



Ohio Peace Officer Training Commission
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Ohio Peace Officer Training Commission
Thursday, May 10, 2018
held at the
Ohio Peace Officer Training Academy
1650 State Route 56 SW
London, Ohio 43140

Minutes

I. Opening

Call to Order

Chair Vernon Stanforth called the meeting to order at 10:18 a.m. The Chair stated any legal questions can wait until Ms. Pierce arrives, who is stuck in traffic.
Sheriff Michael Heldman led the Pledge of Allegiance.
Ms. Donna Long called the Roll Call.

Commission members present

Sheriff Vernon Stanforth
Sheriff Michael Heldman
Chief Clayton Harris
Chief Kimberley Jacobs
Colonel Paul Pride
Mr. Stephen Schumaker
Dr. Reginald Wilkinson - **Arrived at 10:24 a.m.**
Dr. Emily Passias
Lt. James Fitsko

Commission members absent

SAC Stephen Anthony

Guests and Staff

Attorney General's Office

Ms. Mary Davis, Executive Director
Mr. James Burke, Director Advanced Training
Mr. David Henry, Deputy Director
Mr. Justin Hykes, Deputy Director
Ms. Donna Long, OPOTC Secretary
Ms. Brittany Brashears
Ms. Julia Brinksneider
Ms. Jill Cury
Ms. Courtney DeLong
Mr. Tony Ortiz
Ms. Sarah Pierce **arrived at 10:23 a.m.**

OPOTC Staff
OPOTA Staff
OPOTC Staff
OPOTC Staff
OPOTC Staff
OPOTC Staff
Ohio Attorney General's Office
OPOTC Staff
OPOTC Staff
OPOTC Staff
Ohio Attorney General's Office

OHIO PEACE OFFICER TRAINING COMMISSION

Mr. Eric Schaefer

OPOTC Staff

Guests

Mr. Geoffrey Barnard
Mr. Elijah Baisden, III
Mr. James Copeland
Mr. Chuck Jones
Ms. Sharon Montgomery
Mr. Kevin Reardon
Ms. Amber Rose
Mr. Tim Sansbury
Mr. Shawn Smith
Mr. Jerry Snay
Mr. Ellis Pete Willis
Mr. David Wiseman

Cleveland Heights Police Department
Tri-C Police Academy
Cuyahoga Community College
Ohio State Highway Patrol Academy
Ohio State University
Central Ohio Technical College
Columbus Division of Police
Columbus Division of Police
Cleveland Division of Police
Stark State College Academy
Sinclair College, Dayton
Delaware County Sheriff Office

II. Chair Report

**Sheriff Vernon Stanforth
Chair**

Chair Stanforth welcomed the guests and asked those in attendance to introduce themselves and then moved for approval of the minutes.

MOTION

Chief Harris moved to approve the minutes of the March 8, 2018, meeting. The motion was seconded by Colonel Pride. No discussion was forthcoming; a vote was taken and passed unanimously. Yes-8 / No-0. Dr. Wilkinson was not present for this vote.

Chair Stanforth welcomed new commission member Lt. James Fitsko from Marion Police Department representing our Fraternal Organizations due to a recent legislative change adding a position to the Commission. This was the first time a position has ever been added.

The Chair welcomed Ms. Pierce (who arrived at 10:23 a.m.) and Dr. Wilkinson (who arrived at 10:24 a.m.) and gave a brief recap of what had been covered prior to his arrival. Dr. Wilkinson apologized for being late due to traffic.

The Chair referenced the 2018 Committee Assignments Sheet (**Addendum 1**); all the current assignments would remain the same with the exception of adding Lt. Fitsko to the Legislative Committee and to the Continuing Professional Training Committee (CPT).

Chair Stanforth's goal for the Legislative Committee, is to stay on top of what is happening in the Senate and House. They are making rules and legislation which may have a little caveat that affects OPOTA. Sometimes that goes unknown or undetected; it is the job of the legislative committee to keep tabs on what is going through State Legislature and to keep the Commission posted on what those issues are. He would like to see the legislative committee more active in those regards.

Although the Continuing Professional Training for 2018 doesn't have a lot of activity, it could change at any given time.

Chair Stanforth reminded the Commissioners of the May 15, 2018, filing deadline for their Financial Disclosure Form. Please email Ms. Long to confirm you have filed. Ms. Long needs to know due to late fees and filing fees.

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Sheriff Stanforth and Sheriff Heldman were the only dual filers, who are also required to file as elective officials. Ms. Long advised that as a new appointed Commissioner, Lt. Fitsko has 30 days from date of appointment to file.

Chair Stanforth reminded the Commissioners of the 119 Hearing scheduled for June 14, 2018 at 10:00 a.m. at OPOTA in the large conference room.

Chair Stanforth commended the OPOTA/C staff for their work in organizing the Fallen Officer Memorial and the cafeteria staff who prepared the food which is always delicious. As Chairman, he felt everything went off like clockwork.

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

III. Curriculum Committee

**Chief Kimberley Jacobs
Committee Chair**

Committee Chair Jacobs advised there was nothing to report at this time. That concluded the Curriculum report.

IV. Legislative Committee

**Chief Clayton Harris
Committee Chair**

Chief Harris advised there was nothing to report at this time. That concluded the Legislative Committee report.

V. House Committee

**Colonel Paul Pride
Committee Chair**

Committee Chair Pride advised there was nothing to report at this time. That concluded the House Committee report.

VI. Continuing Professional Training Committee

**Sheriff Michael Heldman
Committee Chair**

Committee Chair Heldman advised there was nothing to report at this time.

Chair Stanforth stated he has received a lot of questions regarding 2018 CPT; the fact that it's not mandated for 2018 apparently confuses people. We have tried to make it very clear with no funding, there are no mandated hours; but the Commission is just recommending those hours. The Commission encourages all agencies to actively train their officers regardless of the "no mandated hours" so they are still getting some type of continuing training. That concluded the Continuing Professional Training Committee report.

Staff Reports

VII. Commission And Academy Updates

**Mary Davis
Executive Director**

Memorial Ceremony: Ms. Davis made special mention of the memorial, thanking the academy and commission staff, the general services staff, along with the high school students from Tolles Technical Center's Law Enforcement program who continually helps with the parking. But they also came the week prior to help with the mulching. There are so many people who deserve credit; she has received many compliments which she tries to pass on to the staff. She wanted to give a public acknowledgement to all who's hard work helped make the memorial ceremony go smoothly.

