# Ohio Police Chief

2019 - First Edition





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- Introducing the 2019-2020 OACP Executive Committee
- OACP/CIS Recap
- Assessment Centers offer the Best Predictor of Future Success in a New Position
- Strategic Planning for Small Law Enforcement Agencies
- Trauma and Empathy in Battling the Opioid Epidemic



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Cover Photos: 2019 OACP Chiefs' In-Service and Annual Conference

Top Row: Swearing-in of the 2019-20 OACP Executive Committee

Center: (1-r) Incoming President, Chief David Marcelli, CLEE, Kimberly Marcelli, Attorney General Dave Yost

Bottom Row: (1-r) 2017-18 President, Chief Brandon Standley, CLEE, Incoming President, Chief David Marcelli, CLEE





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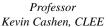
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# OHIO ASSOCIATION OF CHIEFS OF POLICE



## Letter from 2019-2020 OACP President

Chief David Marcelli, CLEE, Ashland Police Department

Greetings fellow members! It is my great privilege to serve as President of this esteemed organization. We are coming off another successful Chiefs' In-Service and Annual Conference (CIS/AC), setting records for attendance and vendor participation. I want to thank all of you that attended and I encourage any member that missed it to consider attending next year. I also want to thank the staff and Education Committee members who put together such a wonderful event. I know how hard they worked to put together such a great program.

It is an exciting time to be a part of the Ohio Association of Chiefs of Police (OACP). We have



Chief David Marcelli, CLEE

turned the corner financially, Advisory Services is very busy providing assessment centers, and some of our classes have a waiting list. We have created a Community Engagement Committee that is collaborating with several groups to develop programming to improve relationships with the communities we serve. We are utilizing technology to deliver training remotely which has become very popular among our small agencies. OACP continues to build and expand our relationship with the BSSA and DPS.

With all of that in mind, I now want to call on all of you to get involved with this great organization. I have been involved with the Executive Board for nine years. I have received more from this organization than I have put into it. In addition to the OACP's 11 internal committees, we continue to receive requests for volunteers from other organizations—for at last count, 68 other external committees. Not all of these positions are filled. Thus, as members I encourage you to get involved to gain the most benefit from being part of our organization. The first committee I volunteered to serve on was the Supreme Court's Court Security subcommittee. My service on that committee was worth it just to see the inside of the amazing Supreme Court building, as well as the networking with judges, prosecutors, and bailiffs from around the state. The OACP staff is working on compiling a list of the various types of committees and assignments that we often need filled. You will receive and email asking that you indicate which types of assignments interest you. With this list, we will hopefully get a more diverse representation of our members on these committees. In the coming weeks we will be soliciting for committee members on our newly formed Small Agency committee.

It is not all about the committees. I know that you are all very involved in your communities and time does not always allow for another committee. Attendance at OACP District Meetings is low. It has been a subject discussed by the Executive Board for years. I ask that you make an effort to attend two of the six district meetings in the coming year. If you cannot attend a meeting in your respective district, perhaps consider attending one in another district – or even volunteer to host a district meeting in your area.

I am sure if you contact your district representative, arrangements could be made. We also solicit opinions and ideas from our membership to stay relevant and innovative. If you are asked to participate in a poll or express an opinion on a topic, please participate. If you have a question or idea, please reach out to the staff, board member, or your District Representative. We want to hear from all of you.

I am extremely grateful to be president of this important organization. During the next 12 months I plan to keep the membership informed of important developments and remind you all of how important you are to t the OACP. I know our outstanding staff will continue working to provide the innovative programming that has become a model for other states and organizations.

I pray that you, your officers, and families find safety and health in the coming year.

Chief David Marcelli 2019-2020 OACP President

Chief David Marcell

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## Chief (ret) Thomas Vaughn to assume OACP Leadership for Ohio Collaborative and the Patrolling Chiefs Committee

I am pleased to announce that effective immediately, Chief (ret.) Thomas Vaughn will take on the responsibility for coordinating all OACP activities related to the Ohio Collaborative as well as the new Patrolling Chiefs Committee.

Chief Vaughn is recently retired from Millersburg PD, and has served as an assessor and peer for the Ohio Collaborative since 2016. Tom Vaughn brings a unique energy and understanding of the benefits, impact, needed training and resources for agencies as they work to certify and remain certified with the Ohio Collaborative.

Governor DeWine has stated his strong commitment to continuing and building on the early success of the Ohio Collaborative. Governor DeWine has also announced his support for a new standard related to Pursuit. New members have been added to the Ohio Collaborative board, and re-assessments for agencies who were certified in 2016 will begin soon.



Chief (ret) Thomas Vaughn

Tom Vaughn will be instrumental in guiding OACP members and law enforcement agencies with the Ohio Collaborative. Vaughn states, "I look forward to working with police and sheriff's offices across Ohio. I am especially excited about working with small departments as we develop a new tool kit to assist them through the certification process."

OACP remains committed to the Ohio Collaborative and the importance of minimum standards in building upon the professionalism of law enforcement.

Chief Vaughn is replacing Joel Brown who has led OACP's Ohio Collaborative efforts since the beginning of the certification program. Joel will be retiring at year-end 2019.

The *Patrolling Chiefs Committee* will be comprised of chiefs who serve communities with a population of 4,500 and below. The focus of the committee will be to identify areas in which OACP can better assist these chiefs. The first meeting will take place in early August 2019.

Tom Vaughn added, "Coming from a smaller department, I am aware of many issues that patrolling chiefs face on a daily basis. The OACP Executive Board's formation of this committee demonstrates their commitment to assisting these chiefs in finding solutions to their unique challenges."

The OACP is proud to serve Ohio law enforcement and chiefs of police.

If you have any questions regarding the Ohio Collaborative or the Patrolling Chiefs Committee, please contact Tom Vaughn at 614-761-4627 (office) - or - thomas.vaughn@oacp.org

Sincerley,
Donna Harrass
OACP Executive Director

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# OACP Introduces New Assessment Center Process for Villages and Townships

#### By Joel Brown, Program Director, Advisory Services

The Ohio Association of Chiefs of Police (OACP) recognizes the importance of serving all law enforcement agencies regardless of size. In the past, villages and townships (under 5000 in population) have not always been able to use our assessment center process for promotional opportunities due to cost. With this in mind, OACP created a new program specifically for villages and townships under 5000 population to fill this important need.

Assessment centers have long-been recognized as the "gold standard" in evaluating candidates for promotion. Military, government and law enforcement have been successfully using assessment centers since WWII, and private business began adopting the assessment center process in the 1980's. It is widely accepted that assessment centers provide the best indication of success in a new area of responsibility. OACP has successfully conducted nearly 1100 assessment centers since 1986. Our approach is created for, and specific to law enforcement.

This newly designed process for villages and smaller townships continues to follow the OACP model and the International Congress on Assessment Centers Methods. However, to make the assessment process more cost-effective for villages and townships, OACP employs one less assessor and provides an abbreviated final report. In addition, OACP can lend its expertise to villages and townships in helping develop job descriptions and advertisements for positions.



Joel Brown

If your village or township is interested in learning more about the OACP assessment center process, please contact Advisory Services Director Joel Brown at 614-761-4618 or joel.brown@oacp.org

Please note the specific product and pricing for Villages and Townships is only available to those villages or townships with less than 5000 population. We regret that no exceptions will be made on this policy.

