



MIKE DEWINE

★ OHIO ATTORNEY GENERAL ★



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Peace Officer Training Commission
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Ohio Peace Officer Training Commission
Thursday, September 14, 2017
held at the
Ohio Peace Officer Training Academy
1650 State Route 56 SW
London, Ohio 43140

Minutes

I. Opening

Call to Order

Chair Vernon Stanforth called the meeting to order at 10:00 a.m.
Sheriff Heldman led the Pledge of Allegiance.
Ms. Donna Long called the Roll Call.

Commission members present

Chair, Sheriff Vernon P. Stanforth
Chief Clayton Harris
Dr. Emily Passias
Colonel Paul Pride
Mr. Stephen Schumaker
Sheriff Michael Heldman

Commission members absent

SAC Stephen Anthony
Chief Kimberley Jacobs
Dr. Reginald Wilkinson

Guests and Staff

Attorney General's Office

Ms. Brittany Brashears
Ms. Julia Brinksneider
Ms. Jill Cury
Ms. Mary Davis
Ms. Courtney DeLong
Ms. Arienne Fauber
Ms. David Henry
Mr. Justin Hykes
Ms. Donna Long
Mr. Tony Ortiz
Ms. Sarah Pierce
Mr. Eric Schaefer

OPOTC Staff
Attorney General's Office
OPOTC Staff
OPOTC Executive Director
OPOTC Staff
OPOTC Staff
OPOTC Staff
OPOTC Deputy Director
OPOTC Staff/OPOTC Secretary
OPOTC/AGO Staff
Attorney General's Office
OPOTC Staff

Guests

Mr. James Copeland	Tri-C Community College
Captain Lee E. Graf	Springfield Police Division
Lt. David Matthews	Dayton Police Department
Mr. Bob Meader	Columbus Police Department
Ms. Sharon Montgomery	Citizen
Mr. Terry Muff	Tri-C Community College
Ms. Lisa Murray	Columbus Police Department
Director Kevin Reardon	Central Ohio Technical College
Sgt. Ed Reardon	Columbus Police Department
Ms. Amber Rose	Columbus Police Department
Lt. Tim Sansburg	Columbus Police Department
Mr. Jerry Snay	Stark State Community College
Mr. Jeff Sowards	Central Ohio Technical College
Lt. Darren Thomas	Ohio State Highway Patrol
Mr. Paul R. Weber	Clark State Police Academy
Mr. Matt Wells	Ohio Department of Education
Mr. David Wiseman	Delaware County Sheriff's Office

II. Chair Report

**Sheriff Vernon Stanforth
Chair**

Chair Stanforth welcomed the guests and asked those in attendance to introduce themselves. During the meeting the Chair proceeded to the curriculum committee report and then came back to discuss the July 13, 2017 minutes for approval.

MOTION

Chief Harris moved that the minutes of the July 13, 2017, meeting be approved. The motion was seconded by Dr. Passias. No discussion was forthcoming; a vote was taken and passed unanimously. Yes-6 / No-0

There was nothing to report at this time, concluding the Chair report.

III. Curriculum Committee

**Chief Kimberley Jacobs
Committee Chair**

Chief Harris gave the curriculum report in the absence of Chair Jacobs. Chief Harris and the curriculum committee met this morning at 9:00 a.m. The meeting was well attended. Discussed were the Court Officer Firearms Basic Training Program and the Basic Training Program curriculum. Chief Harris asked Mr. Hykes to discuss the changes with the Commission.

Mr. Hykes stated the curriculum committee approved motions for updating the curriculum for January 1, 2018 release; he referred to **Handout 1** included in the commissioner's packets.

In all, 6 programs and 21 lesson plans were reviewed. A brief breakdown of each program is listed below.



- Peace Officer Basic Training
 - 11 lesson plans were reviewed and 1 new topic added.
 - 16 hours were added to the basic training curriculum.
 - Beginning January 1, 2018, we will be at 711 hours.
 - The new 4 hour topic, Below 100 was added.
 - 12 hours were added to Arrest, Search, and Seizure, taking it from 12 hours to 36 hours.
 - The remaining was content updates, but no additional hours were added.
- Peace Officer Refresher Training
 - 3 lesson plans were reviewed, with no changes in program hours.
- Private Security Basic Training
 - 2 lesson plans were reviewed, with no changes in program hours.
- Corrections Basic Training
 - 1 lesson plan was reviewed, with no changes in program hours.
- Jailer Basic Training
 - 1 lesson plan was reviewed, with no changes in program hours.
- Humane Agent Basic Training
 - The new 8 hour topic, Subject Control Techniques was added.
 - Increased to 34 hours.
- Court Officer Firearms Basic Training
 - This is not technically a new program.
 - This merger of Bailiff Basic Training, Adult Parole Authority Basic Training, and Probation Officer Basic Training was to simplify the instructor and commander qualifications.
 - Anybody who was a commander in any of these areas will be grandfather in for the new program.
 - Will remain the same 40 hour course, just combined.
 - All firearms only curricula.
 - “Plug-ins” to Peace Officer Basic Training will still be permitted.
- Blue Courage instructor qualifications and course.
 - The Commission voted to include Blue Courage in peace officer basic training in September 2015.
 - The topic will be added into the peace officer basic training beginning on July 1, 2018.
 - A minimum ratio of two blue courage instructors per class.
 - SMEs proposed the course be 16 hours.
 - Instructors must complete the Blue Courage Academy, as well as meet the minimum requirements to be a peace officer basic training instructor, to teach Blue Courage in peace officer basic training.

MOTION:

Chief Harris made the motion for approval of the curriculum changes to all programs, which becomes effective January 1, 2018 and a change to the order of topics so Arrest, Search, and Seizure only has to be started before continuing on with other topics. Sheriff Heldman seconded the vote. A vote was taken and passed unanimously.

Y-6 / N-0

DISCUSSION: Mr. Hykes stated one thing that was added in the curriculum meeting. For the order of topics up until now, all arrest, search, and seizure had to be completed before they could move on to civil liability, use of force or subject control. With the increase of hours in Arrest, Search, and Seizure topic, now arrest, search, and seizure just as to be started before continuing on with the other topics. It is like subject control has to be started before going to impact weapons or community diversity, procedural justice has to be started before going to a few other things. **This was added to the motion prior to the vote.**

That concluded the Curriculum Committee report.

IV. Legislative Committee

**Chief Clayton Harris
Committee Chair**

Committee Chair Harris had nothing to report. Mr. Hykes added he received an email today about Senate Bill 37 "Police Chief Training", it passed the House of Representative, but they added an amendment that wasn't in the Senate Bill, so it will have to have conference committee, but it seems it won't be an issue. The Bill is expected to be passed into law within the next month or so. That concluded the Legislative Committee report.

V. House Committee

**Colonel Paul Pride
Committee Chair**

Committee Chair Pride stated the committee met this morning at 9:00 a.m. There was one item discussed, which was **Handout 2** the 2018 calendar which was included in the committee members packets. There doesn't appear to be any conflicts with any of the dates; the dates are consistent with the last couple years. The committee approved the dates and made into motion.

MOTION: Committee Chair Pride made the recommendation for approval of the second Thursday; of every other month beginning in the month of January as the 2018 OPOTC meeting dates. The dates for 2018 would be, January 11th, March 8th, May 10th, July 12th, September 13th, and November 8th. Mr. Schumaker seconded the motion. With no discussion made a vote was taken and passed unanimously. Y-6 / N-0

That concluded the House Committee report.

VI. Continuing Professional Training Committee

**Sheriff Michael Heldman
Committee Chair**

Committee Chair Heldman referred to Executive Director Davis. Ms. Davis as discussed at the July 13th meeting for the Commission to mandate Continuing Professional Training (CPT) hours, there must be reimbursement monies available. The Biennium budget for fiscal year 2018-2019 was passed in July with no monies set aside for CPT reimbursements; and since that time there has been no entity or organization come forward to say they have monies available for that use. Chair

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Stanforth stated the Commissions deadline is in October. Ms. Davis responded, historically the Commission voted in the September meeting for the next calendar year for CPT, which is then announced by October 15th per statute.

Sheriff Heldman responded in the past there were 4 hours, if not being mandated, do we go to the 4 hour at each Chief or Sheriff's will? Chair Stanforth stated it was a 4 hour recommended minimum, but there was no reimbursement on any of the hours. Sheriff Heldman asked could they go back to that? Ms. Davis asked if they knew what year(s) that would have been? It could have been years when there was no CPT, but the Commission made the recommendation that at a minimum, agencies do so much advanced training. After a brief discussion it was believed to have been in 2009-2010 that funds were left over and they were able to carry it over for 1 hour of CPT that was claimed as reimbursement.

