



**Ohio Peace Officer Training Commission**  
**Thursday, May 12, 2016**  
held at the  
**Ohio Peace Officer Training Academy**  
1650 State Route 56 SW  
London, Ohio 43140

**Minutes**

**I. Opening**

**A. Call to Order**

Chairperson Vernon Stanforth called the meeting to order at 10:05 a.m.  
SAC Stephen Anthony led the Pledge of Allegiance.  
Ms. Donna Long called the Roll Call.

**Commission members present**

Chairperson Sheriff Vernon P. Stanforth  
Sheriff Michael Heldman  
Chief Kimberley Jacobs  
Colonel Paul Pride  
Mr. Stephen Schumaker  
Sgt. Troy Mineard  
SAC Stephen Anthony

**B. Guests and Staff**

**Attorney General's Office**

Ms. Julia Brinksneider  
Mr. Rocky Nelson  
Mr. Lou Agosta  
Mr. James Burke  
Ms. Mary Davis  
Mr. Justin Hykes  
Ms. Donna Long  
Ms. Alice Robinson-Bond  
Mr. Eric Schaefer  
Mr. Jeff Clark  
Ms. Arienne Fauber  
Ms. Jill Cury  
Ms. Lori Wachtel

Attorney General's Office  
Attorney General's Office  
OPOTA Deputy Director  
OPOTA Director of Advanced Training  
OPOTC Executive Director  
OPOTC Director of Administration  
OPOTC Staff  
OPOTC Deputy Director  
OPOTC Deputy Director  
OPOTC Staff  
OPOTC Staff  
OPOTC Staff  
OPOTC Staff

Mr. Michael McGreevy  
Ms. Brittany Thompson  
Anne Laux

OPOTC Staff  
OPOTC Staff  
OPOTC Staff

### **Guests**

James Copeland  
Director Catherine Kieley  
Director Kevin Reardon  
Commander Mark Reef  
Commander Gayle Lohrbach  
Lieutenant David Matthews  
Sgt. Jonathan Davis  
Captain Art Combest  
Mr. Geofery Barnard  
Commander Pete Willis  
Mr. Jerry Snay  
Mr. Jeff Mullins  
Mr. Michael Yohe  
Mr. Robert Meader  
Mr. Matt Wells  
Sheriff Gene Kelly  
Mr. Joe Morbitzer  
Mr. James Simmons  
Mr. Nate Sheppard  
Mr. Twon Billings  
Mr. Gary Burden  
Mr. Tim Stansbury  
Ms. Anne Strouth  
Ms. Ruth Babel-Smith

Tri-C Public Safety Institute  
Kent State University  
Central Ohio Technical College  
Owens Community College  
Owens Community College  
Dayton Police Department  
Ohio State Highway Patrol  
Ohio State Highway Patrol  
Cleveland Heights Police Academy  
Sinclair Community College  
Stark State College  
Akron Police Department  
Akron Police Department  
Columbus Police Department  
Ohio Department of Education  
Clark County Sheriff's Office  
Westerville Police Department  
Franklin Co. Sheriff's Office  
Franklin Co. Sheriff's Office  
A.O.C.D.  
Civilian  
Columbus Police Department  
NC State  
Owens Technical College

## **II. Chairperson Report**

**Sheriff Vernon Stanforth  
Chairperson**

Chairperson Stanforth welcomed the guests and asked those in attendance to introduce themselves and then moved for approval of the minutes.

### **MOTION**

**Sheriff Heldman moved that the minutes of the March 10, 2016, meeting be approved. The motion was seconded by Colonel Pride. No discussion was forthcoming; a vote was taken and passed unanimously. Yes-7 / No-0**

Chairperson Stanforth commended the staff for their work with the Peace Officer Memorial Ceremony. With the recent deaths in Ohio, it's even more reverent we have those occasions. You can see the impact on the law enforcement community.

## **III. Curriculum Committee**

**Sgt. Troy Mineard  
Committee Chairperson**

Committee Chairperson, Sgt. Mineard stated there was nothing new to report at this time. That concluded the Curriculum Committee report.

#### **IV. Legislative Committee**

**Chief Kim Jacobs  
Committee Chairperson**

Committee Chairperson, Chief Jacobs stated there is discussion of House Bill 529 Tactical Medics, which would allow tactical/medical personnel to receive firearms training. Currently, there are not a lot of details; it describes who would qualify and how they would be trained through OPOTC's regulations. That concluded the Legislative Committee report.

#### **V. House Committee**

**Colonel Paul Pride  
Committee Chairperson**

Committee Chairperson, Colonel Pride stated there was nothing new to report at this time. That concluded the House Committee report.

#### **VI. Continuing Professional Training Committee**

**Sheriff Michael Heldman  
Committee Chairperson**

Committee Chairperson, Sheriff Heldman stated there has been some discussion regarding the upcoming 2017 CPT. A meeting with the Attorney General to discuss the hours, types of training, and if the training should come from the chiefs/sheriffs around the State is planned. The hours are getting longer and it's harder to fulfill the requirements; will the agencies be able to gather and share information in regards to what training their officers need?

Ms. Davis stated there are a lot of mixed signals coming from the field. Some agencies want to know exactly what training the State wants them to take and other agencies want more leeway. .

Chairperson Stanforth asked Chief Jacobs, whose academy conducts a lot of training for CPT, her thoughts on this matter. Chief Jacobs stated upon getting classes approved her goal is to open up their classroom training to other agencies who want to utilize their preparation for CPT training requirements. She believes the more time to prepare the better the class will be. If indeed the training will be for 20 hours next year, we can't do that without 3 full days of training. We're hoping we can do a number of classes which will apply to all sworn officers, having enough flexibility in that 20 hours to breakdown a number of hours that might apply to our detectives and others for uniform officers; providing better training, relative to personnel needs.

Our desire is not mandating the full 20 hours; we hope the Attorney General will allow agencies to have some flexibility in the topics and hours. Chief Jacobs hopes for no more than 1-2 days' worth of mandated topics and 1 day of training for the agency to decide what the topics should be; allowing 7-8 hours for the agency to pick the topic.

On-line training for the smaller agencies that don't have the ability to setup the lesson plans would still be an option for a number of agencies who are unable to do their own training or participant in another agencies training.

Options are important, allowing agencies the ability to determine their needs in training. Every year our department will do legal update training no matter what; we look at topics relevant to what's happening in the city. I can see every agency needing legal update training; I can see this being a mandated subject. Constitutional Policing of some sort would be a great topic as well.

Chairperson Stanforth asked in the legal aspect, should it be a curriculum created by the commission for each agency training academy to pull out and use? Chief Jacobs, replied they utilize their legal advisors to create their training and base the training on current needs within the organization. For example, if forced entries are happening, officers are going into houses not necessarily without all the probable cause needed; we would do training on forced entries this year

and updates on case law. I would prefer agencies create their own lesson plans for legal update, but I think it should be a mandatory subject. The law changes all the time, through case law and in newly created laws.

Chairperson Stanforth responded, Chief Jacobs speaks from the position of a large agency, with a legal staff; where a small agency with no legal staff, which relies strictly on the county prosecutor for legal direction doesn't have that option. These smaller agencies don't have the ability to create curriculum. The small agencies have a need for a created curriculum. Chief Jacobs believes OPOTA could create either an on-line curriculum or a curriculum to be taught out in the field, giving other agencies the availability to attend training courses at larger agencies. There is going to be updates in law and case law that everyone should know; a basic curriculum along those lines could be mandated, allowing us to add too or customize them. Another subject of importance is resiliency, mental preparedness, and being able to deal with issues and situations; and also officer safety and wellness, which is a high priority, teaching them to deal with stress and the demands of the job in an effective way.

Ms. Davis pointed out there is a section in the Blue Courage program on resiliency and hope; which would be pertinent to that. Chief Jacobs agreed building on that is something that should be done for personnel every year. Recognizing this is an ongoing stressor.

Sheriff Heldman responded if every sheriff's office has a person trained, can they teach their own people the CPT requirements based on Blue Courage within the office? We've started this; we should be able to expand it.

Ms. Davis agreed this is definitely something to talk about with the Attorney General. Last year we began a statewide initiative to get the training in both basic and advanced training. We are the first state in the nation to do so. Ms. Davis stated, she along with Mr. James Burke, hosted a group of researchers, and other state's peace officer training and standards (POST) staff from across the nation to look at the evaluation tool which will be used to assess the program's long term effectiveness. If Blue Courage is included in CPT training, it would be very effective for furthering that initiative in our state.

Mr. Schumaker asked for the commission's thoughts on how scenario-based instruction could be incorporated into CPT? Chief Jacobs responded it is the best type of training, if there is a way for agencies to have access to scenario-based training, it would be alright to mandate. But, if we can't assure access to it, it would be difficult to mandate it. Not everyone has access to a location to make scenario-based training available; nor does everyone as access to a MILO simulator or similar system where they can play out decision making on a video screen. We need to be careful about an unfunded mandate if agencies don't have access to that particular type of training. We can say that counts, but if an agency is not able to fund the training it makes it difficult.

Colonel Pride stated these topics are a perfect scenario for the larger agencies; tailoring it to their own needs, but then there are the small agencies that don't have the legal department, the training department, an academy to go to, or a scenario room for training. Scenario-based training is part of our annual training, but smaller agencies don't have that. We have to find the place between the mandated part and what can be suggested by the commission to be covered. This would allow the small agencies to follow along with bullet points and touch on some of those things. But, larger agencies that have additional resources can look at what applies to their agency at that time and work in those areas of training. It's like having two different curriculums.

Mr. Schumaker asked the commissioners how many of the 20 hours of training next year should be mandated verses how many should be left open, perhaps with a list or suggestion list, etc. Colonel Pride responded one thing that needs looked at is, what was the prior year's training and is it necessary for those things to be repeated; does that training change throughout the year requiring it

be repeated? Chief Jacobs stated we have to look at our biggest areas of liability and risk. Use of force is always going to be right up there along with keeping officers safe – we can't allow them to be at risk. An ongoing topic needs to be those areas of high risk and liability. We need to provide something along those lines every year. Subjects like de-escalation, constitutional use of force, and fair and impartial policing are clearly at the top of the collaborative's interest and the president's task force's interest, and the interest of our agencies. These subjects are repeatable mainstays.

Mr. Schumaker commented the initiatives we have been discussing are our basic subjects this year and he looks at those as a 100-level college class. So next year do we stay with the same subjects or go to what could be considered a 200-level college class, or do we switch topics? What is the right mix? There are clearly some additional things that we can do with the subjects we've had; there are some other related subjects that we've had; and it will take detailed discussions to try to sort this out. Sheriff Heldman replied that Blue Courage brings in some of those topics and we have the instructors. But the legal and use of force should be extended over time.

Mr. Schumaker responded, the use of force could incorporate scenario-based training. Chief Jacobs stated maybe you could mandate the topic and allow the agency to do either scenario, classroom, or on-line training. Mr. Schumaker stated they have looked into purchasing some additional MILO's and kits to be used in scenario-based training and then train instructors from different agencies. Once trained we'd loan out the MILO's and training kits to those agencies. We are also looking for some facilities so individual departments would have access for scenario training to utilize their own instructors. Even with this it will still be difficult for the small agencies.

