



**RICHARD CORDRAY**  
OHIO ATTORNEY GENERAL

**OHIO PEACE OFFICER TRAINING COMMISSION**

**MEETING**

**THURSDAY, SEPTEMBER 17, 2009**

**HELD AT THE**

**OHIO PEACE OFFICER TRAINING ACADEMY**

**IN**

**LONDON, OHIO**

**MINUTES**



**I. OPENING**

**A. CALL TO ORDER**

Chairperson Vernon P. Stanforth called the meeting to order at 9:10 a.m.  
Mr. John Lenhart led the pledge of allegiance.  
Ms. Gaye Gossard called the Roll.

**COMMISSION MEMBERS PRESENT**

Sheriff Vernon P. Stanforth  
SAC Keith Bennett  
Mr. Jeffrey Patzer  
Chief Paul Denton  
Mr. John Lenhart  
Sheriff Thomas G. Maurer  
Chief Robert Williams

Major Dan Kolcum represented Colonel Richard Collins and the Ohio State Highway Patrol.

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

**ATTORNEY GENERAL'S OFFICE**

Attorney General Richard Cordray  
Mr. Jeffery Clark  
Mr. Mark Losey

Commission Counsel  
General Counsel for Law Enforcement

## GUESTS AND STAFF

Mr. Ron Ferrell	Executive Director
Mr. Robert Fiatal	Deputy Director
Mr. Lou Agosta	Assistant Executive Director
Ms. Victoria Gatien	Assistant Executive Director
Mr. Scott Weimer	OPOTC Business Manager
Mr. Bill Walker	Deputy Director
Ms. Gaye Gossard	OPOTC Staff
Ms. Mary Broyles	OPOTC Certification Officer
Ms. Lynn Henry	OPOTC Staff
Mr. John Martin	OPOTC Curriculum Supervisor
Chief Brad K. Kunze	Bellefontaine P.D.
Officer Chelley Seibert	Dayton P.D.
Mr. Gary Brinker	Owens Community College
Mr. Dave Peters	OPOTA Instructor
Captain Bob Markowski	OSP
Staff Officer Douglas Johnson	ODNR
Commander Kip Wright	Grand Lake Academy
Mr. Greg Brillhart	OPOTC Compliance Officer
Jerry W. Hughes	Akron P.D.
Mr. Walt Poffenbaugh	North Central State College
Lt. Jerry Matwiejczyk	Toledo P.D.

## II. CHAIRPERSON REPORT

Chairperson Stanforth announced the resignation of Colonel Richard Collins as the Superintendent of the Ohio State Highway Patrol which in turn relinquished his position on the Ohio Peace Officer Training Commission (OPOTC). The Governor will re-appoint the position and that person will become the new Ohio State Highway Patrol representative. Major Dan Kolcum represented the Ohio State Highway Patrol at the meeting and was encouraged to participate but was advised he didn't have voting authority.

### A. APPROVAL OF MINUTES

Mr. Jeff Patzer motioned the July 17, 2009, minutes be approved. Sheriff Thomas Maurer seconded the motion. There was no further discussion a vote was taken with all in favor and the motion passed favorably.

## III. CURRICULUM COMMITTEE

Dr. Kathy Sommers  
Committee Chairperson

### A. JOB TASK ANALYSIS COMMITTEE REPORT

In the absence of Dr. Kathy Sommers, Ms. Victoria Gatien, Assistant Executive Director of Certification and Standards, reported on the activity of the job task analysis panels. Panel #2 had met relentlessly since April 2009 and expected to present their work product for initial read at the November OPOTC meeting. Panel #3, which is the instructional resource committee, met September 16, 2009, and has the goal of presenting a proposal to the OPOTC for review by January 1, 2010. Individuals on Panel #3 were asked to bring scenario

reports to the next meeting so the panel could build learning activities around the scenarios. Panel #4 will then review the sequencing and establish a pilot program.

Chairperson Stanforth commended Dr. Sommers and all of the panel participants for all of the time and energy which has been expended on the project.

**IV. LEGISLATIVE COMMITTEE**

**Sheriff Thomas G. Maurer  
Committee Chairperson**

No report given.

