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Signed document submitted September 17, 2020

**Ohio Peace Officer Training Commission
Meeting Thursday, June 18, 2020
held via WebEx**

June 18, 2020 - Minutes

A. Opening

Call to Order

Chair Stanforth called the meeting to order at 10:03 a.m.
Chair Stanforth asked everyone to mute their phones to eliminate background noise.
Sheriff Michael Heldman led the Pledge of Allegiance.
Ms. Donna Long called the Roll Call.

Commission members present – per roll call

Sheriff Vernon Stanforth-Chair
Chief Clayton Harris-Vice-Chair
Ms. Leah Amstutz
Ms. Wynette Carter-Smith
Sheriff Michael Heldman
Chief George Kral
Ms. Carol O'Brien
SAC Eric Smith

Commission members absent

Colonel Richard Fambro
Lt. James Fitsko

Staff Attorney General's Office – per login

Mr. Louis Agosta-Accreditation Manager
Mr. Gregory Brillhart-OPOTC Staff
Ms. Brittany Brashears-OPOTC Staff
Ms. Savannah Brock-OPOTC Staff
Ms. Kim Buehler-OPOTC Staff
Ms. Bridget Coontz-Section Chief, Constitutional Offices
Ms. Jill Cury-OPOTC Staff
Ms. Toni DiSalvo-OPOTC Staff
Mr. James Foster-ITS/AGO
Ms. Arienne Fauber-OPOTC Staff
Mr. Richard Hardy-Director of Professional Standards and Education/OPOTC

Ms. Kim Hahn-OPOTC Staff
Mr. Dwight Holcomb-Executive Director/OPOTC/A
Mr. Chad Ivery-ITS/AGO
Ms. Donna Long-OPOTC Secretary/OPOTC Staff
Mr. Matthew Lyons-OPOTC Staff
Mr. Michael McGreevy-OPOTC Staff
Mr. Barry Newlin-OPOTA Staff
Mr. Daniel Ozbolt-Director of Advanced Training/OPOTA
Ms. Cynthia Peterson-Senior Assistant Attorney General/OPOTC/A
Ms. Jennifer Prince
Ms. Lori Rinehart-OPOTC Staff
Mr. Dave Yost-Ohio Attorney General

Guests – per login

Mr. Robert Altier
Mr. Elijah Baisden
Mr. Chuck Crosby
Mr. Matthew Dickey
Mr. David Lamb
Mr. Mark Lang
Mr. Mike King
Ms. Sallie Kurilchick
Mr. William McGee
Mr. Ron Morenz
Mr. Ernie Oergel
Mr. Kent Patterson
Mr. Joe Richardson
Ms. Amber Rose
Mr. James Tavano
Mr. Paul Weber

Unfortunately, not all names were attainable

B. Chair Report
Sheriff Vernon Stanforth

Chair Stanforth welcomed everyone to the Commission meeting. Our society is in a change and he is an advocate that change is good, but it's not always good if it's not done properly and effectively. Change just to be changing is never good, but changing for a cause and a reason is; which is being well demonstrated to what that reason is. He believes we will be seeing a lot of changes coming our way over the course of the next several years. The dynamics in law enforcement and how we function is going to be acknowledged and changed, hopefully for the better.

Chair Stanforth introduced Attorney General Yost (A.G. Yost). A.G. Yost appreciated the opportunity to meet with the Commission this morning. He wished it could have been face to face.

A.G. Yost had a couple things to cover. First, it was indicated the Governor was going to fund 6 hours of immediate training from the existing sources in the executive budget. A.G. Yost, Executive Director, Dwight Holcomb (E.D. Holcomb) and their team will be working on what that will actually look like and how to implement it. There is no line by line plan and they will try to expediate it.