Chair Stanforth asked if there were any leftover monies? Ms. Davis responded no there isn't. The financial forecast is a potential shortage of up to \$2.5 million dollars that will have to be found from her budget if all the officers take the training and are eligible for reimbursement. We are actually short on monies. Chair Stanforth clarified the \$2.5 million dollars is for reimbursement for 2017? Ms. Davis stated yes, and it is reimbursed in 2018. In the last biennium budget, the legislature did not provide enough money for full reimbursement; even with the formula. So, long story short is we could be short to reimburse for 2017 CPT, but money will be found to do so. But, there is no extra money available to mandate an hour or two.

Chair Stanforth stated with no reimbursements, we are bound by the law. If there's no money and no reimbursements, there are no mandated hours. Chief Harris stated we had what we thought was the hours we were going to mandate if there was money available. Is there a prepared list for 2018 of training? Ms. Davis responded, no. Chair Stanforth stated the problem with that is if we decided to have these topics as a recommended topic and they take them without reimbursement and then if money is available in 2019 then we can't use those topics to reimburse because you can't ask for reimbursement for a topic already taken. Mr. Hykes advised the committee they changed that; if an agency wanted to send their staff through procedural justice 2 years in a row, they could get credit for both of them; if they wanted. Chair Stanforth stated if there had been no reimbursement associated with that training. Mr. Hykes responded, yes.

Chief Harris voiced concern over losing momentum about the continuous training; a process where we went from 4 hours to 20 hours of training. They are going through a continuous cycle of training and we were mandating what it should be; he would hate to see us lose the momentum of where we were taking our officers in their training. Then if the following year funds are available, it's like moving backwards to get ahead. Whatever steps or processes we are doing, whether mandated or recommended should continue.

Sheriff Heldman thought there was wording at one time to allow a minimum amount without funding of 4 hours. Mr. Hykes responded that a few years ago when there were no funds for CPT, we tried to introduce a bill to mandate everyone take a minimum of 4 hours of CPT without reimbursement. It did not make it very far in the Legislature.

Chair Stanforth going back to Chief Harris' question, was there a list of topics being considered for potential CPT funding? Ms. Davis responded there were no discussions, because there was never any insinuation that we would be getting money through the legislative bill.

Ms. Davis said the notice would still go out to all chiefs and sheriffs that there would not be mandated CPT for 2018. But, if the Commission would like to she could also include that there is a recommendation from the Commission that at a minimum, however many hours you would like to have would be completed. You could go a step further and even recommend the focus of those hours. This would not be something that is tracked, it's not something they have to take; but the Commission could philosophically still make that recommendation. Chair Stanforth stated we still need to send out the notice that there will be no mandated hours for 2018, so commanders are aware. If the Commission wants to come back and make some recommendations of topics, that could be for the November meeting. Sheriff Heldman agreed we have the momentum going we should at least make a recommendation of training.

Mr. Schumaker replied the philosophical issue as far as the advisory committee which worked with this commission, recommended towards building 40 hours; which they assumed funding would be available. If we come out with a recommendation of something significantly less of 1 hour or 4 hours, what are we doing to that recommendation that the advisory committee made after a whole lot of deliberation. Obviously the money is not there to follow-up with the reimbursements. He doesn't have the answer; he is only proposing the question. We do have a recommendation by an advisory committee on record that has been distributed widely. If we speak and recommend something different, what effect are we having? Are we having a good effect by recommending a little bit or are we having a bad effect by recommending a little bit, when the advisory committee recommended a lot more.

Chair Stanforth stated we could default to the recommendation of the committee, saying that would be our recommendation for 2018 and merely just a recommendation and encourage those to participate in that; letting the individual agencies decide what they want to do. Then we are concurrent with the committee recommendation. We are indebted to the Legislature, and the Legislature chose not to provide the funding; but the recommendation is still there from the committee. Sheriff Heldman suggested we table this and meet to discuss. Ms. Davis responded, we can if that's what the commission is most comfortable with. However, she believes it would make more sense for the recommendation of the Commission to go out with the CPT notice. The agency administrators are going to be looking for that notice and may not pay as much attention to one that comes out around the holidays.

Ms. Davis stated the advisory committee recommended CPT annually, eventually making it to 40 hours. Their topic recommendations annually are legal updates, community police relationship topics, mental health, perishable skills, which is similar to the subject control we are doing this year and use of force. Colonel Pride stated he agreed we should send them out at the same time. You are making recommendations off of the advisory committee; we aren't going in the wrong direction. The advisory committee made those recommendations and all we are doing is sending out those recommendations. Here is the list in following along the advisory committee decisions made in 2015. We stay on task and are staying on target. Some of the small agencies may not know what those recommendations were, so putting a list in front of them so they can entertain the thought of completing that kind of training. He recommends leaving the hours and training open, some agencies may do some of the recommendations and some you won't get any from them. As for this Commission we are going off what the advisory committee recommended.

MOTION:

Colonel Pride made a motion that due to lack of reimbursement funding, there would be no mandated CPT for 2018. However, the Commission does recommend that each agency continue to build towards the 40 hours of annual advanced training for each of its officers and focus on specific topics, as recommended in the report issued by the Attorney General's Advisory Group on Law Enforcement Training. After the discussion a vote was taken and passed unanimously. Y-6 / N-0

DISCUSSION:

Chair Stanforth asked if anyone in attendance had any comments, especially commanders present.

Question: Mr. Wiseman asked about the 2017 CPT reimbursements they would receive in 2018, since it is stated in the Ohio Administrative Rule that monies have to be used for CPT training only. If an agency currently has CPT funds, what will they do with those departmental funds and how will they spend them and stay within the guideline of the Ohio Administrative Rule?

Comment: Ms. Davis stated that Ohio Administrative Rule that says that CPT reimbursement may only be used to fulfill CPT programs. So if there is no CPT, there is no training to pay for. Sheriff Heldman asked if the letter could state CPT funds could be used for the recommended training topics? Mr. Schumaker stated that needs a legal opinion. Mr. Hykes stated we could change the Administrative Rule.

Answer: Chair Stanforth would rather the Commission get the legal opinion then have multiple decision out there we have to comply to. Mr. Schumaker agreed we may be able to change the rule.

Question: Lt. Matthews stated on the same lines we have new requirements for basic training for Below 100 and Blue Courage coming up next year; could that money also be used for instructor training and subjects, such as sending people to the Below 100 Instructor or Blue Courage Instructor. If we are going to open up the usage of the funds, that needs to be considered as well. Every academy will have to start sending people to these instructor schools and a lot of them are directly related to a department who was getting CPT funds.

Answer: Mr. Hykes replied especially for this year, when there are hours; which Blue Courage can account for some of them hours and there are stand-alone hours. That would be a valid use of CPT monies. Lt. Matthews responded that is good for training courses available through remainder of this year, but what about 2018? Mr. Hykes stated, hopefully there will be an answer in November.

With no other comments, that concluded the Continuing Professional Training Committee report.

Staff Reports

VII. Commission And Academy Updates

**Mary Davis
Executive Director**

Ms. Davis reported that Alice Robinson-Bond, Deputy Director of Professional Standards has retired and has since left retirement and is now assistant prosecutor in Logan County. Mr. David Henry, Legal Counsel has been named as the Interim Director of Professional Standards and will be filling the role of both those positions for an undetermined about of time. Ms. Davis encouraged anyone who reached out to Ms. Robinson-Bond in the past to reach out to Mr. Henry or her.

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We ran the new Commander's Qualification Course a few weeks ago, which was set since the commander's now have renewal periods. We had a total of 6 students, which 3 students took the course voluntarily, but weren't required to be there. We got overwhelmingly positive evaluations. Currently, it is a 3 day course and it was suggested it be 4 days. The commanders said it was very beneficial; they worked with staff that in the future will be reviewing their paperwork and approving or disapproving it. They felt the mock academies were very helpful. There were recommendations made by the students that we are going to implement for the next class which runs in December. We received very good feedback on the course in regards to its usefulness and how beneficial they feel it will be.

Sheriff Heldman asked if the training was for peace officer and corrections commanders? Ms. Davis responded it would be for all commission certified commanders, for all the programs and only new commanders need to attend. Half of the first class were commanders who didn't need the class, but felt it would help them be more successful. Support staff can attend as well.