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## In the Line of Duty:

### **Police Officer Dale James Woods (46)**

Colerain Police Department End of Watch: January 7, 2019

#### **Detective William Lee Brewer (42)**

Clermont County Sheriff's Office End of Watch: February 2, 2019

## In Memory of:

Chief (ret) Mathew Vedra (85) Rossford PD March 8, 2019



## OACP NEW MEMBERS

## OACP New Members: February 2019 - July 2019

| District 1           |                                   |            |          |   |
|----------------------|-----------------------------------|------------|----------|---|
| Active               | Colonel                           | Richard S. | Fambro   | OSP   |
| Active               | Chief                             | Steven     | Farmer   | Upper Arlington PD                          |
| Active               | Chief                             | Jeffrey B. | Spence   | Gahanna PD                                  |
| LEA                  | Lt.                               | Greg       | Lattanzi | Dublin PD                                   |
| LEA                  | Capt.                             | Scott      | McKnight | Mt. Vernon PD                               |
| LEA                  | Lt.                               | Jason      | Messer   | Upper Arlington PD                          |
| LEA                  | Lt.                               | Stephen    | Mette    | Worthington PD                              |
| LEA                  | Asst. Chief                       | Joseph     | Petrycki | Mansfield PD                                |
| LEA                  | Lt.                               | Nicholas   | Tabernik | Dublin PD                                   |
| LEA                  | Capt.                             | William    | Tolly    | Lancaster PD                                |
| LEA                  | Lt.                               | Andrew     | West     | The Ohio State University PD                |
| Associate            | Lt. Colonel                       | Arthur A.  | Reitz    | Ohio Attorney General's Office              |
| Associate            | Ms.                               | Jessica    | Yuzwa    | Franklin County Office of Homeland Security |
| Corporate<br>Partner | Sr. Mgr. of Corporate<br>Security | Shawn      | Toboz    | Charter Communications                      |

| District 2 |              |           |           |   |
|------------|--------------|-----------|-----------|---|
| Active     | Chief        | Michael   | Campbell  | Bowling Green State University PD                 |
| Active     | Chief        | Danny     | Collins   | Gibsonburg PD                                     |
| Active     | Chief        | Mark      | Denning   | Hicksville PD                                     |
| Active     | Chief        | Steven    | Harrison  | Owens Community College-Dept. of<br>Public Safety |
| Active     | Chief        | Patrick   | Jones     | Perrysburg PD                                     |
| Active     | Chief        | Marc      | Linder    | Bellevue PD                                       |
| Active     | Chief        | Robert    | Paulsen   | Carroll Twp. (Ottawa) PD                          |
| Active     | Chief        | Jeremy    | Schick    | New Washington PD                                 |
| Active     | Chief        | Frederick | Schnoor   | Sylvania PD                                       |
| LEA        | Deputy Chief | David     | Mueller   | Toledo PD   |
| LEA        | Chief        | Michael   | Schleeter | Fort Jennings PD                                  |

(Continued next page)

## OACP NEW MEMBERS

| District 3 |       |           |           |                           |
|------------|-------|-----------|-----------|---------------------------|
| Active     | Chief | Kevin     | Bielozer  | Westlake PD               |
| Active     | Chief | Michael   | Cannon    | Hunting Valley PD         |
| Active     | Chief | Tristan   | Harker    | Southwest General PD      |
| Active     | Chief | Paul J.   | Hruby     | Lorain County Metro Parks |
| Active     | Chief | Ronald L. | Mosely    | North Randall PD          |
| Active     | Chief | Roy T.    | Roddy     | Struthers PD              |
| Active     | Chief | Vito      | Sinopoli  | Bath Twp. (Summit) PD     |
| Active     | Chief | Thomas    | Wetzel    | Richmond Hts. PD          |
| Active     | Chief | Greg      | Wiley     | Geneva PD                 |
| LEA        | Chief | Clifton   | Barnes    | Kipton PD                 |
| LEA        | Lt.   | Mark      | Morales   | Westlake PD               |
| LEA        | Sgt.  | Matthew   | Naegele   | Willoughby Hills PD       |
| LEA        | Capt. | Michael   | O'Bannon  | North Randall PD          |
| LEA        | Lt.   | John      | Patterson | Woodmere PD               |
| LEA        | Cmdr. | Michael   | Rowe      | Shaker Hts. PD            |
| Associate  | Lt.   | Jeremy    | Jesenovec | Maple Hts. PD             |

(Continued next page)



## OACP NEW MEMBERS

## OACP New Members: February 2019 - July 2019

(cont'd)

| District 4           |                |         |              |                            |
|----------------------|----------------|---------|--------------|----------------------------|
| Active               | Chief          | Kurt    | Althouse     | Vandalia PD                |
| Active               | Chief          | Alan    | Hill         | Oakwood (Montgomery) PD    |
| Active               | Chief          | Tim     | Littleton    | Perry Twp. (Montgomery) PD |
| Active               | Chief          | Mike    | Mills        | Miami Twp. (Clermont) PD   |
| Active               | Chief          | Daniel  | Reid         | Cleves PD                  |
| Active               | Chief          | Charles | Stiegelmeyer | Miami Twp. (Montgomery) PD |
| Active               | Chief          | David   | Wolford      | Premier Health             |
| LEA                  | Sgt.           | Joshua  | Bolin        | Versailles PD              |
| LEA                  | Lt.            | Richard | Byron        | Piqua PD                   |
| LEA                  | Capt.          | Michael | McCutchan    | Lebanon PD                 |
| LEA                  | Lt.            | Ed      | Shannon      | Indian Hill PD             |
| LEA                  | Sgt.           | Jason   | Swartwout    | Blue Ash PD                |
| Associate            | Chief          | Sue     | Madsen       | Miami Twp. (Clermont) PD   |
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| District 5 |       |             |        |                |
|------------|-------|-------------|--------|----------------|
| Active     | Chief | Christopher | Mosley | New Holland PD |
| Active     | Chief | Allen       | Potter | Jackson PD     |
| LEA        | Chief | Richard     | Warner | Lynchburg PD   |
| Associate  | Chief | Kelly       | Smith  | Laurelville PD |

| District 6 |       |            |          |                |
|------------|-------|------------|----------|----------------|
| Active     | Chief | Matthew A. | Shaner   | Millersburg PD |
| LEA        | Lt.   | Melanie    | Appleman | OSP            |

## OACP New Life Members: February 2019 - July 2019

| District 1 |       |          |                 |           |
|------------|-------|----------|-----------------|-----------|
| Life       | Chief | Gary L.  | Vest            | Powell PD |
| Life       | Chief | Heinz W. | von Eckartsberg | Dublin PD |

| District 5 |       |            |        |                       |
|------------|-------|------------|--------|-----------------------|
| Life       | Chief | Bruce H.   | Lawver | Canton PD             |
| Life       | Chief | Jeffrey K. | Scott  | Notre Dame College PD |
| Life       | Chief | Daniel D.  | Teel   | Parma Hts. PD         |

| District 6 |       |           |        |                |
|------------|-------|-----------|--------|----------------|
| Life       | Chief | S. Thomas | Vaughn | Millersburg PD |



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## 2019 OACP Chiefs' In-Service and Annual Conference Recapitulation of the Education Sessions

The 2019 OACP Chiefs' In-Service and Annual Conference was held on May 5-7, 2019 at the Downtown Columbus Hilton, an award winning four-star hotel in the Arena and Short North Districts. A new record attendance of 338 was attained for the three-day event. Over the past four years, attendance to the Chiefs' In-Service and Annual Conference has steadily increased as the conference continues to be a "must attend" for many chiefs.

This year marked the tenth year for the combined Chiefs' In-Service and Annual Conference (CIS/AC), and from the consistently increased attendance, it would seems that the chiefs continue to be pleased with the format. The Downtown Columbus Hilton received consistent praise from many of the attendees again. The Education Committee remained committed to providing high quality educational offerings on current topics by arranging excellent presenters our OACP members have come to expect. The evaluations from the CIS/AC attendees indicate the Education Committee met their goal again this year.

## SUNDAY, MAY 5

## **Opening Session**

The Columbus Division of Police Honor Guard presented the Colors with the Columbus Police and Fire Pipe and Drums Corps to commence the conference. Chief James Willock, CLEE, Millcreek Metro Parks PD, and Chairperson of the OACP Education Committee, opened the CIS/AC conference. Interim Chief Thomas Quinlan, Columbus Division of Police welcomed the attendees to the conference and to the Capital City.



