



RICHARD CORDRAY
OHIO ATTORNEY GENERAL

OHIO PEACE OFFICER TRAINING COMMISSION

MEETING

THURSDAY, NOVEMBER 19, 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 9:02 a.m.
Mr. Jeffrey Patzer led the pledge of allegiance.
Ms. Gaye Gossard called the Roll.

COMMISSION MEMBERS PRESENT

Sheriff Vernon P. Stanforth
Dr. Kathy Sommers
Mr. Jeffrey Patzer
Chief Paul Denton
Mr. John Lenhart
Chief Robert Williams

B. WELCOME AND INTRODUCTION OF GUESTS AND STAFF

ATTORNEY GENERAL'S OFFICE

Attorney General Richard Cordray
Mr. Mark Losey

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
Mr. Fred Wolk	Assistant Executive Director
Ms. Gaye Gossard	OPOTC Staff
Ms. Mary Broyles	OPOTC Certification Officer
Lt. Steven R. Rine	OSP
Mr. Dave Peters	OPOTA LETO
Ms. Sarah Thomas	OPOTC Certification Officer
Mr. Walt Poffenbaugh	North Central State College
Sgt. Robert L. Stewart	Columbus Police Academy
Ms. Tina Hundley	Columbus Police Academy
Officer David Jenkins	Columbus P.D.
Officer Chelley Seibert	Dayton P.D.
Mr. Justin Cain	OPOTC Certification Officer
Ms. Brittany Hunger	OPOTC Staff
Mr. Ed Bridgeman	University Cincinnati/Clermont
Chief David Wisemen	London P.D.
Mr. Doug Johnson	ODNR
Commander Kip Wright	Wright State University

II. CHAIRPERSON REPORT

A. APPROVAL OF MINUTES

Mr. Jeff Patzer motioned the September 17, 2009, minutes be approved. Chief Robert Williams seconded the motion. There was no further discussion a vote was taken with all in favor and the motion passed favorably.

Attorney General Cordray presented the OPOTC Citizen's Award to Dr. Kathy Sommers which recognizes a member of the public who has assisted the Ohio Peace Officer Training Commission (OPOTC) in the furtherance of training and certification of law enforcement. Dr. Sommers was honored for her leadership and driving force in conducting the job task analysis initiative for peace officer basic training and the citizens of Ohio.

Chairperson Stanforth reported the Buckeye State Sheriffs' conference had recently concluded and he received little complaints concerning the Ohio Peace Officer Training Commission (OPOTC) and Academy (OPOTA). The majority of comments he received were very positive toward the staff and the direction the OPOTC was taking.

III. CURRICULUM COMMITTEE

Dr. Kathy Sommers
Committee Chairperson

A. JOB TASK ANALYSIS COMMITTEE REPORT

Dr. Kathy Sommers recapped the work that had been accomplished and what was underway with the panels of the Curriculum Committee. In December 2008, the Job Task Analysis (JTA) survey commenced and was completed in March 2009. During April and May of 2009 the JTA was distributed across the state and returned. Concurrent with that distribution time the first panel of individual practitioners across the state was brought together to start working on a new problem based, 21st century type curriculum for peace officer basic training. The survey results were analyzed to look for gaps in the current curriculum and to ascertain what agencies across the state wanted and expected from a student coming out of a peace officer basic training academy. By September 2009, work was underway on problem-based learning instruction. In November 2009, the second panel concluded its work and produced a first draft of the new curriculum.

The panels in collaboration with the OPOTA staff, has identified 2010 as a year focused on training in problem-based learning. The staff would like to conduct a presentation for the Commissioners after the January 2010 OPOTC meeting and in February provide a one-day in-service in problem-based learning for all the agencies who contributed to the efforts of the JTA. The committee intends to be aggressive in seeking a variety of venues where problem-based learning as a classroom strategy can be presented for the commanders and instructors across the state.