Secondly, there are a number of changes this Commission needs to be infinitely involved with. A.G. Yost asked if the Commission would be willing to set aside time for a special meeting. He would like our staff to participate and think through how we are going to accomplish some of these changes, and get the input of the Commission. Today is not the day to go into this, the AG would like to send some proposals and information around to people and then have a discussion.

The Governor's group would become the appeals body of any licensing board. So, it would be in the Governor's view, which would be up to the legislature as to exactly how this will look, but as of right now the Governor is envisioning a licensing board for law enforcement that would have standards and suspension abilities and then the appeal from that board would go to the full Commission, if there were an appeal.

The last thing A.G. Yost wanted to mention was the difference between types of training. He and his staff met prior to this meeting to discuss funding, because obviously, we need to have a secure source of funding and we need to spend more money on training than we have; not only for continuing professional training, but, we also need to be looking at basic training. The kinetic training probably needs to be spread out and consistent rather than modules. Just like playing basketball or a musical instrument, taking a class or going to a summer camp is not going to do you any good, it's the muscle memory that you rely on. We need to think about that, we need to up the amount of scenario-based training we have for the cognitive responses on the street and it's not that we don't know what to do, but he thinks we need to thoroughly rethink how we do it. This group and its very diverse professional backgrounds are in a great position to advise us. A.G. Yost wanted the Commissioners to know that as all these discussions are going on, all the different politicians are out there issuing news releases and having press conferences and drafting bills; that he has not forgotten them, he is not going to let the rest forget them and value your place and role in training law enforcement here in Ohio.

Chair Stanforth responded to A.G. Yost that the Commission certainly appreciates that, they know that A.G. Yost and Governor DeWine have spent a lot of time working on these issues. It's a night and day process, he believes each one of us have been assessing our own agencies and how they can make things better. A lot of the topics being discussed have been discussed over the years, but have never had the momentum this has to make these significant changes. We welcome the opportunity to make a difference in Ohio law enforcement. He agrees it's a very good group, a core of Commissioners present that can make that happen. It's an exciting time, and they're not sitting back taking a breath; they're waiting on A.G. Yost to come in and give them the instructions he needs for them to carry out the wish of the people, making this a very effective and productive era in law enforcement in the State of Ohio.

Chair Stanforth thanked A.G. Yost for joining them today. A.G. Yost thanked Chair Stanforth for allowing him to visit, he hopes the meeting is productive. He looks forward to when the Commission can meet with no other business, but to walk through some of the things that are pending in the near future. Chair Stanforth stated they would work on having a work session and how they could do that effectively and legally. It's been done before, so there's a pathway to do that, giving us the opportunity to work together. Although, they can't sit down together, but at the same time having this technology allows us to do our jobs from home as well as cutting out an hour or two of their time in working on this very important endeavor.

E.D. Holcomb stated he received an email from Commissioner Leah Amstutz who is on the line, but having some technical problems; she can hear us, but can't speak. Chair Stanforth asked it be documented for the record that Commissioner Leah Amstutz is a participate in the Commission meeting and thanked her for joining.

As part of his continuing welcome to the Commission, Chair Stanforth wanted to recognize the upcoming recognition of Juneteenth; a very significant day. This year many people who didn't know this date even existed or forgot about it in their history lessons will now have the opportunity to reflect on the significance of that day. It's not just a black holiday, it's a holiday for all Americans to recognize the communities as a whole and the value that everyone in our communities play. He hopes everyone takes the time to educate themselves on Juneteenth and the significance behind it. It needs to be a broader holiday recognition of the significant milestone in our history.

Chair Stanforth stated the Commissioners had been presented electronically the minutes from the June 9, 2020 and April 21, 2020 meetings. Chair Stanforth entertained a motion for the approval of the June 9, 2020 Commission meeting.

MOTION:

Chief Kral moved to approve the minutes of the June 9, 2020 meeting. The motion was seconded by Chief Harris. No discussion was forthcoming; a vote was taken and passed unanimously. Yes-8, No-0, Absent-2.