Columbus Police and Fire Pipes and Drums



Columbus Division of Police Honor Guard



Interim Chief Thomas Quinlan, Columbus Division of Police

Chief David Marcelli, CLEE, Ashland PD, and the 2019-20 OACP President convened the annual business meeting, which featured presentations by the conference gold sponsors (FirstNet Built with AT&T, Lexipol, The Police App.com, and Visual Labs, Inc). In addition, an overview of the OACP strategic plan, treasurer's report, and the committee/program reports were provided. Chief Brandon Standley, CLEE presented Past President Jeffrey Scott, CLEE with the OACP gavel plaque and past president's pin in recognition for Scott's presidency from June 1, 2018 through April 1, 2019. The business meeting concluded with Chief Michael Harnishfeger, CLEE reciting the names of those officers killed in the line of duty this past year, as well as members who had passed away. Chief Robert Fisher, CLEE rang the ceremonial bell in a solemn tribute to each of them.



Larry Taylor, AVP FirstNet Solutions, FirstNet Built with AT&T



Andre Simenauer, Business Development Executive, Lexipol



Jay Baxter, Communication Strategist, ThePoliceApp.com



Alexander Popof, Chief Operating Officer, Visual Labs



Chief Brandon Standley, CLEE, Bellefontaine PD (c) Chief David Marcelli, CLEE, Ashland PD, and (r) Chief (ret) Jeffrey Scott, Notre Dame College PD

## **Sunday Afternoon General Session**

#### **Community Relations Partnerships**

The first session of the conference was titled, "Community Relations Partnerships," and featured excellent presentations offering a variety of successful initiatives to enhancing relations with our communities. Deputy Chief Dornat Drummond, Field Operations, Cleveland Division of Police and Chief Calvin Williams, Cleveland Division of Police discussed a number of programs in reaching out to the community. Their community outreach efforts were cited as they contributing to one of the greatest public safety feats in recent history by not having any major incidents of violence during the 2016 Republican National Convention, one of the most heavily protested events in recent memory.

Chief Brandon Standley, CLEE, Bellefontaine PD, with assistance from Chief Michael Pomesky, CLEE, Perry Twp. (Stark) PD presented on the efforts of the Community Relations and Engagement Committee. The committee recently formed a Youth program. This teen-led initiative is working with OACP and law enforcement leaders to explore the future together with their future in mind. This group's involvement tackles difficult topics of our times including teen drug/alcohol use, distracted driving, teen suicide, bullying, social media, and more.

Anne Graffice, Vice President, Development & Strategic Adventures, Pro Football Hall of Fame discussed the relationship established between Ohio law enforcement and the Pro Football Hall of Fame in Canton. Through a joint initiative, new relationships were fostered with teenagers, Pro Football Hall of Famers, and local community leaders.



Chief Brandon Standley, CLEE, Bellefontaine PD



Chief Calvin Williams, Cleveland Division of Police



Anne Graffice, Vice President, Development Strategic Adventures, Pro Football Hall of Fame



Swearing in of 2019-2020 OACP Executive Committee



Attorney General Dave Yost

#### **Installation Banquet**

The Sunday Evening Banquet featured the installation of the 2019-2020 OACP Executive Committee: Chief David Marcelli, CLEE, Ashland PD, President, Chief William Balling, CLEE, Sidney PD, 1st Vice President, Chief George Kral, CLEE, Toledo PD, 2nd Vice President, Chief Scott Snow, CLEE, Reading PD, Treasurer, Chief Bruce Pijanowski, CLEE, Powell PD, District 1 Rep., Chief Keith Loreno, Fostoria PD, District 2 Rep., Chief Michael Pomesky, CLEE, Perry Twp. PD., District 3 Rep., Chief Kurt Althouse, Vandalia PD, District 4 Rep., Chief Robert Ware, CLEE, Portsmouth PD, District 5 Rep., Chief Michael Goodwin, New Philadelphia PD, District 6 Rep., Chief Brandon Standley, CLEE, Bellefontaine PD, Past President, and Chief (ret) Dwight Holcomb, Upper Arlington PD, Life Member representative.

The Keynote speaker was Attorney General David Yost who reminded the guests of the great importance that law enforcement officers provide in our society.

The annual award winners were also recognized at the banquet. They are:

Lifetime Achievement Award: Chief Thomas Vaughn (ret) Millersburg PD

President's Award: Chief Heinz von Eckartsburg, (ret) Dublin PD

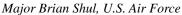
Dr. Ray Miller CLEE Alumni Leadership Award: Chief Brandon Standley, CLEE Bellefontaine PD

## **Sunday Evening Keynote Session**

#### The Speed of Life

Major Brian Shul, US Air Force (ret) presented a compelling story of living fearlessly and embracing the opportunities that each day brings. His informative and entertaining presentation resonated with the audience. As an Air Force fighter pilot, Major Shul's jet was shot down during the Vietnam War, and he was severely burned in the ensuing crash. Initially given up for dead, he was rescued finally and spent a year in various hospitals, endured fifteen surgeries, and he was told his flying days were over. Amazingly, Major Shul returned to active duty flying, and became one of only ninety-three men in history to fly the SR-71 spy plane, the fastest aircraft ever built. Shul masterfully used his aviation slides, videos, and engaging stories to tell a broader inspired story of hope, overcoming obstacles and daring to dream.







Major Brian Shul, U.S. Air Force



5939 SR-71 spy plane

#### **Chiefs' Reception**

Sunday evening was capped off by the annual Chiefs' Reception, sponsored by Axon, Firstnet Built with AT&T, Lexipol, The Police App.com, and Visual Labs, Inc.

The popular networking event was very well-attended and provided an excellent opportunity for the 85 first-time attendees to the CIS/AC to meet their fellow colleagues.

## MONDAY, MAY 6

This year's CIS/AC featured again many breakout sessions offered throughout the day for the Chiefs to choose to attend. There were many excellent sessions offered, which made it a tough choice for the chiefs to decide which one to attend. More seating was available in all of the breakout session rooms which helped to accommodate all of those who wanted to attend. The breakout sessions were:

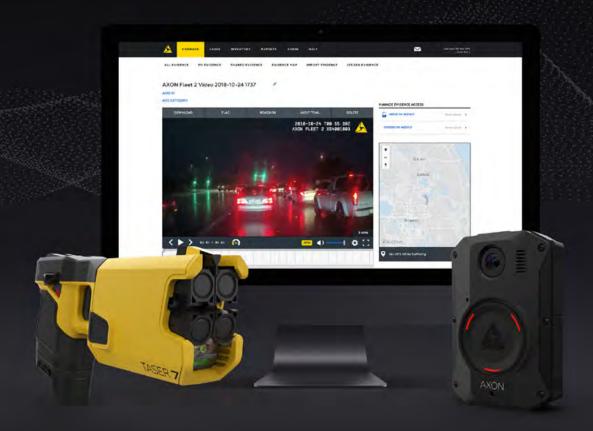


Jonathan Downes, Attorney, Zashin & Rich, Co. LPA

# **Employment Law Decisions Affecting Law Enforcement Management**

Jonathan Downes, attorney with Zashin & Rich, Co. LPA, Columbus returned to present again at the CIS/AC. This year marked the 25th year of Mr. Downes presenting for OACP. Chief Marcelli presented him with a nice gift as a thank you for his support and service. Mr. Downes reviewed recent court decisions and legislation from the past year that affected the management of police officers and civil personnel. Once again, Mr. Downes' engaging style generated considerable discussions that left the attendees wanting to hear more when the session concluded.





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# Thank you, Ohio Police Chiefs!

