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Final signed Minutes submitted on April 22, 2021

**Ohio Peace Officer Training Commission Meeting
Thursday, January 14, 2021, 10:00 a.m.
held via WebEx**

<https://ohioago.webex.com/ohioago/onstage/g.php?MTID=e85f6a1ce3b3179c2a72f6af1ba10d707>

(Register only on January 14, 2021 by holding the control key and click on link above)

Minutes – January 14, 2021

**A. Opening
Call to Order**

Chair Stanforth called the meeting to order at 10:14 a.m.

Sheriff Heldman led the Pledge of Allegiance.

Ms. Donna Long called the Roll Call.

Commission members present

Sheriff Vernon Stanforth, Chair

Chief Clayton Harris, Vice-Chair

Ms. Leah Amstutz – issues connecting – joined at 10:18 a.m.

Lieutenant James Fitsko

Sheriff Michael Heldman

Chief George Kral

Ms. Carol O'Brien

SAC Eric Smith – not eligible to vote

Commission members absent

Colonel Richard Fambro

Chair Stanforth asked those in attendance who would not be speaking to mute their phones and help with the process so everyone could be heard. Chair Stanforth was glad they were all able to get together, it is definitely a trying time. As 2021 will prove to be a very trying time, we will persevere.

The first thing was the approving of the September 11, 2020 minutes, which were emailed to the Commissioners in advanced.

MOTION:

Sheriff Heldman made the motion to approve the minutes from the September 11, 2020 meeting. The motion was seconded by Chief Harris. Hearing no discussion, a vote was taken and passed unanimously. Yes-7, No-0, Absent-2, Not eligible to vote-1.

The November 23, 2020 minutes are still being compiled and will be presented at the next meeting. For the record Ms. Lean Amstutz is present at 10:18 a.m. We now move to the House Committee Report.

The following people were present.

Attorney General's Office Staff -present. Due to technical issues a log of those linked in was not available. Only those whom were pictured on the screen and those in the control room are listed.

Ms. Savannah Brock- OPOTC Staff
Mr. Richard Hardy-Director of Professional Standards and Education-OPOTC
Mr. Dwight Holcomb-Executive Director-OPOTC/A, referred to as (Director) forward.
Mr. Zachary Holscher-Assistant Attorney/AGO
Ms. Donna Long-OPOTC Staff / Secretary to Commission
Mr. Michael Walton-Associate Assistant Attorney/AGO

B. House Committee Report

Chief George Kral, Sub for Chair Colonel Fambra

Chair Stanforth stated the House Committee met this morning prior to this meeting. Colonel Fambro was unable to attend and Chair Stanforth asked Chief Kral to be the acting committee chair, and since SAC Smith has not been officially reappointed, Sheriff Heldman and Lt. Fitsko were asked to attend as acting members of the House Committee.

Acting Chair Kral stated the House Committee met this morning at 9 a.m. to discuss and make recommendations to the Commission for the positions of Chairperson, Vice-Chairperson and to approve the 2021 meeting schedule.

Chair Stanforth stated this is where as Acting Chair, Chief Kral would conduct the remaining House Committee portion of the meeting. Acting Chair Kral and the House Committee made the recommendation of Sheriff Vernon Stanforth, as 2021 Chairperson, are there any other interested commissioners for the Chairperson position? Hearing none the Acting Chair asked for a motion.

MOTION:

A motion to approve Sheriff Vernon Stanforth to the Chairperson position for the year of 2021 was made by Chief Harris and seconded by Sheriff Heldman. With no discussion forthcoming a vote was taken and passed unanimously. Yes-7, No-0, Absent-1, Not eligible to vote-1. Sheriff Stanforth abstained from the vote.

Acting Chair Kral and the House Committee made the recommendation of Chief Clayton Harris, as 2021 Vice-Chairperson, are there any other interested commissioners for the Vice-Chairperson position? Hearing none the Acting Chair asked for a motion.

MOTION:

A motion to approve Chief Clayton Harris to the Vice-Chairperson position for the year of 2021 was made by Sheriff Heldman and seconded by Ms. Carter-Smith. With no discussion forthcoming, a vote was taken and passed unanimously. Yes-7, No-0, Absent-1, Not eligible to vote-1 with Chief Harris abstaining from the vote.

The final recommendation was for the second Thursday of every other month at 10 a.m. beginning in January 2021. The only caveat to that is the 2nd Thursday of November falls on Veteran's Day. It is recommended that the November date be on Wednesday, November 10, 2021. Acting Chair Kral asked for a discussion, hearing none asked for a motion.

