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**OHIO PEACE OFFICER TRAINING COMMISSION MEETING**

**THURSDAY, FEBRUARY 6, 2014**

**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 11:04 a.m.  
Colonel Paul Pride led the Pledge of Allegiance.  
Ms. Donna Long called the Roll Call.

**COMMISSION MEMBERS PRESENT**

Chairperson Vernon P. Stanforth  
Sergeant Troy Mineard  
Colonel Paul Pride  
Sheriff Michael Heldman  
Chief Paul Denton  
SAC Stephen Anthony  
Ms. Linda O'Connor

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

**ATTORNEY GENERAL'S OFFICE**

Mr. Jeff Clark  
Ms. Pam Boratyn

Attorney General's Office  
Attorney General's Office

OHIO PEACE OFFICER TRAINING COMMISSION

## GUESTS AND STAFF

Chief Bruce Jamison	Piqua Police Department
Chief William Balling	Sidney Police Department
Mr. Eric Landversicht	Ohio Department of Education
Mr. Rick Amweg	Ohio Board of Regents/ODE
Mr. Art Reitz	Ohio Wesleyan University Public Safety
Ms. Mary Davis	OPOTC Executive Director
Ms. Donna Long	OPOTC Secretary
Mr. Justin Hykes	OPOTC Assoc. Assistant Attorney General
Ms. Alice Robinson-Bond	OPOTC Deputy Director
Mr. Lou Agosta	OPOTA Deputy Director
Ms. Arienne Fauber	OPOTC Staff
Mr. Mike Roever	OPOTC Staff
Mr. Aaron Coey	OPOTC Staff
Mr. Eric Schaefer	OPOTC Staff
Ms. Lori Wachtel	OPOTC Staff
Ms. Sarah Thomas	OPOTC Staff
Mr. James Burke	OPOTA Staff

Chairperson Stanforth stated, as a special OPOTC meeting, the agenda has been set. Commission members were asked to keep to those topics. Chairperson Stanforth turned the meeting over to OPOTC Curriculum Committee Chair, Chief Paul Denton.

## **II. CURRICULUM COMMITTEE**

Chief Paul Denton  
Committee Chairperson

The curriculum committee met at 9:00 a.m. this morning, with OPOTC members Sgt. Troy Mineard and Ms. Linda O'Connor. There were two items on the agenda.

The first item was a motion and discussion of the Special Subject Instructor Qualifications. Chairperson Denton made a motion and opened discussion with the full Commission.

### MOTION

**Whereas, on March 17, 2011, the Ohio Peace Officer Training Commission unanimously decided to impose an additional qualification for new special subject instructors, and for those special subject instructors who have allowed their certifications to lapse.**

**Therefore, I move that in addition to other topic specific requirements, new special subject instructors or those who have allowed their certification to lapse, subject to certain exceptions, are also required 1) to have a Bachelor's degree in Education, 2) an ODE Career Technical Education (CTE) license, or 3) to have successfully completed an OPOTC approved 80 hour Instructor Skills course or the previously required OPOTC approved 40 hour Instructor Skills course plus the 14 hour Instructor Skills Update class.**

**The exceptions to these special subject instructor requirements are limited to attorneys licensed in the state of Ohio as to their instruction in any legal topics; First Aid/CPR/AED instructors with current certifications from the American Heart Association, the Red Cross, or American Safety and Health Institute (ASHI), as to their instruction in First Aid/CPR/AED; and those certified as instructors by the United States Department of Homeland Security as to their instruction in homeland security topics.**

**Sgt. Mineard seconded the motion. Floor was opened for discussion. After the discussion below, a vote was taken and passed unanimously.**

Chairperson Denton laid out the curriculum committee's desire and intent regarding the OPOTC March 2011 meeting, what happens and how to become a special subject instructor if one's instructor certification has lapsed, if they have failed to get their certification updated, or if they have some exceptions as far as legal, first aid or homeland security topics.

