revised Code.
(15) Regarding the training about biased policing and status-based profiling described in divisions (A)(4), (5), and (6) of this section, methods to make such training available online.

(B) The commission shall appoint an executive director, with the approval of the attorney general, who shall hold office during the pleasure of the commission. The executive director shall perform such duties assigned by the commission. The executive director shall receive a salary fixed pursuant to Chapter 124. of the Revised Code and reimbursement for expenses within the amounts available by appropriation. The executive director may appoint officers, employees, agents, and consultants as the executive director considers necessary, prescribe their duties, and provide for reimbursement of their expenses within the amounts available for reimbursement by appropriation and with the approval of the commission.

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

1. Recommend studies, surveys, and reports to be made by the executive director regarding the carrying out of the objectives and purposes of sections 109.71 to 109.77 of the Revised Code;

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

3. Make recommendations, from time to time, to the executive director, the attorney general, and the general assembly regarding the carrying out of the purposes of sections 109.71 to 109.77 of the Revised Code;

4. Report to the attorney general from time to time, and
to the governor and the general assembly at least annually,
concerning the activities of the commission;

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

(6) Perform such other acts as are necessary or
appropriate to carry out the powers and duties of the commission
as set forth in sections 109.71 to 109.77 of the Revised Code.

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

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

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

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

(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:

(a) A peace officer of any county, township, municipal corporation, regional transit authority, or metropolitan housing authority;

(b) A natural resources law enforcement staff officer, forest-fire investigator, wildlife officer, or natural resources officer of the department of natural resources;

(c) An employee of a park district under section 511.232 or 1545.13 of the Revised Code;

(d) An employee of a conservancy district who is designated pursuant to section 6101.75 of the Revised Code;

(e) A state university law enforcement officer;

(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;

(g) An enforcement agent of the department of public safety whom the director of public safety designates under section 5502.14 of the Revised Code;

(h) A special police officer employed by a port authority under section 4582.04 or 4582.28 of the Revised Code;

(i) A special police officer employed by a municipal corporation at a municipal airport, or other municipal air navigation facility, that has scheduled operations, as defined in section 119.3 of Title 14 of the Code of Federal Regulations, 14 C.F.R. 119.3, as amended, and that is required to be under a
security program and is governed by aviation security rules of
the transportation security administration of the United States
department of transportation as provided in Parts 1542. and
1544. of Title 49 of the Code of Federal Regulations, as
amended;

(j) A gaming agent employed under section 3772.03 of the
Revised Code.

(2) Every person who is appointed on a temporary basis or
for a probationary term or on other than a permanent basis as
any of the following shall forfeit the appointed position unless
the person previously has completed satisfactorily or, within
the time prescribed by rules adopted by the attorney general
pursuant to section 109.74 of the Revised Code, satisfactorily
completes a state, county, municipal, or department of natural
resources peace officer basic training program for temporary or
probationary officers and is awarded a certificate by the
director attesting to the satisfactory completion of the
program:

(a) A peace officer of any county, township, municipal
corporation, regional transit authority, or metropolitan housing
authority;

(b) A natural resources law enforcement staff officer,
park officer, forest officer, preserve officer, wildlife
officer, or state watercraft officer of the department of
natural resources;

(c) An employee of a park district under section 511.232
or 1545.13 of the Revised Code;

(d) An employee of a conservancy district who is
designated pursuant to section 6101.75 of the Revised Code;
(e) 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;

(f) An enforcement agent of the department of public safety whom the director of public safety designates under section 5502.14 of the Revised Code;

(g) A special police officer employed by a port authority under section 4582.04 or 4582.28 of the Revised Code;

(h) A special police officer employed by a municipal corporation at a municipal airport, or other municipal air navigation facility, that has scheduled operations, as defined in section 119.3 of Title 14 of the Code of Federal Regulations, 14 C.F.R. 119.3, as amended, and that is required to be under a security program and is governed by aviation security rules of the transportation security administration of the United States department of transportation as provided in Parts 1542. and 1544. of Title 49 of the Code of Federal Regulations, as amended.