TOTs: Ms. Davis stated at the March 08th meeting it was decided we would start our previous TOT program anew. From decades of people who had been granted status to teach our instructor level courses on our behalf; we

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are moving forward with that. They will no longer be referred to as TOTs, we are making a clean break from that terminology with the new title of Master Trainers. Anyone with the status TOT is not valid, we have a new process. We have letters ready to go out to the prior TOTs and the agencies they represent. We are working on the standardized process internally that our Master Trainers Workshop will entail. At a minimum there will be standards when we have the topics where we will have master trainers; there will be higher levels of standards for those individuals to meet.

IADLEST: Ms. Davis will be attending the IADLEST (International Association of Directors of Law Enforcement Standards and Training) Conference May 20-23, 2018, where she will be serving on their Advocacy Strategic Planning Committees. They are meeting about the law enforcement police action lab, which the organization is looking to partner with a University for research, exploring best training practices, and certification practices. If anyone has any suggestions, she would be happy to present them to the group. IADLEST is an organization that represents all the POST organizations for each State in the Nation; OPOTA is considered a peace officers standard and training organization; the main members are the executive directors of those organizations. There are a lot of states where law enforcement agencies with large training academies or agencies that are also a part of the organization too.

IADLEST is a national organization which has gained momentum since the President's Task Force on 21st Century Policing, where the organization was specifically named in the report. They have always been a behind the scenes organization, but are being thrown in the limelight and being looked to as a national leader of the profession.

OTOA: Ms. Davis announced several of the academy staff would be attending the Ohio Tactical Officer's Association conference held in Kalahari the week in June 3rd. Our conference organization team will also be attending to look at as a possible venue. For years the conference has been centrally located in Columbus, but we are starting to look at other venues. Kalahari has been very amenable to our staff and have offered to show them what they have to offer and let them view the setup and operations of this large conference being held at their venue.

Virtual Academy: The next item was the Virtual Academy, who is a large national leader connected with Sovoult Learning; a big on-line learning organization. Ms. Davis and Mr. Burke will be traveling to Tennessee to meet with them on ways OPOTA/C can partner with them. They met yesterday, May 9th here at OPOTA, there are a lot of opportunities for us to benefit in a mutual partnership with them as far as on-line learning and using technologies to enhance what we currently offer in training.

Law Enforcement Recruiting Fair: Ms. Davis announced the Ohio Attorney General Mike DeWine; the Ohio Peace Officer Training Commission in partnership with Cuyahoga Community College will be having a Law Enforcement Recruiting Fair. Ms. Davis introduced Mr. Tony Ortiz, Diversity Liaison who looks for ways to support diversity in the profession. Mr. Ortiz, whose background is in Minority Recruitment and training fairs, came up with the idea for a recruiting fair. Something that can help both basic academies identify basic candidates, and also agencies.



Mr. Ortiz stated this free event should be taken advantage of if you are an academy; there are very limited people out there. **(Addendum 2)** There are more jobs for people available and it is free for agencies. He received a call from Pittsburg and Charlotte, North Carolina who both will be at this event. We really want to keep our people in Ohio. The event will be held at Tri-C. Again, it's free; he encourages academies and agencies to register, a free table with two chairs are available to those who register. There will also be some concurrent sessions "How to become a Peace Officer", "How to advance in your profession", and the Attorney General Staff will present for their sections.

Mr. Ortiz stated he'd been all over Cleveland meeting with their recruiting people. They will be hiring 250 officers by the end of year (2018); and 190 the following year (2019). In Lorain County 500 families have relocated from Puerto Rico. People are moving there. We need to educate them and bring them to the table.

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Ms. Davis stated we're looking to have a recruiting fair at one of the lower parts of the State at some point. We want to get this first one under our belts, and then see what tweaks are needed and plan a few around the State. Mr. Ortiz believes this needs to be done quarterly, most people don't know what it takes to be a police officer. Mr. Ortiz will email the flyer (**Addendum 2**) to the commissioners.

Blue Courage: Ms. Davis spoke on Blue Courage. At the last couple meeting we discussed a lot about the Blue Courage ratio and staff is working on the requested research project. Ms. Davis asked Mr. Hykes to explain where they were with that.

Mr. Hykes stated as a reminder at the March 08th OPOTC meeting, we were asked to create a research project with all the academies in the state in regards to having 1 or 2 Blue Courage instructors in the classroom at a time. He sent out an email asking for volunteers from all commanders; we actually got 11 commanders' that volunteered to help with this. He thanked Colonel Pride and Chief Jacobs for their academies helping with this along with Buckeye Hills, Clark State, Northwest State, Owens, Hocking, Toledo Police Department, Stark State, COTC and Edison State; all whom volunteered. We are finalizing the research instrument; hopefully we will be good to go starting in July.



Question: Dr. Passias asked to see the instrument before it was final.

Answer: Mr. Hykes responded yes, he would send it out to commissioners.



Question: Dr. Wilkinson asked what the process was for basic training for Cleveland's new recruits?

Answer: Mr. Smith stated as of right now they weren't sending them to OSP. They are actually hosting an academy on their own, their second academy will be at Tri-C, and the third academy is going to be on their own. He wasn't sure if they had contracted with OSP yet. But, they have to run these academies to get their numbers up; they are actually 400 down.



Question: Chair Stanforth asked how long it took to get 400 hundred down?

Answer: Mr. Smith stated they had a lot of people retire and recruitment wasn't getting done as needed. They have a new recruitment unit and they are doing a lot of recruiting. They slimmed down the 6 month process of recruitment to around 3 months now. They have on-line testing and on-line registration which will be a continuous process.



Comment: Dr. Wilkinson commented they have a series of different things going on in order to get new officers.

Comment: Ms. Davis responded that she believed the Federal report stated Cleveland did a very good job with training the basic recruits.

Response: Mr. Smith stated that is true, but they didn't have enough staff for advanced training. This was why they reached out to other academies.



Question: Dr. Wilkinson voiced a concern if they could certify the quality that the officers are getting similar or the same training?

