



**MIKE DEWINE**

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**OHIO PEACE OFFICER TRAINING COMMISSION MEETING  
THURSDAY, MARCH 27, 2014  
OHIO PEACE OFFICER TRAINING ACADEMY  
1650 STATE ROUTE 56 S.W.  
LONDON, OHIO 43140**

**MINUTES**

**I. OPENING**

**A. CALL TO ORDER**

Mr. Stephen Schumaker called the meeting to order at 10:00 a.m.  
Mr. Stephen Schumaker led the Pledge of Allegiance.  
Ms. Donna Long called the Roll Call.

**COMMISSION MEMBERS PRESENT**

Sergeant Troy Mineard  
Chief David Wiseman  
Colonel Paul Pride  
Mr. Stephen Schumaker  
Ms. Linda O'Connor

**Due to lack of quorum, the meeting went into recess at 10:02 a.m. to allow an additional member a few minutes to arrive.**

**At 10:07 a.m. the meeting reconvened with Ms. Long calling a 2<sup>nd</sup> Roll Call with a quorum.**

**COMMISSION MEMBERS PRESENT**

Sergeant Troy Mineard  
Chief David Wiseman  
Colonel Paul Pride  
Mr. Stephen Schumaker  
Ms. Linda O'Connor  
Sheriff Michael Heldman

**B. WELCOME AND INTRODUCTION OF GUESTS AND STAFF**

Ms. Kathleen Barch

COTC

OHIO PEACE OFFICER TRAINING COMMISSION

Mr. Eric Landversicht	ODE
Ms. Mary Davis	OPOTC Executive Director
Ms. Donna Long	OPOTC Secretary
Mr. Justin Hykes	OPOTC Assistant Attorney General
Mr. Lou Agosta	OPOTA Deputy Director
Mr. John Green	OPOTA Deputy Director
Ms. Jessica Didion	OPOTA Deputy Director
Ms. Jill Cury	OPOTC Staff
Ms. Arienne Fauber	OPOTC Staff
Mr. Aaron Coey	OPOTC Staff
Mr. Eric Schaefer	OPOTC Staff
Ms. Sarah Thomas	OPOTC Staff
Mr. Scott Weimer	OPOTA Business Manager
Mr. Brian Blake	OPOTA Staff
Ms. Brittany Thompson-Brashers	OPOTC Staff

**II. CHAIRPERSON REPORT**

**In the absence of OPOTC Chairperson Vernon Stanforth, Mr. Schumaker asked for a motion to name a chair pro tempore to conduct the meeting.**

**MOTION**

**Sgt. Troy Mineard motioned that Stephen Schumaker chair the meeting. Ms. Linda O'Connor seconded the motion. No discussion was brought forth, a vote was taken and passed unanimously.**

**Approval of Minutes**

**MOTION**

**Sgt. Troy Mineard motioned that the minutes of the January 16, 2014 and February 6, 2014, meetings be approved, Colonel Paul Pride seconded the motion. A vote was taken and the motion passed unanimously.**

That concluded the Chairperson's Report.

**III. CURRICULUM COMMITTEE**

Sgt. Troy Mineard  
Committee Acting Chairperson

With the absence of Committee Chairperson Chief Denton, he asked Sgt. Mineard to chair the committee meeting. Prior to this meeting, the curriculum committee met to discuss and approve curriculum for the July 1, 2014 release. There were three basic programs reviewed, with a total of 49 lesson plans and 329 hours of training curriculum.

The first program was Peace Officer Basic Training. There were a total of 30 lesson plans reviewed and the hours increased from 585 to 605 hours. The entire curriculum is now

mandatory. The driving topics will be all included in one unit. Impact Weapons, Electronic Surveillance, and Critical Incident Stress were added, to highlight a few significant changes.

In the Corrections Basic Training program, there were a total of 7 lesson plans and 35 hours reviewed, revised, or added. The total curriculum hours decreased from 158 to 151 hours.

In the Private Security Academic program there were 12 lesson plans and 46 hours reviewed, revised or added. The total curriculum decreased from 149 hours to 123 hours.

Sgt. Mineard suggested that the changes be adopted as recommended by staff.

