



Ohio Peace Officer Training Commission Meeting September 8, 2022

Held at 1650 State Rt. 56 S.W., London, Ohio 43140

Meeting was held in the cafeteria

Minutes – September 8, 2022

A. Opening- Call to Order, Chair Sheriff Vernon Stanforth called the meeting to order at 10:08 a.m.

Guest Colonel Charles Jones led the Pledge of Allegiance.

Mrs. Lopez-DeLaet called the roll call.

Commissioners Present:

Chair, Sheriff Vernon Stanforth
Vice-Chair, Chief Clayton Harris
Ms. Leah Amstutz
Sheriff Michael Heldman
Ms. Carol O'Brien

Commissioners Absent:

Chief George Kral
Lieutenant James Fitsko
Ms. Wynette Carter-Smith

Ms. Lopez-DeLaet confirmed there was a quorum with 5-Present, 3-Absent

Attorney General Staff in Attendance:

Mr. Dwight Holcomb, Executive Director - OPOTC/A
Mr. Richard Hardy, Assistant Executive Director - OPOTC/A
Michael Walton - Associate Assistant Attorney General - AGO
Garrett Anderson - Assistant Attorney General- AGO
Doug Dumolt – Director of Law Enforcement Operation - AGO
Cynthia Peterson, Principal Assistant Attorney General - OPOTC
Deana Leffler, Senior Assistant Attorney General - OPOTC

Louis Agosta, Accreditation Manager - OPOTC
Scott Spangler, Director of Advanced Training – OPOTA
Erica Wilson, Director of Curriculum Development - OPOTC
Courtney Delong, Director of Professional Standards - OPOTC
Scott Reinbolt, Program Administrator - OPOTC
Laura Lopez-DeLaet - OPOTC Staff
Teresa Coffey - OPOTC Staff
James Foster - AGO staff
Brittany Brashears - OPOTC Staff
Nicole Hendrix - OPOTC Staff

Guests in Attendance:

Colonel Charles Jones – Ohio State Highway Patrol
Mark Lang - Columbus Police Department
John Altman - Ohio State Highway Patrol
Jerry Snay - Stark State
Amber Rose - Columbus Police Department
Chuck Crosby - Sinclair Community College
David Wiseman - Delaware County Sheriff's Office
Lisa DeGeeter - Ohio Domestic Violence Network

Chair Stanforth announced there was a set of minutes to approve.

Motion: A motion for the approval of the July 14, 2022 minutes by Vice-Chair Harris. Sheriff Heldman seconded the motion. A vote was taken and passed unanimously. Yes- 5, Absent- 3.

B. Chair Report

Chair Stanforth stated there was nothing to report.

C. Continuing Professional Training Committee Report

Sheriff Heldman stated there was a CPT meeting held prior to the Commission meeting. He said it was a discussion on CPT for 2023. Sheriff Heldman reported that with the new house bill not being introduced yet and the funding not being in place, there was still a lot of questions. The discussion was about what recommendations might look like for next year. Sherriff Heldman stated that depending what happens with the introduction of the bill, it is assumed that there is going to be some kind of CPT requirement for next year. One of the possible recommendations could be for CPT to continue at the 24-hours, with topics being selected by the committee as well as Sheriffs and Chiefs. Sheriff Heldman said at this point in time nothing is in place. However, we are looking to send out a survey asking what topics

Chiefs and Sheriffs would like to see next year. The committee would then meet to discuss the results of the survey.

Director Holcomb added that part of the discussion currently with the bill is that if the funding does go through, part of the funding may fund for up to 40 hours of CPT a year. Part of the discussion in the CPT committee meeting was building to 40 hours of CPT a year. The discussion was starting at 24 hours next year and increasing the number incrementally over the next several years.

Vice-Chair Harris mentioned that the committee wanted to make sure that Chiefs and Sheriffs maintained control about how they design their training and what is important to them, along with some standards for the entire state of Ohio.

Chair Stanforth asked if the committee had any suggestions for topics currently?

Director Holcomb explained that the committee did not, but that is why OPOTA will be sending out the survey. They are trying to find what topics would be the most global for the entire state. The plan is to have the curriculum department begin to develop the curriculum for those topics. Even if the CPT does not get approved for next year they can already have the curriculum ready to be used in the future.

