

# Important Changes to The Ohio Collaborative

The Ohio Office of Criminal Justice Services (OCJS) has greatly streamlined the forms which are used for certification under the Ohio Collaborative. This change was partially impacted by feedback from OACP members that the process and forms seemed redundant. The new format is more clear, succinct and will be especially important going forward as more standards are added to the process.

## Attached please find:

- A letter from Executive Director Karhlton Moore introducing the changes
- Attached to Director Moore's letter is the New Standards Compliance Checklist which includes:
  - Sample policies
  - Examples
  - Statements regarding what documentation is need to meet compliance
  - Frequently Asked Questions
- A sample of a completed Final Report using the new format

The new forms can be used effectively immediately. Both the OACP website and OCJS website should be updated this week to include the new forms (and delete the older versions).

Some agencies have commented that they were waiting to seek certification until the Ohio Collaborative process was refined. **Please note that we do not expect any more immediate changes regarding the Ohio Collaborative. If your agency was waiting, now is the time to begin the certification process.** The new level of detail and instruction which the forms supply will greatly assist agencies and hopefully eliminate a number of questions.

All timelines and other requirements for certification remain the same. Only the forms have been revised.

If you have any questions regarding the Ohio Collaborative and State Wide Standards, please contact Program Director Joel Brown at: [joel.brown@oacp.org](mailto:joel.brown@oacp.org) or 614-761-4618.

NOTE: In last week's Broadcast Communication regarding the State Wide Standards it was incorrectly stated that the compliance list of certified agencies would be published in March 2018. The list will be published in March 2017.

August 9, 2016



- Bureau of Motor Vehicles
- Emergency Management Agency
- Emergency Medical Services
- **Office of Criminal Justice Services**
- Ohio Homeland Security
- Ohio State Highway Patrol



**John R. Kasich, Governor**  
**John Born, Director**  
**Karhlton F. Moore**  
*Executive Director*

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August 8, 2016

Dear LE Professional:

We are excited to announce the revamping of the Ohio Collaborative reporting process and hope you find this to be a welcomed change.

The Office of Criminal and Justice Services has partnered with the Ohio Association of Chiefs of Police Association (OACP) and the Buckeye State Sheriffs Association (BSSA) to reduce the redundancy and to streamline the reporting process. All three organizations believe that this new streamlined approach will make it easier for agencies to be certified under the Ohio Collaborative. A new checklist has been developed (attached) and the updated form includes the same details as the previous form, however, each individual standard and associated element has been reduced to a bulleted item within each standard.

Compliance documentation shall continue to include the attached Standards Compliance Checklist along with all agency compliance submissions consisting of agency directive(s) and proofs of compliance documentation specific to each standard. While submissions are preferred to be submitted electronically via email at [ohiocollaborative@dps.ohio.gov](mailto:ohiocollaborative@dps.ohio.gov), hard copy submissions may also be mailed to the Office of Criminal Justice Services, Attn: Ohio Collaborative, 1970 W. Broad Street, Columbus, OH 43215.

The agency directive and associated compliance documentation shall:

- 1) Adequately cover each standard and associated bullet;
- 2) Be clearly marked with each standard number and bullet, and;
- 3) Include an explanation in the space provided for any areas where compliance could not be met.

Any submissions not meeting the above criteria will be forwarded to a subject matter expert (P2P Resource) for assistance and may result in a delay in the agency obtaining Ohio Collaborative Certification.

You will find a multitude of compliance resources at <http://www.ocjs.ohio.gov/ohiocollaborative/> to include sample policies for each standard, and active hyperlinks to acceptable forms of compliance documentation, maintained in each sample policy, as well as a Frequently Asked Questions document.

Lastly, an important update for CALEA agencies. Agencies in good standing with CALEA will only need to submit compliance documentation one-time and **only** for the first two Ohio Collaborative standards, if complying within the first year.

Please direct any questions to [ohiocollaborative@dps.ohio.gov](mailto:ohiocollaborative@dps.ohio.gov) or to Program Administrator Kathy Mahl at 614-512-6351.

Sincerely,

A handwritten signature in black ink, appearing to read "Karhlton Moore".

Karhlton Moore, Executive Director  
Office of Criminal Justice Services

Attachments (4)

- Standards Compliance Checklist
- Use of Force sample policy
- Recruitment and Hiring sample policy
- FAQ document



**Ohio Collaborative  
Law Enforcement Agency Certification**

**Standards Compliance Checklist**

**This document shall accompany all agency compliance submissions consisting of agency directive(s) and proofs of compliance documentation specific to each standard.**

**The agency directive and associated compliance documentation shall:**

- 1) Adequately cover each standard and associated bullet;**
- 2) Be clearly marked with each standard number and bullet, and;**
- 3) Include an explanation in the space provided for any areas where compliance could not be met.**

**Any submissions not meeting the above criteria will be forwarded to a subject matter expert for assistance and may result in a delay in the agency obtaining Ohio Collaborative Certification.**

**STANDARD 8.2015.1 Use of Force/Deadly Force**

The agency maintains a use of force/deadly force written directive that includes:

- ☐ a. policy statements in support of the Ohio Collaborative guiding principles;
- ☐ b. when a written report shall be conducted;
- ☐ c. investigation/report reviews for policy compliance; and
- ☐ d. annual read and sign and testing over directive content for sworn agency personnel.

**GUIDING PRINCIPLES:**

**USE OF FORCE** Employees may only use the force which is reasonably necessary to effect lawful objectives including: effecting 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*.