(3) For purposes of division (B) of this section, a state, county, municipal, or department of natural resources peace officer basic training program, regardless of whether the program is to be completed by peace officers appointed on a permanent or temporary, probationary, or other nonpermanent basis, shall include training in the handling of the offense of domestic violence, other types of domestic violence-related offenses and incidents, and protection orders and consent agreements issued or approved under section 2919.26 or 3113.31 of the Revised Code, in accordance with the rules adopted under section 109.805 of...
the Revised Code, in performing law enforcement duties and handling law enforcement matters without engaging in biased policing or status-based profiling as described in section 2933.85 of the Revised Code; and training on companion animal encounters and companion animal behavior. The requirement to complete training in the handling of the offense of domestic violence, other types of domestic violence-related offenses and incidents, and protection orders and consent agreements issued or approved under section 2919.26 or 3113.31 of the Revised Code does not apply to any person serving as a peace officer on March 27, 1979, and the requirement to complete training in crisis intervention does not apply to any person serving as a peace officer on April 4, 1985, and the requirement to complete training in performing law enforcement duties and handling law enforcement matters without engaging in biased policing or status-based profiling, as described in section 2933.85 of the Revised Code, does not apply to any person serving as a peace officer on the effective date of this amendment. Any person who is serving as a peace officer on April 4, 1985, who terminates that employment after that date, and who subsequently is hired as a peace officer by the same or another law enforcement agency shall complete training in crisis intervention as prescribed by rules adopted by the attorney general pursuant to section 109.742 of the Revised Code. Any person who is serving as a peace officer on the effective date of this amendment who terminates that employment after that date and who subsequently is hired as a peace officer by the same or another law enforcement agency shall complete training in performing law enforcement duties and handling law enforcement matters without engaging in biased policing or status-based profiling as described in section 2933.85 of the Revised Code, as prescribed by rules adopted by the attorney general pursuant to section
109.805 of the Revised Code. No peace officer shall have employment as a peace officer terminated and then be reinstated with intent to circumvent this section.

The training regarding biased policing and status-based profiling described in division (B)(3) of this section shall be made available online.

(4) Division (B) of this section does not apply to any person serving on a permanent basis on March 28, 1985, as a park officer, forest officer, preserve officer, wildlife officer, or state watercraft officer of the department of natural resources or as an employee of a park district under section 511.232 or 1545.13 of the Revised Code, to any person serving on a permanent basis on March 6, 1986, as an employee of a conservancy district designated pursuant to section 6101.75 of the Revised Code, to any person serving on a permanent basis on January 10, 1991, as a preserve officer of the department of natural resources, to any person employed on a permanent basis on July 2, 1992, as a special police officer by the department of mental health and addiction services pursuant to section 5119.08 of the Revised Code or by the department of developmental disabilities pursuant to section 5123.13 of the Revised Code, to any person serving on a permanent basis on May 17, 2000, as a special police officer employed by a port authority under section 4582.04 or 4582.28 of the Revised Code, to any person serving on a permanent basis on March 19, 2003, as a special police officer employed by a municipal corporation at a municipal airport or other municipal air navigation facility 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
completed satisfactorily or, within one year from the time of
appointment, satisfactorily completes an approved police officer
basic training program.
(D) No bailiff or deputy bailiff of a court of record of this state and no criminal investigator who is employed by the state public defender shall carry a firearm, as defined in section 2923.11 of the Revised Code, while on duty unless the bailiff, deputy bailiff, or criminal investigator has done or received one of the following:

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

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

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

(E)(1) Before a person seeking a certificate completes an approved peace officer basic training program, the executive director of the Ohio peace officer training commission shall request the person to disclose, and the person shall disclose, any previous criminal conviction of or plea of guilty of that person to a felony.
(2) Before a person seeking a certificate completes an approved peace officer basic training program, the executive director shall request a criminal history records check on the person. The executive director shall submit the person's fingerprints to the bureau of criminal identification and investigation, which shall submit the fingerprints to the federal bureau of investigation for a national criminal history records check.

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

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

(4) The executive director of the commission shall revoke the certificate awarded to a person as prescribed in this section, and that person shall forfeit all of the benefits derived from being certified as a peace officer under this section, if the person, before completion of an approved peace officer basic training program, failed to disclose any previous criminal conviction of or plea of guilty to a felony as required
under division (E)(1) of this section.

