# IN THE COURT OF APPEALS
# FIRST APPELLATE DISTRICT OF OHIO
# HAMILTON COUNTY, OHIO

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| STATE OF OHIO, | : | APPEAL NO. C-250533<br>TRIAL NOS. 25/CRB/4156/A/B/C |
| Plaintiff-Appellee, | : | |
| vs. | : | *JUDGMENT ENTRY* |
| DARIUS BELL, | : | |
| Defendant-Appellant. | : | |

This cause was heard upon the appeal, the record, the briefs, and arguments.

For the reasons set forth in the Opinion filed this date, the judgments of the trial court are affirmed in part and reversed in part, and the appellant is discharged from further prosecution on the charge in the case numbered 25/CRB/4156/A.

Further, the court holds that there were reasonable grounds for this appeal, allows no penalty, and orders that costs be taxed 50% to appellant and 50% to appellee.

The court further orders that (1) a copy of this Judgment with a copy of the Opinion attached constitutes the mandate, and (2) the mandate be sent to the trial court for execution under App.R. 27.

**To the clerk:**

**Enter upon the journal of the court on 9/16/2026.**

**Pursuant to App.R. 30, the clerk is directed to send all parties, or their counsel if represented, a copy of the court's judgment and note such action on the docket.**

**By:** Jennifer A. Hensley
**Administrative Judge**

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| STATE OF OHIO, | : | APPEAL NO. C-250533<br>TRIAL NOS. 25/CRB/4156/A/B/C |
| Plaintiff-Appellee, | : | |
| vs. | : | *O P I N I O N* |
| DARIUS BELL, | : | |
| Defendant-Appellant. | : | |

Criminal Appeal From: Hamilton County Municipal Court

Judgments Appealed From Are: Affirmed in Part, Reversed in Part, and Appellant Discharged in Part

Date of Judgment Entry on Appeal: September 16, 2026

*Emily Smart Woerner*, City Solicitor, *Susan M. Zurface*, Chief Prosecuting Attorney, and *Erik Laursen*, Senior Assistant City Solicitor, for Plaintiff-Appellee,

*Angela W. Chang*, Hamilton County Public Defender, and *Benjamin Martin*, Assistant Public Defender, for Defendant-Appellant.

**CROUSE, Judge.**

**{¶1}** When officers showed up to an unruly scene, defendant-appellant Darius Bell proved confrontational. After a struggle, officers got Bell into the back of a police cruiser, where he kicked, screamed, and refused to provide his personal information to the police. Bell now challenges his convictions for failing to disclose his personal information while in a public place, obstructing official business, and disorderly conduct. Because the back of a police car is not a "public place," we reverse his conviction on the first charge. But because his other convictions were not against the manifest weight of the evidence, we affirm them.

## *I. Background*

**{¶2}** On March 14, 2025, officers of the Cincinnati Police Department responded to a call about a "possible assault" and "family trouble" at a Cincinnati residence. When the officers arrived at the house, several family members exited the residence yelling. Officer Mark Anton attempted to separate those present so that he could speak with the victim of the alleged assault.

**{¶3}** As this was happening, Bell exited the home. Officer Anton described Bell as "irate" and "screaming with the other family members." Then, Bell began to walk away. Officer Anton wanted to speak with Bell as part of his investigation, so he signaled for Officer Armon Shack—who had just arrived on the scene—to detain Bell.

**{¶4}** When Officer Shack approached Bell, Bell pointed his finger at the officer and said, "Do not touch me."[1] Officer Shack then tried to physically restrain

[1] At trial, the officers described Bell as "cock[ing] his hand back." A review of Officer Shack's body-worn-camera (BWC) video does show Bell make what could be described as a "cocking" motion with his arm. But that "cocking" motion immediately resolves into an accusatory pointing gesture, as Bell tells the officers not to touch him. It does not resolve, as the term "cocking" suggests, in a closed-fist punch. Because nothing in our analysis turns on whether we credit the officers' interpretation of Bell's gesture, we do not address it in this opinion.

Bell, who attempted to pull away, insisting he would not or should not be detained. Officer Anton came to Officer Shack's aid, and the two placed Bell in handcuffs. After further struggle, the officers placed an uncooperative Bell in one of their police vehicles.

**{¶5}** Bell continued to shout and, once he was placed inside, made the vehicle rock by kicking and hitting his head against its interior. Officer Shack got into the front of the vehicle and asked Bell for his first and last name, date of birth, and address. Bell responded, "I'm not telling you shit." Officer Shack then told him he was under arrest for failure to identify and disorderly conduct.

**{¶6}** Bell was charged with four misdemeanor offenses: (A) failing to disclose personal information in violation of R.C. 2921.29; (B) obstructing official business in violation of R.C. 2921.31; (C) disorderly conduct in violation of R.C. 2917.11(A); and (D) misdemeanor assault in violation of R.C. 2903.13. Charge D was dismissed for want of prosecution prior to trial.

