

ON THE JOB

CRIMINAL JUSTICE UPDATE

COVER STORY



Here's why thorough, impartial investigations of police shootings can't be rushed

Following protests in Akron over the fatal police shooting in June of 25-year-old Jayland Walker, Ohio Attorney General Dave Yost appealed for patience.

“Mr. Walker’s family, his community and every Ohioan deserve to know why this tragic outcome occurred,” Yost said in a video released by his office. “We have to let our investigators find the whole picture and seek the truth, the whole truth, because that’s what we all want. ... In these circumstances, the shock and pain are immediate, and patience is difficult. But these investigations cannot just happen overnight.”

The Walker case highlights an inherent tension that lies at the center of any investigation of a fatal shooting at the hands of police: Although family and friends of the victim as well as community leaders, citizens and news



Each officer-involved shooting investigation is unique and involves varying degrees of complexity. Just one of the factors that can affect the length of an investigation is the amount of video evidence that needs to be analyzed.

Every law enforcement officer has made a promise to put his or her life on the line to shield the rest of us from harm. But who will shield our officers from harm?

I don't mean the harm they face from criminal violence, high-speed chases and the other obvious hazards of the job. I'm talking about the often-invisible internal harm caused by repeated stress and exposure to traumatic events — the psychological and emotional wear and tear that expresses itself in familiar and grim statistics regarding divorce, depression, sleep and eating disorders, alcohol abuse and suicide among officers.

We need to treat this invisible enemy like all the other occupational hazards that officers face.

Chief Neil Gang of California's Pinole Police Department knows this as well as anybody. Following the tragic death of a colleague and friend years ago, he dedicated himself to preventing police suicides. Chief Gang will talk about his efforts during the 2022 Law Enforcement Conference, scheduled for Oct. 6-7 at the Hyatt Regency Columbus. If you haven't already made plans to attend, I urge you to do so.

For a long time, talk of suicide and mental health was out of bounds at police agencies. Officers worried that acknowledging emotional struggles might diminish them in the eyes of their colleagues or land them behind a desk.

It's time to change that. As Chief Gang will discuss at the LEC, we owe it to our law enforcement officers to create an environment



Attorney General Dave Yost, second from right, and OPOTC Chairman Vernon Stanforth, far left, congratulate Ohio State Highway Patrol troopers who received the Valor Award at the 2019 Law Enforcement Conference. This year's LEC is the first to be held in person since the 2019 event.

in which it's "OK not to be OK," to build a culture of wellness that prioritizes mental health.

And not only for the sake of the officers, but because each officer represents a tremendous investment in training and a vast well of experience. We can't afford to squander those resources. We must protect our protectors.

As members of the law enforcement community,

we come together in times of tragedy. Let's also come together to prevent them.

Yours,

Dave Yost
Ohio Attorney General

A closer look at two troubling topics

On the heels of a global health pandemic, the Ohio Attorney General's Law Enforcement Conference will return in person to the Hyatt Regency Columbus this year on Oct. 6-7 to explore solutions to two national social epidemics that are every bit as worrisome as COVID.

Keynote presentations — one to open and the other to close the conference — will focus on preventing police suicides and school shootings. In between, 15 workshops will be presented on topics as wide-ranging as recognizing elder abuse, interacting with people with disabilities, and solving cold cases.

Although their subjects are vastly different, keynote speakers Neil Gang and Frank Straub share a common purpose: to prevent tragedies by identifying and addressing the circumstances that bring them about.

Police suicides

Neil Gang's colleague and friend Asher Rosinsky committed suicide in 1997 when both men were officers at the Pembroke Pines Police Department in Florida.

"The most profound thing happened after that, and it affected my career and my life," Gang said. "We went back to work the next day, and nobody talked about it. It was business as usual."

Rosinsky's death and the wave of suicides that has since crashed down on law enforcement in the ensuing years motivated Gang to develop a wellness model in 2018, four years after becoming police chief in Pinole, California. Named for his friend and created for the Pinole department, the Asher Model soon attracted interest from other departments. Gang estimates he now gives between 30 and 50 presentations a year.

