I. OPENING

A. CALL TO ORDER

Chairperson Vernon Stanforth called the meeting to order at 10:00 a.m. Colonel Pride led the Pledge of Allegiance. Ms. Donna Long called the Roll Call.

COMMISSION MEMBERS PRESENT

Chairperson Sheriff Vernon P. Stanforth
Sheriff Michael Heldman
Sergeant Troy Mineard
Mr. Willis Amweg
Chief David Wiseman
Mr. Stephen Schumaker
Colonel Paul Pride
SAC Stephen Anthony

B. GUESTS AND STAFF PRESENT

ATTORNEY GENERAL'S OFFICE

Jeff Clark
Brodie Conover
Jill Del Greco

Attorney General's Office
Attorney General's Office
Attorney General's Office

GUESTS AND STAFF

Mary Ellen Aukerman
Geoffrey Barnard
John Burdette

Medina Co. L.E.T.A.
Cleveland Heights P.D.
Washington State C.C.
II. **OLD BUSINESS**  

Chairperson Sheriff Vernon Stanforth

Chairperson Stanforth stated the purpose of this special meeting was to address the items on the agenda. These things may transpire before the next scheduled Commission meeting, allowing us to stay on top of things and keeping things moving. The plan is to move forward by identifying the issues and to discuss the related topics.

We will go into the old business immediately and start reviewing some of the law enforcement training issues that have been discussed and actually put them out into public forum and start discussing, working, and massaging them and finding out where we really need to be with some of these issues.

Chairperson Stanforth asked Ms. Davis to lead the discussion as to what the staff is doing between interim meetings and try to bring us up to date on some issues as well as give us an idea of where we might need to go. We will open this up for discussion as we go.
Ms. Davis stated the first few items to discuss were updates; which were covered in the May 14, 2015 meeting.

We have updated the 2012-2014 Annual Reports with new calculations which are now completed and will be posted on-line. Commander Mike Hild stated he had 40 students in his fall academy; one was tragically killed in a car accident, one left to go to another academy because he was hired to go there, and another one left for another academy. They were all on his three day paperwork, do those count against him on the final. Ms. Davis responded in the three examples given, they would be recorded as a drop on the annual report because they didn’t fail out because of the skill topic and would not be held against him. The new calculations are not adding the dropped numbers into the calculations. Commander Kent Patterson asked for a recap in the changes that were made and the calculations. Ms. Davis explained on the annual report we are still capturing the same data at this point. Instead of taking the numbers of the 3rd day of the academy and comparing them to who gets certified, we are taking the numbers on the 3rd day of the academy, subtracting the students that dropped and then comparing that to the number that was certified.

Ms. Davis also spoke on how medical extensions were accounted for during the annual report. The statics are from January through December. We try to have them calculated and published by February the following year. If the outcome of a medical extension student is known to us prior to publishing it gets added into the equation. If we don’t receive the information until after February, we don’t go back and revise the reports as to medical extension students.

Ms. Davis advised the commission that all three of the rule changes from the last meeting have been filed with JCARR. Those consisted of the revision the administrative rule in regards to students being eligible for the academy. They would be required to have a high school diploma or equivalent. The second rule change would require the lesson plan content to be covered in its entirety. The third rule change would remove the 650 hour cap on basic training curriculum, which limits the commission on the number of hours they can require the minimum basic training.

Mr. Schumaker responded that one of the sub-committees had an initial hearing on House Bill 204 to have a high diploma and also to remove the hours cap. That took place yesterday, May 27, 2015. The second hearing should be scheduled very quickly. Legislation is moving on a parallel track on some of the recommendations.

Chairperson Stanforth was questioned as to why the commission was doing the same thing HB204 was proposed to do? The Chair’s reply was why not? We have the ability to make the changes administratively. If the house bill becomes law, we operate under the authority of the revised code and they make the law. We won’t be making any changes substantive to that once it becomes law unless the law changes. This isn’t a duplication of things. It’s not one trying to upset the other. Once it’s imbedded in law, it will be there and we won’t be changing. Future commissions won’t be able to change it unless the law itself is changed.

Also an update from the May 14, 2015 meeting, Ms. Davis referred to (Addendum 1) the handout “BAS Commander Outreach” which was supplied to the commissioners. Ms. Davis introduced Deputy Director James Burke to present on this item.

Mr. Burke stated this was something Deputy Director Alice Robinson-Bond and he worked on to bring all the commanders into the discussions on the recommendations and to keep them informed as we move forward. Mr. Burke went through the handout with the commission. Mr.
Burke wants to be sure they have an outlet to get information from the commanders, and also to keep the commission informed of the commander's opinions.

Chairperson Stanforth asked if there were any questions or discussion. Hearing none, Ms. Davis moved to the update that refers to recommendation #7 which was an increased oversight of basic training and recommendation #9 the academy model.

Ms. Davis stated that Chairperson Stanforth asked how many academies would run at any one time. The second handout (Addendum 2) provides a snapshot of the monthly total of academies including, in addition to peace officer basic, the other basic programs staff are responsible for overseeing. It gives you an oversight of what we are looking at during any given period of the year. Ms. Davis introduced Mr. Hykes to cover this item.

Mr. Hykes went over the handout explaining that in addition to what Ms. Davis covered, the handout also shows the workload of the certification officers and the field agents.

Chairperson Stanforth stated we can’t have a discussion about what we will do with the number of academies, unless we know why we have those numbers of academies and what they represent. After looking over the handout you see a number of basic academies, which seems to be consistent. The Chair was surprised at the number of academies going at one time. Ms. Davis explained in May of last year there were 127 basic academies running across the state. Of those 127, 54 were related to basic police officer academies and the remaining 73 was related to the other basic programs we are responsible for. In terms of the 5 field agents we have across the state and the 4 certification officers we have at the main buildings, part of their job requires they look at basic academies. Those are the numbers they are looking at. Chairperson Stanforth asked, do we have many academies that are operating with a small number of cadets? Should we be concerned? Do they start with the low numbers? Ms. Davis replied the minimum set by Administrative Rule is 10, so if they start with 10 and drop off one or two, it puts them below the 10. We’ve talked about this internally; especially with the basic curriculum a lot of the student centered learning activities we include are dependent upon groups of students working together and through projects.