Ms. Davis stated it had been about 5 years since the last commanders' conference. We have scheduled a commanders' conference for all programs on November 6th at the OPOTA-Richfield campus and then on November 13th at the OPOTA-London campus. It is for all program commanders. The program will be 4 hours and not just an informational conference, we are building training into it by having speakers on Generation Gaps, Recruiting Diverse Candidates. We look forward to using commanders' conferences not just for informational purposes but for training opportunities for the commanders. Depending on the feedback the hours could increase.

At the July 13th meeting Ms. Davis spoke about meeting with the Private Security Guards Investigators Commission regarding reinstating background checks for the firearms program. Some years ago the commission stopped doing background checks because it wasn't in line with the time frame the private security guard commission used to certify individuals getting a firearms bearers card. After speaking with them they understand our concern in allowing students who could be under a weapons disability go through our programs and we were able to work it out with them reinstating that in 2018. The Department of Public Safety will be working on their timelines so students can use the same background check to get their firearms bearers card without going back within a 3 month period for another background check. We are moving forward with this and plan for it to be effective in January of 2018.

Moving along those lines, she wanted to get the commissions opinion on Drug Screens for our firearms programs. In line with the advisory group report we implemented passing a drug screen for peace officer basic applicants. We have multiple firearms only programs with private security and now with the court officers program is there any interest or desire in implementing a drug screening to be eligible to be able participate in those programs?

Chair Stanforth asked if the commission was crossing a line, is it our job to do what agencies should be doing as the appointing agency? Are we telling them who they can and can't hire by doing this? Ms. Davis replied in the largest majority of the individuals impacted by this would be the private security. Mr. Schumaker asked if they were taking firearms before or after they are hired? Ms. Davis stated they can be, but they don't need to be.

Sheriff Heldman asked if we could dictate for a private industry? Mr. Schumaker responded no, but we can dictate entrance requirements for our classes. Chair Stanforth stated if we dictate it, we fund it.

Ms. Davis stated she isn't aware of any abnormal occurrences of commanders or instructors at the firearm schools having people showing up under the influence. And if they did, hopefully they wouldn't be allowed in the class and we would never see them on a roster.

Mr. Schumaker stated his initial inclination is to say no, it's the responsibility of the agencies or employers who already hired these people. But, he wonders what are our duties is if we are providing firearms training. Sheriff Heldman commented, the name of the commission is on the line. Chief Harris asked if there was any research on what other states are doing in this regard. He suggested tabling and researching it before acting on it.

Chair Stanforth asked if there were any commanders present who conduct firearms training for private security? Commander Copeland stated they do at Tri-C; but they have never had any problems. Chair Stanforth asked if we are looking for solutions to something there isn't any problems to? Commander Copeland suggested doing some research and check with the commanders. Commander Copeland stated they run the private security firearms basic academy, and they run a 4 hour requalification course. Commander Copeland stated he doesn't recall any issues with students coming in intoxicated or under the influence of some type of a controlled substance. He can only speak for their academy. Chair Stanforth stated their volume would probably be higher than most areas of the state due to volume of attendance and of your geographic area. Commander Copeland agreed because of their area and because they offer the training.

Commander Copeland questioned, the basic academies take a drug test before they get into the academy; and then it's another 3 – 4 months before the firearms training, what would be the difference if were saying they have to take the drug testing right before going into the private sector and then it would have to be looked at again before taking firearms.

Mr. Schumaker explained a drug screening is different than saying a student is under the influence during a class, versus a problem over all. A student might be coming to class and not be under the influence at all, but may very well have metabolites in their system from drug use. It's one issue if someone is going to be under the influence during the class its self, the other issue is are we training someone in firearms who might not be under the influence during the class its self, but they have a problem and when they get out in the field, that problem could perhaps manifest its self into a tragedy. He agrees with Chief Harris' recommendation to see what other people are doing and really take a look at it. There are pro's and con's both here. The topic was tabled for now pending more information and research.

Ms. Davis stated that in 2007 legislature mandated the Attorney General's Office to put out a best practices missing persons protocol. At that time it was given to the commission to publish. It was revised in 2010 and in going back through the commission meeting minutes; she was unable to see where it was vetted through the commission. But, we do have updates that are needed and would like to make 2017 revisions. Does the commission want to review it first, or are you comfortable with the group we are putting together with B.C.I. and internal attorney general staff making the revisions and putting out an updated version?

Sheriff Heldman asked what types of changes are we thinking about? Ms. Davis stated she has not looked at it; she was contact by B.C.I. who stated it was in need of changes from 2010. She hasn't meet with them to discuss, Since the Commission was meeting, she wanted to see if it was something the commission wanted to look at or we could work on before now and November and get it out sooner. She assumes most of it is resource updates, it would be a revision not a rewrite.

Chair Stanforth didn't see the need for it to have commission approval. Ms. Davis stated they will move forward with the revisions.

The final item from Ms. Davis was an reminder of the Attorney General's Law Enforcement Conference is on October 11-12, 2017. We would love to see any commissioners there for workshops, but if not we will see you there for the awards luncheon. Ms. Long will be emailing them information with arrival times and information on the awards luncheon awards presentations.

Chair Stanforth asked if there was any other discussion. Hearing none, that concluded the Executive Director's report.

VIII. Old Business

**Sheriff Vernon Stanforth
Chair**

Chair Stanforth asked if there was any other old business, with none forthcoming, that concluded the old business report.

IX. New Business

**Sheriff Vernon Stanforth
Chair**

Chair Stanforth asked if there was any other new business.

Mr. Hykes reminded the Commission of the July meeting where we were tasked with creating the rules legislature added requiring anyone who taught a Dare class could get CPT credit. Mr. Hykes reference **Handout 3, 109:2-18-02 Officer training requirements**. The rule pretty much mirrors the statute which says if they use a lesson plan that is evidence based and the students instructed are in a school district the officer could receive credit for it. Dr. Passias asked if the statute specifically that non-public schools are not included in the rule. Mr. Hykes responded that is from the statute. The big changes that don't come directly from the statute are, we define hands-on training because if there is a mandate for hands- on training, Dare cannot be used to replace the hands- on training. We defined hands-on training **Handout 3, 109:2-18-04 Reimbursement of training cost** as training that is not primarily lecture-based; training that involves physical activity or exertion; and training that involves director practical experience for the students. If Dare training is used for credit, and since an extra credit the officer gets for teaching can be used for other officers who didn't teach, we set it up so they would not get reimbursement for those hours.

If an agency has an officer who teaches 80 hours of Dare training, that officer can get 4 hours of CPT credit and the other 76 hours can be spread throughout the agency so they can meet any future CPT requirements. But, if they do that, they will not be reimbursed for those hours.

MOTION:

Dr. Passias moved to accept the proposed rules. Chief Harris seconded the motion. Hearing no discussion a vote was taken and passed unanimously. Y-6 / N-0

Mr. Hykes referenced **Handout 4**, which removed the notary requirement from the rules. We have been slowly removing the notary requirement in rules with changes over the last year or so. This makes the process easier and eliminates returning forms for not being properly notarized for instructor or commander applications.

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MOTION:

Sheriff Heldman moved to accept the proposed rules removing the notary requirement. Chief Harris seconded the motion. Hearing no discussion a vote was taken and passed unanimously. Y-6 / N-0

Mr. Hykes referenced **Handout 5**, Court Officer Basic Training which is taking all the bailiff rules and making them apply to all three groups. Most is removing bailiff and adding court officer. There is one rule 109:2-5-05, Approval of commanders that requires the input of the commission. There are 3 options for the commission to consider; currently for bailiff commander there wasn't any requirement that they add any supervisory experience or educational training to be a commander. For probation and adult parole they currently have the same requirements as peace officer basic; which required supervisory experience. Private security commanders had to have either supervisory experience or educational experience. The options are: 1). Two years of relevant, full-time supervisory experience; 2). Two years of relevant, full-time supervisory experience or completion of ninety quarter hours or sixty semester hours at an accredited college or university; 3). Three professional references from individuals currently serving as any of the following: a judge, court administrator, prosecutor, magistrate, chief of police, or sheriff.

Mr. Schumaker asked what do you mean by relevant full-time? What is contains within relevant? Chief Harris asks if it was the same as option two. Mr. Schumaker verified you aren't limiting it to court officers. Mr. Hykes confirmed no. Chair Stanforth also was concerned with the word relevant; is that something that could be twisted by legal opinions do we need to be more specific. Mr. Hykes responded he would rather keep it more general so we can analysis each situation as needed; instead of having in black and white and rejecting people who would otherwise be qualified. Chief Harris as for option two to be examined again; Ms. Davis stated it allows them to use education in lieu of supervisory experience. Chief Harris asked what Mr. Hykes recommendation was? Mr. Hykes responded option one; two years of relevant, full-time supervisory experience. Dr. Passias verified that option two is what is currently in place for private security; Mr. Hykes stated yes. Chief Harris questioned this affects everything going forward, those in the past are grandfathered. Mr. Hykes stated yes.