"Our primary purpose in law enforcement is the preservation of life," Gang said. "Externally, we do a great job of that. But internally, we don't do very well at all. We're losing people left and right, and this profession needs something better."

Definitive statistics on law enforcement suicides are hard to come by. For starters, there was no national database until the FBI launched one in January. In addition, it's widely acknowledged that police suicides, like suicides in general, are significantly underreported. Furthermore, it can take time to verify a suicide. And, finally, the organizations that collect data on law enforcement suicides, including the FBI, rely on information that is voluntarily submitted. Understandably, variations exist between sources.

The nonprofit group Blue H.E.L.P., for example, reports 143 suicides in 2020, while a survey by the Ruderman Family Foundation reports 116.

Even when the numbers disagree, though, there is consensus on one thing: More officers typically die by suicide than in the line of duty.

"It's alarming," Gang said, "and it's an epidemic."

Subtitled "A 7-Point Approach to a Culture of Wellness: Turning Tragedy into Hope," the Asher Model starts with the notion that law enforcement leaders must be proactive in creating an environment "where it's OK not to be OK." In this environment, Gang said, conversations about mental health are brought out of the shadows; struggling colleagues are helped by trained peer-support teams; 24/7 resources are available for officers and their spouses; and healthy habits, even spiritual outreach, are promoted.

Gang is optimistic that progress is being made in the profession.

"But there's a lot of work to be done," he said, "and unfortunately we'll never know the lives we save by the efforts we're putting forth."



School shootings

Ghosts. It's a label that news media have used to describe the troubled adolescents responsible for so many of the nation's school shootings.

Frank Straub, director of the National Policing Institute's Center for Targeted Violence Prevention, understands the analogy.

"Everybody kind of knows them, but nobody really does," he said. "They're in the schools and going to class, but they're not really engaged in class. They sit by themselves in the cafeteria. They don't really join any groups, nor are they necessarily invited to join any groups."

Straub is a 30-year veteran of state and federal law enforcement with a master's degree in forensic psychology and a doctorate in criminal justice.

He has conducted in-depth studies of targeted mass attacks from around the country, including the San Bernardino terrorist attack and the Marjory Stoneman Douglas High School shooting, and is currently a non-resident fellow at West Point's Center for Combating Terrorism.

As part of his work at the Center for Targeted Violence Prevention, Straub leads the Averted School Violence Database, a project funded by the U.S. Department of Justice that tracks averted and completed school attacks and gives researchers insights into the decisions and circumstances that either led to a tragedy or prevented one.

In his conference address, Straub will focus on a case from Michigan to talk about threat assessment in schools and how to identify and help high-risk adolescents who might be inclined to make those threats.

The case centers on a Paw Paw High student whose shooting plot was foiled by his mother and stepfather. The boy served a year in a juvenile detention facility, but three years later he killed a man and critically injured the man's wife in a random shooting.

"This case demonstrates the need for long-term intervention to prevent the next tragedy," Straub said. "Too often we think we can engage in quick fixes, and we can't."

Straub's center and the Michigan State University Department of Psychiatry are preparing to test the use of specially trained intensive support teams during a five-year pilot program in Michigan.

"I think we have to look at these individuals as true medical emergencies, like we would for somebody having a heart attack or stroke," he said. "In the same way, we have to recognize the warning signs when individuals are becoming ghosts, and we have to act. If we do that, we have the opportunity not only to save that person but to protect the community."



LEC
LAW * ENFORCEMENT * CONFERENCE

2022 Law Enforcement Conference

Oct. 6-7, Hyatt Regency Columbus

For more information about the conference agenda, featured speakers and workshops, go to www.OhioAttorneyGeneral.gov/LEC



ON THE JOB
CRIMINAL JUSTICE UPDATE

On the Job is typically published four times a year by the Ohio Attorney General's Office.