**V. NOMINATING COMMITTEE**

**Colonel Richard B. Collins  
Committee Chairperson**

No report given.

**VI. CONTINUING PROFESSIONAL TRAINING COMMITTEE**

**Sheriff Thomas G. Maurer  
Committee Chairperson**

Sheriff Maurer reported the Continuing Professional Training (CPT) Committee continued in discussion with State of Kentucky officials pertaining to a surcharge on insurance to fund CPT. The CPT Committee is scheduled to travel on October 7, 2009, to meet with Kentucky representatives to see how they have implemented and continued their efforts to raise money to fund training for safety services for the State of Kentucky. He requested delegates from OSP, Dayton P.D., Columbus P.D. and the OPOTC Executive Director to partake in the trip. Sheriff Maurer also asked Executive Director Ferrell to extend an invitation to a representative from the Governor's Office

As a result of Ohio Administrative Code (OAC), the OPOTC must inform law enforcement by October 15th the number of CPT hours required for the following year. Currently, there is no funding available for 2010, but Executive Director Ferrell proposed postponing the October 15th deadline in case funding became available after the deadline. There was reason to defer the deadline because of a provision in the casino bill ballot initiative for the continued training of law enforcement officers. Since it was a constitutional amendment it was very general and not entirely clear where the money would go or when it would be distributed.

**MOTION**

Mr. John Lenhart motioned the OPOTC would recommend 8 hours training for CPT for calendar year 2010 depending on the availability of funding, with one hour reimbursable for SVAA training Sheriff Maurer seconded the motion.

Discussion continued which resulted in the following amended motion:

**MOTION**

Mr. Jeff Patzer motioned the CPT training and reimbursement requirement for 2010 be at least one hour in the course area chosen, subject to the availability of further funding and contingent upon notification to the appointing authority of the departments no later than December 1, 2009. Mr. Lenhart seconded the motion. After brief discussion, the motion passed favorably.

## DISCUSSION

Mr. Lenhart asked if there were additional training hours that could be added to the requirement without funding. Executive Director Ferrell explained the issues was there were currently six crime victim courses on e-OPOTA and many officers have already taken the six courses. While work continues to add more courses to e-OPOTA, due to the development cost, there were no plans to add more courses in the immediate future. Executive Director Ferrell noted the CPT requirements for 2010 would be placed on the November OPOTC meeting agenda to revisit any changes in funding.

## STAFF REPORT

### VII. COMMISSION AND ACADEMY UPDATES

Executive Director Ron Ferrell

#### A. OPOTA ADDED RESPONSIBILITIES

Executive Director Ferrell reported the Attorney General's Conference on Law Enforcement was scheduled for September 24-25, 2009, at Sawmill Creek in Huron, Ohio, and he invited the law enforcement community to attend. The conference responsibilities have shifted under the auspice of OPOTA for 2010 and will be held in the Columbus, Ohio area. Responsibility for the DARE program and the process for the DARE grants have also moved to OPOTA. Since the environment was more law enforcement connected at OPOTA, especially through the OPOTC, Executive Director Ferrell encouraged any ideas on programs and/or instructors are forwarded to him as planning begins for the upcoming year.

Chairperson Stanforth asked for further clarification as to what the added responsibilities to OPOTA would entail. Mr. Lenhart explained the Attorney General wanted to give the law enforcement conference continuity every year with the input of OPOTA into the process. Since the conference was law enforcement based, it seemed to fit the OPOTA agenda more so than the downtown office. Secondly, DARE was moved to OPOTA because the curriculum and instructional blocks were currently at OPOTA and the program was splintered, therefore, bringing the entire program to OPOTA gave it continuity. Mr. Lenhart stated additional staff would be needed to accommodate the added work load.

#### B. OHIO ADMINISTRATIVE CODE (OAC) RULE REVIEW UPDATE

Mr. Mark Losey, General Counsel for Law Enforcement, reported the Joint Agency on Rule Review (JCARR) recently approved OAC rule revisions pertaining to break in service and CPT. Next, those approved rules will be filed with the Secretary of State and go into effect October 16, 2009. The OAC rule revisions coincide with the statutory changes contained in House Bill 1. Mr. Losey summarized the rule revisions.

