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★ OHIO ATTORNEY GENERAL ★



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**OHIO PEACE OFFICER TRAINING COMMISSION MEETING**

**THURSDAY, MARCH 17, 2011**

**HELD AT THE**

**OHIO STATE HIGHWAY PATROL ACADEMY**

**740 EAST 17TH AVENUE**

**COLUMBUS, OHIO 43211**

**MINUTES**

**I. OPENING**

**A. CALL TO ORDER**

Chairperson Vernon Stanforth called the meeting to order at 9:14 a.m.  
Chief Paul Denton led the pledge of allegiance.  
Ms. Donna Long called the Roll.

**COMMISSION MEMBERS PRESENT**

Chairperson Vernon P. Stanforth  
Sheriff Thomas G. Maurer  
Sgt. Troy Mineard  
Chief Paul Denton  
Ms. Linda O'Connor  
SAC Keith Bennett

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

Chairperson Stanforth advised that Mr. Stephen Schumaker and Colonel John Born were present but, would not be able to vote until official letters were received from the Senate confirming their commissions.

## ATTORNEY GENERAL'S OFFICE

Mr. Jeffery Clark  
Stephen Schumaker

Attorney General's Office  
Attorney General's Office

## GUESTS AND STAFF

Mr. Robert Fiatal	OPOTC Executive Director
Ms. Donna Long	OPOTC Secretary
Mr. Louis Agosta	OPOTA Deputy Director
Mr. Scott Weimer	OPOTA Business Manager
Mr. Bill Walker	OPOTC Deputy Director
Ms. Sarah Thomas	OPOTA Law Enforcement Trng Officer
Ms. Mary Davis	OPOTA Law Enforcement Trng Officer
Mr. James D. Daniels	OPOTA Law Enforcement Trng Officer
Ms. Erin Sainato	OPOTC Staff
Ms. Lori Wachtel	OPOTC Staff
Colonel John Born	OSHP
Mr. Mark Leach	OSHP
Mr. Tom Stickrath	B.C.I. & I.
Gary Obermiller	ODNR
David B. Smith	Medway D.E.A.
Bill McGee	Solon P.D.
Walt Poffenbaugh	North Central State College
Dale Kulchar	Citizen
John Kulchar	Police Officer
Betsy Butler	Hondrus College
Tina Lapp	National Background Check
Chilley Siebert	Dayton P.D.
Larry Shaffer	Cleveland Heights P.D.
Geoffrey Barnard	Cleveland Heights P.D.

## **II. CHAIRPERSON REPORT**

Chairperson Stanforth did not give a specific Chairperson report because any pertinent issues would be discussed throughout the meeting.

### Approval of Minutes

Sheriff Thomas Maurer motioned the minutes of the January 20, 2011, meeting be approved. SAC Keith Bennett seconded the motion. A vote was taken and the motion passed favorably.

Chairperson Stanforth asked that we please keep the Japan and American citizens in our thoughts during the aftermath of the Japan earthquake and tsunami.

### **III. CURRICULUM COMMITTEE**

Chief Paul Denton  
Committee Chairperson

Chief Denton stated that the Curriculum Committee met March 17, 2011 at 8:00 a.m. prior to the 9:00 a.m. OPOTC Commission meeting. The Curriculum Committee Chairperson had a briefing on several items. The Job Task Analysis (JTA), the Curriculum vote for the basic peace officer training and the private security review and updates will be updated by Mr. Walker.

Chief Denton complimented the staff and Deputy Director Walker for their continued efforts to get the curriculum up to date, a lot of work has been done since the January 20, 2011 OPOTC Commission meeting to achieve those goals.

#### **CURRICULUM REVIEW UPDATE**

Mr. Walker reported that the J.T.A. Analysis procedure was in process. The contract for Systems Designs Group with Val A. Lubans a third party independent contractor has already been signed and received. A list of agencies that have used this J.T.A. was available. The contract will expire on June 30, 2011 and all work will need to be finalized by that date.