Commander Hild suggested one way of saving the field agent’s time would be create forms that automatically populate where needed. Ms. Alice Robinson-Bond stated they have made recommendations to the I.T. department about automating the forms and taking things a step closer to 2015 in the terms of electronics to applications is concerned and that is being reviewed by I.T. now.

Ms. Robinson-Bond also spoke about a possible on-line platform, where they login and enter the information themselves. This is also being looked at by our I.T. section.

Mr. Schumaker asked for staff to explain to the commission what they do and what information they are actually reviewing at an audit. What are their concerns? Ms. Robinson-Bond responded they look at sign-in sheets, test results, at instructors and if the instructors are certified to instruct the topics they are instructing, are the mandatory hours being met, they’re also looking at medical extensions, make-ups, and very detailed documentation.

Several commanders spoke of the time involved and what is done by the field agents. They have their paperwork together and an audit usually takes 3-4 hours. The field agents check documentation line for line, looking at everything, and verifying signatures. They spoke a number of years ago about going on-line with OPOTC. If we could send everything electronically to
OPOTC, it could be cross checked and would make life easier for commanders, schools, and auditors. A couple mentioned they do a self-audit first and then have the paperwork lined up and in order for the field agent. For an academy with 30 students there could easily be 100 pieces of paper to review. Self-audits have cut down considerably on their audit times. It allows them to fix mistakes prior to the audit. The calendars are checked against the sign-in sheet for student to verify attendance, topic, and times.

Mr. Schumaker asked the commanders’ thoughts on the audits; it seems to take up an extreme amount of time and to assure of quality instruction. Is there any relationship between them? Our goal with everyone is to make sure that there is quality instruction throughout the academies in the State of Ohio.

Commander Babel-Smith (Owens) responded there is no relationship, the only purpose of the audit is to make sure the commanders are in compliance with what OPOTC requires to train a basic training cadet; to be sure they meet all the required topics, hours within those topics, and that the instructor who is doing the instruction is certified to teach that topic. They also go through each cadet to make sure the cadet was in attendance for every single hour and that there is documentation the instructor was actually there teaching the class on that assigned day.

Mr. Schumaker asked, if we have a bad instructor out there, this audit doesn’t help us in that regard? Commander Babel-Smith agreed no, that is where the administration of that particular school would have to come into play and make a decision as to whether to keep the instructor or put in an instructor with more knowledge to teach that particular topic instead of the one in question. Mr. Schumaker asked if by the administration they meant the commander? The commander responded it could be the commander, or school administration, etc. For the most part they take care of the instructor concerns between the commander and their chair. Mr. Schumaker asked the commander, in her experience, how hard is it to get rid of a bad instructor? She stated it wasn’t that difficult. What usually happens is the instructor will find somewhere else to be an instructor. If the instructor is really bad, this is where the system really fails. Mr. Schumaker clarified bad instructors are bouncing to other academies.

Commander Mark Reef stated basically when they find an instructor that is not up par, they just don’t schedule that instructor for the next academy. Then that instructor finds another job somewhere else. Commander Patterson stated field officers from OPOTC offer another check and balance. They come in a do checks, sitting in the classrooms and listen and evaluate the instructors. As a commander he has fired instructors and more gently written them out of the schedule, but he also gets feedback from the field agents on the instructor which is very helpful.

Commander Jeff Sowards said he could probably speak for every commander in the room; they strive to get the very best instructors. We may find that an instructor who has taught in an academy for years, that doesn’t mean a person who is newly qualified can’t connect better with the students then someone who has taught for years. We, as commanders want the very best for the students and will do what we can. The commanders are in contact with each other. If there’s a poor instructor out there, he’s going to hear about it. It is not uncommon to hear from other instructors about a bad instructor. The commanders do a pretty good job of policing themselves. We want the students to go out and tell that their academy was a good program. As a commander he monitors his instructors and will remove them if necessary.

Commander Patterson stated they are an accredited career center through the COE. They have mandates that are over and above what OPOTC says. We monitor all our instructors as part of our accreditation process. Commander Hild stated they too are accredited. He gets phone calls
from people who want to instruct and they have certifications from the commission. He never just hires them, he has them come in and they talk. The instructor may have 40 topics they can teach, but he wants to know what they are experienced at, what they’ve done in their career. He doesn’t want them teaching something they don’t have any direct contact with. He monitors them, and simply doesn’t schedule them again if they are bad. The commanders talk. He rarely has to worry about it because they hire quality instructors.

Mr. Schumaker responded, in listening and talking to a number of people, it’s apparent the key to quality in our academies is the commander. He asked for the commander’s certification to be explained to the commission.

Ms. Davis responded there’s criterion that must be met. There’s experience, professional references, supervisory experience, education, meeting with the field agent, a one-on-one commanders conference, letter of recommendations, two year graduate degree. Mr. Schumaker asked how many commander certificates are there in the State of Ohio. Ms. Davis stated for peace officer basic there are around 200 commanders. Ms. Robinson-Bond responded the commander’s certification is good forever as long as they attend commander’s conferences when we have them. Mr. Schumaker asked if the key to quality education in Ohio academies depends largely on the commanders, how does this commission determine what roles this commission has and determine rather we got good commanders out there.

Mr. Schumaker asked what the commanders thought as far as their profession as to what needs to be done to assure we have quality commanders. His impression is that if you have a quality commander, you are probably going to have a quality academy, and if you don’t have a good commander that academy is going to suffer. How do we assure that quality for the people of Ohio?

Mr. Ellis Willis of Sinclair College responded they have an advisory board of 14 people made up of local police chiefs and sheriffs. Their college requires every program have an advisory board which comes in and gives input. They are required to meet twice a year, but they meet more than that. If the local agencies are not satisfied with our program, the cadets are not going to get hired. The advisory board is picked to give them guidance.