**Written directive** meets all bullets (if no, explain):

Supporting **compliance documentation** meets all bullets (if no, explain):

## Standard 8.2015.2 Recruitment and Hiring

The agency maintains a Recruitment and Hiring directive that includes:

- ☐ a. policy statements in support of the Ohio Collaborative guiding principles;
- ☐ b. establishment of an agency recruitment plan;
- ☐ c. establishment of agency EEO plan;
- ☐ d. identification of sworn officer applicant qualifications;
- ☐ e. identification of sworn officer application and selection process;
- ☐ f. annual review of agency hiring and recruitment process; and
- ☐ g. annual read and sign and testing over agency hiring and recruitment directive, for applicable personnel.

### **GUIDING PRINCIPLES:**

The goal of every Ohio law enforcement agency is to recruit and hire qualified individuals while providing equal employment opportunity. Ohio law enforcement agencies should consist of a diverse workforce. Communities with diverse populations should strive to have a diverse work force that reflects the citizens served.

Non-discrimination and equal employment opportunity is the policy. Law enforcement agencies shall provide equal terms and conditions of employment regardless of race, color, religion, sex, sexual orientation, gender identity, age, national origin, veteran status, military status, or disability. This applies to all terms or conditions associated with the employment process, including hiring, promotions, terminations, discipline, performance evaluations, and interviews.

Agencies should utilize due diligence in ensuring that their prospective employees have the proper temperament, knowledge and attitude to handle this very difficult job. Agencies should have appropriate mechanisms in place in order to achieve this mission. Further, agencies should ensure their employment requirements are related to the skills that are necessary to be a successful employee.

**Written directive** meets all bullets (if no, explain):

Supporting **compliance documentation** meets all bullets (if no, explain):

Agency Name: \_\_\_\_\_ ORI # \_\_\_\_\_

Agency Contact: \_\_\_\_\_ Contact # \_\_\_\_\_

Sample Policy

This sample policy is provided as an example for agencies to better understand what should be included in a directive. The sample policy includes examples of acceptable documentation for demonstrating compliance with each of the components of the Collaborative Standard. At least two samples per bullet are preferred, as noted.

		<i>Effective Date:</i> January 1, 2016	<i>Number:</i> <b>8.2015-1</b>
<i>Subject:</i> <b>Response to Resistance</b>			
<i>Reference:</i> IACP, Ohio Collaborative Resources		<i>Special Instructions:</i> Sign waiver upon completion	
<i>Distribution:</i> All sworn personnel at least annually		<i>Reevaluation Date:</i> 3/10/17	<i>No. Pages:</i> TBD

**Definitions related to this policy include:**

**Deadly force** - Force reasonably anticipated and intended to create a substantial likelihood of causing death or very serious injury.

**Force** - Any violence, compulsion, or constraint physically exerted by any means upon or against a person or thing. (ORC 2901.01) Furthermore, the application of physical techniques or tactics used on another person, in response to resistance whether passive or aggressive. Use of force is not when a person allows him/herself to be searched, escorted, or providing balancing assistance

**Serious physical harm** - means any of the following:

Any mental illness or condition of such gravity as would normally require hospitalization or prolonged psychiatric treatment.

Any physical harm, which carries a substantial risk of death.

Any physical harm which involves some permanent incapacity, whether partial or total or which involves some temporary, substantial incapacity.

Any physical harm which involves some permanent disfigurement or which involves some temporary, serious disfigurement.

**Physical harm** - any injury, illness, or other physiological impairment regardless of its gravity or duration.

**CEW** - Conducted Electrical Weapon

**Passive Resistance** - A nonviolent opposition to authority, especially a refusal to cooperate with legal requirements.

**Actively Resisting** - Those physical motions or movements used a person to counteract an officer's legal attempts to affect an arrest.

Objectively Reasonable: Determining the necessity for and the appropriate level of force, officers shall evaluate each situation in light of known facts, including but not limited to, the seriousness of the crime, the level of threat or resistance presented by the subject and the danger to the community.

## **Philosophy**

### **➤ Use of Force < STANDARD 8. 2015.1, BULLET A, POLICY STATEMENTS >**

Employees may only use that amount of force which is reasonably necessary to affect a 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 that deadly force is necessary to protect life before the use of deadly force. Deadly force may be used only under the following circumstance:

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*.

### **Use of Force to Effect an Arrest**

Any peace officer who has probable cause to believe that a person has committed a crime or public offense may use reasonable force to affect the arrest, to prevent escape or to overcome resistance. A peace officer makes or attempts to make an arrest, need not treat or desist from their efforts by reason of resistance or threatened of resistance by the person being arrested, nor shall a peace officer be deemed the aggressor or lose their right to self-defense by use of reasonable force to affect the arrest, prevent escape or to overcome resistance.

### **Verbal and Visual Warnings**

Officers will make every attempt to make clear their intentions to place a subject under arrest. However, it is understood that in some situations, the element of surprise may be used to subvert the potential of injury to the person being arrested or bystanders, officers may use deception, diversion or distraction to affect that arrest peacefully and reasonably.

Officers of this department are provided a variety of tools and are trained to use at their disposal in dealing with the use of force. Should the officer determine that the display of these tools is

appropriate and reasonable to seek compliance, they are permitted to do so. However, the use of warning shots will not be permitted.