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

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

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

(2) The executive director of the commission shall suspend any certificate that has been awarded to a person as prescribed in this section if the person is convicted, after trial, of a felony committed on or after January 1, 1997. The executive director shall suspend the certificate pursuant to division (F)(2) of this section pending the outcome of an appeal by the person from that conviction to the highest court to which the appeal is taken or until the expiration of the period in which an appeal is required to be filed. If the person files an appeal that results in that person's acquittal of the felony or conviction of a misdemeanor, or in the dismissal of the felony charge against that person, the executive director shall reinstate the certificate awarded to the person under this section. If the person files an appeal from that person's conviction of the felony and the conviction is upheld by the highest court to which the appeal is taken or if the person does
not file a timely appeal, the executive director shall revoke the certificate awarded to the person under this section.

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

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

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

(2) Any person who held an appointment as a state highway trooper on January 1, 1966, may receive an original appointment on a permanent basis and serve as a peace officer of a county, township, or municipal corporation, or as a state university law enforcement officer, without complying with the requirements of division (B) of this section.

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

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

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

Sec. 109.79. (A) The Ohio peace officer training commission shall establish and conduct a training school for law enforcement officers of any political subdivision of the state or of the state public defender's office. The school shall be known as the Ohio peace officer training academy. No bailiff or deputy bailiff of a court of record of this state and no criminal investigator employed by the state public defender shall be permitted to attend the academy for training unless the employing court of the bailiff or deputy bailiff or the state public defender, whichever is applicable, has authorized the
bailiff, deputy bailiff, or investigator to attend the academy.

The Ohio peace officer training commission shall develop the training program, which shall include courses in both the civil and criminal functions of law enforcement officers, a course in crisis intervention with six or more hours of training, training in the handling of missing children and child abuse and neglect cases, training in performing law enforcement duties and handling law enforcement matters without engaging in biased policing or status-based profiling as described in section 2933.85 of the Revised Code, and training on companion animal encounters and companion animal behavior, and shall establish rules governing qualifications for admission to the academy. The training regarding biased policing and status-based profiling shall be consistent with the training specified in the rules adopted under section 109.805 of the Revised Code, and shall be available online. The commission may require competitive examinations to determine fitness of prospective trainees, so long as the examinations or other criteria for admission to the academy are consistent with the provisions of Chapter 124. of the Revised Code.

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

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 be trained at the academy unless the officer meets the qualifications established for admission to the academy and the
qualified nonprofit corporation police department; bank, savings
and loan association, savings bank, credit union, or association
of banks, savings and loan associations, savings banks, or
credit unions; railroad company; hospital; or amusement park or
the private college or university that established the campus
police department prepays the entire cost of the training. A
qualified nonprofit corporation police department; bank, savings
and loan association, savings bank, credit union, or association
of banks, savings and loan associations, savings banks, or
credit unions; railroad company; hospital; or amusement park or
a private college or university that has established a campus
police department is not entitled to reimbursement from the
state for any amount paid for the cost of training the bank,
savings and loan association, savings bank, credit union, or
association of banks, savings and loan associations, savings
banks, or credit unions peace officers; the railroad company's
peace officers; or the peace officers of the qualified nonprofit
corporation police department, campus police department,
hospital, or amusement park.

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

The academy shall permit tactical medical professionals to
attend training courses at the academy that are designed to
qualify the professionals to carry firearms while on duty under
section 109.771 of the Revised Code and that provide training
comparable to training mandated under the rules required by
division (A) of section 109.748 of the Revised Code. The executive director of the Ohio peace officer training commission may certify tactical medical professionals who satisfactorily complete the training courses. The law enforcement agency served by a tactical medical professional who attends the academy may pay the tuition costs of the professional.

(B) As used in this section:

(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 office of sheriff. The basic training course also shall include training in performing law enforcement duties and handling law enforcement matters without engaging in biased policing or status-based profiling as described in section 2933.85 of the Revised Code. Such training shall be consistent with the training specified in the rules adopted under division (B)(4) of section 109.803 and section 109.805 of the Revised Code and be made available online. The commission shall offer the course every four years within six months after the general election of sheriffs in each county and at other times when it is needed to permit sheriffs to attend within six months after appointment or election. The course shall be conducted by the Ohio peace officer training academy. The commission shall provide that not less than two weeks of the course conducted within six months after the general election of sheriffs in each county shall be conducted prior to the first Monday in January next after that general election.