Chief Jacobs committed, if you look at these four topics: Blue Courage, Legal Update, Use of Force, and Constitutional Policing, these are the basics that everyone should have every year. If we allow a certain amount of time for those items and then let the other subjects be determined by the agencies, we have set a good precedence to say this is in line with the collaborative; the task force who looked at these things, and then let the agencies decide on the rest of the subjects. This would be a good base for us to mandate as far as topics, giving each of the 4 topics, 3 hours of training and allowing the agencies to determine the final 8 hours. This could be a curriculum OPOTC/A produces.

Colonel Pride asked if OPOTA had the capacity to execute that; does OPOTA produce what we are talking about for the smaller agencies on a regular reoccurring bases. Ms. Davis responded it depends on format. We had the means to provide Policing in the 21<sup>st</sup> Century for free to every officer in the state due to the format, being able to offer through webcast training. If it was a more practical, hands-on training, we don't have those resources, even if we were to shut down everything we offer, we still wouldn't have enough trainers to provide the training to 34,000 officers. Chairperson Stanforth stated, that is if OPOTA does the instruction; but if the agency wants to do the instruction they could use the OPOTC/A curriculum and have their own instructor do the training for their agency.

If an agency borrows what another agency has created, it could be utilized across the board. If Columbus Police Academy creates a 1-hour block of instruction on search and seizure, why can't I use the same curriculum for my instructors to teach it to our agency? It is already approved. Ms. Davis responded, at that point you would have to make sure the instructors are approved. Chief Jacobs believes that makes the most sense. Fortunately, with the reimbursement the costs to the agencies are minimized as compared to not funding a mandate. When creating something it becomes a public record, while wouldn't we want to share that and not recreate the wheel.

Chairperson Stanforth asked if any guest had anything to add to the discussion.



Mr. James Simmons, Franklin County Sheriff's Office stated he would like to have as much input into their training as possible; training that would allow them to deal with the issues they as an agency are dealing with. As for mandated training, come up with a course, make it available on eOPOTA and let the agencies have the opportunity to go on-line and get their staff trained. Set a time frame to complete the training, which allows their agency the time to continue to get the trainings out to the academies to actually have hands-on training with them.

Basically, the 3-day Fall in-service training for the sheriff's office has grounded staffing to a halt. With the exception of 3 training courses, they are all CPT training courses. We have an issue with contractual training we have to deal with so leeway is needed. Within our contracts deputies are required to have certain amount of training in each topic, which we have to combine with what OPOTC/A is pushing out.

If you could say these are going to be our topics this year and develop an eOPOTA format, we can assign the people to take the course and rotate people in until it is completed. Mr. Simmons' agency trains not only basic, but corrections, plus law enforcement and civilian sections. The eOPOTA format helps take some the burden off of them, allowing them to spread the training throughout the year.



Sheriff Gene Kelly, Clark County stated we need the mandated basic hours, but we need flexibility. Last year they brought in people from Cincinnati to help with some diversity issues. We need more training in CIT, and refresher courses. He would like to see 4 hour blocks of training to reduce overtime costs.



Bob Meader, Columbus Police Academy asked that eOPOTA be an option, but not mandatory. He thinks of eOPOTA as box checking; so it can be knocked out without substantially training the officers. The reason Columbus does the training so early is because it's a mandate for CALEA; it must be done in that first quarter. Mr. Meader commented on Blue Courage saying they trained over 2,000 officers in CPT in February 2016. They did a survey monkey on Blue Courage; the overwhelming results were rated the lowest by internal officers and external officers who they trained. The OPOTC needs to know this from the field, and consumers. In regards to what Chief Jacobs said about resiliency, let them create something. When you are giving a mandatory have to train this, it is very problematic for me from this stand point.

Chairperson Stanforth responded refresher training doesn't count towards CPT. If they've been through the training once and they need to do it again it may not count. Is this an issue we need to address? We have been discussing Blue Courage which has a lot of the same topics. You would have to substantially change the topics year after year to retrain in those topics; to make that topic count towards CPT.

Mr. Hykes stated the peace officer basic training refresher would not count as CPT, but if you took report writing or took the course on body camera every year they would still count; assuming we didn't mandate 20 hours of something else. **After the meeting it was concluded that peace officer basic training refresher can count towards CPT, but wouldn't necessarily meet the reimbursement requirements. If the agency wants reimbursed they have to take the OPOTC required training.**

Chief Jacobs responded that the bottom line is providing canned courses is probably a need for some of the agencies that aren't able to produce their own training; but allowing customization for the topics and going through the approval process; meeting the criteria we are looking for, which is the theme of the mandated topics. Allowing for that customization for the agency rather it's on legal updates, resiliency, or whatever is doing a better service to the multitude of types of agencies we have.

Mr. Clark pointed out all though there are less general hours this year; we've received applications for approval for Radar/Lidar training and a number of other things. Only firearms requalification, are barred from counting as CPT. If departments have a number of hours, that would be space where they could give the training and have it count. If approved that may fit better into the advanced training plans.

Chief Jacobs responded depending on the cycle they have to do mandatory ethics training. If we could put that training into this block of 20 hours would be wonderful. Getting open space for those mandated training courses is important to let the agency do the mandate in the most efficient way so they don't have to do it on top of the 20 hours.

Chairperson Stanforth asked what impact are we now having on volunteers, on peace officer certified volunteers verses civilian volunteers, special deputy, and police auxiliary? What is the commission's responsibility? Have we made an impact? Has it been a positive impact? Is a study needed to review? Is it not the commission's responsibility? Chief Jacobs stated since her agency does not rely on reserves for staffing; she couldn't speak on that. However, with training mandates that reach 20 hours, it becomes more difficult for some volunteers to find time to do the training and their volunteer work. Chairperson Stanforth asked if that was historic or has it become more involved due to the mandates placed on certifications. Chief Jacobs responded they have not relied on them for staffing for quite a long time; because of accreditation standards we have to provide the exact same type of training to our reserves as we do to our sworn employees. It would take more than a year to train everyone with the same exact training. Few people are willing to commit to the time needed for the training and Chief Jacobs is not willing to commit to the cost. We add to our reserves by allowing our retired personnel to join the reserves and only mandate 8 hours of volunteer service from them per month.



Sheriff Kelly stated in his courts, most of the staff are retired police/deputies and they hold a commission with Clark County because a judge ruled that when a person is taken from the jail or court they are not sentenced, but once they are sentenced a sheriff has to take them back to the jail. In many counties in Ohio, their special reserves work football games, fairs, and in the courts; the expectation of the public is that they all have the same training. I am getting feedback because we are telling our municipal court judges that their people are going to have to go through this training; they are saying they aren't unless you are paying for it, or you're going to put deputies in the court to staff it while our people are being trained.

His concern is that the public sees a badge and they think everyone has the same training, truth is they haven't. Chairperson Stanforth stated they all had the same basic training, now we are putting the extra burden of CPT which seems to be the issue a lot of people can't get over. Sheriff Kelly had all his reserves and court employees go through the Below 100 training. Mr. Schaefer who holds a commission in Clark County, and, has completed his CPT for the year at no cost to the sheriff's office. Mr. Schaefer advised that he took advantage of the Policing in the 21<sup>st</sup> Century course which is a webinar, and took a vacation day from his job with the OPOTC and took advantage of a Mobile Subject Control course. He feels it is a privilege to hold a commission. If you are going to be a peace officer you should be getting all the training you need so people get the same service from you as other deputies. The hours weren't that much to ask of my time to still get that level of training needed; taking advantage of eOPOTA, Mobile Subject Control, and Policing in the 21<sup>st</sup> Century, all of which were free training.

Mr. Matt Wells agreed with Mr. Schaefer. He too is a reserved officer in the northern part of the state. If I am going to do this job and hold this position, I'm going to dedicate to those hours. Reserves should be held at the same standard.

Chairperson Stanforth clarified when the public sees a badge they aren't going to evaluate if it's a special deputy, auxiliary officer, or volunteer. The decisions we are making are impacting that culture in the police community.

Mr. Clark stated there are many village and township departments that are very lightly staffed. There are various ways that they staff the hours and on calls. They are one of the least represented agencies in these meetings. Does the commission staff have any thoughts to how much of the areas around the state are those small governmental sub-divisions who are staffed in large part with reserves?

Ms. Davis spoke in general as to the last demographic report of officers in Ohio which provided that 45% of the 960 agencies had 12 or fewer full-time officers. When you look at full-time and part-time commissioned officers versus someone labeled as a reserve, auxiliary, or a special, around two-thirds of the officers around Ohio are either employed full-time or part-time and about one-third would be what we assume is a voluntary/unpaid position.

Ms. Arienne Fauber, certification officer, stated an issue for some small agencies is they don't have access to the technology. So, while eOPOTA is an option, they don't have computers to access it. We have suggested using library computers.

Chairperson Stanforth asked if there was a way of knowing who these departments are. Ms. Davis responded a report can be ran to identify them.

Chairperson Stanforth asked if there was any other discussion. Hearing none, that concluded the Continuing Professional Training Report.

### **Staff Reports**

## **VII. Commission And Academy Updates**

**Executive Director Mary Davis**

Ms. Davis referenced the quote, "honoring the fallen by training the living.".. In light of the fallen officer memorial ceremony last week, she wanted to publicly thank the commission, academy, and general service staff along with the agencies that participated in the ceremony. She hears so many positive comments about the memorial ceremony and can take no credit for it. It's the staff and the agencies that come together and provide that honor to both the families and the co-workers of those who gave the ultimate sacrifice.

In 2011, a Job Task Analysis (JTA) was done with an independent third-party consultant for peace officer basic training. The JTA evaluated what new officers and their supervisors felt was relevant training in basic training, what they needed to know when they hit the streets, and what was more appropriate for on-the-job-training. In 2012, we started implementing those changes. We've gone through all those tasks and completed a full review of not only the peace officer basic program, but others as well.

We have been looking at ways to complete another JTA. With the changing environment and the different needs, it is important to keep our curriculums up to date. Ms. Davis asked Mr. Eric Schaefer to discuss what we are looking at.

Mr. Schaefer stated we have partnered with Ohio Criminal Justice Service (OCJS) who has offered some of their staff to put out the new survey and run a data analysis for us for the survey. Internally we will implement that into our next basic peace officer curriculum. During this data analysis there will be very little changes made to the basic peace officer curriculum over the next 12 months. Changes will be limited to legal updates and the final block of the new legal transition that was made, the third round will come out in January 2017. After January there will be no new releases



as the survey is being conducted and results tallied. There will be a panel created of outside agencies that will review the task list which will be sent out to supervisors and officers who have been out of the academy less than five years. This will be basis on the new curriculum. We are hoping to have everything wrapped up by March or April 2017.

All our other basic programs will still have their normal release cycles.

