



# OHIO COLLABORATIVE LAW ENFORCEMENT AGENCY CERTIFICATION

Assessor / Peer to Peer Training





# Introduction Slide

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Office of Criminal Justice Services



# Goals of Training

Participants will understand:

- Collaborative Formation
- Administrative Functions of OCJS
- Correspondence Sent to Agencies
- Review Deadlines
- Acceptable File Content
- Onsite review process



# Ohio Task Force

## Executive Order 2014-06K

- Ohio Task Force on Community-Police Relations
- Purpose
  - To explore the cause of fractured relationships between law enforcement and communities
  - To examine strategies to strengthen trust between communities and Law Enforcement in order to resolve the underlying causes of friction
  - To provide the governor and Legislature with a report including recommendations on best practices to improve the relationship between law enforcement and the community.



# The Ohio Collaborative Executive Order 2015-04K

- Members

- Director John Born, Ohio Department of Public Safety
- The Honorable Nina Turner, Former Ohio Senator
- Sergeant Brian S. Armstead, Akron Police Department
- Commissioner Lori Barreras, Ohio Civil Rights Commission
- Dr. Ronnie Dunn, Associate Professor, Cleveland State University
- Austin B. Harris, Student, Central State University
- Councilman Michael H. Keenan, Former Mayor of Dublin
- The Reverend Damon Lynch III, Senior Pastor, New Prospect Baptist Church
- Sheriff Tom Miller, Medina County
- Chief Michael J. Navarre, Oregon Police Department
- The Honorable Ronald J. O'Brien, Franklin County Prosecutor



# The Ohio Collaborative

- Ex-Officio Members
  - Representative Tim Derickson, Ohio House
  - Senator Cliff K. Hite, Ohio Senate
  - The Honorable Tom Roberts, Former Ohio Senator
  - The Honorable George V. Voinovich, Former U.S. Senator, Governor of Ohio and Mayor of Cleveland
  - Senator Sandra Williams, Ohio Senate
  - The Late Honorable Louis Stokes, Former Member of Congress



