A BILL

To enact section 109.70 of the Revised Code to prohibit law enforcement agencies from using quotas for arrests and citations.

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

Section 1. That section 109.70 of the Revised Code be enacted to read as follows:

Sec. 109.70. (A) As used in this section:

(l) "Law enforcement official or agency" means any of the following that has jurisdiction over the applicable local or state police officer listed in division (A)(2)(a), (b), (c), (d), (e), (f), or (g) of this section that corresponds with the respective division (A)(1)(a), (b), (c), (d), (e), (f), or (g) of this section:

(a) A county sheriff;

(b) A village marshal;
(c) The organized police department of a municipal corporation;

(d) The organized police department of a township;

(e) A board of township trustees that appoints a township constable;

(f) The board of a township police district or of a joint police district;

(g) The state highway patrol.

(2) "Local or state police officer" means any of the following who is under the jurisdiction of the applicable law enforcement official or agency listed in division (A)(1)(a), (b), (c), (d), (e), (f), or (g) of this section that corresponds with the respective division (A)(2)(a), (b), (c), (d), (e), (f), or (g) of this section:

(a) A county deputy sheriff;

(b) A village deputy marshal;

(c) A member of the organized police department of a municipal corporation;

(d) A member of the organized police department of a township;

(e) A police constable appointed by a board of township trustees;

(f) A member of the police force of a township police district or of a joint police district;

(g) A highway patrol trooper of the state highway patrol.

(3) "Quota" means a mandate of a finite number of arrests
made or citations issued for any offense that a local or state police officer must meet in a specified time period.

(B) No law enforcement official or agency shall do any of the following:

(1) Establish or maintain, formally or informally, a plan utilizing a quota as the basis by which to evaluate, promote, compensate, transfer, or discipline a local or state police officer over whom the law enforcement official or agency has jurisdiction;

(2) Require a local or state police officer described in division (B)(1) of this section, or suggest to the police officer, that the police officer is required or expected to meet a quota;

(3) Offer a financial reward or other benefit to a local or state police officer described in division (B)(1) of this section that is determined by or based on the quota of that police officer.

(C) In addition to any other factors a law enforcement agency considers, when evaluating, promoting, compensating, transferring, or disciplining an officer, a law enforcement agency shall consider all of the following:

(1) The number of contacts that the officer made with community members within the jurisdiction that the officer serves. Such contacts may include wellness checks, public safety discussions, and other positive interactions unrelated to the enforcement or investigation of a specific crime.

(2) The number of community events that are open to the public that the officer attended and actively participated in within the jurisdiction that the officer serves;
(3) Complaints and commendations the officer received.

(D) This section does not prohibit a law enforcement
official or agency from doing any of the following:

(1) Collecting, analyzing, and applying any information
concerning the number of arrests made and citations issued in
order to ensure that a particular local or state police officer
or group of local or state police officers does not violate an
applicable legal obligation of the officer or officers;

(2) Assessing the proportion of the arrests made, and
citations issued, by a local or state police officer or group of
local or state police officers.

(E)(1) The attorney general shall establish an anonymous
form that any local or state police officer may access on the
web site of the attorney general for the purpose of anonymously
reporting the use of quotas in violation of division (B)(1),
(2), or (3) of this section by the law enforcement official or
agency that has jurisdiction over the local or state police
officer. Upon receiving an anonymous report under this division,
the attorney general shall investigate the alleged use of quotas
in violation of any of those divisions by the law enforcement
official or agency that is the subject of the report and whether
any of the circumstances described in division (D) of this
section apply. The investigation shall be conducted within one
year after receiving the report.

(2) The attorney general shall determine the procedure for
the investigation conducted under division (E)(1) of this
section on a case-by-case basis and shall provide the law
enforcement official or agency that is the subject of the
investigation an opportunity to be heard. If after the
investigation the attorney general finds that the law enforcement official or agency uses quotas in violation of division (B)(1), (2), or (3) of this section, the attorney general shall order the law enforcement official or agency to cease and desist from using quotas in violation of any of those divisions.