(B) The attorney general shall appoint a continuing education committee, consisting of not fewer than five nor more than seven members, including but not limited to, members of the Ohio peace officer training commission and sheriffs. The commission and the committee jointly shall determine the type of
continuing education required for sheriffs to complete the requirements of division (E) of section 311.01 of the Revised Code, shall include as a required part of that continuing education training in performing law enforcement duties and handling law enforcement matters without engaging in biased policing or status-based profiling as described in section 2933.85 of the Revised Code, and shall establish criteria for what constitutes successful completion of the requirement. The training in performing law enforcement duties and handling law enforcement matters without engaging in biased policing or status-based profiling shall be consistent with the training specified in the rules adopted under division (B)(4) of section 109.803 and section 109.805 of the Revised Code and shall be made available online. The committee shall approve the courses that sheriffs may attend to complete the continuing education requirement and shall publish an approved list of those courses. The commission shall maintain a list of approved training schools that sheriffs may attend to complete the continuing education requirement. Upon request, the committee may approve courses other than those courses conducted as part of a certified law enforcement manager program.

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

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

Sec. 109.803. (A)(1) Subject to divisions (A)(2) and (B)
of this section, every appointing authority shall require each
of its appointed peace officers and troopers to complete up to
twenty-four hours of continuing professional training each
calendar year, as directed by the Ohio peace officer training
commission. The number of hours directed by the commission, up
to twenty-four hours, is intended to be a minimum requirement,
and appointing authorities are encouraged to exceed the number
of hours the commission directs as the minimum. The commission
shall set the required minimum number of hours based upon
available funding for reimbursement as described in this
division. If no funding for the reimbursement is available, no
continuing professional training will be required.

(2) An appointing authority may submit a written request
to the peace officer training commission that requests for a
calendar year because of emergency circumstances an extension of
the time within which one or more of its appointed peace
officers or troopers must complete the required minimum number
of hours of continuing professional training set by the
commission, as described in division (A)(1) of this section. A
request made under this division shall set forth the name of
each of the appointing authority's peace officers or troopers
for whom an extension is requested, identify the emergency
circumstances related to that peace officer or trooper, include
documentation of those emergency circumstances, and set forth
the date on which the request is submitted to the commission. A
request shall be made under this division not later than the
fifteenth day of December in the calendar year for which the
extension is requested.

Upon receipt of a written request made under this
division, the executive director of the commission shall review
the request and the submitted documentation. If the executive
director of the commission is satisfied that emergency circumstances exist for any peace officer or trooper for whom a request was made under this division, the executive director may approve the request for that peace officer or trooper and grant an extension of the time within which that peace officer or trooper must complete the required minimum number of hours of continuing professional training set by the commission. An extension granted under this division may be for any period of time the executive director believes to be appropriate, and the executive director shall specify in the notice granting the extension the date on which the extension ends. Not later than thirty days after the date on which a request is submitted to the commission, for each peace officer and trooper for whom an extension is requested, the executive director either shall approve the request and grant an extension or deny the request and deny an extension and shall send to the appointing authority that submitted the request written notice of the executive director's decision.

If the executive director grants an extension of the time within which a particular appointed peace officer or trooper of an appointing authority must complete the required minimum number of hours of continuing professional training set by the commission, the appointing authority shall require that peace officer or trooper to complete the required minimum number of hours of training not later than the date on which the extension ends.

(B) With the advice of the Ohio peace officer training commission, the attorney general shall adopt in accordance with Chapter 119. of the Revised Code rules setting forth minimum standards for continuing professional training for peace officers and troopers and governing the administration of
continuing professional training programs for peace officers and troopers. The rules adopted by the attorney general under division (B) of this section shall do all of the following:

(1) Allow peace officers and troopers to earn credit for up to four hours of continuing professional training for time spent while on duty providing drug use prevention education training that utilizes evidence-based curricula to students in school districts, community schools established under Chapter 3314., STEM schools established under Chapter 3326., and college-preparatory boarding schools established under Chapter 3328. of the Revised Code.

(2) Allow a peace officer or trooper appointed by a law enforcement agency to earn hours of continuing professional training for other peace officers or troopers appointed by the law enforcement agency by providing drug use prevention education training under division (B)(1) of this section so that hours earned by the peace officer or trooper providing the training in excess of four hours may be applied to offset the number of continuing professional training hours required of another peace officer or trooper appointed by that law enforcement agency.