MOTION:

Chief Harris made the motion to approve the changes in 109:2-5-05 Approval of commanders with option 1; which requires two years of relevant, full-time supervisory experience. The motion was seconded by Dr. Passias. A vote was taken and passed unanimously. Y-6 / N-0

Mr. Hykes referred to the last page of **Handout 5**, 109:2-5-09 Notebook and firearms certification requirements. After speaking with instructors and commanders who run the 40 hour firearms course, it seemed like it was not necessarily a good use of time to require the notebooks. We would like to get rid of the rule.

MOTION:

Chief Harris made the motion to approve doing away with rule 109:2-5-09, Notebook and firearms certification requirements for court officers and approval for all the revisions to the Court Officer rules. Sheriff Heldman seconded the motion. With no discussion forthcoming, a vote was taken and passed unanimously. Y-6 / N-0

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Mr. Hykes stated there have recently been discussions about the qualifications of the special subject instructor. Up until a few years ago, the commission made a change where everybody except attorneys, first aid instructors, and homeland security instructors had to go through the 80 hour instructor training course.

There were some internal discussion on a couple proposals; and Mr. Hykes would like to take a broader look at the special subjects' instructors, and what their purpose is; and maybe get some commanders, instructors, and maybe even some commissioners in a room, and talk about how we would like it to look going forward. Do we still need them or are they not needed; do we need them in specific areas where they don't need the 80 hour instructor training or in specific areas that does need the 80 hour instructor training? Mr. Hykes would like to take a bigger look at it and then come to the commission if a rule change is needed. If there are commissioners, commanders or instructors in the room who would like to be involved, we plan to get moving on it soon.

Chair Stanforth asked how many commissioners he wanted on this committee; he wouldn't have more than two due to quorum issues. Chief Harris and Sheriff Heldman were assigned to work with the committee.

With nothing further to discuss, concluded the New Business report.

X. Guest Forum

**Sheriff Vernon Stanforth
Chair**

Chair Stanforth asked if there were any other issues before the Commission, any other comments from the guest forum.

Mr. Meador asked Ms. Davis to clarify on the Missing Persons changes, was that for the basic curriculum? Ms. Davis responded no, it would be a protocol that agencies could utilize as a best practice. It's just a guideline for agencies.

That concluded the guest forum.

MOTION:

Sheriff Heldman made the motion to go into executive session for the pending 119 Hearing for respondents Shepherd, Holt and Evans. Chief Harris seconded the motion. Chair Stanforth asked for the roll call, Ms. Long read the roll with the following commissioners responding present: Sheriff Vernon Stanforth, Sheriff Michael Heldman, Chief Clayton Harris, Colonel Paul Pride, Mr. Stephen Schumaker, and Dr. Emily Passias. 6-Present / 3-Absent.

Executive Session began at 11:08 a.m.

Executive Session ended at 1:00 p.m. with the roll call, Ms. Long read the roll with the following commissioners responding present: Sheriff Vernon Stanforth, Sheriff Michael Heldman, Chief Clayton Harris, Colonel Paul Pride, Mr. Stephen Schumaker, and Dr. Emily Passias. 6-Present / 3-Absent.

Chair Stanforth explained the commission went into the executive session to discuss the 119 Hearing referencing the Franklin County Basic Academy revocations associated with that academy an incident on March 16th. The commission after deliberations has determined the following:

Deputy Hamilton previously surrendered his certifications for 3 years at which point he can reapply. The commission is not obligated to grant his reapplication for his certificates.

Lt. Cooper and Deputy Dishong had both withdrawn their appeals of their revocations of their certificates. Those appeals are no longer before the commission.

The commission affirms the revocation of Corporal Lucas Holt's certification. And the commission affirms the revocation of Deputy Jason Evans' certifications.

The commission modifies the revocation of Lt. Nathaniel Shepherd's certification. The commission suspends Lt. Shepherd's certification for a period of three years, starting from the date of the original revocation on December 5, 2016. At that point Lt. Shepherd may reapply. The commission is not obligated to grant his reapplication for his certificates.

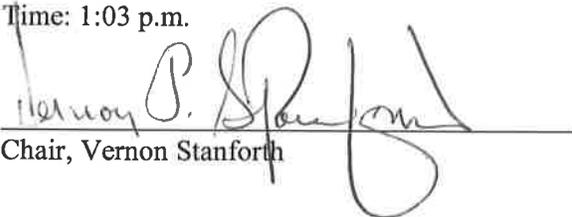
The decision will be generated in the form of letters to all parties and their counsel.

The Chair asked if there was any other business to be brought before the Commission, hearing none, the chair entertained the motion to adjourn.

MOTION

Colonel Pride moved to adjourn the meeting. Sheriff Heldman seconded the motion. A vote was taken and passed unanimously. Y-6 / N-0

Time: 1:03 p.m.



Chair, Vernon Stanforth

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



Ohio Peace Officer Training Commission

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Basic Training Program Changes

January 1, 2018



Commission Meeting Curriculum Changes for January 1, 2018

September 14, 2017

- Includes 6 programs and 21 lesson plans

Peace Officer Basic Training – Curriculum Code BAS038

- 11 lesson plans reviewed and 1 new topic
- 16 hours added (new total is 711)

1-6 Below 100 (new topic)

- 4 hour topic

2-3 Arrest, Search, & Seizure

- Content and SPOs updated
- 12 hours added (now 36 hours)

2-6 Civil Liability & Use of Force

- Content and SPOs updated

3-3 Domestic Violence

- Legal update due to SB 7

8-8 LEADS

- Updated content

8-10 OHLEG

- Updated content

10-2 Motor Vehicle Offenses

- Legal update due to HB 9

10-6 NHTSA

- Updated content

11-11 Lineups

- Updated content

11-12 Gambling

- Updated content

11-15 Interview & Interrogation

- Updated content

12-1 Physical Fitness & Conditioning

- Updated content



Peace Officer Refresher Training – Curriculum Code REF031

- 3 lesson plans reviewed (no changes in program hours)

1-1 Policing: Keeping Current

- Updated content and SPOs

2-3 Arrest, Search, & Seizure

- Updated content and SPOs

2-6 Civil Liability & Use of Force

- Updated content and SPOs

Private Security Basic Training – Curriculum Code PSA036

- 2 lesson plans reviewed (no changes in program hours)

2-3 Liability

- Updated content

4-3 Interviews

- Updated content

Corrections Basic Training – Curriculum Code CBT034

- 1 lesson plan reviewed (no changes in program hours)

2-2 Inmate Rights & Civil Liability

- Updated content and SPOs

Jailer Basic Training – Curriculum Code JBT033

- 1 lesson plan reviewed (no changes in program hours)

2-2 Inmate Rights & Civil Liability

- Updated content and SPOs

Humane Agent Basic Training – HA

- 1 new lesson plan added

- Total hours are now 34

Topic 6 Subject Control Techniques (new topic)

- 8 hour topic



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Court Officer Firearms Basic Training

- “New” program
- Total hours are 40
 - Merger of Bailiff Basic Training, Adult Parole Authority Basic Training, and Probation Officer Basic Training (all firearms only curricula)
 - “Plug-ins” to Peace Officer Basic Training will still be permitted



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Blue Courage update

In September 2015, the Commission voted to include Blue Courage in peace officer basic training. This topic is on track to be added into POBT beginning on July 1, 2018. The proposal put forth by our SMEs is that the course will be 16 hours, with a minimum ratio of two instructors per class. Instructors will have to complete the Blue Courage Academy, as well as meet the minimum requirements to be a POBT instructor, to teach Blue Courage in POBT.

2018 Calendar

January 2018						
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April 2018						
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May 2018						
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July 2018						
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August 2018						
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October 2018						
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November 2018						
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December 2018						
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109:2-18-02 Officer training requirements.