### **Factors Used to Determine the Reasonableness of Force**

1. When determining whether to apply any level of force and evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration. These factors include, but are not limited to:
  - a. The conduct of the person being confronted as reasonably perceived by the officer at the time.
  - b. The officer's and subject's factors, including but not limited to: size, age, relative strength, skill level, injuries sustained, level of exhaustion or fatigue and the number of officers verses subjects.
  - c. The influence of drugs or alcohol and the subject's mental capacity.
  - d. The proximity of weapons.
  - e. The distance between the officer and subject.
  - f. The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained.
  - g. The time and circumstances permitting, the availability of other options (resources that are reasonably available to the officer under the circumstances).
  - h. The seriousness of the suspected offense or reason for the contact with the individual.
  - i. The training and experience of the officer.
  - j. The potential for injury to citizens, officers and suspects.
  - k. Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officers or others.
  - l. The prior knowledge of the subject's propensity for violence.
  - m. Any other exigent circumstance or special knowledge.

### **Pain Compliance Techniques**

Pain compliance techniques may be effective in controlling a passive or actively resisting individual. Officers may only apply those pain compliance techniques for which they have successfully completed department approved training. Officers utilizing any pain compliance technique should consider:

1. The degree to which the application of the technique may be controlled given the level of resistance.



2. Whether the person can comply with the direction of orders of the officer.
3. Whether the person has been given sufficient opportunity to comply.

The application of any pain compliance technique shall be discontinued once the officer determines that compliance has been achieved.

#### **Use of Force- Less than lethal (Pepper Spray, ASP)**

1. The use of less than lethal weapons shall be consistent with this agency's policy of the use of force and the principal of objectively reasonableness. Officers are authorized to use departmentally approved, non-deadly force techniques and issued equipment when one or more of the following apply:
  - a. To stop, control and restrain individuals while causing less harm than deadly force.
  - b. To restrain or subdue a passive resistant individual.
  - c. To bring an unlawful situation safely and effectively under control.

#### **CEW: Purpose and Scope**

The CEW is intended to control a violent or potentially violent individual while minimizing the risk of serious injury. It is anticipated that the appropriate use of such a device will result in fewer serious injuries to officers and suspects.

#### **Policy**

Personnel who have completed approved training may be issued the CEW to assist with carrying out their duties. Upon termination of employment, personnel are expected to return their assigned CEW to police inventory.

Officers shall only use the CEW and cartridges that have been issued by the Police Department.

Uniformed officers who have been issued the CEW shall wear the CEW in an approved holster on their duty belt opposite their firearm.

1. The CEW shall be clearly and distinctly marked to differentiate it from the duty weapon and any other device.
2. Whenever practical, officers should carry a total of two or more cartridges on their person when carrying the CEW.
3. Officers shall be responsible for ensuring that their CEW is properly maintained and in good working order at all times.
4. Officers should never hold both the CEW and their firearm at the same time.

#### **Application of the CEW**

Authorized personnel may use the CEW when circumstances known to the officer at the time indicate that such application is reasonable to control a person in any of the following circumstances:

1. The subject is violent or actively resisting.
2. A subject who, by words or actions, has demonstrated an intention to be violent or to actively resist and who reasonably appears to present the potential of harm officers, themselves or others.
3. Flight in order to avoid arrest or detention, in circumstances where officers would pursue on foot and physically effect the arrest. However, officer must consider that the subject will fall and where and what that person will fall on. It may or may not, based on the objective reasonableness standard to use the CEW while in flight.
4. When practicable, the officer should give a verbal warning of the intended use of the CEW followed by a reasonable opportunity for the subject to voluntarily comply.

Every application of the CEW must be justified under the objectively reasonableness standard.

### **Special Deployment Considerations**

The use of the CEW should be avoided in the following situations unless the totality of the circumstances indicate that other options reasonably appear ineffective, impractical or would present a greater danger to the officer, the subject or other, and the officer reasonably believes that the need to control the individual outweighs the risk of using the CEW:

1. Females suspected of being pregnant.
2. Elderly individuals or obvious juveniles: determined by amount of force needed to take custody and amount of resistance facing the officer; safer to go hands on or use CEW, which has best outcome for everyone.
3. Individuals handcuffed or otherwise restrained.
4. Individuals whose position or activity may result in collateral injury (falls from heights or vehicle operation).
5. More than 15 seconds of CEW application.
6. Passive Resistance.
7. In an environment where flammable, volatile, or explosive materials are a concern.
8. Perception of mental illness alone, without the use verbal commands, de-escalation techniques.

Because the CEW can be used in drive stun mode and relies of pain compliance and close proximity to the subject, caution should be used. This application should be limited to brief applications in which pain compliance would reasonable appear necessary to achieve control.

### **Targeting Considerations**

While the manufacturers generally recommend that reasonable efforts should be made to target the back of the individual- buttock to shoulder blades, it is recognized that the dynamics of each situation and officer safety may not permit the officer to limit the application of the CEW probes to the precise target area. As such, officers should take prompt and ongoing care to monitor the condition of the subject if one or more probes strike the neck, head, breasts (female), or groin until the subject is released while targeting the front of the suspect.

### **Multiple Applications of the CEW**

If the first application of the CEW appears to be ineffective in gaining control of a suspect and if circumstances allow, the officer should consider the following before additional applications of the CEW:

1. Whether the probes are making proper contact.
2. Whether the application of the CEW is interfering with the ability of the suspect to comply.
3. Whether verbal commands, other options or tactics may be more effective.

This, however, shall not preclude any officer from deploying multiple, reasonable applications of the CEW on an individual.

### **After CEW Deployment**

1. Request supervisor or ranking officer to respond to the scene.
2. Examine suspect after being handcuffed, determine if EMS is needed.
3. Secure probes and cartridge as evidence after taking pictures- probe entry points on suspect.
4. Reports documented before ending the officer's shift; for officer and supervisor.