# Ohio Collaborative Standards

1. Use of Force including Deadly Force
2. Recruitment and Hiring



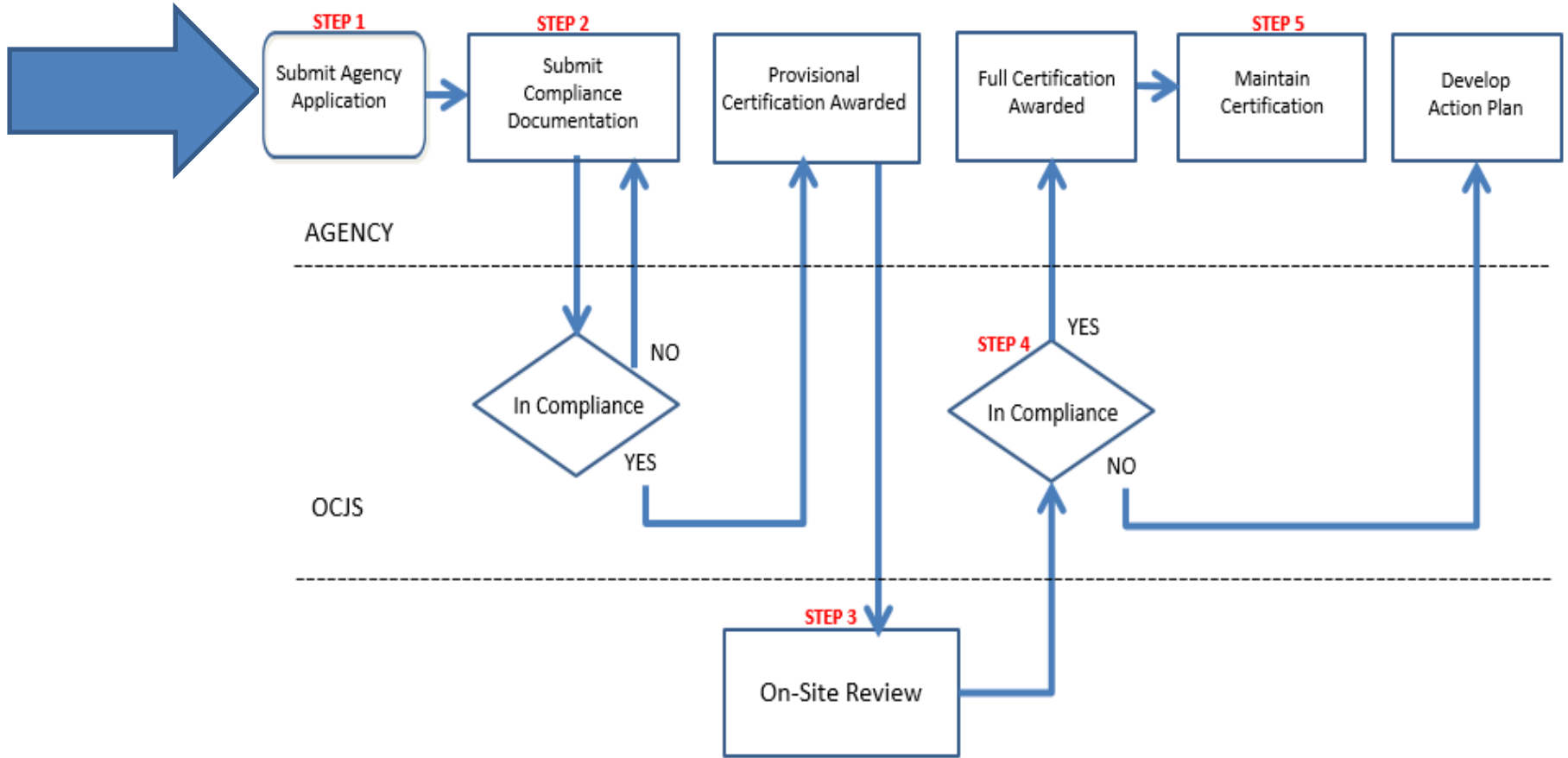
# Stakeholders

- Ohio Association of Chief's of Police, OACP
  - Donna Braxton, Executive Director
  - Joel Brown, Program Director
- Buckeye State Sheriffs' Association, BSSA
  - Bob Cornwell, Director
  - Sheriff Randy Thorp, President
- Ohio Criminal Justice Services
  - Karhlton Moore, Executive Director



# Step 1 – Agency Application

Process Diagram





# Agency Application

- Applications may be submitted via US mail, electronically, or fax
- Conduct review of application details
- Clarify any missing or unclear information
- Email agency confirmation of application receipt



# Email to Agency

Step 1 Initial Application – Agency Application (EMAIL)

Dear (Agency Contact)

Your Agency Application for Initial Certification has been received and processed by the Office of Criminal Justice Services (OCJS). If additional information or clarifications are needed an Ohio Collaborative team member will reach out to you.

You may now begin Step 2 of the Compliance process. Detailed guidelines to assist with preparation of compliance documentation as well as the Standards Compliance Checklist can be found at <http://www.ocjs.ohio.gov/ohiocollaborative>. Click on the LAW ENFORCEMENT tab where you will locate “Guidelines for Agency Declaration Document Submissions” as well as the “Standards Compliance Checklist.”

Within the next 30 days, E-mail compliance documentation, to [ohiocollaborative@dps.ohio.gov](mailto:ohiocollaborative@dps.ohio.gov), fax to 614-466-5061, or mail to Ohio Department of Public Safety, OCJS, 1970 West Broad Street, Columbus, OH 43223.

Please feel free to contact Kathy Mahl at 614.512.6351 with any questions you may have or to request the assignment of a Peer Resource.

Sincerely,

Karhlton Moore, Executive Director  
Ohio Criminal Justice Services



# Timeline

- Application review shall be completed in no more than 14 days
  - Includes correspondence being sent to the agency



