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OHIO PEACE OFFICER TRAINING COMMISSION MEETING

THURSDAY, SEPTEMBER 19, 2013

HELD AT THE

OHIO PEACE OFFICER TRAINING ACADEMY

1650 STATE ROUTE 56 S.W.

LONDON, OHIO 43140

MINUTES

I. OPENING

A. CALL TO ORDER

Chairperson Vernon Stanforth called the meeting to order at 10:01 a.m.
Chief Ronald Ferrell led the Pledge of Allegiance.
Ms. Donna Long called the Roll.

COMMISSION MEMBERS PRESENT

Chairperson Vernon P. Stanforth
Sergeant Troy Mineard
Ms. Linda O'Connor
Chief Ronald Ferrell
Colonel Paul Pride
Sheriff Michael Heldman
Mr. Stephen Schumaker

B. WELCOME AND INTRODUCTION OF GUESTS AND STAFF

ATTORNEY GENERAL'S OFFICE

Mr. Jeff Clark

Attorney General's Office

GUESTS AND STAFF

Mr. Mike Moran	O.P.I.S.S.C.
Captain Geoffrey Barnard	C.H.P.D.
Investigator Timothy O'Haire	C.H.P.D.
Ms. Vickie Powell	Visitor
Ms. Neicy Davis	N.A.T.A.
Ms. Pamela Shackelford	N.A.T.A.
Commander Tyrone Bonner	N.A.T.A.
Ms. Mary Davis	OPOTC Acting Executive Director
Ms. Donna Long	OPOTC Secretary
Mr. Justin Hykes	OPOTC Assistant Attorney General
Ms. Jessica Didion	OPOTA Deputy Director
Ms. Alice Robinson-Bond	OPOTC Deputy Director
Mr. Lou Agosta	OPOTA Deputy Director
Mr. John Green	OPOTA Deputy Director
Ms. Jill Cury	OPOTC Staff
Ms. Arienne Fauber	OPOTC Staff
Ms. Mary Broyles	OPOTC Staff
Mr. Mike Roever	OPOTC Staff
Ms. Sarah Thomas	OPOTC Staff
Mr. Aaron Coey	OPOTC Staff
Mr. Eric Schaefer	OPOTC Staff
Mr. James D. Daniels	OPOTA Staff
Ms. Lori Wachtel	OPOTC Staff

II. CHAIRPERSON REPORT

Approval of Minutes

MOTION

Chief Ronald Ferrell motioned that the minutes of the July 18, 2013, meeting be approved, Sgt. Troy Mineard seconded the motion. A vote was taken and the motion passed unanimously.

Chairperson Stanforth welcomed Colonel Paul Pride who had been appointed to the OPOTC by the Governor.

Chairperson Stanforth announced that this would be the last OPOTC meeting for Chief Ferrell and thanked him for his years of service to the OPOTC, stating that it has be a pleasure to service with him.

That concluded the Chairperson's Report.

III. CURRICULUM COMMITTEE

Chief Paul Denton
Committee Chairperson

Sgt. Troy Mineard acting Committee Chair in the absence of Chief Paul Denton stated that the Curriculum Committee met prior to the OPOTC Meeting. Several items were discussed, including the proposed changes to the Firearms Re-Qualification Instructor standards, Rule 109:2-13-04 Approval of instructors. (Addendum 1) Each person seeking certification as a firearms re-qualification instructor shall complete a firearms instructor training course for each weapon that they would be conducting a re-qualification program; complete the "Firearms instructor: weapons training and requalification" course approved by the executive director; and must have three years' experience as a law enforcement officer.

Currently, we find that the firearm courses are already covering the items in the Firearms Instructor: "Weapons Training and Requalification" course and therefore it is no longer needed.

The OPOTC Curriculum Committee is proposing that the Firearms Instructor: "Weapons Training and Requalification" course be deleted.

MOTION:

Sgt. Troy Mineard made the motion recommending that the Firearms Instructor: "Weapons Training and Requalification" course be deleted as a requirement for approval of instructors. The motion was seconded by Ms. Linda O'Connor. No discussion was brought forth and the vote passed unanimously.

The second item was the ongoing curriculum review. Interim Executive Director Mary Davis was present and the following were discussed. The current revisions included 5 basic programs, 50 lesson plans, and 293 hours of training curriculum. Each commission member received a packet with the changes to view. (Addendum 2) The review and revisions would be effective January 1, 2014.