**{¶7}** At Bell's bench trial, the State called Officers Anton and Shack as witnesses and introduced several clips from Officer Shack's body-worn camera ("BWC").[2] At the close of the State's case, Bell moved for judgments of acquittal under Crim.R. 29. He argued (1) that the State had failed to show he performed a voluntary, affirmative act that hampered or impeded the officers, as required under R.C. 2921.31, (2) that he could not be convicted for failing to identify because the police vehicle was not a "public place" within the meaning of R.C. 2921.29, and (3) that the State had failed to prove the elements of its disorderly-conduct charge. The trial court denied his

[2] Although the transcript reflected that the trial court admitted four BWC videos at trial, the clerk of the court of common pleas was unable to locate them when compiling the record for this appeal. The parties sought to supplement the record with four videos on a USB drive, which both parties stipulated were identical to State's Exhibits 1 through 4 below. On March 12, 2026, a motions panel granted the parties' request to supplement the record pursuant to App.R. 9(E).

motion, and Bell put on no additional evidence.

**{¶8}** The trial court found Bell guilty on Charges A, B, and C. It sentenced him to 30 days in jail on Charge A, 90 days on Charge B, and 11 days on Charge C. It then credited Bell for the 11 days he had already served, suspended the remainder of his sentences on Charges A and B, and imposed 11 months of community control.

## *II. Analysis*

**{¶9}** Bell now appeals, raising three assignments of error. In the first, Bell argues that the State's evidence was insufficient to show that he had been "in a public place" when he refused Officer Shack's requests for his personal information. *See* R.C. 2921.29(A). In the second, he alleges that the complaint charging him with failure to disclose was insufficient. And in the third, he argues that his convictions for obstructing official business and disorderly conduct were against the manifest weight of the evidence. We address these out of order.

### *A. Sufficiency of Failure-to-Disclose Complaint*

**{¶10}** Bell's second assignment of error asserts that the complaint charging him with failing to disclose his personal information (Charge A) was insufficient to invoke the subject-matter jurisdiction of the municipal court.

**{¶11}** Municipal courts are not constitutional courts; they are creatures of statute. *State v. Mbodji*, 2011-Ohio-2880, ¶ 11; *State v. Desmarais*, 2025-Ohio-5541, ¶ 12 (1st Dist.). Their jurisdiction can be invoked only by the filing of a valid complaint concerning subject matter within their jurisdictional competence. *Mbodji* at ¶ 12; *Desmarais* at ¶ 12. A criminal complaint that fails to comport with Crim.R. 3 is not valid and cannot invoke the municipal court's jurisdiction. *Desmarais* at ¶ 12; *see also Mbodji* at ¶ 13 (holding that the "jurisdiction of the trial court was properly invoked" because the complaint "was valid under Crim.R. 3"). Under Crim.R. 3(A), a valid

complaint must "contain a written statement of the essential facts comprising the offense and the numerical designation of the relevant statute." *Desmarais* at ¶ 12, citing Crim.R. 3(A).

**{¶12}** Bell was charged by a form complaint with the heading "2921.29 FAIL TO DISCLOSE M4" in the upper-left-hand corner. R.C. 2921.29 provides that "[n]o person who is in a public place shall refuse to disclose" their name, address, or birthday to an officer who "reasonably suspects" that the person engaged in, is about to engage in, or witnessed others engaging in certain types of criminal activity. The body of the complaint stated as follows (with handwritten portions underlined):

> PO Shack . . . , being first duly cautioned and sworn, deposes and says that *Darius Bell*, on or about the 14 day of 3/25, in Hamilton County, State of Ohio, did FAIL TO DISCLOSE PERSONAL INFORMATION DURING A [sic] OFFICIAL INVESTIGATION contrary to and in violation of Section 2921.29 of the Revised Code of Ohio, a misdemeanor of the fourth degree. The complainant states that this complaint is based on subject did fail to disclose Proper [sic] info during assault investigation.

Bell argues that this complaint failed to allege that Officer Shack had suspected Bell of committing any offense—an essential element, if he was to be convicted under R.C. 2921.29(A)(1). *See State v. Dickman*, 2015-Ohio-1915, ¶ 13-14 (10th Dist.) (defendant did not violate R.C. 2921.29(A)(1) where officer "was unable to identify any offense that she 'reasonably suspect[ed]' that Dickman had committed or was about to commit, except failure to identify himself").

**{¶13}** While the complaint could have been clearer (and more legible), we cannot say the complaint was jurisdictionally defective. Admittedly, it did not specify

whether Bell was suspected of *committing* the assault, per R.C. 2921.29(A)(1), or merely of *having witnessed* some sort of serious assault, per R.C. 2921.29(A)(2)(a) or (B). Generally, Bell would need to know on which theory the State was proceeding in order to prepare his defense. So the best practice would have been for Officer Shack to allege in plain terms whether he had suspected Bell of *committing* or *witnessing* the assault. Alternatively, he might have noted the "assault investigation" generally, but added the relevant subsection—(A)(1), (A)(2)(a) or (A)(2)(b)—to provide clearer notice.