Answer: Mr. Smith responded the reason they went with Tri-C was because most of their instructors teach at Tri-C part-time and the location is so close the instructors can go back and forth; the training is being mirrored because some many of the instructors teach at both locations.



Question: Dr. Wilkinson asked if OPOTA can help?

Answer: Mr. Smith responded they need more people and need Master Trainers.

Response: Ms. Davis stated they would talk afterwards and she would introduce him to James Burke, Director of Advanced Training, who will be the overseer of all that.

Response: Mr. Smith, thanked Ms. Davis.



Comment: Chair Stanforth wished them luck. Stating that is 200 this year and 200 next year.

Response: Mr. Smith stated with the levy passing they have the funds to move. It's nice that the citizens back us.

Response: Chair Stanforth responded that shows the support of the people for a levy to pass like that. He also reiterated that they have the support of OPOTA. We will try to facilitate the best we can.

That concluded the Executive Director's report.

VIII. Old Business

Sheriff Vernon Stanforth
Chair

Chair Stanforth asked if there was any old business to discuss?

Ms. Davis referred to the Pre-Entrance Drug Screen for Peace Officer Basic Training (**HANDOUT 1**). The drug screening the Commission voted to implement in July of 2016 has changed. The federal guideline by Health and Human Services (HHS) and SAMSHA took effect October 1, 2017, where they added Oxycodone and Hydrocodone. Ms. Davis asked if the Commission wanted to keep the guidelines currently in place or if they want to change it to be in line with the SAMSHA guideline. The cost of the screenings will be affected by adding more drugs to the panel.

 **Question:** Chief Jacobs asked if they tested positive would they still be given the opportunity to show a doctor's prescription, etc.?

Answer: Ms. Davis responded that is correct.

 **Question:** Chair Stanforth asked what impact will it have by increasing the traditional screening?

Answer: Ms. Davis responded the cost will be based on the provider; how the screenings are completed. She had read that it could impact the test between \$5 and \$10 per drug; but that is going to be very dependent upon how the screens are collected and the cost of the lab used. She asked if any of the commanders present knew what their students were currently paying for the screening?

Response: From the commanders present the current screenings averaged \$35 to \$48.

 **Question:** Chair Stanforth questioned if Ms. Davis was asking the Commission to identify the additional two drugs and add them to the required drug panel?

Answer: Ms. Davis responded yes, and if it was changed, when would it become effective?

 **Comment:** Chief Jacobs stated with Ohio being the epicenter of the Opioid crisis, it would be difficult to ignore this is the recommendation of HHS and not test for it. Chief Jacobs recognizes there is a financial burden, but believes with Ohio being where it is and how it's being affected by this crisis; we should test for it.

MOTION:

Chief Jacobs moved to stay in compliance with the HHS standards for the peace officer basic training pre-entrance drug screening. Mr. Schumaker seconded the motion. After the brief discussion below, a vote was taken and the motion passed unanimously.

9-Yes / 0- No. Motion carried.

DISCUSSION:



Dr. Wilkinson asked if the Commission has always conformed to HHS/SAMSHA's recommendations? Ms. Davis stated for the past 2 years, yes. Prior to July 2016, there wasn't a drug screening requirement. The Law Enforcement Training Advisory Group recommended the drug screening; which the Commission implemented. It was a very recent addition, but when added it was in compliance with the SAMSHA recommendation. Chief Jacobs stated before that each agency was doing their own thing. Dr. Wilkinson responded they could conceivably make future recommendations; he doesn't see us doing anything different than what they are recommending, but it's something to keep track of.

Chair Stanforth asked Sheriff Heldman, Chief Harris and Lt. Fitsko for their thoughts on the matter. All agreed with Chief Jacobs, they all felt it was definitely a move forward the Commission needed to make.

Chair Stanforth asked if there were any grants available? This will be a financial burden, but he doesn't feel it will be an insurmountable financial implication. Ms. Davis didn't know of any funding assistance.

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Ms. Davis asked if they wanted it released at the next curriculum release? Mr. Hykes reminded the Commission the next curriculum release wouldn't be until July 2019. Dr. Passias asked if it had to be tied to the curriculum material release? Ms. Davis stated no, we could do an emergency update, giving academies time to plan. January 1, 2019 was recommended for the effective date.

MOTION:

Chief Jacobs moved for an emergency release of the new drug screening for Peace Officer Basic Training; that these measures be put into action with an effective date of January 1, 2019. Sheriff Heldman seconded the motion. After the below discussion a vote was taken and passed unanimously. Yes-9 / No-0.



DISCUSSION:

Dr. Wilkinson asked with all the discussions around the opioids was there a way to get a press release or an announcement from the Attorney General stating our concern and how we are handling and fighting the issue? Ms. Davis responded we could look at that, or there's the possibility of sending it out in the Attorney General's Criminal Justice Update which goes out quarterly.

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

IX. New Business

**Sheriff Vernon Stanforth
Chair**

Ms. Davis brought to the Commission's attention the approval of House Bill 79, Tactical Medical Professional Training certification; which is effective June 1, 2018. HB79 added to the Commission's role the responsibility of a training program to certify tactical medical professionals. This would be your medical professionals that are attached to a law enforcement agency. Usually a SWAT Team that would be an active shooter/active threat situations, who would want to carry a firearm; a handgun or a long gun. This gives us the rule making authority.

Internally, our recommendation to what the program would look like is listed in **(HANDOUT 2)** a draft of the administrative rules for the Commission to consider. These rules would be for the medical professionals to complete the 40 hours, Firearms Basic Training Course; pass a 1 day course on critical decision making under stress course. This would include simulations, and requiring them to be proficient in scenarios. That was for them to carry a hand gun; the legislation also had a component that once they went through the certification to carry a hand gun, if they wanted to carry a long gun they would be required to take a special course for that.

Mr. Hykes was asked to go over **(Handout 2)** the drafted OAC Rules. The plan would be that tactical medics could plug into the Peace Officer Basic Training course for Firearms or take the standalone 40 hour Court Officer firearms course. They would be required to take one of those 2 courses. Once the firearms portion is completed they are required to take the day of scenario training.



Question: Chief Jacobs asked if they would register as a person who will be carrying with OPOTA?

Answer: Mr. Hykes stated they had to be attached to an agency. If Columbus Division of Police had tactical medics they would be required to give OPOTA a letter stating they help your agency and are permitted to take the training.