Chair Stanforth asked if the funding source was still the source who got to have a say in the topics?

Doug Dumolt stated that his understanding was, that current thinking is to give local agencies increased flexibility on the topics they want for their officers and only a portion of that would be decided by the Commission. He gave the example if 24 hours are mandated, that the Commission might only select the topics for 8 of those hours. Doug stated nothing is decided yet, but that is the way the thinking is going for now.

Director Holcomb said another possibility that has been discussed is that potentially if 24 hours are mandated and an agency decided to complete 40 hours, they could be reimbursed for those additional hours up to the 40 hours.

There was discussion on how the topics were going to be decided, since there is not always a strong participation in surveys. It was discussed that the topics would come from the survey, the Ohio Collaborative and the different associations around the state such as the BSSA (Buckeye State Sheriff's Association), OACP (Ohio Association of Chiefs of Police), and OSHP (Ohio State Highway Patrol), etc. It was also discussed about polling the attendees at the 2022 Attorney General's Law Enforcement Conference.

Chair Stanforth asked if the Commission had a deadline that they have to have the CPT information presented by?

Director Holcomb stated there is in the administrative code, language that says that the Commission will announce what the training is going to be for next year. We will prepare

our annual letter saying that at this time there is no CPT funding, but to be prepared for something that may be coming in the future.

Chair Stanforth asked if we had an understanding of how many officers have already complied with the 2022 CPT requirement?

Director Holcomb stated that we won't have final information until after the end of the year. He stated that by January 31st of 2023 the agencies need to report to the Attorney General's office that the 24 hours were completed, and how the CPT money was spent. Director Holcomb presented a spreadsheet that is going to be sent out to the agencies in October that they will use to report their officer's CPT completions. He stated the spreadsheet is based upon the information that each agency provided to the Attorney General's office last fall on their salary data worksheet.

Director Holcomb did caution not to get the new CPT spreadsheet confused with the annual roster that will also come out at the same time. Both need to be back by January 31, 2023.

Chair Stanforth asked if the information was agency stat driven? Was the information somehow available already in some OPOTA database?

Director Holcomb answered that the information was agency stat driven, and that there was not database at OPOTA that was currently collecting the information. Director Holcomb did however have some OPOTA Online stats that he could share. He stated that so far this year there have been 277,000 CPT courses completed on OPOTA Online. He estimated that probably 12-15 thousand officers were using OPOTA Online to get their CPT training completed. In August alone, there were over 50 thousand courses completed.

There was further discussion on the number of people that OPOTA Online support staff has assisted with gaining access to the online system. Chair Stanforth had said that he had been hearing it was hard to get logged into the system. OPOTA Online staff assisted 1,377 users in July and 1,640 in August, while that may seem like a lot it doesn't account for the 10 thousand people who were able to log in without assistance. It was also discussed that some of the requests may be duplicates. Every request is logged as a separate entry into the log, so if one-person requests help five times, it would be logged five different times.

Chair Stanforth spoke about his own personal experience getting logged into the online system. He stated that he had to request a new password, and that the turn around time was less than two days. He said once he was in the system it was easy for him to figure out the process. Director Holcomb said one of the things that has helped out with using the new OPOTA Online system is that it is no longer connected to OHLEG. You can do the trainings from your home computer if needed. You don't have to be on a government computer.

A final CPT statistic that was shared during the meeting was CPT pre-approval applications, about 380 have been submitted so far. It was discussed that if you are presenting curriculum that OPOTA created, then you do not need to get anything pre-approved. The pre-approval

process is for if you are creating your own curriculum to be used for CPT training, then you need to get that curriculum pre-approved prior to teaching it.

Chair Stanforth asked if someone wanted to use curriculum that another agency developed and received approval from OPOTA are they allowed?

Erica Wilson stated that you are allowed to use OPOTA approved curriculum that someone else created as long as you let OPOTA know what you are using, and you have the course number that was given to the curriculum.

Chair Stanforth then asked about the turn around time on getting curriculum approved.

Erica Wilson stated if you are using someone else's already approved curriculum that turnaround time would be about a day. If you are submitting your own curriculum it would depend on the topic. If it is a legal topic, that would go to legal review which would cause the turnaround time to be something close to five to seven days. If it is not a legal topic and doesn't need legal review then that turnaround time is about two to three days to approve.