Commander John Burdette of Washington State Community College stated they have had an advisory board the entire time he has been a commander. It is made up of local, state, and federal officials, (Chiefs, Sheriffs, FBI and Federal Parks Service Officers) and his direct supervisor who is the Vice President of the college is on that advisory board and takes a very active interest in what the board members have to say. If there are any short comings of his academy their advisory board members already have the ear of the Vice-President.

Mr. Schumaker asked if these advisory boards were common around the state with the academies. The commanders responded yes, if your institute/college is accredited by the Higher Learning Commission which is the big umbrella for colleges, you have to have the advisory board in place. Every program at the college has an advisory board in place.

Ms. Andrea Yearego, Buckeye Hills Career Center stated as part of maintaining their accreditation for higher education they must show assessment progress. This is part of the documentation that is achieved through annual benchmarks that are set. If they don’t meet those benchmarks, they show data and evidence as to why they are not meeting them. That is to maintain the quality of their programs which includes instruction and the learning of those students. Each of those topics learning objectives has to be met. They also have an annual
program review in which they have to produce information that has to be reviewed every third year. If you fall short of any of these things you could lose your accreditation. They are constantly accessing and that is the instructors as well; the students and commanders evaluate the instructors on continuing basis.

Commander Ron Poulton, Delaware Area Career Center stated they follow a similar model in terms of regularly required meetings with the advisory board. They are obligated to keep up with the quality of instruction as document for their accreditation.

Captain Barnard stated as municipal police department he doesn’t have an advisory board. But, he does have to answer to the Chief and Deputy Chief. One of the things that he was able to benefit from was being mentored for two years by a longtime academy commander before he took his job. He wants to do the same thing for the person who will follow him. He had to justify it to the training commission and certification officers as to why he needed additional academy commander and he wanted it for that reason to mentor them.

Commander Patterson stated the compliance officers would be a source to talk with. They can tell you the schools that cut corners, that don’t use proper instructors, and don’t follow the hours. The compliance officers can give information to help the instructor be more effective.

What Mr. Schumaker was struggling with is, if we have a bad commander out there, no pointing fingers at anyone; but if we get word from staff or other commanders that there’s an academy out there not performing well and if that commander is not performing well as a system how do we get rid of the commander or remediate that commander and bring that academy up to standards? It was his understanding that there have been situations in the past where at least it appears that the quality of the academy has varied pretty significantly when different commanders were in charge of a particular facility.

Chief Wiseman asked what the process for starting an academy is? Who has the authority to run the academy? Ms. Davis responded if they are a state, county, municipal jurisdiction or any state college or university; they fill out the application paperwork within 21 calendars days prior to when they want to start. The sites are inspected by the field agent to make sure the facility has the means to do the training such as driving, firearms, physical fitness, etc. Ms. Robinson-Bond stated there could be a number of inspections if the training is held off site for parts of the training; such as using a local department firing range, etc. There are a number of site inspections and details about each site inspection.

Chief Wiseman asked if each academy will then have a government entity that they report to for higher education; a way of checks and balances and accountability. Ms. Davis commented they have the checks and balances locally, but even though they don’t rehire an instructor they still have the Commission certification so they can go somewhere else and be hired as an instructor. Chairperson Stanforth asked what would happen if we moved the certification further back certifying commanders and instructors. Can anyone become a commander by going through the application process? What’s our process of looking into a commander’s application and saying you can open the academy in 21 days?

Mr. Amweg stated we have two credentialing questions on the table, one for academy commanders and one for instructors. It’s clear through what Ms. Davis said, both of those processes are in her scope of work. But, by what authority, and the reason he asks is because what authority would we need to change if we chose to change the credentialing process for either of those two groups of people. Ms. Davis referred to Mr. Hykes who stated it would be through
administrative rule. The minimum qualifications for commanders currently is they need to be a high school graduate or have a GED certificate, 7 years of experience as full time law enforcement officer, 2 which must be full time supervisor, completion of 90 quarter hours or 60 semester hours at an accredited college or university, professional references from 3 current police administrators of rank of lieutenant or above and no felony, crime of moral turpitude, offense of violence, sexually oriented or child-victim oriented offense, or any other peace officer disqualifying offense.

Ms. Davis stated if they meet all those requirements we have to provide them a commander certification. Mr. Amweg asked if there was any requalification or recertification process in the administrative rule, so once you have it you are it for life regardless of how good you are? Mr. Hykes confirmed unless they are revoked for a felony conviction on if they don’t attend the commander conferences, we cannot revoke their certification.

Mr. Amweg continued asking if the same similar circumstances no requalification or recertification process, was for the instructors? Ms. Davis replied there is. Every three years they have to have taught in two different academies for 24-hours during that three year period and have had 24-hours total training, but not for each topic. Currently we recertify on all the topics. Mr. Amweg asked if those requirements were spelled out in the OAC as well? So, changes to the Ohio administrative code would be the appropriate vehicle to change either of the creditable processes.

Mr. Schumaker stated at this point we have no power, if we find information from another commander or staff that we have an ineffective commander out there, whose academy is consistently underperforming. This commission has no authority to do anything about that commander. Ms. Davis stated that we can revoke for just cause. However, they have the right to appeal to the commission as in one recent situation. It must be more than just a subjective “they aren’t doing good”. There was actually documentation questioning the instructors’ veracity, so we revoked. They appealed to the commission who amended the ruling and the instructor is still appealing in county court. Although we have that just cause criteria, if every instructor was to be revoked for just cause, what’s the value and how is it going to hold up.

Mr. Burke stated if you jump ahead on the agenda, one of the things that will be discussed is the instructor evaluations. That was a recommendation from the advisory group, that we have instructor evaluations that come to us and the commission with information from both the student and the commander of an academy. Because just like we’ve heard, a lot of commanders do these evaluations, the problem is that we don’t get the information a lot of the time. Trying to set up an instructor evaluation tool for both the students who can evaluate the instructors that they have in class, both the way the instructor handles it and for our staff who deals with the curriculum what they like, what worked and what didn’t work, so we can get that information and get it from the commanders too. Are commanders seeing the same thing that the students are seeing? The key is we have to have a vehicle to get that information, both from the commanders in the field and the students they are teaching. It provides a pattern of behavior and is something we can go back to.