Ms. Davis clarified that for each topic there is going to be specific instructor qualifications that are required. What this is addressing is the instructional skills course which we use to prepare those who are experts in their profession, but not the experts in teaching. This was filling that gap; they would have to take this course prior to getting their certification. It only addressed that one issue. There are qualifications specific to each topic, but what this motion is addressing is that they be required to take the instructional skills course.

SAC Anthony asked if we ever contemplate a look to see what specific area they belong to? Do they need to go through the 80 hours of training? Ms. Fauber stated there is equivalency for the 80 hour instructional skills. OSP teaches our instructional skills course. The FBI has an instructional skills course that has not been treated as an equivalent in the past.

Ms. Robinson-Bond stated if there is an issue, it is run through her, Ms. Davis, and then they have the right for a 119 hearing with the OPOTC. SAC Anthony's concern is if you want to encourage people to be special subject instructors, there are other agencies that teach OPOTA courses that they really couldn't do because they can't send them to the 80 hour instructor training course, although they are actually a certified instructor. It seems the equivalency is something to look at, but you're saying they have to come to the OPOTC to get a waiver as a sufficient instructor. Ms. Robinson-Bond responded unless it falls prior to this. Ms. Davis stated historically, it hasn't been a problem. Most are resolved and in the case that it can't be resolved the individual would have the right to come to the OPOTC and express their case. The OPOTC can overrule if they feel it is appropriate.

Ms. Fauber stated since requiring the 80 hour instructor skill course, most instructor applications are for the unit instructor. Special subjects for the most part are limited to attorneys, nurses, fighters, etc.

Chairperson Stanforth asked for further comments, with none forthcoming the motion was voted upon and passed unanimously.

Chairperson Denton moved to the next item on the agenda, House Bill 8, A Revision of School Safety Laws. The purpose of the curriculum committee's discussion was to have an

open, transparent, full discussion of the draft or model of the purposed course content that would cover armed school employee's under the bill. This input was from subject matter experts (SME), interested members of the public, as well as the commissioners who were in attendance, and the commission and academy staff.

The discussion was again on the content or suggested course, it was not a debate on rather arming school employees was a good or bad thing.

Chairperson Denton went through the summary of what the discussion included and actions taken. First, the school employee may or may not be an educator, it doesn't apply to only teachers, it could be other school employees. It was believed that the training should be mandatory, controlled, regulated, and overseen by OPOTC.

We definitely recommend requalification requirements with the weapon that has been instructed on and continuing professional training hours of some sort. It was encouraged that there be close collaboration between school districts, at the implementation of arming their employees, and the local law enforcement partners. It was deemed essential that information be shared with all responding agencies or potential first responders.

It was a strong belief there should be a recommendation or standard for weapons that are carried or used in this capacity. For practicality and in comparison to other business, 9mm or greater, with no foreseen need for shotgun or rifle to be deployed in the school setting by non-law enforcement personnel.

Other things that were discussed were comprehensive background checks. These should be beyond the web check system, and looks into the legality of a person being able to carry firearms on school grounds along with the opening of sealed records. A medical waiver may also be developed to participate in some aspects of the training course content.

Each OPOTC member had a copy of the proposed changes and Curriculum Chairperson Denton went through the recommended curriculum.

#### The content itself:

The bullet points are really the fundamental standards for all OPOTC classes, dealing with how the training topics are presented, lesson plans, instructors, instructor ratio, facilities, and so forth.

The total training hours look to be in the range of **152 hours** over 19 training days, which seemed reasonable to our committee. Content, a total of about **12 hours** are Active Shooter Response, both prepared information such as the **4 hour** DVD "Shooting: How to be Aware, Prepare, and be a First Responder in a Crisis and **8 hours** of local planning. It does include involvement or participation of some sort, led by the chief or designated officer in the jurisdiction, but should include all first responders law enforcement agencies.