Executive Director Ferrell reported a new policy had been implemented that would permit out of state peace officers coming to Ohio, who are in good standing within the previous six months and are appointed in Ohio, upon proof of the appointment or a letter of intent from the hiring agency, and upon successful completion of the equivalency process, the person will be permitted to be a peace officer. The officer would be required to take the legal block in peace officer basic training, demonstrate or have the approval from an OPOTA-certified instructor on firearms requalification, and pass the final state certification exam within six months of hire. The OPOTC would provide the applicant with lesson plans to study upon

application of the prior equivalency process. Mr. Losey stated the Code currently addressed officers who were deployed for military duty.

**C. REPLICATE CERTIFICATE FEE**

Mr. Bob Fiatal reported a large amount of the backlog had been resolved with the implementation of the new internal process. However, one of the areas that are difficult to get a handle on is the area of certificates. There are approximately 1000 duplicate certificates issued per year. It was determined it took 20-30 minutes per duplication of certificate. The staff also experienced the same people were requesting the duplicate certificates repeatedly.

It was determined there was a need for the payment of duplicate certificates, and after speaking with Mr. Losey, Mr. Clark, and Mr. Kevin McIver, agreed the duplicate certificate request and/or certificates were not public records. It is estimated each duplicate certificate costs \$11.24 per certificate therefore, it was suggested the cost of a duplicate certificate would be \$15.00 per certificate. Mr. Fiatal stated the staff was ready to enact the new duplicate certificate process upon approval from the OPOTC.

**MOTION**

Mr. Jeff Patzer motioned the OPOTC authorize OPOTA staff to charge \$15.00 per replicate certificate. Mr. Keith Bennett seconded the motion. There was no discussion and the motion passed favorably.

**D. FIREARMS AND PHYSICAL FITNESS STANDARDS REVIEW**

Executive Director Ferrell reported the job task analysis revealed the physical fitness and firearms standards have been the areas of most concern. As part of the job task analysis, staff requested two focus groups completely review the firearms and physical fitness process. Chairperson Stanforth had assigned a Chief Denton to the firearms group and Chief Williams to the physical fitness group.

Mr. Bill Walker updated the status of the physical fitness group. The group is still in a formative stage and Mr. Walker is waiting for the confirmation of two additional members. Mr. Walker projects the group should be able to submit a proposed recommendation to the OPOTC for review by the spring of 2010. An extensive review of current physical fitness policies from the 49 other states. A trip to the Kentucky Criminal Justice Center is scheduled for the near future to review the policies on the issue.

Mr. Bob Fiatal reported the firearms working group had met twice. The group consisted of representatives from the OPOTA LETO staff, Cleveland Police Academy, Miami County Sheriff's Office, Ohio State Highway Patrol, and Mr. Fiatal and Mr. John Martin from the OPOTC staff. The group considered taking a survey of other states' firearms standards, but found they were inconsistent. The group felt no one was really concentrating on the needs of the law enforcement officer that must engage in deadly force. The group discussed which should come first, the course of instruction or what was needed, and it was determined to address the qualification standard of what was needed to adequately prepare someone to go out the first day of the job if they would have to engage in deadly force. Secondly, the group is also focusing on making things more efficient through qualification standards. Lastly, the group would like to incorporate some less lethal levels of force in the

training. The goal of the group is to have a more comprehensive product, a much better measure as to what is needed by a peace officer to perform functionally, and to provide better training for peace officers.

Executive Director Ferrell explained when the job task analysis was completed; the work from the two working groups would be combined to insure a comprehensive delivery method is consistent.

**E. MEDICAL EXTENSION POLICY**

Executive Director Ferrell reported the policy on medical extensions had been changed to reflect, effective August 1, 2009, if a student had been granted a medical extension he must be tested for completion at the London Academy. To date, 21 students had tested at the London Academy and 20 out of the 21 had failed to meet the requirement. The new policy has been very revealing and added a measure of consistency, with the effect of the student thinking twice before asking for a medical extension.

