



Ohio Peace Officer Training Commission
P.O. Box 309
London, OH 43140

Office 800-346-7682
www.OhioAttorneyGeneral.gov

**Ohio Peace Officer Training Commission
Thursday, March 10, 2016
held at the
Ohio Peace Officer Training Academy
1650 State Route 56 SW
London, Ohio 43140**

Minutes

I. Opening

A. Call to Order

In the absence of Chairperson Sheriff Vernon Stanforth, Commissioner Sergeant Mineard made a motion to appoint an Interim Chairperson.

MOTION

Sgt. Troy Mineard made the motion for Mr. Stephen Schumaker to act as Interim Chairperson for the meeting. Chief Clayton Harris seconded the motion. No discussion was forthcoming. A vote was taken and passed unanimously. Y-5, N-0, and Mr. Schumaker abstained from the vote.

Interim Chairperson Stephen Schumaker called the meeting to order at 10:17 a.m.
Sheriff Heldman led the Pledge of Allegiance.
Ms. Donna Long called the Roll Call.

Commission members present

Interim Chairperson, Mr. Stephen Schumaker
Sheriff Michael Heldman
Chief Kimberley Jacobs
Chief Clayton Harris
Colonel Paul Pride
Sgt. Troy Mineard

B. Guests and Staff

Attorney General's Office

Mr. Lou Agosta
Ms. Julia Brinksneider
Mr. James Burke
Mr. Jeff Clark

OPOTA Deputy Director
Attorney General's Office
OPOTA Director
OPOTC Staff

OHIO PEACE OFFICER TRAINING COMMISSION

Mr. Michael Cody
Ms. Mary Davis
Ms. Arienne Fauber
Mr. Justin Hykes
Ms. Donna Long
Mr. Mike McGreevy
Mr. John Reedy
Ms. Lori Rinehart
Ms. Alice Robinson-Bond
Ms. Lynnette Rodrigue
Mr. Eric Schaefer
Ms. Sarah Thomas
Ms. Brittany Thompson
Ms. Lori Wachtel

OPOTA Deputy Director
OPOTC Executive Director
OPOTC Staff
OPOTC Director
OPOTC Staff
OPOTC Staff
OPOTC Staff
OPOTC Staff
OPOTC Deputy Director
OPOTA Deputy Director
OPOTC Deputy Director
OPOTC Staff
OPOTC Staff
OPOTC Staff

Guests

Mr. Geoffery Barnard
Coordinator Richard Clausen
Captain Art Combest
Commander John J. Gocala, Sr.
Mr. Lee Graf
Mr. Mike Hild, Sr.
Commander Donald Kenney
Director Catherine Kieley
Mr. Mark King
Captain David Knight
Lieutenant David Matthews
Mr. Bob Meader
Mr. Joe Morbitzer
Ms. Lisa Murray
Commander Ernie Oergel
Mr. Timothy O'Haire
Commander Lt. Nathaniel Sheppard
Ms. Ruth Babel-Smith
Mr. Shawn Smith
Commander Jeff Sowards
Commander Mark Reef
Commander Ed Villone
Commander Paul Weber
Mr. Matt Wells
Commander Pete Willis

Cleveland Heights Police Academy
Kent State University
Ohio State Highway Patrol
Youngstown State University
Springfield Police Department
Greene Co. Criminal Justice Academy
Owens Community College
Kent State University
Owens Community College
Franklin County Sheriff Office
Dayton Police Department
Columbus Police Department
Westerville Police Department
Columbus Division of Police
Polaris Ranger Academy
Cleveland Heights Police Academy
Franklin County Sheriff Office
Owens Community College
Cleveland Police Department
Central Ohio Technical College
Owens Community College
Youngstown State University
Clark State Community College
Ohio Department of Education
Sinclair Community College

II. Chairperson Report

**Mr. Stephen Schumaker
Interim Chairperson**

Interim Chairperson Schumaker welcomed the guests and asked those in attendance to introduce themselves and then moved for approval of the minutes.

MOTION

Sheriff Heldman moved that the minutes of the January 14, 2016, meeting be approved. The motion was seconded by Sgt. Mineard. No discussion was forthcoming; a vote was taken and passed unanimously. Yes-6 / No-0 with 2-Absent: V. Stanforth and S. Anthony

III. Curriculum Committee

**Sgt. Troy Mineard
Committee Chairperson**

Curriculum Committee Chairperson, Sgt. Mineard stated the curriculum committee met at 9:00 a.m. this morning, March 10, 2016, prior to this meeting. Deputy Director Eric Schaefer referred to handouts each commissioner received, (**Addendums 1 & 2**) going through the highlighted curriculum changes.

Curriculum changes for July 1, 2016 included 6 programs and 39 lesson plans.

Peace Officer Basic Training - Total curriculum hours increased from 653 to 681

- **1-4 Community Diversity & Procedural Justice**
 - Effective July 1, 2016
 - The OPOTC recently approved this topic as 12 hours, but based on the feedback received from the instructors during the instructor update course, are asking to increase it to 16 hours.
- **2-2A Crimes Against Persons**
 - This is phase two of overhauling the legal lesson plans.
 - Topic merged with 2-2B Kidnapping & Extortion, 2-2C Sexual Assault, 2-2L Selected Offenses Against the Family, and the Hate Crimes section from 3-10 Community Diversity.
 - Topic will increase from a merged total of 9 hours to 20 hours.
 - The new format of the lesson plan is entirely student centered learning curriculum.
 - There will be a notice sent out to commanders and instructors on suggested tips for teaching the new lesson plan.
 - There will also be a video; we are working to have a webcast on demand for legal instructors to review.
- **3-1 Interacting with the Media**
 - Name change
 - Increase in hours to 3 hours
- **3-5 Child Abuse & Neglect**
 - Updated content and SPO(s)
 - Increase hours to 8, based on student centered learning curriculum.
- **8-1 Patrol Aspects & Overview**
 - Name change
- **8-5 Stops & Approaches**
 - Instructor updates are completed
 - Hours increased to 30.
 - Effective date of July 1, 2016.
- **8-9 Booking & Handling**
 - Name change
- **10-8 NHTSA SFST**
 - New NHTSA Instructor Manual released
 - Requiring 2 instructors during classroom (lecture portion)
 - After discussion (below), motion passed for emergency update, effective March 11, 2016.
- **12-1 Physical Fitness & Conditioning**
 - Updated to reflect the recent changes to the Cooper Standards percentiles.

Peace Officer Refresher Training

- **8-5 Stops & Approaches**

OHIO PEACE OFFICER TRAINING COMMISSION

- Will reflect 5 hours
-

Private Security Basic Training

- **2-3 Liability**
 - Now a mandatory topic
- **3-2 Crisis Intervention**
 - Asking for an instructor qualification change.
 - New instructors will need to complete the one day, Interacting with and De-escalating Special Needs Populations advanced training course.
 - Currently certificated Crisis Intervention Instructors will be grandfathered.

Corrections Basic Training

- **4-5 Community Diversity & Procedural Justice**
 - Based on feedback from the instructor course, topic will increase to 6 hours
 - Name change

Jailer Basic Training

- **4-5 Community Diversity & Procedural Justice**
 - Based on feedback from the instructor course, topic will increase to 6 hours
 - Name change

Humane Agent Basic Training – Lesson plan updates.

Firearm programs – safety officer

- OPOTC will no longer recognizing safety officers in any OPOTC regulated firearms program.
 - Requested that any school beginning on or after January 1, 2017, meet ratios by utilizing only OPOTC-approved firearm instructors.
 - In-Service Requalification instructor will not fulfill the ratio.
 - This will allow for a continuous flow of instruction to students both on and off the firing range. **(Addendum 1)**

Order of Topics

The final item to discuss was the order of topics. The Attorney General's Advisory Group on Law Enforcement Training made the recommendation that the OPOTC determine the proper order of topics taught in peace officer basic training. The OPOTC passed a motion to institute an order of topics to begin on July 1, 2016. Several schools have piloted the order. Based on the input from schools, some adjustments have been made. The revised order of topics, effective for all schools starting on or after July 1, 2016, are listed on last page of Addendum 1.