Comment: Chief Jacobs responded the tactical medics were through the fire department.



Question: Chief Harris asked if it was a certified training certificate or is it just compliance?

Answer: Mr. Hykes stated they will receive a certificate, it will state they completed either the court officers firearms or the Peace Officers Basic Training Firearms and the day of scenarios based training.



Comment: Ms. Davis stated the idea on the decision making under stress class; in additional to this being a population that we can assume hasn't had much if any training in firearms. Some may have a CCW. It is to take that extra step. This initially was one of the recommendations we had not been able to address from the Advisory Group; suggesting before becoming certified in peace officer basic, they test out in a scenario day at OPOTA. A lot of the CPT was to use the training village environment. There are a lot of limitations with just the numbers we have in the State; but being able to provide this for individuals who would want this tactical medical professional certification is definitely something we could do. It would also be an advanced training course which would be open to any officer who wanted to come through and just get a day of refreshing their skills. It would be very much in line with the recommendations of the advisory group.



Question: Lt. Fitsko asked if prior to taking this training course is the individual required be attached to a law enforcement agency, so you don't just have "I am a medic for this private ambulance service and I want to take this course so I can carry a gun".

Answer: Ms. Davis stated the actual statute does use the term "and attached" to a law enforcement agency. Mr. Hykes stated that they must have taken the tactical medical training prior to even getting to us for our training. There are 2 nationally recognized programs that are recognized in the statute.



Question: Chief Jacobs replied that every EMT is not qualified for the training?

Answer: Mr. Hykes responded correct.



Question: Sheriff Heldman asked if they are required to do annual requalification? Will they be required to requalify annually with the law enforcement agency they are attached to?

Answer: Mr. Hykes stated ORC 109.801 requires requalification through the agency they are attached to.



Question: Chair Stanforth asked can they carry only when they are on duty as a tactical medical professional?

Answer: Mr. Hykes stated that is the way the statute is written; it only gives them permission to carry while serving as a tactical medical professional.



Question: Chair Stanforth asked if they are a medical EMT that is working for whatever entity, they cannot be carrying unless they are functioning as a tactical member of the team?

Answer: Mr. Hykes responded that would be up to the agency if they want them to carry during the regular course of their duties. If their fire department or hospital wanted to allow them to carry they could, but they could do that now.



Question: How do we know who has it? They aren't on a roster, so that agency is not going to be mandated to include a tactical medical professional on the reporting roster, correct?

Answer: Mr. Hykes stated it would be the same as Probation Officers, Adult Parole, Corrections, and Court Officer. We do their basic training, but we don't track their employment history. We don't know what happens to them once they are certified, they can take that certification and we may never see them again.



Question: Chair Stanforth questioned that they could carry perpetually without ever darkening the doors of another training academy to get requalified annually?

Answer: Mr. Hykes responded to officially be carrying they need to requalify. It would be up to the agency to track that.



Question: Sheriff Heldman asked if somebody doesn't requalify for two years, OPOTA is not going to know it and pull their certification?

Comment: Chair Stanforth questioned if the requalification was on the roster?

Answer: Mr. Hykes responded just like with peace officer, it falls to the agency. Ms. Davis stated they removed the annual firearms from the rosters when they started reporting annual CPT.



Comment: Mr. Reardon asked if the Ohio Fire Chief Association is a supporter of this bill? Has anyone ever checked into it? He spent 33 years with the Columbus Fire Department and he knows some of the tactical medics and he'd be scared to put a gun in their hands. This is an area of controversy; it always has been for years because of separation of the services.



Comment: Chair Stanforth stated this bill has already passed, it's done.

Response: Mr. Hykes stated this is the 2nd or 3rd time this bill has been introduced and there have been many discussions with the sponsor of the bill and the supporters of it. The argument they continue to make was the firearm was solely for self-defense; a worst case scenario type of thing. They aren't supposed to be going in and helping them clear rooms or anything like that, but if they need it, they have it.

Ms. Davis explained what the draft rules include are the definitions per the statute. Mr. Hykes drafted it with mostly language that came from Revised Code that will be effective June 1, 2018. The 2nd page is the training section outlines that it would be a Commission approved school of the 40 hours firearms basic, plus decision making under stress scenario day which will include simunitions and simulators. Once they receive those 2 things they would be certified to carry a handgun. If they wanted to be certified for a long gun they would have to be certified in the rifle carbine course.

 **Question:** Chair Stanforth asked if we see or expect to see many coming through OPOTA courses?

Answer: Ms. Davis responded that we have surprisingly received phone calls already from different parts of OPOTA, the firearms sections as received calls, and we've received them in the administrative section too. It has only been 3 or 4 calls, but they are already aware of what's happening. There is some interest, but we have no idea.

 **Comment:** Chief Jacobs responded somebody pushed for the legislation, so somebody is interested in it.

Question: Lt. Fitsko stated he was curious; if the sidearm is for self-defense why would they put a long gun in there? If you are giving them a long gun, you are at the point making them offensive at that point.

Comment: The long gun is basically optional.

Comment: Chair Stanforth clarified there's nothing in the rule that prohibits a tactical medical person from being the first person in the door. Chair Stanforth realizes there are those who are tactically trained, having military training and may be working as an EMT for the agency and would be the right fit for a tactical EMT to come in; verses everybody being trained, which is concerning. But we know there are law enforcement officers that are EMT, firefighters that are EMT, military people who are EMT's and would be very competent in there functions as a tactical medical person.

 **Question:** Chair Stanforth asked when it is effective?

Answer: Mr. Hykes stated it goes into effect in June. If the rules are approved today they would be filed on June 1, 2018 and then 90 days for the JCARR process.

 **Question:** Chief Jacobs asked who decides what "attached to a law enforcement agency" looks like? Is in the legislature, legislation?

Answer: Ms. Davis responded it would really be here.

 **Question:** Chief Jacobs asked will it be like a MOU, or that you're actually employed by the law enforcement agency as a tactical medical professional?

Answer: Mr. Hykes stated they envisioned it currently for court officer firearms, bailiff, adult parole they need permission from their agency to come and take the training. There's a form that says, I _____ give _____ permission to go to this training. Basically, it says you are approving this person who is attached to your agency to take this training.