**{¶14}** But "[t]he absence of a specific statutory subsection . . . does not render a complaint defective where a defendant otherwise had notice of the State's allegations and was not prejudicially misl[ed] by the omission." *Desmarais*, 2025-Ohio-5541, at ¶ 14 (1st Dist.). And here, there was no evidence of confusion or prejudice. Indeed, one of Bell's three other charges (Charge D) was for assault. Although that charge was ultimately dismissed, it nevertheless provided Bell with sufficient notice of his suspected role in the assault under investigation. Read in that context, the complaint plainly charged Bell with violating R.C. 2921.29(A)(1), based on the officers' suspicion that Bell was involved in an assault. Had the State attempted to proceed on the theory that Bell was a mere witness, Bell could rightly have claimed surprise (though whether he could *also* claim prejudice is another matter).

**{¶15}** We therefore hold that the complaint on Charge A was not jurisdictionally deficient, so the municipal court had subject-matter jurisdiction. Bell's second assignment of error is overruled.

### *B. Failure to Disclose While "in a Public Place"*

**{¶16}** Bell's first assignment of error challenges the sufficiency of the evidence supporting his failure-to-identify conviction. To determine whether the State's

evidence was sufficient to sustain a conviction, we ask whether that evidence, if believed and taken in the light most favorable to the State, could have satisfied every element required for conviction. *See State v. Jones*, 2021-Ohio-3311, ¶ 16; *State v. Chambers*, 2025-Ohio-4737, ¶ 18 (1st Dist.). In other words, a sufficiency challenge tests whether the State met its burden of production. *State v. Messenger*, 2022-Ohio-4562, ¶ 26; *Chambers* at ¶ 18.

**{¶17}** Bell's sufficiency challenge, like many such challenges, requires us to consider the meaning and scope of the statute under which he was convicted. *Compare State v. Jordan*, 2023-Ohio-3800, ¶ 19; *State v. Pountney*, 2018-Ohio-22, ¶ 19. Ohio courts interpret statutes to effectuate the legislature's intent, as expressed in enacted language. *State v. Hairston*, 2004-Ohio-969, ¶ 11-12, quoting *Slingluff v. Weaver*, 66 Ohio St. 621 (1902), paragraphs one and two of the syllabus. We generally give statutory terms their "'plain, everyday meanings,'" unless a definitional provision or statutory context suggests a more specialized meaning. *Jordan* at ¶ 21, quoting *State ex rel. MORE Bratenahl v. Bratenahl*, 2019-Ohio-3233, ¶ 12; *Hairston* at ¶ 13; Scalia & Garner, *Reading Law: The Interpretation of Legal Texts*, § 6 (2012). We consider questions of statutory interpretation de novo. *Jordan* at ¶ 20; *Pountney* at ¶ 20.

**{¶18}** By its plain text, R.C. 2921.29(A) applies only to an individual "who is in a public place." *See State v. Blair*, 2023-Ohio-88, ¶ 27 (2d Dist.). All parties agree that Bell refused to provide his information upon Officer Shack's request. And all parties agree that this occurred only after Bell had been put in the back of Officer Shack's vehicle. So, the question becomes: was the inside of Officer Shack's police vehicle a "public place" within the meaning of the statute?

*1.*

**{¶19}** We begin with the words. The noun *place* offers us little help. A *place*

can be any "physical environment," "building or locality used for a special purpose," "specific locality," or "spot." *Webster's Third New International Dictionary* (1993) ("*Webster's Third*") (entry 1, senses 1b, 2b(1), and 4a).

**{¶20}** So we turn to the qualifying adjective: *public*. As the Oxford English Dictionary notes, the adjective *public* can have numerous "shades of meaning" and be used in "various senses." *Oxford English Dictionary Online* ("*OED Online*") (entry A).[3] Thus, the meaning of *public* often "depends upon the noun" it describes, and sometimes more than one meaning can be "vaguely present" at the same time. *Id.* Three possible meanings of *public* may be relevant here.

**{¶21}** *First*, a thing could be *public* in the sense that it is "authorized or administered by or acting for the people as a political entity" as in the case of *public expenditures* or a *public prosecutor/defender*. *Webster's Third* (entry 1, sense 1.c).[4]

**{¶22}** *Second*, a thing might be *public* because it is "accessible to or shared by all members of the community," as would be a *public restroom*, a *public park*, or a *public bath*. *Id.* (entry 1, sense 4a).[5]

**{¶23}** *Third*, some things are called *public* merely because they are "exposed to general view." *Id.* (entry 1, sense 5a).[6] This is true, for example, of a *public scandal* or *public spectacle*.