Mr. Clark stated a permissible revocation term for both commanders and instructors are worded something like: “if commanders evaluation reflects unacceptable performance” and in instructors “unacceptable performance evaluations.”

Chief Wiseman questioned who is supervising the commander. The commanders here are very into this or they wouldn’t have shown up today. They want the right things in law enforcement. We need to have something in place to make sure commanders know what they need to do, that
the commander will see to the everyday operations and the instructors. They are the one who have the power to make a change. The instructors who aren’t doing what they need to be doing and the good instructors in this room here are catching the flack. How do we weed them out and do it efficiently?

Commander Burdette commented there is no requirement that a commander actually command a school. Ms. Davis responded that was accurate and the only thing at this point that would take away that certification is if we hold commanders conferences and they don’t attend. That is the only way to revoke their certification. Commander Burdette believes commanders should have commanded a set number of schools within the time period that the school commanders certificate is good for. Sgt. Mineard agreed with that. For instructors they have to teach in two academies and do the hours that they do to retain their certification. Chief Wiseman stated the catch to that is all they have to do is reaply and get the certification back. In principal it sounds great, but it's a paperwork infusion.

Commander Poulton stated everything depends on the commander. Show a good commander, you will have a good school. The compliance officer is the person who knows me better than anyone, however there is no provision for him to evaluate me in a formal evaluation or evaluate the school in a formal evaluation and have that on record so it can be seen. If recommendations are made and not followed get rid of them.

Colonel Pride was concerned that there are 5 field agents. What qualifies a person to be a field agent? We have field agents who are checking the academies, who are going through 200 pages worth of documentation, with some redundancy about what they are actually checking. Is what they are checking important enough to check it that many times? How often should it be checked? Some commanders commented if field agents were a little less busy they could actually gage whether the commander and instructors were being effective. First, do we have enough field agents? Second, do the field agents have too many administrative duties to actually do what needs done, and saying, that do we give them the authority to shut down a school? Do they have the authority to make the recommendation to the commission to shut down a school or to stop something or to fire commanders? What are their functions? Ms. Robinson-Bond stated they are limited to what the Ohio revised code and the Ohio administrative code grants the commission the authority to do. That is, to check for the minimum qualifications for sites, commanders, instructors, number of hours the students are to go through and it’s all mandatory hours. So they are looking at what the Ohio revised code says the class has to be, what the student has to do, and do the commanders and instructors meet the qualifications. They are only looking at those things, not substance matter itself. Although as indicated they do sit in and view some of the actual instructions, they aren’t subject matter experts in those topics.

Mr. Clark asked if anyone else performed what is currently provided for in the administrative code which is called a commander’s evaluation. Ms. Davis responded, not for the commission.

Chief Wiseman gave a snap shot of when the field agent comes into the classroom. They sit in the back of the classroom and monitor the instructor for maybe 45 minutes to an hour, whatever the schedule allows. They will send a sign-in sheet around. They basically are checking to make sure that the instructor is on-topic and that the students are present in the classroom and everything matches up with the calendar. Due to everything else they do, they are only there for a short period of time. Ms. Davis followed up saying there was a situation with a compliance officer who goes in and the instructor is teaching an outdated curriculum code for that academy, which is one of the things that they check. Or they make sure the instructor who is instructing is on the calendar to teach and that they are certified to teach. But, there are scheduling conflicts and so if
the commander has to get a new instructor, although through our procedures they are to let us know for verification of certification. Ms. Robinson-Bond stated some of the other things the field agents look at are the instructor/student ratio.

Sheriff Heldman asked if a complaint is called in, who follows up with it to verify it may or may not be legitimate. Ms. Davis responded it depends on the severity of it. We’ve had a few cases where there have been multiple complaints about multiple people with one particular academy where I’ve asked a high level manager to look into it. If its smaller issues we refer those back to the field agent to provide technical assistance to try remediate the instructor/commander on how to provide a better quality academy. Chief Wiseman added the field agents will come in during the first few days of the academy and introduce themselves and give each student a business card to contact them if there are any problems.

Commander Hild stated most of the commanders are certified and accredited. Most of the commanders in the room are doing the right thing. The field agents know about the ones who aren’t doing the best jobs, and their stats bear them out. He feels the commanders are doing a great job. Things are consistently changing. Every 6 months the curriculum changes and needs to be up to snuff. They all have the people they answer to. If their academy is doing a good job, it means jobs for the students, and if they are doing a good job, the stats will reflect it.

Commander Hild asked if they still give out the “notice of violation.” Ms. Davis responded those were suspended under the past administration. Ms. Robinson-Bond stated they send out emails saying what the issues are and suggestions on how to fix them. We still document the information and the steps to mediate it. Commander Hild stated that the best way to know if the commander is doing his job is by the stats and the field agent.

Captain Barnard gave a final word on the commanders. He was a little concerned when he heard about them having to command so many schools in a certain period of time. His point was it’s a long road to become a good commander. You have to be mentored. You don’t just step up to it and become a commander. He worked under two commanders prior to going on his own and he has two commanders working under him, which takes time. His concern is if we throw out some numbers of how many academies they have to run in a certain amount of years that it would get a little more problematic. It has to be developed.

Chairperson Stanforth stated the number of commanders really should equate to the number of academies. Commander Burdette stated one thing that hasn’t been discussed is the commander’s conferences which were held initially, but there is no continuing education requirement for academy commanders. He believes there should be. He takes 24 hours of continuing legal education hours every two years to maintain is status as an attorney. There should be additional training. Ms. Davis stated there is a meeting held between the commanders and the compliance officer to familiarize them with the commander’s manual and the specifics of being an academy commander.

Commander Burdette stated earlier he referred to commanders who have never run an academy, who had nothing in place in the future to ever run an academy; a threshold would be appropriate in these situations. Many commanders stated that they were evaluated by their chairs, superintendent, and direct supervisors.

