

Protecting Ohio's Families



Ohio Attorney General's
**Advisory Group on
Law Enforcement Training**

Report
April 2015



MIKE DEWINE
OHIO ATTORNEY GENERAL



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Dear Fellow Ohioans:

In December 2014 I appointed an Advisory Group on Law Enforcement Training made up of 16 members from across the state with diverse personal and professional backgrounds. The Advisory Group was charged with examining how Ohio trains its law enforcement officers and with making suggestions for improvement.

The Advisory Group was led by Dr. Reginald A. Wilkinson, former director of the Ohio Department of Rehabilitation and Correction. Three subcommittees were formed for in-depth study: Mental Health, Use of Force, and Community Relations.

The following is the Advisory Group's report, which will be given to the Ohio Peace Officer Training Commission. In addition, copies of this report are being shared with the Governor and members of the Ohio General Assembly.

I want to express my sincere appreciation to all members of the Advisory Group on Law Enforcement Training. They devoted countless volunteer hours to create this report, and I thank them for their selfless service.

Very respectfully yours,

Mike DeWine
Ohio Attorney General

Last fall, Ohio Attorney General Mike DeWine charged this group with examining the current system of law enforcement training in Ohio and with making dynamic recommendations for change. I was honored to be selected Chair of this noble undertaking.

Enforcement of law is one of the most important governmental functions in our country. Individuals with the authority to enforce law have been given the power of discretion, protection, and service to the public. With this great power comes great responsibility. We believe only through well-structured and exceptional training can this responsibility be learned, accepted, implemented, and appreciated by law enforcement.

Spurred by recent events, which highlighted a break-down of community-police relations, the Attorney General called for a review of law enforcement training in Ohio. Ohio is one of the first states to convene a group of law enforcement members and trainers, criminal justice professionals, elected officials, civilians, community leaders, and clergy to examine how law enforcement is trained and how it impacts community relations.

The Ohio Attorney General's Advisory Group on Law Enforcement Training is made up of dedicated individuals who thoroughly believe in the mission of improving the profession of law enforcement through a standardized training system that produces exceptional law enforcement officers who are tactically, behaviorally, and community focused.

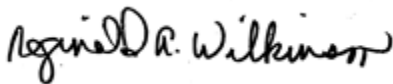
In our examination of the training system we discussed important topics such as use of force, mental illness and critical response, community relations, reality-based training, and implicit bias. We took these and other important concepts into consideration to help form a new training model that we believe will be the best approach to training all law enforcement in Ohio.

Understanding that law enforcement training is a continuum of basic skills and professional development throughout a career, we focused our recommendations to coincide with the major training time periods of a law enforcement career: pre-certification training (before entering basic training); certification (basic training and the state examination); and post-certification (advanced training). We also believe that everyone has a responsibility to support the training process, including individual students, academies, law enforcement agencies, local governments, and the state.

I am proud of the work we have accomplished in this short time. The major issues are far from resolution, but we hope the attached recommendations will provide a solid framework for the future of law enforcement training in Ohio. I want to thank the Advisory Group members, Sub-Committee leaders and members, the Attorney General and his staff, and the subject-matter experts and presenters for their work in creating this set of recommendations.

Change is hard, but the consequences of not changing can be devastating. Therefore, the Advisory Group respectfully encourages adoption of the attached recommendations.

Sincerely,

A handwritten signature in black ink that reads "Reginald A. Wilkinson". The signature is written in a cursive style with a large initial 'R'.

Dr. Reginald A. Wilkinson, Ed.D.
Chair

Advisory Group on Law Enforcement Training Members

Chairman, Dr. Reginald Wilkinson, Ohio College Access Network - Columbus, Ohio

Vice Chairman, Chief Joseph Morbitzer, The City of Westerville Police Department - Westerville, Ohio

Associate Vice President Tony Ortiz, Wright State University - Dayton, Ohio

Bishop Joey Johnson, The House of the Lord - Akron, Ohio

Commander Rhonda Grizzell, Columbus Police Department - Columbus, Ohio

Councilman Chris Smitherman, City of Cincinnati - Cincinnati, Ohio

Executive Director Terry Russell, National Alliance on Mental Illness of Ohio - Columbus, Ohio

ISP Supervisor Vince Peterson, Trumbull County Adult Probation Department - Warren, Ohio