 **Question:** Chair Stanforth asked who can be the agency?

Answer: Mr. Hykes answered the Chief or the Sheriff. Must be with a law enforcement agency.

 **Question:** Chair Stanforth asked how Cleveland would do all the ones there who they plan to take the training?

Question: Dr. Wilkinson asked if the EMT's from Cleveland would have to be treated as brand new recruits? What would be prerequisites?

Answer: Mr. Hykes stated if they take the court officers firearms training, which doesn't require a background check or drug screening. That falls on the agency.

 **Question:** Dr. Wilkinson asked what is the process? We give approval to you to write the rules?

Answer: Mr. Hykes, responded the rules are already written; you just need to make a motion to approve the rules.

 **Comment:** Dr. Passias stated before a motion is made, she wanted to stop that process real quick. She questioned that these were draft rules? She asked that future draft documents be labeled draft rules. She doesn't see in her material and she was absent from the last meeting, so if she missed something, if so correct her. She would like to see the actual code that gives us the rule making authority and be able to see what we have the authority to make rules about before they go approving draft rules. She doesn't feel comfortable voting on rules that she doesn't have the code in front of her to look and understand what we have the ability to make rules about and what we don't have the ability to make rules about. Especially with all the questions from the people in this room.



Question: Chair Stanforth asked if she was referring to the authority of the Commission?

Response: Dr. Passias stated the code specific to this rule should tell us what we can make rules about and the code will spell out what is in the law that we can't make rules about because it is in the Revised Code and not part of what we would be making Administrative Code about. Those things should be much clearer if we have the code in front of us and a lot of the questions she heard around the table are essentially what do we have the ability to regulate here and what do we not have the ability to not regulate here. She feels it would be helpful for this discussion to have those pieces of information available to the Commissioners.

Response: Ms. Davis offered to get the documentation at that time.

Response: But, Dr. Passias had to leave the building at 11:15 a.m., so she doesn't know if that helps. Her other question was, with this law we don't have authority to make rules until June 1, 2018; is this something that has to be voted on today?

Response: Ms. Davis stated it would not have to be voted on today, it would just put everything back 30 days because Commission doesn't meet again until July 12th. So, instead of us being able to start the rule process on June 1st it would delay the 90 days after the rules are files, which puts us in October before anything can be done instead of September.

Response: Dr. Passias stated maybe everyone else at the table felt more comfortable with this set of rules than she does, or is more familiar with the actual code than she is, but she would like to see the code and to have a little bit more in-depth discussion before approving the draft rules.

Comment: Chief Jacobs doesn't see the urgency; it hasn't existed prior to now.



Chair Stanforth asked if any action needed to be taken today. Mr. Hykes responded no motion to hold off, just pushes the time frame back. Chair Stanforth felt the Dr. Passias comments were well taken and that's all part of the education process. There are still questions concerning what we can do. He doesn't have a problem pushing it back. The Chair felt it would be a good job for the Legislative Committee to start researching that, it's more than just this piece of recommendation that is being discussed. Our legal responsibility and rule making authority that we have, which is part of makes us a Commission not a committee. We do have the ability to make rules. We need a total understanding of what authority we do have.



Question: Dr. Wilkinson asked once we make a rule, which we will eventually does it have to go through JCARR too?

Answer: Mr. Hykes, responded yes it must then go through JCARR and all the proceedings. Mr. Hykes will have something prepared for the July 12th meeting and will send out to Commissioners prior to the meeting.

Dr. Passias left at 11:24 a.m.

Chair Stanforth stated he has twice in the last few weeks had issues brought to his attention from Sheriffs of Butler Co. S.O. and Stark Co. S.O. regarding Corrections Academies. Current Legislation reads that once you are employed by an agency, you have one year to become a certified corrections officer. Corrections basic academy is 140 hours, unlike basic police officer which is an open enrollment; corrections are still a closed academy. You have to be employed by a government agency and assigned to corrections and then one year after that assignment you have to become certified.

Sheriff Jones of Butler County had this discussion; but this is not just a Sheriff Jones issue. Sheriff Jones hires a corrections deputy from the department of corrections, when they hire someone from the department of corrections they have already had 4 weeks of academy training. If they had the training of the department of corrections academy and then functioned where they were assigned and then applied for a corrections job with a Sheriff's Office, a County Jail or Municipal Jail, they then have to go back and have the basic corrections training again. His argument is why we are doing this. Why isn't the training recognized from the department of corrections?

The Chair discussed this issue with Ms. Davis, which has been addressed in some fashion. But, very seldom is it utilized. Ms. Davis stated we don't do a carte blanche equivalency for DRC, State training being totally equivalent for corrections basic training. However, when you have a correctional officer who needs the

OHIO PEACE OFFICER TRAINING COMMISSION

corrections basic training they can request prior equivalency. We do an hour by hour check. Historically, they have never been 100 percent equivalent. There have always been some hours we have provided that they didn't get at DRC. But, however many hours they have left to take, we assign that training and then they pass our commission state certification exam. We have never done carte blanche equivalency, nor should we. But, we always offer prior equivalent determinations.

The Chair confirmed we do the hour to hour equivalency, and if someone as the majority of the curriculum from the Department of Corrections which meets the equivalency of the OPOTA Basic Corrections Programs, then they may only have to take a few hours to meet our training but they still have to take our examination. So, everyone will have to take the examination; which is what he wants to avoid. Mr. Hykes stated there was an easier solution to this, which was for the Ohio Jail Advisory Board (OJAB) to change their rules. It's their rule which says they have to take our training; they could make a rule which states they either have to take training that is consistent with our rules, which is corrections basic training, or DRC training. Then we don't have to do anything. Then you have a standard that says they either have to take DRC training or OPOTA basic corrections training. Chair Stanforth asked if that would circumvent the examination? Mr. Hykes responded, yes it would because it would be one or the other; Mr. Hykes wasn't sure if DRC had a test. But, Dr. Wilkinson assured him, there was a test with DRC and everyone must take and pass the test to graduate.