In situations where the CEW deployment is associated with an incident where there is serious physical harm or death of a suspect, ensure that the entire CEW is secured and tagged as evidence.

### **Deadly Force Application**

While the use of a firearm is expressly considered deadly force, other force might also be considered deadly force if the officer reasonably anticipates and intends that the force applied will create a substantial likelihood of causing death or very serious injury. An officer may use deadly force to protect him/herself or others from what he/she reasonably believes would be an imminent threat of death or serious bodily injury. Other limitations on the use of deadly force are listed below.

### **Use of Deadly Force**

1. Peace Officers are authorized to use deadly force when one or both of the following apply:
  - a. To protect the officer or others from what is reasonably believed to be a threat of death or serious bodily harm.
  - b. To prevent the escape of a fleeing VIOLENT felon who the officer has probable cause to believe will pose a significant threat of death or serious physical injury to the officer or others.
2. Where practicable, the officer shall identify himself/herself as a police officer and warn of his or her intent to shoot.

### **Deadly Force Restrictions**

1. Warning shots are prohibited.
2. Firearms shall not be discharged at a moving vehicle unless a person in the vehicle is immediately threatening the officer or another person with deadly force by means other than the vehicle being operated; the discharging of a firearm at a moving vehicle is prohibited if that discharge presents an unreasonable risk to the officer or others. The moving vehicle itself shall not presumptively constitute a threat that justifies an officer's use of deadly force. Officers are not permitted to place themselves in front of a moving vehicles then justify the use of deadly force. Remove yourself from the path of the vehicle instead of firing at the vehicle or its occupants.
3. Firearms shall not be discharged from a moving vehicle.
4. Where the use of force is not authorized, officers may use only that level of force that is objectively reasonable to bring an incident under control.

### **Command Responsibilities after a Shooting**

1. The Chief of Police, command officers and detectives will be immediately notified by any and all means when an officer's response to resistance causes serious physical harm to another or death.
2. The initial on scene investigation will be secured and preserved, awaiting for the arrival of the Chief of Police, a third party independent investigating agency and department investigators. The Police Department will be responsible for the internal investigation.
3. BCI&I and the County Sheriff & Prosecutor will be notified. The sheriff and prosecutor's office will conduct the criminal investigation. BCI&I will conduct the crime scene investigation.
4. Suspect will be secured, whether alive or deceased. The weapon should be left where it lays if at all possible and the scene secured. All potential evidence secured, including cruiser, body cameras. Department supervisors will ensure all evidence is downloaded and kept secured.

5. The officer involved in the shooting will be examined for injuries and offered an opportunity to provide a brief summary. In depth questioning will be permitted at a minimum of 72 hours after the incident. The officer will be referred for crisis de-escalation services.
6. The officer's firearm will be collected as evidence. The department will provide the officer with an off duty weapon should the officer not have one. The officer will be placed on paid administrative leave until the investigations are completed.
7. The officer will be required to submit to a drug test prior to concluding that shift. A supervisor will be required to take the officer to the appropriate testing facility.
8. The officer will be provided legal representation from OPBA prior to questioning.
9. The officers shall be on administrative leave and re-instated to full active duty once a grand jury has found a no bill indictment.
10. And, the department has completed its internal investigation and found that policy was followed.
11. Should the department determine that the policy was not followed or a crime was committed, the department will send notification, in writing, to the officer, advising its intent to move to the disciplinary phase. The officer will be offered a pre-disciplinary conference before any action is taken against the officer.

➤ **REPORTING USE OF FORCE <STANDARD 8. 2015.1, BULLET B, REPORTING>**

A Response to Resistance Form shall be completed by all officers involved, along with a confidential report and other appropriate paperwork as necessary, under the following circumstances:

1. When a firearm has fired in the direction of any person.
2. When a use of force results in injury or death.
3. When a subject indicates an injury has been inflicted.
4. When a less than lethal weapon has been used on another person.
5. Whenever an officer from another jurisdiction is involved in a use of force incident - either within or outside our Village - and is being directly assisted by a Police Officer.
6. When any bystander alleges excessive force or incorrect police conduct regarding the response to resistance.
7. Whenever any subject is charged with resisting arrest, obstructing.
8. The individual subjected to the force was rendered unconscious.
9. An individual was struck or kicked in any manner.
10. An individual alleges any of the above has occurred.

11. The pointing of a weapon at any subject.

12. The officer's use of force is the utilization of balance displacement techniques.

Not required for reporting are balance placement techniques:

- Restraint for self-injurious behavior, unless and injury is reported
- Balance assistance for a sick or intoxicated subject

In the case of an off-duty use of force incident and the officer is unsure if the incident is a police related incident (i.e. "color of law"), the officer will request a supervisor respond to the scene to make that determination.

NOTE: No documentation is necessary if a weapon is merely removed from a holster for ready access, unless any of the above conditions apply.

➤ **DUTY TO REPORT USE OF FORCE/INTERVENTION <STANDARD 8.2015.1, BULLET B, REPORTING>**

Any use of force by a member of this department shall be documented promptly, completely and accurately in the department's "Response to Resistance" report. The officer should articulate the factors perceived and why they believed the use of force was reasonable under the circumstances. To collect data for purposes of training, resource allocation, analysis and related purposes.