Mr. Walker explained that the J.T.A. is broken down into two sections. One is line level police officers who have graduated from an academy over the last six years and the other is First Line Supervisors, anyone who actually supervises one of those officers. Each section would receive a survey to complete via the internet. Each agency C.E.O./Chief/Sheriff will need to pull their supervisors and provide a list to us. OPOTC doesn't track rank in any of our forms, systems, etc. Mr. Walker would like to put a letter out from the OPOTC Commission requesting the needed information while also providing an explanation of the needed information and prompting a quick return to OPOTC.

Chairperson Denton explained that the J.T.A. was an independent scientific survey that works to verify the task, frequencies and the importance of the work done at the patrol level. That is what will be accomplished by doing the J.T.A. Chairperson Denton asked that the OPOTC Commission support the Curriculum Committee's request to send out the letters to law enforcement agencies and express the need for them to participate in the survey.

Sheriff Maurer questioned if the information of rank could be added for the SF400 form. Mr. Walker responded stating that it would take several months to even get through the POLARIS system rebuild phase and that it is not an expense that they would like to take on at that time.

A new J.T.A. would need to be done every 2-3 years to keep the information updated. Mr. Walker stated that the next meeting would be on March 31, 2011. The results of the J.T.A. Analysis should be available by July 2011.

Mr. Walker spoke of needing the OPOTC Commission's help with producing Law Enforcement Advisory Panel (LEAP). The agencies in the state are broken down by small, medium, large and ex-large agencies, police departments and sheriff's offices. They are also broken down by the Ohio Department of Natural Resources, Campus Police Departments, Transportation, Rail Road Police and hospital police departments so that all agencies are represented. This allows a scientifically valid way of committing to our basic training program. It will break down training into three groups: basic training, advanced training and on the job training.

A survey went out to law enforcement agencies asking them what they wanted and needed in advanced training, the response was overwhelming and most surveys were returned within 48 hours.

The next LEAP meeting will be held on March 31, 2011.

Chief Denton asked if a motion was needed for the letter to the law enforcement agencies, Chairperson Stanforth questioned by whose authority, would they report to the commission; advisory panel; validating. Mr. Fiatal stated that the responsibility fell to the Executive Director of OPOTC. Mr. Walker met with Mr. Jeff Clark, OAG, who stated that approval was already in place.

#### **MOTION**

Sheriff Thomas Maurer and the Curriculum Committee motioned for the OPOTC Commission to approve the creation of a panel to carry out the advisory role in the J.T.A. Sergeant Troy Mineard seconded the motion. A vote was taken and the motion passed favorably.

Mr. Walker provided a list of POBT SCE Test Score Trend Analysis used in tracking data on the test scores of all academies. Mr. Walker provided the scores at the request of the Commission for possible posting to the A.G.'s website, giving an overall ranking in units of the bottom ten scores.

Mr. Denton concluded the OPOTC Curriculum report.

#### **IV. LEGISLATIVE COMMITTEE**

Chief Robert Williams  
Committee Chairperson

In the absence of Chief Williams, Executive Director Fiatal gave the Legislative Committee report.

Mr. Fiatal reported that pending HB99 and HB116 could cause Curriculum changes for the basic lesson plan; a new bill that requires the New Chiefs 40 hours of training to be completed in one year. O.A.C.P. would be in charge of the training. There are over 950 chiefs and some departments change up to six times a year.

That concluded the Legislative Committee report.

**V. HOUSE COMMITTEE**

SAC Keith Bennett  
Committee Chairperson

There was no report for the House Committee.

**VI. CONTINUING PROFESSIONAL TRAINING COMMITTEE Sheriff Thomas G. Maurer  
Committee Chairperson**

Sheriff Maurer announced the CPT is mandated by funding, and unfortunately this year we will not have the funding to pursue the mandatory training. In the beginning OPOTC was reviewing and authorizing four hours of CPT training that has since fallen through. Mr. Fiatal and staff have been working very consciously about offering more regional training. Sheriff Maurer stresses the need to not put CPT training on a shelf and let it be forgotten. Sheriff Maurer would like some kind of recorded training that officers do throughout the years of 2011 and 2012. With the advances in regional training and also the revisions and updates of e-OPOTA, it is immaterial to think that you could not set an officer down in 365 days and get 2-4 hours visual training on a computer or to regional training; staff is going around the state offering SB77. That could be training hours. OPOTC needs to keep the wheels moving, but not lock the wheels. Once a program is set aside, it's really hard to get it started up again.

