



H.B. 420

126th General Assembly
(As Introduced)

Reps. Mitchell, Beatty, Brown, Fessler

BILL SUMMARY

- Requires an employing law enforcement agency to obtain from a law enforcement officer, and to record, specified data whenever an officer causes the operator of a motor vehicle that is being operated on any street or highway to stop the motor vehicle.
- Requires law enforcement agencies to submit the collected data described in the previous dot point to the Attorney General and requires the Attorney General to conduct a specified analysis of the data.
- Specifies that not later than May 1st 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 collected data and all reasonable conclusions that can be drawn from the data and the analysis.

CONTENT AND OPERATION

Data recording and analysis regarding motor vehicles stopped by law enforcement

The bill requires the law enforcement agency that employs a law enforcement officer who causes the operator of a motor vehicle that is being operated on any street or highway to stop the motor vehicle to obtain from the officer and to 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 operator of the motor vehicle and of all other occupants of the motor vehicle;
- (4) The exact location at which the traffic stop occurred;
- (5) The time at which the traffic stop occurred;
- (6) The traffic violation alleged to have been committed that was the basis for the traffic stop;
- (7) Whether the traffic stop resulted in a search of the motor vehicle or of its occupants;
- (8) If any search occurred, the rationale for the search and how the search was instituted;
- (9) Whether any contraband was discovered in the course of a search and, if so, the nature of the contraband;
- (10) Whether any oral or written warning, ticket, or citation was issued as a result of the traffic stop;
- (11) Whether an arrest was made as the result of either the traffic stop or an ensuing search;
- (12) Whether any items were seized for forfeiture.

The bill also requires the law enforcement agency that employs the law enforcement officer to report to the Attorney General the data described above at an interval determined by the Attorney General, provided that the interval 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 that the Attorney General determines are most efficient and that maximizes the utility of the data.

Then the Attorney General must 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) Of that total number of stopped motor vehicles, the number that were being operated by persons who are members of each particular minority group,

and for each minority group that number expressed as a percentage of the total number of stopped motor vehicles;¹

(3) A comparison of that percentage for each minority group with the percentage that each minority group bears to the total population of Ohio;

(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 the first day of May 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 recorded by law enforcement agencies and all reasonable conclusions that can be drawn from the data and the analysis. The report also must contain any other information that the Attorney General determines is of assistance in understanding the data, the analysis, and the conclusions. (R.C. 109.46(D).)

HISTORY

ACTION	DATE
Introduced	11-15-05

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¹ The bill states that a "minority group," as used in the bill means African Americans, Hispanics, or Asians (R.C. 109.46(A)).