Lieutenant Colonel George Williams, Ohio State Highway Patrol - Columbus, Ohio

Major Daryl Wilson, Montgomery County Sheriff's Office - Dayton, Ohio

Officer Sarah Shendy, Copley Township - Akron, Ohio

Prosecutor Andy Wilson, Clark County Prosecutor's Office - Springfield, Ohio

Reverend Doctor Daryl Ward, Omega Baptist Church - Dayton, Ohio

Reverend Doctor David Cobb, Emmanuel Baptist Church - Cleveland, Ohio

Sergeant Ramon Diaz, City of Delaware Police Department - Delaware, Ohio

Sheriff Keith Wood, Meigs County Sheriff's Department - Pomeroy, Ohio

Special Acknowledgements

Executive Director Sharon Davies, Kirwan Institute at the Ohio State University

Executive Director Terry Russell, Chairman of the Mental Health Subcommittee

Officer Sarah Shendy, Chairwoman of the Community Relations Subcommittee

Prosecutor Andy Wilson, Chairman of the Use of Force Subcommittee

Attorney General Staff Acknowledgements

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Mary Davis

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Subcommittee Summaries

To facilitate discussions and streamline the Advisory Group's processes, three subcommittees were formed. Each subcommittee was given a different topic to research, discuss, and report back to the larger group. The subcommittees were: Use of Force, Mental Health, and Community Relations. A brief summary from each subcommittee follows.

Use of Force Subcommittee

Members:

Prosecutor Andy Wilson – Chair
Commander Rhonda Grizzell
Councilman Chris Smitherman
Lieutenant Colonel George Williams
Major Daryl Wilson

Reverend Dr. David Cobb
Sergeant Ramon Diaz

With assistance from:
Dr. Tracy Reveal

Summary of Use of Force Subcommittee

Following losses of life in officer-involved shootings, use of force is a topic that is on the minds of people across the nation and Ohio. The Use of Force Subcommittee was tasked with examining peace officer use of force training and how it could be improved. After reviewing current basic and advanced training curricula, the Subcommittee offered several considerations to the full group. These considerations included elevated entrance standards, the types of delivery models and assessments made in basic training, a broader focus on scenario-based training, and establishing a "lessons learned" database.

Implementing the Use of Force Subcommittee's considerations will improve the training of officers and set a higher standard for officers working in Ohio's communities.

Mental Health Subcommittee

Members:

Executive Director Terry Russell – Chair
Chief Joe Morbitzer
Sheriff Keith Wood

With assistance from:

Amy O’Grady
Bettye Best
Dr. Robert Baker
Mark Munetz
King Stumpp
Lisa Griffin

Ruth Simera
Kathy Becker
Jeff Futo
Dr. Ted Bonar
Doug Smith
Mike Woody

Summary of Mental Health Subcommittee

Given that one in four Ohio citizens will have a diagnosable psychiatric disorder and that Ohio’s criminal justice system has become a quasi-mental health treatment system, training law enforcement on how to interact with this population is of the utmost importance. The Mental Health Subcommittee was tasked with reviewing the current state of training in Ohio regarding law enforcement interactions with citizens in crisis. The Subcommittee reviewed current basic and advanced training available to officers in Ohio.

After meeting and reviewing current training materials, the Mental Health Subcommittee presented considerations regarding the length of required basic mental health training, advanced mental health training, and the need to expand specialized police response programs (i.e. Crisis Intervention Training (CIT), Mental Health Response Training, and the Co-responder Model).

The implementation of the Subcommittee’s considerations can strengthen the relationship between law enforcement and those living with a mental illness and their families.

Community Relations Subcommittee

Members:

Officer Sarah Shendy – Chair
Assistant Vice President Tony Ortiz
Bishop Joey Johnson
ISP Supervisor Vince Peterson
Reverend Doctor Daryl Ward
Sergeant Ramon Diaz

With assistance from:
Delphine Baldwin-Casey
Sharon Davies

Summary of Community Relations Subcommittee

The majority of an officer's day is spent interacting with the public in a variety of ways. Law enforcement officers have the ability to strengthen the relationships between their agencies and communities with every contact. The Community Relations Subcommittee was given the task of reviewing the current state of training in Ohio regarding community and police relations.

After reviewing currently available training, the Community Relations Subcommittee felt that additional training on subjects such as implicit bias and procedural justice should be developed and offered to all officers in Ohio. The Subcommittee, as well as the full Advisory Group, spent considerable time discussing police relations in Ohio's African American communities. Training initiatives should not ignore this critical component. In addition to the training review, this subcommittee discussed the need for every agency to become more active in their community by fostering programs that increase positive, non-enforcement related, police-community interactions.

