



# Ohio Legislative Service Commission

## Bill Analysis

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### H.B. 630

130th General Assembly  
(As Introduced)

Rep. Beck

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## BILL SUMMARY

- Requires every law enforcement agency to report to the Division of Criminal Justice Services (CJS) regarding the death of any person, other than a law enforcement officer, who was shot by one or more of the agency's officers during the course of the officer's official duties.
- Specifies the contents of the reports and makes the reports public records.
- Requires the Department of Public Safety to produce an annual report summarizing the reports received by CJS.
- Requires all law enforcement officers to undergo special training if five or more of the deceased were not in the possession of a firearm when shot by law enforcement officers.

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## CONTENT AND OPERATION

### Incident reports on persons shot to death by law enforcement officers

The bill requires every law enforcement agency to submit a written report to the Division of Criminal Justice Services (CJS) of the Department of Public Safety (DPS) regarding the death of any person, other than a law enforcement officer, who was shot by one or more of the agency's officers during the course of the officer's official duties. The agency's highest ranking law enforcement officer must review the report for accuracy before the agency submits the report. The agency must submit the report within 72 hours after the person's death.<sup>1</sup>

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<sup>1</sup> R.C. 5502.69(A)(1).

Before submitting the report, the agency must see if the coroner has performed an autopsy on the deceased and determined a cause of death and also find out if another law enforcement agency that is not required to submit a report under the bill has written a report related to the death. If the coroner has made a determination or another agency has written a report, the reporting agency must obtain a copy of the coroner's record or other agency's report and submit it along with its own report. If the coroner or other agency has not provided a copy of the coroner's record or other agency's report, the coroner or other agency must submit a copy of the record or report directly to CJS within 72 hours after completing the record or report.<sup>2</sup>

The bill requires CJS to adopt rules governing the submission and contents of the law enforcement agency's report. The bill specifies certain minimum information that a report must include, such as the identity of the deceased, the circumstances surrounding the death, and the names and address of witnesses to the shooting. The report must also include a summary of any statement made by a witness or law enforcement officer pertaining to the deceased's possession or nonpossession of a firearm at the time of the shooting and a description of any firearm recovered at the location of the shooting.<sup>3</sup>

The bill requires CJS to review and file a law enforcement agency's report within 72 hours after receipt and to maintain all reports received. The reports are public records.<sup>4</sup>

## **Annual report on shooting deaths**

DPS must produce an annual report that summarizes each written report received during the preceding year and analyzes the reports as a whole. The report must state the number of deceased who were not in the possession of a firearm when shot by law enforcement officers. If a firearm was not recovered at the location of a shooting, the deceased must be included in that number. DPS must submit the annual report to the presiding officers and minority leaders of the General Assembly, to each law enforcement agency that submitted a report to CJS during the preceding year, and to the Attorney General.<sup>5</sup>

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<sup>2</sup> R.C. 5502.69(A)(2).

<sup>3</sup> R.C. 5502.69(B).

<sup>4</sup> R.C. 5502.69(C).

<sup>5</sup> R.C. 5502.69(D) and (E)(1)(a).



## Law enforcement training

Under the bill, if DPS's annual report states that five or more of the deceased were not in the possession of a firearm when shot by law enforcement officers, all law enforcement officers in the state must complete an in-service firearm training program at the Ohio Peace Officer Training Academy pursuant to rules adopted by the Attorney General. The program must include training on the use of deadly force and the modified low-ready position. If a law enforcement officer does not complete the in-service training within one year after the officer's agency receives notice from the Attorney General of the need for the training, the officer may not carry a firearm during the course of the officer's official duties until the officer has completed the training.

The Attorney General's rules must require each law enforcement agency to reimburse the Peace Officer Training Commission for the costs of the in-service training program attended by the agency's officers.<sup>6</sup>

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### HISTORY

ACTION	DATE
Introduced	10-06-14

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<sup>6</sup> R.C. 5502.69(E).