### **MOTION**

**Sgt. Mineard made the motion to approve the discussed curriculum revisions with an effective date of July 1, 2014. The motion was seconded by Ms. Linda O'Connor. After a brief discussion a vote was taken and passed unanimously.**

### **DISCUSSION**

Mr. Schumaker asked if there were any discussions or objection with the updates with the Private Security Commission who had a representative address the OPOTC last year. Ms. Davis responded that these changes are for the Private Security Academic course, the prior discussions with the Private Security Commission was in regards to the firearms only course. Mr. Schumaker asked for any other discussion, with none forthcoming a vote was taken and passed unanimously.

That concluded the Curriculum Committee report.

## **IV. LEGISLATIVE COMMITTEE**

Chief David Wiseman  
Committee Chairperson

Prior to this meeting, the Legislative Committee met to discuss the certification before service and re-entry requirements, OAC 109:2-1-12, specifically related to prior equivalency determinations of out-of-state officers.

There were four options considered:

1. No-change to the rule
2. Add a bright line rule to the rule
3. Language clean-up to the rule
4. Proposed changes adopted and the rule revised

The bright line rule relates to anyone having over 5 years of service, within the past 4 years would qualify for established training topics and anyone with less than 5 years would have to take the full basic over.

There is also a proposal from Chief Ferrell which has been revised but essentially would allow for accepting prior Ohio basic training as equivalent.

Looking at what we are currently doing, anyone with under 5 years' experience would get an hour to hour review. If they have over 5 years, we've come up with the training that would be necessary for someone coming in with 5 years of experience to take including mandated Ohio specific training. This allows the law enforcement agency heads to know exactly what type and how many hours of training are required before hiring an officer. Any individual would still be required to pass the entire state examination at the end. This is currently the policy in place now, it's just not formalized.

Mr. Schumaker asks how this differs from Chief Ferrell's concerns. Ms. Davis responded the essence of Chief Ferrell's concerns stem from an individual who went through an Ohio academy as an open enrollment student, meaning they had no affiliation with an agency. The student passed the state certification exam and then left the state prior to getting an appointment with an agency. There was never any service time to break. Chief Ferrell's concern was with the three years the student was out of state then when the student wanted to return to Ohio, the training the student had received under the basic training could not be considered when looking at the number of hours he would have to complete for basic training. The overall concern with his proposal is that it could eliminate any break in service requirement for any certified officers in Ohio if Ohio's basic training was counted when looking at prior equivalent.

Mr. Hykes also commented that Chief Ferrell's version would either allow almost a straight equivalency to out of state officers to Ohio officers in terms that if you are a West Virginia officer you can come in and immediately be an Ohio officer. Based on open enrollment status, Chief Ferrell wanted to equate open enrollment with break in service. There is a slight difference between the two currently. His solutions were unworkable.

Chair Wiseman asked for this to be forwarded to the education to come up with the regarded hours.

Chair Wiseman moved on to the New Chief's Training. A meeting took place on March 20, 2014. During the meeting there were a couple issues, one trying to get the training that is appropriate between leadership training and Ohio specific training a chief should have in place. Another issue was prior equivalency or testing out. We can get to an acceptable chiefs training with some compromising between all the parties involved. Chair Wiseman suggests this be given to curriculum committee and let them decide what the actual curriculum would be based on. Then they could decide what the training would actually be composed of and determine what would be equivalent before anything is pursued legislatively.

Chairperson Schumaker referred the new chief's training to the curriculum committee. With nothing forthcoming, that concluded the Legislative Committee report.

## V. HOUSE COMMITTEE

Colonel Paul Pride  
Committee Chairperson

Committee Chairperson Pride stated there was nothing to report at this time.

That concluded the House Committee report.

**VI. CONTINUING PROFESSIONAL TRAINING COMMITTEE** Sheriff Michael Heldman  
Committee Chairperson

Committee Chairperson Heldman stated there was nothing new to report at this time.

That concluded the Continuing Professional Training Committee report.

**STAFF REPORTS**

**VII. COMMISSION AND ACADEMY UPDATES** Executive Director Mary Davis

Ms. Davis announced to the OPOTC that the 2014 Fallen Officers Memorial Ceremony will be on Thursday, May 1, 2014. Donna will be sending out information to each OPOTC member for survivor reception and ceremony. We have one fallen officer to memorize this year along with 5 historic officers.

