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Governor DeWine, Attorney General Yost Announce Plans for Meaningful Law Enforcement Reform

(COLUMBUS, Ohio) — Ohio Governor Mike DeWine and Attorney General Dave Yost today announced the following actions and proposed legislative reforms aimed at making meaningful improvements to law enforcement training, transparency, and accountability.

LAW ENFORCEMENT OVERSIGHT AND ACCOUNTABILITY BOARD

Governor DeWine and Attorney General Yost today outlined their plan to create a law enforcement oversight and accountability board comprised of members of the law enforcement community and the public. They called on the Ohio General Assembly to move swiftly to permit this law enforcement oversight under Ohio law.

"Under current law, there is no mechanism in Ohio to revoke a peace officer's certificate for conduct that is egregious, but not criminal," said Governor DeWine. "Officers can be fired from one agency for racial profiling, lack of professionalism, or for simply not doing their jobs, yet they can carry on with this behavior when they're hired somewhere else. It is time to treat a peace officer certificate more like a professional license."

Doctors, dentists, lawyers, barbers, cosmetologists, and those in many other occupations are currently held to high professional standards, which often include a code of ethics and mandated reporting to oversight boards. The boards have the authority to suspend or revoke the licenses of those who do not follow the established professional standards.

"Authority is always given for the benefit of others. These reforms will help focus our society's grant of authority on that service to others," said Attorney General Yost.

The oversight and accountability board as envisioned would be established within the Ohio Attorney General's Office as part of the Ohio Peace Officer Training Commission (OPOTC). Board members would work with law enforcement experts to establish standards and a code of conduct for Ohio's law enforcement professionals. The board would also be responsible for ensuring that Ohio's law enforcement officials adhere to the professional code of conduct. Violations could result in the suspension or revocation of a peace officer's certificate.

INDEPENDENT USE-OF-FORCE INVESTIGATIONS/PROSECUTIONS

Governor DeWine and Attorney General Yost both called on the Ohio General Assembly to mandate that qualified, neutral investigative agencies investigate all officer-involved shootings and in-custody deaths.

"The concept of internally investigating these incidents is outdated and does not inspire public trust," said Governor DeWine. "Even if an agency's internal affairs unit conducts these investigations strictly by the book, there can still be the perception that investigators are covering for their co-workers. Simply put, law enforcement agencies should not be investigating themselves."

Governor DeWine and Attorney General Yost additionally announced that they will immediately begin requiring independent investigations on cases of this nature involving the Ohio State Highway Patrol (OSHP) and Ohio Bureau of Criminal Investigation (BCI). BCI will investigate any cases involving OSHP and vice versa.

To further eliminate any perceptions of impropriety, Governor DeWine and Attorney General Yost also recommended that the Ohio General Assembly mandate that outside prosecutors also be assigned to all officer-involved shootings and in-custody deaths to independently evaluate the evidence and prosecute cases in which charges are filed.

BCI OFFICER-INVOLVED SHOOTING INVESTIGATIVE UNIT

Attorney General Yost announced that his BCI Special Investigations Unit will dedicate highly-trained special agents to form a team that will conduct independent investigations after an officer-involved shooting.

The BCI Special Investigations Unit currently investigates critical incidents upon receiving a request for assistance from a local law enforcement agency. This specialized response team will leverage existing BCI expertise, including BCI's Crime Scene Unit, Laboratory Division, and Criminal Intelligence Unit.

USE-OF-FORCE TRANSPARENCY

Governor DeWine announced that the Ohio Department of Public Safety's Office of Criminal Justice Services (OCJS) will begin developing a public database to house information on use-of-force incidents in Ohio. He also asked the Ohio General Assembly to develop a standard use-of-force definition and enact a law that mandates the reporting of all use-of-force incidents to OCJS.

"Statewide public data related to use-of-force will not only provide transparency for Ohio citizens, but it will also improve our understanding of why these incidents happen so that we can proactively work to prevent them in the future," said Governor DeWine.