MOTION:

A motion to approve the calendar dates for 2021, which will be the second Thursday of every month at 10 a.m. beginning in January with the exception of November, which will be held on Wednesday, November 10th due to the Veteran's Day Holiday was made by Chief Harris and seconded by Ms. Carter-Smith. With no discussion forthcoming, a vote was taken and passed unanimously. Yes-8, No-0, Absent-1, Not eligible to vote-1.

That concluded the House Committee Report.

C. Chairperson Report

Chair Vernon Stanforth

Chair Stanforth thanked Chief Kral and the house committee for taking care of the committee report. It was appreciated. The Chair thanked his peers for voting him to serve as Chairperson again for 2021. It promises to be a very challenging year, but I think the staff and the Commissioners are prepared for what is to come in the field of law enforcement training in Ohio. The Chair now continued on with the Chairperson Report.

The issue of appointing a hearing officer for the 119 Appeal Hearings, was put back to the staff to do some research. Traditionally, we've heard the appeals as a body, as the Commission in its entirety, that's been our option which we have exercised historically. I think with having to meet remotely, it makes it difficult for everybody to get together. Just as an example, today we have a commission member that was not able to join in on a commission meeting. We've in years past, entertained having a hearing officer, but he doesn't believe we've ever exercised a hearing officer in the field. Chair Stanforth asked ED Holcomb to take this discussion from this point on, along with Attorney's Mr. Walton and Mr. Holscher.

E.D. Holcomb thanked Chair Stanforth, replying we currently have 2 pending 119 Hearings that we need to act upon in the very near future. Upon Chair Stanforths request, we asked the Commission attorneys, Mr. Michael Walton and Mr. Zach Holscher to take a look at the ability for us to use a hearing officer. They found that it was permissible for a hearing officer to be utilized to represent the Commission. The hearing officer would hear the cases and

then make a recommendation to the Commission, to which the final decision would be up to the Commission. The Commission would be able to accept whatever the recommendation was, modify the recommendation, or deny the recommendation. The final decision would be up to the Commission.

If the Commission were to go this route, we would suggest the Commission attorneys, Mr. Walton, or Mr. Holscher be the individuals that would then work to find who this hearing officer would be, I am not sure if there's going to be a list of potential hearing officers in the state or someplace, but we'd like them to do it simply because our staff would most likely be involved with providing information to the hearing officer, so we don't want to be part of selecting who this hearing officer would be, but I think and especially in this COVID environment, this is a good opportunity to utilize and lessen the amount of exposure we would still hold this here in person at the Academy. We fully believe that a 119 Hearing needs to be in person that both sides will be presenting information and evidence. We believe the face to face contact is very, very important for this process, whether it's the full Commission that hears it or we have a hearing officer and those recommendations go forward. So, it is truly up to the Commission to push us into the direction that you would like to hear and see this to go.

E.D. Holcomb asked if Mr. Walton and Mr. Holscher would like to add anything, which they responded they had nothing to add.

Ms. O'Brien asked if we have a hearing officer, does the commission need to meet at all, or do we base this all on a written report from the hearing officer. E.D. Holcomb responded based on what our attorney's have presented, the hearing officer would hear the facts of the case, make the recommendation based upon what they hear to the Commission, who would then decide what they wanted to do with that information.

Chief Harris questioned in most cases, many of the individuals filing for the 119 Hearing are attempting to meet in front of the Commission. Is this where they still have an option for either a hearing officer or in front of the Commission? Or will this become a standard process that goes in front of the hearing officer before going in front of the Commission. E.D. Holcomb responded, he would leave that discussion to the commission. I think as everybody knows during COVID, it's a very unique time when you're trying to limit the number of people who may come together in any one place due to the heightened level of COVID. If we did a full Commission 119 Hearing, we would obviously have the full Commission, and the parties that were involved, we could have 20 or so people in a room. We, of course, would find the largest potential room here, which would be the cafeteria to hold this in. But has for future hearings, or after COVID, that would certainly be a Commission decision.

Ms. O'Brien directed this to E.D. Holcomb because he did the research, are the 119 Hearings not covered by the rule allowing bodies to meet virtually? Ms. Wynette Carter-Smith asked the same thing. Ms. O'Brien asked how much does it cost to cover a hearing officer? E.D. Holcomb responded at this point we don't know because we're waiting to have this discussion to see if this was the direction that the Commission would like to go forth. We've got at least 2, 119 Hearings. So, you're probably most likely looking at a 6-hour day, it depends on how long each 119 Hearing last. We, of course would try to schedule this all on the same day so the one hearing officer would hear both 119 Hearings the same day. So, the one individual hearing officer would hear both cases. So, again what would be the selection process? Would it not be a staff attorney from one of the other sections of the Attorney General's Office? E.D. Holcomb asked Mr. Walton to address the questions presented because they had talked about it internally, I think all of you know, that generally, when you have any type of arbitration or something, you may have a list of attorneys or hearing officers and you strike off until you come down to one that's left. I am not sure here again if in Mr. Walton's research he would be able to address your questions. Mr. Walton stated first this would all be protected under attorney, client privilege; do you still want me to continue? I don't know if you guys still want me to go ahead and try to address some of the questions or not, on the record, or if you guys wanted to go into a quick executive session.