Law enforcement agencies strive to maintain safe and secure communities. The public is essentially the most valuable tool in achieving those goals. Solidifying community relations between law enforcement and the people they serve means safer communities and mutual understanding between both groups.

Recommendations of the Advisory Group on Law Enforcement Training

The Attorney General's Advisory Group on Law Enforcement Training found that their work focused on many different aspects of law enforcement training at varying times in a peace officer's career. To structure its work, the Advisory Group categorized its recommendations into four distinct groupings: pre-certification, certification, post-certification and innovations.

- 1) Pre-certification – Any time before a cadet's first day at a basic training academy
- 2) Certification – The time spent at a basic training academy including certification
- 3) Post-certification – Any time after an officer is certified
- 4) Innovations – Ideas for the betterment of the profession

Pre-Certification Recommendations

Currently, there are very few requirements for enrollment in a peace officer basic training program in Ohio.

- Applicants must be over the age of eighteen and have a medical provider sign off that they are physically able to attend an academy.
- Applicants with felony convictions or offenses that create a state or federal weapons disability are not permitted to attend a basic training academy.

The Advisory Group recommended that the following should occur before an applicant starts his/her training:

1. High School Diploma or GED

The Advisory Group recommends that applicants be required to possess at least a high school diploma or GED. Ohio is currently one of only three states that **do not** require a high school diploma or GED for peace officer cadets.

2. Drug Screening

The Advisory Group recommends that applicants pass a drug screening prior to admission into an academy.

3. Psychological Exam

In addition to a drug screening, the Advisory Group recommends that each applicant undergo a psychological exam to confirm that applicants have the right psychological makeup to serve as a peace officer.

4. Truth Verification Test

The Advisory Group recommends that each applicant pass a truth verification test, such as a polygraph test.

5. Physical Fitness

The Advisory Group recommends candidates pass a pre-entrance physical fitness assessment.

6. Additional Criminal Disqualifiers

The Advisory Group recommends adding any sex offenses and misdemeanor crimes of violence as disqualifiers for enrolling in a basic training academy.

Certification Recommendations

Currently, peace officer basic training in Ohio consists of 605 hours of instruction.

At this time, many different organizations are allowed to run basic academies. These organizations include the state, counties, municipalities, universities, community colleges, and career centers. There are 62 active peace officer basic academies in Ohio. The Advisory Group is recommending the following changes:

7. Increased Oversight

The Advisory Group recommends the Ohio Peace Officer Training Commission (OPOTC) hire additional field staff in order to properly evaluate basic training academies and their instructors.

8. Performance Standards

The Advisory Group recommends that the OPOTC establish minimum performance standards for basic peace officer academies to ensure quality instruction.

9. Changes to Basic Academy Model

The Advisory Group recommends the Commission conduct a review of the basic training academies to ensure the quality of basic training. The Advisory Group believes that reducing the number of academies in the state to a lower number that can be more reasonably managed will help ensure better trained peace officers. Reducing the number of academies could be done in several different ways utilizing data-driven analyses.

The Advisory Group has proposed three models for the Commission's consideration:

Model A: The top performing 10 to 12 academies in the state would continue running academies as long as they continue to be successful.

Model B: The top performing 10 to 12 academies in the state would continue running academies as long as they continue to be successful academies. The Commission could certify up to 12 additional academies. Criteria would be based on region, student density, and past performance.

Model C: Make no changes to the current system (not preferred).

10. Add Basic Academies at OPOTA

In addition, the Advisory Group recommends Ohio Peace Officer Training Academy (OPOTA) campuses in London and Richfield also run basic training academies.

11. Instructor Evaluation

The Advisory Group recommends there be standardized, ongoing evaluations for commission-approved instructors.

12. Order of Topics

The Advisory Group recommends the OPOTC determine the proper order of topics taught in basic training, and that all academies be required to follow that order.

13. Lesson Plan Content

The Advisory Group recommends the lesson plan content be taught in its entirety without exceptions.

14. Physical Skills Testing

In order to ensure consistency and validity of the testing process, the Advisory Group recommends that all physical skills tests (such as driving, subject control, and firearms) be overseen by OPOTC staff. Currently OPOTC staff only oversees the physical fitness test.