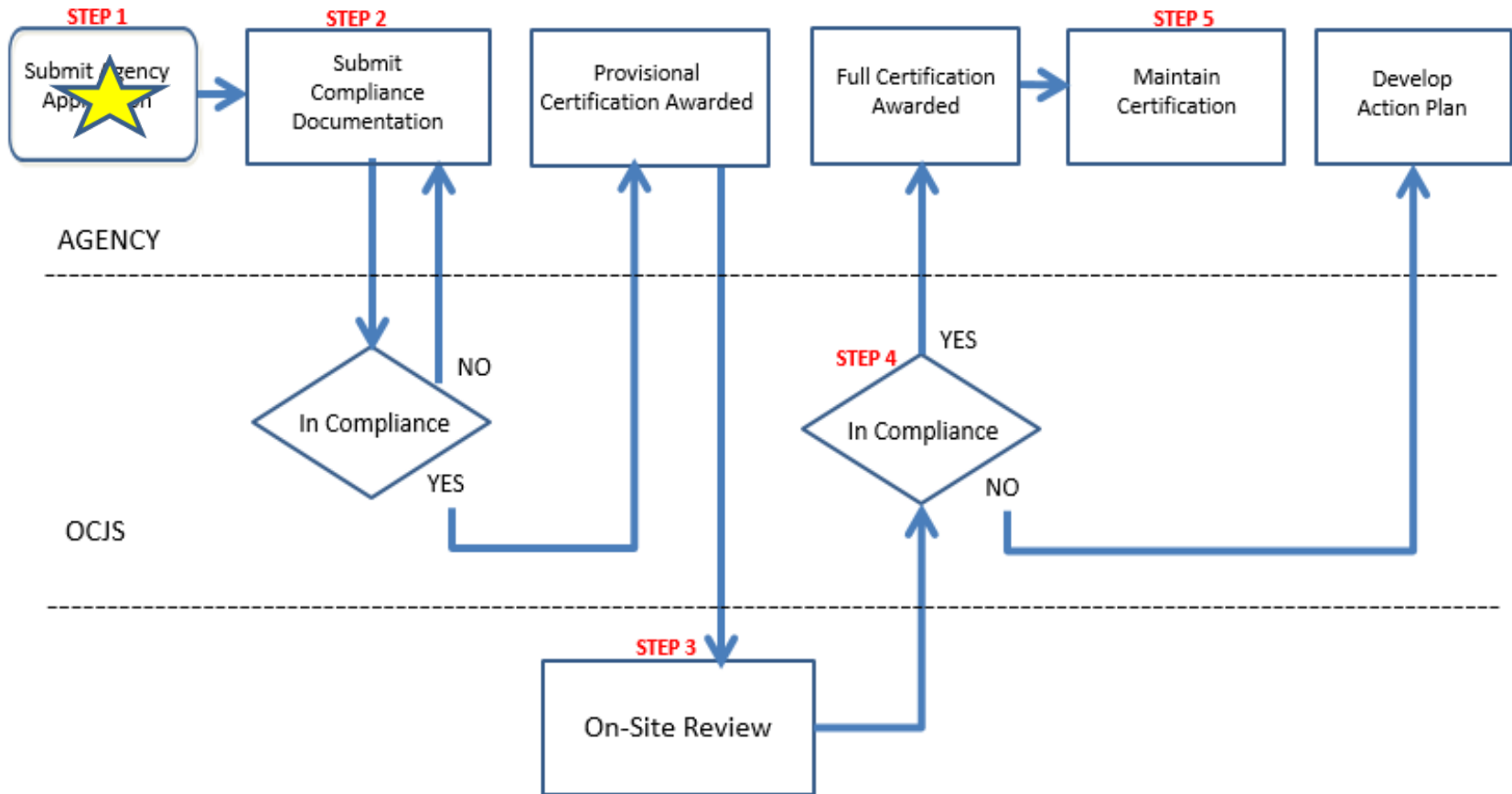
# Model Policy Access

- Upon application members may request IACP membership application
  - Generate any necessary correspondence to the agency contact