Ms. Jill Cury stated even though it’s not spelled out directly in code, it does state that to be commanders they have to be affiliated with one of these entities. We do make that part of the application process that a letter has to accompany the commander’s application from the
institution stating they do plan to use this individual as a commander. This hasn’t always been in place, so the individual Commander Burdette spoke of may have been prior to this. It has been in place for several years. The institution and the department chair, etc. are also required to write a letter of recommendation that the individuals are applying on behalf of their institution and that they will be utilized. Mr. Clark stated that per code it started in the year 2000, that they be associated with an established or proposed school.

Chief Wiseman commented if we are looking at commanders and trying to raise the level of education the commanders meetings are usually big meetings. What if we were to look at a five year time frame? Where we require every five years they have to come back for some kind of training. It would be on them to reapply every five years. It could be 4 hours of training or whatever. They could go over paperwork changes, and at that point the staff could hear what complaints are also out there in the classroom setting. It would be like continuing education training. He could see that being one way to engage the commanders more, having a small conversation in the classroom setting and put it on a five year track to be on them to show up to whatever class is offered. We could engage them at that level. Ms. Davis wrote down a lot of the ideas and in general she wants to follow up on looking at the commanders’ evaluations that are currently in administrative rule, and an appropriate way to implement that authority and then a general recertification/renewal process. Her plan is to have the staff prepare options for the commission and how they could be addressed, while looking at the whole quality control issue.

SAC Stephen Anthony followed Colonel Pride’s comments with, do we have the right field agents, and the authority to do what needs done? Do we have enough field agents? How do we get away from the field agents being check-the-box driven, to a more substance driven, where they have the ability to evaluate? What mechanism can be put in place that isn’t overly onerous or too general to help the commander succeed? Maybe a small group of commanders, staff, and commission members could get together and work through some of these issues to assure that we are doing everything we can. What do we put in place to catch those few commanders who aren’t living up to the standards we all want them to have? What other things can we put in place that aren’t overly burdensome, that could check after the fact of the quality of the students that are going through a particular academy, whether it be following them onto where they get hired? There seems there is a lot that we can do back-channel to assure that the school, commander, and the entire institution is living up to the standards we have spoken about from the very beginning.

Chairperson Stanforth asked about the commanders’ conference, which we don’t have regularly, unless needed. Ms. Davis responded, we used have them regularly for a couple years when the curriculum changes were happening and the revision cycles were put into place. It got to the point where the conferences weren’t needed and we were getting more complaints about, why are you making us come to these, when they weren’t needed. We had one last conference and reached out to the commanders and said send us what you want to talk about. There was little response. There really hasn’t been a need or cry for the conferences.

Chairperson Stanforth asked how long a conference would last. Ms. Davis stated that they were between 2 and 4 hours. We scheduled them for half day conferences. Chairperson Stanforth mentioned doing a 2-4 hour block at the annual Law Enforcement Conference, having a mandatory Commander’s Conference there. Whether you are actually commanding, if you have a commander’s certificate, if you want to go on to the next year, you attend the Law Enforcement Conference, where we will have the training at the conference, strictly for the commanders. The administrative code states we shall conduct a conference and they shall attend the conference. Mr. Amweg responded one of the issues back when we were having conferences was that they scheduled multiple conferences, one in London and one in Richfield. The issues may be on a
particular day commanders’ may be involved in something that they can’t get away from, particularly with a basic. There may be opening, closing or a number of reasons why they couldn’t attend one, but if given multiple opportunities closely grouped, you could have that rule in place that says you must attend something, reoccurring training, etc. Ms. Davis responded we had those in place, two separate dates at a minimum. Where commanders couldn’t attend due to scheduling conflicts we held one-on-one conferences with commanders to accommodate that.

SAC Anthony feels a conference is not going to identify those small group commanders. In his mind it goes back to the field agent getting away from compliance, figuring out ways to do that in more substantive relationships with all the commanders and this group together being able to come up with some way to identify the commanders not living up to the standards.

Commanders Babel-Smith and Willis agreed. Commander Babel-Smith stated the way OPOTC is scheduling and implementing updates now basically every 6 months, parts of the curriculum are revamped and re-released with these updates. The purpose of the commanders’ conference in the past was where OPOTC would get a new package together and would have the conference, saying on this date, this is what will roll out and here is a preview. Be sure you are familiar with it, contact us with questions. Now every 6 months we’re going on the run with this. They would be covering what the commanders are already doing. Ms. Davis stated that she understands where Commander Babel-Smith is coming from. Ms. Davis asked if the commander was getting the information on the curriculum changes on the front end, because they release all those in March when the Commission votes to approve the new curriculum, within a day or two the comprehensive “need to know” list; and then in May, they release the actual curriculum to give the commanders and instructors 8 weeks to prepare. Is that helpful?

Commander Babel-Smith responded the information she receives is helpful. She checks to see if there are any new lesson plans and she has them ready to go. We, the commanders are your gate keepers, and OPOTC holds us accountable. As long as the stuff is put out in advance and we can get it, we can roll with it unless you are planning some major change in policy and procedure that we need to be aware of, or walked through.

Chief Wiseman stated in the past, the commander showed up and get a C.D. Now everything is on OHLEG and there’s a big change in technology. We don’t have to have a conference just for the sake of having one. SAC Anthony asked if that will help identify what we want?

Commander Patterson asked if it would be feasible for the commanders to put together a packet and send it down for a clerical audit. That would free up some time and would allow the commanders time to fix the areas that aren’t in compliance prior to the actual audit.

Ms. Davis responded the way the system works now is the field agents are the first line gatekeepers of the audits. Once they arrive at OPOTC they are rechecked by the certification officers. The job description Commander Patterson is describing is the field agent’s job.

Chairperson Stanforth stated it was still labor driven. If we could do the same thing through I.T. we could submit the pre-audit through I.T. and it’s going to kick back if you don’t have everything submitted properly.

Ms. Davis was asked what are our current staff and their responsibilities now? What were they hired for? What is their skill set compared to what we might change it to? All being things that have been discussed internally, Ms. Davis stated this is all driven based on the number of academies we have. When we look at oversight of our current structure, if we look at any given
month we’ve got 60 plus peace officer basic academies running, 100 plus total academies running. If we provide this oversight to peace officer basic what’s our justification not to do it for all the programs? The staff needed in the field for 63 academies versus a more limited number. That’s a consideration in terms of our financial resources and the structure we would put in place.