**Compliance documentation samples (Provide at least two completed Use of Force reports from last 12 months):**

**Standard 8.2015.1, Bullet B – Reporting Use of Force**

[Example 1 – Incident Report](#)

[Example 2 – Employee Reporting](#)

**Medical Attention for Injuries Sustained Using Force**

Prior to booking or release, medical assistance shall be obtained for any person who has sustained visible injury, expressed a complaint of injury or continuing pain, or who has been rendered unconscious. Based upon the officer's initial assessment of the nature and extent of the subject's injuries, medical assistance may consist of examination by fire personnel, paramedics, hospital staff or medical staff at the jail. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another officer and/or medical personnel. If an audio recording is made of a contact or an interview with the individual, any refusal should be included, if reasonably possible. Persons who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics and seem impervious to pain (sometimes called "excited delirium") or who require a protracted physical encounter with multiple officers to be brought under control may be at an increased risk of

sudden death and should be examined by qualified medical personnel as soon as practicable. Medical personnel should be advised of the relevant behavior of the subject.

Any individual exhibiting signs of distress shall be medically cleared prior to being brought to the jail for booking.

EMS is not required to be called for a subject who has had the CEW deployed on them and the probes have not hit vital or sensitive areas. Officers may remove the probes themselves.

➤ **SUPERVISOR RESPONSIBILITIES <STANDARD 8.2015.1, BULLET C, REPORT REVIEW>**

Whenever an officer is involved in a use of force requiring the generation of the response to resistance form, a Supervisor is responsible for filling out and compiling the items specified on the Supervisor's Checklist on the response to resistance form. The Shift Supervisor should:

1. Obtain the basic facts from the involved officer. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.
2. Ensure that any injured parties are examined and treated by EMS.
3. Once any initial medical assessment or first aid has been completed, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas. (These photographs should also be retained until all potential civil litigation has expired).
4. The Detective Bureau will consult with the respective county prosecutor's office on preparing court orders to obtain copies of all medical reports (i.e. EMS report, treatment forms/summaries, etc.) pertaining to the treatment of the suspect. If the suspect is transported, the attending hospital personnel should be identified in the investigation so that the Detective Bureau can obtain all hospital documentation by court order. If the suspect is willing to sign a voluntary release of medical records, the Shift Supervisor or Senior Officer will make certain that documentation is submitted with the paperwork.
5. Ensure all witnesses are located, identified, interviewed, and witness statements are collected.
6. Obtain any and all video and audio recordings (i.e. cruiser recordings, booking recordings, audio recordings, body camera) available, and enter as evidence into the Property Room.
7. Review and approve all related reports.
8. In the event an officer is injured, the Shift Supervisor or Senior Officer shall, ensure that the officer receives medical attention, the Chief Of Police is notified by any means necessary, then complete the required Worker's Compensation Forms and make certain the injury is documented in the Response to Resistance form.
9. Ensure that the "Response to Resistance" form is completed by those involved, reviewed by the supervisor including completing those tasks indicated in the "Supervisors Checklist" section of this form. Once the form is completed the supervisor will ensure that the form is forwarded to the Chief of Police. The supervisor shall initiate a separate

internal administrative investigation if it is reasonable to believe that an application of force by an officer was not within policy. The investigation or complaint form will then be directed to the commanding officer of the accused employee, via the chain of command. The commanding officer will forward a copy to the Chief of Police, take any appropriate action and/or forward the investigation to the Chief of Police for disciplinary review.

**<Standard 8.2015.1, Bullet C>**

10. In the event that a supervisor is unable to respond to the scene of an incident involving the reported application of force, the supervisor is still expected to complete as many of the above items as circumstances reasonably permit.

**Compliance documentation samples demonstrating supervisor review:**

**Standard 8.2015.1, Bullet C – Report Review**

[Example 1 – Response to Resistance Review Sample](#)

[Example 2 – Supervisor Checklist](#)

➤ **TRAINING <STANDARD 8. 2015.1, BULLET D, ANNUAL READ AND SIGN & TESTING>**

Officers will receive a copy of this policy and will be required to acknowledge that they have read the policy. Officers will receive annual training and will be tested on their understanding of this policy. Furthermore, officers will receive annual scenario/judgement training with the CEW & firearms, above and beyond the requalification standards required by the State each year.

**Compliance documentation samples:**

**Standard 8.2015.1, Bullet D – READ AND SIGN & TESTING**

[Example 1 – Read and Sign Log \\*\\*PREFERRED](#)

[Example 2 – Testing Report Log \\*\\*PREFERRED](#)

[Example 3 – Quiz Sample](#)



# Sample Policy

This sample policy is provided as an example for agencies to better understand what should be included in a directive. The sample policy includes examples of acceptable documentation for demonstrating compliance with each of the components of the Collaborative Standard. At least two samples per bullet are preferred, as noted.

	<i>Effective Date:</i> January 1, 2016	<i>Number:</i> <b>8.2015.2</b>
<i>Subject:</i> <b>Recruitment and Hiring</b>		
<i>Reference:</i> IACP, Ohio Collaborative Resources		<i>Special Instructions:</i> Sign waiver upon completion
<i>Distribution:</i> Recruitment and Hiring Personnel	<i>Reevaluation Date:</i> 3/10/17	<i>No. Pages:</i> TBD

➤ **POLICY STATEMENTS: <STANDARD 8. 2015.2, BULLET A>**

The goal of every Ohio law enforcement agency is to recruit and hire qualified individuals while providing equal employment opportunity. Ohio law enforcement agencies should consist of a diverse workforce. Communities with diverse populations should strive to have a diverse work force that reflects the citizens served.