- The entire curriculum for the Peace Officer Basic Training would go from 568 to 585 hours, with 34 lesson plans and 249 hours reviewed and revised.
- The Peace Officer Refresher Training curriculum would remain at 16 hours, with 4 lesson plans and 8 hours reviewed and revised. The entire curriculum is mandatory attendance.
- The Corrections Basic Training curriculum would remain at 158 hours, with 1 lesson plan and 4 hours reviewed and revised.
- The Private Security Academic curriculum would decrease from 158 to 149 hours, with 10 lesson plans and 24 hours reviewed and revised.
- The Humane Agent Training will remain 24 hours, with 1 lesson plan and 7 hours revised. The entire curriculum is mandatory attendance.

Sgt. Mineard stated that many of the changes were the consolidating of several sections and deleting some items. Some items have been made mandatory on this revision, because currently, it hasn't been made mandatory in the Ohio Administrative Code. The OPOTC voted

on July 18, 2013 to make all Peace Officer Basic Curriculum mandatory and are in the process to change the rules at this time. Once those changes are made this will be a moot point.

The OPOTC Curriculum Committee is proposing that the changes above be approved.

MOTION

Sgt. Troy Mineard made the motion recommending that the above changes be approved. Ms. O'Connor seconded the motion. No discussion was brought forth and the vote was unanimous.

That concluded the Curriculum Committee Report.

IV. LEGISLATIVE COMMITTEE

Sergeant Troy Mineard
Committee Chairperson

Sgt. Troy Mineard stated there was nothing to report. That concluded the Legislative Committee Report.

V. HOUSE COMMITTEE

Colonel Paul Pride
Committee Chairperson

Chairperson Stanforth stated that it is the Colonel who traditionally chairs the House Committee. The role consist of making suggestions and recommendations as to how the OPOTC conducts business, also making recommendation to the Attorney General for the OPOTC. It will be up to the Attorney General, if he wishes for Colonel Pride to serve on the committee that will select the Executive Director.

That concluded the House Committee Report.

VI. CONTINUING PROFESSIONAL TRAINING COMMITTEE

Sheriff Michael Heldman
Committee Chairperson

Sheriff Heldman stated that the Attorney General has reported to legislative leaders that funding will be made available from his office and the Office of Criminal Justice Services to reimburse for 4 hours of Continuing Professional Training (CPT) in 2014, which is recommended to include 1 hour of critical subject training and 3 hours of general law enforcement training. It is suggested that the critical subject training is crimes against the family and would include topics such as domestic violence and crimes against children.

MOTION

Sherriff Heldman made a motion to require every appointing authority to require each of its appointed peace officers and troopers to complete a minimum of four hours of CPT; 1 hour of which must be training on crimes against the family and 3 hours of general law enforcement training. Mr. Stephen Schumaker seconded the motion. After the discussion below, a vote was taken and passed unanimously.

DISCUSSION

Chief Ferrell asked if these reimbursements for hours went back to the agencies. Mr. Schumaker responded that was correct. Mr. Schumaker stated that we can fund these four hours and still sustain the mobile academy programs that we have in place: firearms, simulators and shoot houses. The hopes of making OPOTA a tuition free academy will not be an option with these figures.

Chief Ferrell asked what the approval process will be for the courses the agencies choses. Ms. Davis stated that by code, the courses are approved by the executive director. In the past, the executive Director has left that approval up to the agency administrator, knowing that they understand what will be best for that particular officer. That power has been given to the agency administrator to approve a course if it is not an OPOTA course. Ms. Davis does not plan to change that.

Chief Ferrell asked if eOPOTA counts towards that. Ms. Davis stated that eOPOTA does count towards it and we are in the final stages of development for a Crime against Children course that will be a new course and is scheduled to roll out specifically to help with the special topic requirement.

Chief Ferrell asked if this will enhance or take away from the regional training that is going on. Ms. Davis replied that she doesn't believe it will affect it. Regional training is actually expanding with the shoot houses.

Chairperson Stanforth asked if the one hour eOPOTA was created. Mr. Green stated that the framework ofr the course is in place, it is in the development stage, where the graphics are inserted and then there will be a final review process with the subject matter experts. Mr. Green expects the final product by the end of 2013.

Chief Ferrell asked if Human Trafficking would qualify in that category. Ms. Davis stated it's not that any course in Human Trafficking wouldn't be accepted, but that the specific courses on eOPOTA cannot be used to satisfy the mandate plus the CPT hours.

Sgt. Mineard asked what the amount of reimbursement would be. Mr. Schumaker responded \$20.00 an hour.

Chief Ferrell stated that he was going to support the motion, but in discussion he would like to say that the money would be better used if there was a central training allocation. For example, tuition free at OPOTA. That would have been an admirable goal.

Chairperson Stanforth asked if Mr. Schumaker would like discuss now or at another time, but believes it is a good topic for discussion. Mr. Schumaker responded that there are funding limitations. His impression was that the Chiefs, Sheriffs and FOP felt very strongly in the CPT reimbursements, their goal was to get up to 8 hours of CPT. This is at the current time, not feasible considering the revenue from the casino moneys. We all hope that the revenue will grow and that we could make OPOTA a tuition free training

facility and up the CPT reimbursements. Nobody got everything they wanted and tuition reimbursement is good right now.