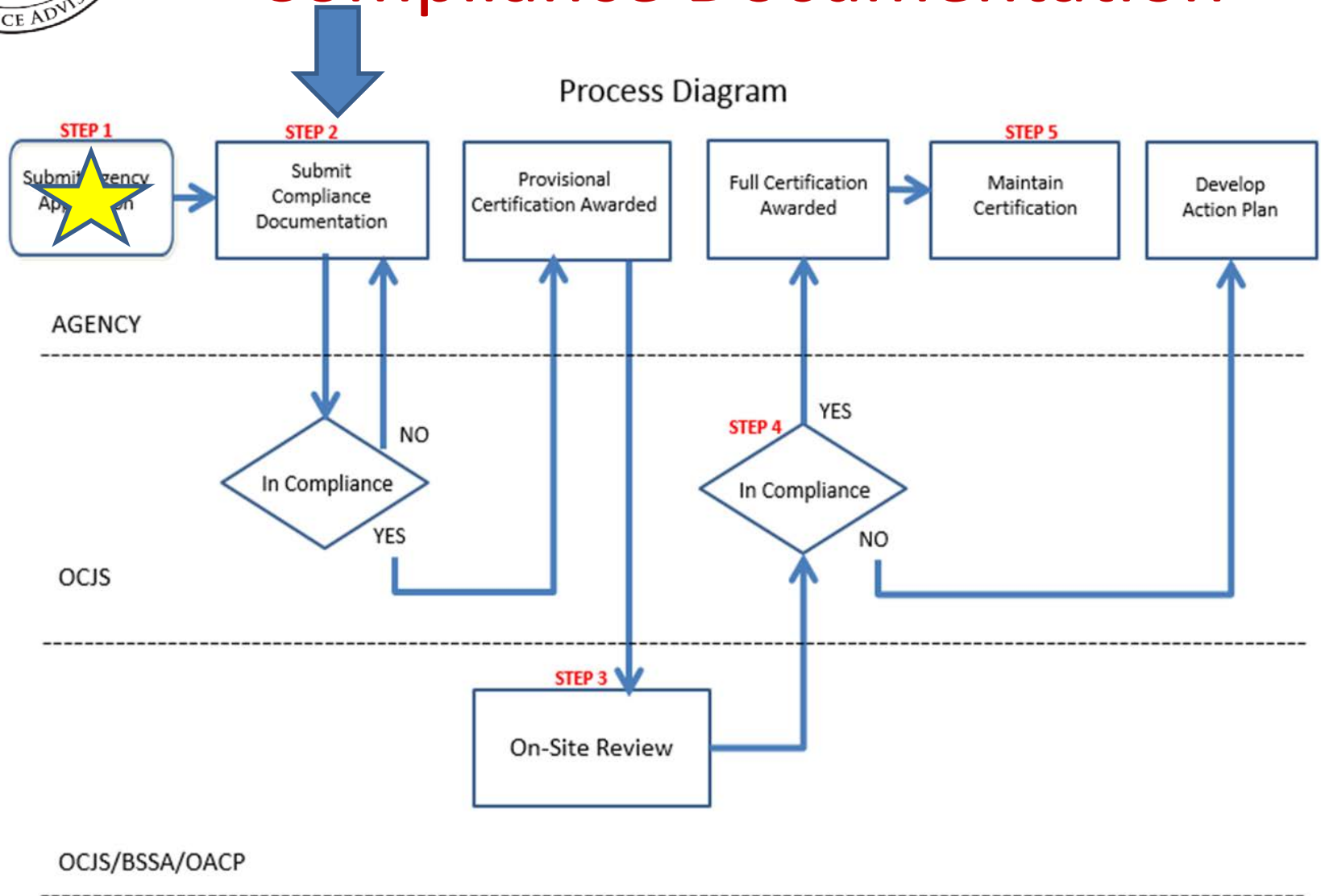
# Step 1 Complete

## Process Diagram





# Step 2 Compliance Documentation





# Peer to Peer (P2P) Resource

- Request received at any time prior to or after application process
  - Stakeholder group assigns resource
- Contact should occur with agency asap
- A P2P may NOT serve their own agency or any former employer
- Prior to serving as a P2P
  - Must have attended training administered by an Ohio Collaborative Representative



# PTP Assistance

- Assisting with standards dissection
- Providing sample policies
- Assisting with policy language
- Identifying acceptable proofs of compliance
- Reviewing agency's compliance documentation before submissions



# ONLINE RESOURCES

- Standards Compliance Checklist
- Guidelines for Self-Certification Document Submissions



# File Content

## COMPLIANCE DOCUMENTATION

### WRITTEN DIRECTIVE



#### OHIO COLLABORATIVE LAW ENFORCEMENT AGENCY CERTIFICATION

##### STANDARDS COMPLIANCE CHECKLIST

**USE OF FORCE** Employees may only use the force which is reasonably necessary to affect lawful objectives including: affecting a lawful arrest or overcoming resistance to a lawful arrest, preventing the escape of an offender, or protecting or defending others or themselves from physical harm.