- **Highlights of major changes to the Order of Topics**
 - Topic 1-2 Introduction to Policing – **must be taught in first 80 hours**
 - Topic 1-3 Fundamentals of the Criminal Justice System - **must be taught in first 80 hours**
 - Topic 1-4 Community Diversity & Procedural Justice - **only needs to be started within the first 80 hours.**
 - Topic 1-5 Ethics & Professionalism - **must be taught in first 80 hours**
 - Topic 6-2 Impact Weapons – **can be started in conjunction with Topic 6-1 Subject Control Techniques.**

Interim Chairperson Schumaker asked for a general summary of the changes to the Cooper Standards for Topic 12-1 Physical Fitness and Conditioning.

Ms. Thomas, Law Enforcement Training Officer stated that basically the males 29 years of age and under and males 30-39 years of age under the 50th percentile numbers did not change. But, females did decrease in time for the 50th percentile numbers. **(Addendum 2)**

Interim Chairperson Schumaker asked if there were any discussions or motions from the curriculum committee. Sgt. Mineard stated that the curriculum committee was in agreement with the recommendations.

MOTION:

Sgt. Mineard motioned for the approval of the recommended basic training curriculum changes which would take effect on July 1, 2016, and also motioned for the approval of the recommended changes to the instructor qualification safety officer which would take effect on January 1, 2017. The motion was seconded by Chief Clayton Harris. After a brief discussion, a vote was taken and passed unanimously. Y-6, N-0.

DISCUSSION:

Sheriff Heldman asked what the number of hours would be for the corrections training academy. Mr. Schaefer and Ms. Thomas responded it would make the correction training academy 143 hours.

Commander Bob Meador asked how much subject control must be completed before impact weapons can be introduced. Mr. Schaefer responded it just needs to be started, and reflected on the calendar.

Commander Villone asked for the changes to NSTSA SFST, requiring 2 instructors be explained further. Mr. Schaefer explained the changes were from NSTSA's revised manual. Ms. Thomas stated since certification is from NSTSA, we follow their recommendations, which went into effect January 1, 2016.

Many commanders were concerned if an academy started in January 2016 and they already completed this training without the revised curriculum, are they required to re-train the cadets; are those who were trained in 2016 academies prior to receiving this information in violation of the NHTSA training? Other concerns were the hours added to the curriculum when some commanders felt it needed to be condensed. Commander Barnard and Officer Shawn Smith stated they currently use two instructors and felt it was a benefit with the training.

Chief Jacobs stated if we are doing the NHTSA curriculum according to the manual then you must follow it, if you aren't going to follow it, it cannot be called NHTSA training.

MOTION:

Sgt. Mineard motioned for topic 10-8 NHTSA SFST of the Peace Officer Basic Training curriculum be approved for an emergency update effective immediately. Chief Jacobs seconded the motion. After the discussion, a vote was taken and passed unanimously. Y-6, N-0.

Interim Chairperson Schumaker asked how soon the staff could have the updated curriculum available to the academies. Ms. Thomas responded they would probably have it available by March 11, 2016. Ms. Davis confirmed that the commission approved that schools which started on January 1, 2016, through today, if they have not completed the SFST topic yet, they have to present the new curriculum. If they have already completed the training, it is at their discretion if they want to redo the training with the new standard.

With nothing further to discuss, that concluded the Curriculum Committee report.

IV. Legislative Committee

**Chief Kim Jacobs
Committee Chairperson**

Legislative Committee Chairperson, Chief Jacobs stated she had nothing to report at this time. That concluded the Legislative Committee report.

V. House Committee

**Colonel Paul Pride
Committee Chairperson**

House Committee Chairperson, Colonel Pride asked if the commission would consider moving the July 14, 2016, meeting due to the opening of Republican National Convention and the possibility of a lack of a quorum. He suggested moving the meeting to June 9, 2016, making May/June back to back meetings.

Ms. Davis stated we will also be scheduling a couple 119 hearings. Jeff Clark replied today's hearing was continued and he is in the process of scheduling the 119 hearings in April and then after the May 10th meeting. Additional scheduling depending on further appeals; which we will expect, as we've placed a more critical eye on instructor decertification.

Interim Chairperson Schumaker asked if the OPOTC members could verify dates. Mr. Clark will work with the commissioners and we can set a special meeting. Mr. Hykes also reminded the commission they could cancel the July meeting, as the requirement is to have four meetings per year and six are currently scheduled. Mr. Clark informed the committee that they could add a special meeting when they meet on May 10th; if needed; the only requirement is 24 hour notice, although he recommends giving more notice.

MOTION:

Colonel Pride motioned that the July 14, 2016, OPOTC meeting be cancelled. The motion was seconded by Chief Jacobs. There was no discussion forthcoming; 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 Chairperson**

CPT Committee Chairperson, Sheriff Heldman stated that CPT requirements for 2016 are that non-OPOTA training must be approved for content and instructor qualifications. Since January, over 290 courses have been submitted for review, consisting of nearly 1,040 training hours and more than 250 instructors.

Ms. Davis stated this was a reflection on the added responsibility staff has been given with this CPT requirement. OPOTA added the *Policing in the 21st Century* course, an 8-hour course which covers 3 of the 4 critical subjects needed for reimbursement. The course is offered in person and on webcast. Over 2,000 officers have completed training through the January, February, and March offerings of the course; 1,500 were through the webcast. We are receiving very positive feedback.

Interim Chairperson Schumaker responded we didn't anticipate this many courses would be submitted for preapproval. With the increase, can staff continue with a reasonable turnaround time? Looking on down the road, what is our role as far as approving what the departments want to

teach and how it fits in? The Advisory Committee was very strong on coming up with a way to ensure some review for quality of training throughout the state. But, if we can't provide that in a timely manner due to overwhelming demand, we have a dilemma.

Sheriff Heldman suggested the webcast be made available as much as possible. With 30,000 plus officers to be trained, it's going to be difficult to get all the full and part time officers through the training. It will affect agencies, especially smaller agencies.

Ms. Davis responded we've had agencies with very qualified training staff ask for our curriculum. Their instructors have taken our courses, and teach them to their agencies. Due to concerns with the afternoon, midnight, and Saturday day shift officers, we have added three more sessions which will take place during those shifts and off hours. We will be teaching live and there is still that live interaction over the webcast.

This year our course is not mandatory, it is a convenient option which allows agencies to take advantage of the training. Mr. Hykes stated we have the capability to have 3,000 people watching the webcast at any one time. We are averaging 150-200 people signing in to watch them. Mr. Burke stated an agency could have one location with multiple officers, with one sign-in as a group. The sign-in sheet is required to be completed, turned in, and attendance recorded their training file.

Chief Jacobs responded it could be beneficial for agency training staff, if it was known before October 15th what training would be needed for the mandated training. Agencies prepare the following year's training schedule prior to this. It is the matter of setting up what will be mandated and announced earlier. If we could decide what those 20 hours will consist of, it would help staff to start preparing.

Mr. Clark took the opportunity to go over tips to assist in getting courses approved in a timely manner.

- Submit courses separately
- Use of OPOTA Lesson Plans for the critical subjects streamlines the process
- Submit application as far in advance as possible
- New fillable PDF form for the application
- All electronic submissions (faxing, scanning, or emailing) are faster than paper submissions
- Name, title, agency, and signature of the appointing authority on page 1
- Appointing authority is someone who actually appoints peace officers or troopers

Mr. Clark thanked the law enforcement training officers, the subject matter experts, and the certification staff who touch each one of these cases.

That concluded the Continuing Professional Training Report.

Staff Reports

VII. Commission And Academy Updates

**Executive Director
Mary Davis**

Ms. Davis reminded the commissioners of the financial disclosure forms which need to be completed and submitted by May 16th.

As you know the Training Academy and Commission are accredited. In the next couple weeks we will be having our re-accreditation assessment from March 21-23, 2016. If you have any questions or would like any information after the assessment, please get in touch with me. We will be having

a public call in as part of that re-assessment; Ms. Davis encouraged agencies to participate. A public notice will be going out to agencies.