That concluded the Continuing Professional Training Committee Report.

STAFF REPORT

VII. COMMISSION AND ACADEMY UPDATES Acting Executive Director Mary Davis

Ms. Davis updated the OPOTC on the casino money. Legislatively our first commitment is casino agent training. Ms. Davis has been working with the Ohio Casino Commission to develop a Memorandum of Understanding, so that we can layout from here forward what kind of monies are available.

Mr. Schumaker added that all the agents as of January 2014 will be directly under the control of the Casino Commission.

Sgt. Mineard, asked if there were any thoughts to get a funding stream from the racinos? Mr. Schumaker replied that it goes to education.

Ms. Davis gave recognition to Jeff Eggleston, OPOTA Driving Instructor who recently received the "Best Innovative Idea in Police Driver Training" from ALERT International during a recent training in Texas. Mr. Agosta stated that organization involves officers all over the world. Mr. Eggleston was appointed as national secretary for next year's conference which is to be held in Columbus, Ohio.

That concluded the staff report.

VIII. OLD BUSINESS Chairperson Vernon P. Stanforth

Chairperson Stanforth asked for any other old business.

Ms. Davis referred to the handout that each OPOTC member had in their packets and asked Mr. Justin Hykes to discuss the mandatory hours for Peace Officer Basic Training – 109:2-1-09 OAC legal changes. (Addendum 3)

Mr. Hykes stated that there was a lot of strike through on the document which removed language permitting non-mandatory hours. Once the rule revision is downloaded from JCARR, there is then a public hearing followed by a JCARR hearing, and then the filing of the rule. We will be able to pick an effective date.

Chief Ferrell asked if there were any comments from the commanders. Ms. Davis stated that in response to the email she sent out, notify them of the agenda items, there were two replies which were in support of the mandatory hours.

Chairperson Stanforth thanked Mr. Hykes for his work and asked if there was anything the OPOTC needed to do. Mr. Hykes stated that the motion was made and passed at the July 18, 2013 meeting, so he would start the processing of the rule change next week.

Ms. Davis stated that the next item to discuss were the proposed changes to Private Security Firearms Requalification, and asked Mr. Hykes to discuss the agreed changes.

Mr. Hykes asked the OPOTC member to review the Addendum 4 included in their packets. At the last OPOTC meeting on July 18, 2013, Mr. Cohen from the Ohio Private Investigation and Security Services Commission (OPISSC) and Mr. Hykes agreed to work on the following proposal. The changes were approved by the OPISSC last week.

The Firearms requalification was a vast area needing revisions. The Law Enforcement Officers requalify once per calendar year. Currently, private security personnel must requalify by a set date each year or else they must retake a private security firearms basic training course. Additionally, they have to requalify through an approved OPOTC academy. With the changes we have proposed to R.C. 109.801 and R.C. 109.75, private security personnel will be able to requalify in the same manner as peace officers. The proposed changes would eliminate the need for requalification academies and OPOTC's need to print requalification certificates. Currently, OPOTC brings in around \$20,000 in fees for opening requalification academies and the printing of the certificates upon successful completion of a requalification academy. Those funds would clearly go away if we no longer require requalification academies.

However, this leads into the changes we are proposing for the Private Security Firearms Basic training.

Currently, the firearms basic academy is 20 hours. Our proposal is to increase the number of hours to 40 with the understanding that ratios, in terms of hours on the range and required rounds, would be no more than what the ratios are for peace officer basic training.

Per R.C. 109.78, a fee of \$100 is required to open a private security firearms basic training academy. Under the proposed changed we would adopt a sliding scale for firearms basic academies.

- \$100 for academies that open with 1-10 students
- \$150 for academies opening with 11-20 students
- \$200 for academies opening with more than 20 students

Mr. Hykes opened the floor to Mr. Mike Moran, OPISSC.

Mr. Moran thanked Ms. Davis, Ms. Robinson-Bond, Mr. Hykes and Ms. Mary Broyles who worked with them on these revisions and concerns.

Mr. Moran explained that they are doing a comprehensive rewrite of Revised Code 4749 which regulated the business of private security. These are contract companies. The statue that 4749 has been around since the 1970's when it was first regulated. We are coming upon 40 years with no comprehensive changes. After 911 there was a move to look at the rules, training and contracted guards. This is the first comprehensive rewrite in 40 years.

Mr. Moran gave a brief description of the private security program and the requalification process past and proposed. With the new proposed rules, there would be prior equivalents that would waive from the 40 hour course and current individuals who completed the 20 hour basic course would be grandfathered and not have to complete the 40 hour course.