**F. ANNUAL AGENCY REPORT**

A new annual agency report for academies will be implemented in January 2010. The report will provided the OPOTC with academy demographics of each student from the start to the finish of the academy. The report should provide a view of the qualitative work of the academies.

**G. SEARCH AND SEIZURE LESSON PLANS**

The draft lesson plans for search and seizure are with the subject matter experts for final review. After the lesson plans are returned to OPOTA staff, they will be ready for uploading on e-OPOTA.

**H. RETIREMENT OF JOHN R. MARTIN**

Executive Director Ferrell announced the retirement of Mr. John Martin. Mr. Martin's last physical day at OPOTA is October 30, 2009, due to military assignment, with his career with the Attorney General's Office officially concluding in February 2010. Mr. Martin worked over 29 years with the Attorney General's Office. Chairperson Stanforth stated it had been a pleasure to work with Mr. Martin and he was an asset to the OPOTC.

**VIII. OLD BUSINESS**

**Chairperson Vernon P. Stanforth**

Executive Director Ferrell reported the Commander's Manual revision continues with the committee meeting regularly. Completion of the Commander's Manual revision is anticipated to be at the beginning of 2010. The manual is currently in the final write process. A commanders' conference is expected to take place in February or March 2010, and the new Commander's Manual will be one of the primary topics. Mr. Patzer reported he has heard many good things about the Commander's Manual revision from constituents. Executive Director Ferrell stated he received many letters and emails from constituents praising the staff for doing a good job. He thanked Mr. Patzer for his recognition of the staff's good work.

**IX. NEW BUSINESS**

**Chairperson Vernon P. Stanforth**

**A. EXPIRATION OF COMMISSION**

Chief Paul Denton informed the Commission it would be the expiration of his term at the conclusion of the September meeting. However, he was notified a re-appointment request was under consideration.

**B. LETTER OF APPRECIATION TO COLONEL RICHARD COLLINS**

Mr. Jeff Patzer requested the Commission recognize the service of Colonel Richard Collins who had represented the Ohio State Highway Patrol well, and made valuable contributions to the Commission.

**MOTION**

Mr. Jeff Patzer motioned the OPOTC recognize through a letter from Chairperson Stanforth, Colonel Richard Collins for his service and valuable contribution to the OPOTC as representative of the Ohio State Highway Patrol. Mr. John Lenhart seconded the motion. The motion passed favorably.

**C. HUMAN TRAFFICKING**

Mr. Mark Losey reported the Human Trafficking Commission had broken out into two committees; 1) Training Committee, 2) Legislative Committee. In monitoring both bodies, they are hard charging for some sort of training requirements for law enforcement concerning human trafficking. There is nothing solid at this point, and he will continue to monitor the committees and report any significant changes to Executive Director Ferrell and the OPOTC. Mr. Losey stated he would continue to try to push the trend of proficiency-based training as opposed to hours-based training.

Executive Director Ferrell reported he had been assigned to the Human Trafficking Training Committee at the direction of the Attorney General. The committee is very much aware that unfunded mandates and mandatory training are mistakes that they don't want to repeat from the past. With the increase in technology, he expects the human trafficking topics will be made available through OHLEG and e-OPOTA in the future. The Prosecutor's Association is a part of the committee and they also made it clear they were not fond of unfunded mandates. The direction the training committee is currently looking toward is a series of offerings from recognition for the street officer and hands-on training for departments that have more specialty investigators who deal with human trafficking on a daily basis. Chairperson Stanforth stated human trafficking was a hot topic at present time but would it be a hot topic in the future, and does the law enforcement community want it to be embedded as a mandatory training. Executive Director Ferrell stated he would forward the OPOTC concerns to the training committee.

**X. GUEST FORUM**

**Chairperson Vernon P. Stanforth**

No report given.

XI. MOTION TO ADJOURN

Sheriff Thomas Maurer motioned to adjourn the meeting. All were in favor. Meeting adjourned.  
Time: 10:35 a.m.

---

Secretary

---

Chairperson

These transcripts are not verbatim. Audiotapes are available upon request.