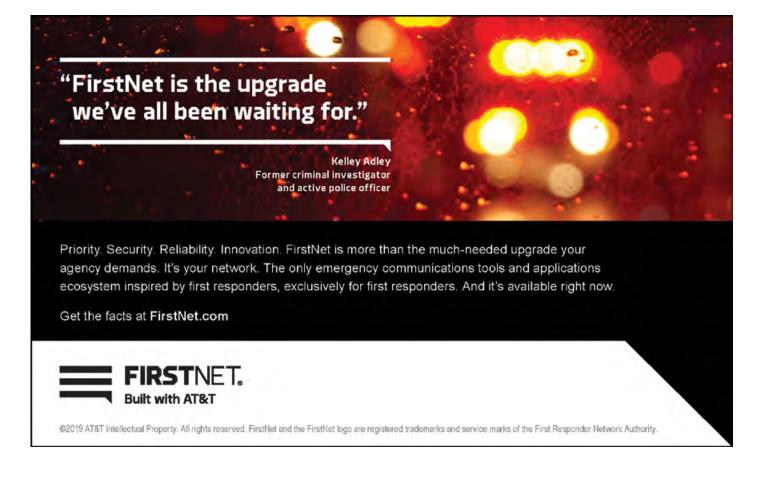
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Mark Weaver, Attorney, Isaac, Wiles, Burkholder & Teetor

#### **Public Records Law and Social Media**

Mark Weaver, attorney with the law firm of Isaac, Wiles, Burkholder & Teetor, in Columbus returned to present for his 25th year. As always, his session was well attended, and almost overflowing. Mark provided another excellent public records update as well as social media ideas and issues that senior law enforcement executives need to consider and its implications and potential ramifications for their departments. This year marked the 25th year of Mr. Weaver presenting for OACP. Chief Marcelli presented him with a nice gift as a thank you for his support and service.

#### **Criminal Law Update**

An important breakout topic session returned this year: Criminal Law Updates. Deana Leffler and Jeffrey Furbee, Attorneys, with the Columbus City Attorney's Office provided an excellent update on state and federal criminal laws (tort and statute) that direct impact law enforcement's responsibilities.



Deana Leffler, Attorney, Columbus City Attorney's Office

#### Violently Injured Police Officers: Surviving the Unthinkable

Detective Mario Oliveira, Massachusetts and Officer Robert DeNapoli, Massachusetts founded the Violently Injured Police Officers (V.I.P.O.) Organization, a non-profit 501(c) (3) organization. The V.I.P.O is a support group for law enforcement officers who have sustained serious, permanent injuries during a violent encounter in the line of duty. The



(l-r) Detective Mario Oliveira, Officer Robert DeNapoli, V.O.I.P

mission is to provide peer support to law enforcement officers who have been seriously injured or have had to use deadly force in the line of duty. V.I.P.O. provides support, information, and resources to these officers and their families in any way possible, to assist them in transitioning after suffering these physical and emotional injuries.

After suffering life-altering injuries in the line of duty, Mario Oliveira and Bob DeNapoli shared their stories; with the goal of helping police officers and departments prevent future tragedies. They covered topics including the true value of training, officer survival skills, and situational awareness during high stress shootings. Their presentation celebrated Detective Mario Oliveira's and Officer Robert DeNapoli's remarkable recovery and highlights the resiliency at the heart of law enforcement officers.

#### Marsy's Law- Implications for Law Enforcement

Elizabeth Well, Legal Director, Ohio Crime Victim Justice Center provided an update on victims' rights in Ohio under Marsy's Law. She presented an overview of the changes from the constitutional amendment and pending/passed implementation legislation. As the legislation is several hundred pages, new concepts in victims' rights, such as privacy, protection, and enforcement were addressed, with a focus on providing advocates with the tools they need to assist victims. The session included real life implementation strategies for protecting and enforcing victims' rights under Marsy's Law. Attendees learned the best practices from around the state to put into practice in their jurisdictions.



Elizabeth Well, Legal Director, Ohio Crime Victim Justice Center



Chief (ret) Dwight Holcomb, CPP

#### **Transition to Private Sector Security**

Chief Dwight A. Holcomb (ret), CPP, Vice President, Corporate Security for the Dispatch Printing Company presented on the myths and misconceptions concerning private sector security; how to get ready to be the "interviewee' instead of the interviewer; and the networking opportunities within private sector security. This is the fourth year that Chief Holcomb has presented on this topic at the CIS/AC, and his presentation is especially designed for law enforcement executives who may be nearing a career change and may be interested in the field of private sector security.

#### **Patrolling Chiefs Roundtable**

Chief Josef Freyhof, Russells Point PD facilitated again this popular discussion group specifically meant for patrolling chiefs. This was the eighth year for this roundtable, and each year attendance has increased as indicative of the continued value. Representatives from Lexipol attended to learn of the policy and other issues unique to smaller agencies.



Chief Josef Freyhof, Russells Point PD



Jonathan Downes, Attorney, Zashin & Rich. Co. LPA

### Developments in Labor Matters, Unions and Collective Bargaining

Jonathan Downes, attorney, Zashin & Rich Co. LPA presented an issue of particular relevance to chiefs from agencies with unions or are subject to collective bargaining agreements. Mr. Downes covered SERB decisions and trends in collective bargaining, and arbitration decisions. He explored union contract items and the court decisions that apply and interpret contract provisions.

#### **Critical Incident Desensitization (CID)**

Roy Kiessling, LISW, founder of EMDR Consulting, presented on Critical Incident Desensitization. Noting that we are all challenged from time to time with an acute traumatic incident, e.g., assault, divorce, natural disaster, sudden loss of a loved one, etc. While just talking with a 'supportive ear' often helps work through the experience, at times, though, simply talking is not enough – the survivor is still 'living it.' In those situations, more focused interventions may be necessary. Critical Incident desensitization (CID) utilizes bilateral eye movements to help desensitize the survivor to the traumatic event to the point where talking about it may be of help. Mr. Kiessling introduced the attendees to CID and its potential benefit for law enforcement agencies.



Roy Kiessling, LISW, EMDR Consulting



Chief James Cook, CLEE, Highland Heights PD

### **Officer Wellness Seminar**

Chief William Balling, CLEE, Sidney PD, Chief James Cook, CLEE, Highland Hts. PD, Chief (ret'd.), James Mosic, CLEE, City of Hilliard PD, OACP Program Director Joel Brown presented an overview of the successful inaugural Officer Wellness Seminar that was held in March. The day and a half seminar focused on supplying law enforcement executives with the knowledge, tools, and training to implement an officer wellness program and culture within their own agency.

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Jason Codrea, CFP®, CMFC has been working as a financial advisor since 2003. Due to the large influence of educators in his family, Jason enjoys educating his clients on various financial services and products he can provide for them.



Drew Boyer CMFC, LPL Investment Advisor Representative has been working in the financial services industry since 2003 and has made his primary focus serving the financial and retirement needs of the firm's predominant client base of Firefighters and their families.



William Greear, LPL Investment Advisor Representative began his career in the financial services industry in 2008 specializing in financial planning for Firefighters and other public employees.

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(l) Harvey McCleskey, Deputy Attorney Inspector, Ohio Division of Securities and (r) Janice Hitesman, Attorney Inspector and Chief of the Enforcement Section, Ohio Division of Securities, Ohio Department of Commerce

#### Securities Fraud- It's a Felony

Janice Hitzeman, Attorney Inspector and Chief of the Enforcement Section, Ohio Division of Securities, Ohio Department of Commerce, and Harvey McCleskey, Deputy Attorney Inspector, Ohio Division of Securities presented an overview of the criminal sanctions set forth in the Ohio Securities Act. They provided a case study of a recent case investigated and prosecuted in Ohio. This presentation also provided information about the resources and assistance available from the Ohio Division of Securities to law enforcement pursuing cases involving investment fraud, Ponzi schemes, and other violations of the Ohio Securities Act.

#### **Exhibitor Showcase**

The Exhibitor Showcase was held in the afternoon on Monday, May 6. The showcase was the largest ever with 116 vendors from across the country on hand to meet with the chiefs and discuss their unique needs and present their products.

## **TUESDAY, MAY 7**

#### **General Sessions**



Captain Yasenia Yatomi, Las Vegas Metropolitan Police

#### 1 October: The 2017 Las Vegas Mass Shooting: Lessons Learned

Captain Yasenia Yatomi, Las Vegas Metropolitan Police presented an overview the massacre that happened on October 1, 2017 when a lone gunman opened fire on a crowd of concertgoers attending the Route 91 Harvest Music Festival on the Las Vegas Strip, leaving 58 dead and over 900 injured. She presented the actions taken by law enforcement, as well as numerous lessons learned. She reviewed LVMPD's response from the onset to the aftermath and the resulting creation of the Family Assistance Center.