**USE OF DEADLY FORCE** The preservation of human life is of the highest value in the State of Ohio. Therefore, employees must have an objectively reasonable belief deadly force is necessary to protect life before the use of deadly force. Deadly force may be used only under the following circumstances:  
1. To defend themselves from serious physical injury or death or 2. To defend another person from serious physical injury or death or 3. In accordance with U.S. and Ohio Supreme Court decisions, specifically, *Tennessee v. Garner* and *Graham v. Connor*.

##### 1.1 Policy Statements

A directive establishes the agency's use of force and use of deadly force policy statements and

- a. agency personnel are issued copies of the agency's use of force and use of deadly force policy statements.
- b. agency personnel are annually trained and tested on use of force and use of deadly force policy statements.
- c. agency provides documentation showing compliance.

##### 1.2 Training

A directive states the agency's policy on use of force and use of deadly force training and

- a. agency personnel are issued copies of the agency's use of force and use of deadly force training policy.
- b. agency personnel are annually trained and tested on the agency's use of force and use of deadly force training policy.
- c. agency provides documentation showing compliance.

##### 1.3 Reporting

A directive requires a written report be taken when there is a use of force or use of deadly force incident and

- a. agency personnel are issued copies of the agency's use of force and use of deadly force



# Standards Compliance Checklist

- Collaborative standard language must be contained in agency directive
- Written directives shall cover each standard
- Compliance documentation shall include each standard element
  - Policy/Procedure
  - Publication (Read and Sign)
  - Proficiency (Testing)
  - Proof (Compliance Documentation)



# Written Directives

- Forms of Written Directives
  - Policy or Procedures
  - Rules
  - Regulations
  - Collective Bargaining Agreements
  - City Code/Ohio Revised Code
  - Memorandums
  - General or Special Orders
  - Training Materials



# Compliance Documentation

- Proofs of Compliance Examples
  - Investigative Reports
  - Inter-Agency Memos
  - Photos
  - Analyses
  - Checklists
  - Read and Sign Reports
  - Testing Results
  - Knowledge Test Samples



# File Content

- How much?
  - Enough to prove compliance
  - Example of more than necessary
- Documentation shall include lack of activity
- File should stand on its own, if it doesn't:
  - Can additional information be obtained to strengthen compliance?
  - Is it something that shall be revisited during the onsite review?
  - Does the policy need enhanced?



# Example

- Standard
  - “Agency personnel are annually trained and tested...”
- Agency Directive
  - “Agency personnel are trained and tested...”
- Enhanced Directive
  - “Agency personnel are trained and tested **quarterly**...”



# File Preparation & Submission

- Arrangement Order
  - Standards Compliance Checklist
  - Written Directives
  - Compliance Documentation
- Labeling and Highlighting
  - Labeled with applicable standard numbers and bullets
  - Applicable text is highlighted in some fashion to draw the reviewer to the compliance information contained in the agency directive.



# Compliance Documentation

- Can be sent Electronically, US mail, OR Fax
  - [ohiocollaborative@dps.ohio.gov](mailto:ohiocollaborative@dps.ohio.gov) (preferred)
  - 1970 West Broad Street, Columbus OH 43223
  - 614.466.5061
- File submissions
  - .Doc , .PDF, or .jpeg
  - Are they marked appropriately
    - Guidelines for Self-Certification Document Submissions



# Timeline

## Internal / OCJS

- Compliance Documentation review shall be completed in no more than 14 days
  - Conducted internally by OCJS
  - Reviewed for compatibility and content
  - Includes correspondence being sent to the agency acknowledging receipt of documentation
  - Files not meeting guidelines returned with explanation



# Administrative Follow-Up Internal / OCJS

- Update Ohio Collaborative Database
  - Date Compliance Documentation Received
    - Did it have to be returned
  - Compliance File Review Assignment
    - To whom
    - Date assigned for review
      - Review to be completed on or before 30<sup>th</sup> day
    - Date agency communication(s) sent



# Compliance File Reviews

- Conducted by training OCJS staff
  - Use Standards Compliance Checklist “Provisional Feedback Report”
- Areas requiring follow-up are clearly detailed
  - Shall be a priority for onsite assessor
- Summary of standard implementation elements
  - 1) Policy and/or procedure
  - 2) Publication (read and sign)
  - 3) Proficiency (testing)
  - 4) Proofs of compliance details
- Notable achievements