Ms. Davis advised the commission that she would be in Washington, D.C. attending a one day event which is a forum of all POST directors of each state to start a discussion nationally on police training.

On Thursday, May 5th, we will have the Fallen Officers' Memorial Ceremony which all commissioners are asked to take part in. The family ceremony takes place at 10:30 a.m. and the ceremony begins at 11:00 a.m. Staff will be contacting the commissioners with information. For the first time, fallen canine officers will be honored.

The next item was an update of 119 hearings. There is a continued hearing to be rescheduled and a new hearing to schedule. A third is in the process of being settled with the attorney.

During the January meeting a question was brought up regarding U.S. Citizenship, training, and certification. Mr. Clark responded there is nothing prohibiting a non-citizen can take Peace Officer Basic Training and receiving certification. It depends on whether there are any specific prohibitions in local ordinances, resolution, city charter, etc., of the village, city, township, county, etc. and by virtue of not being a citizen, there are any state or federal weapons disqualifiers in regards to a non-citizen being hired by an agency.

In 1993, the Attorney General was asked these same questions. Mr. Clark provided a copy of the responding letter. **(Addendum 3)**

VIII. Old Business

**Mr. Stephen Schumaker
Interim Chairperson**

Mr. Hykes gave a review of Ohio law enforcement training. The first item is the drug screening which was passed in January 2016 to be effective July 1, 2016. We met with some commanders last week to work out the details of how the drug screening would be implemented. A document explaining the pre-entrance recommendations were given to the commissioners.
(Addendums 4 & 5)

- Pre-entrance Drug Screening
 - Effective July 1, 2016
 - 5 Panel drug screen
 - Paid for by the student or academy
 - Will be administrated by a licensed/certified testing facility, doctor's office, or hospital
 - Cut-off concentrations set by federal guideline
 - Test must be completed within 90 days of the academy start date
 - Result sent to the commander
 - Results provided to field agent at 21-day audit
 - New form to be completed
 - Failures – provide to commission for data collection for 6-12 months
 - Penalties for failures to be determined after data collection

Commander Villone asked what method of testing would be required. Mr. Hykes responded methods were not discussed; he assumed it would be urine, but it would be up to the lab. Commander Villone recently checked into the screening, finding that the saliva testing is one the cheaper and easier test to obtain with a quicker turn around. This test allows the commander to do

the collection of the saliva and sendoff to be tested, saving on the cost. Mr. Hykes stated he would be comfortable with that, but it is up to the commission.

Ms. Davis believes the group wanted to leave the specifics as general as possible. If there are certain threshold standards, if the cutoff thresholds are followed by what SAMHSA provides, and the analysis is completed by a hospital, a federally certified lab, or health department, it doesn't matter if it's blood, urine, or saliva, as long as the standards are met.

Mr. Schumaker attended the meeting and most of the commanders wanted nothing to do with the collection or anything. They wanted to be able to send them somewhere and have it all done. This drug screen will also test for metabolites, which depending on the substance can stay in the body for an extended amount of time. The results would be due prior to the start of the academy at the 21-day audit.

Mr. Hykes explained at the last meeting we discussed psychological exams, and truth verification testing. We are going to hold off and research to see if they are able to be mandated before an academy can start and what they will look like if we can mandate them. They will be presented at the May 12th OPOTC meeting.

Mr. Hykes moved to physical fitness assessment (PFA) referring to failures. In response to Chief Jacobs' request during the January 14th meeting for additional numbers regarding the failures, Mr. Hykes provided a PowerPoint slide with the compiled data. **(Addendum 6)**

Basically, the data of reviewed for year's 2012, 2013, and 2014. The number of students starting an academy versus the number who failed the academy. It's about 8-9 percent of the students who start and fail the final PFA assessment. The number of students failing versus every other skill topic that we test such as subject control, firearms, driving, and first-aid to name a few. The failure rating is much higher as shown in the handout. **(Addendum 6)** The number of students who failed the state certification examination versus the PFA, as illustrated on the handout. The PFA has a much higher rate of failure.

To recap, between 2012 and 2014 there were 584 students who failed their PFA; a total of 270-280 failed everything else. This is why the entrance standard is a big focus for us.



Commanders asked if the failures included the medical extensions. How many people failed the initial test, but passed at the end? Mr. Hykes stated it didn't include the medical extensions. The charts actually show the people who failed the test so there would be more failure if extensions were included.

One commander stated he had 14 students fail, 3 were due to medical extensions, which 1 has come off the medical extension and passed the test. Interim Chairperson Schumaker asked the commander if the medicals were related to an injury that accrued during the academy. His concern is that the lack of physical fitness of those entering the academies is contributing to the injury of those individuals, especially since he anticipates in the next several years there's going to be an increased emphasis in academies for hands-on, stressed-induced scenario based training, and advanced training. The real issue out there is the rate of injury as you ramp up this type of training. The main concern is the rate of injury due to individuals that are going into those academies that are not physically fit. That is significant, over and above how many fail in the end, the rate of injury and how the injuries are occurring is a big issue.

The commander stated two of those that were injured were in great physical shape before the injury. Which Mr. Schumaker commented, if they failed the PFA coming in, they weren't in the best shape.

The commanders expressed concern over the students who failed the initial test, but passed at the end. Some students miss by only a few sit-ups or push-ups, he doesn't see that as being unfit or unable to improve by the end of the academy.

Mr. Burke stated if a student fails the pre-entrance test, commanders can encourage them to practice and to be prepared for the next academy starting. That is not saying to the student you can't ever get into the academy.

Chief Jacobs stated it was her understanding that we didn't say how many times you had the opportunity to pass this test, if it's a matter of 3 sit-ups, you could test again in 3 days. We have not limited the number of opportunities for them to pass this pre-entrance test; your availability limits it.

Interim Chairperson Schumaker stated a November 2015 a survey indicated 69 percent of the academies right now have pre-entrance physical fitness test and the average standard used is 24th percentile of the Cooper Standard. Ms. Thomas explained this is the average of all the current entry standards.

Commander Barnhart stated having a pre-entrance test in place is not excluding anyone, they have additional work to do before they can get into the academy. Commander Hild asked that we start with a lower standard percentile.

Ms. Davis stated these were all valid points. We have met with a group of commanders and have a recommendation from the group of commanders. The review of these recommendations may help with the discussions.

➤ **Pre-entrance Physical Fitness Assessment (Addendum 4)**

- Effective January 1, 2017
- Must pass timed push-ups, timed sit-ups, and timed 1.5 mile run at 15th percentile of Cooper Institute Physical Fitness standards
- Be administered by the commanders and certified P.T. instructor, field agents do not have to be present
- Unlimited attempts
- Test must be completed within 90 days of the academy start date
- Result to be given to the field agents at the 21 day audit or 3 day audit
- Commission will reassess the effectiveness of 15th percentile standard at 18-24 months



Commanders asked about students taking the pre-entrance testing when they have no knowledge of what the Cooper Standards are. Ms. Thomas stated some states provide videos and/or documents for how to get ready for the physical fitness test on their state websites; she can see us coming together and providing something like that along with the Cooper video that was produced by OPOTA LETOs for the curriculum release in January 2016. Students would be able to come to the website and this information would be there for them to provide simple exercises, how to put together a run program and etc. Mr. Hykes stated the standards are already on our website under the how to become a peace officer.



A commander asked if they were to bring in a sworn applicant who had been hired, and they are past the 21 day deadline for the pre-entrance assessment, can they still get them in since they are sworn and meet that 15th percentile? Mr. Hykes responded yes, as long as the paperwork is done by that 3rd day.

After a brief discussion Mr. Hykes stated a proposal to the commission would be needed to make the pre-entrance physical standard effective January 1, 2017, at the 15th percentile to be completed within the 90-21 days prior to the start date; also, available by the 3-day audit. Interim Chairperson Schumaker stated they spoke about data collection for 18-24 months then re-assessing if needed, what are your thoughts on what assessments will be and how injury rates may key into them? Mr. Hykes stated in terms of data collection, we would continue to do what we're doing with the research we have done up to this point, collecting the forms, and keeping track of medical extensions. Chief Jacobs suggested that during the assessment that we continue to keep track of those who are testing at 15th, 30th, 40th percentiles, if we have that and see the impact at the end of the academies.