**{¶24}** Two law dictionaries help narrow the field by defining *public place* as a compound. Consistent with the second meaning of *public*, *Ballentine's Law Dictionary* defines *public place* as "[a] place commonly open to the general public"

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[3] https://doi.org/10.1093/OED/1942898607 (accessed Aug. 17, 2026); *accord Oxford English Dictionary* (2d Ed. 1989) ("*OED (2d)*") (entry A).
[4] *Accord OED (2d)* (entry A, sense 3a); *Black's Law Dictionary* (11th Ed. 2019) (*adj.*, sense 1); *see also OED Online* (entry A, senses 3a and 4b).
[5] *Accord American Heritage Dictionary* (4th Ed. 2000) (entry 1, sense 4); *OED (2d)* (entry A, sense 4a); *OED Online* (entry A, sense 4a); *Black's Law Dictionary* (11th Ed. 2019) (*adj.*, sense 2).
[6] *Accord OED (2d)* (entry A, sense 5a); *OED Online* (entry A, sense 1a).

and "where the public resorts." *Ballentine's Law Dictionary* (3d Ed. 1969). The definition of *public place* in *Black's Law Dictionary* draws on both the first and second meanings of *public*, to cover "[a]ny location that the local, state, or national government maintains for the use of the public, such as a highway, park, or public building." *Black's Law Dictionary* (11th Ed. 2019).[7]

**{¶25}** Caselaw interpreting *public place* in R.C. 2921.29(A) comports with both legal dictionaries' focus on the place's accessibility to and use by ordinary members of the community. In *Blair*, 2023-Ohio-88, at ¶ 24 (2d Dist.), a defendant refused to provide officers his personal information while being detained "in the processing room at the police station." He was charged with violating R.C. 2921.29(A). Relying in part on the definition in *Black's*, the Second District concluded that "a 'public place' is a building where the public—ordinary citizens—are regularly permitted to be." *Id.* at ¶ 22. Under this definition, "part—but not all—of a police station" qualified as a *public place*. *Id.* at ¶ 25. The lobby and front-desk area would. *Id.* But "secure locations inside the police station," like the processing room, were "places that ordinary citizens cannot go or can go only when accompanied by authorized personnel (i.e., police officers)." *Id.* Such locations were not *public places*, so the defendant had not violated R.C. 2921.29. *Id.* at ¶ 26-27.

**{¶26}** Other cases, however, clearly reject the portion of the *Black's* definition that would limit a *public place* to one maintained by the government. In *State v. Deacey*, 2017-Ohio-8102, ¶ 66-68 (2d Dist.), the Second District held that a privately-owned parking lot of a closed business qualified as a *public place*. The *Deacey* court made clear that the public's *right to enter*—not the government's ownership—made a

[7] Although R.C. 2921.29 was enacted in 2006, *Black's* has been consistent in its *public place* definition since at least 1999. *Compare Black's Law Dictionary* (8th Ed. 1999).

place *public* for purposes of R.C. 2921.29(A). The business's parking lot qualified because, "[c]learly, if businesses have parking lots, the public is invited to enter, remain on, or cross their property." *Id.* at ¶ 68.

**{¶27}** Similarly, we held in *State v. Mitchem*, 2014-Ohio-2366, ¶ 5 (1st Dist.), that an officer could arrest a defendant for refusing to identify himself while standing in his own driveway. We explained that, "as he stood in his driveway, [the defendant], *while in that public place*, refused to identify himself." *Id.* at ¶ 22. This was enough to give the officers probable cause to arrest him for violating R.C. 2921.29. *Id.* The government had no role in maintaining Mr. Mitchem's driveway, of course. But the general public arguably had a customary implied license to walk up that driveway to approach the defendant's door—making it a *public place*. *See State v. Orde*, 161 N.H. 260, 266 (2010) ("[W]hen there is an access route on the property, such as a driveway or a sidewalk, members of the public have an 'implied invitation' to use it."); *compare also Hammer v. McKinis*, 2004-Ohio-7158, ¶ 17 (6th Dist.) (finding no implied license to park in defendant's driveway or walk around to the back of defendant's house).

**{¶28}** In light of these definitions and cases, we hold that *public place*, as used in R.C. 2921.29, connotes a "place commonly open to the general public"—one that is "accessible to or shared by all members of the community" and can be "used by the people or community." *Ballentine's Law Dictionary*; *Webster's Third* (entry 1, sense 4a); *American Heritage Dictionary* (4th Ed. 2000) (entry 1, sense 4). In other words, a *public place* is an area where "the public—ordinary citizens—are regularly permitted to be," and which they may "enter, remain on, or cross." *Blair*, 2023-Ohio-88, at ¶ 22 (2d Dist.); *Deacey* at ¶ 68. If the general public cannot enter a place, it is not public.

*2.*

**{¶29}** Applying this definition of *public place* to the case at hand, we hold that

Bell was not "in a public place" while detained in the back of a police vehicle.