Crisis Intervention, **6 hours**, training modeled after the private security curriculum was deemed reasonable, also to cover mental health, crisis intervention response for the involved employee and what to expect out of a shooting incident.

Civil Liability & Use of Force, **2 hours** is really governmental agency liability and omitting some things that are part of the peace officer curriculum as an example, the 2 hours seems reasonable.

Handgun, practical range experiences and actual range time of **60 hours**, seems reasonable and appropriate. It does mirror and/or exceeds some courses of training that are already sponsored or hosted by the academy/commission. It is certainly justified when looking at use of a firearm in the school setting, around children, and in the high intensity environments.

Subject Control, **60 hours** and Building Searches **12 hours**, these are tactics, essentially alternatives to lethal force. While teaching lethal force and the concept of carrying a firearm in the school setting is important, it goes beyond that, to leave it with just a firearms piece, we have not done our responsibility of giving the school employee other tools and resources in how to react, either to prevent an armed confrontation or react if something less is needed.

First Aid, CPR, & AED which was initially included in the hours of training were pulled out in recognition that some school employee already carry's some sort of first aid, CPR and AED training.

There were two topics that we did not get to debate, one being, could simunition training be used in some capacity? And rather or not, to make any training recommendations retroactive to the school districts that already had this in place and already had some training.

At this point, we recommend that we continue to develop course content, with the guidance of the Attorney General and in light of what happens with House Bill 8.

Chairperson Stanforth stated we are not looking for a motion to recommend to the Attorney General, but moving this further by bringing the Attorney General update with the discussion of the committee and the full Commission from this point forward.

Sgt. Mineard responded there was some really good discussions, not only with the committee, but with those in attendance. If we were designing this curriculum from the ground up, like all our other courses, we wouldn't be pulling pieces and parts together to come up with a program. If we had time, we would have developed it in a different way using JTAs, using SMEs. It may or may not suit the end product that we have, but it is a starting point.

Chairperson Stanforth asked what does the legislature want? Sgt. Mineard wants the training mandatory. Chief Denton agreed 100%. Chairperson Stanforth responded it would take legislative action to make it mandatory: it isn't something OPOTC has the authority to mandate or dictate, but the recommendation would certainly go to the Attorney General.

Chairperson Stanforth asked what the status of the bill was. Mr. Clark responded the bill is reported out of the House to the Senate. He doesn't believe any Senate hearings have been set at this point. Ms. Boratyn stated to the Civil Justice committee, and agreed no hearings have been set.

Chairperson Stanforth stated we are not recommending a motion at this point, because we want to be able to continue the discussion with the Attorney General. He believes even without a motion, this body can still have discussions and make recommendations to Mr. DeWine.

The floor was open for further discussions on the points that Chief Denton and the curriculum committee made on the bullet points from their meeting.

SAC Anthony complimented the curriculum group on a great job. What is the primary objective, what are we trying to make the school employees? What are the primary expectations of these employees in the schools? Are we trying to make them a resource officer, a marshal, etc.? All the other states are requiring much less training; it appears to be mostly firearms training, handling a weapon, but none of the stuff that our curriculum committee came up with, which makes perfect sense. If the schools decide to do this, are there any thoughts to what their expectations are and what we want to model it after.

Ms. Davis responded her initial thoughts are that this is answered at the local level, this is going to be per school district, there may be some school districts that hire an individual to be their armed employee, other districts may look at their pool of employees and choose a few. It is going to be difficult to answer Mr. Anthony's question, because it's going to be different among all the school districts.

Mr. Clark stated the general assembly from time to time place a purpose statement at the beginning of the statute or chapter they are composing. Unfortunately, House Bill 8 does not have the purpose statement. It sounds like what you are asking is what both the legislative and the interested parties who brought this to the legislature have in mind conceptually as the purpose of this.

SAC Anthony stated it seems that would be somewhat relevant as to the training that would eventually be recommended to the Attorney General. We are looking at the training as broad as possible and even more as far as responsibilities.