- (A) Every appointing authority shall require each of its appointed peace officers and troopers to complete up to twenty-four hours of continuing professional training each calendar year.
- (B) The commission shall set the required minimum number of hours based upon the availability of funding for reimbursement. If no funding is available for reimbursement, continuing professional training shall not be required for the year(s) in which sufficient funding was not available.
- (C) Newly certified peace officers shall be exempt from continuing professional training requirements for the calendar year in which the peace officer completed peace officer basic training. Newly commissioned troopers shall be exempt from continuing professional training requirements for the calendar year in which the trooper completed the highway patrol cadet training program. Effective the date of this amendment, regardless of when a peace officer receives a new appointment, they are required to complete continuing professional training for that calendar year.
- (D) Sheriffs completing training pursuant to division (B) of section 109.80 and division (E) of section 311.01 of the Revised Code may receive credit towards the peace officer continuing professional training requirement as long as the training satisfies the requirements of this chapter.
- (E) Officers completing statutorily mandated training may receive credit towards the peace officer continuing professional training requirement for the calendar year the training is taken as long as the training satisfies the requirements of this chapter.
- (F) Peace officers and troopers may receive credit for up to four hours of continuing professional training for time spent while on duty providing drug use prevention education training if all of the following requirements are met:
 - (1) The curricula and lesson plans utilized must be evidenced-based,
 - (2) The students instructed must be in a school district, community school established under Chapter 3314, STEM school established under Chapter 3326, or a college-preparatory boarding school established under Chapter 3328., of the Revised Code, and
 - (3) The peace officer or trooper providing the training meets the instructor requirements found in paragraph (A)(4)(a) of rule 109:2-18-03 of the Administrative Code.
- (G) A law enforcement agency utilizing a peace officer or trooper to provide training described in paragraph (F) may use any hours in excess of four that the officer or trooper accumulates while providing that training for other peace officers or troopers appointed by the agency to

offset the number of continuing professional training hours required. No more than four hours of training per officer or trooper may be offset pursuant to this paragraph.

(E)(H) The training described in paragraph (F) cannot be used by a peace officer, trooper, or law enforcement agency to offset any hands-on training required by the commission.

(F)(I) The executive director may extend the time for completion of the continuing professional training requirements upon written request from the appointing authority. Such request shall contain an explanation of the emergency circumstances which created the need for the extension. The application shall set forth the name of the peace officer or trooper for whom the extension is requested, the emergency circumstances, including documentation, for which the extension is requested, and the date on which the request was submitted to the commission. Factors which may be considered in granting or denying such requests include, but are not limited to, serious illness of the individual or an immediate family member, prolonged military service, or an unexpected shortage of manpower within the appointing agency. Based upon the emergency circumstances in any given case, the executive director may extend the required completion date. Extensions shall be for ninety days, absent a finding by the executive director that special circumstances exist for a longer extension.

(G)(J) The executive director shall either grant or deny the request for extension within thirty days after the date on which the request was received by the commission. The executive director shall send written notice of the decision to the appointing authority.

(H)(K) In the event a peace officer or trooper is appointed by more than one agency as of July first of the calendar year for which training is being reported, the agency responsible for documenting the training and eligibility for reimbursement shall be determined by order of priority as follows:

- (1) full-time,
- (2) part-time, and
- (3) other. In the event a peace officer or trooper holds appointments of equal priority, the agency by which the peace officer or trooper was first appointed shall be the agency responsible for documenting the training and eligibility.

(L) Continuing professional training does not include annual in-service firearms re-qualification pursuant to section 109.801 of the Revised Code.

(M) For purposes of this rule, "hands-on training" means

- (1) training that is not primarily lecture-based;
- (2) training that involves physical activity or exertion; and
- (4)(3) training that involves direct practical experience for the students

109:2-18-04 Reimbursement of training costs.

(A) Every appointed peace officer or trooper is required to comply with the annual continuing professional training requirements set forth herein. Only public appointing authorities qualify for reimbursement for the cost of continuing professional training programs.

(B) Public appointing authorities entitled to reimbursement for each appointed peace officer or trooper who successfully completes the training program shall be reimbursed in an amount no less than twenty dollars per hour per officer per year for those years in which sufficient funding is available. If sufficient funding is not available for a given year, it shall be within the executive director's sound discretion to make pro rata or other partial reimbursements as are reasonable under the circumstances.

(C) To be eligible for reimbursement of any training costs, a public appointing authority shall comply with the annual roster reporting requirements of division (B) of section 109.761 of the Revised Code.

~~(D)~~ Except as otherwise noted in this rule, a public appointing authority that complies with paragraph (C) of this rule shall be entitled to reimbursement for the training of each appointed peace officer or trooper whom the appointing authority verifies as having completed the annual continuing professional training requirements set forth in sections 109.802 and 109.803 of the Revised Code.

~~(1)~~ Public appointing authorities shall not be reimbursed for any training as described in paragraph (F) of rule 109:2-18-02 of the Administrative Code.

~~(D)~~(E) Each application for reimbursement or extension shall be made in a manner prescribed by the executive director on a form prescribed by the executive director, and supported by documentation required by rule 109:2-18-05 of the Administrative Code.

~~(E)~~(F) If a public appointing authority applies for reimbursement and if one or more of its appointed peace officers or troopers has not complied with the continuing professional training requirement both of the following apply:

(1) The public appointing authority is entitled to reimbursement for every other appointed peace officer or trooper of the public appointing authority who has complied with the continuing professional training requirements.

(2) If the appointed peace officer or trooper whom the executive director granted an extension complied with the continuing professional training requirements prior to the date on which the extension ends, the public appointing authority is entitled to reimbursement for the training programs completed by that peace officer or trooper.

~~(F)~~(G) Failure to report compliance with the continuing professional training requirements set forth in paragraph (C) of rule 109:2-18-04 of the Administrative Code by January thirty-first will result in a forfeiture of the appointed authority's eligibility for reimbursement.

| ~~(G)~~(H) Each public appointing authority that receives funds under this section shall keep those funds separate from any other funds of the appointing authority and shall use those funds solely to defray the cost of continuing professional training programs.

| ~~(H)~~(I) The training cost reimbursement decisions of the executive director are subject to the appeals process of Chapter 119. of the Revised Code.

109:2-1-06 Approval of instructors.

All persons requesting approval or renewal as an instructor on or after January 1, 2000, shall submit a ~~notarized~~ statement of qualifications for each subject or unit of subjects for which the person is seeking approval on a form provided by the executive director. The course content of the peace officer basic training program shall be as outlined in rule 109:2-1-16 of the Administrative Code.

(A) Minimum qualifications for unit instructor certification shall be as follows:

- (1) High school graduate or possession of a "General Education Development" certificate;
- (2) Five years of relevant, full-time law enforcement experience ;
- (3) Completion of an instructor training program approved by the executive director consisting of a minimum of forty clock hours which shall include instruction in the theories of learning and adult education, teaching techniques, lesson plan development and usage, behavioral objectives, student evaluation and measurement, role playing, the use of audio-visual aids and an exercise in practice teaching;

Instructor training programs taught at the Ohio peace officer training academy; by the department of education; the state highway patrol; a college or educational institution or other programs which in the opinion of the executive director are equivalent to those set out, will be acceptable;

- (4) Completion of an instructor-level training program approved by the executive director, which will allow a person to learn specific knowledge and skills in a unit for which certification is requested; and
- (5) Recommendation of a current basic training school commander.

(B) Minimum qualifications for special subject instructor certification shall be as follows:

- (1) A high school graduate or possession of a "General Education Development" certificate;
- (2)
 - (a) Possession of a license in a particular discipline such as medical doctors, attorneys, nurses, judges, teachers of special subjects related to the basic course; or
 - (b) Recognition for competency in law enforcement related areas such as probation, corrections, health, fire, drug enforcement, traffic or other special subject or skill areas in which the person has a minimum of five years of full-time experience and training in the subject area to be taught, three years of which must be based on full-time experience.
- (3) Recommendation of a current basic training school commander;
- (4) Special subject instructors shall not be eligible for approval for the driving or firearms units and in no case shall a special subject instructor be approved for more than five topics in the basic course.

(C) Renewal of unit and special subject instructor certification:

(1) Instructors certified by unit shall renew their certificate every three years. At least sixty days and no more than ninety days prior to expiration of the certificate, the instructor shall file with the executive director an application for renewal on a form supplied by the executive director. The instructor shall also file:

(a) Written evidence from the educational or training facility where the instructor received the training documenting that the instructor has successfully completed, within the past three years, a minimum of twenty-four clock hours of training in topics related to the basic training curriculum.

(b) Written evidence from the school commander or administrator that the instructor has taught in two approved peace officer basic training schools for a minimum total of twenty-four teaching hours within the past three years.

(2) Persons certified as special subject instructors shall renew their certificate every three years. At least sixty days and no more than ninety days prior to expiration of the certificate, the instructor shall file with the executive director an application for renewal on a form supplied by the executive director. The instructor shall also file:

(a) Written evidence from the educational or training facility where the instructor received the training documenting that the instructor has successfully completed, within the past three years, a minimum of twelve clock hours of training in topics related to the basic training curriculum.