Non-discrimination and equal employment opportunity is the policy. Law enforcement agencies shall provide equal terms and conditions of employment regardless of race, color, religion, sex, sexual orientation, gender identity, age, national origin, veteran status, military status, or disability. This applies to all terms or conditions associated with the employment process, including hiring, promotions, terminations, discipline, performance evaluations, and interviews.

Agencies should utilize due diligence in ensuring that their prospective employees have the proper temperament, knowledge and attitude to handle this very difficult job. Agencies should have appropriate mechanisms in place in order to achieve this mission. Further, agencies should ensure their employment requirements are related to the skills that are necessary to be a successful employee.

➤ **READ AND SIGN AND TESTING <STANDARD 8.2015.2, BULLET G>**

Agency personnel involved in the recruitment and hiring activities for sworn personnel shall be issued copies of this agency directive, recruitment plan and EEO Plan, at least annually. In addition, employees conducting recruitment and hiring activities shall complete annual proficiency testing over the content of the Recruitment and Hiring directive and associated materials noted in this directive (e.g. Recruitment Plan, Equal Employment Opportunity Plan).

**Compliance documentation shall include at least two of the following samples:**

**Standard 8.2015.2, Bullet G – Policy Review and Testing**

[Example 1 – Read and Sign Log \\*\\*PREFERRED](#)

[Example 2 – Proficiency testing roster \\*\\*PREFERRED](#)

[Example 3 – Quiz sample](#)

[Example 4 – Training presentation](#)

➤ **RECRUITMENT PLAN <STANDARD 8.2015.2, BULLET B>**

The agency maintains a recruitment plan designed to attract qualified applicants for jobs. This plan includes objectives and strategies for actively recruiting underrepresented minorities and women.

**Compliance documentation shall include at least two of the following samples:**

**Standard 8.2015.2, Bullet B – Establishment of Recruitment Plan**

[Example 1 – Recruitment Plan \\*\\*PREFERRED](#)

[Example 2 – Photos of agency personnel participating in recruitment efforts](#)

[Example 3 – Career Fair announcement\(s\)](#)

[Example 4 – Calendar entry showing personnel assigned to recruitment detail](#)

[Example 5 – Memo detailing recruitment efforts](#)

➤ **EQUAL EMPLOYMENT OPPORTUNITY PLAN <STANDARD 8. 2015.2, BULLET C>**

The agency shall maintain an EEO Plan outlining equitable opportunities for employment and conditions of employment to all employees regardless of race, creed, color, age, sex, religion, national origin, or physical impairment. The agency treats all employees fairly in the selection process (and in other personnel activities) by giving all employees the same opportunities for employment. The agency's equal employment opportunity plan documents the steps the agency intends to take to ensure that there are no artificial barriers that would prevent members of a protected group from a fair and equitable opportunity to be hired, promoted, or to otherwise take advantage of employment opportunities.

**Compliance documentation shall include at least two of the following samples:**

**Standard 8.2015.2, Bullet C – Equal Employment Opportunity Plan**

[Example 1 – EEO PLAN \\*\\*PREFERRED](#)

[Example 2 – Personnel procedure manual](#)

[Example 3 – Brochure detailing EEO](#)

[Example 4 – Application with EEO components](#)

➤ **SWORN OFFICER APPLICANT QUALIFICATIONS <STANDARD 8.2015.2, BULLET D>**

○ **Preliminary recruitment and hiring qualifications include:**

- United States citizen;
- Valid driver's license;
- 21 years of age or older;
- High school diploma or G.E.D.;
- Certificate of Basic Police Officer Training Program or 20 hours of active duty as a Peace Officer per Ohio Revised Code §109.78(D).

**Compliance documentation shall include at least two of the following samples:**

**Standard 8.2015.2, Bullet D - Sworn Officer Qualifications**

[Example 1 – Brochure detailing qualifications](#)

[Example 2 – Memo to applicant detailing qualifications](#)

[Example 3 – Website posting detailing qualifications](#)

[Example 4 – Vacancy posting](#)

[Example 5 – Newspaper vacancy posting](#)

➤ **APPLICATION AND SELECTION PROCESS <STANDARD 8.2015.2, BULLET E>**

Applicants failing to satisfactorily complete any phase of the selection process will be notified in writing.

Completed background investigations will be presented to the Screening Review Board (SRB). The SRB will review each applicant's file and make a determination of acceptance or rejection. If an applicant's background report receives a majority vote of "yes" they will be offered employment.

○ **Application Options**

- The agency will post position when a vacancy occurs.
- Apply online at [careersforle.ohio.gov](http://careersforle.ohio.gov).
- Contact Human Resources at 614.321.0122 for a detailed recording of agency hiring opportunities.

○ **Personal History Questionnaire / Conditional Offer of Employment**

- Applicants selected for an interview will be issued a Personal History Questionnaire (PHQ), Physician's Release, Hearing Report, Vision Specialist Report, Tattoo Modification Declaration, Physical Fitness Standards, and Supplemental Nepotism Report.

- Applicant release forms along with the Conditional Offer of Employment will accompany the instructions on how to access and submit the Personal History Questionnaire (PHQ). The applicant must acknowledge the conditions set forth in the Conditional Offer of Employment prior to continuing the application process.
- On the day of the initial interviews, applicants PHQs will be reviewed by the interview panel prior to the interview to check for any disqualifiers and to make sure that the packet is complete. Applicants with permanent disqualifiers will not be allowed to continue in the process. Disqualifiers will be confirmed by the Personnel.
- **Polygraph Examination / Background Investigation**
  - All applicants under consideration for police officer will follow the same hiring process for sworn personnel through the polygraph and background stages.
  - Polygraph results will be forwarded to the Field Operations/Personnel Committee for vote before being submitted to Personnel.
  - Applicants who are rejected by the members of the Screening Committee may submit a written request to the Personnel for a personal interview.
- **Physical Fitness Assessment**
  - The applicant must bring a completed physician's release with them on the date of their physical fitness assessment. The physician's release must not be more than thirty (30) days old at the time of the physical fitness assessment.
  - The physician's release will require the authorization and signature by a licensed physician.
  - An applicant's body fat composition shall be in accordance with standards recommended by the Ohio Peace Officer Training Commission.