Director Holcomb wanted to point out that the curriculum must be pre-approved before it can be presented. There were a few instances where agencies had to retrain officers, because they did the training first then asked for the training to be approved.

D. Curriculum Committee Report

Sheriff Heldman stated there was nothing to report.

E. House Committee Report

Chair Stanforth stated there was nothing to report.

F. Legislative Committee Report

Director Holcomb stated there was no meeting held.

G. Commission and Academy Report

Director Holcomb gave a brief summary of new and upcoming hires at OPOTA. He introduced Nicole Hendrix a new law clerk in the OPOTC legal section. She gave a brief summary of her experience. Director Holcomb then discussed some upcoming postings for future staff which include a 3rd attorney and an administrative professional in the legal section, as well as a new curriculum e-learning design specialist in the curriculum section. Director Holcomb stated that final interviews were being done for a new advance training instructor position, and hope to have that person on board by the next meeting.

Director Holcomb went on to discuss the OPOTA Portal, which is separate from OPOTA Online. He stated that the Portal has close to 5,000 active users, and since the launch of the

Portal there have been 3,576 individuals who have used it to register for their in-person trainings. The next big step is the public record requests section of the Portal that is still being worked upon, but we hope to have it running by the end of the year.

Director Holcomb gave a reminder of the 2022 Law Enforcement Conference being held October 6-7, in Columbus. He asked for any Commissioners unable to attend to please let Laura know. He then gave a brief summary of the Gold Star Academy Program stating that he and the Attorney General had just awarded the Southern Ohio Police Academy in Lucasville last week with a star designation. Director Holcomb then went on to list the counties he had recently visited for meetings with Chiefs and Sheriffs. He stated that he has been traveling the state to promote OPOTA, the OPOTA Portal and OPOTA Online to the different agencies.

Courtney DeLong the Director of Professional Standards gave a brief overview of the new test for officers requesting credit for prior equivalent training and who fall in the tier one category. The test is 70 questions which covers the 176 hours of Ohio specific courses they are assigned to complete. They will attend the 176-hour course in an academy around the state and when completed will be recommended to test. The test requires a score of 70% or higher to pass, and will be available in October.

Director Holcomb stated that the new test is to streamline the process. Whereas before, the officer with prior training would take the 176 hours of Ohio specific course work, and then be tested on the whole state exam which covered all 740 hours of course work. This new process will only test them on the material from the 176 hours of course work. Another change Director Holcomb spoke about was in the future they are hoping to work with academies to develop a shorter version of an academy for just the 176 hours of Ohio specific course work. Currently, an officer seeking to take the training has to plug into a full academy when the academy is covering those topics. This process can be time consuming because the officer has to wait for those specific topics to come available. If there were courses available that only covered the 176 hours of material, the officers might be able to complete the training in half the time.

Ms. Amstutz asked if there was anyway to move to a competency-based model rather than an hours-based model? She stated that in education they have learned that people learn at different levels and one person might learn something in a week that might take someone else a month to learn. It was discussed that further research would have to be done to see if a change like that would require a change in the Administrative code.

Erica Wilson gave an overview of some of the common issues they are seeing with people having issues getting logged into OPOTA Online. These issues include things such as:

- 1) Password resets- the officer's password has expired and needs to be reset. Generally, is resolved in 2-3 days.

- 2) New Agency- the officer works for a different agency than the one their e-mail and account are registered with. OPOTA Online needs approval from the department Chief at the new agency that the officer works for, and then OPOTA Online can grant them access. This process can take longer as OPOTA Online is waiting to hear back from the new agency.
- 3) Change of e-mail- When an officer is requesting to use a personal e-mail account. This cannot be approved until OPOTA Online gets approval from the department Chief verifying which agency the officer works for.

Erica let the Commission know that when they run into these issues, OPOTA Online waits seven days to hear from the Chief of the agency, but after the seven days puts the request back in the queue. She stated that with the number of requests they receive, it would be too hard to try and track all the outstanding requests past seven days. Erica stressed the importance of trying to get your logon information worked out now, as we draw closer to the end of the year it is expected that the number of requests will rise.