Chief Morbitzer stated very few injuries have anything to do with the requirements of the Cooper standards. What we are finding in military and FBI training curriculums is range of motion proposes the issues, some career ending injuries. When we speak about the academy experience, the ideal thing is to take individuals and develop programs to meet their needs. So, if we see in law enforcement lower back, shoulder, and knee injuries being the overall injuries, we need to focus on those. Interim Chairperson Schumaker asked if there was a need for us to put requirements into the physical fitness curriculum that would improve the injury rates on these types of injury you are speaking about. Is there anything this commission could do to help the situation? Chief Morbitzer stated yes, but it is a long and expensive process, because you are individualizing programs through qualified professionals looking at each individual. The question is what are you trying to accomplish? To get masses through the process or treating individuals the best we can to get them through the process? You need to look at how we can lead the way in the United States in conducting that kind of training. When looking at the range of motion issue, how you train people will have them coming to Ohio because of want what you are doing correctly here. It must be a life style change.

MOTION:

Chief Jacobs moved the commission accept the recommendations for the Physical Fitness Training at the 15th percentile as a pre-entrance standard. Sheriff Heldman seconded the motion. There was no further discussion. A vote was taken and passed unanimously. Motion passed. Y-6, N-0, and Absent-2

The next item to discuss was the additional criminal disqualifiers. Mr. Hykes referred to (Addendum 7) which each commissioner received.

- Highlights of additional criminal disqualifying offenses
 - The items in blue were suggestions made by the advisory group.
 - The items in yellow are already in place.
 - The items in white are other possibilities.

Chief Jacobs clarified they were for convictions. Ms. Davis confirmed yes. Mr. Hykes pointed out in the CCW section that it actually disqualifies anyone who has any drug offense convictions, misdemeanor or felony; unless sealed or expunged, it is permanent. This is something we can continue to look at in terms of setting time frames, above and beyond the suggestions of the advisory group.

Interim Chairperson Schumaker found it ironic that we disqualify individuals from a CCW permit, but yet we allow them to be police officers. There is something out of balance if we are saying that we don't trust a citizen under these circumstances to have a CCW permit, but yet we trust them to put on a badge and a gun on to go out and protect the public. That struck him as horribly wrong.

Interim Chairperson Schumaker asks what the commissioners desired.

MOTION:

Chief Harris made the motion to table the discussion to allow for further review and see what fits for what we are trying to accomplish. Sgt. Mineard seconded the motion. After a brief discussion a vote was taken and passed unanimously. Y-6, N-0, and 2-Absent

DISCUSSION: Sgt. Mineard asked about the process for other states, do they have other types of disqualifiers dealing with criminal convictions before starting an academy? Can we get input on disqualifiers for domestic violence and input from the agencies as far as what they consider misdemeanor data? Mr. Davis stated we have the Ohio agency data; it was included in the survey sent out to all agencies after the advisory group report was released. We would need to go back over it.

With nothing further to report, that concluded the Old Business.

IX. New Business

**Mr. Stephen Schumaker
Interim Chairperson**

Mr. Clark mentioned the following April dates are not available to the commission to process the 119 continuance, April 1st, April 15th, April 25th, April 26th, and April 27th. Mr. Clark will be contacting the commissioners to find a date that works for the hearing. A second hearing has been set for the afternoon of May 10th which is after the commission meeting. Interim Chairperson Schumaker recused himself from the Lampela hearing due to association with the case. Mr. Clark will contact the commissioners with available dates.

X. Guest Forum

**Mr. Stephen Schumaker
Interim Chairperson**

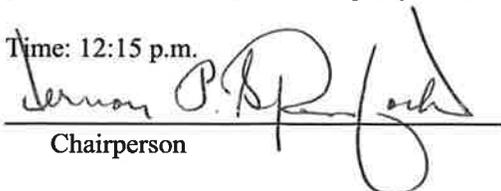
Chief Morbitzer suggested they wait for the last issue of criminal disqualifiers, there is a committee commissioned by the Ohio Legislative for recodification of the Ohio Revised Code which is in process right now. It could have a direct impact on hiring standards in regards to reclassification of certain crimes or possible elimination of certain types of crimes.

Interim Chairperson Schumaker asked if there was anything further to address. With nothing forthcoming, he asked for a motion to adjourn.

MOTION TO ADJOURN

Chief Jacobs moved to adjourn the meeting. Chief Harris seconded the motion. The vote passed unanimously. Meeting adjourned. Y-6, N-0 Absent-2

Time: 12:15 p.m.


Chairperson

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



Ohio Peace Officer Training Commission

1650 State Route 56, SW • P.O. Box 309 • London, Ohio 43140

Phone: 800-346-7682 • Fax: 866-393-1275

Basic Training Program Changes

July 1, 2016



Table of Contents

- Commission Meeting Curriculum Changes for July 1, 2016
 - Peace Officer Basic Training (BAS)
 - Peace Officer Refresher Training (REF)
 - Private Security Basic Training (PSA)
 - Corrections Basic Training (CBT)
 - Jailer Basic Training (JBT)
 - Humane Agent Training (HA)
- BAS035 Peace Officer Basic Training Audit Sheet
- REF030 Peace Officer Refresher Training Audit Sheet
- PSA033 Private Security Basic Training Audit Sheet
- CBT033 Corrections Basic Training Audit Sheet
- JBT032 Jailer Basic Training Audit Sheet
- HA (eff. July 1, 2016) Humane Agent Training Audit Sheet
- Firearms Programs Information
- Other Manual Updates
- Order of Topics



Commission Meeting Curriculum Changes for July 1, 2016

March 10, 2016

- Includes 6 programs and 39 lesson plans

Peace Officer Basic Training – Curriculum Code BAS035

- Total curriculum hours increased from 653 to 681

1-4 Community Diversity & Procedural Justice

- Previously OPOTC-approved topic for implementation July 1, 2016
- Content finalized; included feedback from the instructor course update
- Topic will be 16 hours

1-5 Ethics & Professionalism

- Updated content and SPO(s)

2-2A Crimes Against Persons

- Topic merged with 2-2B Kidnapping & Extortion, 2-2C Sexual Assault, 2-2L Selected Offenses Against the Family, and the Hate Crimes section from 3-10 Community Diversity
- New content and SPO(s)
- New lesson plan format that is more interactive for the student
- No instructor update required; however, an informational letter to instructors will be sent and an instructional video will be recorded for on-demand webinar viewing explaining the new format
- Topic will increase from a merged total of 9 hours to 20 hours

2-2B Kidnapping and Extortion

- Topic merged with 2-2A Crimes Against Persons
- Topic deleted

2-2C Sexual Assault

- Topic merged with 2-2A Crimes Against Persons
- Topic deleted



MIKE DEWINE

★ OHIO ATTORNEY GENERAL ★



Ohio Peace Officer Training Commission
Office 800-346-7682
Fax 740-845-2675

P.O. Box 309
London, OH 43140
www.OhioAttorneyGeneral.gov

2-2L Selected Offenses Against the Family

- Topic merged with 2-2A Crimes Against Persons
- Topic deleted

2-2M Offenses Against Justice & Public Administration

- Legal update
- Removed a case that was overturned December 31, 2015

2-6 Civil Liability & Use of Force

- Updated case description on Worksheet #6A

3-1 Interacting with the Media

- Name change; formerly 3-1 Public Relations
- Updated content and SPO(s)
- Increase in hours to 3; previously 2

3-4 Crisis Intervention

- Updated SPO#3

3-5 Child Abuse & Neglect

- Updated content and SPO(s)
- Increase in hours to 8; previously 6

3-10 Community Diversity

- Topic merged with 1-4 Community Diversity & Procedural Justice
- Topic deleted

8-1 Patrol Aspects & Overview

- Name change; formerly 8-1 Patrol Techniques
- Updated content and SPO(s)