Ms. Davis referred back to the other states; one state did require that the employee be a certified peace officer. The other three were fewer hours than we are recommending. Mr. Hykes responded that when we started looking at this, it was, if they are going to have a gun in the schools regardless of the reason or the role, we felt this was the minimum training that they would need.

SAC Anthony stated if there was a uniform thought to that role, that it evolves to a more refined purpose, the curriculum board may consider additional training. Or, as Chief Denton commented, it could be a possibility of less training.

Colonel Pride responded it sounds like we are looking for a police officer. We are going to be hard pressed to go out there and meet all these requirements for the person you are looking for. Every law enforcement person in this room is looking for this exact person as a recruit for their agency. Agencies are having a difficult time finding these recruits. We are talking about putting people with guns in the schools, wanting them to have all these certain levels of certification and qualifications; these are basically police officers. Colonel Pride believes you

will be hard pressed to find a couple school employees who will meet these qualifications. These are teachers and facility members and we're going to put guns in their hands expecting them to not only be school teachers, but also police officers.

Colonel Pride continued, what is the purpose of this person? It is to slow down the shooter until law enforcement arrives? Is it to take down the threat like we train in direct threat training? Is this person going to be a sacrificial lamb? Which way are we going? We haven't received a lot of direction from the people downtown to go out and say this is what we are thinking. It is early, but we are moving pretty fast. What are we looking for to put into the schools? It would be nice if someone would help us. I would say if we had another police officer in the schools who already has this training, who already understands this, and already goes through the recertification processes and is always up to speed on things instead of depending on the board of education to now try to start thinking 100% in the police officers direction and having a mindset of a peace officer. What are we looking for? Are we looking for something in the middle? We are looking for a police officer. In 19 days of training we are going to take someone out of the schools, a school teacher, an employee, and make them basically a police officer. We want someone who knows the in's and out's, who can deal with people and knows the tactical side. That's a police officer, not a teacher.

Chief Denton stated he didn't approach it as a police officer training. Over 600 training hours are required to be a peace officer or half that to be an armed security officer. He personally approached it as a school employee who takes on additional duties and responsibilities and the training requirements to use and carry in the school setting. Somewhere between no training and training certification of a peace officer, Chief Denton felt this was a very reasonable amount of training.

Sgt. Mineard doesn't disagree with philosophical look at it, and he totally agrees we have not being provided what it was supposed to look like. However, he would rather see 19 days of training verses someone with only 12 hours of CCW training.

Chairperson Stanforth stated we have a proposed curriculum that the legislature can now look at and see this is what we recommend and this is a way of approaching it. We did a lot of homework earlier. Here is the curriculum that we would propose. The Senate can review it, they may say they want a peace officer, or, this is too much for a school employee.

Ms. Boratyn stated, in South Dakota no schools have taken advantage of the training due to high insurance premiums.

Chairperson Stanforth stated we need to set the bar and let them meet it. Regardless if they are a retired peace officer or retired custodian, this is the bar that has to be met. This is our expectations.

Chief Denton states the "problem" is that in the absence of action or guidance, school districts have already authorized school employees to carry weapons and their training is all over the map.

Chief Balling stated their city schools have worked with the local sheriff for some time. Unfortunately, they disagree with him on the amount of training. They went through basically

a carry concealed weapon class and four extra hours and they certified our teachers to have guns inside the schools. Currently, there are seven schools, each has a reserved deputy inside the school and they also have 3 – 6 other guns inside the school that teachers have access to. Unfortunately, without guidance from OPOTC, there is no set policy or plan. It was initiated in very quickly. There are many unanswered questions and concerns.