Ms. Robinson-Bond replied if you go back to Chairperson Stanforth’s earlier comments about the minimum number of students, a field agent would be able to work more efficiently with one school who has 30 students than 3 schools who have 10 students.

Ms. Davis gave an update on recommendation 23 which in general talks about increased advanced training to currently certified officers, particularly in reference to reviewing advanced training course on mental health. We have started that process, calling on outside sources to look at what we are currently doing and to provide feedback.

Ms. Davis moved to the next update on recommendation 23 (Addendum 3), in terms of increased annual training, but in reference to use of force. At the May 14, 2015 meeting it was decided we would hold off on developing any use of force training related to a department’s policy and work with the Governor’s task force on it. Chairperson Stanforth and Ms. Davis have spoken; we wanted to put another option out there for the commission to consider. The idea we came up with was for the annual firearms requalification, which is currently proficiency of firearms. One way to get training out there is to develop a model policy that would become part of that program. To look at putting in an assessment tool in terms of use of force training on eOPOTA, so that not only completion of the course but proficiency and the information retained could be recorded. The annual report could be the reporting mechanism for which agencies could provide proof to the state that officers met that requirement. Not taking official actions on moving forward with that ideal, but seeing if it was something the Commission would be interested in us pursuing. We could draft a model lesson plan that could be part of that implementation if it’s something the Commission would be interested in looking at. This is a way of exploring another way to look at moving forward on the use of force annual training recommendation.

Ms. Davis stated it’s not an official action item. It’s not asking for action on the recommendation, is the idea something the Commission would be interested in? If so, staff could move forward with drafting what the model lesson plan would look like then bring it back to the commission for consideration as well as the on-line assessment tool.

Mr. Schumaker asked if she was talking the regular annual requalification plus an eOPOTA course? Ms. Davis responded it would basically be the concept if there is an annual use of force training requirement for all peace officers, that we currently have a statute saying there will be annual firearm requalification. So, instead of being just a firearms proficiency annual requalification it would also include a use of force training as part of that annual requalification. Maybe down the road there could be a subject control annual requalification, or different perishable skills annual requalification. This would basically be turning a legislative mandate of every year every officer will show proficiency in their firearm, to every year every officer will show proficiency in their firearm, and have a use of force refresher, which includes their agency policy.

Chief Wiseman asked if there was a statute that is moving towards making departments have a use of force policy? Sgt. Mineard responded that seems to be the intent of the Governor’s office.

Ms. Davis introduced Mr. Hykes to explain next handout (Addendum 3), is a draft of what the annual re-qualification legislation could look like. It’s the track change copy of 109:801 which is
the current firearm requalification statute. Mr. Hykes explained this is a possible way to implement the use of force recommendations made by the Attorney General task force and the Governor’s task force. This would build the changes into a course that the statute already calls for. Each year those who have to take the requalification course are also required to take the use of force refresher that the Commission would develop.

Chairperson Stanforth asked if eOPOTA would possibly generate those common topics that every use of force must have and is what we would put out on eOPOTA issues of universal application. The agencies would still be able to teach their own use of force policies that they have already adopted, but we would be developing curriculum that would incorporate those universal topics into the use of force policy. Ms. Davis stated that could be one model of it. Another model is sometime during the year when an agency schedules their firearms requalification they schedule the use of force refresher that they can have an instructor in-house that can teach it, but there is a model lesson plan they can follow.

Chairperson Stanforth stated at the end of the year, the roster would reflect that the agency has a policy and that they have taught a refresher to that individual peace officer as their annual reporting that they qualified with firearms that year, and that they qualified with the use of force for the year. Chief Wiseman confirmed this would not affect the CPT. This is non-reimbursed.

Ms. Davis stated moving forward we would be meeting with the Governor’s office, seeing if it is in line with what their task force is looking at. Will it help support what they are moving towards. Ms. Davis asked the Commission if they were interested in the staff reaching out to the Governor’s office, and working out some suggestions and bringing it to the Commission to review? Mr. Amweg asked if we were in sync with the Governor’s office? Have they appointed the task force yet? Ms. Davis stated they have not. She met with Director Born the day before and there is an meeting set for 1:30 p.m. today. Mr. Schumaker explained that today’s meeting was between the staff of the Attorney General’s office and the staff of the Governor’s office, staff of the State Senate and staff of the Speaker of the House.

MOTION:

Mr. Schumaker moved to have OPOTC staff move forward on working with the Governor’s staff on use of force training. Sgt. Troy Mineard seconded the vote. Hearing no discussion a vote was taken and passes unanimously with 8 yes votes and 0 no votes.

That concluded the items for review from the May 14, 2015 meeting. Ms. Davis moved the discussion to new items.

The first item for discussion was recommendation #11, which addresses instructor evaluations within the basic academies. Ms. Davis asked Mr. Burke to cover this topic.

Mr. Burke stated this was discussed earlier. But it was a recommendation that the OPOTC have a way of evaluating the instructors in the field. This could be from the commanders or the students. We are trying to look at this from all areas. Mr. Burke referred to handout “Instructor Evaluations” (Addendum 4a) and handout “Order of Topics” (Addendum 4b). We will begin with the Commanders survey that we send out to get opinions of what is going on. Many of the Commanders are already evaluating their instructors. Mr. Burke stated that this is a resource for us in creating the curriculum and a resource to the commanders and instructors as a way to see what is working and what isn’t, what the students are responding too and what isn’t working as
much – so that this can be used to help the OPOTC staff when developing the curriculum. Mr. Burke went through both handouts.

Mr. Burke wanted to give the Commission some information and requested permission to start with the evaluation and the pilot program.

MOTION:

Mr. Schumaker made the motion for OPOTC staff to start the evaluation and pilot programs. The motion was seconded by Mr. Amweg. After the brief discussion below the vote was taken and passed unanimously with 8 yes and 0 no votes.