Mr. Fiatal stated that since there are approximately 34,000 certified peace officers in the state we had to try to forecast what that will cost per hour of mandatory training and financing would fall from \$650,000.00 - \$700,000.00 per hour of mandated training, and of course with a four hour mandated training equals about \$2.5 million dollars. Needless to say the money is not there. Future funds may be available from the casino taxes and receipts, but the time frame is uncertain.

Mr. Fiatal stressed that the regional training hours were for six hours or less. This elevates the need for overtime, overnight lodging, etc. With the use of OPOTA staff instructors and/or free guest instructors there were over 6,000 officers trained regionally last year.

e-OPOTA posted eight new courses, there are fifty selections in the library, SB77 training, a two hour course on the Biological Evidence Task Force, required by statute. Getting training information out as quickly as possible is essential to the training. Also, in July all arresting agencies will have the responsibility of collecting CODIS samples from all arrested felons. There will be CODIS e-OPOTA training offered about two months prior to the collection date. This training will also provide training in obtaining, completing and submitting the required kits. There have been eight scheduled Prescription Drug and Abuse courses scheduled. With the use of B.C.I., Crime Scene Agents, as well as the Attorney General's Crime Victims Unit, we are able to provide a one-day regional training on First Responders and Sexual Assaults course.

Mr. Jeff Clark also mentioned that the Attorney General's Public Records training which is mandated for all elected officials of the state, is also provided for free. It is approved by the Ohio Supreme Court as three hours of continuing legal education and could probably be available as replacement for CPT training. The schedule is provided on the Attorney General's Website.

Chief Denton also stated that last fall this commission met and had a vote on the hours for CPT training. It took a formal commission act to set the CPT hours. He questioned if it takes a formal act of the OPOTC Commission to dismiss the CPT Training hours? Chairperson Stanforth stated that the statute is already in the ORC – stating that if no funding is available that it can be overruled.

Sheriff Maurer questioned how the free training is posted and if a list of that training will be available. Mr. Fiatal stressed that the letter sent out two weeks ago advising the law enforcement community that there was no longer a mandated training did provide a partial list of dates of regional training. A letter showing the complete schedule with a request that they regularly look at the postings and updated online course catalog. OPOTC uses a blast email account that sends updates out to law enforcement personnel in a mass email.

Mr. Clark offered clarification on the cancelling of the CPT training. It is not just the lack of funding from the general assembly, but the statute and rules anticipating the funding could come from other sources, although Mr. Clark is not sure what the limitations are on those. The way they are written if other funding sources were available, then the mandatory training could be proposed.

Sheriff Maurer asks if OPOTC is in agreement for the Executive Director to form a letter to go out with training availabilities everywhere. Executive Director Fiatal agreed to follow through on getting such a letter out.

Sheriff Maurer concluded the CPT Committee.

## STAFF REPORT

### **VII. COMMISSION AND ACADEMY UPDATES**

Executive Director Robert Fiatal

Mr. Fiatal gave updates to the committee: Ms. Amy O'Grady has been named Deputy Director over the Professional Standards section at OPOTC. Ms. O'Grady who is an experienced Assistant Attorney General and goal oriented. Arienne M. Fauber will start on March 14th as certification officer.

Mr. Fiatal confirmed the May 10th in London and the May 13th in Richfield dates for the basic commanders meeting. This provides a way of keeping the commanders up to date.