Director Holcomb wanted to remind the different agencies that all officers need to complete their CPT training by December 31, 2022. He stated that if the officer has not completed the CPT training by the deadline, they will automatically go into a cease function. He said it is up to the agencies and the Chiefs to know if their staff have completed their training.

Louis Agosta gave a CALEA (Commission on Accreditation for Law Enforcement Agencies) update. He stated that OPOTA has successfully completed year two of the four-year cycle. A CALEA service member looked at 25% of our standards and they were approved pretty quickly. OPOTA is currently in year three and Mr. Agosta has about 50% of the proofs of compliance done, which puts us right on schedule.

Cyndy Peterson presented a brief discussion on the public records request OPOTA receives. She stated that the 15 sections of the Attorney General's office have received 481 requests to date for the year. Of the 481 requests, 207 of those requests have been OPOTA requests, which is 44%. In 2021, the Attorney General's office received 842 total request and of those 485 were OPOTA requests, which works out to be about 60% for the year. Cyndy stated that the subject matter for most of the requests usually involve questions about officer training, or officer compliance. She stated sometimes the requests are officer specific, or sometimes it can be for a whole agency.

Cyndy Peterson also spoke about the legal section for OPOTA growing. She stated that Nicole Hendrix, the new legal clerk was brought on board to assist with legal lesson plan research, and that the new attorney position will also be utilized for legal review of curriculum for new lesson plans.

Scott Spangler gave a brief overview on the driving track repairs, which are almost complete. He stated the driving program is set to resume at the end of the month. The range

project is set to begin next year. Scott also stated that he had word today that the new instructor position was accepted, which will give OPOTA a total of six instructors. Scott stated for the remainder of the year there are a total of 56 different courses being offered. Some classes are being offered multiple times with a total of 90 classes still available. Scott stated roughly one third of those classes still have openings, so there are still plenty of chances for advanced training before the end of the year.

Scott Reinbolt spoke about the regional classes still available in 2022. He stated that the regional classes still have about 30 classes on the books that are available for 2022 training. Scott stated that they have just begun scheduling classes for 2023.

H. New Business

Chair Stanforth asked if there was any new business to discuss? He requested an update on the status of the Commission members.

Director Holcomb stated that our last update with Boards and Commissions was on August 30th. We had three Commission members who were up for reappointment this year. Those were Sheriff Stanforth, Mrs. Wynette Carter-Smith and Chief Kral. All the paperwork is with the governor's office being processed, and we hope to get word from them soon. We have not heard any updates yet, for the FBI (Federal Bureau of Investigation) and the OSHP (Ohio State Highway Patrol) positions. These also are in process with the Boards and Commissions office.

It was discussed that there is a grace period for the Commission members whose appointments were set to expire this year, if the paperwork is not processed by the September 20th expiration date. It was also discussed that Chief Kral has announced that he is planning to retire in January, which would open up his position on the Commission once he retires. Director Holcomb stated that Ms. O'Brien, Ms. Amstutz, and Lieutenant Fitsko's terms are set to expire in 2023, while Chief Harris and Sheriff Heldman's terms are set to expire in 2024.

Chair Stanforth stated he also wanted to discuss the reappointment of officers. He stated that one question he has been receiving is if the Commission could relax the four-year break in service requirement due to the difficulty in finding applicants. He stated primarily looking at retirees.

Director Holcomb stated that any change of that nature would require change to the Ohio Administrative Code. He explained that the code does currently state that any break in service under one year, there is no training requirement. A break in service over one year, but less than four years requires a refresher course; and any break over four years does require a repeat of the full academy. Director Holcomb stated there are other ways to hold onto your

commission. He used himself as an example. Director Holcomb said that he has not been a full-time commissioned law enforcement officer since 2006, however his former agency has held his commission. He still is required to do all the training and requirements each year to hold that commission.

Chair Stanforth put the question to the other Commissioners present. Did they feel this was something the commission should look at having revised going forward?

Courtney DeLong stated that they had recently just went through an audit with IADLEST (International Association of Directors of Law Enforcement Standards and Training) and that they were told the 4-year break in service requirement is consistent with other states around the United States.

Chair Stanforth asked if IADLEST had mentioned anything about bringing back retirees?