#### Finding the Leader in You

Lt. Jim Glennon, Founder and Director of Curriculum for Calibre Press challenged the attendees to find their true purpose to the organization and most important, to their team, i.e., mission and people. He noted that those who strive to lead effectively must understand the need to create an affirmative and engaging culture. This culture will inherently draw out intrinsic skills and motivations of the



Attendees during Lt. Jim Glennon's Session



Lt. Jim Glennon, Founder and Director of Curriculum for Calibre Press

individuals within the team. He asserted that leaders are able to foster a communal spirit centered on a commitment to communicating effectively, establishing a clear vision and cultivating relationships among those charged with accomplishing the organizational purpose and mission.

## **Conclusion**

The 2019 Chiefs' In-Service/Annual Conference was memorable not only for the record attendance, but for featuring another outstanding lineup of insightful and inspiring educational offerings. Under the continued dynamic leadership of Chairperson Chief James Willock, CLEE, Millcreek Metro Parks PD, and the members of the OACP Education Committee, we congratulate their tireless and successful efforts in putting together an exceptional array of presenters on pertinent topics for today's law enforcement, and helping to facilitate the outstanding conference.

## **President's Swearing In Ceremony**



OACP Executive Committee

Special Guests



Attorney General Dave Yost



(l) Chief Brandon Standley, CLEE (r) (r) Chief David Marcelli, CLEE



Chief David Marcelli, CLEE



Chief David Marcelli, CLEE, Kimberly Marcelli, Attorney General Yost



Chief David Marcelli, CLEE, Kimberly Marcelli, Attorney General Yost



The Marcelli Family



Mr. and Mrs. David Marcelli, Chief David Marcelli and Kimberly Marcelli



Chief Marcelli's guests



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## **OACP Exhibit Show and Conference**



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Public Safety Cyber Security - Exhibitor



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(l - r) President David Marcelli, Ashland PD, Sgt. Matthew Naegele, Willoughby Hills PD, Chief Chris Collins, Willoughby Hills PD



Emcee – Dwight Holcomb



Recon - Exhibitor



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#### **ASSOCIATION**

#### **OACP Exhibit Show and Conference**



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(l-r) Chief Gary L. Copeland, CLEE, with Public Safety Cyber Security



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Jeffrey Hill Major Brian Shul Author





#### **ASSOCIATION**

#### **OACP President's Luncheon**

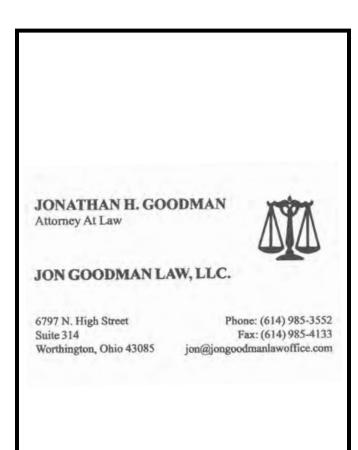
For the ninth consecutive year, past, present and future presidents came together from around the state for a luncheon during the Chiefs' In-Service and Annual Conference. The memorable event took place at the Hilton Downtown Columbus Hotel on May 8, 2019.



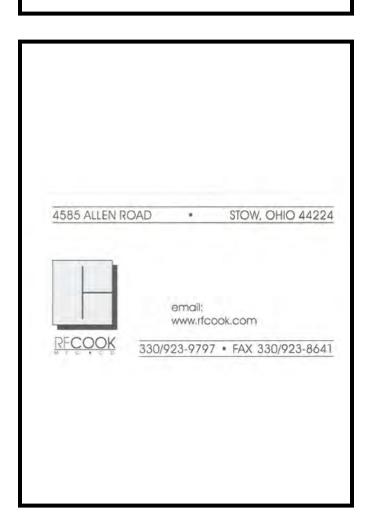
Back Row: Chief (ret) Gary L. Vest (2006-07), Chief (ret) Brad K. Kunze, CLEE (1999-00), Chief (ret) Joseph Morbitzer, CLEE (2014-15), Chief (ret) Richard L. Mayer, CLEE (2003-04), Chief Brandon K. Standley, CLEE (2017-18), Chief Keith C. Torbet, CLEE (2015-16), Incoming 1st VP-Chief William Balling, CLEE, Chief (ret) Stephen Bailey, CLEE (2009-10)

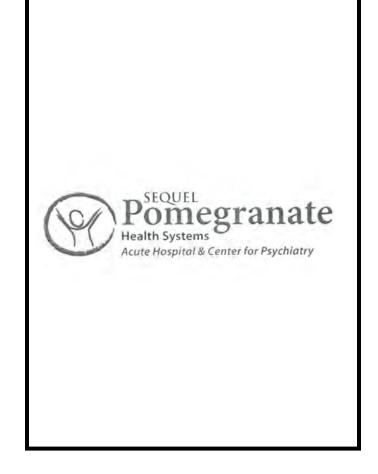
Front Row: Chief (ret) Dwight A. Holcomb (2005-06), Chief (ret) Jeffrey K. Scott, CLEE (2018-19), Chief Jeffrey W. Mitchell, CLEE (2016-17), President-Chief David Marcelli, CLEE (2019-20), Chief Michael A. Harnishfeger, CLEE (2010-11)











# Ohio State Background Investigation Services



#### Who We Are

National Testing Network (NTN) works with over 2,000 public safety departments across the country offering professional pre and post-employment testing and background investigation services. We are also a strategic partner with OACP for candidate testing.

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#### **Background Investigations**

National Testing Network (NTN) have developed a background investigations comprehensive program utilizing regional and local investigators. Our program is based on the California POST background guidelines. Our network of investigators offer an average of over 25+ years of law enforcement services, including background detailed investigations, interview/interrogations, and field/tactical experience for a variety of departments and disciplines.

background investigations services are all encompassing but can also be customized in an "al a carte" menu to allow cost savings for agencies that might be looking for different levels of investigations depending on department requirements and candidate positions. We also can support out of state investigations for specific states nationally.

Additionally, we have focused on developing and partnering with state-of-the-art systems to capture candidate data that include online reporting tools for detailed candidate questionnaire, applications, personal history computerized criminal history reports.

This extensive data foundation and experienced interview and documentation techniques, allows NTN to complete a comprehensive candidate investigation and detailed report that agencies can rely on for final hiring decisions.

#### NTN's Background Process

Through the use of subject matter experts and proven state agency investigation processes, NTN has developed a very thorough set of standards for our investigator teams to

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- Computerized Criminal History Report (12 categories)
- Detailed Background Process
- · Candidate interview
- · Reference Interview
- Documents review (employment/credit/military/taxes, etc)
  - o Home/neighborhood visits/interviews
  - o Family visits/interviews
  - Detailed final reporting
  - Assessment and recommendations

#### **Direct Department Benefits**

At NTN, we are proud to offer these background services to our agency clients. We are confident that our investigator teams and company operations staff will deliver the finest end products to support your final selection process.

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- Detailed and clean process creating greater efficiencies and overall more complete backgrounds for quality hires.
- Streamlined investigations creating timely final reports to meet hiring deadlines.
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#### 2019 OACP President's Award

#### Recipient: Chief Heinz von Eckartsberg, Dublin Police Department



(l-r) Chief Heinz von Eckartsberg, Chief David Marcelli, CLEE

Chief von Eckartsberg joined the Dublin Division of Police in February 1983. During his career Chief von Eckartsberg served as a patrol officer, patrol sergeant, operations commander, services bureau commander, Lieutenant and Chief of Police. Chief von Eckartsberg was the fourth Chief of Police of the City of Dublin. Chief von Eckartsberg retired from the Dublin Police Department in March 2019.

Since becoming an Active Members of the OACP in 2011, Heinz has taken on various leadership roles in representing the OACP. He served as a lead assessor for the OACP, assisting communities in their selection of new Chiefs and promotional examinations and in 2014 was appointed Chair of the Advisory Services Committee and continues to serve in that capacity today.

Heinz also played an instrumental role in the Legislative Committee both as a member and in 2016 being appointed Chair of the Committee. Chief von Eckartsberg has dedicated many hours and has been a strong advocate for Ohio Law Enforcement in all legislative matters.