Chair Stanforth entertained a motion for the approval of the April 21, 2020 Commission meeting.

MOTION:

Ms. Carter-Smith moved to approve the minutes of the April 21, 2020, meeting. The motion was seconded by SAC Smith. No discussion was forthcoming; a vote was taken and passed unanimously. Yes-8, No-0, Absent-2.

That concluded the Chairperson's report.

**C. Curriculum Committee
Sheriff Heldman, Committee Chair**

Committee Chair Heldman stated there was nothing at this time to report. That concluded the Curriculum Committee report.

D. Legislative Committee

Lt. Fitsko, Committee Chair

In the absence of Committee Chair Fitsko, Chief Kral stated there was nothing to report at this time. That concluded the Legislative Committee report.

E. House Committee

Colonel Richard Fambro, Committee Chair

In the absence of Colonel Fambro, Chief Kral stated there was nothing to report at this time. That concluded the House Committee report.

F. Continuing Professional Training Committee

Sheriff Michael Heldman, Committee Chair

Chair Heldman stated there was nothing to report at this time. That concluded the Continuing Professional Training Committee report.

Staff Reports

G. Commission and Academy Updates

Dwight Holcomb, Executive Director

E.D. Holcomb stated a lot of what is happening, is happening very quickly; coming out of yesterday's meeting and the press conference with A.G. Yost and Governor DeWine. We will certainly be reaching out to the Commission and small groups to start looking at whatever curriculum we may be needing to do in the future; especially the 6 hours of Continuing Professional Training which will be forth coming.

A couple of updates from the academy side of the house, as you may know, there was a lot of reorganization which started back at the end of May. E.D. Holcomb introduced Daniel Ozbolt as the new Director of Advanced Training. Mr. Ozbolt has been with us for several years.

Mr. Ozbolt stated it was an honor to be in this compacity and will try to provide the best training possible based on the resources we have available. He looks forward to working with each one of them. Mr. Ozbolt has been at OPOTA for six years as a training officer and prior to that he had retired from the Department of Justice, Bureau of Alcohol, Tobacco and Firearms and Explosives. He looks forward to working with everyone in this compacity.

E.D. Director stated since the start of the reorganization in May, there has been a lot of misleading information. People think OPOTA is completely closed, which is not the case. We are doing our best to get things up and moving. A lot of things happened this past Monday, we brought five new members back into the advanced training staff:

- 2 Firearm Instructors: Aaron Coey and Michael Torres
- 1 Driving & Vehicle Instructor: Ryan Born
- 2 Training Coordinators: Micah Stoll and Joshua Grusendorf

They are on the job and we will be working closely with a lot of different entities to get training back up and running. Specifically, questions that come about are on the instructor level that supports other areas; they will continue on. Those are critical to what we do here supporting basic academies to assure they can function properly. Our physical academy continues to be closed due to the COVID-19 issue through the end of August. There are no classes going on here, we are working on the process now as we bring back classes; including social distancing, we may have to offer specifically the statutory mandated courses, maybe more of those to keep the numbers down, but allow everyone to get the training that could be provided here within the academy.

As we move on in the reorganization, we are truly looking to bring OPOTA into the next new chapter of advanced training. We want to provide that high-quality material, not just here, but at the e-learning platforms. We want to involve others out there in the state of Ohio who we can partner up with and get training out regionally. It's a whole new way of what we want to do, it's a whole new invention; so, we are really excited with what we are trying to bring forth.

On the Commission side of the house, we continue since last April to provide the State Certification Exams. E.D. Holcomb recapped that when we closed down back in March we did not know how long the COVID-19 issues would last, so we weren't providing the State Certification Exams. In April, A.G. Yost asked us to formulate a process to be able to do that and its been very, very successful.