# Provisional Review Feedback

- Review completed within 30 days
  - Includes
    - Correspondence sent to agency head
      - Provisional Certificate
      - Provisional Feedback Report
      - Congratulatory letter explaining next steps
    - Correspondence sent to stakeholder to assign assessor
      - Provisional Feedback Report



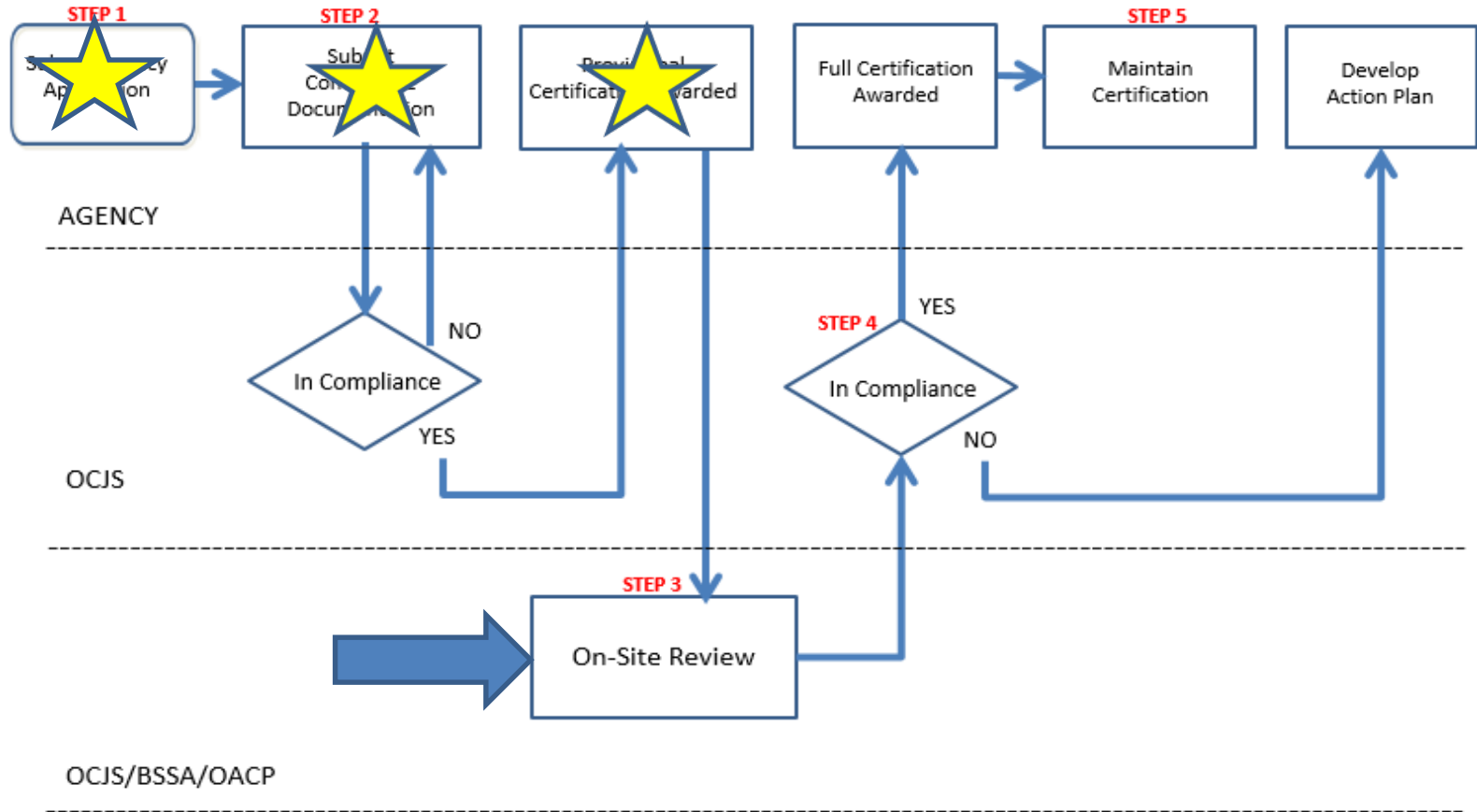
# Administrative Tasks Internal / OCJS

- Save copy of feedback review
  - OCJS secure files under agency name
- Mail agency correspondence
- Email applicable stakeholder to schedule onsite
  - Include Provisional Review Feedback
- Update database
  - Date review completed
  - Communications to agency
  - Other