To offer story ideas, contact Editor Tom Rinderle at 614-644-5397 or Thomas.Rinderle@OhioAGO.gov. Sign up for the electronic edition at www.OhioAttorneyGeneral.gov/EmailUpdates.

FALL 2022 | Volume 14, Issue 4

Copyright 2022 by Ohio Attorney General's Office 30 E. Broad St., 17th Floor Columbus, OH 43215

www.OhioAttorneyGeneral.gov/OnTheJob



“We have had situations where officers waited three months before they finally agreed to talk to us. And that could be because of their mental state, or maybe they’re just not prepared to talk, and that is their right under the law.”

— Mark Kollar

BCI special agent-in-charge and statewide coordinator for officer-involved critical incident investigations

Continued from Page 1

organizations might demand quick answers, investigators and prosecutors tasked with finding those answers require time and patience to do their job thoroughly and completely. It’s a process that by its very nature — methodical, confidential, frequently lengthy — invites questions from a suspicious public.

To ensure an independent, impartial, transparent review of the Walker shooting, the Akron Police Department requested that the Ohio Bureau of Criminal Investigation, part of the Attorney General’s Office (AGO), conduct the official inquiry. As of Sept. 5, the case is one of 44 officer-involved shootings that BCI has investigated this year. Additionally, the Summit County prosecuting attorney has asked the AGO to serve as special prosecutor in the case.

Walker died in the early hours of June 27. Akron police said he drove away from an attempted



To ensure full transparency, the Attorney General’s Office posts on its website the complete investigative files for all officer-involved critical incidents investigated by BCI or prosecuted by the Special Prosecutions Section. The files are posted after an investigation is complete and either a prosecutor or grand jury has decided not to indict the case, or the case is indicted and has been prosecuted in court. The investigative documents are available at this link: www.OhioAttorneyGeneral.gov/SpecialPages/Investigative-Documents

traffic stop and that a gunshot came from his car during the ensuing chase. Eight officers fired shots. The Summit County medical examiner said Walker was hit dozens of times.

“We will move this investigation forward as quickly as we can,” Yost said, “but we’re going to do it right.”

The specifics of the Walker investigation cannot be discussed until it is completed and the case adjudicated, but the process that BCI follows is the same for every police shooting, said Mark Kollar, BCI special agent-in-charge and statewide coordinator for officer-involved critical incident investigations.

Kollar is the author of “Best Practices for Investigating an Officer-Involved Critical Incident,” published by the Ohio Attorney General’s Office, and has investigated more than 200 of these incidents.

Even though the investigative process is the same, each case is unique and involves varying degrees of complexity. Furthermore, some of the variables

that affect the length of an investigation are out of BCI’s control. The same holds true for the AG’s Special Prosecutions Section once it receives a case.

So, what are those variables? What factors determine whether a fatal officer-involved shooting takes six weeks, six months or a year or more?

To be clear, BCI acts as a fact-finder only: It does not determine whether an officer’s use of force was legally justified. Nor does it have any role in determining whether an officer is disciplined; that’s up to each police agency involved.

The process BCI follows is extensive and complex and can run up against speed bumps at any point along the way, but generally it involves documenting the crime scene, collecting and processing evidence; interviewing the officers; questioning witnesses; compiling video and electronic evidence; and researching the officers’ background and training. BCI also works closely with the coroner or medical examiner to evaluate the autopsy and toxicology reports.

whether or when an officer talks to BCI.

“We have had situations where officers waited three months before they finally agreed to talk to us,” Kollar said. “And that could be because of their mental state, or maybe they’re just not prepared to talk, and that is their right under the law.”

Other factors that affect the length of an investigation are less obvious. Caseload is one. A BCI investigation “is a massive undertaking,” Kollar said, involving crime-scene staff, special agents, investigators, crime lab scientists and criminal intelligence analysts. But because BCI is constantly taking on new cases, resources routinely need to be adjusted.