Chief von Eckartsberg has also represented the OACP on numerous other committees including the Sexual Assault Response Team and the Sexual Assault Advisory Board of Ohio. The combined hours on all these committees are a testimony to the dedication of Chief von Eckartsberg to the mission of the OACP and Ohio law enforcement.

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#### **OACP Lifetime Achievement Award**

### **Chief Thomas Vaughn, Millerburg Police Department**

Criteria: The Lifetime Achievement Award is to be presented to a retired police chief who is currently an active Life Member and who was an OACP Active Member for a minimum of five (5) years. This award is to recognize the significant contributions of his/her time and talents dedicated to promoting and ensuring the success of OACP's programs and services and the law enforcement profession.



(l-r) Chief (ret) Tom Vaughn, Chief David Marcelli, CLEE

It is a great honor to present Chief Thomas Vaughn the Lifetime Achievement Award as a long time contributor to the OACP and the Law Enforcement Foundation.

Chief Vaughn recently retired from the Millersburg Police Department after serving as Chief since January of 1990. In 2001, Chief Vaughn joined the OACP Executive Board as District 6 Representative and served in that capacity until 2013 when he was elected OACP and LEF Treasurer. Chief Vaughn continued to serve as Treasurer until his retirement this year.

Beyond the obvious dedication that Tom has displayed for more than 18 years to the OACP in his roles on the Executive Committee. Tom has shown the utmost integrity while he served as OACP Treasurer. He personally reviewed every financial transaction of the OACP and LEF and Chaired the Finance Committee.

Chief Vaughn also continues to serve on the Legislative Committee, provides support to his district, and assists local agencies in the minimum standards certification process.

Congratulations Chief Thomas Vaughn!

#### Dr. Ray A. Miller Alumni Leadership Award

Recipient: Chief Brandon Standley, CLEE, Bellefontaine Police Department



(l-r) Chief Jeffrey Kruithoff, CLEE, Springdale PD, Chief Brandon Standley, CLEE, Bellefontaine PD, Chief Tom Pyle, CLEE, Athens PD

Dr. Ray A. Miller served as the program director for the Certified Law Enforcement (CLEE) program for ten years (2004-2014). He passed away in June 2014 after a two-year long courageous battle with leukemia. Dr. Miller exemplified the core values of CLEE throughout his highly accomplished life. He was a strong believer in giving to the community. He was an active member of his church and of The Ohio State University Alumni Association. His contagious smile and affirming pronouncement that "Life is Good!" touched so many in the law enforcement community and beyond.

The CLEE Advisory Board developed the Dr. Ray A. Miller Alumni Leadership Award to be presented annually at the Chief's In-Service/Annual Conference to an active CLEE graduate who has demonstrated exemplary leadership in his/her local community and to the law enforcement profession.

The award recipient is selected by the CLEE Advisory Board. The past year's recipients include:

#### Chief Joseph Morbitzer,

CLEE, Westerville Division of Police

#### Chief Paul Denton, CLEE,

The Ohio State University Police Department

#### Chief Keith Torbet, CLEE,

Wauseon Police Department

#### Chief Jeffrey Kruithoff,

CLEE, Springdale Police Department

The CLEE Board Chair, Chief Tom Pyle, CLEE, Athens Police presented the award. Last year's recipient, Chief Kruithoff assisted in the presentation.

The 2019 Dr. Ray A. Miller CLEE Alumni Leadership Award was presented to **Chief Brandon Standley, CLEE, of the Bellefontaine Police Department.** 

Chief Standley began his law enforcement career in 1995 when he was hired as a police officer for the Bellefontaine PD. In 1999, he began working narcotics and was eventually assigned to become a narcotics detective in 2000. He was promoted to sergeant in 2003. Chief Standley worked on all patrol shifts and supervised officers and dispatchers at different times in his career. Eventually, he was appointed to the position of Chief of Police in November, 2011 and remains in that role currently.

He received his bachelor degree from The Ohio State University and received his Masters degree in Criminal Justice from the University of Cincinnati. Chief Standley graduated from CLEE in 2015 as a member of Class XX.

Chief Standley is the Past-President of the OACP, having served as our President in 2017-2018. He also serves on the Education Committee, and is an adjunct faculty member for Northwestern University's Center for Public Safety.

During his term as president, Chief Standley saw the need for greater engagement of law enforcement with the communities that we serve. He envisioned ways to better bridge what seemed in many communities to be a growing gap of mistrust of law enforcement. Through his leadership, the Community Relations and Engagement initiative commenced. This initiative, led by a statewide committee, works closely with various community stakeholders across the state to promote better relations between law enforcement and their local communities.

The Youth Sub-Committee, led by teens, is helping local law enforcement to explore the future together with their futures in mind. The group is jointly tackling difficult community issues, including drug/alcohol use, distracted driving, teen suicide, bullying, social media, and more. In addition, the NFL Football Hall of Fame has joined us in this community partnership. Many officers from various parts of the state have already participated in these initiatives.

Much has been accomplished so far, but the opportunities for increased community partnerships are limitless. For his leadership to envision and direct this critical statewide initiative that can benefit every community, the CLEE Board is honored to recognize Chief Brandon Standley, CLEE as the 2019 recipient of the Dr. Ray A. Miller CLEE Alumni Leadership Award.

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# Congratulations to the 2019 Recipients of the Ron & Rita Jornd Chiefs' Children's Scholarship

The Awards Committee voted and was able to select two (2) recipients for the 2019 Jornd Scholarship.

Mr. Mitchell K. Asbury, son of Chief Sean Asbury, CLEE Columbus State Community College PD

Mr. Evan Standley, son of Chief Brandon Standley, CLEE Bellefontaine PD











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# **Chief Joseph Morbitzer, CLEE, Westerville Division of Police Retirement Celebration**

By Chief Bruce Pijanowski, CLEE, Delaware PD, and OACP District 1 Representative

Chief Joe Morbitzer, CLEE, Westerville Division of Police and long-time OACP member was honored for his professional contributions to OACP and the profession of law enforcement at his retirement ceremony in Westerville on January 25, 2019.

Chief Morbitzer served the City of Westerville for 32 years, the last 14 as Chief. During his tenure as Chief, he was widely known for his efforts to professionalize law enforcement and was instrumental in promoting collaboration on a regional level. Chief Morbitzer is a PELC and CLEE graduate, and was a district rep for OACP



(l-r) Deputy Chief Steve Hrytzik, Powell PD, Chief Joe Morbitzer, CLEE, Brian Quinn, Executive Director Homeland Security

District 1. He was eventually elected to 2nd vice president, ascending to the OACP President in 2014.

In addition to his board positions, over the years Chief Morbitzer served on the Conference committee, AG's Drug Education Advisory Panel, Chair of the Special Olympics, CLEE Board, Awards Committee, Finance Committee, Legislative and Professional Services Committees, and represented OACP on Law Enforcement Homeland Security Program (formerly LETPP), OPOTC Basic Training Job Task Analysis, Victim Information Notification Everyday (VINE).

Chief Morbitzer leaves Westerville to become the new Superintendent at BCI under Attorney General Dave Yost. While his forward thinking and extensive sock collection will be greatly missed. We congratulate Superintendent Morbitzer on his new position and look forward to great things to come.



(l-r) Chief Joe Morbitzer, CLEE, Chief Bruce Pijanowski, CLEE

# Retirement of Chief Heinz von Eckartsberg, Dublin Division of Police

By Chief Bruce Pijanowski, CLEE, Delaware PD and OACP District 1 Representative

Chief Heinz von Eckartsberg, Dublin Division of Police, and long time OACP Advisory Services and Legislative Committee chair was honored for his contributions at his retirement ceremony in Dublin, OH on April 4, 2019.

Chief von Eckartsberg served the City of Dublin for 36 years, the last 8 as Chief of Police. At his retirement ceremony, Chief von Eckartsberg was praised for his professionalism and commitment to not only the Dublin Community, but also to improving law enforcement in the State of Ohio. During his tenure, the City of Dublin earned the distinction as Ohio's safest city (2017) and one of the 50 safest cities in the US (2014). He oversaw an overall growth of the department and expansion of services that have greatly contributed to the overall safety and service to the city. Chief von Eckartsberg will continue to contribute to law enforcement excellence in the State of Ohio as he assumes his new position with the Ohio Bureau of Criminal Investigation as Assistant Superintendent.