8-4 Building Searches

- Updated content and SPO(s)



MIKE DEWINE

★ OHIO ATTORNEY GENERAL ★



Ohio Peace Officer Training Commission
Office 800-346-7682
Fax 740-845-2675

P.O. Box 309
London, OH 43140
www.OhioAttorneyGeneral.gov

8-5 Stops & Approaches

- Previously OPOTC-approved for implementation July 1, 2016
- Content finalized; included feedback from the instructor course update
- Increase in hours to 30; previously 20

8-6 Vehicle Theft & Identification

- Updated content and SPO(s)

8-7 Gang Awareness

- Updated content and SPO(s)

8-9 Booking & Handling

- Name change; formerly 8-9 Prisoner Booking & Handling
- Updated content and SPO(s)

9-1 Civil Disorders

- Updated content and SPO(s)

10-8 NHTSA SFST

- New NHTSA Instructor Manual released
- Updated content
- 2 instructors required during classroom (lecture) portion

12-1 Physical Fitness & Conditioning

- Updated to reflect recent changes to the Cooper Standards percentiles

Peace Officer Refresher Training – Curriculum Code REF030

2-6 Civil Liability & Use of Force

- Updated case description on Worksheet #5A

8-5 Stops & Approaches

- Previously OPOTC-approved for implementation July 1, 2016
- Content finalized; included feedback from the instructor course update



Private Security Basic Training – Curriculum Code PSA033

2-3 Liability

- Updated content and SPO(s)
- Now a mandatory topic; previously was non-mandatory

3-2 Crisis Intervention

- Updated content and SPO(s)
- After July 1, 2016, new instructors will need to complete the one day Interacting with and De-escalating Special Needs Populations advanced training course. Instructors who are currently certified as a Crisis Intervention Instructor are grandfathered in.

3-7 Community Diversity & Procedural Justice

- Updated content and SPO(s)
- Name change; formerly 3-7 Community Diversity
- Increase in hours to 6; previously 4

6-1 Fire Safety

- Updated content and SPO(s)

6-2 Occupational Safety

- Updated content and SPO(s)

6-4 Crowd Control

- Updated content and SPO(s)

9-1 Revolver

- Updated content and SPO(s)

9-2 Semi-Auto

- Updated content and SPO(s)

9-3 Shotgun

- Updated content and SPO(s)



MIKE DEWINE

★ OHIO ATTORNEY GENERAL ★



Ohio Peace Officer Training Commission
Office 800-346-7682
Fax 740-845-2675

P.O. Box 309
London, OH 43140
www.OhioAttorneyGeneral.gov

Corrections Basic Training – Curriculum Code CBT033

4-5 Community Diversity & Procedural Justice

- Updated content and SPO(s)
- Name change; formerly 4-5 Community Diversity
- Increase in hours to 6; previously 4

Jailer Basic Training – Curriculum Code JBT032

4-5 Community Diversity & Procedural Justice

- Updated content and SPO(s)
- Name change; formerly 4-5 Community Diversity
- Increase in hours to 6; previously 4

Humane Agent Basic Training – HA

Topic 1 Ethics & Professionalism

- Updated content and SPO(s)
- Decrease in hours to 2; previously 3

Topic 2 Legal Issues

- Updated content and SPO(s)
- Increase in hours to 9; previously 7

Topic 3 Investigations

- Updated content and SPO(s)
- Increase in hours to 7; previously 6

Topic 4 Animal Husbandry, Health, & Wellness

- Updated content and SPO(s)
- Name change; formerly Animal Husbandry

Topic 5 Report Writing

- Updated content and SPO(s)



MIKE DEWINE

★ OHIO ATTORNEY GENERAL ★



Ohio Peace Officer Training Commission
Office 800-346-7682
Fax 740-845-2675

P.O. Box 309
London, OH 43140
www.OhioAttorneyGeneral.gov

Information for All Firearms Programs

It is the OPOTC's responsibility to supply curriculum and procedures that promote the highest level of student success possible, as well as a safe learning environment. In order to ensure the highest quality instruction for the student by experienced firearms instructors, OPOTC is no longer recognizing safety officers in any OPOTC regulated firearms program. Therefore, any school beginning on or after **January 1, 2017**, will meet ratios by utilizing only OPOTC-approved Firearms instructors. (In-service Requalification instructors will not fulfill the ratio). This will allow for a continuous flow of instruction to students both on and off the firing line.

Other Manual updates

- To ease and streamline the record keeping process, documents will need to be submitted in a more uniform manner. The manuals will have more information.
- Various forms will be updated, including the Medical Extension Physical Assessment Request form.
- AHA ratios for First Aid/CPR/AED will be standardized.
- Instructors who are required to have non-OPOTC certifications must let Commanders know if their credentialing organizations require an update.



MIKE DEWINE

★ OHIO ATTORNEY GENERAL ★



Ohio Peace Officer Training Commission
Office 800-346-7682
Fax 740-845-2675

P.O. Box 309
London, OH 43140
www.OhioAttorneyGeneral.gov

Order of Topics

The Attorney General's Advisory Group on Law Enforcement Training also made a recommendation that the Ohio Peace Officer Training Commission determine the proper order of topics taught in Peace Officer Basic Training, and that all academies be required to follow that order. As you are aware, the OPOTC passed a motion to institute an order of topics to begin on July 1, 2016. Several schools have piloted the order. After receiving input from schools, some adjustments have been made and below is the order of topics, effective for all schools starting on or after July 1, 2016.

Unit 1	
1-1 Introduction to Basic Training	Must be taught first
1-2 Introduction to Policing 1-3 Fundamentals of the Criminal Justice System 1-4 Community Diversity & Procedural Justice 1-5 Ethics & Professionalism	All four must be taught in the first 80 hours of the academy, but may be taught in any order (1-4 Community Diversity & Procedural Justice needs to be <u>started</u> within the first 80 hours and <u>finished before</u> 8-1 Patrol Aspects & Overview)
1-7 Fundamentals of Report Writing	Must be taught <u>before</u> 2-7 Testifying in Court
Unit 2	
2-1 Introduction to the Ohio Revised Code	Must be taught <u>first</u> out of any topic in Unit 2
2-3 Arrest, Search, & Seizure	Must be taught <u>before</u> 2-6 Civil Liability & Use of Force
2-6 Civil Liability & Use of Force	Must be taught <u>after</u> : 2-3 Arrest, Search, & Seizure and <u>before</u> : 6-1 Subject Control Techniques 6-2 Impact Weapons 8-1 Patrol Aspects & Overview 8-5 Stops & Approaches
2-7 Testifying in Court	Must be taught <u>after</u> 1-7 Fundamentals of Report Writing



MIKE DEWINE

★ OHIO ATTORNEY GENERAL ★



Ohio Peace Officer Training Commission
Office 800-346-7682
Fax 740-845-2675

P.O. Box 309
London, OH 43140
www.OhioAttorneyGeneral.gov

Unit 6	
6-1 Subject Control Techniques	Must be taught <u>after</u> : 2-3 Arrest, Search, & Seizure 2-6 Civil Liability & Use of Force
6-2 Impact Weapons	Cannot be <u>started until</u> after 6-1 Subject Control Techniques has <u>started</u>
Unit 7	
7-1 First Aid, CPR, & AED	Must be taught <u>before</u> 7-2 Critical Injury First Aid
Unit 10	
10-1 Introduction to Traffic	Must be taught <u>first</u> out of any topic in Unit 10
10-2 Motor Vehicle Offenses	Must be taught <u>before</u> 10-5 Uniform Traffic Ticket
10-7 Traffic Direction & Control	Must be taught <u>before</u> 10-4 Traffic Crash Investigation
Unit 11	
11-4 Police Photography	Must be taught <u>before</u> : 10-4 Traffic Crash Investigation 11-1 Crime Scene Investigation



MIKE DEWINE

★ OHIO ATTORNEY GENERAL ★



Ohio Peace Officer Training Commission
Office 800-346-7682
Fax 740-845-2675

P.O. Box 309
London, OH 43140
www.OhioAttorneyGeneral.gov

DRAFT

BASIC TRAINING PHYSICAL ASSESSMENT FORM

School Name: _____ School #: _____

Student's Name: _____
(Last) (First) (Middle)