15. Substantially Increase Basic Training Hours

The Advisory Group recommends substantially increasing the number of hours for basic training. For the Commission to implement recommendations 16–18, the minimum hours in the basic training program must be substantially increased.

16. Add Training in Community-Police Relations Including Implicit Bias and Procedural Justice

The Advisory Group recommends concepts on implicit bias and procedural justice be introduced throughout peace officer basic training. Implicit bias training focuses on officers understanding themselves and how their decisions can be affected by these inherent biases. Procedural justice focuses on police interacting and strengthening their bonds with the communities they serve. Enhancing positive community-police relations is a key to building trust between law enforcement and their communities.

17. Include Mental Health Community Panel as Part of Training

The Advisory Group recommends local mental health community advocates and professionals participate in a panel when the mental health topic is taught during basic training. Given that Ohio's criminal justice system has become a quasi-mental health treatment system, training law enforcement on how to interact with this population is of the utmost importance. This panel will help students better understand the viewpoints of consumers and mental health practitioners.

18. Add Scenario and Stress-Induced Training Hours

The Advisory Group recommends additional scenario-based training hours be incorporated in basic training academies. Peace officer decision-making skills under stress can best be taught through scenario-based and stress-induced training. It is understood that this type of training is very time consuming due to the required repetition and instruction needed to ensure the student fully understands and can apply the concepts being taught.

19. Scenario-Based Testing/Training Villages

Scenario-based testing is the most effective way to evaluate decision-making ability. The Advisory Group recommends scenario-based testing at OPOTA London and Richfield for all students in a "training village" in Ohio similar to those at the Federal Bureau of Investigation (FBI) facility in Quantico, Virginia. To ensure that officers can respond appropriately to situations they will face within the communities they will serve, all students should complete a post-academy, scenario-based certification exam administered by the OPOTC prior to being certified to test physical skills and decision-making ability. This additional exam will ensure that students are applying training correctly by placing them in stress-inducing, real-life simulations.

20. Agency Internship

The Advisory Group recommends all students complete an agency internship prior to receiving a full peace officer certification. A mandatory internship will help the OPOTC evaluate students in real-life situations and can help the profession in two ways. First, it will better prepare new officers to work in their communities by themselves. Second, it will provide another evaluation point that will help the Commission identify students who are not well suited to the profession.

Recommendations for Annual Training (Post-Certification)

Because it is imperative that peace officers maintain perishable skills and also be aware of the latest techniques and training in the law enforcement profession, the Advisory Group recommends a series of changes to the number of hours required and the subjects covered for peace officers annually.

Today in Ohio, officers are only required to have **four** hours of continuing training annually! Under current law, the OPOTC each year can mandate up to twenty-four hours of Continuing Professional Training (CPT) but, to mandate this, current law requires that there must be state funding to reimburse law enforcement agencies for the training. The current reimbursement requirement is \$20 per hour per officer. With roughly 34,000 officers in the state, each hour of CPT currently costs approximately \$700,000.

Advanced training opportunities in 2014 included more than 700 in-person courses and nearly 90 Electronic Ohio Peace Officer Training Academy (eOPOTA) courses with 70,000 online course completions. The Ohio Peace Officer Training Commission continually strives to train as many officers as possible.

21. 40 hours of Advanced Training Annually

The Advisory Group recommends that all officers complete 40 hours of advanced training annually. This would put Ohio with the top tier of states in number of hours required. Currently, Ohio ranks 38th in the number of annual hours required, and we are well behind our neighboring states of Indiana, Kentucky, West Virginia and Pennsylvania.

Legal Update Advanced Training:

The Advisory Group recommends relevant legal updates also be part of the annual advanced training mandate to ensure that officers are informed of any new case law and legislative changes that could affect their responsibilities.

Community-Police Relationship Advanced Training:

The Advisory Group recommends a portion of the annual advanced training mandate focus on concepts related to community-police relationships. Too often law enforcement and the communities they serve can end up in an “us-versus-them” mentality. The Advisory Group’s work focused on many aspects of race relations with an emphasis on the African American community and recommends a portion of the annual advanced training mandate focus on concepts related to race relations and community-police relationships. Appropriate topics for this subject include implicit bias, procedural justice, community diversity, agency transparency, and generational issues.

Mental Health Advanced Training:

The Advisory Group recommends a portion of the annual advanced training mandates contain training on mental health and de-escalation. Effective communication is just as important as the physical skills officers use on a regular basis. Therefore, the Advisory Group believes refresher training in this area is needed as much as it is for the other subjects listed above to help officers enhance their abilities.