Ms. Davis stated beginning in January 2017 the preadmission physical fitness assessment will be mandatory. A video which is will be available soon on our open source website was shown to the commission. The video provides the correct form required and how to prepare for the fitness assessment. It also shows the different requirements for gender and age.

**Question:** David Matthew, Dayton Police Department asked if the percentage level had been set?  
**Answer:** Ms. Davis responded, yes, at the 15<sup>th</sup> percentile.

Ms. Davis asked Mr. Clark for an update on the 119 hearings. Mr. Clark stated there have been 4 requests for Chapter 119 hearings, all of them appealing the decertification as instructors, both firearms and basic training instructors, for various reasons. After conversations with the individuals and their counsel, with a fuller understanding of the standards and their shortcomings, most decided to voluntarily surrendering their certificate or continuing the request for an administrative hearing; which is permitted under Chapter 119 statutes until related litigation has concluded. Any of these cases could result in a special OPOTC meeting or meeting after the scheduled September 8<sup>th</sup> meeting.

Ms. Davis updated the OPOTC on statutorily mandated training for peace officers. Noting these should not be confused with CPT. These are mandates from the legislature and in the past, included training on companion animals, human trafficking, domestic violence, and child abuse & neglect. The commission had previous discussion that there was never any time requirement for officers to get the mandates. There was a request for a 2-year time period to be placed on those requirements. These rules have passed through JCARR and the 2-year time limit will be effect beginning January 1, 2017. All existing statutory mandates will need to be completed by officers by January 1, 2019. Any statutory mandates from this point forward would automatically have that 2-year timeline.

## VIII. Old Business

**Sheriff Vernon Stanforth  
Chairperson**

Mr. Schaefer stated at the last commission meeting the commission had asked for details and research into the psychological testing and truth verification process. Based on the discussion at the previously commission meetings there were concerns regarding the cost and the legality of then being done pre-offer of employment. The legal section for the Attorney General's Office looked into it, and it was decided to look into some possible alternatives that may meet the intent of the advisory group's recommendation without being the traditional psychological and truth verification test. The purpose of the recommendation was to increase the standards for enrollment, to increase integrity of profession.

Mr. Schaefer referred to the handout, which all commissioners received. **(Addendum 1)** The handout referenced some written examinations which could be given to the student before starting the academy or being accepted into the academy. Around a dozen written examinations were reviewed, of those 4 were identified by staff as the top alternatives and each have been validated as pre-offer of employment tools. They are all available on-line to be taken on their own time or given by the school. Each of the four examinations would cost \$150.00 or less to take. What the commission wants to do with the results needs to be thoroughly discussed. Other specifics like assigning passwords to students to get onto the internet to take the exam, it is something that is

even mandated down the road, or will it be up to the school sort of like the drug testing is being done, needs to be decided. We can obtain sample reports if necessary from the providers.

Chairperson Stanforth appreciates the work that was done. It gives us better direction on the way we need to go with this recommendation. It would be beneficial at this point if the staff would work with some commanders to look at these. Ms. Davis stated they worked with a group of commanders with the physical fitness testing; and may even use that group of commanders.

Mr. Hykes updated the OPOTC on the disqualifying offenses. As discussed at the last OPOTC meeting about the different criminal disqualifying we could get into and the CCW criminal disqualifying offenses. It was asked if we could go back through the agency survey data and pull out a little more information. A lot of agency actually answered "other" to the question about what type of disqualifying offences they already had. We went through that question and tried to narrow down the others, putting them in better categories for the OPOTC.

We were able to take about 100 people out of the "other" category and add them to another category. Mr. Hykes referred to the handout (**Addendum 2**) which broke down the answer options, response percent, and response count. A lot of the "other" answers ended up being that they included drug offenses and sex offenses, but maybe not OVI; they included crimes of violence, but not drug offenses; and a lot of agency did it case-by-case. Using this information a lot of the agencies said that what they looked at was on a time frame. For example, they only looked 3 years back for drug offenses or 5 years back for offenses of violence, etc.

What we can do is:

- 1) Draft some proposals in the terms of mirroring it after CCW statute, with time frames in I, or.
- 2) Come up with our own time frames.

Chairperson Stanforth asked for OPOTC discussion. Colonel Pride stated that we should already be close to mirroring the CCW disqualifiers. Mr. Schumaker agreed.

Mr. Hykes explained the CCW disqualifiers currently are:

- weapons disabilities
- fugitives from justice
- felony offenses
- under adjudication for mental incompetence
- under a suspended CCW license
- misdemeanor offenses of violence
- under indictment/charge/conviction for drug offenses
- Within 3 years of application
  - Misdemeanor offense of violence conviction/guilty plea/juvenile adjudication for 2921.22 or 2903.13
- Within 5 years of application
  - 2 or more convictions/guilty pleas/juvenile adjudications for 2903.13 or 2903.14
- Within 10 years of application
  - Conviction/guilty plea/juvenile adjudication for 2921.33

Mr. Schumaker asked if the sex offensives were the largest percentage on the survey and they aren't included in the CCW. Mr. Hykes stated it was a large percentage and the sex offensives are not necessary part of the CCW disqualifiers and it depends on the sex offense. Chief Jacobs asked how the mental incompetence and deficiency worked. Mr. Hykes responded it typically tracked through a computerized criminal history (CCH) or through the court records. After discussing the CCW offenses, Chief Jacobs stated she would like to see what we would be voting on, once

something is prepared to vote on they would be able to move forward. Mr. Hykes stated he would have the information prior to the September 8<sup>th</sup> OPOTC meeting.

The next items were in regards to recommendations 7 & 8 from the advisory group, increased oversight & performance standards. Mr. Hykes stated the OPOTC/A piloted instructor evaluations with the Ohio State Highway Patrol academy and basically came to the conclusion that it needs to be done as an on-line process. The paperwork we are receiving is too much for the staff to go through manually. We are working with our I.T. department to design an on-line system of reporting. The students will be able to go on line to complete the evaluations on their instructors. This will make the information easier to obtain, use, and evaluate. A time frame for project completion is not available at this time.



Commander Ruth Babel-Smith, Owens Community College asked to discuss the mandatory drug testing. Commander Babel-Smith had done some research and wanted to make the OPOTC aware of a case which was decided on in 2013 through the Federal Circuit Court that drug testing on community college students has been deemed unconstitutional. The case in point involved a small Missouri Community College and the determination was made that since the workforce now does their own testing on their employees it was going implement it with their student population to get them accustomed to this requirement in the work place. The ACLU became involved and the case went through the courts at the Federal Circuit level and was determined that it was unconstitutional on two grounds. First, to do a suspicious-less drug test is determining the individual is guilty of something and being required to prove their innocence. The second point was while there may be some programs in a community college that drug testing would be appropriate; one of the programs listed was heavy equipment operations. The requirement was a substantial risk to the general public and the substantial risk doesn't include risk to the student population within a certain program. Commander Babel-Smith is not an attorney, but does research. This is something that the Attorney General's Office may want to look into a little further before doing the blanket requirement including colleges and open academies because they may end up getting into some legal issues. The commander wanted to make sure the OPOTC was aware of this before a decision was made.

Chairperson Stanforth clarified that basic cadets are actually enrolled as college students. The commander responded, yes. The case was Barrett v. Claycomb and the institution was Linn State Technical College. Chairperson Stanforth stated the staff will do their research on the matter.



Ms. Catherine Kieley, Kent State University asked to discuss the requirement for additional instructors from field sobriety testing. At the last OPOTC meeting the requirement to have an additional SFST instructor in the classroom during the classroom portion of the training was discussed. She feels there was a knee jerk reaction forcing it through. Ms. Kieley spoke with Law Enforcement Instructor, Ms. Sarah Thomas who encouraged her to research it. Ms. Kieley was able to speak with Mr. Chuck Hayes, Project Manager with Advocacy IACP. At the last meeting it was stated that NHTSA was the certifying agency for SFST, which is not correct. ICAP is the governing body and the technical advisor; and while NHTSA has the program. Neither one of those agencies are certifying agencies. Mr. Hayes said that it was just a suggestion. The SFST program is only 23 hours to complete, Ohio requires 40 hours be completed. The suggestion for adding the additional instructor, which was just a recommendation of the program developers, was when they were running a class for 3 days. Sometimes an instructor needed a break, etc. It is only a recommendation and not a requirement. Ms. Kieley would like to ask that OPOTC to reconsider this required because of the cost for on class is costing them an additional \$900.00 in instructional hours; which when added up in class after class is stopping them from buying equipment and things they've planned for. In speaking with other academies, they didn't feel it was a necessary requirement. It seems like it's a waste of time.



One commander, who is an SFST instructor, said they have used 2 instructors in their classes for over a year. They find it very useful and helpful to have a second person there. Not just for their input, but for understanding of the training which allows that instructor to step in to complete the training or to give breaks as needed. They work it out so they each cover sections and it falls into place. They have never received any negative feedback.



Another commander stated they use a state trooper to teach the SFST training. They feel that if the instructor they use can't do the training he shouldn't be instructing. Having the second instructor put them at \$1200.00. He feels it should be optional for commanders to use the second instructor if they feel the need. The commander asked for reconsideration for all that, this was only a recommendation for the second instructor, it isn't mandatory.

Chairperson Stanforth asked if the commissioners wanted to discuss or wait to review later. Chief Jacobs would like for OPOTC staff to do the research; we did this to be in compliance with what we understood to be the governing board. If that happens to not be the case, we could reconsider the requirement. Sgt. Mineard asked for a straight answer, is two instructors required or not. Ms. Davis stated we discussed that during the March 10<sup>th</sup> OPOTC meeting with the recommendation from staff was that the program developers did not mandate it, but they recommended it. So the discussion last meeting by the commissioners was if they are recommending this as best practices, then that is what the OPOTC would like the curriculum to follow. Chief Jacobs responded that she doesn't see a reason to change the discussion. Colonel Pride asked if we can still investigate. Can we solidly say this is a requirement? Is there conflict over who is the certifying body? The fear was that if not done, will officer's SFST exercises be valid in court. Chief Jacobs responded, or be able to testify. The legal staff on the case will talk about the training and the certification. Ms. Davis stated staff will work on getting more information on who the certifying body actually is, and who is making the recommendation of the training program.

Chairperson Stanforth stated we will have the review by the legal interruption. Until that time the motion stands as is until reviewed in September. Chairperson Stanforth asked if there was anything further for old business; hearing done that concluded the old business.

## VII. New Business

**Sheriff Vernon Stanforth**  
**Chairperson**

Chairperson Stanforth adjusted the agenda to move the (9.2) K-9 Unit curriculum and rules first under new business; then a short break will be taken to allow for (9.2) Below 100 presentation.