The committee felt it critical to the success of the JTA to vet and validate the document that is in draft form coming from panel 2, the new guideline curriculum content for the academy. The committee foresees panel 3 reconvening in late 2010 to look at developing various instructional resources to support the new curriculum. The resources would be 1) sample lesson plans; 2) sample problem-based learning activities with grading rubrics; 3) a resource of on-line resources that commanders and instructors can use to bring to the classroom; and, 4) to explore the feasibility of establishing a web site to provide communication and support the academies statewide.

Dr. Sommers distributed a draft copy of the proposed new curriculum to each Commissioner, and summarized its content.

Dr. Sommers sought the opinion of the OPOTC for two of the competencies. The first was 2.7 which read *Complete a nationally recognized program for electronic speed measuring*. When the JTA was completed out of 502 responses 261 or 51.9% wanted officers who were certified in radar/lidar or a similar program. The second competency was 2.8 which read *Complete a nationally recognized program for alcohol detection, apprehension and prosecution*. The survey determined 287 or 57.2% of the respondents wanted officers to be certified in ADAP or a similar program. Dr. Sommers did not want the proposed curriculum released publicly as a final document until the OPOTC had a chance to review it and become comfortable with it.

At first glance, Chief Denton supported the inclusion of 2.7 and 2.8 in the curriculum. Chairperson Stanforth cautioned not to lean toward the use of certain commercial products to avoid endorsement of a particular company. Executive Director Ferrell stated the key was to move slowly and ensure the curriculum was all inclusive. Mr. Patzer thanked Dr. Sommers and the JTA committees for their hard work.

Attorney General Cordray wanted to make sure there was enough time allotted to allow for ample input to afford balance between the Commission and the Academy, the Academy instructors, and also the instructors and people who have private academies around the state the OPOTC work with and certify. Assurance is needed that these are comfortable with the curriculum because they are the ones who must deliver it and believe in it.

Mr. Dave Peters responded that 2.8 is the National Highway Traffic Safety Administration (NHTSA) foundation and a lesson plan was developed years ago at the Ohio Highway Patrol called ADAP (32 hour program) and it was already adopted into the OPOTC peace officer basic training (POBT) program. 2.7 was also from NHTSA and it was formerly included in POBT but it was reduced to 5 hours.

Executive Director Ferrell noted the problem based learning model is not the content. While the content may be consistent statewide, individual academies will do problem based learning to whatever extent they feel appropriate. His goal is to conduct 1-2 POBT academies at the London campus, using OPOTA instructional staff for a laboratory or premier pilot site as the program moves forward. There will still be a state proficiency examination but it would reflect a different level of knowledge.

After discussion, it was determined to leave competency 2.7 and competency 2.8 in the proposed model curriculum and as the vetting process is gone through the details would be worked out.

MOTION

Mr. Jeff Patzer motioned to accept the Curriculum Committee report. Mr. John Lenhart seconded the motion. All were in agreement and the motion passed favorably.

IV. LEGISLATIVE COMMITTEE

**Sheriff Thomas G. Maurer
Committee Chairperson**

No report given.

V. NOMINATING COMMITTEE

**Mr. John Lenhart
Committee Chairperson**

Mr. John Lenhart reported the House Committee met to discuss the recommendation for OPOTC Chairperson for 2010. The Committee felt the OPOTC had reached stability the last few years and had a good team in place. It felt the direction of the OPOTC was going well and Sheriff Stanforth was doing a good job.

MOTION

Based on that recommendation of the House Committee, Mr. John Lenhart motioned Sheriff Vernon Stanforth is appointed OPOTC Chairperson for 2010. Dr. Kathy Sommers seconded the motion. A roll call vote was taken which resulted in the following:

Stanforth - abstain, Sommers - yes, Williams - yes, Patzer - yes, Lenhart - yes, Denton - yes. The vote passed favorably and Sheriff Stanforth accepted the appointment.

MOTION

Mr. Jeff Patzer motioned the OPOTC Secretary position is deferred to the OPOTA staff at the discretion of the Executive Director. Dr. Kathy Sommers seconded the motion. The motion passed favorably.

Mr. Patzer commended Ms. Gaye Gossard for the work she did for the OPOTC.