(3) Prohibit the use of continuing professional training hours earned under division (B)(1) or (2) of this section from being used to offset any mandatory hands-on training requirement.

(4) Require training in performing law enforcement duties and handling law enforcement matters without engaging in biased policing and status-based profiling, as described in section 2933.85 of the Revised Code, and make such training available online. The training shall include the following:
(a) Training on how law enforcement officers and officials should perform law enforcement duties and handle law enforcement matters without engaging in biased policing or status-based profiling:

(b) Educational materials that provide an understanding of the historical and cultural systems that perpetuate biased policing and status-based profiling, assistance in identifying biased policing and status-based profiling practices, and self-evaluation strategies for officers to preempt biased policing and status-based profiling prior to stopping an individual.

(C) The attorney general shall transmit a certified copy of any rule adopted under this section to the secretary of state.

Sec. 109.805. The attorney general shall do all of the following:

(A) Adopt, in accordance with Chapter 119. or pursuant to section 109.74 of the Revised Code, rules governing the training of peace officers in performing law enforcement duties and handling law enforcement matters without engaging in biased policing or status-based profiling, including biased policing and status-based profiling of the type described in section 2933.85 of the Revised Code. The rules shall specify the amount of that training necessary for the satisfactory completion of basic training programs at approved peace officer training schools other than the Ohio peace officer training academy. The rules shall require that the training include, but not be limited to, materials that provide an understanding of the historical and cultural systems that perpetuate biased policing and status-based profiling, assistance in identifying biased policing and status-based profiling practices, and self-
evaluation strategies for officers to preempt biased policing or status-based profiling prior to stopping an individual. The rules shall require that such training be made available online.

(B) Adopt reasonable rules under Chapter 119. of the Revised Code prescribing the format and timing of the submission by law enforcement agencies under division (C)(1) of section 2933.87 of the Revised Code of information gathered under divisions (A) and (B) of that section.

(C) In accordance with division (C) of section 2933.87 of the Revised Code, analyze all data submitted to the attorney general pursuant to that division, publish the data and the analysis of the data in a report, and distribute copies of the report as required by that section.

Sec. 109.806. (A) There is hereby created within the office of the attorney general the racial and identity profiling advisory board. The board is established for the purpose of eliminating biased policing and status-based profiling as described in section 2933.85 of the Revised Code, and improving diversity and racial and identity sensitivity in law enforcement.

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

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

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

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

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

(5) Two members of the house of representatives, one appointed by the speaker of the house of representatives and one appointed by the minority leader of the house of representatives;

(6) A member of the general assembly appointed by the Ohio legislative black caucus;

(7) A university professor who specializes in policing and racial and identity equity;

(8) Two representatives of civil or human rights nonprofit organizations who specialize in civil or human rights;

(9) Two representatives of community organizations who specialize in civil or human rights and criminal justice and who work with victims of biased policing or status-based profiling, with at least one of the representatives being between sixteen and twenty-four years of age;

(10) Two religious clergy members with experience in addressing and reducing racial and identity bias toward individuals and groups.

(C) The board shall have the following annual duties:

(1) Assist the attorney general in analyzing the data reported by law enforcement agencies pursuant to division (C) of section 2933.87 of the Revised Code;

(2) Assess state and local law enforcement training
regarding biased policing and status-based profiling;

(3) Work in partnership with state and local law enforcement agencies to review and analyze biased policing and status-based profiling policies and practices across geographic areas in Ohio;

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

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

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

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

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

(2) The board shall annually elect two of its members as co-chairpersons. No action of the board shall be valid unless agreed to by a majority of its members.
(3) Members of the board shall serve without compensation.

Sec. 2933.84. (A) As used in sections 2933.84 to 2933.88 of the Revised Code:

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

(B) "Minority group" means any of the following:

(1) African Americans, including, but not limited to, persons of African descent;

(2) Latinos, including, but not limited to, persons of Hispanic descent;

(3) Persons of Arab or Middle Eastern descent or appearance;

(4) Asians;

(5) Native Americans;

(6) Pacific Islanders;

(7) Any persons not described in division (A)(2)(a), (b), (c), (d), (e), or (f) of this section who are members of a socially or economically disadvantaged group, whose disadvantage arises from discrimination on the basis of race, religion, sex, disability, military status, national origin, ancestry, or other similar cause.