**{¶30}** Police vehicles are neither "commonly open to the general public" nor "accessible to . . . all members of the community." *See Ballentine's Law Dictionary*; *Webster's Third* (entry 1, sense 4a). Officers would surely object if ordinary citizens jumped into their back seats as freely as they would enter a public library, board a public bus, or, indeed, approach a police station's front desk. Officer Shack's testimony at trial demonstrated his vehicle was no exception. When asked if he "allow[ed] anyone to just go into [his] police cruiser," Officer Shack replied, "No, I keep my police car locked."

**{¶31}** But the State argues that, while the public was prohibited from entering Officer Shack's cruiser, the street on which that cruiser was parked qualified as a "public place." So, by being *on a public street*, the State says, Bell was *in a public place*, regardless of his detention in a nonpublic police vehicle.

**{¶32}** But the State's argument would also make the processing room in *Blair* into a *public place*. The public is generally allowed to enter police stations—that is why they have lobbies and front desks. *See Blair*, 2023-Ohio-8, at ¶ 25 (2d Dist.). But when an individual is taken to portions of the station where the public cannot go, he ceases to be in a public place. *Id.* at ¶ 26. So too here. While Bell was on the sidewalk and street, he was in a public place. But the officers reasonably wanted to contain the agitated Bell and separate him from the crowd of family members. So Officer Shack *removed* Bell from the public street to the back of his car, where Bell could not leave and "ordinary citizens" could not enter.

**{¶33}** At oral argument, the State conceded that *Blair* was correctly decided. It simply argues that it "does not apply here because a police car is not the inner bowels of a police station." Although it attempts to analogize to a host of other statutes and

cases, its examples are either inapposite or cut the other way.

**{¶34}** For example, the State argues that both Ohio's sexual-solicitation statute, R.C. 2907.241, and its open-container law, R.C. 4301.62, refer to a privately-owned motor vehicle on a public road as a *public place*. But this argument stumbles at the starting block, because Bell was not in a personal vehicle. He was placed in the back of a locked police vehicle—somewhere the public obviously was not allowed to go. Regardless of what rule would obtain in a private car, a detainee locked in a police vehicle is clearly not "in a public place."

**{¶35}** But even if we accept the State's analogy between personal and police vehicles, its statutory examples fail. R.C. 2907.241(A) prohibits engaging in certain types of roadside interactions with the purpose of soliciting sexual activity "while in or near a public place." As the State points out, the statute defines a public place to include roads and highways, R.C. 2907.241(C)(2), and expressly applies to drivers or passengers in motor vehicles, R.C. 2907.241(A)(4). But the language of R.C. 2907.241(A) is deliberately *broader* than the language of R.C. 2921.29(A). The solicitation statute covers not just conduct "in a public place," but conduct "near a public place," as well. R.C. 2907.241(A). No one could reasonably dispute that a motor vehicle on a public highway is "near a public place."

**{¶36}** Similarly, the State argues that R.C. 4301.62 uses *public place* to include cars on public roads. But this is simply not true. R.C. 4301.62 provides that an individual cannot have an open container of an alcoholic beverage in a "public place." R.C. 4301.62(B)(3). But *subsequent provisions* of that statute prohibit having such containers "while in a stationary motor vehicle" or "while operating or being a passenger in or on a motor vehicle on any street, highway, or other public or private property open to the public for purposes of vehicular travel or parking." R.C.

4301.62(B)(4), (5). And courts have held that related provisions prohibiting underage drinking in public places do *not* apply to privately-owned motor vehicles on public roads, if those provisions lack vehicle-specific language. *See State v. Britton*, 2007-Ohio-2147, ¶ 12 (6th Dist.) (holding that "the interior of a motor vehicle under [R.C. 4301.69] is not a 'public place'"); *Hamilton v. Collier*, 44 Ohio App.2d 419, 420-421 (12th Dist. 1975) (holding that a "privately owned automobile is not an 'other public place'" within the meaning of underage-drinking ordinance).

**{¶37}** In other words, both R.C. 2907.241(A) and 4301.62(B) demonstrate that when the General Assembly wishes to cover individuals in cars on public roads, it knows how to do so. Indeed, R.C. 2907.241 was on the books for a decade before R.C. 2921.29's enactment in 2006. *Compare* Am.Sub.S.B. No. 9, 151 Ohio Laws, Part I, 745, 771 (enacting R.C. 2921.29), *with* Sub.H.B. No. 40, 146 Ohio Laws, Part I, 328, 329 (enacting R.C. 2907.241). And the same General Assembly that enacted R.C. 2921.29 would amend R.C. 4301.62(B) just five months later, leaving unaltered the statute's distinction between public places and motor vehicles on public roads. Sub.S.B. No. 131, 151 Ohio Laws, Part I, 1523, 1526 (amending R.C. 4301.62). Despite the availability of these exemplars, the General Assembly limited R.C. 2921.29 to those "in a public place."