**Compliance documentation may include at least two of the following samples:**

**Standard 8.2015.2, Bullet E – Selection Process**

[Example 1 – Conditional offer checklist](#)

[Example 2 – Memo detailing the selection process](#)

[Example 3 – Notification of results](#)

[Example 4 – Hiring procedures](#)

[Example 5 – Correspondence to applicant](#)

➤ **ANNUAL REVIEW/ANALYSIS OF RECRUITMENT AND HIRING PROCESS <STANDARD 8. 2015.2, BULLET F>**

At least annually, the agency shall conduct a documented annual analysis detailing the agencies progress toward recruitment plan objectives which shall include revisions to the plan as needed. Adjustments should be considered whenever necessary to meet the objectives identified in the plan. Analysis shall include a comparison of agency personnel hiring demographics relative to the

service area demographics and available workforce data. Resources used in analyzing agency hiring data may include census data and agency personnel hiring and recruitment data.

**Compliance documentation shall include at least ONE of the following samples demonstrating review findings:**

**Standard 8.2015.2, BULLET F – Annual Review/Analysis**

[Example 1 – Recruitment and hiring annual review \\*\\*PREFERRED](#)

[Example 2 – Recruitment plan review](#)

[Example 3 – Census comparison](#)

[Example 4 – Recruitment objectives review](#)



## **OHIO COLLABORATIVE LAW ENFORCEMENT AGENCY CERTIFICATION**

### **FREQUENTLY ASKED QUESTIONS**

**Q: Is a CALEA accredited agency grandfathered in any way?**

A: Yes, although the Ohio Collaborative Law Enforcement Agency Certification program is a stand-alone program, CALEA certified agencies will only need to submit agency directives and compliance documentation one time to show compliance with only the first two Ohio Collaborative standards (Use of Force to include Deadly Force and Recruitment and Hiring), **if complying in the first year.**

**Q: If my agency is CALEA accredited and the Collaborative standard addresses an area not yet covered by CALEA, will I have to address that standard in my agency?**

A: Yes, you may be required to submit compliance documentation to show compliance with the Ohio Collaborative standard.

**Q: Do my agency policies need approved by Criminal Justice Services before I issued them to my agency personnel for read and sign and testing?**

A: No, as long as they meet all the components of the standards compliance checklist, found on the Ohio Collaborative website, they should be assigned for both read and sign and testing.

**Q: Can I use my own policy language to meet the standard?**

A: Yes, as long as it meets the overall intent of the Ohio Collaborative policy statements and associated standards. Agencies are asked to provide a memo or checklist in support of the Ohio Collaborative policy statements and associated standards. Samples of each can be found at <http://www.ocjs.ohio.gov/ohiocollaborative/>

**Q: What are the resources available to assist me with gaining Ohio Collaborative Certification?**

A: During the application process, agencies may request a Peer to Peer (PTP) resource. A PTP resource is trained in acceptable compliance documentation submissions. PTP resources are provided to the agencies at no cost. In addition, agencies in the application process are eligible to receive a complimentary membership to the IACP model policy database.

**Q: Is there a cost associated with Ohio Collaborative Certification?**

A: There are no costs for participation in the Ohio Collaborative Certification program. All resources are provided at no cost to the agency.

**Q: How do I know if I am considered a law enforcement agency qualified to participate in this program?**

A: Agencies having certified Ohio peace officers under ORC 2935.01 are eligible to participate.

**Q: What is the deadline for submitting compliance documentation?**

A: The list of agencies not participating in the program will be published in March of 2017. Agencies having a desire to participate should be in the compliance review process no later than February of 2017.

**Q: Is participation in the Ohio Collaborative Certification program mandatory?**

A: Participation is not mandatory. Per Executive Order 2015-04K (<http://www.governor.ohio.gov/Portals/0/executiveOrders/EO%202015-04K.pdf>) no later than March 31, 2017, and annually thereafter, OCJS shall publish a report listing which state and local law enforcement departments have and have not adopted and fully implemented the published statewide standards.

**Q: Who may I contact with additional questions regarding the Ohio Collaborative process?**

A: Kathy Mahl, 614.512.6351 or [kmahl@dps.ohio.gov](mailto:kmahl@dps.ohio.gov) or Jim Luebbers, 614.644.6797 or [JFLuebbers@dps.ohio.gov](mailto:JFLuebbers@dps.ohio.gov)

**Q: What are the guidelines for the amount of compliance documents to be submitted?**

A: **Read and Sign and Testing Documentation:**

At least 10% for agencies with more than 50 sworn

At least 50% for agencies with 21-50 sworn and

100% for agencies with 20 or less sworn

**Compliance Documentation (Reports, Investigations, etc.)**

At least two samples from current year

**Q: Where can I obtain additional information on the Ohio Collaborative purpose?**

A: Executive Order 2015-04K Establishing the Ohio Collaborative Community-Police Advisory Board. <http://www.governor.ohio.gov/Portals/0/executiveOrders/EO%202015-04K.pdf> and <http://www.ocjs.ohio.gov/ohiocollaborative/>