We have a process at the OPOTA London campus, which is the only location where the state certification exams are being performed. We are doing testing on Mondays, Wednesdays and Fridays when we have the numbers. We are doing two testing schedules a day, one in the morning and one in the afternoon. We can accommodate up to 40 cadets at a time in our testing center which is the gymnasium. It has lots of social distancing, we worked with the academy commanders as they are arriving to assure social distancing is maintained, we are checking temperatures of cadets as they walk in to be sure they are in a normal range, the testing area inside the gymnasium is one cadet at each table which are ten feet apart. Another expense, but safety precaution, is each cadet is given a test booklet and when the test is completed, the cadet throws the test booklet in a locked destroy bin.

E.D. Holcomb gave thanks to the General Services and Maintenance staff at OPOTA who between all the sessions are doing a fabulous job of sanitizing and making sure everything remains clean and ready to go as the cadets are brought in.

Numbers of State Certification Exams given:

- April – 132
- May – 124
- June – 285 (by end of this month)
- July – 93 (have already been scheduled)

This is moving on and has been very sufficient in our process to get the cadets in and the state certification exam given.

On the agenda's that went out, we asked for any questions from our constituents and commanders to submit them in writing prior to this week. We received six questions from Ernie Oergel, Commander at the Polaris Career Centers Police Academy.

Question: When will the new curriculum be posted on OHLEG? My understanding is that there are no changes? It is usually posted in early May.

Answer: No revisions at this point. The curriculum is current.

Question: If it has not already been answered, how do future instructors for Basic Police Academies, or any academies, get certified to teach classes since there are no classes or OPOTA instructors to teach the required topics? (i.e. instructional skills, Domestic Violence, SFST, Etc.)

Answer: OPOTA is going to continue to offer those critical instructor-based courses, so all basic academies will have their staff properly trained.

Question: In order for instructors to get their certificates renewed with 24 hrs. of training will e-OPOTA classes count towards the 24 hours required training? Especially concerned since almost all agencies are cancelling training for this year and with the way things are going I am really concerned about the 2021. Retired officers are really hit hard by this. They have no source of training with London and Richfield shutdown.

Answer: This is still being researched. If eOPOTA courses are permitted there will be a restriction that previously completed courses may not be approved. This is continuing to be looked at by Mr. Hardy and his staff. We will work with everyone during this COVID-19 to make sure we can accommodate and get everything done as best as possible.

Question: Are you planning on cutting back on Basic Police Academies in the state? If so, how will it be determined which academies will be discontinued and when will this process begin?

Answer: That's not a discussion that has happened at this point or in any conversations that he is aware of.

Question: The Physical Fitness requirements were in process to be updated, is this still in the works?

Answer: This was an exploratory discussion on physical fitness requirements and it has not gone through any formal survey or recommendations at this time. It is still under review for the future.

Question: I have asked for a testing date once I set my closing with my field agent. I have not been given a test date and would like to know when a test date will be assigned.

Answer: His academy will not test until later in July, his academy will be able to schedule their final testing sometime in August once they've done their part.

That concluded the questions and the staff report.

Chief Kral stated they had been discussing remote testing at community colleges, so all the cadets didn't have to travel to OPOTA, is that still in the works or as it been shelved for now? E.D. Holcomb responded it is continuing, we signed an agreement with Pearson Vue in the spring. Mr. Hardy and staff are working with Pearson Vue now formulating the entire process. We hope that by the end of this year we will have Pearson Vue up and running, so

when academies graduate they can make their own appointments at a testing center close to them and we will get out of the testing process. That is continuing on, it's moving. Chair Stanforth hearing no other questions moved to the old business.

H. Old Business

Chair Stanforth

Chair Stanforth asked if there was old business; hearing none that concluded the old business report.

I. New Business

Chair Stanforth

SAC Smith announced United States Attorney General William P. Barr is anticipating travel to the State of Ohio sometime in the next month. He had anticipated traveling in next week for the purpose of meeting with Chief Williams to discuss issues related to police reform and other items. Attorney General Barr wanted people to recognize that it is likely to happen. Travel has been pushed back into July; so, he will be coming to Ohio shortly. SAC Smith will keep us posted on updates.