DISCUSSION:

Chief Wiseman asked where this information was going to? Then what happens to the information? Mr. Burke stated the information will come to OPOTC and then the staff will review the information on the curriculum and Ms. Robinson-Bond would review the information as for information on the instructors. Then, do we tie this information into instructor recertification? Do we require so much information on the evaluations from the students or the commanders, to recertify them? Chief Wiseman asked where do the commanders come into play with this? Mr. Burke stated we would follow the same guidelines as the instructors. Ms. Davis stated we have administrative rule as grounds for revocation of instructor’s certification that can be tied to unacceptable performance evaluations, so this is the first step in instituting authority we’ve already got in the administrative rule. Chief Wiseman stated he is alright with this. He is trying to figure out how this works with the commanders, that their authority isn’t taken away in the process. If the students are now evaluating the instructors, his personal experience is that students gravitate towards the instructors who are not the greatest instructor because they are easier on them and lets them do things they shouldn’t be doing, whereas the more disciplined ones are the ones they don’t like.

Chairperson Stanforth stated he sees it differently. If you have an instructor who has glowing evaluations from the students, but the commanders say there are things they don’t like and the evaluations are down here, which should be a red flag to the staff. Ms. Davis stated she believes most of the academies already utilize the students doing evaluations on the instructors. After a lengthy discussion over who’s responsible for the academies and who should be held accountable, Mr. Burke stated that currently there is no way of getting that information. They were in agreement that they needed the process as long as the issues were addressed. Colonel Pride asked, do we have quality control mechanism in place? Who is that person? Mr. Amweg would argue that as written, this isn’t student focused or academy commander focused. This, as it is written, could be developed into both areas at the same time. It was said there was going to be a student part of this and a commander part of this. That gets to the issue of the quality control, assuming they aren’t going to be the exact same surveys. The academy commanders will be asked what they think of the academy instructor as a part of their academy verses the student is going to be more geared to the actual curriculum. All this information could be passed onto the commander. Mr. Amweg thinks that with the proper wording and you would address the commander’s issue of still being the one that as overall input into the evaluation of the instructor. Mr. Burke agreed.

Mr. Clark responded, in order to obtain a special subject or unit instructor certificate, there has to be a recommendation of a current basic training school commander. For renewal of certification there only has to be written evidence from the commander that the instructors successfully
completed certain matters. If affirmative certification from the supervising commander was required for an instructor’s certification renewal, it would firmly place a commander component into the renewal process. That concluded the discussion and a vote was taken.

Mr. Burke went on to discuss the handout “Order of Topics” (Addendum 4b). This was a recommendation for the Commission to determine the order of topics for basic training. The first step is for us to reach out to the field and see what current academies are doing. Are there prerequisites? Identify the subjects and who will cover them, and adding new courses. So many of the topics build on each other, you need to understand one to understand the other. We would like to create prerequisites and then survey to see how they worked. This is not to say the instructor has to teach in a certain order, but we do want to verify what topics are out there that would require covering certain topics in a particular order. Mr. Burke is asking for permission to send the survey out and receive the information back from the academies and establishing the pre-base prerequisites and then piloting it in a few academies that are willing to do it.

**MOTION:**

Mr. Amweg moved for the OPOTC staff to begin the process of the Order of Topics as presented. Chief Wiseman seconded the motion. With no discussion a vote was taken and passed unanimously with 8 yes votes and 0 no votes.

Ms. Davis moved to the final item which was a recommendation of 40 hours of continuing training for officers each year. We have upwards of 34,000 officers in the state, and 40 hours of continuing training compared to the current 4 hours that is in the form of CPT; that is a big jump. After looking at several models and recently speaking with the Attorney General on specific concepts to start the discussions, Ms. Davis referred to the breakdown of training handout (Addendum 5). In general the proposal is the 40 hours of training, (16 hours training directed and provided by the State, and the remaining 24 hours would be training determined by the local agencies, but approved in some fashion by the commission).

Chief Wiseman asked if this would be CPT training? Ms. Davis responded that the discussion at this point is just 40 hours of advanced training. CPT questions are for further discussion. This is just a concept of the hour breakdown, the reality of having quality control over it without taxing staff with training 34,000 officers of training every year. Mr. Schumaker stated that would be a discussion by the Senate, the House, and the Governor. Chief Wiseman asked if this training would be every year? Ms. Davis responded yes and referred to the handout which broke the training down to phases. This plan allows us to train 34,000 officers in three phases of 11,000 officers each phase. Mr. Schumaker stated that each set of assets basically train over 11,000 officers here, you have to break them up somehow to have the resources.

Chief Wiseman asked if the training is with the agency or the officer? What if we look at putting the officer on a track? At this time we aren’t a P.O.S.T. State, but if we have it so the officer as to do so much training on this track, 1-5 or 5-10 to get their training in as deemed necessary as a recertification process, this is a great plan to go with, but others concern over the fallout of trying to keep track of all the officers. Ms. Davis responded it’s an officer’s certificate. We have spoken about it being related to the officer. That is something that we can look at. Do we look at the first group as the officers with last name A-G instead of the agency? These are things that will have to be ironed out. Presenting this today was to start discussions. If the Commission would like the staff to explore this concept more we will look further into cost estimates, and how the phase implementation would be. Mr. Schumaker noted the 40 hours is in sync with the
recommendation of the Attorney General’s advisory group, the Governor’s committee, and the consent decree for Cleveland.

**MOTION:**

Sgt. Mineard moved for the staff to proceed to work on the 40 hours training. Sheriff Heldman seconded the motion. Hearing no discussion a vote was taken and passed unanimously with 8 yes votes and 0 no votes.

With no further discussion forthcoming, this concluded the Old Business.

### III. GUEST FORUM

Chairperson Sheriff Vernon Stanforth

Hearing no discussions, Chairperson Stanforth thanked everyone for their input. The next meeting with be on July 9, 2015 at 10:00 a.m. That concluded the guest forum.

### IV. ADJOURN

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

**MOTION:**

Mr. Amweg moved to adjourn the meeting. Chief Wiseman seconded the motion. The vote passed unanimously. Meeting adjourned.