# Step 2 Complete

Process Diagram





# Assigning the Assessor

- Assessors may NOT assess
  - Their own agency
  - A former agency
  - Agencies in their own county or contiguous counties or
  - Agencies formerly serving as a P2P resource
- Communicate any conflicts to the requesting stakeholder, upon request for assignment



# Contact with Agency

- Should occur within 3 days of notification
  - Timeline allocates 10 calendar days from stakeholder notification.
- Review Provisional Report feedback
  - Explain expectations to agency
  - What follow-up details were noted?
    - Ascertain if there will be special needs during your visit e.g. access to training documents, personnel for interviews, etc.



# Onsite Scheduling

- Pick a date mutually acceptable
- Completed within 60 calendar days
- Anticipated duration
  - 2 hours
  - If more time is needed contact appropriate stakeholder group for approval
    - OACP, Joel Brown [joel.brown@oacp.org](mailto:joel.brown@oacp.org) or 614.761.4618
    - BSSA, Bob Cornwell [bob@buckeyesheriffs.org](mailto:bob@buckeyesheriffs.org) or 614.216.6620



# Onsite Review

- Final Report comments shall include information relevant to:
  - Interviews
    - Shall pertain to the standards
      - Use of Force/Deadly Force
      - Hiring and Recruiting
  - Observations
    - How are policies managed
    - Read and sign publications
    - Administration of training
    - Hiring and recruitment activities
  - Notable achievements



# Non-Compliance

- Non-compliance
  - If through the interview or observation process, there's a question of non-compliance
    - Ascertain additional information
    - Ensure there's a clear understanding by the agency of the standard expectations
    - Can the non-compliance be fixed while onsite
    - Is a Plan of Action necessary
  - Contact shall be made to discuss any potential non-compliance issues found while onsite
    - Kathy Mahl, 614.512.6351
    - Jim Luebbers, 614.644.6797