Chief Harris stated we had talked a little about some of the academies and issues related to online or distant learning. Do we have any team or anyone looking at courses or part of the courses in the police academies that can be done remotely and also can still satisfy the requirements for training? E.D. Holcomb responded back when COVID-19 first started and we were trying to do everything we could to assist academies to continue their education, as you know it requires 100% attendance for all aspects of the training. We did identify 100 hours of training that could be done in a remote fashion; as long as the academy commander could guarantee the attendance, had a way of recording it and were assuring the students were engaging.

Chief Harris asked if there was a group that is continuing to review that to see if that is something we would continue or if it's something that is a one time, one shot deal for what we are doing for the initial phase of COVID-19? E.D. Holcomb stated at this time it would just be during the COVID-19 emergency. So, it's continuing on right now if the academies elect to do it that way; because we are in a sense still in the COVID-19 pandemic. If down the road the Commission would want to look at the potential of doing something like that it could be discussed. But, for now it is continuing on, if an academy elects to do it during the COVID-19 emergency.

Chief Harris stated that's what he wanted to review, to see if the potential of it is worthwhile. Is it something we need to look at as far as either augmenting or ensuring that the quality is there. Something where we know we are putting in the effort to ensure it is following all the guidelines we need and any future training that may fall into that category also. Some training may need to be pulled out based on not meeting or following the guidelines needed. The on-line delivery is a great tool and allowing a lot of great things, but I want to make sure it does what it's supposed to do and at the same time doesn't get lost in the process with the scenario-based training agenda.

Chair Stanforth suggested that topic be referred to the Commission Curriculum Committee to stay on top of that and to review the progress made in the declaration of the emergency as

well as making recommendations to continue it after the declaration, if that's what the Committee would like to recommend to the Commission. That would be Sheriff Heldman, Chief Harris, and Ms. Amstutz. It would be up to them to convene at their convenience and Director Hardy for continuing discussion on the long term.

Chair Stanforth brought up the decertification issue for discussion. The International Association of Directors of Law Enforcement Standards and Training (IADLEST) has a registry for decertification, the National Decertification Index (NDI). Do we participate in that program? E.D. Holcomb stated so far this year we've had 13 revocations in the state for basic peace officers, and all 13 have been submitted to the NDI data base. Chair Stanforth stated they are saying they need to create a data base, but this data base already exists, it just needs to be capsulated and processed. It's done through IADLEST rather than the Department of Justice. There's no reason to recreate the wheel. They can pick up the phone to find out there's already a system in place that can work. He is glad to hear that Ohio is participating in using it. Most states are using it, but it's not mandated. Chair Stanforth has never searched the data base, but it can be done. E.D. Holcomb stated his staff was telling him they use it and it's not an encumbrance at all.

Ms. O'Brien asked is that a forward-facing data base or only open to law enforcement? Both Chair Stanforth and E.D. Holcomb stated they believed that was associated to law enforcement. That's where IADLEST would have to do something different to give up forward facing to allow the public more transparency to use it too. Ms. O'Brien asked if that was just revocations? E.D. Holcomb responded revocations, voluntary surrenders and probably anything that deals with the fact that a license or permission has been pulled. Ms. O'Brien thinks the data base that is being discussed both at the federal and state level is a little bit more granular and doesn't just apply to revocations only. It applies to disciplines, findings of police agencies. When we get something setup, it will have those findings too and things that may not result in revocations. We have a lot of things to look at. There's a lot of things transpiring at the national level. He is on the phone almost every day with the White House dealing with the executive order and with the senate and the bill introduced yesterday, which has been many late-night discussions on the phone. Trying to make that a workable document as well. Chair Stanforth stated a lot of work is taking place behind the scenes and it's very obvious there's been a lot of work in Ohio as well. Hats off to everybody.