**{¶38}** The State further contends that because a defendant can engage in *public indecency* under R.C. 2907.09 while in a car, a car is necessarily *a public place* for purposes of R.C. 2921.29(A). *Compare*, *e.g.*, *State v. Simon*, 2024-Ohio-4972 (11th Dist.) (sustaining public-indecency conviction for masturbating in a car in a public parking lot). But the public-indecency statute does not include a public-place requirement. In fact, the sense of *public* in *public indecency* is entirely different from that employed in *public place*. The public-indecency statute applies only to conduct

that "is likely to be viewed by . . . others." R.C. 2907.09(A). Thus, a *public indecency* is *public* in the sense that it is "exposed to general view"—not in the sense that it is somehow "[m]aintained for or used by the people or community." *Compare Webster's Third* (entry 1, sense 5a), *with American Heritage Dictionary* (entry 1, sense 2).[8]

**{¶39}** Finally, the State points to *State v. Gilbert*, 2020-Ohio-1641, ¶ 22-23 (2d Dist.), for its unremarkable holding that the word *place,* when used in relation to the criminal-trespass statute, is expansive enough to include a motor vehicle. We agree with the State that *place* is an expansive word, but that point cuts against the State. The State would like us to view the *street* on which Officer Shack's car was parked—and not the car itself—as the relevant *place* here, because the *street* was undoubtedly *public.* But just as *Gilbert* focused on the car as the relevant *place*, rather than the surrounding environs, we, too, take the car, and not the street, as the relevant *place* under R.C. 2921.29.

*3.*

**{¶40}** Displeased with the statute's plain text, the State falls back on purpose and policy. The Fourth Amendment permits states to require identification during *Terry* stops. *Hiibel v. Sixth Judicial Dist. Court*, 542 U.S. 177, 188 (2004). Because *Terry* stops are sometimes easier and safer when the detainee is placed in an officer's cruiser, the State contends, surely he can be made to identify himself there just as he could be on the street.

**{¶41}** While this line of reasoning has intuitive appeal, it's not what the statute says. "When the General Assembly has spoken clearly on a point, it is not the judiciary's place to replace the literal reading of a statute with one that it finds more

[8] *Compare also OED (2d)* (entry A, sense 5a), *and OED Online* (entry A, sense 1a), *with OED (2d)* (entry A, sense 4a), *and OED Online* (entry A, sense 4a), *and Webster's Third* (entry 1, sense 4a).

convenient." *State v. Dudas*, 2024-Ohio-775, ¶ 18. The General Assembly may have constitutional authority to require that detainees identify themselves in police cruisers. *See Hiibel* at 188. It may even have subjectively intended R.C. 2921.29 to do just that. But "[t]he best expression of the General Assembly's intent . . . —and the only thing that has the force of law—is what the General Assembly has enacted." *Dudas* at ¶ 18. Here, it chose to limit its identification requirement to individuals who were "in a public place." R.C. 2921.29(A). The plain meaning of that term encompasses individuals in locations where members of the community are welcome to be, not those in tightly-restricted areas like the back seat of a police car.

**{¶42}** We decline the State's invitation to "replace[] the General Assembly's intent with its own." *See Dudas* at ¶ 18. Instead, we hold that the back of Officer Shack's police cruiser was not a "public place" within the plain meaning of the phrase. The State therefore failed to present evidence that Bell refused to identify himself *while in a public place*. Bell's first assignment of error is sustained.

### *C. Manifest Weight of the Evidence*

**{¶43}** Bell's third assignment of error alleges that the manifest weight of the evidence at trial cut against his convictions for obstructing official business (Charge B) and disorderly conduct (Charge C).

**{¶44}** Manifest-weight challenges require us to review the entire record to ensure the State met its burden of persuasion. *See Messenger*, 2022-Ohio-4562, at ¶ 26; *State v. Gibson*, 2023-Ohio-1154, ¶ 39 (1st Dist.). To do this, we weigh the evidence and all reasonable inferences therefrom to assure ourselves the factfinder—here, the trial court—did not lose its way in finding guilt beyond a reasonable doubt. *State v. Martin*, 20 Ohio App.3d 172, 175 (1st Dist. 1983); *State v. Reillo*, Slip Opinion No. 2026-Ohio-2701, ¶ 26. Conscious of the trial court's unique position in a bench trial,

however, we defer to its credibility judgments in all but those "'most exceptional circumstances,'" in which the court has "'disregarded or overlooked compelling evidence' that contradicted its findings." *State v. Garrett*, 2026-Ohio-49, ¶ 69 (1st Dist.), quoting *Gibson* at ¶ 39; *see also Reillo* at ¶ 31-32.

*1. Obstructing Official Business*

**{¶45}** To convict Bell of obstructing official business in violation of R.C. 2921.31,[9] the trial court was required to find (1) that Bell performed one or more affirmative acts, (2) that he was not privileged so to act, (3) that he acted with the purpose of preventing, obstructing, or delaying the officers in performing an authorized act within their official duties, and (4) that his actions actually hampered or impeded the officers in performing their duties. *See State v. Walker*, 2025-Ohio-2982, ¶ 13 (1st Dist.); *In re Payne*, 2005-Ohio-4849, ¶ 11 (1st Dist.).