(b) Written evidence from the school commander or administrator that the instructor has taught in two approved peace officer basic training schools for a minimum total of twelve teaching hours within the past three years.

(D) Denial of certification, denial of renewal of certification, suspension of certification, or revocation of certification:

Should the executive director refuse to issue or renew a certificate, or should the executive director suspend or revoke a certificate, notice of this action shall be sent to the applicant. Unless the decision is of a ministerial nature, the applicant shall be advised that he or she may request a hearing before the commission as provided in sections 119.06 and 119.07 of the Revised Code. The commission shall conduct the hearing as required by sections 119.01 to 119.13 of the Revised Code.

(E) Grounds for denial or revocation of instructor certification

(1) Failure to meet the minimum qualifications for instructor certification listed in paragraphs (A) and (B) of this rule;

(2) Failure to meet renewal criteria;

(3) Failure to meet renewal deadline;

(4) Submission of falsified records, application, or other documentation;

(5) Unacceptable performance evaluations;

(6) Conviction of a felony, a crime of moral turpitude, an offense of violence, a sexually oriented or child-victim oriented offense, or any other peace officer disqualifying offense;

(7) Any other good cause shown.

If an instructor's certification is revoked for any of the listed reasons, notice of this action shall be sent and any requested hearing shall be conducted as required in paragraph (D)(1) of this rule.

(F) The executive director may suspend the certification of any instructor that is charged with any felony, crime of moral turpitude, offense of violence, sexually oriented or child-victim oriented offense, or any other peace officer disqualifying offense.

109:2-3-05 Certification of instructors.

(A) All instructors are required to be certified by the executive director to teach in the private security training program by the executive director. All persons requesting approval as an instructor shall submit a ~~notarized~~ application on a form prescribed by the executive director indicating each topic or unit of topics for which the person is seeking approval. Supporting documentation of qualifications shall accompany the application at the time of submission.

(B) Minimum qualifications for certification as a unit instructor shall be as follows:

- (1) High school graduate or possession of a "General Education Development" certificate; and
- (2) Five years of full time experience in private security or a related field , as determined by the executive director. Law enforcement experience does not automatically qualify as security-related experience. The determination of applicability will be based upon the functions performed as a law enforcement officer; and
- (3) Completion of a course of instruction approved by the executive director designed to prepare the individual to teach. Such courses shall include instruction in the theories of learning, teaching techniques, behavioral objectives, use of audio-visual aids, and an exercise in practice teaching. Credit for this requirement may be granted by the executive director for equivalent training or experience; and
- (4) Completion of an instructor-level training program approved by the executive director which will allow a person to learn specific knowledge and skills in a unit for which certification is requested; and
- (5) Persons seeking approval as a firearms instructor shall meet the requirements of this section and also provide documentation of three years full time experience as an armed security officer with the weapon for which certification is sought; and
- (6) No conviction for a felony, crime of moral turpitude, offense of violence, or sexually oriented or child-victim oriented offense. Evidence of a current criminal record check through the bureau of criminal identification and investigation must be submitted with the application.

(C) Topic instructors will be certified only to teach topics within a unit or units of the curriculum, not to exceed five topics. Topic instructors shall not be eligible for approval for the firearms units. Minimum qualifications for certification as a topic instructor shall be as follows:

(1) High school diploma or "general education development" certificate; and

(2)

(a) Persons licensed, degreed, or professionally certified in particular disciplines such as medical doctors, attorneys, nurses, counselors, protection professionals and teachers of specialized subjects related to the private security training course may qualify. Persons licensed, degreed or certified in a particular discipline may be eligible to teach all topics within their area of expertise; or

(b) Persons formally recognized for their professional competency in the security, health, fire safety or other related areas must have a minimum of two years of experience; and

(3) No conviction for a felony, crime of moral turpitude, offense of violence, or sexually oriented or child-victim oriented offense. Evidence of a current criminal record check through the bureau of criminal identification and investigation must be submitted with the application.

(D) Renewal of certification

(1) Unit instructors shall renew their certification every three years. At least sixty days and no more than ninety days prior to expiration of the certificate, the instructor shall file, on a form prescribed by the executive director, the following:

(a) Written evidence from the commander(s) that the instructor has taught in at least two commission-approved courses during the most recent certification period; and

(b) Must attend, during the most recent certification period, at least fifteen clock hours of professional development or continuing education relative to at least one of the areas for which the individual is certified . Documentation of attendance or completion from the training agency or institution must be submitted.

(2) Topic instructors shall renew their certification every three years. At least sixty days and no more than ninety days prior to expiration of the certificate, the instructor shall file, on a form prescribed by the executive director, the following:

(a) Written evidence from the commander(s) that the instructor has taught in at least two commission-approved private security courses during the most recent certification period; and

(b) Proof that certification or license submitted as basis for original certification or most recent renewal is still valid, or has been renewed and is in good standing with the issuing body, or present documentation that they are still actively involved in the participation or practice of the topic area or areas for which certification was granted.

(E) The executive director may deny, suspend, revoke, or refuse to renew certification of an individual for the following reasons:

(1) Failure to meet the minimum qualifications for instructor certification listed in paragraphs (B) and (C) of this rule;

(2) Failure to meet renewal criteria;

(3) Failure to meet renewal deadline;

(4) Submission of falsified records or renewal documentation; or

(5) Unacceptable performance evaluations;

(6) Conviction for a felony, crime of moral turpitude, offense of violence, or sexually oriented or child-victim oriented offense; or

(7) Any other good cause shown.

(F) Should the executive director refuse to issue or renew a certificate, or choose to suspend or revoke an individual's certification, the executive director will comply with rule 109:2-3-13 of the Administrative Code.

109:2-7-03 Minimum standards for certification of law enforcement canine units.

(A) Pursuant to division (A)(10) of section 109.73 of the Revised Code, the commission has established minimum standards for the certification of law enforcement canine units, which include the successful completion of an examination for certification. In order to be eligible for the required certification examination the canine unit must meet the listed requirements.

(B) Patrol-related canine units;

(1) The unit must have successfully completed a training program approved by the executive director designed to prepare canine units to perform law enforcement duties. Such program must include training in those areas tested in the examination for certification,

(2) Documentation of successful completion of the training program must be provided to the evaluator before the unit is eligible to be tested for certification. Such documentation shall include

A notarized letter or certificate of completion from the trainer or other official representative of the training program attesting that the unit has been trained in all the areas which are listed in paragraph (B)(4) of this rule, and that the unit successfully met the standards of the program.

(3) The executive director may, upon request from a law enforcement agency which employs a patrol-related canine unit, consider comparable training of the canine and the handler. Such a request shall be accompanied by documentation of the training received by both the canine and the handler which must be sufficient in the aggregate to meet or exceed the minimum standards required by paragraph (B)(4) of this rule. Approval of the request shall be granted in writing and shall apply only to the unit for whom the request was filed. Should the executive director deny the request, he shall comply with the provisions of rule 109:2-7-06 of the Administrative Code.

(4) Those units which meet the minimum eligibility requirements shall be eligible to complete the examination for certification of patrol-related canine units. The certification examination shall include testing in the following areas:

(a) Obedience

(b) Building search

(c) Area search

(d) Criminal apprehension

(C) Special purpose canine units;

(1) The unit must have successfully completed a training program approved by the executive director designed to prepare canine units to perform special purpose law enforcement duties. Such program must include training in one or more of the areas which are tested in the examination for certification, as listed in rule 109:2-7-02(B)(3) of the Administrative Code.

(2) Documentation of successful completion of the training program must be provided to the evaluator before the unit is eligible to be tested for certification. Such documentation shall include

| A ~~notarized~~ letter or certificate of completion from the trainer or other official representative of the training program attesting that the unit has been trained in one or more of the areas which are listed in rule 109:2-7-03(B)(3) of the Administrative Code and that the unit successfully met the standards of the program.

(3) The executive director may, upon request from a law enforcement agency which employs a special purpose canine unit, consider comparable training of the canine and the handler. Such a request shall be accompanied by documentation of the training received by both the canine and the handler which must be sufficient in the aggregate to meet or exceed the minimum standards required by paragraph (C) (4) of this rule. Approval of the request shall be granted in writing and shall apply only to the unit for whom the request was filed. Should the executive director deny the request, he shall comply with the provisions of rule 109:2-7-06 of the Administrative Code.