Chair Stanforth asked if there was any other new business? Anything from the Commissioners for the good of the order? Chief Harris stated it was nice to see that the Governor appointed Mr. Patrick Oliver, a past Commissioner in on the recruitment portions of some of the reforms being looked at.

Chair Stanforth stated for those who are listening who aren't Commission members, this is not ideal for listening to everybody, but he encouraged anyone with questions to email E.D. Holcomb and they will work to get the answers for any of the questions you may have; stating they will do their due diligence in responding to each question as they come in. Chair Stanforth encouraged commanders to email in questions. He also, encouraged everyone to understand, as well as Commission Members that we are two entities here, the Commission and the Academy and as this is demonstrating the things that are taking place,

the things taking place in the academies are not the Commissions oversight. We have a set of responsibilities and the academy has a set of responsibilities, sometimes they seem to overlap at times, sometimes they overlap by nature. We have to understand that overlap has to be governed by legislature and administrative rules to make things happen. E.D. Holcomb was asked if he had any further comments. E.D. Holcomb stated no, but suggested they may want to speak with Commissioners now on setting up the next Commission Meeting. Sheriff Stanforth and E.D. Holcomb recommended August 13, 2020, and canceling the July meeting. He is hoping by then we may be able to set the meeting up in the cafeteria to allow for the social distancing. We just have to wait a little longer to see how the COVID-19 issues continue to roll. Ms. Long asked for clarification that the July 9, 2020 Commission meeting would be canceled. Chair Stanforth asked if there was a motion to make that change?

MOTION:

Ms. Carter-Smith moved that we would not have the July 9, 2020 Commission meeting as originally scheduled, instead they would have an August 13, 2020, 10:00 a.m. in person meeting, at this point at the OPOTA facility. Ms. O'Brien 2nd the motion. With no discussion, a vote was taken and passed unanimously. Yes-8, No-0, and Absent-2.

The staff would prepare that notice accordingly. Chair Stanforth took a moment to look over A.G. Yost comments to verify if anything needed action. E.D. Holcomb stated at this point he didn't believe any action was required. Where they would probably be taking some actions would be working to get these small groups together as A.G. Yost was suggesting. Ms. Long reminded Chair Stanforth about the workshop session A.G. Yost mentioned. E.D. Holcomb stated he would work with Chair Stanforth and the staff to get something scheduled. Chair Stanforth didn't know if it took a motion or if they could call a special meeting without a motion by the entire body. If it's going to be a work session whether than a public meeting, it would have to be a work session, which no action can be taken, unless a special meeting is actually called. No action could take place until the August 13th meeting, which is an open and announced meeting. The only other way just for the advocacy of the Commission Members, we have to give out a 24-hour notice of any meeting which we advocate that we are going to take any action. So, unless there is something scheduled before August 13th, which would have to be a special meeting for that purpose and public notice given out. Otherwise, a work session, we would have to refer to the Legal Council to be sure we do so properly and accordingly to the guidelines.

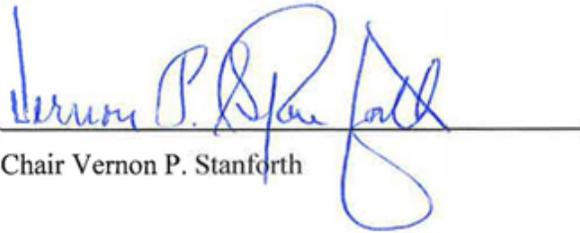
Chair Stanforth asked if there were any other discussions for the Commission Members, hearing and seeing no indications the Chair entertained the motion to adjourn.

This area was intentionally left blank.

MOTION:

Ms. O'Brien moved to adjourn the meeting. Chief Harris seconded the motion. A vote was taken and passed unanimously. Y-8 / N-0 / Absent-1.

Time:10:51 a.m.



Chair Vernon P. Stanforth

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