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Bill Analysis
Legislative Service Commission

H.B. 363

123rd General Assembly
(As Introduced)

Reps. Jones, Womer Benjamin, D. Miller, Patton, R. Miller, Pringle, Boyd, Logan, Roberts, Allen, Ford, Mottley, Flannery, Ferderber, Sykes

BILL SUMMARY

- Requires every law enforcement agency to record detailed data whenever one of its law enforcement officers causes the operator of a motor vehicle to stop the motor vehicle.
- Requires the law enforcement agency to submit the data to the Attorney General and requires the Attorney General to analyze the data, draw conclusions from the data, and report the data, analysis, and conclusions to the General Assembly on an annual basis.

CONTENT AND OPERATION

Data required to be recorded when a motor vehicle traffic stop occurs

The bill provides that whenever a law enforcement officer causes the operator of a motor vehicle being operated on any street or highway to stop the motor vehicle, the law enforcement agency that employs the officer must obtain from the officer and record all of the following data (R.C. 109.46(B)):

- (1) A description of the motor vehicle, including its manufacturer;
- (2) The identifying numerals, letters, or numerals and letters that appear on the motor vehicle's license plate;
- (3) The race or ethnicity, approximate age, and gender of the motor vehicle operator and of all other occupants of the motor vehicle;
- (4) The exact location and time at which the traffic stop occurred;
- (5) The alleged traffic violation that was the basis for the traffic stop;

(6) Whether the traffic stop resulted in a search of the motor vehicle or its occupants, the rationale for the search, and how the search was instituted;

(7) The nature of any contraband that was discovered in the course of a search;

(8) Whether any oral or written warning, ticket, or citation was issued or an arrest was made as a result of the traffic stop;

(9) Whether any items were seized for forfeiture.

Analysis of the data by the Attorney General; annual report to the General Assembly

The bill requires the law enforcement agency to report the collected data to the Attorney General at an interval that is determined by the Attorney General and is not longer than a calendar year. The law enforcement agency must report the data to the Attorney General by the means and in the form the Attorney General determines is most efficient and maximizes the utility of the data. The Attorney General is required to analyze the data to determine all of the following (R.C. 109.46(C)):

(1) The total number of motor vehicles stopped by law enforcement officers during a calendar year;

(2) The number and percentage of those stopped motor vehicles being operated by members of each particular minority group;

(3) A comparison of that percentage for each minority group versus the percentage each minority group bears to the total population of this state;

(4) The benefit of traffic stops with regard to the interdiction of drugs and proceeds of drug trafficking, including the approximate quantity and street value of seized drugs and the value of drug trafficking proceeds.

Not later than May 1 of every year, the Attorney General must submit a report to the members of the General Assembly containing the Attorney General's analysis of the data and all reasonable conclusions that can be drawn from the data and the analysis. The report also must contain any other information the Attorney General determines is of assistance in understanding the data, the analysis, and the conclusions. (R.C. 109.46(D).)

Definition

For purposes of the bill, "minority group" means Afro-Americans, Hispanics, or Asians (R.C. 109.46(A)).

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	05-26-99	p. 728

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