The use-of-force data will help Ohio identify the scenarios that most often lead to use-of-force and offer specific de-escalation training related directly to these situations. The data can also be used by OCJS to direct federal grants into targeted areas to help improve community-police relations.

CHOKEHOLDS

Governor DeWine today asked the Ohio General Assembly to ban the use of chokeholds by Ohio law enforcement officers unless the officer is justified in using deadly force in situations where an officer is fighting for his or her own life or protecting the life of another.

Governor DeWine also directed all cabinet-level agencies that possess law enforcement authority to examine their use-of-force policies to ensure that chokeholds are only permitted in situations where use-of-force would otherwise be justified.

BODY CAMERAS

Governor DeWine announced that he has asked Ohio Department of Public Safety Director Tom Stickrath and Col. Richard Fambro of the Ohio State Highway Patrol to begin outfitting troopers with body cameras where appropriate.

Governor DeWine also asked the Ohio General Assembly to determine if the state can provide monetary assistance to local agencies to help defer the cost of purchasing equipment and storing video.

ADVANCED TRAINING

Governor DeWine and Attorney General Yost asked the Ohio General Assembly work with them to identify a permanent funding stream for law enforcement training to ensure that every Ohio officer receives advanced training every year.

With the exception of annual firearm re-qualification training, current law prohibits the state from mandating advanced law enforcement training without offering reimbursement.

"Although some agencies have the means to pay for their own training each year, not all can afford it. Ohio must do more to ensure that all our officers have the knowledge and skills to properly protect the public," said Governor DeWine. "If Ohio is serious about better preparing the officers who serve this state, we must find a permanent funding stream to train every officer, every year."

As a short-term solution, Governor DeWine announced that he has directed OCJS to reimburse local agencies for up to six hours of law enforcement training on use-of-force, implicit bias, and the de-escalation of situations involving individuals in a mental health crisis or suffering from drug or alcohol addiction issues.

The reimbursement would apply for any officer who has not yet received this training in 2020.

BASIC TRAINING PSYCHOLOGICAL EXAM

To better ensure that only those with the appropriate character and temperament enter law enforcement basic training in Ohio, Governor DeWine and Attorney General Yost announced today that they are encouraging the Ohio General Assembly to require that all basic training applicants pass a psychological exam as a condition of their acceptance into a police academy.

Following a cadet's graduation from basic training but before issuing a peace officer certificate, OPOTC would check references and take other critical steps to further ensure that the candidate possesses the appropriate character, fitness, and temperament to be a certified peace officer in Ohio.

OHIO OFFICE OF LAW ENFORCEMENT RECRUITMENT

Governor DeWine also provided an update today on the creation of the new Ohio Office of Law Enforcement Recruitment within OCJS.

Governor DeWine announced that Dr. Patrick Oliver, Ph.D., who currently serves as the director of Cedarville University's criminal justice program, has agreed to serve as the lead consultant to the new recruitment office. Dr. Oliver served for 27 years in law enforcement, including 11 years as a trooper with the Ohio State Highway Patrol. He also served as the police chief in the cities of Fairborn, Grandview Heights, Cleveland, and as the Ranger Chief of the Cleveland Metropolitan Parks.

The new Ohio Office of Law Enforcement Recruitment will assist agencies that are working to hire more minorities and women and will encourage these populations to explore a law enforcement career. The office will also develop and share best practices on the hiring of candidates who are best suited for the law enforcement profession.

The proposed reforms were developed with feedback from the Ohio Legislative Black Caucus, Ohio Conference of NAACP, Ohio Chiefs of Police Association, Buckeye State Sheriffs' Association, Fraternal Order of Police, and others.

Conversations regarding additional actions to improve Ohio's overall criminal justice system will continue and more reforms are anticipated in the future.

To watch today's full law enforcement reform announcement from Governor DeWine and Attorney General Yost, visit ohiochannel.org.