Sheriff Heldman stated there's been discussion from OJAB and Adult Detention about that issue. There has always been some comparable training, but because the county jail is so different or a city jail is so different, the setting is different than in the prisons, there were certain things where they needed the training; this was from his conversation with Ms. Davis. Chair Stanforth asked if that was something the Commission should be concerned with or the agencies? If the jail administrator or agency says I am hiring a correctional officer from DRC; I will make sure he knows my rules, my regulations and what I need him to know. Sheriff Heldman stated the jail inspector will not pass them without everyone going through the 120 hours of training. Dr. Wilkinson stated that is DRC, it's different with the jail inspector. A legislative change could fix that. Mr. Hykes also pointed out it only an important standard, not an essential one; so even if they aren't fully compliant they could still pass their jail inspection.

Dr. Wilkinson stated there are some differences between the jails and the prisons; but we have prisons that are different from each other too. So when people get to the specific place where they are going to work, that is when they start to learn the specifics of where they will work and that could very easily happen with the jails.

Sheriff Heldman stated he could put it on the OJAB Meeting Agenda for the next meeting. Chair Stanforth asked if there was anything that needed to come from this body to generate that or accept that if it is accepted by OJAB? Do we have to change anything? Mr. Hykes will double check and let you know in July or since he attends the OJAB meetings they could discuss it there. But, he doesn't believe there is, all they would have to do would be change their rules to be consistent with our code or certification from DRC. Dr. Wilkinson suggested it could be as simple as Ms. Davis calling the Director over Prisons to schedule a meeting to discuss.

Chair Stanforth stated it becomes a major issue if it happens. It's a significant relief for a lot of jails; if we are going to recognize DRC. Mr. Rick Jones used to work in the prisons and would know. That is one of his arguments, he knows what they train. In his mind, it's above and beyond what we train in our basic corrections. It is difficult finding qualified people to work in the jails. They typically hire right off the streets; 18-20 year olds, it's usually entry level. DRC usually hires 21 years and up, there's always the chance for exceptions. Unless they have military, which both really push for those with military experience; they already have the discipline and they know how to instill the discipline into the inmates.

Chair Stanforth continued with another issue, which was brought to his attention from Stark County; the Chair asked Commander Snay to explain. Commander Snay stated he was approached by Sheriff Myer who recommended they work together and maybe have an academy and put a Corrections Academy after the basic training so Commander Snay would have a large pool of people who could be hired and ready to go. Commander Snay explained the problem is there's no open enrollment for corrections, so students can't go from a basic

academy directly into a corrections academy. He asked if Commander Snay would approach OPOTA regarding this matter. Is there a way to add-on corrections to basic training, can it be changed to open enrollment or something; so there's a better hiring pool. It is getting harder for Sheriff Myer to run the Basic Corrections Academy.

Chair Stanforth clarified the issue was open enrollment for basic corrections academies; bottom line. Chief Jacobs stated which means going through the training without be employed. Chair Stanforth stated off the street they could walk in and apply for a corrections academy to be trained without being a commissioned employee. Chief Jacobs asked why there was a requirement? It's not due to an open academy, because we have those with basic, as long as they are picked up within a year by an agency. Ms. Davis stated historically, peace officer basic used to be non-open enrollment. Ms. Davis asked the Chair if he was here during the time when peace officer basic was closed? Chair Stanforth who was here at that time said he did know. Mr. Hykes stated the Revised Code 109.73 establishing minimum requirements for certification of persons who are employed as correction officers in a full service 5 day or 8 hour holding facility; which the 5 day is now 12 days and 8 hours is now 12 hours. Chair Stanforth responded the statute would have to be changed, not just the rule. So, we have no power to change the legislation. Our Legislative Committee can make the recommendations.

Chief Jacobs asked if the corrections basic academy facility want to see, open enrollment? Dr. Wilkinson stated it wouldn't work with the State, but it might work with the counties. Chief Jacobs stated there's a difference between doing lateral hiring for people who have already served as correction officer, moving from state to jail or vice-versa; but it's a whole new thing picking up someone that says I want to be a corrections officer hope somebody hires me.

Chair Stanforth stated one of the arguments was we were training people to know our interworking of our corrections security. But, I think the other argument against that is these aren't any state secrets. If you want to find out, a public records request will get it. This is only basic training, we aren't teaching advanced training for our corrections. Corrections Basic is finding out how to unlock the door; and how often are jail checks done. They are not State secrets, the minimum standards can be found on what we teach at the correctional academies are the basic standards of OJAB. The Chair doesn't know if that argument was made many years ago is it a legitimate argument today, he doesn't know.

Chair Stanforth stated open enrollments were a financial boon for basically community colleges. They found out this was a way to make money; at the same time we have obligations to train our students with whatever we can train them with and we are providing them with an education. If someone wants to be educated and then market themselves as a peace officer, why are we stymieing that ability to that individual to be able to market themselves as a certified peace officer. The same argument could be made today; I want to market myself has a basic trained corrections officer, so I can go around anywhere and get a job. Why are you stopping me from having that ability? Chief Harris said small agencies needed more options and opportunities for selecting and choosing individuals for peace officers. It wasn't always just a basic boon for colleges and universities. It was a big boon for many small cities and many small areas that wanted to hire but could not afford to hire someone and send them to the academy, pay for them and then have them not work out.

Chair Stanforth stated community colleges started providing academies and the legitimacy of community colleges was adventitious because they knew community college was not just going to bring in someone in from a small agency who wants to be an instructor and not have the quality of education. They have to meet the standard of that institution before they will be allowed to come into their classrooms. We had the reassurance we were getting better qualified instructors. He believes that has been done throughout the years.

Dr. Wilkinson stated when they did their research, that some of the open academies were doing better than some of the others; a lot better than others. Until we can say these open academies are going to comply and conform to the recommendations the Attorney General as endorsed, then he feels the standards should be up front; if they are going to try to do correction officer certifications. There were people who ready to recommend to the legislature and to the Ohio Department of Higher Education that they close the open academy; which they didn't do. A lot of

the people doing these classes at the open academies, weren't their full-time teachers, but add on staff that came in and instructed the courses. There were some challenges with that, it's not as black and white as it may appear to be in terms of just saying alright, universities can now do correctional officer certification purposes.