Time: 12:22 pm

Chairperson

These transcripts are not verbatim. Audio recordings are available upon request.
BAS Commander Outreach

Create and send a survey out to all commanders requesting their opinion on all pre-certification and certification recommendation. This survey will be largely open-ended questions with plenty of room for commanders to share their opinions with commission staff.

Based upon the first survey results an additional survey will be sent out with a narrowed focus on recommendations in the first survey which solicited a lot of discussion or questions. The goal of this survey will be to further explain or request more information from highly debated recommendations.

As commission staff continue to work on options for implementing each recommendations these options will be sent out to all commanders for their opinion on each option.

When results of survey listed in number 3 have been tallied, a meeting date with a call in number for those commanders who cannot attend in person will be set to review the results and allow the commanders to voice any further concerns with implementation strategies.

Once implementation strategies have been decided upon and legislation has been passed that will affect academies, a commanders conference will be set in London and Richfield to explain the changes and work through any perceived challenges commanders may have with implementation.

All results will be shared with the commission throughout the process.
### Academies per Month by Type and Field Agent
Prepared for OPOTC meeting 5/28/2015

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**Key**

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<th>APA - Adult Parole Authority</th>
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<tbody>
<tr>
<td>BAS - Peace Officer Basic Training</td>
<td>JTH - Jailier Temporary Housing Training</td>
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<td>BBT - Bailiff Basic Training</td>
<td>POF - Probation Officer Firearms Training</td>
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<td>PSA - Private Security Academic Training</td>
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<td>CBT - Corrections Basic Training</td>
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<td>JCT - Jailier Contact Training</td>
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1 of 2
### Academies per Month by Type and Field Agent
Prepared for OPOTC meeting 5/28/2015

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**Key**
- APA - Adult Parole Authority
- BAS - Peace Officer Basic Training
- BBT - Bailiff Basic Training
- CA - Peace Officer Basic Academy
- CBT - Corrections Basic Training
- JBT - Jailer Basic Training
- ICT - Jailer Contact Training
- JSP - Jailer Training for Sworn Peace Officers
- JTH - Jailer Temporary Housing Training
- POF - Probation Officer Firearms Training
- PSA - Private Security Academy Training
- PSB - Private Security Firearms Basic Training
- PSR - Private Security Firearms Requalification
- REF - Peace Officer Refresher Training
109.801 Annual firearms requalification program.

(A)

(1) Each year, any of the following persons who are authorized to carry firearms in the course of their official duties shall complete successfully a firearms requalification program approved by the executive director of the Ohio peace officer training commission in accordance with rules adopted by the attorney general pursuant to section 109.743 of the Revised Code: any peace officer, sheriff, chief of police of an organized police department of a municipal corporation or township, chief of police of a township police district or joint police district police force, superintendent of the state highway patrol, state highway patrol trooper, or chief of police of a university or college police department; any parole or probation officer who carries a firearm in the course of official duties; the house of representatives sergeant at arms if the house of representatives sergeant at arms has arrest authority pursuant to division (E)(1) of section 101.311 of the Revised Code; any assistant house of representatives sergeant at arms; the senate sergeant at arms; any assistant senate sergeant at arms; or any employee of the department of youth services who is designated pursuant to division (A)(2) of section 5139.53 of the Revised Code as being authorized to carry a firearm while on duty as described in that division.

(2) No person listed in division (A)(1) of this section shall carry a firearm during the course of official duties if the person does not comply with division (A)(1) of this section.

(B) The hours that a sheriff spends attending a firearms requalification program required by division (A) of this section are in addition to the sixteen hours of continuing education that are required by division (E) of section 311.01 of the Revised Code.

(C) Each year, any person listed in division (A) shall successfully complete a use of force refresher training program approved by the executive director of the Ohio peace officer training commission in accordance with rules adopted by the attorney general pursuant to section 109.743 of the Revised Code.

(D) No person listed in division (A) of this section shall carry a firearm during the course of official duties if the person does not comply with divisions (A) and (C) of this section.

(E) As used in this section, "firearm" has the same meaning as in section 2923.11 of the Revised Code.
Instructor Evaluations

Determine internally what questions we would like to include on the evaluation

Reach out to 3 academies and request they pilot our evaluation system beginning with pen and paper evaluations

Determine if our on-line evaluation system will be created in house by our I.T. department or contracted out through another service provider

Examine results from 3 pilot academies to determine which reporting requirement returns the best results and inform commission of results

Pilot on-line system with 3 above mentioned academies to test the system and work through any problems

Examine results from 3 pilot academies and inform commission of results

With commission approval launch new on-line evaluation system
Order of Topics

Reach out to Cleveland Heights for information on their “platooning” system. Determine pre-requisites for certain courses that due to their content should be taught before other courses (e.g. Subject Control-handcuffing before Stops and Approaches)

Reach out to 1 open enrollment and 1 closed enrollment academy and request they pilot these pre-requisites and give commission staff feedback on the process

Once feedback is received report information back to commission

With approval from the commission make pre-requisites mandatory for all academies

As lesson plan revisions continue, course hours will increase, and in turn pre-requisites will continue to increase. These changes will be released in conjunction with the current curriculum release schedule, January 1st and July 1st giving academies ample time to prepare for changes and incrementally introducing this change to academies

The goal will be to separate the academy into quarters with several courses included in each quarter that can be taught in any order but all are required to be covered before moving on to the next quarter

These quarters will also allow for increased scenario based learning to occur at the end of each quarter to confirm the students knowledge of what they just learned by applying the knowledge in actual scenarios
8 hours Use of Force Training (OPOTA)
- Phase 1 - Lecture (4)
- Phase 2 - Portable Training Facility (8)
- Phase 3 - Training Village (8)
- eOPOTA (3)

8 hours Community Relations Training (OPOTA)
- Phase 1 - Interpersonal Communication (8)
- Phase 2 - Police Legitimacy (e.g. implicit bias, procedural justice, community diversity) (8)
- Phase 3 - Mental Health (8)

Any current basic or advanced OPOTA course
- Pre-approval of agency created course by OPOTA staff

24 hours Local Training
- Prepared for May 26th OPOTA Meeting