Congratulations and Good Luck Chief von Eckartsberg.



(l-r) Chief Bruce Pijanowski, CLEE, Chief (ret) Heinz von Eckartsberg

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#### **Congratulations STEP XXI 2019 Graduates**

The STEP Committee would like to congratulate the recent STEP Class #21. They have met the graduation expectations set forth by the STEP Advisory Committee and the Law Enforcement Foundation. Congratulations on your dedication, hard work, and achievement. We welcome you to a group of over 600 first line supervisors across Ohio, who, like you, graduated from STEP.



Sgt. Brandon Begin, Oregon PD

Sgt. Theodore Bell, Stow PD

Sgt. Joshua Campbell, Union County Sheriff's Office

Sgt. Ron Cantleberry, Avon Lake PD

Det. Chad Caudill, Monroe PD

Sgt. Benjamin Charles, Kettering PD

Asst. Chief Kevin Chittenden, Wauseon PD

Patrol Officer Christopher Denny, Sandusky PD

Sgt. Andrew DiSalvo, Kettering PD

Sgt. Robert Evener, Reynoldsburg PD

Sgt. Justin Gallo, Grove City PD

Sgt. Brandon Gehring, Amberley Village PD

Sgt. Kevin Gruber, Montgomery PD

Lt. Joshua Harris, Marion PD

Sgt. Jason Huston, Madison Twp. (Franklin) PD

Supervisor Jill Jones, Delaware County Sheriff's Office

(Communication)

Sgt. Kasey Lasko, Stow PD

Sgt. Sean Mackey, Eaton PD

Sgt. Sean McKinney, Evendale PD

Sgt. Douglas Nagel, Vandalia PD

Corporal Craig Nicol, Marysville PD

Patrolman Matthew Parker, Monroe PD

Sgt. Steven Piorkowski, Strongsville PD

Sgt. Justin Rhodes, Delaware County Sheriff's Office

Det. Dwight Salyer, Bellefontaine PD

Sgt. David Sizemore, Eaton PD

Sgt. Devin Small, Amherst PD

Sgt. Kyle Smith, Minerva Park PD

Sgt. Brian Smith, Whitehall PD

Corporal Nathan Stone, Marysville PD

Officer James Swearingen, Miami Twp. (Montgomery) PD

Sgt. Nicholas Tiller, Madison Twp. (Franklin) PD

Sgt. Fred Wagner, Cambridge PD

Patrol Officer Danielle Wilson, Milford PD

# Bellefontaine Police Department receives the National Citizens Police Academy Association Agency of the Year Award

Congratulations to the Bellefontaine Police Department who recently received the National Citizens Police Academy Association Agency of the Year Award in Memphis, Tennessee.

Chief Brandon Standley, CLEE stated, "Citizens Police Academies are becoming very popular and demand community support. By sponsoring LEF programs, and helping to provide leadership skills to the future leaders of Ohio's agencies, communities will be that much more prepared. We are honored to receive this award, but it is the hard work and relentless pursuit of community policing that helped make this award happen. To have an Ohio agency honored in this way speaks volumes to our abilities to specialize in events, community sponsors, and more to make citizens, business owners, and visitors know what we're all about."

#### Officer Wellness Seminar a Healthy Success!



Attendees of Officer Wellness Seminar March 26-27, 2019

The Law Enforcement Foundation, in partnership with the Ohio Association of Chiefs of Police, presented its inaugural Officer Wellness Seminar on March 26 & 27, 2019.

The day and a half seminar featured nationally recognized speaker and author, Dr. Michael Roizen, Chief Wellness Officer of the Cleveland Clinic. Dr. Roizen has appeared on the Oprah Winfrey show over 25 times, and together with Dr. Oz, writes a daily column that is syndicated to 134 newspapers. Dr. Roizen offered practical information on eating, exercising and living a healthy life-style to promote longevity and improve the quality of life. One attendee stated, "Dr. Roizen provided a life changing presentation."

Chief William Balling, CLEE of the Sidney Police Department detailed his department's success in instituting a program and culture of wellness. Sidney's Wellness Program received the National Destination Zero award in 2018 for Comprehensive Safety.

A panel comprised of three Chiefs (William Balling, James Cook, CLEE, – Highland Heights, and Chief (ret) James Mosic, Worthington PD) shared personal and professional experiences related to successfully incorporating a wellness program. The panel also delved into the difficult topics of addiction and suicide.

The program concluded with an inspirational, yet practical, presentation from retired Chief Paul Butler. Butler shared the stressors that law enforcement executives face on a daily basis and offered coping skills in order to lead with success.

Why is officer wellness so important? Consider these statistics:

- The average life span for a law enforcement professional is 10 years less than the average population.
- More police officers die each year from suicide than from on duty car crashes and line of duty deaths **combined**.
- Officers have greater Body Mass Indexes than the general public.
- Shift work, coupled with the very nature of the job, produces sleep deprivation at dangerous levels.



Dr. Michael Roizen



Chief William Balling, CLEE



Chief James Cook, CLEE



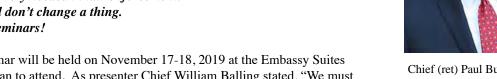
Chief (ret) James Mosic

Attendees were surveyed and asked to rank the seminar on a scale of 1-5 (with five being the highest), the Officer Wellness Seminar was rated at 4.86. Attendees also offered great suggestions to improve future wellness seminars. Although more can be said regarding the seminar, the comments below from the program evaluations speak the loudest:

- Keep doing this.
- Great job!
- Overall very good seminar.
- This should be at least an annual seminar.
- This type of program is very needed in law enforcement.
- Much needed topic and don't change a thing.
- Can't wait for future seminars!

-Joel Brown, Project Director OACP

The next Officer Wellness Seminar will be held on November 17-18, 2019 at the Embassy Suites Hotel in Dublin, Ohio. Please plan to attend. As presenter Chief William Balling stated, "We must protect those who protect us."





Chief (ret) Paul Butler



# Assessment Centers off the Best Predictor of Future Success in a New Posistion

Assessment Centers are recognized as the "gold standard" for evaluating candidates eligible for promotional opportunities. The Ohio Association of Chiefs of Police (OACP) has been offering assessment centers since 1986; in fact, we have successfully completed just under 1200 assessment centers. So why are assessment centers the best tool available?

The assessment center process started around World War II and today are being used in a variety of organizations, especially in areas of education, military, government and law enforcement. Many testing entities can use the term "assessment center" in their process, but OACP strictly follows the International Congress of Assessment Center guidelines that recognizes certain essential elements to an assessment center program.

- **1. Behaviors** -- OACP refers to these as dimensions, or you can think of them as competencies. Skills such as oral and written communication, judgement, decisiveness and other competencies are key to evaluating future job performance.
- **2. Exercises** An OACP assessment center will use a variety of exercises to identify competencies. Agencies meet with our lead assessor prior to the assessment to discuss which exercises will be most beneficial.
- **3. Assessors** -- OACP has an experienced group of law enforcement professionals to observe and evaluate each individual candidate and their performance. Bias or perceived bias is always a concern and assessor biographies are shared with all clients prior to the assessment center to ensure a conflict free assessment.
- **4. Assessor Training** The Advisory Services has established guidelines for training new assessors and we require significant annual training for all assessors.
- **5. Recording and Scoring Behaviors** The final report displays performances by dimensions and exercises. It provides detailed, but easy to understand, charts and graphs displaying performance by all candidates.
- **6. Standardization** Agencies will see the same result from OACP no matter which Lead Consultant or Assessors are involved in the process. We have a defined process that allows us to customize it for your agency, but you can be confident the methodology is the same for each assessment center.

Personnel decisions are some of the most difficult, and long-lasting decisions law enforcement agencies will make. Take advantage of OACP's experience, professionalism and successful process when you are ready for your next promotional opportunity.