Mr. Hykes discussed two K-9 concerns with the OPOTC. The first is the marijuana detection and drug canines who are certified through OPOTC; our curriculum certifies on all 4 smells. The North American Police Work Dog Association (NAPWDA) which is one of national certifying bodies allows dogs to be certified on any number of smells. They could do 1, 3, or all 4. We have had some officers raise concerns with the trend in the State going towards possible legalization of marijuana and that their dogs would start alerting on smells that would no longer create probable cause because they may be alerting on the marijuana that was legally obtained by the individual in the car or wherever they made the stop, allowing any search to be thrown out in court. Mr. Hykes hasn't seen any case law from Colorado or Washington on rather that would be true or not. This concern has been brought up by several officers in the State; I told them I would bring their concerns to the OPOTC. This wouldn't necessarily require a rule change on our part if we wanted to say you could be certified on any or all of the smells. It would just require so paperwork changes.

The second concern is the evaluators. I don't think we would need to mandate the odors the evaluators must test on; we wouldn't require the evaluators to change the way they test. I think we would say if the evaluators want to do all 4 smells they can; but anyone not wanting the 4 smells would have to find another evaluator willing to test on less than the 4 smells. Ms. Fauber added there

are lots of concerns as canine units are a large expense for the agency. One concern is that the dogs will become useless/obsolete to the agency. Ms. Fauber doesn't think it will effect evaluation as much as it would give the evaluators the option. The main concern is the dogs alerting to odors that are legal. The only problems that may be of concern is that it's going to require that the canine units themselves keep better documentation of the odors they are trained on, to make sure that if they aren't trained in marijuana and they hit on only marijuana; what is going to happen to that case. She doesn't see the paperwork changing that much on the commission side if that was something you wanted to do.

Chairperson Stanforth verified there was nothing for the OPOTC to do at this point. Mr. Hykes stated the OPOTC would not have to make any type of motion. If they wanted them to change their testing they would be happy to do it. To recap, Ms. Davis stated currently when canines are tested for the odor they must be trained and evaluated in all four smells. What some agencies are asking is can they pick and choose which smells they want their dogs to be trained and evaluated on. So, if they are getting a new dog and they don't want them trained to detect marijuana, that currently is not an option, we test all or nothing.

Colonel Pride stated he thinks that is a dangerous place to go; when we don't have Supreme Court ruling, or any court ruling. First, marijuana is illegal in Ohio. Even with this new piece of legislation marijuana is still illegal in Ohio; federally, and beyond. Even if there is medical marijuana and a dog hit on a car; it still should give us probable cause to search the vehicle because what we don't know, is if the amount the person is legally allowed to have is all that is in the vehicle. We don't know if there are multiple occupants who are in the possession of the marijuana. In his opinion the rules that we have in place and the way that we evaluate and certify canines in the State of Ohio should stay consistent from here forward until someone dictates to us that it has to change, which would be the courts. What we have is working, once we start moving away from it, it is an indication that law enforcement, the OPOTC, and everyone else in the State of Ohio is moving back and now have thrown our hands up about another drug. Then it moves to the next drug and who knows what that next drug is going to be. We are going to need to be softer, kinder, and gentler in society about how we deal with it, so we keep opening the door for the next stage. Anything that we are doing in regards to the canine certification should remain the same until we are forced to do so through the courts.

Chief Jacobs stated there will still be bales of marijuana being moved through the State, even with legal marijuana. You have to have a way to enforce those laws. Colonel Pride explained that if he was the guy who is actually going to do the hiring (which he is not), if he was going to hire couriers to run dope through the State of Ohio, he would need to hire couriers with a medical marijuana license, then they can load their cars up. Then there is never any probable cause; the canine is an incredible tool in the fight we have found are selves in. In his opinion we shouldn't mess with anything that comes with certification of canines. It's still probable cause, it probable cause in every state in the union; some agencies have already pulled their dogs off the street because they do marijuana and seven other drugs. The commissioners agreed no action should be taken.

Mr. Clark wanted to make sure he heard the proposal correctly, which was to keep the same rule but allow the flexibility at training level for an agency to make on how it wants its dog trained. Mr. Hykes stated we would still certify on the state level through us that they have been trained; it would be our paperwork that would have to be changed. Mr. Clark wanted to make sure we were clear, the OPOTC wouldn't be mandating that marijuana smell be separated out from certification of canines, the department would make the determination rather it wanted a certification on all 4 smells or did want to separate out marijuana. Mr. Hykes agreed.

Colonel Pride clarified what we are saying is that we are going to allow an agency to determine which odors they are going to train their dogs on. Mr. Hykes stated that was the proposal, because right now you have to do all four. Ms. Davis stated the OPOTC stance is you need to have all 4 or

none; you don't get to pick and choose. They are asking if the OPOTC wants to change their stance on that.

Chief Jacobs responded those four odors were determined to be essential in the past and what pressing thing right now says they aren't still pressing? No law as changed and there are still laws against it. Chairperson Stanforth clarified without a motion it stays as is, it will take a motion to change it. Mr. Clark stated the commission staff are asking for the advice of the commission. Mr. Hykes responded it is pretty clear where the commission stands on the matter. It states where marijuana is legal; it is still only legal in certain amounts. He is perfectly content keeping things as is.

Chairperson Stanforth stated the OPOTC's position is, no change.



The second item for will be changes to 109:2-7-05 Certification of Law Enforcement Canine Units. We've had some complaints about law enforcement canines and while reviewing what authority or power we have to do anything about those concerns and issues. We don't actually have any authority over the canine units once they are certified; the only requirement is that they continue to get recertified. We have authority of the people who evaluate the canine units, but not the individual handlers or dogs after they've been certified. We wanted to change the language of the rule to allow us the authority to amend or revoke canine certification as well, like all other certifications we have. **(Addendum 3)**

Colonel Pride confirmed you are asking to revoke or suspend the certification as a canine not as a police officer. Mr. Hykes responded yes, just the handler and the canine would be decertified as a unit. Chief Jacobs asked where this set of actions came from. Mr. Hykes stated there were a few incidents where a canine bit fellow officers during training exercises.

### MOTION

**Sgt. Troy Mineard made the motion for the OPOTC to accept the changes allowing the OPOTC to have the authority to amend or revoke canine certification. SAC Stephen Anthony seconded the motion. After a brief discussion a vote was taken and passed unanimously. Yes 7 / No 0**

### DISCUSSION

Mr. Clark asked if there was particular reason for using the phrase "just cause" verses the "other good cause" language which appears in the instructor certification? Mr. Hykes stated just cause is in the evaluators section and he mirror it; it can be change to good cause.

One concern for the commissioners was the language regarding sexually oriented or child-victim oriented offense and how it ties to the canine unit. After a brief discussion Mr. Hykes stated that he mirrored it to all the certifications we have the authority to revoke; keeping it uniform across the board.

Chairperson Stanforth clarified we can decertify the canine under just cause which decertifies the unit. The officer can get a new canine and be certified as a unit.

The next order of business is the Below 100 presentation. At 12:04 p.m. there was a break to allow setup for the presentation. At 12:20 p.m. meeting reconvened.

Mr. Agosta introduced Sgt. John Davis, Ohio State Patrol, to give Below 100 presentation.



Sgt. John Davis, one of the 20 core instructors for this program across the country spoke about the mission of this course. The goal of this course is to provide the officer with background information, concepts, and techniques to improve officer safety by understanding and implementing the principles. He wants people to leave knowing how this can affect your officer. This program is designed to reduce preventable line of duty deaths. It's about the decisions made by law enforcement officers, some of those decisions sometimes lead to us killing the people we were sworn to protect. It's called Below 100 because they have never seen line of duty deaths below 100 since 1943.

- In the last 20 years, line of duty deaths averaged well over 160.
- 2010 LODDs= 177
- 2011 LODDs= 179
- 2012 LODDs= 125, lowest in more than 50 years
- 2013 LODDs=105, lowest since 1944

The **mission** is to influence law enforcement culture by providing innovative training, awareness through presentation, social media, webinars, by identifying leading causes and current trends and preventable line of duty deaths and injuries.

The **vision** to permanently eliminate preventable line of duty deaths and injuries through innovative training and awareness.

#### **The Five Tenets**

- Wear your belt
  - Ejected from vehicle
  - Remaining in vehicle and becoming a projectile
- Wear your vest
  - Excuses not to wear
  - It saves
- Watch your speed
  - Part of LE culture
  - Examples from agencies
- WIN – **What's Important Now**
  - Decision Making Process
  - Applicable to all facets of LE and life in general
  - Prioritizes safety considerations
- Remember: Complacency Kills!
  - Insidious threat – Can creep into any task
  - Frequency breeds complacency

As a trainer in law enforcement the hardest thing to do is to get young, seasoned and veteran officers to make better more sound decisions. What is important now is to evaluate the past, focus on the future and tell you what you have to do in the present.

Focus on the task at hand.

- Re-evaluate calls that you are responding to. Focus on the true task at hand. Officers know and forget to do this daily. It's a call to action.
- Who are you willing to kill responding to this call situation?
- Who are you willing to allow to die as the result of dangerous driving by an officer that you know about, but allowed to go unaddressed?
- Handcuffing – do they have something on them that could resist me, or kill me?

The presentation ended with a video.

Sheriff Kelly thanked the OPOTC for allowing them to present the Below 100 training; their goal is to make this training part of the basic training curriculum. Today there are around 4,000 people trained. We have now become the national model for Below 100. This is common sense stuff. The concept is to instill this as an officer safety philosophy at the very front end of training in the academy; so it becomes their tenets.

Chairperson Stanforth thanked them for the presentation, saying his department has had the training and they considered it the best training they've had. Chairperson Stanforth referred to the curriculum committee for review and see if it's compatible with our training.

That concluded the agenda items.

## VIII. Guest Forum

Sheriff Vernon Stanforth



Mr. Twon Billings was the original founder of Crips gang, in Cleveland and all through Ohio. After 13 years in the penitentiary and losing his family to gun violence, he's now rehabilitated and does training, including police officers. Mr. Billings discussed the 3 elements in life; how you communicate, how responsible you are, and how motivated you are. Mr. Billings trains on the criminal mindset, gangs, and active shooter and would like to work with the commission and create a system. Mr. Billings will be meeting with Ms. Davis and discussing the training he briefly spoke about today.



Commander Strouth spoke in regards to problems with the drug testing process. It was suggested that the OPOTC take an active role in the drug testing. There are concerns for liability issues and she would like for the testing to send directly to the commanders. If the student is bringing the form to the commander, they can alter results of it.



Commander Snay stated the commander's manual allows for multiple drug screens for the cadets. Without a safeguard they could take 4-5 tests and the commanders would never even be aware of any failed tested. They could continue to get drug screening done until they pass one then submit it. It defeats the purpose of the integrity of the test.

Ms. Davis stated that she believed the OPOTC said it was not going to be exclusionary on the number of attempts right now; they asked for data to be collect for the next year and then come back to the OPOTC on it if it would be beneficial to set a number of attempts.

Mr. Hykes responded that the drug testing was going to be a learning process; especially the first few months. He appreciates the input and expects they will receive more. They will work with the commanders through the process to find what works best.

Referring back to old business brought up by Commander Babel-Smith, Mr. Hykes clarified the court case that was brought up under old business was overturned in 2015 by the appellate court and it was a decision in Missouri, so it would have no effect on us, since we are not in the same Federal Circuit as Missouri.