Mr. Schumaker commented he assumes that if we got another 50 corrections academies open across the state; what burden would that put on staffing to try to regulate them. Ms. Davis stated it would be significant. The assumption would be the hours are less than peace officer basic, so it would be a cheaper program to run; it would be cheaper for the student to get their first certification in that. She could see open enrollment and corrections basic being higher than peace officer is; which would add significant strain on oversight of schools, because it will be a shorter program and a cheaper certificate for an open enrollment student to get. So, if they want to use corrections to get their foot in the door an agency like many of them utilize it now, although a lot of them will be peace officers, but they start out in the jail. She could see that being a very natural stepping stone into an agency. Mr. Schumaker stated we could have a very significant cost increase here at the academy that would have to be offset somehow or at the Commission.

Deputy Wiseman had one point to make up losses mentioned; to function as a correction officer you have one year unlike a peace officer. So when they are getting hired, the agency has a year upon hiring to get that person training. By having open enrollment academies, Sheriffs have a year to get that person through. Whereas a peace officer you don't, you have to be first day certified; which is the big difference he sees. All that is going to be added to this is the potential for the Sheriff to not send people to the academy. It's not increasing their hiring ability, because they still have to run the background check and find people. The biggest problem in corrections is finding people who want to work in that environment.

Commander Snay offered an alternative which he had discussed with the Sheriff of the possibility of adding on to the academy which would possibly screen out some of these issues. Plus there is CPR as an overlap, there's a little overlap to take prior equivalent in the corrections academy; maybe adding on instead of completely opening it.

Chair Stanforth asked if there had ever been a discussion on a certified peace officer being recognized if hired by a jail so they don't have to go through corrections training? Ms. Davis replied specific information in corrections that would have no place in basic training. But there is a lot of overlap, which is where you can get your prior equivalent; where you wouldn't have to take first aid in corrections basic training if you had it in peace officer basic training. She is sure there is more than just first aid, but there would be pieces in corrections that are imperative that correctional officer knows that would be a waste of time to put in the peace officer basic training. Chief Jacobs stated they wouldn't want to add curriculum just in case. It feels like with the equivalency determinations you are making that there's a path at least for people who have already had that training. It comes down to, if you want to change the rule in the legislation that says they have to have corrections training from the Commission rather than from DRC. You have a year to hire someone for corrections, and a year to get them trained up. It doesn't stop you from hiring somebody if they don't have the training and it shouldn't impact the recruiting.

Dr. Wilkinson stated even if it was a certification program, if somebody went through that training; agencies would beg to hire those with the training whether then someone with no training at all. Whether it's a certification program or just the regular curriculum that mirrors, he believes its worth looking at. Sheriff Heldman stated the local academies are having trouble finding instructors in the rural areas for the correction academies. Director Copeland, Cuyahoga Community College has the same issues, for the last two years they run academies for the county. Chair Stanforth asked if this was more of a problem then finding students? Director Copeland said it is; he believes if there was open enrollment it would help the county where they already have a certified person. They do the hiring, but at least they are certified and have a certificate. But since there is not open enrollment, they hire, they send to them, where they are trained and certified. Then they go back and work for that agency.

Chair Stanforth stated that would fall under the Legislative Committee. Dr. Wilkinson had a discussion with TRI-C staff, but it was inaudible. When Ms. Long questioned this, she was told it was a sidebar. Chair Stanforth announced that since this was a new topic and needs to be thought out and deliberated accordingly.

Chair Stanforth decided since Chief Heldman serves as Chairman of The Ohio Jail Advisory Board (OJAB) and OJAB oversees the majority of the jails that would be impacted by this; the Chair turned this over to Sheriff Heldman's committee to look into and see what the issues really are and how they can possibly be changed if needed based on what the various task forces come up with incorporating those concerns. Also, since Sheriff Heldman also serves as Chairman of Continuing Professional Training Committee (CPT); that committee was assigned this task.

Chair Stanforth asked if there was any other discussion from the commission members with nothing forthcoming that concluded the New Business report.

X. Guest Forum

**Sheriff Vernon Stanforth
Chair**

The Chair asked if any guest had any concerns they'd like to bring before the Commission?

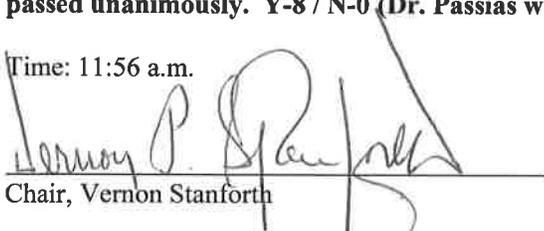
Director Reardon took a moment to thank OPOTA for sending Instructor Kerry Curtis to COTC last month for the Instructional Skills Course; they had 14 instructors go through the training. It was much appreciated.

The Chair asked if there were any further concerns from the guest; with none forthcoming the Chair entertained the motion to adjourn.

MOTION

Chief Jacobs moved to adjourn the meeting. Colonel Pride seconded the motion. A vote was taken and passed unanimously. Y-8 / N-0 (Dr. Passias was no longer in attendance).

Time: 11:56 a.m.


Chair, Vernon Stanforth

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



Ohio Peace Officer Training Commission

Vernon P. Stanforth, Chairperson

2018 Committee Assignments

Curriculum Committee

Chief Kim Jacobs, *Chairperson*
 Chief Clayton Harris
 Dr. Emily Passias

The Curriculum Committee will oversee the curriculum development and present proposals for updates. The committee should be composed of at least a law enforcement representative and the education representative, with the Commission chairperson appointing the committee chair.

Legislative Committee

Chief Clayton Harris, *Chairperson*
 Sheriff Michael Heldman
 Lt. James Fitsko

The Legislative Committee should be composed of representatives of each type of entity represented on the Commission. These representatives should be versed in pending legislation both state and federal which may affect law enforcement training. The committee will propose legislative changes and initiatives to the Commission. The Commission Chairperson will name the committee chair.

House Committee

Colonel Paul Pride, *Chairperson*
 SAC Stephen Anthony
 Stephen Schumaker

The House Committee, formally the Nominating Committee, will establish house rules under which the Commission should function. This will include the procedures and protocols for conducting business. The House Committee will establish rules for the nomination of executive officers. Therefore, it is suggested the House Committee composition be made of members not subject to nomination. The Commission Chairperson will appoint the committee chair and that chair will be a uniform law enforcement representative.

Continuing Professional Training Committee

Sheriff Michael Heldman, *Chairperson*
 Dr. Reginald Wilkinson
 Lt. James Fitsko

The Continuing Professional Training Committee will recommend rules for the implementation and operation of the Continuing Professional Training program. The Commission Chairperson will appoint the committee chair.

