

As a 20 year councilman in the city of Cleveland, Ohio who has written numerous pieces of policy over the span of my career, I find House Bill 22 to be unclear and vague in regards to the statement that reads “No person shall do any of the following to a law enforcement officer in the performance of the law enforcement officer's duties with reckless discard as to whether the action **diverts or obstructs** the enforcement officer’s attention,” which in turn makes this proposed legislation problematic.

House Bill 22 further states that no person shall:

- (1) Taunt or strike the law enforcement officer;
- (2) Throw an object or substance at a law enforcement officer;
- (3) **Interfere with or obstruct** a law enforcement officer in a manner that does any of the following:
 - (a) **Inhibits or restricts** the law enforcement officer's control of a subject or detainee;
 - (b) **Deprives** the law enforcement officer of control of a subject or detainee;
 - (c) Without the consent of the law enforcement officer, enters, or places an object or substance into, a space around the law enforcement officer that is large enough that no person outside of the area can reach the law enforcement officer and the law enforcement officer cannot reach a person outside of the area.

Already, this proposed legislation is being interpreted as a law that will prevent a citizen from using a video recording device while a law enforcement officer is attempting to control a subject or detainee. And, in my opinion, the vague language leaves which actions or behaviors that constitute diversion, interference, obstruction, inhibiting, restricting and/or depriving up to the interpretation of the law enforcement officer.

Therefore, I am asking the framers of this legislation to amend this bill to clearly define which actions or behaviors divert, obstruct, interfere, inhibit, restrict and deprive an enforcement officer from controlling a subject or detainee and/or make the ability to use recording devices exclusionary to those actions or behaviors.

Why am I a proponent of the use of recording devices while a law enforcement officer is attempting to control a subject or detainee?

1. It gives us the evidence we need to craft better policy
2. It improves police training

Let’s consider the case in Cleveland, known as the “137 Shots,” where two unarmed citizens were gunned down by police officers after a chase. Because there was no recorded footage, no one had the ability to study the scene of the crime. While in the incidents of Tamir Rice, Eric Garner and most recently George Floyd, the available footage gives us an opportunity to study and learn from those cases.

As policymakers, we know that a piece of legislation is a living, breathing document. It’s always moving and evolving. I believe my proposed amendment to this legislation, House Bill 22, will

help policymakers better understand and manage the legislation in addition to providing more improved training for law enforcement officers.