22. Perishable Skills Advanced Training

The Advisory Group recommends a portion of the mandated 40 hours of advanced training consist of refresher training for perishable skills in a reality-based training environment. This would include training officers by placing them in stress-inducing, real-life simulations to assess their decision-making abilities. This could be done at OPOTA facilities in London and Richfield if modifications are made to add “training villages.”

23. Increased Continuing Training

There are currently very few subjects required for advanced training. The Advisory Group feels there are specific topics which could increase officers’ competencies in responding to their communities’ needs. The Advisory Group recommends the following subject matter be included in mandated yearly training:

Use of Force Review:

The Advisory Group recommends law enforcement agencies have training on use of force, including their agency’s use of force policy, which may be done in conjunction with annual firearms requalification. The Advisory Group believes an annual review of use of force policies and the constitutional requirements surrounding use of force will ensure that officers have a better understanding of appropriate uses of force. It will also assure communities that their officers are continually trained to respond in the most suitable manner.

Mental Health Update Training:

Acknowledging that many situations law enforcement officers face in their day-to-day duties involve someone in a mental health crisis, the Advisory Group recommends increased training in mental health topics for all officers. OPOTA currently offers an 8-hour advanced training course dealing with de-escalating people in crisis based upon the basic training lesson plan that was last updated in 2013. This is currently offered, but not required, by OPOTA. The Advisory Group suggests OPOTA review this curriculum to ensure it is up to date and the number of hours included in the course is appropriate. The Advisory Group believes that all officers should receive the most recent basic training on mental health either by being required to take the OPOTA advanced training course or similar training through the National Alliance on Mental Illness (NAMI).

24. Field Training Program

The Advisory Group recommends all law enforcement agencies implement a mandatory field training program. Furthermore, the OPOTC should develop minimum standards for this program as well as minimum standards for field training officer eligibility. (This recommendation is not necessary if agency internships are implemented as part of the peace officer certification process.)

25. Use of Force Policy

The Advisory Group recommends all law enforcement agencies adopt a use of force policy. The OPOTC should develop a model use of force policy in the next four months that law enforcement agencies can utilize. Having a use of force policy provides officers with clear direction on acceptable uses of force.

Innovations

While the Advisory Group was tasked with reviewing law enforcement training, the Group also identified several items that have potential to add value to the law enforcement profession.

- 26.** Every jurisdiction should have a specialized police response program (e.g., Crisis Intervention Training or a mental health response team) or a mutual aid agreement with another jurisdiction. Those living with mental illness require and deserve special considerations to safely get them the help they need.
- 27.** Similarly, other segments of our population should receive a special training focus. For example, research suggests that juveniles, especially those with mental health challenges, have behaviors that can be measurably different than their adult counterparts.
- 28.** Dispatchers should receive standard training on correctly identifying calls for service and how to effectively and accurately relay pertinent information to responding officers. Dispatchers are the conduit between the community and law enforcement. Both of these groups require competent and purposeful direction from the dispatcher.
- 29.** Law enforcement agencies should utilize evidence-based policing strategies. Police practices should be based on scientific evidence and quantifiable research to focus resources on identified problems and use best practices to solve them.
- 30.** Law enforcement agencies should participate in a “lessons learned” or “close calls” database. Close call reporting is a process of identifying, analyzing, documenting, and sharing close calls to avoid potentially catastrophic incidents. The Attorney General’s Close Call Database gives departments throughout the state access to anonymously submitted reports, agency created solutions, and training opportunities relevant to the close call.
- 31.** A site for law enforcement agencies to learn and share new ideas, innovations, and programs should be established. The process of translating an idea into a service that creates value for the community and law enforcement agency can be time consuming and costly. Collaboration between law enforcement agencies can reduce those costs, reduce duplication of efforts, and offer blueprints for agencies to implement.
- 32.** All law enforcement agencies should meet certain minimum standards. There are over 950 law enforcement agencies in Ohio. There should be a set of minimum professional standards required for agencies to ensure competent policing in Ohio’s communities. Similar standards are already in place in Ohio’s jails. An in-state accreditation process would ensure that minimum standards are met.
- 33.** Law enforcement agencies should incorporate community-policing strategies into the culture of their officers’ daily activities. This should not be a singular program or initiative, but a standard way of doing business.



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