**{¶46}** *First*, we consider what affirmative act the State proved Bell performed. In its brief, the State pointed to several types of conduct it believed were obstructive, including Bell's "behavior, trying to leave the investigatory scene, going limp, dropping weight, putting his finger in an officer's face, and screaming and yelling and kicking a car so hard it shakes." It is not entirely clear, based on the record, whether Bell "going limp" and "dropping weight" qualified as affirmative acts. If Bell was already on the ground and simply refused to assist the officers in standing him up, then that conduct may have amounted to a "'failure or refusal to comply with a police officer's order,'" which we have repeatedly said "'is insufficient to support a conviction for obstructing

[9] The version of R.C. 2921.31(A) in force at the time of the offense and this appeal states, "No person, without privilege to do so and with purpose to prevent, obstruct, or delay the performance by a public official of any authorized act within the public official's official capacity, shall do any act that hampers or impedes a public official in the performance of the public official's lawful duties." We note, however, that on July 7, 2026, Governor DeWine signed into law 2026 Sub.H.B. No. 20, which amends R.C. 2923.31 and renumbers subsection A as subsection B. But the new version of R.C. 2921.31 will not take effect until October, *see* Ohio Const., art. II, § 1c, so it does not apply here.

official business.'" *State v. Davis,* 2026-Ohio-2102, ¶ 11 (1st Dist.), quoting *State v. Buttram*, 2020-Ohio-2709, ¶ 12 (1st Dist.); *see In re S.J.*, 2023-Ohio-3441, ¶ 25 (1st Dist.) ("S.J.'s failure to obey [the officer's] orders does not amount to an affirmative act . . . ."). But Bell's other conduct—the screaming, yelling, kicking, and pointing—constituted affirmative acts. No one disputes that Bell engaged in such actions. And as we will explain, these actions sufficed to justify Bell's conviction.

**{¶47}** *Second*, Bell has never asserted any privilege, so we do not address that element.

**{¶48}** *Third*, the trial court could easily find that Bell's screaming, shouting, and kicking were intended to persuade the officers not to detain him and/or derail the officers' investigation. Of course, where an obstruction prosecution is based on speech acts, the State must generally provide "evidence of circumstances or actions tending to show that the defendant, when they chose to speak, had *more than mere knowledge* their words would obstruct, impede, or delay an official." (Emphasis in original.) *Chambers*, 2025-Ohio-4737, at ¶ 37 (1st Dist.). But given Bell's contemporaneous kicking of the inside of Officer Shack's vehicle, it is hard to imagine what Bell intended to accomplish by his thrashing and shouting apart from ending his detention and derailing the officers' investigation. Thus, the trial court could reasonably infer that Bell's shouting and kicking were done with the purpose to obstruct or delay the investigation.

**{¶49}** *Fourth*, Bell asserts that his conduct did not hamper or impede the officers' performance of their duties. We have long held that a defendant "hampers or impedes" an officer if their conduct causes a "substantial stoppage" of the officer's work. *State v. Stephens*, 57 Ohio App.2d 229, 230 (1st Dist. 1978); *State v. Coffman*, 2024-Ohio-1182, ¶ 22 (1st Dist.). Where a defendant's conduct causes "a more-than-

de-minimis hindrance" to the officers, there has been a "substantial stoppage" that has hampered or impeded the officers in performing their duties. *Chambers* at ¶ 49-50.

**{¶50}** Bell argues that his actions did not impede Officer Shack's duties, because Officer Shack's duties were to watch Bell. And he argues that he did not impede Officer Anton's official activities, because nothing about his actions required that Anton come over to the car. But this misses the point. Officers Shack and Anton were both there to investigate an assault. That meant interacting with all possible witnesses and keeping the scene under control. Because of Bell's disruptive actions in the vehicle, Officer Shack was compelled to stay and watch him, lest Bell damage the car or himself. At a minimum, the need to attend on Bell "interpose[d] a more-than-de-minimis hindrance or impediment between" Officer Shack and his job of investigating what happened that night. *See Chambers* at ¶ 50. Thus, the trial court's finding that Bell's conduct hampered or impeded the officers was not contrary to the manifest weight of the evidence.

**{¶51}** We therefore hold that, even assuming Bell's decision to "drop weight" and go limp were not affirmative actions, the trial court did not lose its way in finding him guilty of obstructing official business.[10] His conviction on Charge B was not against the manifest weight of the evidence.

*2. Disorderly Conduct*

**{¶52}** Finally, Bell argues that his conviction for disorderly conduct (Charge C) was contrary to the manifest weight of the evidence. The relevant statute provides that "[n]o person shall recklessly cause inconvenience, annoyance, or alarm to another

[10] We note that Bell also argued that the evidence did not show (1) that his decision to "drop weight" (1) was intentional, rather than a byproduct of inebriation nor (2) that it caused a sufficient stoppage to have hampered or impeded the offices. Because we hold that the conviction was not against the manifest weight of the evidence even *without* considering the dead-weight issue, we need not and do not address these arguments.

by . . . (1) Engaging in fighting, in threatening harm to persons or property, or in violent or turbulent behavior," or "(2) Making unreasonable noise or an offensively coarse utterance, gesture, or display or communicating unwarranted and grossly abusive language to any person." R.C. 2917.11(A)(1) and (2).