Mr. Moran went on to recap the agreed proposal with the OPISSC and the eOPOTC; stating that determining prior equivalency and annual requalification would fall under the Department of Public Safety not OPOTC.

Mr. Schumaker asked if OPOTC would be losing \$65,000 with these changes. Mr. Hykes stated no, the \$65,000 is the overall amount of money that the private security side brings in. On average we would lose appropriately \$22,000-\$23,000. Mr. Schumaker asked if that was netted with the new fees. Ms. Davis responded that does not take the new fees into account and Mr. Hykes added it is hard to access the new fees as we can't predict the enrollment in the academies, but the new fees will have an impact on the expected loss; it probably won't cover it completely, but will definitely have an impact.

Mr. Hykes stated that we would like for the OPOTC to make a motion in support of the changes so that Department of Public Safety could move forward with this. Ms. Davis stated that a few of the changes are in the Attorney General Code, but many are under the Department of Public Safety code and they would feel more comfortable going forward knowing the OPOTC supports those changes.

MOTION

Chairperson Stanforth stated that the chair will undertake the motion to support the proposed changes. The motion was moved by Chief Ferrell and seconded by Sheriff Heldman. After the brief discussion below, the vote was taken and passed unanimously.

DISCUSSION

Chief Ferrell asked Mr. Hykes about Bailiff Requalifications. Mr. Hykes responded that they aren't required to requalify under 109.801. That concluded the discussion.

That concluded the old business.

VIII. NEW BUSINESS

Chairperson Vernon P. Stanforth

Chairperson Stanforth asked for any other new business.

With none forth coming, that concluded the new business.

X. GUEST FORUM

Chairperson Vernon P. Stanforth

Commander Tyrone Bonner, with the National Advanced Training Academy (N.A.T.A.) came before the OPOTC with concerns regarding another commander's approved application that is

in his area. A brief statement along with a packet consisting of numerous documents was passed out the OPOTC members for review.

Chairperson Stanforth stated that this was not a matter which the OPOTC needed to be involved in at this time. This is an issue for the Executive Director and her staff to assure that the certification in question meets OPOTA standards. Chairperson Stanforth referred Mr. Bonner to the Department of Public Safety to address this matter which falls under their agency.

Ms. Pamela Shackelford also with the N.A.T.A. directed Ms. Davis to several areas covered in the provided documentation. Ms. Davis flagged those areas and assured that they would be looked into.

Ms. Neicy Davis an instructor with N.A.T.A. stated that she shares the concerns that Mr. Bonner and Ms. Shackelford spoke about.

Ms. Vickie Powell thanked the OPOTC for their time. Ms. Powell spoke of concerns for the students who do well in the academic portion of the peace officer basic academy only to fail the physical fitness part. Ms. Powell asked if the grading system could be refigured, using an average grading scale giving the cadets a better chance to pass their training.

Chairperson Stanforth stated that the OPOTC periodically looks at all the standards. The meeting prior to this meeting this morning was reviewing curriculum and making sure the standards are current. Chairperson Stanforth thanked Ms. Powell for her time and concerns.

Ms. O'Connor stated that they have had the same issues with the career schools; students get all the way to the end and can't pass the physicals. Ms. O'Connor stated that they have a pretest and mentoring program that helps the cadets meet their goal and pass.

Ms. Powell mentioned giving them an extra month to pass or averaging the grades. She is concerned with the pressure and the debt that the cadets are faced with.

Chairperson Stanforth replied that the averaging issue is a concern that we have seen in officer involved incidents all across the nation. The general public does not let us average a person's response to a critical incident and averaging a score at this juncture is not something that we want to instill in their minds, it is not an option to be entertained by the OPOTC or by the court of law.

Chairperson Stanforth congratulated Ms. Powell's son on his weight loss during the basic academy. One of the things an academy commander could do would be telling the cadet this is the goal that has to be met, putting the responsibility back on the cadet.

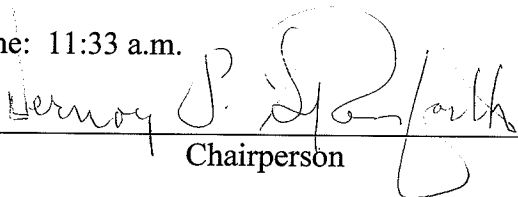
That concluded the guest forum.

XI. MOTION TO ADJOURN

Chairperson Stanforth has if there was anything further to address. With none forthcoming is there a motion to adjourn.

Sgt. Troy Mineard motioned to adjourn the meeting. Ms. Linda O'Connor seconded the motion. The vote passed unanimously. Meeting adjourned.

Time: 11:33 a.m.



Chairperson

These transcripts are not verbatim. Audio recordings are available upon request.