BACKGROUND

The purpose of this ordinance is to enact new Chapters 1914 and 1915, pertaining to the use of body-worn cameras and establishing requirements for the rendering of aid by Columbus Division of Police officers.

Early on the morning of December 22, 2020, Andre Hill, a Black Columbus resident, was shot by a Columbus police officer who had not activated a body-worn camera to record the incident. In the minutes that followed, neither the police officer that fired on Mr. Hill nor his partner rendered any medical aid to Mr. Hill. Several minutes passed before emergency medical services were even requested. Andre Hill died at the hospital over a half hour following the shooting.

Given these events, it is imperative to strengthen rules surrounding the use of body-worn cameras and requirements to render aid; not only in policy, but also in law. So Council is proposing the following changes to the Columbus City Codes:

* Requiring the activation of body-worn cameras during any enforcement action or other situation outlined in the directives of the Columbus Division of Police

* Require Police to request aid from emergency medical services upon a use of force that results in serious bodily harm, as well as the rendering of medical aid under certain circumstances. Also, requiring police officers to obtain regular recertification to render aid.

Those who violate these new chapters can be subject to discipline, per City policy and applicable collective bargaining agreements. However, in egregious cases, where the behavior evidences a reckless disregard for the express requirements of the new chapter pertaining to rendering aid, the City may pursue remedies beyond discipline, including the filing of criminal charges against violators for dereliction of duty.

City Council is proposing these changes to promote accountability and to assure the safety of all Columbus residents. This action further contributes to Council's efforts to reimagine public safety in the City.

To enact new Chapters 1914 and 1915 of the Columbus City Codes pertaining to the activation of body-worn cameras and the rendering of first aid by the Columbus Division of Police.

WHEREAS, early on the morning of December 22, 2020, Andre Hill, a Black Columbus resident, was shot by a Columbus police officer; and

WHEREAS, the Columbus Police officer that fired at Andre had not activated his body-worn camera prior to the shooting, only turning it on afterward; and

WHEREAS, in the minutes that followed, neither the police officer that fired on Mr. Hill nor his partner rendered any medical aid to Mr. Hill, and several minutes went by prior to any request for emergency medical services; and

WHEREAS, Andre died at the hospital over half an hour after being shot; and

WHEREAS, the shooting of Andre Hill follows the tragic deaths of several other young Black men at the hands of law

enforcement, including Casey Goodson, Jr. and Kareem Ali Nadir Jones; and

WHEREAS, though there are currently some Police directives pertaining to activation of body-worn cameras, as well as mentions of rendering aid, the City has determined that additional safeguards are necessary to ensure the proper use of these cameras and the rendering of necessary medical aid; and

WHEREAS, this ordinance will enact new Chapters 1914 and 1915 in the Columbus City Codes, putting in code parameters for the activation of body-worn cameras and rendering of medical aid in such circumstances; and

WHEREAS, in egregious cases involving the reckless disregard for the express requirements of the new chapter pertaining to rendering aid, the City may pursue remedies beyond discipline, including the filing of criminal charges against violators for dereliction of duty; and

WHEREAS, this ordinance will be known as Andre's Law, to keep these terrible events in the City's memory and go toward preventing similar tragedies in the future; and

WHEREAS, this ordinance furthers Council's efforts to reimagine public safety in the City of Columbus, as additional accountability is crucial to its success; **NOW, THEREFORE**,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That new chapters 1914 and 1915 of the Columbus City Codes are hereby enacted, reading as follows:

CHAPTER 1914 - BODY-WORN CAMERAS

- Definit-Definitions

(A) "Body-worn camera" means a visual and audio recording device worn on the person of a division of police officer while the division of police officer is engaged in the performance of the division of police officer's duties.

(B) "Division of police" means the City of Columbus division of police.

1914.02 - Activation of body-worn camera

(A) Whenever a division of police officer who has been assigned a body-worn camera engages in an enforcement action, or intends to engage in an enforcement action, the officer shall activate their body-worn camera no later than when exiting their vehicle or approaching an individual(s). Enforcement actions shall be recorded unless otherwise prohibited by federal, state, or local law. Enforcement actions shall consist of:

(1) Calls for service and self-initiated activity

(2) All investigatory stops

(3) Traffic and pedestrian stops

(4) Pursuits by foot, vehicles, bicycle, or any other means of transportation available to division of police officers

(5) Any use of force

powered by Legistar™

(6) Any arrest

(7) Any forced entry of a structure, vehicle, or other premises

(B) Division of police officers assigned a body-worn camera shall also activate the camera when an encounter becomes adversarial, or its use would be appropriate and/or valuable to document an incident unless otherwise prohibited by federal, state, or local law.

(C) This section does not apply when:

(1) A division of police officer has not been assigned a body-worn camera; or

(2) A division of police officer has been assigned a body-worn camera but is working an assignment where a body-worn camera is not required; or

(3) A body-worn camera malfunctions.

1914.99 - Penalty

Any division of police officer that violates any section of this chapter may be subject to disciplinary action as provided by the division of police, department of public safety, or any applicable collective bargaining agreement.

CHAPTER 1915 - RENDERING AID

1915.01 - Rendering aid following use of force

(A) Following a use of force by one of more division of police officer(s) that causes serious bodily harm to an individual, a division of police officer(s) present at the scene shall summon, or cause to be summoned, emergency medical services to render aid to the affected individual. Division of police officers must do this immediately following the use of force, unless the affected individual, or other individuals, pose an imminent threat of serious bodily harm or death to the division of police officer(s) or other individuals.

(B) Medical aid must be rendered, by one or more division of police officers present at the scene, to an individual suffering serious bodily harm due to a use of force by the division of police, consistent with available equipment and the training the officer has received, as soon as the immediate area has been secured of imminent or probable threats. Any division of police officers engaged in rendering aid may cease rendering such aid upon the arrival of emergency medical personnel or other medical response.

(C) The division of police shall require training ~~and certification~~ for officers on cardiopulmonary resuscitation and basic medical aid in a manner to be determined by the division of police and/or the director of public safety. Initial training ~~and certifications~~ shall occur during academy training. The division of police shall also require of all officers no less than biennial retrainings in cardiopulmonary resuscitation and basic medical aid~~, and their accompanying certification(s)~~.

(D) Any division of police officer that violates section 1915.01(A)-(B) may be subject to disciplinary action as provided by the division of police, department of public safety, or any applicable collective bargaining agreement.

(E) The requirements of section 1915.01(A) do not apply when 911 dispatchers are required by any standard operating procedure of the department of public safety to automatically summon emergency medical services upon a report of the

powered by Legistar™

discharge of firearms at the scene of an incident.

SECTION 2. That to allow the Columbus Division of Police, and the Department of Public Safety sufficient opportunity to ensure that police recruits and current officers have the required training, and that mechanisms are in place for ongoing training, the provisions of newly enacted section 1915.01(C) shall take effect and be in force from and after six (6) months following its enactment.

SECTION 3. That the remaining provisions of this ordinance shall take effect and be in force from and after the earliest period allowed by law.

powered by Legistar™