MOTION:

Ms. O'Brien made the motion to go into executive session for the purposes of further clarification of our attorneys. The motion was seconded by Ms. Carter-Smith. A vote was taken and passed unanimously. Time into executive session at 10:39 a.m., out of executive session at 10:52 a.m.

Chair Stanforth stated there was no action to be taken on the matter at this point. The executive session was just a review with the attorney on some of the issues related to actually having a hearing officer appointed in the process. So that'll be sent back to the Attorney's to review and get additional answers.

Moving on that concludes the chairperson's report. I'd like to shift now to Sheriff Heldman, Chairperson to the Continuing Professional Training Committee.

D. Continuing Professional Training Committee Report
Sheriff Michael Heldman, Committee Chair

Sheriff Heldman stated there was nothing to report at this time. But, he did have a question for E.D. Holcomb. There's been discussion with the Buckeye State Sheriff Association (BSSA) and the new sheriff's training and so forth. They are looking for instructors to cover the PT hours for the sheriffs training. Do you know where we can find instructors for the times and topics that are designated this year? E.D. Holcomb replied an interesting side to that is, he was at the BSSA offices yesterday speaking to their executive director about this and I am going to see if I can help him locate some instructors through the potential resources that we've got. It's a timely issue, that you're

bringing it up, because I had that discussion yesterday. Sheriff Heldman stated that's good. That concluded the Continuing Professional Training Committee Report.

E. Curriculum Committee Report

Sheriff Michael Heldman, Committee Chair

No house report was given. That concluding the House Committee report.

F. Legislative Committee Report

Lt. James Fitsko, Committee Chair

The PTSD bill has had movement and he feel's we are definitely moving in the right direction; that we are making headway on the PTSD. That concluded the House Committee report.

Staff Reports

G. Commission and Academy Updates

Dwight Holcomb, Executive Director

E.D. Holcomb wanted to refresh the Commission Members back to a memo that was issued on December 11, 2020 as this COVID situation continues to grow in numbers, we wanted to once again assist academies to make sure they can remain operational and continue instructions at the Basic Academy. So, in sitting down with my staff, we identified additional units' instruction that could be done virtually. We have provided that to the basic Academies all in an effort to make sure that we can do as much as we can to help the basic academies continue to be operational.

One of the things that the basic academies are also no doing is when they are scheduling virtual training, they will be sending a link of that training to our compliance officers, allowing our compliance officers to go on and observe and see some of the training.

I did this myself earlier this week with the city of Columbus police department academy was having a training session. Unfortunately, I have to admit to my embarrassment that am muted. Somehow, I got unmuted and they could hear me in the background. So, he apologizes to Columbus Police Department for the interruption on that one. The connectivity that he witnessed with the virtual process was excellent. There was interaction between the students and the instructor. As we continue with this COVID environment our academies need to do a few more things virtually and we're maintaining good compliance on that to make sure the instruction is exactly how the commission wants it to be.

The new sheriff's training started back in November. It's 120-hours of training and it used to be held for 2 weeks. The 2nd week in December had to be canceled due to COVID and a potential cross contamination. Week 2 of training started up this week.

E.D. Holcomb stopped by yesterday at the BSSA offices and had a nice conversation with their Executive Director and sat in on the class for a little bit on the class. There was great interaction with the sheriff's that were sitting in on the class; it's going very well. The 3-week of training will be in February which will complete their requirements.

We continue to obviously provide courses both at the Tactical Training Center (TTC) and here at the main facility. I want to thank the general services staff for all the exceptional work they are doing to maintain not only the cleanliness, but also the sanitizing and decontamination of everything every night preparing for classes the next morning. Our staff continue every morning as people arrive to take temperature's, masks are important; we're doing everything we can, he believes we have been very successful in the in-person classes here at the academy and it continues on the website.

On the Attorney General's website, we now have over 80 courses and approximately 40 different topics that are ready for the remaining of the first half of the year that can be registered for. E.D. Holcomb gave thanks to our ITS department for their help getting that up and running back around Christmas so law enforcement across the state can register.

We will be posting the second half of the 2021 training calendar for July through December most likely in February. The training staff are finalizing the locations and topics so they can be posted for law enforcement to start registering for those courses.

