



Representative Casey Weinstein

The Ohio House of Representatives

House Civil Justice Committee

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Good afternoon Chair Hillyer, Vice Chair Grendell, and Ranking Member Galonski. Thank you for the opportunity to testify today on HB 320—named Darren’s Law—which seeks to deter individuals from making false, racially-motivated calls to law enforcement.

We named this legislation after my constituent and Hudson neighbor, Darren Cooper. On August 13, 2020, Mr. Cooper had arrived early for a training as part of his job with Summit County Children Services and was talking to his wife on his cell phone while waiting in his vehicle. Suddenly police officers were surrounding his car with weapons drawn. A woman had called 9-1-1 on him, claiming he was waving a gun around moving erratically. In a parking with other people similarly on the phone in their cars, Mr. Cooper was singled out and reported. Mr. Cooper was also the only Black man.

This type of situation is precisely the kind of behavior our bill seeks to deter. Thankfully, local police quickly and professionally determined that the tip was false, and Mr. Cooper is still with us today. However, far too often in Ohio and across the country, Black people—including small children—are harassed and even killed by police in response to 9-1-1 calls that should have never been made.

Racial profiling is a tricky subject and one that many would prefer to ignore. However, we must not let the conversation's challenging nature prevent us from discussing the pervasive problem at hand. Racial profiling in emergency calls is a problem—a dangerous one that we must both acknowledge and work to address. Darren’s Law would allow individuals who are the subject of these calls to sue the caller for damages in civil court. If the court finds in favor of the subject of the call, they may recover compensatory damages. And because education and awareness are two of our best tools in addressing racial biases and profiling, the court can require the caller to complete implicit bias training from a court-approved local provider.

We know that law enforcement relies heavily on tips and call-ins from the public, and we by no means wish to discourage individuals from taking action when a dangerous situation is

unfolding. However, we want to ensure that 9-1-1 dispatchers and police are not wasting their precious time responding to non-emergencies. Racial profiling in 9-1-1 calls also puts an undue burden on the responding police officers and sows deeper distrust in already marginalized communities.

Through Darren's Law, we hope to dissuade this behavior while furthering the vital conversation about how we can collectively address biases and discrimination in our own communities. It is already a crime in Ohio to knowingly make a false 9-1-1 call when there is no emergency, so this bill does not add or increase criminal penalties. Instead, we seek to empower subjects of racial profiling by providing victims with legal civil recourse. In the process, we hope to discourage frivolous and harmful 9-1-1 calls in the future and inspire Ohioans to examine their own implicit biases. I'll now turn it over to my joint-sponsor, Representative West, and then we're happy to answer any questions.