(4) Those units which meet the minimum eligibility requirements shall be eligible to complete the certification examination for special purpose canine units. Certification can be granted for one or more of the following special purposeSs:

- (a) Tracking
- (b) Article search
- (c) Narcotics detection
- (d) Explosives detection
- (e) Any other topic designated by the executive director

(D) All examinations shall be conducted by commission-certified evaluators in a manner prescribed by the executive director.

109:2-11-05 Approval of instructors.

Each instructor is required to have the approval of the executive director. All persons requesting approval as an instructor shall submit a notarized statement of qualifications on a form provided by the executive director for each subject or unit of subjects for which the instructor is seeking approval.

(A) Minimum qualifications for unit instructor approval shall be as follows:

- (1) High school graduate or possession of a "General Education Development" certificate;
- (2) Five years of relevant full-time law enforcement experience or three years of full-time experience as a corrections officer;
- (3) Completion of a training program which will allow a person to gain specific knowledge and skills in a unit for which the person desires approval;
- (4) Completion of an instructor training program approved by the executive director and consisting of a minimum of forty clock hours which shall include instruction in the theories of learning and adult education, teaching techniques, lesson plan development and usage, behavioral objectives, student evaluation and measurement, role playing, the use of audio-visual aids, and an exercise in practice teaching. Instructor training programs taught by the Ohio peace officer training academy, the Ohio department of education, the Ohio state highway patrol, a college or educational institution, or other programs which in the opinion of the executive director are equivalent will be acceptable.

(5) Recommendation of the jailer training school commander.

(B) Minimum qualifications for special subject instructor approval shall be as follows:

- (1) A high school graduate or possession of a "General Education Development" certificate;
- (2) Three years of combined experience and training in the subject area to be taught; or
- (3) Recognition for occupational competency; and
- (4) Recommendation of the jailer training school commander.

(C) Persons approved as special subject instructors shall be limited to no more than five topics in the commission approved jailer training curriculum.

(D) Renewal of unit and special subject instructor certificates.

(1) Persons approved as unit instructors shall renew their certificate every three years. At least sixty days and no more than ninety days before expiration of the certificate, the instructor shall file with the executive director an application for renewal on a form required by the executive director. The instructor shall also file:

(a) Written evidence from the educational or training facility where the instructor received the training indicating successful completion of a minimum of eight clock hours of training in topics related to the commission approved jailer curriculum or to improve instructional abilities; and

(b) Written evidence from the jailer training school commander that the instructor has taught in one approved school for jailer training for a minimum total of eight teaching hours within the past three years.

(2) Persons approved as special subject instructors after the effective date of this rule shall renew their certificates every three years. At least sixty days and no more than ninety days before expiration of the certificate, the instructor shall file with the executive director an application for renewal on a form supplied by the executive director. The instructor shall also file:

(a) Written evidence from the jailer training school commander that the instructor has taught in one approved school for jailer training for a minimum total of four teaching hours within the past three years;

(b) Written evidence from the educational or training facility where the instructor received the training indicating successful completion of a minimum of four clock hours of training in topics related to the commission approved jailer curriculum or to improve instructional abilities, and;

(c) Copy of documentation showing current proficiency in assigned technical skill topics;

(3) A corrections training program unit or special subject instructor certified under rule 109:2-9-05 of the Administrative Code may perform the functions of a jailer training program unit or special subject instructor upon approval from the executive director.

(E) Denial of certificate, denial of renewal of certificate, suspension of certificate or revocation of certificate.

(1) Unless the decision is of a ministerial nature, should the executive director refuse to issue or renew a certificate, or should the executive director suspend or revoke a certificate, the executive director shall notify the person in writing and shall advise the applicant that he or she may request a hearing before the commission as provided in sections 119.06 and 119.07 of the Revised Code.

(2) The commission shall conduct the hearing as required by sections 119.01 to 119.13 of the Revised Code.

(3) The executive director may suspend the certification of any instructor that is charged with any felony, crime of moral turpitude, offense of violence, sexually oriented or child-victim oriented offense or any other peace officer disqualifying offense.

(4) The executive director may deny or revoke the certificate of any instructor for the following reasons:

(a) Failure to meet the minimum qualifications for instructor certification listed in paragraphs (A) and (B) of this rule;

(b) Failure to meet renewal criteria;

(c) Failure to meet renewal deadline;

(d) Submission of falsified records, application, or other documentation;

(e) Unacceptable performance evaluations;

(f) Conviction of a felony, a crime of moral turpitude, an offense of violence, a sexually oriented or child-victim oriented offense, or any other peace officer disqualifying offense;

(g) Any other good cause shown.

109:2-5-01 Definitions.

When used in Chapter 109:2-5 of the Administrative Code:

- (A) The term "commission" means Ohio peace officer training commission.
- (B) The term "executive director" means the executive director of the commission.
- (C) The term "commander" means the director or other head of a basic school for ~~court officers~~ ~~bailiffs and deputy bailiffs~~.
- (D) ~~The term "court officer" means a bailiff, deputy bailiff, probation or parole officer that carries a firearm in the course of their official duties, or an employee of the department of youth services who is designated pursuant to division (A)(2) of section 5139.53 of the Revised Code as being authorized to carry a firearm while on duty.~~
- (E) The term "bailiff" or "deputy bailiff" means any person employed by a court of record and designated by a judge of that court of record as a bailiff or deputy bailiff who is authorized to carry a firearm while on duty.
- (F) The term "basic course" means the ~~court officer~~ ~~bailiff or deputy bailiff~~ training curriculum which has been approved by the commission in accordance with rule 109:2-5-04 of the Administrative Code.
- (G) The term "basic school" means any specific ~~court officer~~ ~~bailiff or deputy bailiff~~ basic course conducted by a commander and approved by the executive director.

109:2-5-02 Basic course for ~~bailiffs and deputy bailiffs~~ court officers.

- (A) Any ~~court officer~~ ~~bailiff or deputy bailiff~~ is required to complete a basic school. Such training is not required if:
 - (1) The person has successfully completed a firearms training program approved by the executive director at the time the training was conducted prior to employment as a ~~court officer~~ ~~bailiff or deputy bailiff~~ and can show documentation of being currently re-qualified with their authorized duty weapon; or,
 - (2) Unless prior to June 6, 1986, the ~~bailiff or deputy bailiff~~ ~~person~~ was authorized to carry a firearm by that court of record and has received training in the use of firearms that the executive director determines is equivalent to the firearms training that is required by rule 109:2-5-04 of the Administrative Code; or,
 - (3) Holds a commission certificate of completion for a peace officer basic school.
- (B) Statement of purpose.
 - (1) It shall be clearly understood that the basic course described is designed as an absolute minimum-. The commander is encouraged to exceed this minimum course wherever possible.
 - (2) ~~Nothing in this chapter shall limit or be construed as limiting the authority of a commander, the court officer's employer~~ ~~employing court~~, or appointing judge to enact rules and regulations which establish a higher standard of training above the minimum required by the rules of this chapter.
- (C) Local topics.

Instruction in topics such as court rules and regulations, local ordinances, personnel policies and procedures may be given entirely upon local initiative. No portion of the instructional time devoted to this training or other non-commission required topics shall be credited against the hours of instruction required under rule 109:2-5-04 of the Administrative Code.

109:2-5-04 Approval of school.

(A) The commander of a basic school shall, twenty-one calendar days prior to the start date, complete and forward to the executive director on forms provided by the executive director, an application and, a training calendar.

(B) The basic school approved by the executive director shall include training in firearms and other subject matter as prescribed by the commission. The hours and student performance objectives for the basic course shall be taught in their entirety.

(C) The student enrollment list shall list the name and employing court of each ~~court officer, bailiff or deputy bailiff~~. The student enrollment list shall be signed by the commander and accompanied by documentation prescribed by the executive director regarding each student's authorization to attend the basic school.

(D) The hours and student performance objectives approved by the commission are established as a mandatory minimum for obtaining certification. Commanders and instructors are encouraged to exceed the minimums.

(E) A basic school will not be approved that has less than ten students, unless the commander certifies that there are less than ten ~~court officers, bailiffs or deputy bailiffs~~ in the general geographic area who need training and the executive director approves. In all instances the basic school must meet student to instructor ratios as determined by the executive director.

(F) Basic school approvals shall be issued by the executive director in writing. No training class or portion thereof will be recognized if conducted prior to the issuance of an approval letter assigning a school number.