VI. CONTINUING PROFESSIONAL TRAINING COMMITTEE

**Sheriff Thomas G. Maurer
Committee Chairperson**

In Sheriff Maurer's absence, Executive Director Ferrell reported a delegation traveled to Eastern Kentucky University to discuss Kentucky's funding sources for law enforcement training. Kentucky receives approximately \$45 million annually from insurance taxes for law enforcement training. Sheriff Maurer was very positive about the results of the trip as well as finding a permanent funding source for Ohio. Upon his return, Sheriff Maurer crafted a letter to Attorney General Cordray. The letter reflected the role of the Academy over generations in law enforcement in Ohio. The law enforcement field had been transformed into a profession through the leadership of the OPOTC and OPOTA.

Attorney General Cordray stated the trip to Kentucky opened people's eyes to what they are doing with continuing professional training, which is clearly something the legislature has aspired to do in Ohio, although the result has been performed poorly because of lack of funding. The delegation to Kentucky saw a model that was funded. Sheriff Maurer's letter indicated the great approval the delegation had for what they saw in Kentucky's continuing professional training, and advocated with the Attorney General that a tax surcharge fee should be pushed in Ohio. Sheriff Maurer suggested doing something in Ohio similar to Kentucky's model. The Attorney General did not respond to Sheriff Maurer at the time waiting for the pending Issue 3 voting results.

Attorney General Cordray stated Issue 3 passed on November 4, 2009, and it meant one of the set asides in the constitutional amendment were money for law enforcement training. Just as the OPOTC has moved toward updating POBT, there could now be the opportunity to revamp continuing professional training (CPT) which would become project with the same level of intensity as the job task analysis for POBT. He stated there may be \$12-\$14 million a year for law enforcement training. Under the terms of the constitutional amendment the legislature is required to legislate within 6 months from the date keyed from the constitution which will run around the beginning of June. The legislature is obliged to legislate to implement the terms of the constitutional amendment. The Attorney General's Office will be very active in the process of the legislation, actively coordinating with the BSSA, OACP, FOP, DPS, OPOTC, and OPOTA,

along with others around the state to arrive at a consensus to what shape the process would take. It would be likely a significant portion of the funds would work through OPOTA to deliver training. This consortium will need to insure the legislation was practical and sensible and moved forward in a good way. The potential monies received from the passage of Issue 3 is a positive development for Ohio law enforcement and the OPOTC may not need to take on the insurance industry right now as a funding source for training. However, the monies may not be available until 2012. There was brief discussion concerning the granting of college credits for law enforcement training.

Attorney General Cordray stated it would be powerful if there was a consensus among all of the major effected groups. The last thing wanted would be for those groups to enter the legislative process working in cross purposes. Concentrated thought would have to be given to what CPT should be. Executive Director Ferrell stated the Internet provided training opportunities, and OPOTA has the objective of adding more eOPOTA resources. Fred Wolk is currently working on them. eOPOTA is a significant advancement for law enforcement.

Chairperson Stanforth recognized the delegation that went to Kentucky on behalf of the OPOTC.

MOTION

Dr. Kathy Sommers motioned to accept the CPT Committee report. Mr. Jeff Patzer seconded the motion. The motion passed favorably.

Executive Director Ferrell reminded there was money to fund 1 hour of crime victims training for 2010 for reimbursement. There will be additional courses on eOPOTA that will meet the obligation.

STAFF REPORT

VII. COMMISSION AND ACADEMY UPDATES

Executive Director Ron Ferrell

A. OPOTC/OPOTA AWARDS CEREMONY

An awards ceremony was held on November 5, 2009, recognizing the work of many employees. In addition to Dr. Sommers receiving the Citizen's Award, Mr. Ed Bridgeman from the University of Cincinnati - Clermont, also received the award. Mr. Bridgeman spent a sabbatical at OPOTA over the summer working on the revision of the state certification examination.

B. MEDICAL EXTENTION PHYSICAL FITNESS ASSESSMENTS

The OPOTC received a report detailing statistics concerning medical extension physical fitness assessments conducted at the London Academy. The report revealed very few students were passing the assessments. The new process is working well and has significantly reduced the number of people that have tried to take advantage of medical extensions.