Staffing here at the Academy, both on the commission side of the house, and the training side of the house are getting filled. Our new E-Learning Design Specialist as we're trying to reformat design and improve completely the OPOTA experience. The new E learning design specialist will start next week. There will be a short orientation and then we'll be getting her up and running to really begin working with all of our partners here to bring the format up to some really great new levels. Another position that we're working on is a certification officer and then also a curriculum design specialist. So those two positions will be filled. Those are open positions; not new and we'll be getting those filled very shortly. Another position on the training side of the academy, is replacing one of our training coordinators position who moved to another job closer to his family. We've received 21 applications and the Director of Advanced Training Mr. Ozbolt has started the review process. We hope to have the position filled within the next four weeks.

E.D. Holcomb state the pencil and paper testing continue here at the academy. The month of January, we were doing 190 tests for the state certification here in our gymnasium, 39 of those were just the other day and 38 of those were refreshers; those are individuals who are re-entering law enforcement after at least a 1-year absence. There were 38 individuals taking that course test. We have another refresher course coming up here in about a week, which means there are law enforcement officers who are re-entering the field, getting their certification updated and taking the test.

E.D. called on Director Hardy of Standards and Education to give an update on the Pearson Vue Testing, which is now up and running. Director Hardy state they have actually had 1 student complete the Pearson Vue experience, which went very well. There was a small glitch with the voucher system, but that's been corrected. We have already received interest from Moraine County Community College, they want to send all 18 of their Basic Peace Officer Class for testing. We have a couple private security academies for career centers who are reaching out to

us about the opportunity to go through Pearson Vue, when COVID hit, they could not transport their students down here. So, we're looking at that. In 2020, their section processed over approximately 3600, SF400 that's notice of peace officer appointment documents. So, agencies are hiring and processing those people into their ranks, and we are trying to do everything we can to accommodate those and get that paperwork turned around for them. They have 15 academies already scheduled to start in the first half, the first month of 2021. I don't have enrollment numbers for you on those, but those are going on.

Director Hardy asked if E.D. Holcomb wanted to mention Adobe Flash Player and the eOPOTA and the challenge? E.D. Holcomb stated that has they have been transitioning over to our new eOPOTA format, the Adobe Flash format that had been used for a number of years was no longer supported. And so that has cause about 40 or so eOPOTA classes that we had online to be pulled off, because they no longer function at all. Our E design learning specialist that we're bringing on, one of their first jobs will be to take where we've got that information stored and get that formatted to our new platform and then get those out. So, it's one of those complicated issues that a platform is no longer support it and we are now working to get it up and running on a new platform. Director Hardy stated that all 38 of the refresher students all passed.

E.D. Holcomb stated that Director Hardy and his staff recently had two individuals that had attended academy and we're waiting to be able to do their testing with their group. However, they needed to be processed early, they were both in military. They were both heading off to some advanced training so they could not wait to be able to do the testing scheduled with their class. So, Director Hardy and his staff were able to make accommodations. We had those individuals in here, there was were sitting in the gymnasium, monitored, and were able to get those tests done. And those 2 individuals were able to ship out for their military duties. So, we've been doing everything we possibly can to assist and continue on with testing. The last thing I have is to ask all of our commission members to put on their calendars, Thursday, May 6, 2021, which is the Fallen Officer Memorial Ceremony here at the Academy.

That concluded the Commission and Staff Updates Report.

H. New Business

Chair Vernon Stanforth

Hearing no new business, that concluded the New Business report.

I. Old Business

Chair Vernon Stanforth

The Chair ask if there was any other old business to discuss, hearing none, that concluded the old business report.

J. Guest Forum

Chair Vernon Stanforth

The Chair ask if there was any guest would like to discuss, hearing none, that concluded the old business report.

K. Adjournment

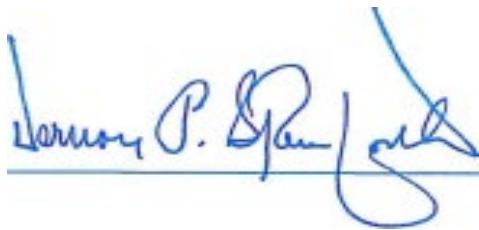
Chair Vernon Stanforth

Hearing nothing further the Chair entertained a motion to adjourn.

MOTION:

Chief Harris made the motion to adjourn. Chief Kral seconded the motion. The meeting was adjourned. Yes-8, No-0, Absent-1, Unable to vote-1.

Time:11:13 a.m.

A handwritten signature in blue ink, appearing to read "Vernon P. Stanforth". The signature is fluid and cursive, with a horizontal line underneath it.

Chair Vernon P. Stanforth

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