Ohio Peace Officer Training Commission

Sheriff Vernon P. Stanforth, Chair
 Colonel Paul Pride, Assistant Chair
 SAC Stephen Anthony
 Lt. James Fitsko
 Chief Clayton Harris



1-800-346-7682

Mary Davis, Executive Director

Sheriff Michael Heldman
 Chief Kimberley K. Jacobs
 Dr. Emily J. Passias
 Mr. Stephen Schumaker
 Dr. Reginald Wilkinson



Protecting Ohio's Families

Law Enforcement Recruiting Fair

Presented by Ohio Attorney General Mike DeWine and the Ohio Peace Officer Training Commission in partnership with Cuyahoga Community College

Date: June 13, 2018
Time: 9 a.m. to noon
Location: Cuyahoga Community College
 Western Campus Gymnasium
 11000 Pleasant Valley Road
 Parma, Ohio 44130

The recruiting fair is for:

- Those interested in becoming peace officers.
- Peace officers who would like to work as Ohio Peace Officer Training Academy (OPOTA) instructors.
- Anyone who wishes to seek employment opportunities in the Ohio Attorney General's Office.
- Basic training commanders and agency recruiters.

Recruiters representing police academies, law enforcement agencies, and the Ohio Attorney General's Office will be in attendance.

Presentations

- Session 1:** The police academy and entrance requirements
- Session 2:** Positioning for advancement; becoming an OPOTA instructor
- Session 3:** Opportunities in the Ohio Attorney General's Office

To sign up for the event, visit www.OhioAttorneyGeneral.gov/Law-Enforcement.



www.OhioAttorneyGeneral.gov





MIKE DEWINE

★ OHIO ATTORNEY GENERAL ★



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Peace Officer Basic Training Pre-Entrance Drug Screen

History

- Effective July 1, 2016
- Panel selected – HHS/SAMSHA, effective October 1, 2010

Initial test analyte	Initial test cutoff concentration	Confirmatory test analyte	Confirmatory test cutoff concentration
Marijuana metabolites	50 ng/mL	THCA	15 ng/mL
Cocaine metabolites	150 ng/mL	Benzoyllecgonine	100 ng/mL
Opiate metabolites – Codeine/Morphine	2000ng/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	500 ng/mL	Amphetamine Methamphetamine	250 ng/mL 250 ng/mL

Change

- Selected panel changed, effective October 1, 2017
- Added Oxycodone and Hydrocodone

Initial test analyte	Initial test cutoff concentration	Confirmatory test analyte	Confirmatory test cutoff concentration
Marijuana metabolites	50 ng/mL	THCA	15 ng/mL
Cocaine metabolites	150 ng/mL	Benzoyllecgonine	100 ng/mL
Codeine/ Morphine	2000ng/mL	Codeine Morphine	2000 ng/mL 2000ng/mL
Hydrocodone/ Hydromorphone	300 ng/mL	Hydrocodone Hydromorphone	100 ng/mL 100 ng/mL
Oxycodone/ Oxymorphone	100 ng/mL	Oxycodone Oxymorphone	100 ng/mL 100 ng/mL
6-Acetylmorphine	10 ng/mL	6-Acetylmorphine	10 ng/mL
Phencyclidine	25 ng/mL	Phencyclidine	25 ng/mL
Amphetamine/ Methamphetamine	500 ng/mL	Amphetamine Methamphetamine	250 ng/mL 250 ng/mL
MDMA/ MDA	500 ng/mL	MDMA MDA	250 ng/mL 250 ng/mL

Decision

- Require the two additional analytes and the concentration cut-offs added by SAMSHA?
- If so, effective date?

Chapter 109:2-2 Firearms Basic Training

109:2-2-01 Definitions.

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

- (A) "Commission" means Ohio peace officer training commission.
- (B) "Executive director" means the executive director of the commission.
- (C) The terms "tactical medical professional," "nurse," "physician," "EMT-basic," "EMT-I," "paramedic," "EMT," "AEMT," and "peace officer" have the same meanings as in section 109.71 of the Revised Code.
- (D) "Basic firearms course" means the handgun portion of the peace officer basic training firearms unit conducted in accordance with Chapter 109:2-1 of the Administrative Code or training conducted in accordance with Chapter 109:2-5 of the Administrative Code.

109:2-2-02 Training

- (A) Any tactical medical professional that carries a firearm while on duty is required to complete a basic firearms course. Such training is not required if:
 - (1) The person is a currently certified peace officer, or
 - (2) Prior to or during employment as a tactical medical professional and prior to the effective date of this rule, the professional has successfully completed an equivalent firearms training program approved by the commission and can show documentation of being currently re-qualified with their authorized duty weapon. Equivalent training programs are as follows:
 - (a) Training completed prior to the effective date of this rule conducted in accordance with Chapter 109:2-1 of the Administrative Code
 - (b) Training completed prior to the effective date of this rule conducted in accordance with Chapter 109:2-5 of the Administrative Code
 - (c) Training completed prior to the effective date of this rule required by section 2301.27(C), or section 5149.05 of the Revised Code.
- (B) In addition to the training required in paragraph (A), any tactical medical professional that carries a firearm while on duty is required to complete a scenario training course approved by the executive director.
- (C) Tactical medical professionals seeking the ability to carry a rifle or carbine while on duty shall successfully complete additional training approved by the commission. The training shall include, at a minimum, instruction on the carrying and use of rifles and carbines.
- (D) To complete the training required in this chapter, the executive director shall permit tactical medical professionals to attend relevant training classes at the Ohio peace officer training academy.
- (E) Nothing in this chapter shall limit or be construed as limiting the authority of a commander or a tactical medical professional's agency to enact rules and regulations that establish a higher standard of training above the minimum required by the rules of this chapter.

109:2-2-03 Certification of students.

Upon successful completion of both an approved basic firearms course and a scenario training course approved by the executive director, a tactical medical professional shall be issued a certificate of completion by the executive director.

109:2-2-04 Forms.

All forms referenced in this chapter can be found at

<http://www.ohioattorneygeneral.gov/files/forms/forms-for-law-enforcement/law-enforcement-training-forms.aspx> or by contacting the Ohio peace officer training academy at askopota@ohioattorneygeneral.gov