The same is true of any external agency that BCI relies on to complete its work, such as medical examiners and county coroners. Forensic toxicology testing, a component of an autopsy, is a protracted process to begin with, typically taking weeks or longer to complete; but if a coroner or medical examiner is struggling with backlogs or staffing limitations, BCI might not receive a final autopsy report for months.

Of all the elements that go into an investigation, however, reviewing video evidence is among the most time-consuming for BCI. This evidence includes dash-cam and body-cam video, surveillance video from public and private sources, cellphone video and video retrieved from social media. All of it has to be reviewed in its entirety. As an example, Kollar points to dash cams that might run for hours after police cruisers have arrived on the scene.

“Multiply that by, say, five cruisers with four hours of video each,” Kollar said. “We need to review all of that because maybe somebody walks in front of a cruiser two hours into a video and says something relevant to the investigation.”

BCI frequently relies on the Ohio Organized Crime Investigations Commission (OOCIC), also part of the Attorney General’s Office, to enhance the videos, add audio waveform bars and time codes, combine and synchronize multiple camera angles into a single presentation, and create video timelines and animated presentations.

“Those sorts of things take a great deal of time,” Kollar said. “It might be two months before they get back to us.”

Once OOCIC finishes its work, BCI analysts go through the videos “literally frame by frame, second by second, camera by camera” to write a report documenting what it shows, Kollar said. “For example: Can we tell if an officer is firing? Can we see the slide moving back on the gun? Can we see a puff of smoke coming out of the muzzle or a cartridge casing being ejected? Is

there a spike on the audio waveform bar that indicates an officer was firing a shot at a particular moment?”

“When you consider that most body and dash cams record 30 frames per second, all of this becomes massively time-consuming. But questions will be asked that we need to be prepared for.”

Throughout an investigation, the county prosecutor or the attorney general’s Special Prosecutions Section coordinates with BCI to ensure that the specific evidence that is needed to present to a grand jury is in hand and that the necessary witnesses have been located.

But even after BCI presents its findings — which can amount to a report totaling hundreds and hundreds of pages — it isn’t uncommon for the prosecution to request additional information. Maybe a person needs to be re-interviewed, maybe an additional lab test needs to be run, maybe further clarification is needed from the coroner, or maybe a witness has gone missing and needs to be found.

“It’s very important to make sure each and every step of an investigation is covered,” Lowe said. “Everything you can do needs to be done. The goal is transparency, to give the grand jury all the facts.”

Even scheduling the grand jury can factor into the length of an investigation. Grand juries in populous counties meet daily because of the caseload; in rural counties, they meet more sparingly — in some places, maybe only once a month.

“When you put everything together, it takes a long time to move a complex investigation from start to finish,” Lowe said. “Every little step can add something, but it’s our job to ensure that justice is done regardless of the time it takes.”



Copies of “Best Practices for Investigating an Officer-Involved Critical Incident” can be downloaded at www.OhioAttorneyGeneral.gov/BestPractices

Help for agencies big and small

Police departments value having social workers address community needs that cops were never meant to resolve

Like police departments everywhere, the police departments in Delhi Township and Reynoldsburg are lean and their budgets limited.

Still, both have made an investment they expect will better serve their residents and give officers more time for fighting crime: They hired social workers.

Some police departments have used social workers for decades, but the practice never spread widely. Against a backdrop of civil unrest and demands for reforms, however, departments in recent years have increasingly begun relying on social workers to supply services that officers were not intended to provide but were often asked to — those involving behavioral health, mental health, homelessness, family disputes, and drug and alcohol addiction, for example.

“Anecdotally, I can definitely tell you that’s what’s happening,” said Melissa Stone, a senior social worker with the Bloomington Police Department in Indiana who last year organized the inaugural National Conference on Police Social Work.

Stone said she isn’t aware of definitive statistics on the number of departments that employ social workers, but said she consults practically every week with police agencies that are considering hiring one. “That’s one of the big reasons we created the conference in the first place,” she said.