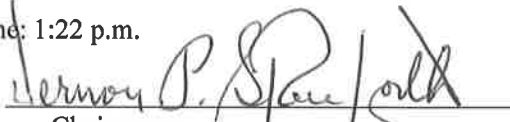
Chairperson Stanforth asked if there was anything further to address. He reminded the OPOTC members the July 14<sup>th</sup> meeting is cancelled and the next scheduled meeting will be on September 8<sup>th</sup> at 10:00 a.m. With nothing forthcoming, he asked for a motion to adjourn.



**MOTION**

**Mr. Schumaker moved to adjourn the meeting. Chief Jacobs seconded the motion. The vote passed unanimously. Meeting adjourned.**

Time: 1:22 p.m.

  
Chairperson

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

Test	Provider	Delivery Method	Dimensions	Approx Time	Scoring	Notes
The Reid Report Risk Assessment	General Dynamics Information Technology	Web; any PC	Business Ethics, Integrity Attitudes, Social Behavior, Substance Use, and Work Background	30 minutes	Recommend, Qualified Recommend, Not Recommended	Can be used to identify high moral standards and work ethic; identifies high-risk applicants; suitable for applicants without a conditional offer of employment
Law Enforcement Applicant Inventory	General Dynamics Information Technology	Web; any PC	Honesty, Risk Avoidance, Safety, Stress Tolerance, Criminal Justice Orientation, Drug Avoidance	1 hour	Recommend, Not Recommended	Validity for Candidness and Accuracy built in the questions; test score breakdown includes Significant Behavioral Indicators and a narrative evaluation of strengths and weaknesses; suitable for applicants without a conditional offer of employment
16 PF Security Selection Report	IPAT	Web; any PC	Emotional Adjustment, Integrity/Control, Intellectual Efficiency, Interpersonal Relations	35 minutes	No failing score but lower scores could indicate areas of concern (sample test results are available)	Designed as a pre-offer of employment selection tool
16PF Protective Services Report	IPAT	Web; any PC	Emotional Adjustment, Integrity/Control, Intellectual Efficiency, Interpersonal Relations	up to 90 minutes	No failing score but lower scores could indicate areas of concern (sample test results are available)	Designed as a pre-offer of employment selection tool; Can only be sold to a PsyD or PhD, or Masters level clinician, but that person can authorize others to view the results; more thorough than the 16 PF SSR

Personality Assessment Inventory for Law Enforcement	Various	Traditional	Social Competence, Teamwork, Assertiveness/Persuasiveness, Decision Making, Adaptability, Stress Tolerance, Substance Abuse/Risk Taking Behavior, Impulse Control, Dependability, Integrity/Ethics	1 hour	only recommended to be taken by those given a COE to stay compliant with the ADA; can only be sold to a PsyD or PhD, or member of the APA
Law Enforcement Officer Selection Tool	IOS Solutions		Cognitive Ability, Integrity, Work Style/Personality, Biodata		Predicts academy performance and job performance
Situation-Based Styles Assessment	IOS Solutions	Traditional	Conflict Resolution, Team Orientation, Service Orientation, Subordination, Ethical Judgment, Initiative		Based on Job Task Inventory; no federal law against employers giving honesty and integrity tests (although some states have banned it); Localized validity study recommended; "consult with legal counsel before administering"
Integrity Inventory (for Public Safety)	IOS Solutions		Anti-social Behavior, Socialization, Positive Outlook, Orderliness/Diligence		Based on Job Task Inventory; no federal law against employers giving honesty and integrity tests (some states have banned it); Localized validity study recommended; "consult with legal counsel before administering"
Police Work Styles Inventory	FPSI	Web or Traditional	Teamwork, Stress Tolerance, Integrity, Code of Ethics, Decision Making, Law Enforcement, Self Control, Self Discipline, Confidentiality, Interpersonal Skills, Following Orders, Respect, Teamwork, Acceptance	30 minutes	Predictor of job success
Florida BAT	IOS Solutions	Web	General Aptitude	2.5 hour limit	Designed as a "predictor of success in the academy"; it is not designed as a psych or deception detection test; would have to tailor one specifically for Ohio
Vermont BAT		Traditional	General Aptitude		I have an actual copy of this test to use as a reference; it is not designed as a psych or deception detection test; would have to tailor one specifically for Ohio

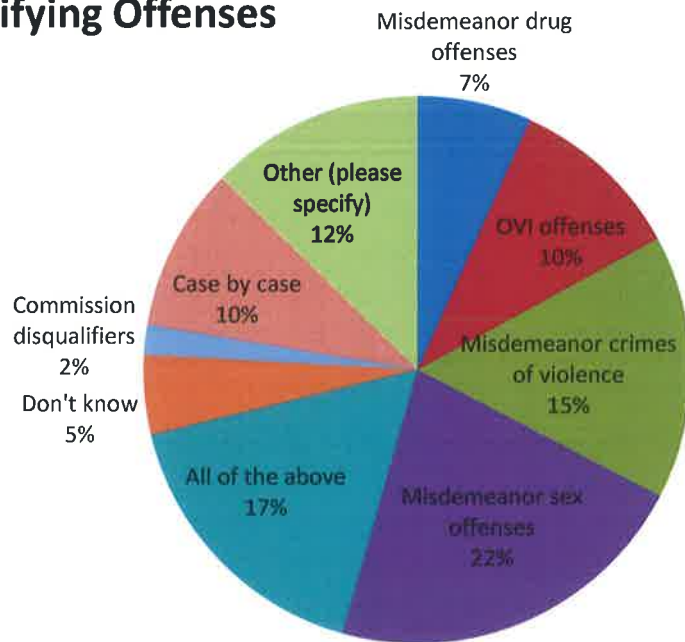
**Attorney General's Advisory Group on Law Enforcement Training  
recommendation agency survey**

**Agency disqualifying offenses**

Answer Options	Response Percent	Response Count
Misdemeanor drug offenses	6.8%	23
OVI offenses	10.3%	35
Misdemeanor crimes of violence	15.6%	53
Misdemeanor sex offenses	21.8%	74
All of the above	16.8%	57
Don't know	4.7%	16
Commission disqualifiers	1.8%	6
Case by case	9.7%	33
Other (please specify)	12.6%	43
<i>answered question</i>		<b>340</b>
<i>skipped question</i>		<b>144</b>

Number	Response Date	Other (please specify)	Categories
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**Disqualifying Offenses**



109:2-7-05 Certification of law enforcement canine units.

(A) All testing for certification of law enforcement canine units shall be approved by the executive director according to minimum standards established by the commission.

(B) Each canine unit shall be certified annually by the executive director unless exempted because of unforeseen circumstances such as illness, emergency employment situation, or other valid reasons. The agency employing the canine unit shall submit a written request for exemption from the executive director. If granted by the executive director, the exemption shall be in writing and shall indicate the date by which the canine unit must complete the examination for certification.

(C) Those agencies which employ canine units covered by the requirements in division (A)(10) of section 109.73 of the Revised Code shall be responsible for arranging, in a manner prescribed by the executive director, an examination for certification of such units.

(1) The law enforcement agency shall request approval of the proposed examination on a form provided by the executive director twenty-one days prior to the examination. Provided the proposed examination meets the minimum standards as established by the commission, the executive director shall approve the scheduled examination.

(2) The evaluator will be responsible for verifying the eligibility of each canine unit to be tested, and for surveying the proposed testing sites. The agency or agencies sponsoring the examination will also be responsible for providing all assisting personnel, materials, equipment and facilities necessary for conducting the examination.

(D) Each canine unit shall be certified each time a handler is assigned a different canine or a canine is assigned a different handler before the unit assumes law enforcement duties.

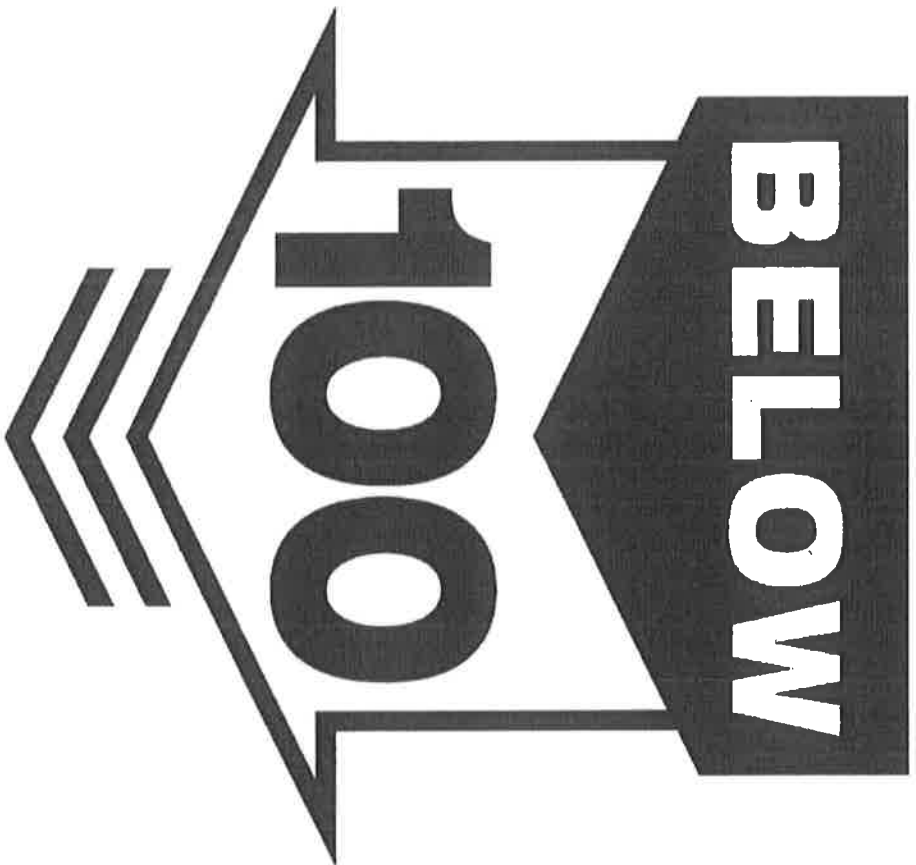
(E) Certification shall be based on successful completion of an approved certification examination as described in paragraph (B) of rule 109:2-7-03 of the Administrative Code for patrol-related Canines or paragraph (C) of rule 109:2-7-03 of the Administrative Code for special purpose canines. The evaluator will make final decisions with regard to weather conditions, adequacy of the testing site, eligibility of the unit to be tested, and controllability of the canine. No canine which has failed to meet the minimum eligibility standards set forth in this chapter, or which the evaluator determines to be uncontrollable or that does not obtain an acceptable rating in obedience, when applicable, shall be permitted to continue the certification examination.

(1) Within thirty days after the completion date of the examination, the evaluator shall submit to the executive director testing records for all units which have been examined. Such records shall include information required on a form provided by the executive director.