Chief Balling continued, if we leave it to the bare minimum as the leaders, you could have anywhere from 16 hours of concealed carry that is not shared with the OSP Post or local law enforcement post. Chief Balling counts on OSP and other law enforcement to come in. We each have to be on the same page, whether you are for House Bill 8 or not, if this does go through, it needs to be something mandatory that comes through with extra care. Being able to shoot a target is much different when you are teaching them over a course of time. That is where we come in as leaders of this bill, to develop the proper procedure; if it's going to happen, everyone has to be mandated to take it so we can all be on the same page.

Chairperson Stanforth stated at this point, the school district and the sheriff have set the current standard for the state of Ohio. They have set the bar. Chief Balling, agreed that they have set the bar with retired officers. They are good people with good intentions, but unfortunately when you rush into things you forget certain steps and guidance. We are going to be the first responders there, and under this plan, since we don't agree with their plan, we are being left out of the planning.

Sheriff Heldman asked what Chief Balling's thoughts were with what was developed here? If we have guns in schools, if it's mandatory, he loves this plan because it starts teaching not only can you shoot a target, but what happens if that person who has the gun throws it down and charges you? The different techniques, going around the building beforehand, we have to give them every chance to succeed. And we, as local law enforcement, need to know and work well with the local jurisdictions to have everyone that may respond to that threat to have access to those plans and information so they can respond properly and take care of that threat. The kids are the primary purpose, but I don't want to see a teacher being shot out of a bad situation, or a law enforcement officer being shot by someone who shouldn't have a gun.

Chairperson Stanforth asked Chief Balling to educate him, questioning that Chief Balling stated that reserve peace officers have been assigned to the school; they've had all the training. Chief Balling responded that they were certified peace officers; most of them are retired officers or deputies from that area. They have been through all the training and all the certification. He is fine with that. He cannot provide the officers, because it is too expensive and he doesn't have the manpower. But they do have a certified police officer at every school that is up on the training. He thinks that is great and commends them for it. But in addition to that they also have guns in biometric safes scattered throughout the school, which is where his concern is. At least ten teachers have access to them throughout the building. So now not only do we have the threat, but our attention may be directed elsewhere with someone else coming down hall with a gun. The long answer to the question is that this is a good plan, and if people go above and beyond, that is great. It needs to be mandatory and retroactive.

Sheriff Heldman stated there are a lot of things on the table that we can't deal with, those are up to the Attorney General and legislators to deal with. But, if we can make



recommendations to the Attorney General for further discussion, then that's what we should do. But, for this we are locked in, this is what we were asked to do.

Chairperson Stanforth said we have done what the Attorney General asked of the OPOTC. We are giving the Attorney General a tool. He can bring it back if needed, but nothing will be finalized until the legislature says this is what they want to do. All this discussion will be taken back to the Attorney General.

Ms. Davis agreed the Attorney General sought guidance from his staff and the OPOTC as a respected body within law enforcement. Ms. Davis believes the Attorney General would welcome all discussion and viewpoints that were brought to the table.

Chief Bruce Jamison, Piqua Police Department asked if the Commission would provide some guidance, if not already provided, on where the authority that comes with this training or certification, how does that carry over? Is someone who has been through the training then authorized to go to other schools and carry? Is this certification assigned to a school or to the employee?

Chairperson Stanforth stated that the authority starts and stops with the school district. The school board can only authorize for their own districts.

Mr. Clark stated that the current language of House Bill 8 states that the board may designate that specific employee may carry concealed handguns in school safety zones that are under the jurisdiction of the board or governing authority. They could allow an employee to carry in any school under their jurisdiction of their school board.

Chief Denton questioned crossed jurisdiction over the board of education rather than the school board, we are coming closer to peace officers.

Mr. Art Reitz, Ohio Wesleyan University asked as this gets broader reaching, I have professors asking if they are going to be able to take the training. Where are we going with the higher education in regarding to including House Bill 8? Chief Denton, agreed that he has had people expressing interest in the training as well and it may be expanded to more than K-12.