C. **ACADEMY ANNUAL REPORT**

Sample Academy Annual Reports and a CD containing the report was distributed to the OPOTC. The CD was mailed to all academy commanders. In 2010, academy commanders will send a report for each basic training class. The report will track individual student demographics. The data will reveal to OPOTC staff what areas in which the academy is unsuccessful. It is incumbent upon the OPOTC to look at the success rate of the academies in which it is endorsing for training. Executive Director's intention is to share the information obtained from the reports with the OPOTC and the academies.

Dr. Sommers asked if there was a plan in place on how to use the data once it was collected. Executive Director Ferrell advised it was his hope that eventually the report would be one of three components to allow the evaluation of the effectiveness of the academies. It would also include unannounced qualitative audits and results from a 3-year audit. He hopes to offer analysis of each school as well as the effectiveness statewide. Executive Director Ferrell stated it would be very apparent the differences between the open enrollment schools and the schools who had commissioned officers. He would also like to start tracking the success rate of graduated students who find jobs.

Mr. Patzer advised Sinclair College requires pre-testing for physical fitness which has eliminated a lot of physical fitness failures and medical extensions. He stated Sinclair is dealing with students who had never fired a firearm; therefore, they are issuing for credit a firearm, in particular, pistol shooting proficiency. Mr. Patzer commended Executive Director Ferrell for taking the initiative to develop the Academy Annual Report because much information could be gleaned from it to improve the delivery of the service. Executive Director Ferrell acknowledge Justin Cain for his work in creating the report.

D. **PHYSICAL FITNESS AND FIREARMS WORKING GROUPS**

Executive Director Ferrell stated several schools require a physical fitness entrance examination and several do not. As an extension of Dr. Sommers' work, there were two major areas farmed out which were physical fitness and firearms. Both areas have working groups in place. Mr. Bill Walker is overseeing the physical fitness committee and Mr. Bob Fiatal the firearms committee. It is suspected the firearms will be completely reworked in lesson delivery. There is a distinct possibility the physical fitness working group may recommend entrance requirements for physical fitness to be mandated. Mr. Fiatal proposed for the entire program to be reviewed and a recommendation brought forward it would be a year. Mr. Walker stated the physical fitness working group's goal was to have an initial report to advise of it's status in March with final recommendation in May.

Discussion ensued concerning which firearm, rifle or shotgun, was used most frequently. Mr. Fiatal reported a statewide survey was conducted which revealed nearly every agency law enforcement office in the state employed both shotgun and rifle, except for those who couldn't afford it. However, the group had to make a decision whether to employ a mandatory rifle instruction as well as qualification in the POBT level because it would increase the curriculum by a significant number of hours. Chief Williams agreed the shotgun was primarily agencies' secondary firearm. Chief Denton stated the shotgun was issued, but not dominantly used, tactically or operationally. Mr. Fiatal stated it was a matter of who had

the rifle available, therefore the shotgun could not be eliminated at this point. Chief Denton stated, at this point, no one felt there should be a lowering of training. The firearms working group must be very deliberate in its approach because it will affect someone no matter what is done.

E. REFRESHER TRAINING

Effective October 17, 2009, an officer who had a break in service less than 1 year is considered up to date in mandated training considering they have not had breaks in the past and their CPT is up to date. Mr. Fiatal reported it was recognized by OPOTA management, because of the financial distress on law enforcement agencies, several officers had been laid off and would need retrained after a 1 year break period. With this in mind, the content of the 80-hour Refresher course topics were reviewed and it was decided a law enforcement officer would not forget the information in that time. Therefore, the hours in the 80-hour Refresher course were reduced, transferring the firearms qualifications from the refresher academy to the appointing agency as well as the first aid unit. The entire curriculum was reduced to 16 hours, most of which includes ethics, search and seizure, Ohio Revised Code (ORC), and vehicle stops. The officer must then pass the refresher examination at the conclusion of the training. During the review process, Mr. Fiatal noticed three areas that were completely unaddressed which deal with recent Supreme Court case law that has great effect on consent searches, searches of motor vehicles, etc. He proposed to add the three areas to the Refresher curriculum, and if the same delinquencies are in the POBT they be added there. Executive Director Ferrell stated the moratorium allowed for changes in the curriculum for officer safety or change in law. Mr. Fiatal concluded by stated a survey had been sent to the chiefs and sheriffs and there were no negative comments concerning the reduction of hours to the Refresher course. Executive Director Ferrell stated the changes would be implemented.