(2) The evaluator shall also submit, on a form prescribed by the executive director, a ~~notarized~~ statement of recommendation for certification of the units which have successfully met all certification standards and requirements.

~~(F) The executive director shall issue a certificate to each canine unit successfully completing certification requirements. Should the executive director refuse to issue or renew a request for certification, he shall comply with the provisions in rule 109:2-7-06 of the Administrative Code.~~

~~(G) Certification as a law enforcement canine unit may be suspended or revoked by the executive director for submission of falsified records, conviction of a felony, a crime of moral turpitude, an offense of violence, a sexually oriented or child-victim oriented offense, or for other just cause. Should a decision to suspend or revoke be rendered, the executive director shall comply with the provisions of rule 109:2-7-06 of the Administrative Code.~~



“Honoring the Fallen by Training the Living”

## **Our Mission:**

To influence law enforcement culture by providing innovative training and awareness, through presentations, social media, and webinars on identifying the leading causes and current trends in preventable line of duty deaths and injuries.



## **Our Vision:**

To permanently eliminate preventable line of duty deaths and injuries through innovative training and awareness.

Reduce line-of-duty police deaths to less than 100 per year.

**The last time annual  
LODDS were below 100  
was 1943.**

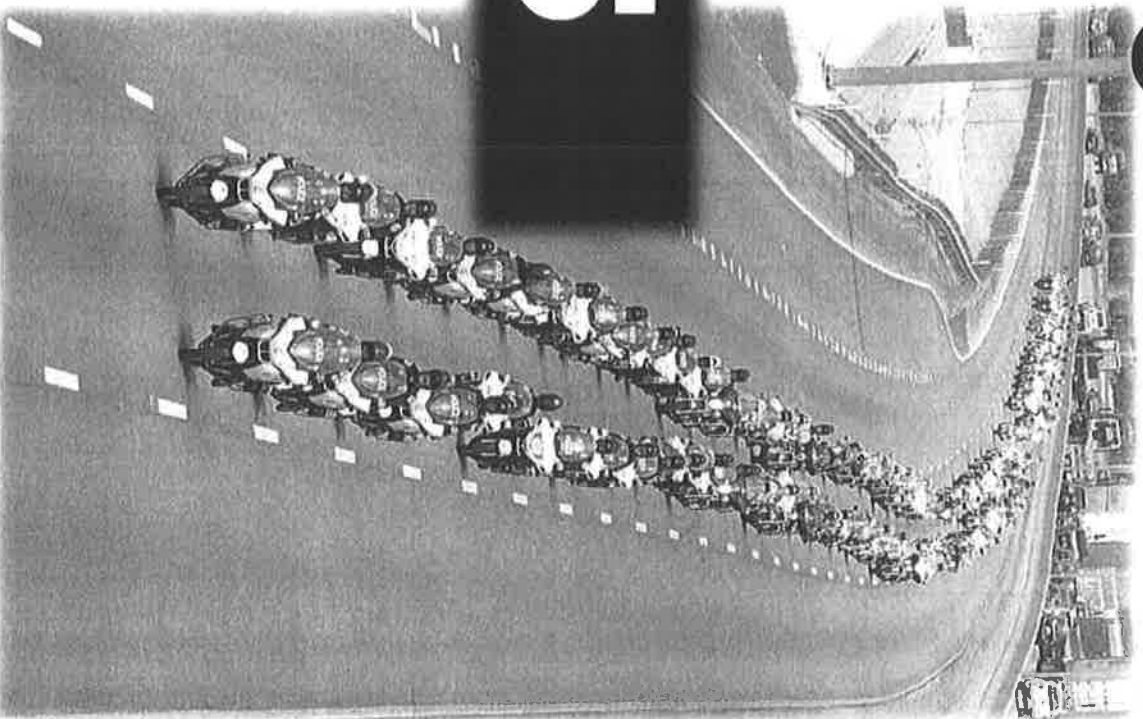
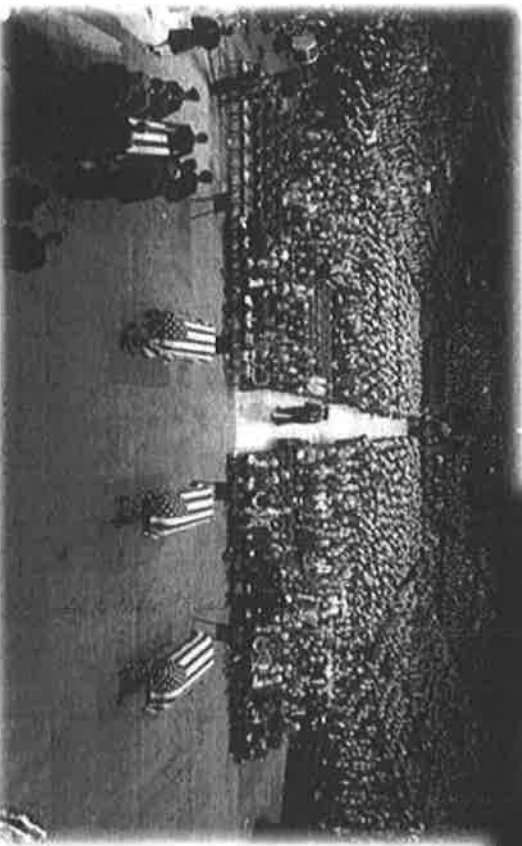
Source: [www.odmp.org](http://www.odmp.org)

**2010= 177**  
**2011= 180**  
**2012= 134**  
**2013= 120**  
**2014= 133**  
**2015= 129**

# 2016



# 35



Source: [www.odmp.org](http://www.odmp.org)



**Wear Your Belt.**

**Wear Your Vest.**

**Watch Your Speed.**

**WIN - What's Important Now?**

**Remember: Complacency Kills!**

# Vehicle Related Officer Deaths

**It really comes down to 3 S's:**

**Speed**

**Seatbelts**

**Struck by vehicles**

# Justin Maples



# Watch Your Speed





# Justin Maples



## Ask yourself these 2 questions...

“Who are you willing to kill responding to this call/situation?”

“Who are you willing to allow to die as the result of dangerous driving by an officer that you know about, but allow to go unaddressed?”

# Seatbelts

WEAR THIS...

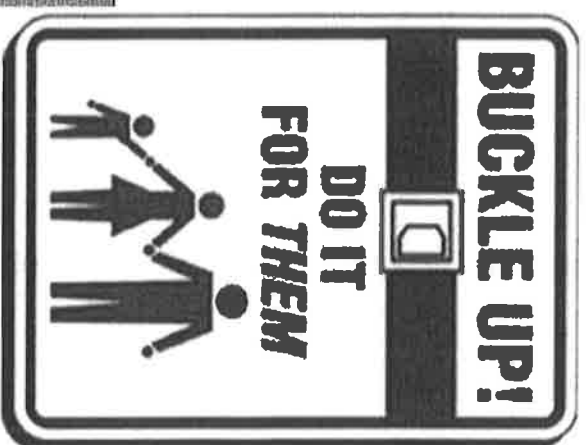


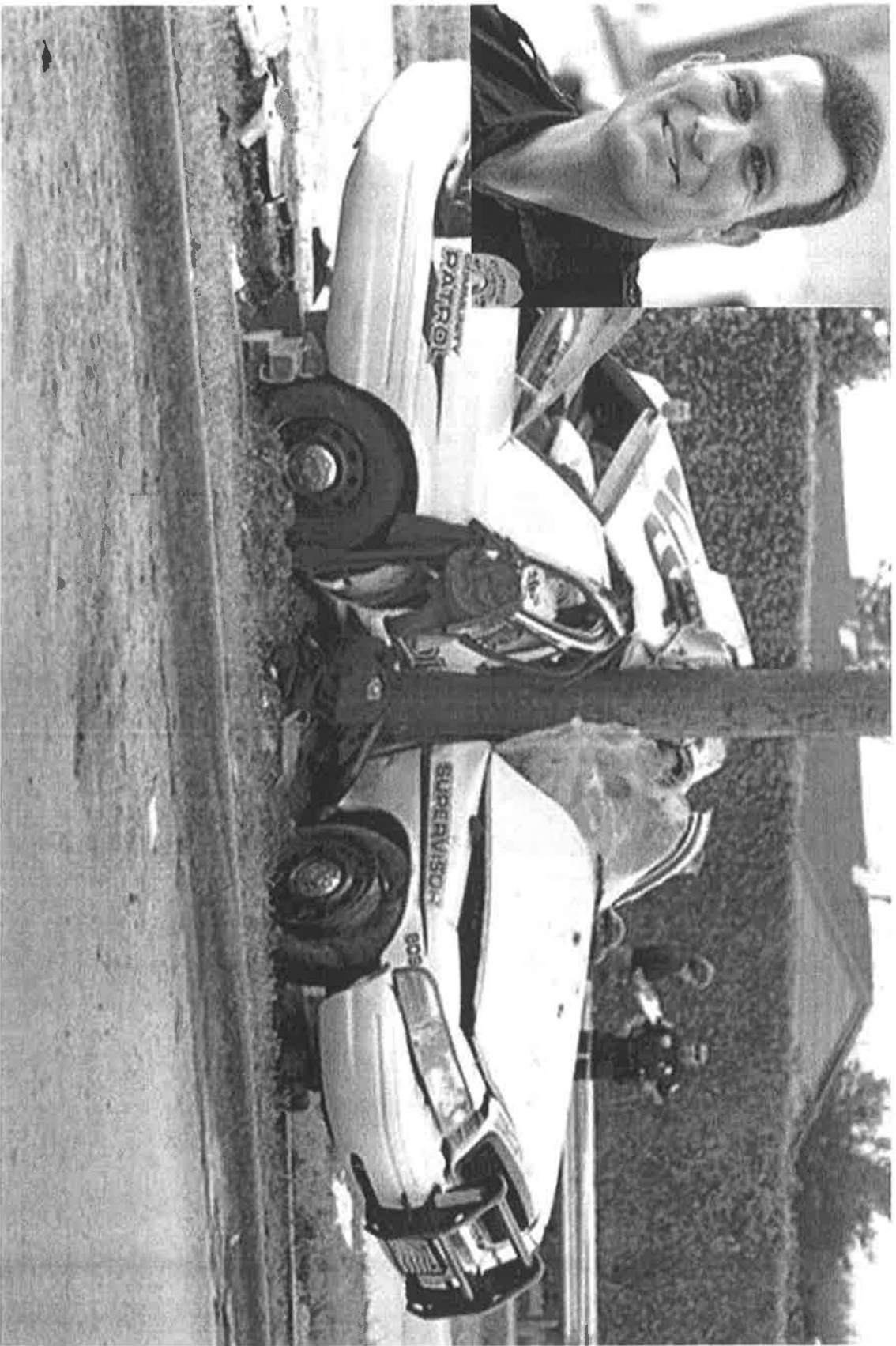
NOT THIS...



