

As Introduced

135th General Assembly

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H. B. No. 333

Representatives Sweeney, Miller, K.

Cosponsors: Representatives Brennan, Humphrey, Lightbody, Pizzulli,  
Carruthers, Gross, Seitz, Rogers, Thomas, C., Weinstein, Dobos, Fowler Arthur,  
Williams

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A BILL

To enact section 109.70 of the Revised Code to 1  
prohibit law enforcement agencies from using 2  
quotas for arrests and citations. 3

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That section 109.70 of the Revised Code be 4  
enacted to read as follows: 5

**Sec. 109.70.** (A) As used in this section: 6

(1) "Law enforcement official or agency" means any of the 7  
following that has jurisdiction over the applicable local or 8  
state police officer listed in division (A) (2) (a), (b), (c), 9  
(d), (e), (f), or (g) of this section that corresponds with the 10  
respective division (A) (1) (a), (b), (c), (d), (e), (f), or (g) 11  
of this section: 12

(a) A county sheriff; 13

(b) A village marshal; 14

(c) The organized police department of a municipal 15

<u>corporation;</u>	16
<u>(d) The organized police department of a township;</u>	17
<u>(e) A board of township trustees that appoints a township</u> <u>constable;</u>	18 19
<u>(f) The board of a township police district or of a joint</u> <u>police district;</u>	20 21
<u>(g) The state highway patrol.</u>	22
<u>(2) "Local or state police officer" means any of the</u> <u>following who is under the jurisdiction of the applicable law</u> <u>enforcement official or agency listed in division (A) (1) (a),</u> <u>(b), (c), (d), (e), (f), or (g) of this section that corresponds</u> <u>with the respective division (A) (2) (a), (b), (c), (d), (e), (f),</u> <u>or (g) of this section:</u>	23 24 25 26 27 28
<u>(a) A county deputy sheriff;</u>	29
<u>(b) A village deputy marshal;</u>	30
<u>(c) A member of the organized police department of a</u> <u>municipal corporation;</u>	31 32
<u>(d) A member of the organized police department of a</u> <u>township;</u>	33 34
<u>(e) A police constable appointed by a board of township</u> <u>trustees;</u>	35 36
<u>(f) A member of the police force of a township police</u> <u>district or of a joint police district;</u>	37 38
<u>(g) A highway patrol trooper of the state highway patrol.</u>	39
<u>(3) "Quota" means a mandate of a finite number of arrests</u> <u>made or citations issued for any offense that a local or state</u>	40 41

police officer must meet in a specified time period. 42

(B) No law enforcement official or agency shall do any of 43  
the following: 44

(1) Establish or maintain, formally or informally, a plan 45  
utilizing a quota as the basis by which to evaluate, promote, 46  
compensate, transfer, or discipline a local or state police 47  
officer over whom the law enforcement official or agency has 48  
jurisdiction; 49

(2) Require a local or state police officer described in 50  
division (B) (1) of this section, or suggest to the police 51  
officer, that the police officer is required or expected to meet 52  
a quota; 53

(3) Offer a financial reward or other benefit to a local 54  
or state police officer described in division (B) (1) of this 55  
section that is determined by or based on the quota of that 56  
police officer. 57

(C) This section does not prohibit a law enforcement 58  
official or agency from doing any of the following: 59

(1) Collecting, analyzing, and applying any information 60  
concerning the number of arrests made and citations issued in 61  
order to ensure that a particular local or state police officer 62  
or group of local or state police officers does not violate an 63  
applicable legal obligation of the officer or officers; 64

(2) Assessing the proportion of the arrests made, and 65  
citations issued, by a local or state police officer or group of 66  
local or state police officers. 67

(D) (1) The attorney general shall establish an anonymous 68  
form that any local or state police officer may access on the 69

web site of the attorney general for the purpose of anonymously 70  
reporting the use of quotas in violation of division (B) (1), 71  
(2), or (3) of this section by the law enforcement official or 72  
agency that has jurisdiction over the local or state police 73  
officer. Upon receiving an anonymous report under this division, 74  
the attorney general shall investigate the alleged use of quotas 75  
in violation of any of those divisions by the law enforcement 76  
official or agency that is the subject of the report and whether 77  
any of the circumstances described in division (C) of this 78  
section apply. The investigation shall be conducted within one 79  
year after receiving the report. 80

(2) The attorney general shall determine the procedure for 81  
the investigation conducted under division (D) (1) of this 82  
section on a case-by-case basis and shall provide the law 83  
enforcement official or agency that is the subject of the 84  
investigation an opportunity to be heard. If after the 85  
investigation the attorney general finds that the law 86  
enforcement official or agency uses quotas in violation of 87  
division (B) (1), (2), or (3) of this section, the attorney 88  
general shall order the law enforcement official or agency to 89  
cease and desist from using quotas in violation of any of those 90  
divisions. 91