**Ohio Collaborative  
Law Enforcement Agency Certification**

**FINAL CERTIFICATION REVIEW**

**Agency Name, CEO and Agency Contact**

Fairfield Police Department  
5230 Pleasant Avenue, Fairfield OH 45014-3555

**County:** Butler

**Chief** Michael J. Dickey  
**Phone:** 513.867.6015  
**E-mail:** mdickey@FairfieldOH.gov

**CALEA:** YES  
**Lexipol Customer:** NO

**Date of the Provisional Review**

04/07/2016

**Reviewed by:**

Kathy Mahl, Criminal Justice Services

**STANDARD 8.2015.1 Use of Force/Deadly Force**

The agency maintains a use of force/deadly force written directive that includes:

- ☒ a. policy statements in support of the Ohio Collaborative guiding principles;
- ☒ b. when a written report shall be conducted;
- ☒ c. investigation/report reviews for policy compliance; and
- ☒ d. annual read and sign and testing over directive content for sworn agency personnel.

**GUIDING PRINCIPLES:**

**USE OF FORCE** Employees may only use the force which is reasonably necessary to effect lawful objectives including: effecting 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*.

**Compliance feedback:** The agency's policy is very thorough and directs that "Employees may only use the force which is reasonably necessary to effect lawful objectives including: effecting 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. The agency's deadly force policy is written verbatim from the Ohio Collaborative's policy statements. A written use of force report is required when an officer applies physical force, applies force through any weapon system, takes an action that results in injury or death to another person, or discharges a firearm other than for training or recreational purposes. The agency's policy requires a written report when force is used. A dedicated form, completed in its entirety, provides reviewers with sufficient data to determine the validity of the force used. In addition to the Ohio Collaborative requirements, the agency completes an annual analysis of use of force incidents which provides valuable information for the agency in terms of patterns and practices. In 2015 agency personnel used force in 10 instances out of 924 arrests. Three instances involved the use of a Taser, all others were hands-on including takedowns, displacement, wrist lock or weaponless strikes. The agency provided completed use of force reports in support of the agency's directive to include documentation of supervisory reviews and annual read and sign and testing reports for applicable agency personnel, in support of agency compliance documentation.

#### **Standard 8.2015.2 Recruitment and Hiring**

The agency maintains a Recruitment and Hiring directive that includes:

- ☒ a. policy statements in support of the Ohio Collaborative guiding principles;
- ☒ b. establishment of an agency recruitment plan;
- ☒ c. establishment of agency EEO plan;
- ☒ d. identification of sworn officer applicant qualifications;
- ☒ e. identification of sworn officer application and selection process;
- ☒ f. annual review of agency hiring and recruitment process; and
- ☒ g. annual read and sign and testing over agency hiring and recruitment directive, for applicable personnel.

#### **GUIDING PRINCIPLES:**

The goal of every Ohio law enforcement agency is to recruit and hire qualified individuals while providing equal employment opportunity. Ohio law enforcement agencies should consist of a diverse workforce. Communities with diverse populations should strive to have a diverse work force that reflects the citizens served.

Non-discrimination and equal employment opportunity is the policy. Law enforcement agencies shall provide equal terms and conditions of employment regardless of race, color, religion, sex, sexual orientation, gender identity, age, national origin, veteran status, military status, or disability. This applies to all terms or conditions associated with the employment process, including hiring, promotions, terminations, discipline, performance evaluations, and interviews.

Agencies should utilize due diligence in ensuring that their prospective employees have the proper temperament, knowledge and attitude to handle this very difficult job. Agencies should have appropriate mechanisms in place in order to achieve this mission. Further, agencies should ensure their employment requirements are related to the skills that are necessary to be a successful employee.

**Compliance feedback:** Agency policy is supportive of the Ohio Collaborative guiding principles and includes this language as an introduction to the agency policy. All personnel are trained on the agency's hiring and recruitment policies. Completed tests on the policy content were reviewed for both

the chief and the administrative assistant responsible for the agencies recruitment and hiring process. The agency's recruitment plan includes a statement of objectives, a plan of action, and a statement of the position responsible for implementation of the plan. All personnel are issued a copy of the plan and acknowledge receipt of the same. The agency maintains an EEO plan in compliance with state and federal regulations. Agency directive supported each requirement of the Ohio Collaborative recruitment and hiring standard. Agency job announcements were found to detail application and selection information as well as agency hiring qualifications. A review of the 2015 recruitment plan analysis was conducted. The 2015 analysis describes each of the agency steps taken in support of its hiring and recruitment goals. The agency determined that potential employees that did not have to relocate accept employment, and that this was a significant factor in applying and accepting a position with their agency. The agency concluded that its recruitment efforts might be more fruitful as attention was given to identifying candidates who did not have to relocate.

**Summary:** The agency is a 24/7 operation with 24 full time and 12 part time officers. There were no issues that required attention. The agency has a history of professionalism which is clearly evident in its documentation and policy and implementation of those policies. The agency has a clear understanding of the elements of the standard as was demonstrated through observation of the agency's read and sign and training and testing documentation. The vessel is a manic commitment to obtain and maintain Ohio Collaborative Certification was exhibited throughout the department. This report documents the on-site review findings and is being submitted to the OC JS executive director for review and to aid in making the decision to grant Ohio Collaborative Law Enforcement Agency Certification to the Fairfield Police Department.

Kathy Mahl, 614-512-6351  
Reviewed By

04/07/2016  
Date