Mr. Fiatal discussed the examination of basic training academy test scores. We require all commanders beginning 2011 provide or give us some reports of their performances

throughout that calendar year. We have received all reports for the 2010 calendar year. This tracks all the basic peace officer students from day one of their academy up through the final examinations; they are also broken down by gender, race and age. Mr. Fiatal with the OPOTC Commission approval would like to scrub the reports to remove gender, race and age, but use the information to show how these academies are performing. Sergeant Mineard suggested that the data be made available to the public, that the public should be able to look at the data and use it objectively in selecting academies especially if using open enrollment. Mr. Fiatal suggested posting it on the Attorney General's Website. Mr. Fiatal asked for the OPOTC Commission's input on the matter. Chief Denton liked the purpose of posting for the schools. Chairperson Stanforth agreed that it would keep the public advised. The data would provide failed or passed written test as well as physical testing. Academies need to start the physical testing early along with the written testing.

Mr. Bennett stated that if the information was available to the public, it would give them the needs to make good selections. Chairperson Stanforth asked if we wanted to rate the agencies, but Mr. Fiatal suggested that we let them make their own decisions from the raw data available. There were no objections and the OPOTC Committee will move forward on this matter.

Mr. Fiatal would like to make it necessary for all new or lapsed special subject instructors be required to do an eighty-hour instructional skills course; unless, you are an attorney, first aide instructor, or a homeland security and public safety area instructors, who obtain certifications regularly to remain up to date on training. Sheriff Maurer agreed that we should move forward on this requirement.

Mr. Fiatal stated that with the hard work of the OPOTC/OPOTA staff along with Subject Matter Experts, the important areas in Private Security legal curriculum has been reconstructed.

That concluded the Commission and Academy reports.

**VIII. OLD BUSINESS**

Chairperson Vernon P. Stanforth

There was no report for Old Business.

**IX. NEW BUSINESS**

Chairperson Vernon P. Stanforth

There was no report for New Business.

**X. GUEST FORUM**

Chairperson Vernon P. Stanforth

Chairperson Stanforth opened the meeting to public comments and/or concerns.

Mr. Bill McGee, Solon Police Department advised the OPOTC that as of July 2011 the Bureau of Adult Detention will be dissolved. As a member of the jail advisory board in the state of Ohio, Mr. McGee would like to recommend us for some direction and/or leadership.

Mr. McGee requested that the OPOTC Commission send out a new letter stating that the mandatory CPT training was not being funded in 2011 and include with that letter a list of information on all free training as well as the eOPOTA courses offered.

Mr. McGee spoke about the impending legislative act PREA some of the things that will be effective are cross gender – pat down searches; and holding cell changes, there is still time to make public comment on this. There have been many adjustments based on the public input.

As a commander with Kent State University, Mr. McGee added that he is in agreement with posting the testing scores of all academy testing.

Mr. McGee also requested the teaching equivalencies be made in regards to the Special Topic Instructors training and required updated training. Mr. McGee also shared a letter regarding the chiefs training and supplied a copy for the file. This was the end of Mr. McGee's public forum.

Mr. Dale Kulehar, discussed the issue with employment at Pomeroy Police Department requesting that OPOTC create a statute to enforce powers; a CD was also provided.

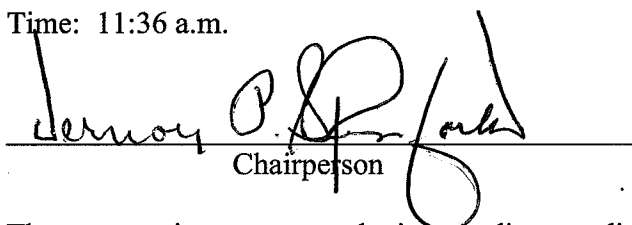
Chairperson Stanforth asks if any other issues needed to be discussed. Mr. Fiatal explained the demo that was taking place immediately upon the conclusion of the meeting. The targets and scoring was explained by OSHP Sgt. Mark Leach.

Sheriff Maurer reminded the OPOTC Commissioners of the May 5th OPOTA Peace Officers' Memorial Service.

**XI. MOTION TO ADJOURN**

Chief Denton motioned to adjourn the meeting. All were in favor. Meeting adjourned.

Time: 11:36 a.m.

  
\_\_\_\_\_  
Chairperson

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