Although some police departments use social workers as part of a co-response team to defuse potentially violent crises, the broader trend, Stone said, especially among smaller departments, is to use social workers to follow up on referrals from officers concerning non-violent residents who need community services. This serves two purposes: It addresses residents’ specific needs and reduces the number of repeat calls.

“I wish all police departments would have a social worker on staff,” said Community Advocate Kaylee Vicars, who was hired this year by Delhi Township, a suburb of about 30,000 residents west of Cincinnati. “I feel it’s so beneficial to the community to have someone to handle situations that aren’t necessarily criminal but where people still need somebody to talk to.”

Vicars has a master’s degree in criminal justice and is completing her master’s in social work. Each workday is different, she said. One day she might follow up with a resident who has returned home from the hospital after suffering a psychiatric emergency; the next, she might help a resident solve a utility problem.

Police agencies in larger cities, with larger budgets, tend to employ social workers more often than agencies in smaller communities, Stone said. As an alternative, some agencies find it more economical to contract with companies for such services. Either way, there’s a cost involved.

“A lot of communities can’t even afford to hire the cops they need,” said Deputy Chief Rhonda Grizzell of the Reynoldsburg Police Department, an agency with about 70 officers in the eastern suburbs of Columbus. “So it’s definitely a luxury to have a social worker, and it’s very forward-thinking of our mayor to support the idea.”

The Reynoldsburg PD hired a social worker for its staff in September 2021 and found there was enough need among the city’s 37,500 residents to justify a second position, which it is currently filling. Both positions are funded through the police budget, but neither comes at the expense of an officer’s slot.

“We could never cut an officer position,” Grizzell said. “We need every single one we can get.



Delhi Township’s community advocate, Kaylee Vicars, follows up on referrals from officers concerning nonviolent residents who need to be connected to community services.

At the end of the day, we’re a law enforcement agency. That’s our primary role. But having a social worker on staff is a way to cut down on repeat calls and look at problems with a more holistic, long-term solution.”

Delhi Township Police Chief James Howarth, who oversees about 30 officers, said he sought grants to fund the community advocate position that Vicars eventually filled, but had no luck. In turn, he appealed to township trustees. They consulted with police departments across the river in Erlanger and Alexandria, Kentucky, about the success of their social workers, then added the position in the township budget.

Since starting in February, Vicars has handled almost 200 cases, most of them referred to her by officers in the department, and feedback has been good. In addition, residents in need of community services have begun to call her directly.

“That’s one of the goals of the position,” she said, “and a key reason for our outreach efforts — so people who need help with services in the area can contact me directly instead of calling for an officer to come out.”

A LICENSE and a LEG UP

Canton PD launches driver’s ed program that aims to put low-income kids on road to brighter future

While serving as police chief in Canton, Jack Angelo recognized a problem he was determined to do something about: Too many kids were being caught driving without a license.

Sometimes that was the extent of the trouble; other times, it was the start of something more troubling.

“I’ve seen so many kids who don’t have a license because they can’t afford the classes,” Angelo said. “I’m talking about good kids who end up driving without a license, commit a minor violation and, the next thing you know, they run from the police. We chase them, they get arrested and now they have a criminal record. Then they’re in this hole before they even get started. I just wanted to find a way to give these kids a leg up.”

Although it was once publicly funded as a staple of high school education, driver’s ed is now the domain of private companies, and it isn’t cheap — all told, at least \$400 per student. For families struggling to make ends meet, it might as well be \$4,000. Too often, it’s an expense they just can’t afford.

The lack of a license is more than an inconvenience. It seriously limits job opportunities, which can leave teens with too much time on their hands, which can lead to trouble.

The lament is one that Chief Angelo had heard from parents over the years. Eventually, he worked out a pilot program with Canton City Schools and a local driving school to provide driver’s ed for 20 low-income students. He was determined that they wouldn’t pay a cent — not for the temporary permit, not for the classes or lessons, not for the license. As part of the arrangement, he contracted with a deputy registrar in the area who agreed to provide students with their temps and licenses and to bill the police department for the cost.