Richard Hardy stated they have not had any specific conversations about retirees, however the conversation has been about the significant strides in giving opportunity for people from tier one testing. There is a lot of other opportunities for people to come back into service in Ohio. Sometimes it's the recruitment efforts in the local geographic areas and whether that's economically feasible for people to come back. Richard stated that there are other opportunities as opposed to shortening a process and minimizing requirements for people to come back into public service.

Chair Stanforth stated that there are sometimes issues with retirement changing if you choose to comeback. He then stated that he is fortunate not to have recruitment issues. That many years ago he would have a whole cabinet full of applications, and now that has changed to a folder, but that he is still able to get his vacancies filled. Chair Stanforth then asked Mark Lang from Columbus Police Department if he has issues with recruitment as they are one of the larger agencies. He stated at any given time you may have hundreds of vacancies, and not hundreds of applicants. How can the Commission be of assistance to make this process easier?

Mark Lang stated that they are fortunate to have an academy. In the instances that they have people with a long break in service, they can usually get them through the academy pretty quickly as opposed to other agencies who have to find an academy to get them into. He stated that he has not seen that pressure of a large number of people with significant breaks in service trying to come back.

Carol O'Brien stated that one thing to think about in all this is public perception. She said the first thing that is asked for when something goes wrong is all the academy records and all the training records. She stated that she thought the public perception is that if you pass a test that doesn't mean you can do it. Ms. O'Brien said it sounds like what is being referred to would be a competency and not training based. If that is the way the Commission wants to go

then there will need to be a major educational outreach to the public to make them understand that some stuff you don't have to sit in a class room for a certain number of hours to learn. Ms. O'Brien said she is concerned there may be people who say the officers didn't get the proper training. Then they want to sue, in which case you have to try to convince a judge or jury that they didn't need the training. Ms. O'Brien stated that is why she feels the Commission should be cautious and take their time before making these kinds of changes. She stated that she is ok with entertaining what comes before the Commission, but that it should be studied, properly vetted, and research should be done.

Leah Amstutz asked if there was any type of in field study, or mentorship type of study currently?

Carol O'Brien stated that she knew most law enforcement agencies had field training where an officer will be sent out with an experienced officer.

Leah Amstutz stated she wondered if that could be blended into a competency-based model, that you would have some type of an apprenticeship. Where the skilled officer oversaw the demonstrations and competencies that were to be attained for the training.

Carol O'Brien stated that she liked that idea, but some of the pushback that she could foresee would be from the agencies who are looking at civil liability. She said the agency would then have to prove the competency of both the officer that was engaged in whatever happened, and the competency of the field trainer.

Ms. O'Brien then reiterated that she thinks a competency-based model may be a good idea going forward especially with the issues some agencies are having with recruitment. She again, just wanted to caution that it should be heavily researched and vetted first.

I. Old Business

Vice Chair Harris asked about the discussion that had taken place in the past about physical agility. Per his recollection he believed there was supposed to be a group or committee formed to look if any changes needed to be made.

Cyndy Peterson stated that there is a SME (subject matter expert) group, meeting online with our curriculum department currently. She said they still need to put together a side group that looks more closely at gender issues specifically as it relates to physical fitness, as well as reasonable accommodations as it relates to physical fitness. Cyndy stated those are two side SME groups that we still need to develop. She stated the legal section will be heading those groups, but unfortunately right now with staffing there hasn't been the time.

She is hopeful that adding the third attorney to the legal section will get projects like that completed.

Richard Hardy explained that the current group is meeting with a nationwide panel, it is not just an in-house group. The group has been experiencing some challenges with connecting with each other, but they are working toward a proposal. He stated that the group at this time is not able to state what the proposal will be.

Vice Chair Harris stated he has been holding off on some questions that have come his way based on what comes from the group.

Erica Wilson said they keep going back and forth about the Cooper standards. Possibly eliminating the gender portion of that, but of course you still have to come up with a number, such as pushups for example. That is where the back and forth is coming in, trying to get the scientific methods behind these changes they are trying to make. Erica stated that this lesson plan is going to take longer to develop because of all the intricate components.

Erica stated that there has been some discussion about going to a skill based rather than the Cooper standards, but when you go to a skill based the question becomes does each agency have the equipment needed.

Cyndy Peterson said another factor that they are seeing are request because of long-term Covid symptoms. People have medical documentation that show for example that they can't do the run because of their asthmatic condition that developed based on long-term Covid.

