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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
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Legislative Budget  
Office

S.B. 16\*  
133rd General Assembly

## Bill Analysis

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**Version:** As Reported by Senate Judiciary

**Primary Sponsor:** Sen. Williams

Holly Cantrell Gilman, Attorney

### SUMMARY

- Requires the Attorney General to adopt rules prescribing basic training and continuing education for all peace officers on proper interactions with civilians during traffic stops and other encounters.
- Requires the State Board of Education to adopt a model curriculum for high school students on proper interactions with peace officers during traffic stops and other encounters.
- Requires school districts and other public schools to use the State Board's model curriculum in at least one course required for high school graduation.
- Requires the Director of Public Safety to adapt the State Board's model curriculum for use in driver training programs and new driver instructional materials.

### DETAILED ANALYSIS

#### Peace officer training proper interactions with civilians

Under the bill, the Attorney General, with the advice of the Ohio Peace Officer Training Commission, must adopt rules requiring a specified amount of training for peace officers on proper interactions with civilians during traffic stops and other in-person encounters. This instruction must be included in peace officer basic training<sup>1</sup> and as continuing education for peace officers appointed prior to the bill's effective date.<sup>2</sup>

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\* This analysis was prepared before the report of the Senate Judiciary Committee appeared in the Senate Journal. Note that the legislative history may be incomplete.

<sup>1</sup> R.C. 109.73(A)(15).

<sup>2</sup> R.C. 109.803(B)(4).

The training must include certain specified content, as shown in the table below. It also must be offered in an online format, although other additional formats are permitted. The Attorney General may adopt additional requirements or procedures necessary for proper implementation of these provisions.<sup>3</sup>

### **Existing peace officers**

While the bill requires all new peace officers to complete training, the mandatory nature of training for existing officers appears to be less specific. Under continuing law, the Peace Officer Training Commission may direct peace officers to complete up to 24 hours of continuing professional training each calendar year. The bill expands the list of permissible types of continuing professional training to include officer interactions with civilians. This and other types of continuing training is contingent on funding, however.<sup>4</sup>

## **Training of students on proper interactions with peace officers**

### **Model curriculum**

The bill requires the State Board of Education, in collaboration with the Director of Public Safety, to develop a model curriculum for instruction in grades 9-12 on proper interactions with peace officers during traffic stops and other in-person encounters. In so doing, the State Board and Director may consult with any interested party, including a volunteer work group convened to make recommendations regarding the instruction. A reasonable period for public comment must be provided before the curriculum is finalized.<sup>5</sup>

The model curriculum must include certain specified content, as shown in the table below.

### **District or school to provide instruction**

Using the model curriculum developed by the State Board, all school districts and other public schools must instruct students in grades 9-12 on proper interactions with peace officers. The instruction must be included in one more of the courses already required for graduation. After soliciting input from local law enforcement, driver training schools, and the community, a district or school may modify the curriculum to more appropriately serve the needs of its students.<sup>6</sup>

## **Driver trainee instruction on proper interactions with a peace officers**

The Director of Public Safety must adapt the State Board's model curriculum (described above) so that it is appropriate for the instructional methods of driver training schools. The

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<sup>3</sup> R.C. 109.803(B)(4).

<sup>4</sup> R.C. 109.803(A)(1).

<sup>5</sup> R.C. 3301.0721(B).

<sup>6</sup> R.C. 3313.6025, 3314.03(A)(11)(d), 3326.11, and 3328.24.

materials must contain the same specified content and be included in the classroom portion of all online and traditional driver training programs.

In addition, the bill requires the Director to include a separate section on proper interactions with a peace officer in the reference document for the material covered in the written temporary permit and drivers' license examinations. The instruction must be adapted from the model curriculum so that it is appropriate for new drivers.<sup>7</sup> Under continuing administrative law, the Digest of Motor Vehicle Laws is the official reference document for those examinations.<sup>8</sup>

## Content requirements

The following table shows the content requirements for instruction of new and existing peace officers,<sup>9</sup> high school students,<sup>10</sup> and driver trainees.<sup>11</sup>

Title		
Content requirements	Peace officers	High school students and driver trainees
Rights related to when a peace officer may require that person to exit a vehicle	✓	
Constitutional protections from illegal search and seizure during an interaction with an officer	✓	
Rights of a passenger during a traffic stop	✓	
The right of a citizen to record an encounter with a peace officer	✓	
Proper interactions between peace officers and civilians	✓	✓
Information on which individuals are peace officers, and their duties and responsibilities		✓

<sup>7</sup> R.C. 4508.022.

<sup>8</sup> See Ohio Administrative Code 4501:1-1-08(A).

<sup>9</sup> R.C. 109.803 and 109.73.

<sup>10</sup> R.C. 3301.0721(B)(1) and (2).

<sup>11</sup> R.C. 4508.022.

Title		
Content requirements	Peace officers	High school students and driver trainees
Questioning and detention laws, including any that require proof of identity, and consequences for failure to comply with the laws		✓
A person's rights during an interaction with a peace officer		✓
Demonstrations and role-play in classroom setting, to allow better understanding of how interactions between officers and civilians can and should unfold		✓

## HISTORY

Action	Date
Introduced	02-12-19
Reported, S. Judiciary	---