Next, he asked guidance counselors from

McKinley High School to recommend 20 students from a pool of applicants. To be eligible, students had to be at least 16, be in good academic standing and demonstrate a financial need.

There was another stipulation: Students had to attend a two-hour driver-safety class taught by the police department before completing their coursework and on-road lessons.

“Our goal is to keep these kids out of trouble and give them a good foundation to start driving,” Angelo said. “So we want to teach them what to do if they get pulled over, what to do if they get into a crash, what to do if they’re a victim of road rage — and what not to do.”

The idea for the program was clear, but how to come up with roughly \$10,000 to pay for it was less obvious.

Chief Angelo first went after federal grant money; with his May retirement date nearing, though, he chose another option.

“I felt this was important,” he said. “I knew we had some drug-seizure money that we could use for community interaction, so I tapped into that.”

After a long gestation, including a two-year delay caused by the COVID-19 pandemic, the pilot program for the Drive Legal and Drive Safe program was born this year. On June 25, the department hosted its inaugural group of 20 students for the two-hour course, the first step toward getting their licenses.

As luck would have it, Rodney Reasonover of the Stark County Community Action Agency was there, too. He had read about the program’s impending launch and immediately contacted



Ohio DRIVER LICENSE FEES	
Temporary permit	\$23.50
Classroom instruction	\$48+
Behind-the-wheel training	\$300+
License	\$25

Capt. Lisa Brouckner, who had taken over the program from Angelo when he retired the previous month.

“When I saw the article in the newspaper, I said to myself, ‘Why didn’t we think of this?’ ” Reasonover said.

Like community action agencies nationwide, the Stark County CAA is a state- and federally-funded nonprofit that promotes self-sufficiency among low-income Americans. Forty-eight community action agencies exist in Ohio and more than a thousand in the nation.

Reasonover saw the driver’s ed program as a logical complement to the workforce development programs offered by the Stark County CAA. So, on July 8, the agency signed an agreement with the Canton Police Department to co-sponsor and help pay for Drive Legal and Drive Safe beginning with a new group of students tentatively planned for autumn.

The agency will use its community services block grant to help fund the program. Discussions already are in the works to expand the program to low-income students in other Stark County school districts.

“It’s good for our area and good for our youths,” Reasonover said. “The driver’s ed program provides access to employment opportunities for these kids and puts them on the right track. I hope it becomes a model for other police departments and CAAs around the state and nation.”



Conference set for November

The second annual National Conference on Police Social Work will take place on Nov. 1-3, 2022, in Indianapolis. Organizers are expanding the scope of the conference this year to include social workers in all areas of public safety. For more information or to join the mailing list, go to <https://ncpolicework.com/>



Mark Your Calendar

Coming in January

HUMAN TRAFFICKING SUMMIT 2023

The Ohio Attorney General's Office will present the fourth annual Human Trafficking Summit on **Jan. 26, 2023**, in downtown Columbus. The in-person conference brings together a diverse audience of survivors, social workers, victim advocates, law enforcement officers, lawyers, prosecutors, judges and other community stakeholders to learn how various disciplines are succeeding in the battle against human trafficking. The venue and other details, including registration information, will be posted on the AG's website as they become available.

www.OhioAttorneyGeneral.gov/HumanTrafficking

ON THE JOB

CRIMINAL JUSTICE UPDATE

COVER STORY

OFFICER-INVOLVED SHOOTINGS

There's more to investigations than most people realize | 1

LAW ENFORCEMENT CONFERENCE

SPEAKERS WILL EXPLORE TWO TROUBLING TOPICS | 3

SOCIAL WORKERS

POLICE AGENCIES ADDING DIFFERENT KIND OF HELP | 6

CANTON PD DRIVER'S ED LOW-INCOME TEENS GET A LICENSE AND A LEG UP | 7



DAVE YOST
OHIO ATTORNEY GENERAL