(C) Except as otherwise provided in this division, "minor traffic violation" means any violation of a prohibition set forth in Title XLV of the Revised Code or of an ordinance of a municipal corporation that is substantially equivalent to any
prohibition set forth in Title XLV of the Revised Code. "Minor traffic violation" does not include any violation that is a moving violation as defined in section 2743.70 of the Revised Code.

(D) "Sexual orientation" means actual or perceived heterosexuality, homosexuality, or bisexuality.

(F) "Traffic stop" means a law enforcement officer's stop of a motor vehicle, bicycle, or pedestrian for any minor traffic violation.

Sec. 2933.85. (A) No law enforcement officer shall do any of the following:

(1) Engage in a practice of targeting or stopping an individual who is a motorist, bicyclist, or pedestrian on the basis, in whole or in part, of the ethnic, minority group, religious affiliation, sexual orientation, or gender identity status of the individual by means of detention, interdiction, or other disparate treatment, unless that status is used in combination with one or more other identifying factors seeking to apprehend a specific suspect whose ethnic, minority group, religious affiliation, sexual orientation, or gender identity status as perceived by the officer is part of the description of the suspect and that description is timely and reliable;

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

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

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

(B) No official of a law enforcement agency shall engage in, or authorize or allow the law enforcement officers the agency employs or is served by to engage in a practice of targeting or stopping an individual who is a motorist, bicyclist, or pedestrian on the basis, in whole or in part, of the ethnic, minority group, religious affiliation, sexual orientation, or gender identity status of the individual by means of detention, interdiction, or other disparate treatment, unless that status is used in combination with one or more other identifying factors seeking to apprehend a specific suspect whose ethnic, minority group, religious affiliation, sexual orientation, or gender identity status as perceived by the officer is part of the description of the suspect and that description is timely and reliable.

Sec. 2933.86. Within one year of the effective date of this section, each law enforcement agency in this state that employs or is served by any law enforcement officer shall do all
of the following:

(A) Develop and maintain a policy that is designed to eliminate biased policing and status-based profiling by the agency and its law enforcement officers, including biased policing and status-based profiling of the type described in section 2933.85 of the Revised Code, and to cease existing practices by the agency and its officers that permit, perpetuate, or encourage biased policing and status-based profiling;

(B) Require a law enforcement officer or official, who is employed by or serves the agency and violates section 2933.85 of the Revised Code, to retake the biased policing and status-based profiling training offered under section 109.80 or 109.803, as applicable, within a reasonable period of time after the violation.

Sec. 2933.87. (A)(1) Whenever a law enforcement officer causes the stop, delay, or questioning of the operator of a motor vehicle, the operator of a bicycle, or a pedestrian, the law enforcement agency that employs or is served by the law enforcement officer shall obtain from the law enforcement officer and record all of the following data:

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

(b) Regarding a motor vehicle, the identifying numerals, letters, or numerals and letters that appear on the motor vehicle’s license plate;

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

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

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

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

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

(2) A law enforcement officer conducting a stop, delay, or questioning shall base the identification of the characteristics described in divisions (A)(1)(a) to (g) of this section on the observation and perception of the law enforcement officer. The law enforcement officer shall not ask the operator of or a passenger in the involved motor vehicle, the operator of the involved bicycle, or the involved pedestrian, whichever is applicable, to provide the information regarding those characteristics.

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

(i) The legal basis and rationale for the stop, search,
inventory, or sniffing of the motor vehicle, bicycle, or pedestrian;

(2) The nature of any contraband that was discovered in the course of the search, inventory, or sniffing;

(3) The exact oral or written warning or instructions given to the operator of or passenger in the motor vehicle, the operator of the bicycle, or the pedestrian prior to the search, inventory, or sniffing;

(4) The charge or charges, if any, that were filed against the operator of or passenger in the motor vehicle, the operator of the bicycle, or the pedestrian as a result of the search, inventory, or sniffing;

(5) The reason as to why the search, inventory, or sniffing was instituted.

(C)(1) Each law enforcement agency that collects data under division (A) or (B) of this section shall annually submit the data collected to the attorney general. The agency shall submit the data not later than the first day of February of the calendar year following the year for which the data is collected, in accordance with the rules adopted by the attorney general under division (B) of section 109.805 of the Revised Code.