Ms. Davis clarified the date of the 2014 Ohio Attorney General's Office Law Enforcement Conference will be held at the Hyatt on October 28<sup>th</sup> and 29<sup>th</sup> with the theme, Protecting Ohio's Seniors.

Ms. Davis introduced James Burke as the new Deputy Director of Education and Policy, effective March 9, 2014. He will oversee the curriculum revisions and the state certification exams. Mr. Burke stated he is excited; he has a good staff, and looks forward to getting started.

That concluded the executive director's Update report.

**VIII. OLD BUSINESS** Acting Chairperson Stephen Schumaker

Acting Chairperson Schumaker asked for any old business.  
. With none forthcoming, that concluded the old business.

**VIII. NEW BUSINESS** Acting Chairperson Stephen Schumaker

Acting Chairperson Schumaker asked for any new business.

Mr. Hykes referred to the handout "Rules to be Amended". There are 30-40 pages of administrative code revisions that have been discussed with staff and at the legislative committee meeting. The first three pages summarize the changes.

- **109:2-1-04(E)(3) Approval of schools.** We removed the language allowing a school to extend past one year.
- **Approval of school commanders and instructors.** We have added language giving the executive director the right to suspend the certification of any commander or instructor that is charged with a felony, crime of moral turpitude, offense of violence,

sexually oriented or child-victim oriented offense, or any other peace officer disqualifying offense, pending the outcome of the criminal proceedings.

Because this would just be a suspension of his/her certificate, the suspension could be appealed while the case is pending. At that time the OPOTC could decide if the offense is really relevant to their certification, so the OPOTC can either allow them to continue maintaining their certification or not pending the criminal proceedings.

Currently, even if we deny any certificate because they don't have a high school diploma or a G.E.D. they could appeal that decision to the OPOTC. Anyone not meeting the qualifications could not file appeal.

- Modified the language for the 119 Appellate Rights for both commanders and instructors. Unless a decision is of a ministerial nature, the applicant shall be advised that he or she may request a hearing before the commission as provided in sections 119.06 and 119.07 of the Revised Code. Grounds for denial or revocation of instructor certification would be failure to meet the minimum qualifications for instructor certification listed in divisions (A) and (B) of this rule.
- **109:2-11-02 Jailer training for five-day and twelve-hour facilities.** We have done some language clean-up; based on DRC's language this is actually a twelve-day facility. We have changed the language to refer to the DRC's language.
- **Attendance.** As the OPOTC had approved the mandatory attendance for peace officer basic we have changed the language to make all programs mandatory attendance if the commission desires. All of our programs that are "firearms only" are already mandatory, but there are a few basic programs which were not.

Acting Chair Schumaker asked if there were any questions, if a motion was needed. Mr. Hykes replied a motion to recommend these rules to the Attorney General to adopt would be needed.

### **MOTION**

**Sgt. Troy Mineard made the motion to recommend these rules to the Attorney General to adopt. Sheriff Michael Heldman seconded the motion. A vote was taken and passed unanimously. No discussion was forthcoming, the motion passed unanimously.**

Mr. Hykes stated that we would like to refer a portion of the instructor certification rules to the curriculum committee for more discussion regarding putting a time limit on when someone took qualifying training verses when they applied to be an instructor. Example, someone who took the firearms instructor course twenty years ago and never applied to become an instructor until today; currently that 20 year old course would still allow them to be an instructor. We want to consider putting a five year time limit, to assure that out of date training can't be used to become an instructor.

Acting Chairperson Schumaker referred the matter to the curriculum committee for further discussion. With no more new business forthcoming, that concluded the new business.

**X. GUEST FORUM**

Acting Chairperson Stephen Schumaker

Acting Chairperson Schumaker asked if there were concerns or comments from guests. With none forthcoming that concluded the guest forum.

**XI. MOTION TO ADJOURN**

Acting Chairperson Schumaker asked if there was anything further to address. With nothing forthcoming, he asked for a motion to adjourn.

**Colonel Paul Pride motioned to adjourn the meeting. Sheriff Michael Heldman seconded the motion. The vote passed unanimously. Meeting adjourned.**

Time: 10:30 a.m.  
  
Chairperson

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