Chair Stanforth stated he feels this topic is one of the biggest hindrances for recruitment.

Jerry Snay with Stark State stated that for the first time he can't run his academy because of physical requirements. He had 15 people test and only two passed. Jerry asked if he could throw out the suggestion to start the academy first and then have the academy work with them on the physical requirements. He said that students come in, fail the physical requirements, and then he never sees them again. He feels like if he can get them started in the academy first, and then work with them extra on physical training he might be able to get more students through the academy.

Chair Stanforth stated that he feels that there should be more subject matter practitioners rather than subject matter experts. He stated he feels there should be more people from the field giving their input. If there were more people from the field giving their input there would be a better understanding of where the standards need to be.

Richard Hardy stated the curriculum development SME group has people from the field. It has an exercise physiologist, a nutritionist, registered dietitians, and a law enforcement chief. One of the experts is an exercise physiologist with the military. They are looking at the changes that are occurring both in the Air Force and the Army entry for basic training. It's a very wide scope of participants.

Erica Wilson stated that if anyone knew of any other experts or practitioners to e-mail her so they can have those names on file for other lesson plans.

J. Guest Forum

Chair Stanforth asked if there were any guests who had something they would like to discuss with the Commission?

Lisa DeGeeter with the Ohio Domestic Violence network asked to speak. She stated that they are a statewide membership organization for programs that provide services to domestic violence survivors and their families. She said she was asking for help with a situation that has reoccurred in multiple communities around the state. Lisa explained that domestic violence programs are funded with a variety of different funding sources, but two of their largest are the Violence Against Women Act and the Family Violence Prevention and Services Act. Lisa said that both of those grants have very specific requirements to receive those funds. One of the requirements to use those funds is that all information for anyone who has ever requested service, is receiving service or has been provided services, that their personal identifying information be kept confidential.

Lisa stated that they train their program staff to keep the information confidential, and they understand that if they breach a client's confidentiality, they are jeopardizing the funding as well as opening the agency up to a potential liability. Lisa said the issue that arises is that we have officers who come in trying to find someone and we give them the standard line of we can neither confirm or deny. She said we have had officers threaten to break down a door if we don't let them in, and threaten to arrest program staff.

Lisa said that they have a nine-hour training on confidentiality and documentation training that they do with their staff. She was hoping to reduce that training down to an hour and ask that it be provided to law enforcement so that they can understand why some of the staff members say or do certain things when working with law enforcement. Lisa said if one hour would be too long she could see about possibly putting together a five to ten-minute video with the help of the Commission and have that video disseminated to law enforcement. That way officers would be familiar with the restraints and requirements that their programs are running under.

Lisa also asked if they could set up a meeting with law enforcement to clear the air about past instances with her program so that they could continue to work together in the future.

Director Holcomb stated he could see two different paths in which OPOTA could help. The first would be doing a video training, which would be Lisa working with OPOTA curriculum design staff to come up with a script and talking through it. We have the facilities to be able to put that together. The second suggestion is that Lisa could take the hour or so long training she had mentioned and put that together in a workshop for the 2023 Law Enforcement Conference.

Director Holcomb also suggested reaching out to the Ohio Association of Chiefs of Police as well as the Buckeye State Sherriff's Association. Both associations have tremendous contacts, educational opportunities and would be another venue besides just going through the Commission.

Director Holcomb stated they could work together to get the 10-15-minute training video put together and get it put on OPOTA Online as a roll call or refresher video.

Chair Stanforth asked how often of an occurrence is it of officers walking into shelters wanting information?

Lisa DeGeeter stated officers wanting information is a daily occurrence around the state. The escalation of threats to break down doors or arrest staff is probably about a once a month occurrence.

Chair Stanforth asked if any other guests had anything to discuss. Hearing none that concluded the guest forum.

K. Adjournment

Motion: A motion to adjourn was made by Vice-Chair Harris. The motion was seconded by Ms. Carol O'Brien. A vote was taken and passed unanimously. Yes- 5, Absent- 3.

The meeting stands Adjourned.

Time: 12:09 p.m.

A handwritten signature in blue ink, reading "Vernon P. Stanforth". The signature is written in a cursive style with a horizontal line underneath the name.

Chair Vernon Stanforth

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