# Exit Interview

- Assessor
- Agency Head
- Agency Contact



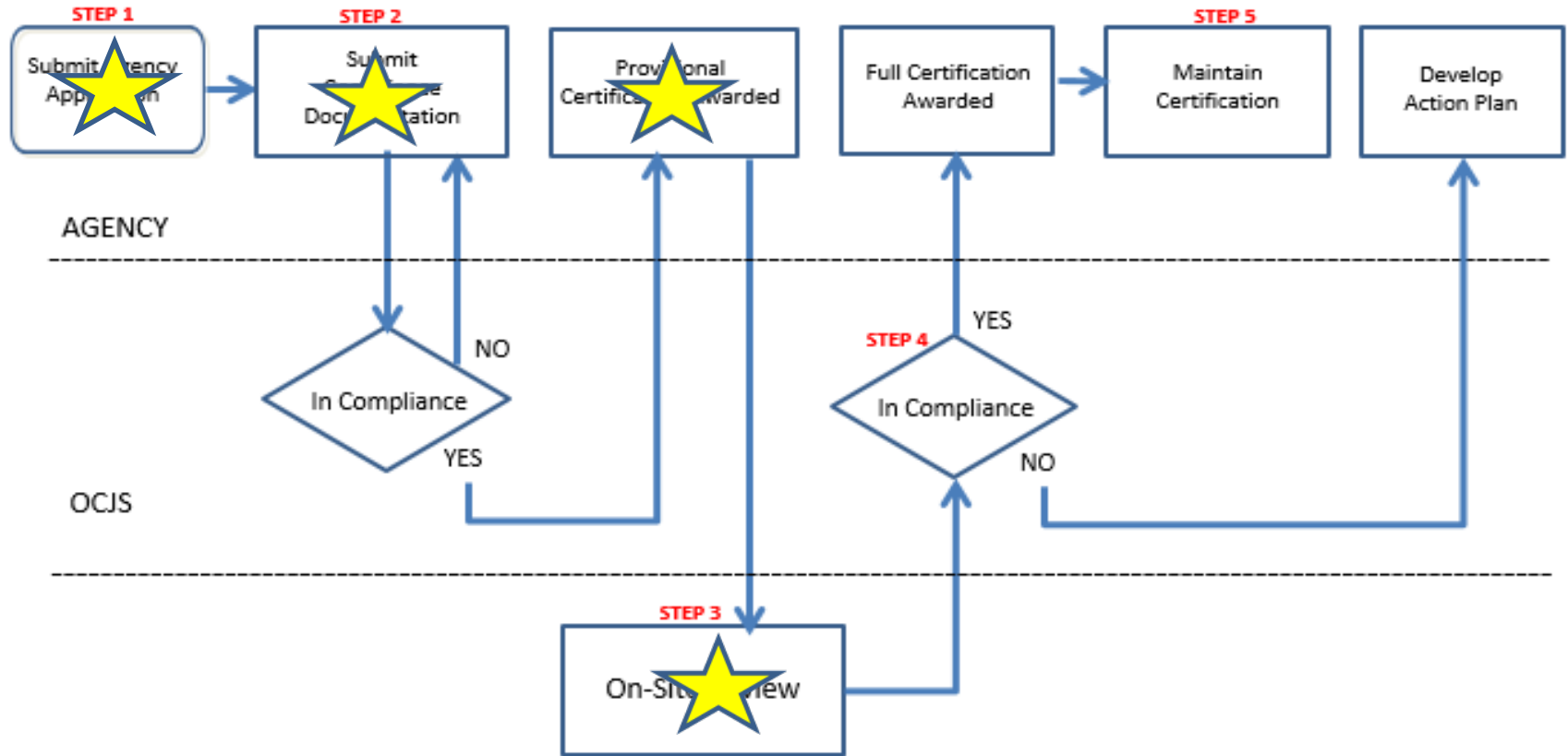
# Exit Interview Feedback

- Comments
  - Thank agency for their hospitality
  - Highlight details of visit as they pertain to standards compliance
  - Final determination for Full Certification will come from OCJS
  - Agency will receive notice within 30 days of OCJS receiving Final Report
  - Allow the agency to provide comment/ask questions
- Non-Compliance/Corrective Action
  - Should be discussed with the Agency Head prior to departure
    - Do not wait until the Exit Interview to disclose
    - Provide feedback for action plan considerations
    - Detail in Final Report



# Step 3 Complete

Process Diagram



OCJS/BSSA/OACP



# Final Report

- Submit final report to OCJS Executive Director Karhlton Moore, Attn: OHIO COLLABORATIVE
  - Due within 7 days
  - Email: [Ohiocollaborative@dps.ohio.gov](mailto:Ohiocollaborative@dps.ohio.gov)  
(PREFERRED)
  - Mail: 1970 West Broad Street, Columbus OH 43223
  - Fax: 614.466.5061



# Expense Reimbursement

- Peer to Peer Log
- Assessor Expense Report
  - Hours estimated
    - Report 1 hr
    - Onsite visit 2 hrs
    - Drive t
    - ime 2-4
    - Preparation 1 hr
- Neither to exceed 8 hours unless approved by applicable stakeholder



# What's Covered

- Mileage at STATE OBM rate .52 (Memo date: December 28, 2015)  
<http://ohiosharedservices.ohio.gov/TravelExpense/doc/MileageReimbursement/FY16-3rdQuarter.pdf>
- Tolls (with receipts)
- Training expenses
  - Drive time, training and mileage



# What's NOT Covered

- Meals
- Lodging
- Phone calls
- Other?



# Contact Information

- Please keep contact information up-to-date
  - For assignment
  - For reimbursement



# Miscellaneous

- Media Inquires
  - No interviews are to be granted and no questions answered by an assessor
  - Refer questions to OCJS Executive Director, Karhlton Moore [kmoore@dps.ohio.gov](mailto:kmoore@dps.ohio.gov) or at 614.466.7782 or
    - OCJS PIO, China Dodley, [CLDodley@dps.ohio.gov](mailto:CLDodley@dps.ohio.gov) or at 614.466.2551



# Questions

Kathy Mahl

[kmahl@dps.ohio.gov](mailto:kmahl@dps.ohio.gov)

614.512.6351

Ohio Criminal Justice Services