F. COMMANDERS' CONFERENCE

There will be a commanders' conference in February - March 2010. It is intended a commander will be mandated to attend a commanders' conference every two years. This year's conference is especially important because the new revised Commander's Manual will be introduced. Lori Wachtel did a good job guiding the field agents with the revisions. Chief Denton stated a newly appointed commander then could actually skip the conference the first year and attend the second year commander's conference. Executive Director Ferrell stated a series of standards were being looked at for commanders and that issue would be addressed in the review. There was brief discussion concerning conducting commanders' conferences in regional areas of the state. Executive Director Ferrell stated the mechanism was in place for that to happen, there would just need to be a request submitted.

G. PEACE OFFICER TRAINING INFORMATION SYSTEM (POTIS)

Executive Director Ferrell reported a Request for Proposal (RFP) was being completed for a software package for a complete operation overhaul for the information system at OPOTA. Mr. Bill Walker reported the new system is needed to combine all peace officer information into one internet-based system. The system would allow not only OPOTA/OPOTC staff access, but also access for officers in the field, academies, and commanders to which it will assist in running their programs more efficiently. The goal is to have the RFP completed by

December 1st. Once the RFP is put out, it will sit on the market for 30 days. Once the RFPs are returned, the costs will be assessed so a determination can be made.

H. MISCELLANEOUS

- Executive Director Ferrell advised there would be a problem based learning training session in the afternoon on January 21, 2010, following the OPOTC meeting. Each Commissioner was asked to place the training on their calendars and plan to attend. The training will be conducted in the cafeteria to accommodate a large number of people if necessary.
- The OPOTC/OPOTA has been reorganized into the following four major divisions:
 1. Law Enforcement Services - Bob Fiatal, Deputy Director
 2. Business Office - Scott Weimer, Deputy Director
 3. Education and Policy Development - Bill Walker, Deputy Director
 4. Professional Standards - Victoria Gatien, Deputy Director

Fred Wolk continues to manage the Richfield Office and Lou Agosta manages the Tactical Training Center in London, both under the direction of Bob Fiatal.

- The responsibility of the Attorney General's Law Enforcement Conference has been transferred to OPOTA. The conference will be held at the Greater Columbus Convention Center in Columbus, Ohio on September 14-15, 2010.
- The Peace Officer Memorial Ceremony is scheduled for May 6, 2010.
- The OPOTC/OPOTA 2008 Annual Report was distributed to the OPOTC. Executive Director Ferrell stated the report will drastically look different next year.

VIII. OLD BUSINESS

Chairperson Vernon P. Stanforth

Chief Denton reported he had received his reappointment to the OPOTC from the Governor and he intended to serve the full term. Executive Director Ferrell reported Sheriff Maurer had also received his reappointment to the OPOTC.

IX. NEW BUSINESS

Chairperson Vernon P. Stanforth

RESCISSION OF 109:2-17-01 & 02

Mr. Mark Losey reported the OPOTC used to be statutorily charged of setting the fees for concealed carry applications and the allocation of the fees collected. The OPOTC's power to do that was removed from the statute and the rules that existed that helped the OPOTC carry out the function has come up for review and the Attorney General's Office is going to ask the rules be rescinded since there is no longer a statutory basis for it.

X. GUEST FORUM

Chairperson Vernon P. Stanforth

Mr. Bob Fiatal asked if anyone had workshop topics for the Attorney General's Law Enforcement Conference to direct them to him.

XI. MOTION TO ADJOURN

Dr. Kathy Sommers motioned to adjourn the meeting and wished all happy holidays. All were in favor. Meeting adjourned. Time: 10:55 a.m.

Chairperson

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