(2) Upon receipt of the data, the attorney general shall analyze the data in accordance with general statistical standards to determine whether disparities exist in the stopping and searching of motor vehicles, bicycles, or pedestrians that cause a disproportionately adverse effect on a particular minority group or groups or any other group of persons linked by ethnic, religious affiliation, sexual orientation, or gender.
identity status.

(3) Not later than the first day of April of the calendar year in which the attorney general receives the data under this division, the attorney general shall publish the data and the analysis conducted under this division in a report that the attorney general prepares annually and shall distribute copies of the report in accordance with this section.

(4) The attorney general shall distribute copies of the report published under division (C)(3) of this section to the general assembly, the governor, and law enforcement agencies. The reports are public records under section 149.43 of the Revised Code and shall be made readily available to the public.

(5) The attorney general shall exclude from the report described in division (C)(3) of this section all information that would personally identify any motor vehicle operator or passenger, any bicycle operator, or any pedestrian who is the subject of any stop, search, inventory, or sniffing described in this section or any law enforcement officer who conducts any stop, search, inventory, or sniffing described in this section. The attorney general and local law enforcement agencies shall maintain the information so excluded for a reasonable period of time.

(6) Information of the nature described in this division that is excluded from the report described in division (C)(3) of this section is not a public record for purposes of section 149.43 of the Revised Code, and the attorney general or law enforcement agency shall redact all information of that nature from any records released by the attorney general or law enforcement agency.
(7) The attorney general or a law enforcement agency may disclose information of that nature for purposes of a civil proceeding brought under division (B) or (C) of section 2933.88 of the Revised Code and may release information of that nature to relevant parties of a motion seeking to exclude from admission as evidence any information obtained through a potentially unconstitutional or unlawful search.

Sec. 2933.88. (A) If the attorney general determines in the analysis conducted under division (C) of section 2933.87 of the Revised Code that the statistical data collected and analyzed under this section shows any pattern of disparate traffic and law enforcement practices by a law enforcement agency or its officers or officials, that has a disproportionately adverse effect on a particular minority group or groups or any other group of persons linked by ethnicity, religious affiliation, sexual orientation, or gender identity status, the law enforcement agency shall take immediate remedial actions to eradicate the practices by the agency or its officers or officials.

(B)(1) An individual who is a victim of a violation of section 2933.85 of the Revised Code has a cause of action against the law enforcement agency that employs or is served by the law enforcement officer or official who committed the violation.

(2) The individual may file a civil action asserting the cause under section 2307.60 of the Revised Code. In the action, the individual may seek appropriate and equitable relief in a court of record in this state having jurisdiction. The court shall award reasonable attorneys' fees, including expert fees as part of the attorneys' fee, to the prevailing party as costs.
(C)(1) The attorney general may institute civil proceedings for injunctive relief against a law enforcement agency that employs or is served by a law enforcement officer or official who violates section 2933.85 of the Revised Code to compel the termination of the violation and prevent future violations. The attorney general may bring the proceedings in any court of competent jurisdiction.

(2) If the attorney general proves in the proceedings that a law enforcement officer or official that the agency employs or is served by has committed or is committing the violation, the court shall order the agency to discontinue all biased policing and status-based profiling, to discontinue all practices that permit, perpetuate, or encourage biased policing or status-based profiling, and to submit to the attorney general a corrective action plan for discontinuing all biased policing or status-based profiling and all such practices. The court shall order the agency to submit the corrective action plan to the attorney general by a specified date that is agreed upon by the agency and the attorney general and approved by the court.

Sec. 5503.05. The superintendent of the state highway patrol, with the approval of the director of public safety, may conduct training schools for prospective state highway patrol troopers. The training provided at the training schools shall include, but not be limited to, training in performing law enforcement duties and handling law enforcement matters without engaging in status-based profiling as described in section 2933.85 of the Revised Code. Training on the subject of status-based profiling shall be consistent with the training specified in the rules adopted under section 109.805 of the Revised Code, and shall be made available online. The prospective troopers, during the period of their training and as members of the state
patrol school, shall be paid a reasonable salary out of highway 

funds. The superintendent may furnish the necessary supplies and 
equipment for the use of the prospective troopers during the 
training period.

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

Section 2. That existing sections 109.73, 109.77, 109.79, 
109.80, 109.803, and 5503.05 of the Revised Code are hereby 
repealed.