Previous Name(s) or Alias: _____

Sex: _____ M _____ F DOB: _____ Age: _____

Initial Assessment Date: _____ Final Assessment Date: _____ Retest Date: _____

Status at Final Assessment: _____ Appointed _____ Open Enrollment

Age and Gender Minimum Scores					Initial Assessment	Final Assessment (Score/P-F)	Retest (Score/P-F)
	Males (<29)		Females (<29)				
	15%	50%	15%	50%			
Sit-ups (1 min.)	32	40	23	35			
Push-ups (1 min.)	19	33	9	18			
1.5 Mile Run	14:334	11:58	17:4953	14:0715			
	Males (30-39)		Females (30-39)				
	15%	50%	15%	50%			
Sit-ups (1 min.)	28	36	18	27	# Sit-ups Completed	# Sit-ups Completed	# Sit-ups Completed
Push-ups (1 min.)	15	27	7	14			
1.5 Mile Run	15:134	12:25	18:379:01	14:345:14			
	Males (40-49)		Females (40-49)				
	15%	50%	15%	50%			
Sit-ups (1 min.)	22	31	13	22	# Push-ups Completed	# Push-ups Completed	# Push-ups Completed
Push-ups (1 min.)	10	21	5	11			
1.5 Mile Run	15:586:09	13:1105	19:3220:49	15:246:13			
	Males (50-59)		Females (50-59)				
	15%	50%	15%	50%			
Sit-ups (1 min.)	17	26	7	17	1.5 Mile Time	1.5 Mile Time	1.5 Mile Time
Push-ups (1 min.)	7	15	4 (modified)	13 (modified)			
1.5 Mile Run	17:388:22	14:1633	22:6321:31	17:1318:05			
	Males (60+)		Females (60+)				
	15%	50%	15%	50%			
Sit-ups (1 min.)	13	20	2	8	OVERALL (P/F)	OVERALL (P/F)	OVERALL (P/F)
Push-ups (1 min.)	5	15	1 (modified)	8 (modified)			
1.5 Mile Run	20:124:34	15:566:19	25:0223:32	18:5220:08	15% (Y/N)		

Students must pass each event, at the minimum 50th percentile of the Cooper Institute standards, in order to be eligible for the state certification exam.

Fitness Specialist Signature Date

Commander Signature Date

Fitness Specialist Signature Date

Commander Signature Date

Fitness Specialist Signature Date
SF195bas Effective 07/01/2015

Commander Signature Date

July 7, 1993

OPINION NO. 93-013

Colonel Thomas W. Rice, Chairman
Ohio Peace Officer Training Council
P. O. Box 309
London, Ohio 43140

Dear Colonel Rice:

You have requested an opinion on the following questions:

1. In determining whether to issue a certificate under R.C. 109.75(C), does the Ohio Peace Officer Training Council or the Executive Director have the authority to consider whether an applicant possesses any required qualifications as the holder of a public office under Ohio Const. art. XV, §4, and therefore of an elector under Ohio Const. art. V, §1?
2. If the answer to (1) is yes, is a municipal peace officer commissioned by a home rule city (Ohio Const. art. XVIII), who serves in the classified service of the municipality, the holder of a "public office" within the meaning of Ohio Const. art. XV, §4?

Your letter specifically asks whether the executive director's power to issue certificates under R.C. 109.75(C) authorizes him, in determining whether to issue such a certificate, to consider whether an applicant possesses the qualifications required by Ohio Const. art. XV, §4 to hold public office. Information accompanying your opinion request indicates that your concern has arisen with respect to certification of a person who wishes to serve as a municipal police officer. This opinion will, therefore, focus on certification under R.C. 109.75(C), as applicable to persons seeking to serve as municipal police officers.

Executive Director's Authority Under R.C. 109.75(C)

R.C. 109.71 creates the Peace Officer Training Council in the office of the Attorney General. R.C. 109.73(B) requires the Council to appoint an executive director, with the approval of the Attorney General; the director "shall hold office during the pleasure of the council." Your first question concerns the scope of the executive director's certification authority under R.C. 109.75(C),

which requires the executive director to "certify peace officers¹ and sheriffs *who have satisfactorily completed basic training programs and to issue appropriate certificates* to these peace officers and sheriffs" (emphasis and footnote added).

As stated in *Slingluff v. Weaver*, 66 Ohio St. 621, 627, 64 N.E. 574, 576 (1902): "Statutes... should be read and understood according to the natural and most obvious import of the language, without resorting to subtle and forced constructions for the purpose of either limiting or extending their operation." According to the plain language of R.C. 109.75(C), the certificates issued thereunder by the executive director certify that the recipient has satisfactorily completed an appropriate basic training program, e.g., a program for peace officers under R.C. 109.77 or a program for sheriffs under R.C. 109.80.² A person's qualification to hold a public office, as prescribed by Ohio Const. art. XV, §4 and art. V, §1, to the extent it may be applicable to a particular peace officer position,³ is not, however, a prerequisite to satisfactory completion of an approved basic peace officer training program. Thus, the executive director has no reason to consider such qualifications in determining whether to issue a certificate under R.C. 109.75(C).

The argument has been raised that, in deciding whether to issue a certificate under R.C. 109.75(C), the executive director of the Peace Officer Training Council must determine whether the person seeking certification is qualified under Ohio Const. art. XV, §4 to hold public office, since possession of such qualifications may be necessary for appointment to a particular peace officer position. *See*, note 3, *supra*. Examination of the definition of peace officer, set forth in R.C. 109.71(A), however, leads to the conclusion that certification by the executive director of the Peace Officer Training Council under R.C. 109.75(C) attests only to the person's satisfactory completion of a basic peace officer training program, and not to possession of any other qualifications that might be needed for appointment to a particular peace officer position.

¹ As used in R.C. 109.71 - .77, the term "peace officer" encompasses numerous positions, including a "member of the organized police department of a ... municipal corporation." R.C. 109.71(A)(1).

² R.C. 109.78 provides for the issuance of various other types of certificates. R.C. 109.78(A) authorizes the issuance of certificates to persons "who have satisfactorily completed approved training programs designed to qualify persons for positions as special policemen, security guards, or persons otherwise privately employed in a police capacity." R.C. 109.78(B) concerns firearms qualification and requalification training programs. R.C. 109.78(D) prohibits certain entities from employing persons in positions involving the carrying of firearms while on duty, with certain exceptions, unless the person has "received a certificate of having satisfactorily completed an approved basic peace officer training program." This statute does not apply, however, to the certification of municipal police officers, the group with which you are concerned.

³ The qualifications set forth in Ohio Const. art XV, §4 apply only to public officers. This opinion does not address whether a person must possess such qualifications in order to be appointed to any of the various peace officer positions described in R.C. 109.71(A).