Traffic crashes continue to be a major cause of death for Virginia law enforcement officers —  
**DON'T TAKE CHANCES WITH YOUR LIFE!**  
**BUCKLE UP... for your family, for your fellow officers, and for everyone you serve and protect.**

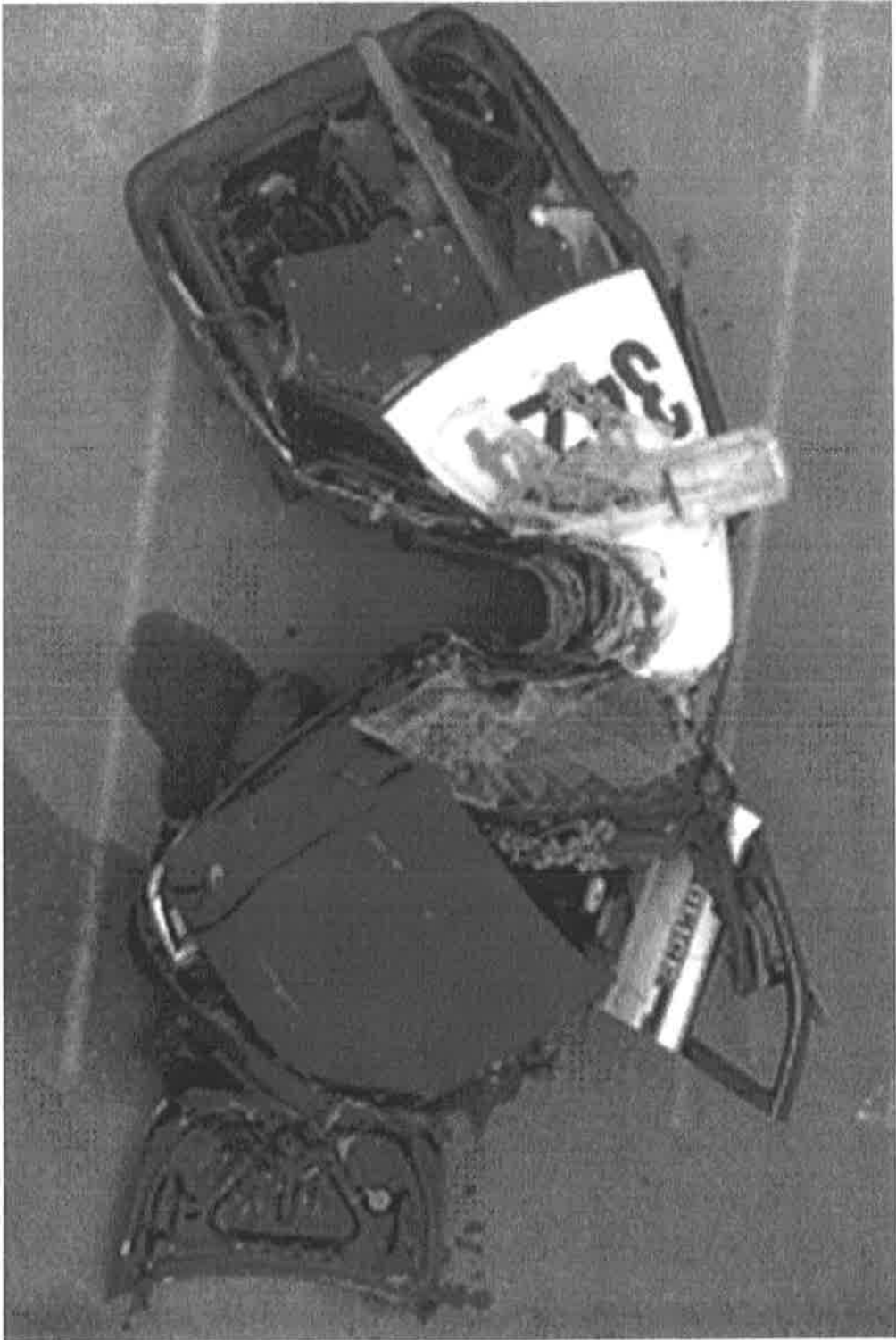
*Produced by the Virginia Association of Chiefs of Police. Supported in part by National Highway Transportation Safety Administration Grant #2012-33438*





**Drive Like Your Life Depends On It!  
Wear Your Seatbelt!**





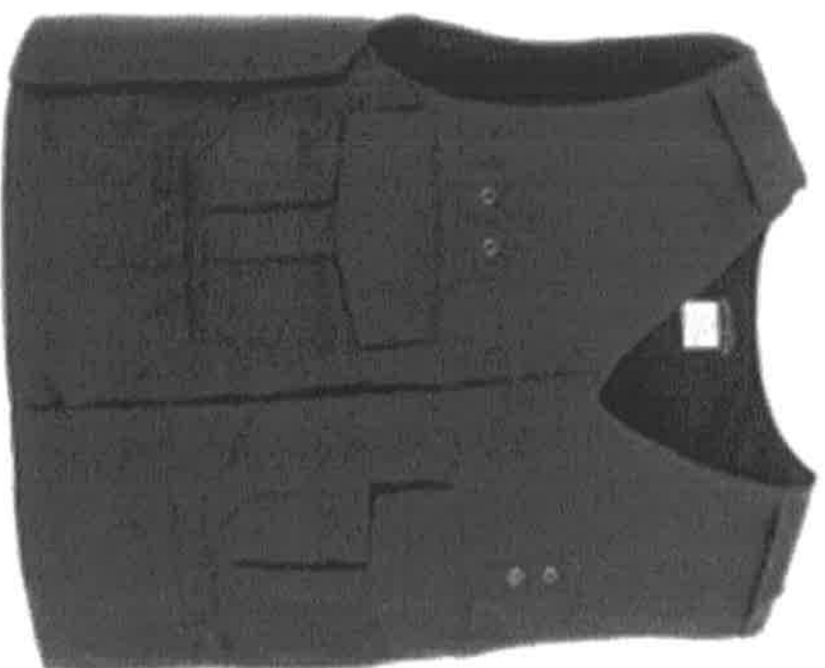
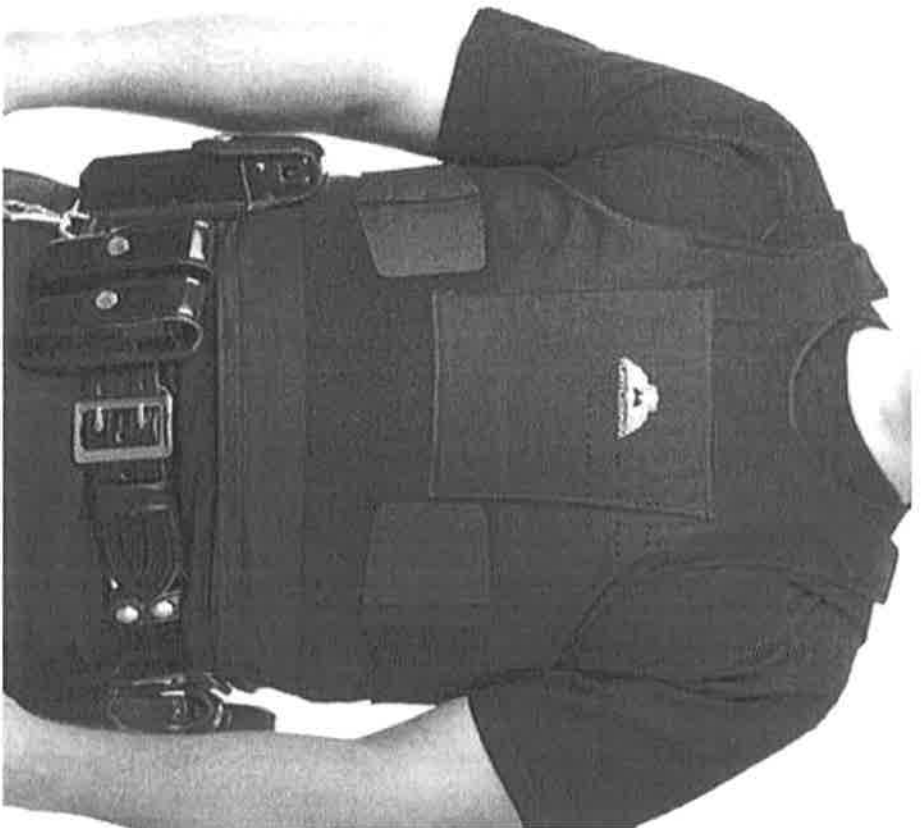
# The Dangers of the Road



**Being Seen Is Important!**







# BODY ARMOR

**It won't happen here...**



**Ofc. Justin Conley**  
**Mount Orab, OH PD**

**January 3, 2010**



**Ofc. Justin Conley  
with wife and son.**

**Body armor made  
this photo possible.**

Why ?