Chairperson Stanforth asked if school districts had the authority to appoint police officers? Mr. Clark stated "no", they cannot appoint a peace officer. Public Universities, Private colleges and universities, in the educational context; private police context, include banks, hospitals, amusement parks, and railroads which can appoint peace officers. Chairperson Stanforth asked is this one more that is going to be seeking that authority? Mr. Clark asked if he was asking about an evolutionary process and added it might be the next step to get police. Chairperson Stanforth agreed with Colonel Pride, they are almost peace officers, if we are going to almost train peace officers, the next thing on his mind is should we just appoint them. Someone is going to say that schools should have the authority to appoint their own peace officers. Mr. Clark added just for context under current law, another point of comparison would be private security officers in their level of training and firearms certifications A-D. The current language in the bill prior to an addition, is that "no public or private educational institution or superintendent of the State Highway Patrol shall employ a person as a special

police officer, security guard, or other position in which such person goes armed while on duty who has not received a certificate of having satisfactory completed an approved basic peace officer program, unless the person has completed 20 years of active duty as a peace officer.” That is the starting point from which the bill expands and says that does not apply to a person authorized to carry under the proposed school safety plan.

Ms. Davis asked if that inferred legislatures specifically didn't want to set that requirement. Chairperson Stanforth responded that they already addressed that in the proposed legislation, that they don't want peace officers. Mr. Clark questions if they meant the additional tag that school safety plan grafted onto that? Mr. Clark had no insight.

Colonel Pride spoke to the earlier comment about the South Dakota information and the concerns over the insurance, what would the insurance agencies say about all this? Ms. Boratyn replied that there were a whole layer of things that schools are going to look at beyond this training. If they decide to take this on, they are going to have sit down and figure out workers compensation insurance and building insurance. There are a number of items that have to be considered.

Colonel Pride stated that without that direction from legislature, this is a good plan; you have some direction, but it is the shell of a peace officer. How close is legislature going to get to a police officer?

SAC Anthony stated that on the flipside, this is going to drive that conversation, which is where the Attorney General, staff, and legislature can start. Schools are going to get a lot of push back; we will be able to adjust either way.

Mr. Clark raised the issue that there are differences in the level of training and responsibilities between peace officers and armed school employees that would go through the proposed training. Ms. Boratyn stated that it would be confidential. Ms. Davis explained that the plans each school must submit to the State, it is specific in code that no employees are to be identified.

Chairperson Stanforth stated that if he goes to a school, he would assume that everyone is armed. I do the same at a traffic stop; a person with CCW permit to carry is armed until I know he's not. Colonel Pride stated that this throws a bit of a twist into the direct-to-threat training. Nine times out of 10, usually when you have a school shooter, it's for the most part one shooter, two police officers going into a school looking for one gun, now you have 10 guns hidden throughout the school and people dressed like the teachers and everyone else, now you have a whole different dynamic.

Chairperson Stanforth responded that at this point, he appreciates the work that the curriculum committee and staff have taken on. We are at the place where this information can be carried forward to the Attorney General and the discussion taken up to another level. We are doing our work regardless of the legislature; we have an idea of where we are going. With that, Chairperson Stanforth does not believe we need a motion for this to be carried back to the Attorney General. At this point this is as far as it is going. The Attorney General can share with whomever he wants to share it with and bring it back to us to tweak it. Unless some sees

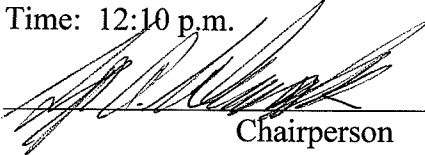
the need for a motion or other actions other than this to be carried forward to the Attorney General. Ms. Davis agreed to provide it to Mr. DeWine.

**III. MOTION TO ADJOURN**

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

**Sheriff Heldman motioned to adjourn the meeting. Chief Denton seconded the motion. The vote passed unanimously. Meeting adjourned.**

Time: 12:10 p.m.



Chairperson

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