R.C. 109.71(A) defines the term "peace officer," as used in R.C. 109.71 -.77, as meaning:

- (1) A deputy sheriff, marshal, deputy marshal, member of the organized police department of a township or municipal corporation, member of a township police district or joint township police district police force, member of a police force employed by a metropolitan housing authority under [R.C. 3735.31(D)], or township constable, who is commissioned and employed as a peace officer by a political subdivision of this state or by a metropolitan housing authority, and whose primary duties are to preserve the peace, to protect life and property, and to enforce the laws of this state, ordinances of a municipal corporation, resolutions of a township, or regulation of a board of county commissioners or board of township trustees, or any such laws, ordinances, or regulations;
- (2) A policeman who is employed by a railroad company and appointed and commissioned by the governor pursuant to [R.C. 4973.17 -.22];
- (3) Employees of the department of taxation engaged in the enforcement of [R.C. Chapter 5743] and designated by the tax commissioner for peace officer training for purposes of the delegation of investigation powers under [R.C. 5743.45];
- (4) An undercover drug agent;
- (5) Liquor control investigators in the enforcement division and the intelligence division of the department of liquor control engaged in the enforcement of [R.C. Chapter 4301];
- (6) An employee of the department of natural resources who is a park officer designated pursuant to [R.C. 1541.10], a forest officer designated pursuant to [R.C. 1503.29], a preserve officer designated pursuant to [R.C. 1517.10], a game protector designated pursuant to [R.C. 1531.13], or a state watercraft officer designated pursuant to [R.C. 1547.521];
- (7) An employee of a park district who is designated pursuant to [R.C. 511.232 or R.C. 1545.13];
- (8) An employee of a conservancy district who is designated pursuant to [R.C. 6101.75];
- (9) A police officer who is employed by a hospital that employs and maintains its own proprietary police department or security department, and who is appointed and commissioned by the governor pursuant to [R.C. 4973.17 -.22];
- (10) Ohio veterans' home policemen designated under [R.C. 5907.02];
- (11) A police officer who is employed by a qualified nonprofit corporation police department pursuant to [R.C. 1702.80];
- (12) A state university law enforcement officer appointed under [R.C. 3345.04];
- (13) A special policeman employed by the department of mental health pursuant to [R.C. 5119.14] or the department of mental retardation and developmental disabilities pursuant to [R.C. 5123.13];
- (14) A member of a campus police department appointed under [R.C. 1713.50].

This definition encompasses numerous positions in the service of a variety of employers, including

departments of state, county, and local government. Thus, the qualifications necessary to hold these positions will vary. For example, municipal ordinances, statutes, or constitutional provisions may govern appointment to particular positions. Nothing in the language of the statutes governing the operation of the Peace Officer Training Council indicates that the General Assembly intended to impose upon the Council the burdensome task of certifying that each person who seeks to serve in any capacity as a peace officer under R.C. 109.71(A) meets all of the particular qualifications necessary to hold that position. Rather, since the Peace Officer Training Council oversees only the basic training requirement for service as a peace officer, it follows that the certificate issued by the Council attests only to the recipient's satisfactory completion of basic training. Thus, neither the Peace Officer Training Council nor its executive director is authorized, when determining whether to issue a certificate under R.C. 109.75(C), to consider whether an individual holds the qualifications required by Ohio Const. art. XV, §4 and art. V, §1 to hold public office.⁴

In light of the answer to your first question, it is not necessary for this opinion to address your second question concerning whether a municipal peace officer is a public officer for purposes of Ohio Const. art. XV, §4.

Conclusion

Based on the foregoing, it is my opinion, and you are hereby advised, that R.C. 109.75(C) does not authorize either the Peace Officer Training Council or its executive director to consider whether a person possesses the qualifications needed to hold public office, as established by Ohio Const. art. XV, §4 and art. V, §1, in determining whether to issue that person a certificate of satisfactory completion of an approved basic peace officer training program.

⁴ Further support for this conclusion may be found in the following rule concerning certification of peace officers:

(A) Upon certification by the commander showing that a peace officer has satisfactorily completed the basic course, a written certificate of satisfactory completion shall be issued to such peace officer by the executive director....

(B) *Receipt of the certificate by a peace officer shall be considered as fulfillment of only one of the conditions of probation and shall not be construed as a limitation of the discretionary power of the appointing officer to terminate the services of an otherwise unsatisfactory probationer.* (Emphasis added.)

¹ Ohio Admin. Code 109:2-1-07. As with the language of R.C. 109.75(C), the plain language of rule 109:2-1-07(A) acknowledges that certification by the executive director attests only to satisfactory completion of a basic peace officer training program. Similarly, the language of rule 109:2-1-07(B) acknowledges that certification attests to only one criteria, *i.e.*, satisfactory completion of a basic peace officer training program, needed for permanent appointment to a position as a peace officer.

Colonel Thomas W. Rice, Chairman

-5-

Respectfully,

LEE FISHER
Attorney General

July 7, 1993

Colonel Thomas W. Rice, Chairman
Ohio Peace Officer Training Council
P. O. Box 309
London, Ohio 43140

SYLLABUS:

93-013

R.C. 109.75(C) does not authorize either the Peace Officer Training Council or its executive director to consider whether a person possesses the qualifications needed to hold public office, as established by Ohio Const. art. XV, §4 and art. V, §1, in determining whether to issue that person a certificate of satisfactory completion of an approved basic peace officer training program.



MIKE DEWINE

★ OHIO ATTORNEY GENERAL ★



Ohio Peace Officer Training Commission
Office 800-346-7682
Fax 740-845-2675

P.O. Box 309
London, OH 43140
www.OhioAttorneyGeneral.gov

Pre-Entrance Recommendations for March 10, 2016 OPOTC meeting

1. Pre-entrance Drug Screen

- Effective July 1, 2016
- Candidates must pass a 5-panel drug screen
 - Paid for by student or academy
 - Administered by licensed/certified testing facility, doctor's office, or hospital
 - Cut-off concentrations set by federal guidelines developed by Substance Abuse and Mental Health Services Administration (see attached)
- Test must be completed within 90 days of the academy start date
 - Results sent to academy commander
 - Results provided to field agent at 21 day audit
- Failures
 - Provided to the Commission for 6-12 months for data collection purposes
 - After period of data collection, Commission will determine any penalties for failures

2. Pre-entrance Physical Fitness Assessment

- Effective January 1, 2017
- Candidates must pass timed push-ups, timed sit-ups, and timed 1.5 mile run at 15th percentile of Cooper Institute Physical Fitness standards
 - Administered by the commander and a certified PT instructor
- Test must be completed within 90 days of the academy start date
 - Results provided to field agent at 21 day audit
- Commission will reassess the effectiveness of 15th percentile standard after 18-24 months

Analytes and Their Cutoffs

Effective Date: October 1, 2010

Reference: Federal Register, November 25, 2008 (73 FR 71858), Section 3.4

Initial test analyte	Initial test cutoff concentration	Confirmatory test analyte	Confirmatory test cutoff concentration
Marijuana metabolites	50 ng/mL	THCA ¹	15 ng/mL
Cocaine metabolites	150 ng/mL	Benzoylecgonine	100 ng/mL
Opiate metabolites Codeine/Morphine ²	2000 ng/mL	Codeine Morphine	2000 ng/mL 2000ng/mL
6-Acetylmorphine	10 ng/mL	6-Acetylmorphine	10 ng/mL
Phencyclidine	25 ng/mL	Phencyclidine	25 ng/mL
Amphetamines ³ AMP/MAMP ⁴	500 ng/mL	Amphetamine Methamphetamine ⁵	250 ng/mL 250 ng/mL
MDMA ⁶	500 ng/mL	MDMA MDA ⁷ MDEA ⁸	250 ng/mL 250 ng/mL 250 ng/mL

¹ Delta-9-tetrahydrocannabinol-9-carboxylic acid (THCA).

² Morphine is the target analyte for codeine/morphine testing.

³ Either a single initial test kit or multiple initial test kits may be used provided the single test kit detects each target analyte independently at the specified cutoff.