**-N-I-M-**

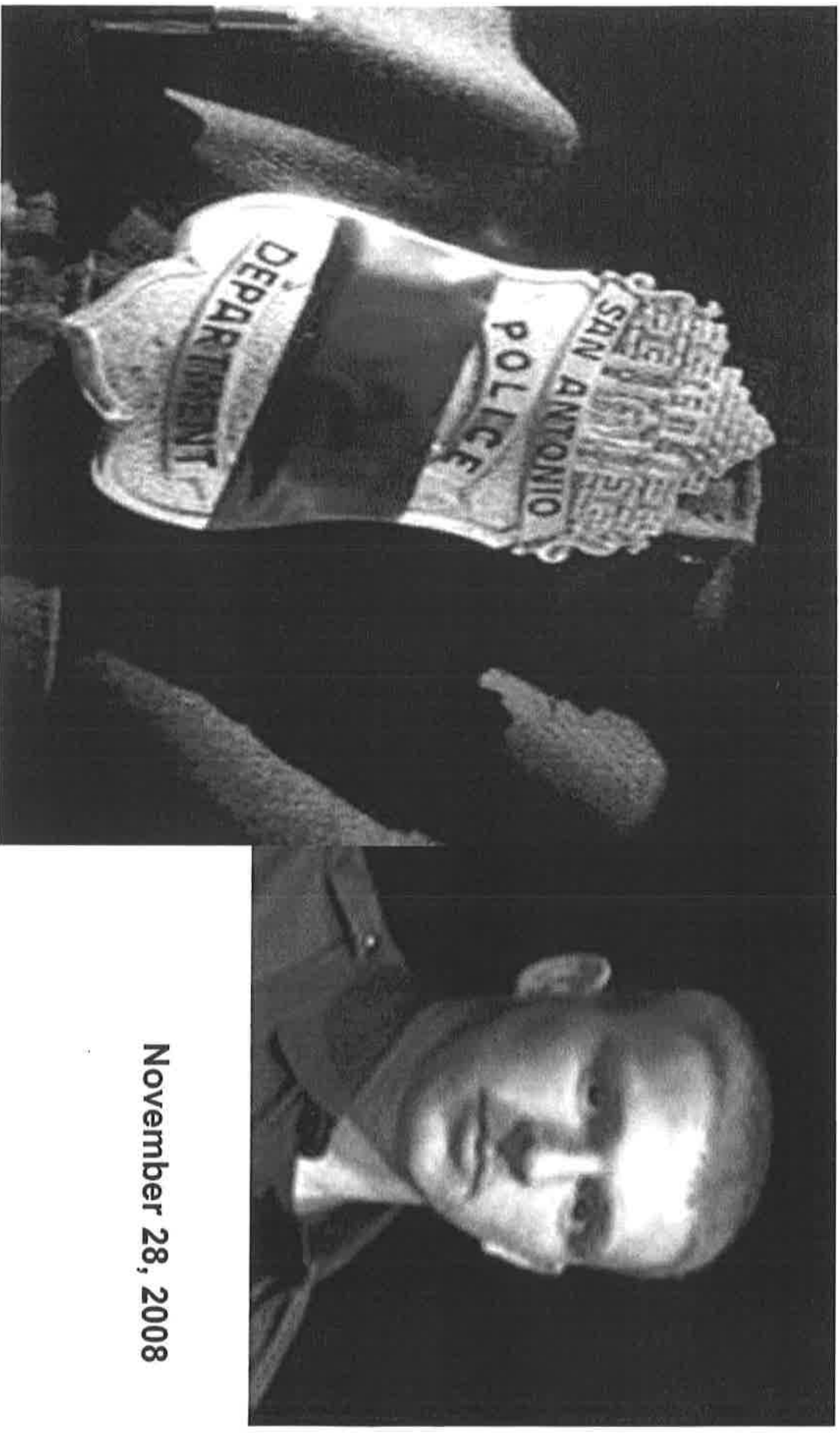
# **WHAT IS IT?**

## **Decision Making Process**

**What's Important Now? - to evaluate the past, focus on the future, and tell you what you have to do in the present.**

***Lou Holtz***

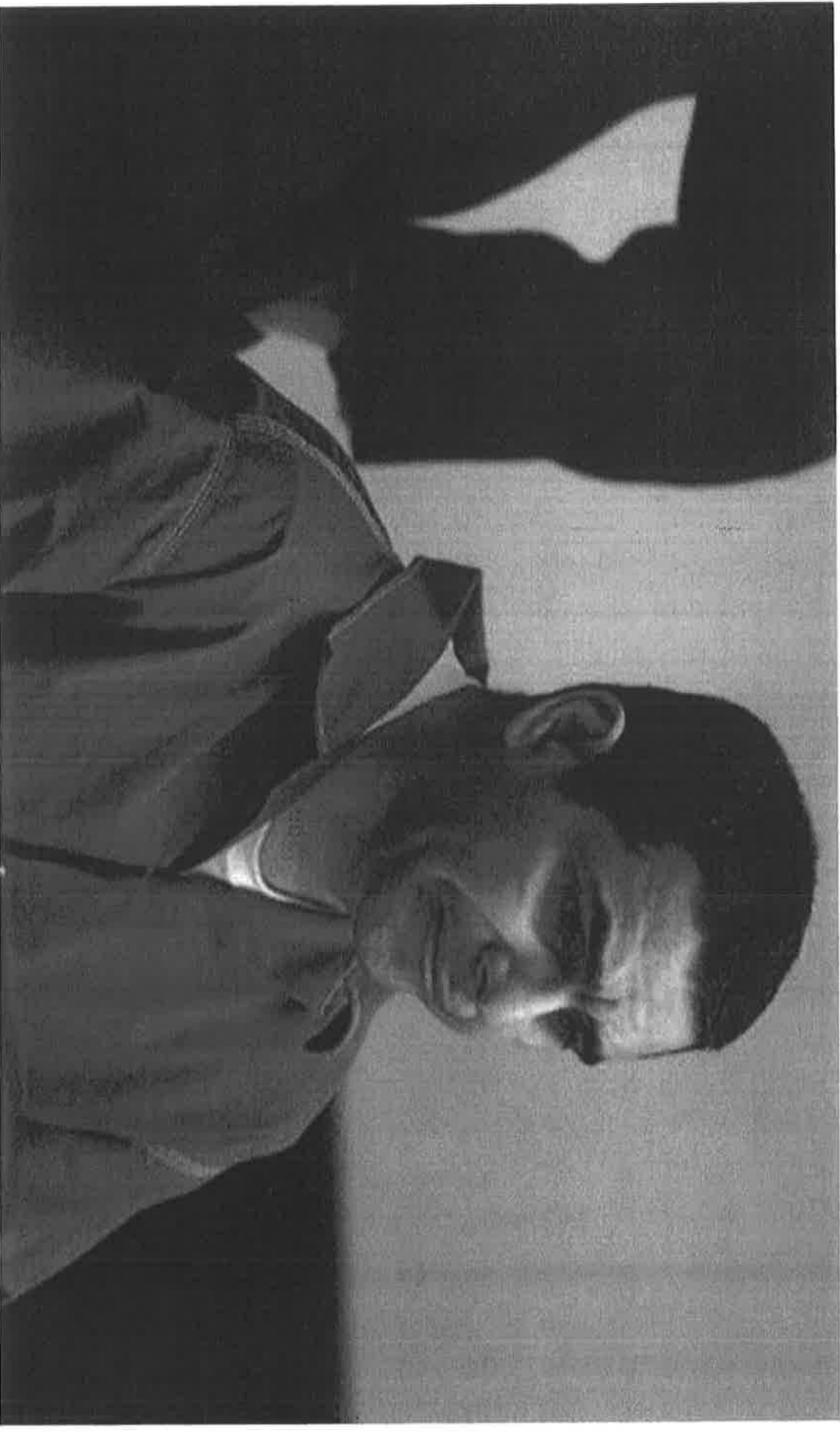
# Decision Making

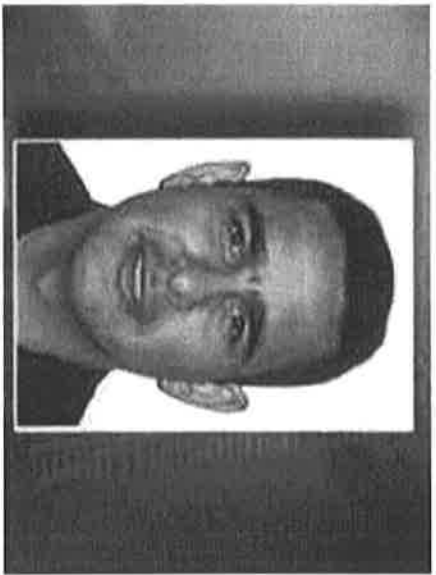


November 28, 2008



# Decision Making





Potranco Road

SPEED LIMIT: 45 MPH

1. ON NOV. 28, 2008, OFFICER ROBERT DAVIS is clearing flares from the road after handling a traffic accident.



SPEED: ABOUT 100 MPH

2. OFFICER DAVID SEATON drives about 100 mph in a 45-mph zone while answering a shoplifting call.

3. SEATON HITS A CAR turning from Potranco Road onto Hunt Lane.

4. VEERING RIGHT, Seaton hits Davis.

5. DAVIS IS DRAGGED until Seaton's patrol car hits a utility pole and stops.

Hunt Lane

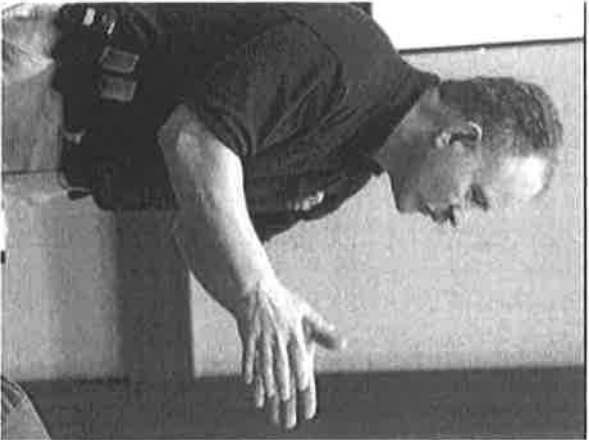
# **WIN - Personal Life**

- **Ethical/Moral decisions**
- **Physical Health – heart attacks, sleep**
- **Mental Health - safe call now, badge of life,**  
**Code 9 Project, Hunting 4 Heroes**
- **Financial Health – debit collection**
- **Family time – good quality time**
- **Healthy relationships – family and friends**
- **How you treat others - like a cop?**

# Complacency kills

# Complacency Kills

**“Complacency is among the most dangerous and insidious threats we face, because it lays us open to all the others.”**



*Jeff Chudwin, Chief of Police, Olympic Fields, IL and President of the Illinois Tactical Officers Association*

**Below 100**

**Police Shooting**  
**Sr. Cpl. Mark Nix**

# ODMP Remembers...

United States > West Virginia > West Virginia State Police > Trooper Eric M. Workman



## Trooper

**Eric M. Workman**

West Virginia State Police, West Virginia

End of Watch: Friday, August 31, 2012

## Bio & Incident Details

**Age:** 26

**Tour:** 1 year, 8 months

**Badge #**

**Cause:** Gunfire

**Incident Date:** 8/28/2012

**Weapon:** Handgun

**Suspect:** Shot and killed

Trooper Eric Workman and Corporal Marshall Bailey were shot and killed after they stopped a vehicle for reckless driving at the commuter parking lot adjacent to I-79, in Clay County, at approximately 8:30 pm.

The troopers determined the subject was intoxicated and placed him under arrest and handcuffed in front of his body. The subject was searched and placed in the back of the patrol car when he was able to reach a concealed 9mm pistol that was not discovered in the search. He shot both troopers inside of the vehicle and took Corporal Bailey's service weapon.

After climbing out of the vehicle he shot a tow truck driver who had been called to the scene to impound his car. The tow truck driver was able to get away from the scene and call for help.

- Leave a Reflection
- Add to My Heroes
- Update this memorial

Share this memorial:

# ODMP Remembers...

United States > West Virginia > West Virginia State Police > Corporal Marshall Lee Bailey



## Corporal Marshall Lee Bailey

West Virginia State Police, West Virginia

End of Watch: Tuesday, August 28, 2012

### Bio & Incident Details

**Age:** 42

**Tour:** 17 years, 4 months

**Badge #** 204

**Cause:** Gunfire

**Incident Date:** 8/28/2012

**Weapon:** Handgun; 9 mm

**Suspect:** Shot and killed

Corporal Marshall Bailey and Trooper Eric Workman were shot and killed after they stopped a vehicle for reckless driving at the commuter parking lot adjacent to I-79, in Clay County, at approximately 8:30 pm.

The troopers determined the subject was intoxicated and placed him under arrest and handcuffed in front of his body. The subject was searched and placed in the back of the patrol car when he was able to reach a concealed 9mm pistol that was not discovered in the search. He shot both troopers inside of the vehicle and took Corporal Bailey's service weapon.

After climbing out of the vehicle he shot a tow truck driver who had been called to the scene to impound his car. The tow truck driver was able to get away from the scene and call for help.

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Share this memorial:



**This is not just another  
officer safety class.....**

**It's a call to action!**



Our Dad Ofc. Jeremy Hubbard  
E.O.W. 08/10/2010