(G) The executive director may revoke the approval of any basic school for failure to maintain the minimum standards as set forth in this rule or any other rule or policy established by the commission for conducting the basic course. The executive director shall notify the commander of the school in writing of this revocation and shall advise the commander that the commander may request a hearing before the commission as provided in sections 119.06 and 119.07 of the Revised Code. The commission shall conduct the hearing as required by sections 119.01 to 119.13 of the Revised Code.

109:2-5-05 [Effective 7/1/2017] Approval of commanders.

Each commander is required to have the approval of the executive director to conduct a basic school. Such approval will be based upon the submission of a statement of qualifications by the person seeking approval as a commander on a form prescribed by the executive director. All persons seeking approval to be a commander on or after the effective date of this rule, who have not previously been designated a commander, shall conform to the minimum qualifications for certification as a commander as established herein and must be associated with an established or proposed basic school.

(A) Minimum qualification for certification of commanders shall be as follows:

(1) High school graduate or possession of a general education development certificate;

~~(2) Five years of relevant law enforcement experience, or five years of experience as a court officer, bailiff, or deputy bailiff, or five years of experience as a corrections officer authorized to carry a firearm while on duty and required to complete an annual firearms requalification;~~

OPTION 1:

~~(3) Two years of relevant, full-time supervisory experience~~

OPTION 2:

~~(3) Two years of relevant, full-time supervisory experience or completion of ninety quarter hours or sixty semester hours at an accredited college or university~~

OPTION 3: no supervisory or educational requirement

~~(2) Successful completion of a basic school or peace officer basic training school;~~

~~(4) Successful completion of an eighty-hour instructional skills course or equivalent as approved by the executive director;~~

~~(5) Three professional references from individuals currently serving as any of the following: a judge, court administrator, prosecutor, magistrate, chief of police, or sheriff;~~

~~(6) No conviction for a felony, crime of moral turpitude, offense of violence, sexually oriented offense or child-victim oriented offense, or firearms disability offense per Chapter 2923. of the Revised Code.~~

~~(7) For applicants applying to be commanders on or after July 1, 2017, the effective date of this rule, completion of a commander training program approved by the executive director.~~

(B) Upon receipt and verification of an application form for commander certification and completion of a commander conference, the executive director may issue a certificate to the applicant. Should the executive director refuse to issue a certificate, the notice of this action shall be sent to the applicant. Unless the decision was of a ministerial nature the applicant shall be advised that he or she may request a hearing before the commission as provided in sections 119.06 and 119.07 of the Revised Code. The commission shall conduct the hearing as required by sections 119.01 to 119.13 of the Revised Code.

(C) Certification shall be renewed every five years. At least sixty days and no more than ninety days prior to expiration of the certificate, the individual shall submit, on a form prescribed by the executive director, an application for renewal that indicates the applicant has complied with the following:

(1) The applicant has conducted at least two basic training schools within the renewal period;

(2) The applicant has attended at least one commander conference within the renewal period if commander conferences are offered; and

(3) The applicant has completed at least twenty-four hours of training relevant to conducting and overseeing a basic training school.

(D) The executive director shall deny, refuse to renew, or revoke the certification of any commander for the following reasons:

(1) Failure to meet the minimum qualifications for certification or renewal listed in paragraphs (A) and (C) of this rule;

(2) A commander's evaluation reflecting unacceptable performance;

(3) Conviction for a felony, crime of moral turpitude, offense of violence, sexually oriented or child-victim oriented offense, or any other disqualifying offense;

(4) Falsifying information on records, application, or other documentation;

(5) Violation of rules promulgated under this chapter; or;

(6) For any other good cause shown.

The executive director shall notify the commander in writing of this revocation. The commander shall be advised that he or she may request a hearing before the commission as provided in sections 119.06 and 119.07 of the Revised Code. The commission shall conduct the hearing as required by sections 119.01 to 119.13 of the Revised Code.

(E) The executive director may suspend the certification of any commander that is charged with any felony, crime of moral turpitude, offense of violence, sexually oriented or child-victim oriented offense, or any other disqualifying offenses.

(F) Should the executive director suspend or revoke the certificate, the executive director shall notify the commander in writing of this decision. The commander shall be advised that he or she may request a hearing before the commission as provided in sections 119.06 and 119.07 of the Revised Code. The commission shall conduct the hearing as required by sections 119.01 to 119.13 of the Revised Code.

(G) ~~Currently, approved peace officer, parole officer, or probation officer~~ school commanders can also administer basic schools approved by the executive director.

109:2-5-06 Approval of instructors.

Each instructor is required to have the approval of the executive director. Such approval will be based upon the ~~recommendation of a current commander and~~ the submission, on a prescribed form, of a statement of qualifications for each subject or subjects for which approval is sought.

(A) Minimum qualifications for unit instructor.

(1) High school graduate or possession of a general education development certificate;

(2) Five years of relevant experience as a ~~court officer, bailiff, deputy bailiff, and/or law enforcement officer, or a corrections officer authorized to carry a firearm while on duty and required to complete an annual firearms requalification;~~

(3) Successful completion of an eighty-hour instructional skills course or equivalent as approved by the executive director;

(4) Submission of documentation of completion of instructor-level training which allows a person to acquire specific knowledge and skills in an area for which approval is sought;

(5) Recommendation of a current ~~peace officer basic training or court officer basic school~~ commander.

(6) Persons approved to instruct topics in programs pursuant to Chapter 109:2-1 or ~~109:2-9~~ of the Administrative Code may instruct those same topics in a court officer basic school.

(B) Renewal of ~~unit~~ certification.

(1) ~~Instructors certified by unit~~ shall renew their certificate every three years. At least sixty days and no more than ninety days prior to expiration of the certificate, the instructor shall file with the executive director an application for renewal on a form supplied by the executive director. The instructor shall also file:

(a) Written evidence documenting that the instructor has successfully completed, within the past three years, a minimum of twelve clock hours of training in topics related to the basic course.

(b) Written evidence from a ~~school~~ commander that the instructor has taught in at least one basic school for a minimum total of twelve teaching hours within the past three years.

(C) Denial of certification, denial of renewal of certification, or revocation of certification:

Should the executive director refuse to issue or renew a certificate, or should the executive director suspend or revoke a certificate, notice of this action shall be sent to the applicant. Unless the decision is of a ministerial nature, the applicant shall be advised that he or she may request a hearing before the commission as provided in sections 119.06 and 119.07 of the Revised Code. The commission shall conduct the hearing as required by sections 119.01 to 119.13 of the Revised Code.

(D) Grounds for denial or revocation of instructor certification.

(1) Failure to meet the minimum qualifications for instructor certification listed in paragraph (A) of this rule;

(2) Failure to meet renewal criteria;

(3) Failure to meet renewal deadline;

(4) Submission of falsified records, application, or other documentation;

(5) Unacceptable performance evaluations;

(6) Convictions of a felony, a crime of moral turpitude, offense of violence, sexually oriented or child-victim oriented offense, or any other peace officer disqualifying offense;

(7) Any other good cause shown.

(E) The executive director may suspend the certification of any instructor that is charged with any felony, crime of moral turpitude, offense of violence, sexually oriented or child-victim oriented offense, or any other peace officer disqualifying offense.

109:2-5-07 Certification of court officers, bailiffs and deputy bailiffs.

(A) Upon successful completion of an approved basic course a ~~court officer, bailiff or deputy bailiff~~ shall be issued a certificate of completion by the executive director.

(B) Receipt of the certificate by a ~~court officer, bailiff or deputy bailiff~~ shall be considered as fulfillment of only one of the conditions of employment and shall not be construed as a limitation of the discretionary power of the appointing judge or other official.

109:2-5-09 Notebook and firearms certification requirements.

~~(A) Each student in the school shall maintain, as one of the requirements for certification completion, a notebook during the school and shall submit such notebook to the commander for inspection. The notebook shall contain entries of material covered during the school. Among the factors to be evaluated in the notebook are: sufficiency of course content, organization, appropriateness of material, regularity of entries, neatness, accuracy, and legibility. The notebook will be evaluated by the commander as either satisfactory or unsatisfactory. Student notebooks are subject to inspection by commission representatives upon request.~~

~~(B) No person shall be certified as completing the school who has been evaluated as unsatisfactory in firearms or the subject notebook.~~

109:2-5-10 Credit for prior equivalent training.

A person requesting credit for prior firearms training ~~per division (D)(2) of section 109.77 of the Revised Code~~ must submit documentation of successful completion of an Ohio peace officer training commission approved firearms training program. The training must have been approved by the executive director and taken prior to employment as ~~an armed bailiff or deputy bailiff~~ a court officer. They will, at the same time, submit documentation of current requalification with their duty weapon. Submission will be made on a form supplied by the executive director.