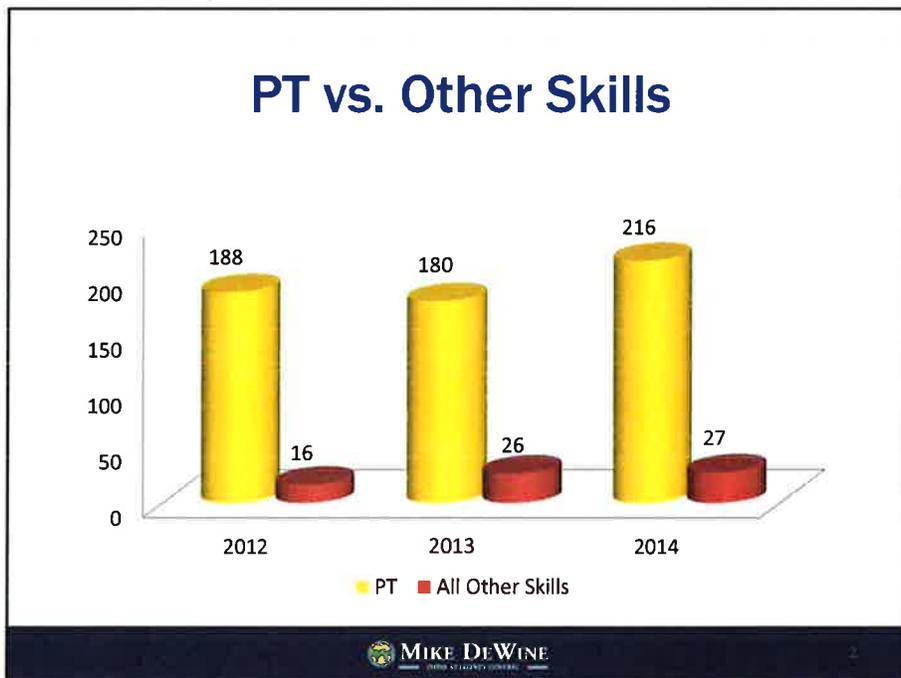
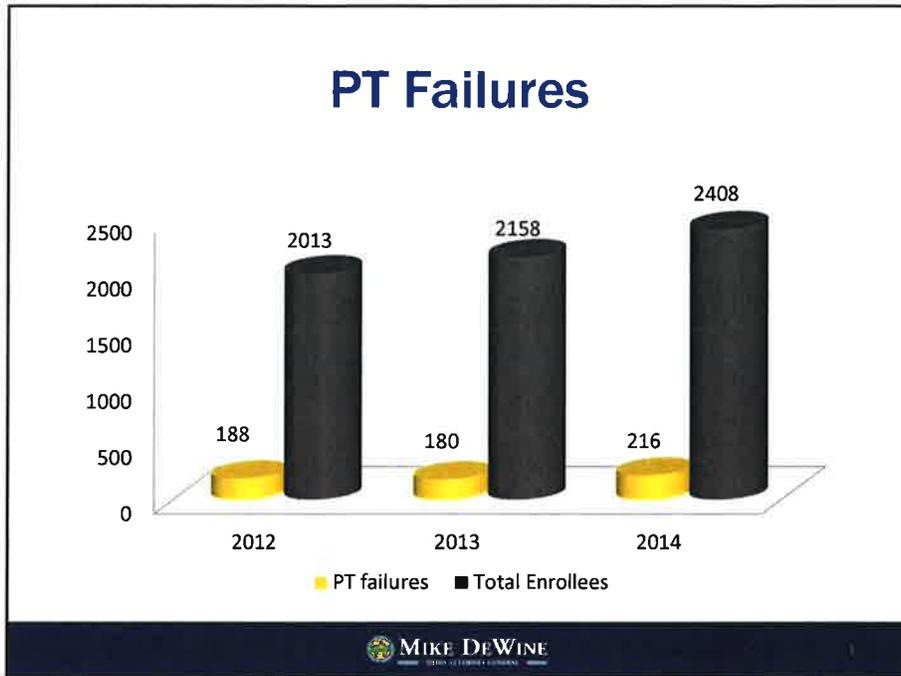
⁴ Methamphetamine is the target analyte for amphetamine/methamphetamine testing.

⁵ To be reported as positive for methamphetamine, a specimen must also contain amphetamine at a concentration equal to or greater than 100 ng/mL.

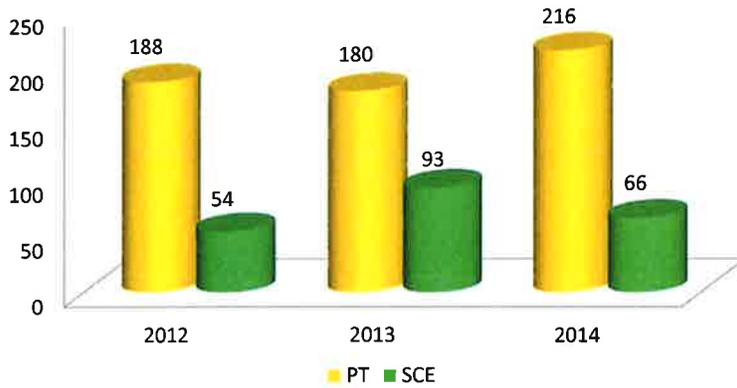
⁶ Methylenedioxymethamphetamine (MDMA).

⁷ Methylenedioxyamphetamine (MDA).

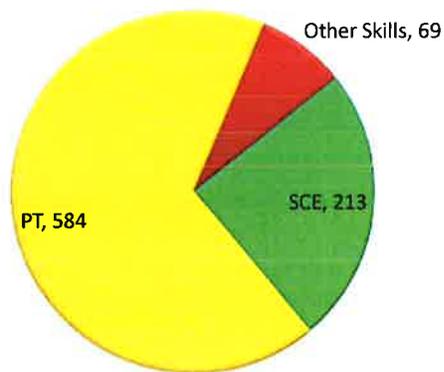
⁸ Methylenedioxyethylamphetamine (MDEA).



PT vs. State Certification Exam



PT vs. Everything 2012 - 2014



Additional criminal disqualifying offenses recommended by the Advisory Group

Misdemeanor Sex Offenses	Misdemeanor Offenses of Violence
2907.04 Unlawful Sexual Conduct with a minor	2903.13 Assault
2907.06 Sexual Imposition	2903.21 Aggravated Menacing
2907.08 Voyeursim	2903.211 Menacing by Stalking
2903.211 Menacing by Stalking	2903.22 Menacing
2905.03 Unlawful Restraint	2909.03 Arson (<\$1000)
2905.05 Criminal Child Enticement	2917.01 Inciting to Violence
	2917.03 Riot
	2917.31 Inducing Panic
	2919.22 Endangering Children
	2919.25 Domestic Violence
	2921.04(A) Intimidation of a Victim or Witness
	2921.34 Escape

CCW Specific Disqualifiers pursuant to 2923.125(D)

	Fugitive from justice
	Felony conviction/guilty plea/juvenile adjudication
	Felony charge/indictment
	Indictment/charge/conviction/guilty plea/juvenile adjudication for an offense under chapters 2925, 3719, or 4729 involving a drug of abuse
	Under indictment for a misdemeanor offense of violence
	Under indictment for 2903.14 (Negligent Assault)
	Under indictment for 2923.1211 (falsification of a ccw permit)
	2903.13 (Assault) conviction/guilty plea/ juvenile adjudication if victim was a peace officer
	Under adjudication of mental incompetence, adjudicated mentally defective, committed to a mental institution, found by a court to be a mentally ill person subject to hospitalization by court order, or is an involuntary patient other than for purposes of observation
	Subject to a protection order
	Subject to a suspended CCW license pursuant to 2923.128
	Misdemeanor offense of violence conviction/guilty plea/juvenile adjudication other than 2921.33 (Resisting Arrest), or 2903.13 if victim was a peace officer
Within 3 years of application	2923.1211
Within 5 years of application	2 or more convictions/guilty pleas/juvenile adjudications for 2903.13 or 2903.14
Within 10 years of application	Conviction/guilty plea/juvenile adjudication for 2921.33 (resisting arrest)

Misdemeanor Theft Offenses

2913.02 Theft (under \$1000)	2913.40 Medicaid Fraud (<\$1000)
2913.03 Unauthorized use of a motor vehicle	2913.401 Medicaid Eligibility Fraud (<\$1000)
2913.04 Unauthorized use of property	2913.42 Tampering with Records
2913.07 Motion Picture Piracy (1st offense)	2913.43 Securing Writings by Deception (<\$1000)
2913.11 Passing Bad Checks (<\$1000)	2913.44 Personating an Officer
2913.21 Misuse of Credit Cards (<\$1000)	2913.441 Unlawful Display of Law Enforcement Emblem
2913.31(B) Forgery	2913.45 Defrauding Creditors (<\$1000)
2913.32 Criminal Simulation (<\$1000)	2913.47 Insurance Fraud (<\$1000)
2913.33 Making or Using Slugs	2913.48 Workers' Comp Fraud (<\$1000)
2913.34(A)(2-5) Trademark Counterfeiting	2913.51 Receiving Stolen Property (<\$1000)