**{¶53}** Bell argues that the State failed to show that Bell had caused the uproar of individuals around the house prior to the officers' arrival. But even assuming that was the case, he does not dispute that his yelling and kicking the interior of the police vehicle constituted "violent or turbulent behavior" that "recklessly cause[d] inconvenience" to Officers Shack and Anton. Nor does the record suggest that such a finding was against the manifest weight of the evidence.

**{¶54}** Accordingly, we overrule Bell's third assignment of error.

### *III. Conclusion*

**{¶55}** For the foregoing reasons, we sustain Bell's first assignment of error and overrule his second and third. We therefore reverse his conviction on Charge A for failing to disclose his personal information and discharge him from further prosecution for that offense. We affirm his convictions on Charges B and C.

Judgments affirmed in part and reversed in part, and appellant discharged in part.

**MOORE, J.,** concurs.
**ZAYAS, P.J.,** concurs in part and dissents in part.

**ZAYAS, P.J.,** concurring in part and dissenting in part.

**{¶56}** I agree with the majority that Bell's convictions for obstructing official business and disorderly conduct should be affirmed. However, I would hold that Bell was in a public place when he was seated in a vehicle parked on a public road, and therefore, would overrule the first assignment of error and affirm the judgment of the trial court.

**{¶57}** "Our role in cases of statutory construction is to determine legislative intent by looking to the language of the statute and the purpose to be accomplished by the statute." *State v. Black*, 2015-Ohio-513, ¶ 37. When a statute's meaning is unambiguous and clear, we apply the statute as written. *Id.* This court is required to determine the meaning of "in a public place" in the context of R.C. 2921.29.

**{¶58}** R.C. 2921.29 falls under R.C. Ch. 2921, which "criminalizes offenses committed against justice and public administration." *State v. Steele*, 2013-Ohio-2470, ¶ 18. "R.C. Chapter 2921 was separately enacted within Ohio's criminal code to focus on the special societal ills created by improper interference in the administration of justice or the discharge of a public duty." *Id.*

**{¶59}** As applicable here, R.C. 2921.29 requires a suspect "who is in a public place" to disclose his name upon request by a police officer. Obtaining a suspect's name "may inform an officer that a suspect is wanted for another offense, or has a record of violence or mental disorder." *Hiibel v. Sixth Judicial Dist. Court*, 542 U.S. 177, 186 (2004). "Identity may prove particularly important in cases such as this, where the police are investigating what appears to be a domestic assault. Officers called to investigate domestic disputes need to know whom they are dealing with in order to assess the situation, the threat to their own safety, and possible danger to the potential victim." *Id.*

**{¶60}** Bell admittedly did not provide his name to the officer while on a public street. Bell does not dispute that a public street is a public place within the meaning of the statute. Rather, he contends that, despite the fact that the police cruiser was on a public street, he was not in a public place because he was seated in the vehicle when he refused to identify himself. Bell characterizes the issue as whether the interior of a vehicle used for transportation is a "public place," when parked on a public road.

However, the fact that he was in a vehicle does not alter the fact that he and the vehicle were on a public road, and therefore, Bell was "in a public place."

**{¶61}** The question is not whether a vehicle is "public" or "private" but whether Bell himself was in a public place when he was seated in a vehicle parked on the street. Occupants of a vehicle will be in a public place for purposes of R.C. 2921.29 when the vehicle itself is located in a public place. A public place, such as a street or highway, is a fixed physical location. That location remains public regardless of whether a person occupies it by walking, biking, or traveling in a vehicle. To hold otherwise would defeat the legislative intent by inhibiting officers from "assess[ing] the situation" while investigating a crime and ensuring their safety. *See Hiibel* at 186.

**{¶62}** Exempting a person from R.C. 2921.21 merely because he is seated in a vehicle on a public road would lead to results likely never intended by the legislature. Under that reading, a person standing inches away from a vehicle on a public road would be required to provide his identifying information while a person sitting inside the same vehicle would not. Considering the intent of the statute, I am unpersuaded that the General Assembly could have intended the definition of "in a public place" to have the narrow meaning the majority ascribes to it. The relevant inquiry remains the physical location of the individual at the moment the officer requests identifying information, and an individual sitting in a vehicle on a public road is "in a public place" for purposes of R.C. 2921.29.

**{¶63}** Given the plain language of the statute, I reject Bell's argument that he was not in a public place and not required to provide his name because he was sitting in a police cruiser while on a public street.

**{¶64}** Accordingly, I would overrule the first assignment of error regarding his failure-to-disclose conviction and affirm the judgment of the trial court.