Contact Joel Brown, Director of Advisory Services, for any questions you might have on the OACP assessment center process. Joel can be reached a 614-761-4618 or joel.brown@oacp.org





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#### **Partnerships Make Loveland Special**

#### By Chief Dennis "Sean" Rahe, Loveland Police Department

One of the great things about my job is I get the opportunity to visit different communities and talk with a lot of different people. I ask them about their communities and I tell them about Loveland. They frequently ask me what makes Loveland special. My answer is always the same, "Community Partnerships." Many communities have rivers, walking paths, and a vibrant downtown area. But very few enjoy the dedication to a sense of community shared by so many of our Loveland volunteers.

The Loveland Drug Task Force (LDTF) is one of many community partnerships the LPD family is proud to be a part of. The LDTF was formed several years ago as a collaboration between Loveland City Schools, Loveland Police Department, Loveland Symmes Fire Department, and other community volunteers to reduce drug and alcohol addiction in Loveland. Rather than focus on enforcement, like many drug task forces, the LDTF focuses on education and prevention.



Chief Dennis "Sean" Rahe, Loveland PD

In 2016, LDTF obtained a grant to create a training program called Right Under Your Nose. The goal of the program is to promote early intervention in the cycle of drug addiction by the addict's family and friends. First, LPD officers showcase a variety of common household items (many of them seized) to help educate our community on how addicts use items for drug use. Many people I spoke with were shocked so many common items could be a warning sign of addiction. The program concludes with a powerful and personal story of loss to addiction. Although it was designed for the Loveland community, the LDTF soon received requests for the presentation from many neighboring communities and school districts. My wife and I attended the presentation at Kings High School. Officer Fred Barnes, Kirby Jonas from Loveland City Schools, and many others made the program successful. Kirby said, "Through the Loveland Drug Task Force, we have embedded educational opportunities around the topics of drug and alcohol into our schools and community. Our fall Right Under Your Nose event set a foundation for awareness in the community for the need to work together to instill healthy life choices and positive environments."

The dedication of the LDTF members continues to amaze me. Community members, the Loveland school team, and LPD police officers all volunteered their own time to make this program such a success. It is that dedication, that commitment to the ongoing Loveland community partnerships, that truly makes Loveland special.

Early education, and early intervention, are two critical parts to breaking the addiction cycle. I encourage you to visit starttalking.ohio.gov. and start talking to your kids about drug use.

#### Together can we reduce addiction in our community.

#### **About the Author:**

Dennis "Sean" Rahe graduated from Archbishop Moeller High School in 1991. In 1994 he earned a Bachelor of Science in Criminal Justice from the University of Cincinnati.

Sean started as a police officer in Loveland in 1998. He was active on the bike patrol team and as a field training officer. He was promoted to the rank of Sergeant in 2007, Assistant Chief in 2010, and Chief of Police in 2016.

Sean is a graduate of the Supervisor Training and Education Program, Police Executive Leadership College, the Federal Bureau of Investigations National Police Academy, the Certified Law Enforcement Executive Program, and is certified as a Project Manager through Xavier University.

### **Strategic Planning for Small Law Enforcement Agencies**

# Smaller law enforcement agencies often face an uphill battle due to limited resources

#### BY: CHIEF JONATHAN B. FLORES, P1 CONTRIBUTOR, ALTON (TEXAS) POLICE DEPARTMENT

The law enforcement profession is fluid and police leaders must be able to forecast <u>emerging trends</u> that will allow them to plan strategically for the future of their department. Over the years this has become increasingly difficult as the economy becomes more unpredictable.

# Strategic planning for any law enforcement entity serves as a document that provides the vision and goals of the organization over time,

Smaller law enforcement agencies often face an uphill battle due to limited resources and competitive <u>grant opportunities</u> that require an unattainable match. These agencies still need to provide the same quality service to their communities as any other mid- to large-size agency; however, they must do more with less.

Strategic planning for any law enforcement entity serves as a document that provides the vision and goals of the organization over time, with a roadmap for how those vision and goals will be accomplished. For a smaller organization a strategic plan provides stakeholders with a living document that allows for proper planning toward the priorities of the organization in accordance with the operating budget. The following steps can help create a strategic plan for your agency.

#### 1. Set a clear vision and goals

LE leaders must be able to set a clear vision for their agency, so everyone knows the plan for the organization. Once a clear vision has been set, goals should be established, along with a time frame for accomplishing those goals.

#### 2. Forecast your budget

It is a good rule of thumb to increase line items by at least 15 percent when forecasting <u>future budgets</u>. Certain line items such as fuel can be very unpredictable, so you should compare your previous fuel budget and allow for increases. It is always better to forecast a higher number and come under budget.

#### 3. Prioritize your goals

When creating a strategic plan, consider goals that can be achieved with minimal impact to the budget (low-hanging fruit). Such quick victories will boost morale within your organization and make an impact within your community. These items can be accomplished while allowing time to achieve more lofty goals that require a more significant investment.

#### 4. Set reasonable time frames

A three- to five-year strategic plan allows enough time to implement thorough, effective measures to achieve the vision and goals of the strategic plan.

#### STRATEGIC PLANNING IN PRACTICE

Using the steps above, my department – which is comprised of 21 sworn officers and six civilian staff – created the following strategic plan: Short-range goals

One short-term goal for the Alton Police Department was to rebrand the agency via new vehicle decals, new uniforms and new patches. (*Photo/Chief Flores*)

All these items had a minimal impact on our operating budget, but they had a huge impact on morale and our community's perception of our department:

- Re-branded our agency via new decals for our units, new <u>uniforms</u> and new patches.
- Created a social media page to allow us to be more accessible and transparent to our community.
- Organized community events such as Alton's first annual National Night Out.

#### Mid-range goals

We understood that while larger ticket items were a priority, they would take a little more time to accomplish.

- We reviewed our operating budget and allotted ourselves six months to acquire a CAD/RMS system for our communications center. This item took time, planning and support from our city administration to acquire. After going through these steps, we were able to acquire the system that improved the efficiency and effectiveness of our department within four months of our six-month goal.
- We implemented a bike patrol program within four months of our one-year goal that required investments in equipment and training, however the impact that this program has made in our community has already paid dividends.

#### Long-term goals

We continue to work toward <u>increasing department personnel</u> in our communications center, patrol and investigations divisions in order to serve our growing community with the highest level of service. We understand that this part of our strategic plan will take the longest and must be done in increments over time to ensure a smooth transition in our operating budget.

I have found much success in strategic planning for my organization. My hope is that this article will assist those in similar situations to improve the efficiency and effectiveness of their organizations via a solid strategic plan.

#### About the author

Jonathan B. Flores is chief of police for the Alton (Texas) Police Department. Chief Flores is a former homicide investigator for the Hidalgo County Sheriff's Office and has 16 years of law enforcement experience. He has a Master's Degree in Public Administration from the University of Texas Rio Grande Valley and a Bachelor's of Science in Criminal Justice Degree from the University of Phoenix.



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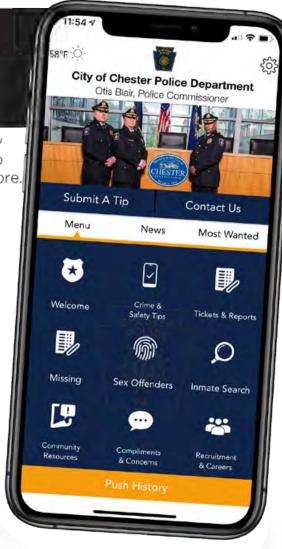
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#### Trauma and Empathy in Battling the Opioid Epidemic

By Jennifer Martinez, Director of Clinical Services, Alcohol, Drug and Mental Health Board of Franklin County

Every day, your officers are on the front lines of the opioid epidemic in Ohio, where more than 4,200 people died from an opioid overdose in 2017. Police departments across the state grapple with the crisis, often saving lives by administering naloxone to overdose victims in their homes and on the streets. In fact, according to the Police Executive Research Forum, naloxone has been a gamechanger, where as early as 2016, police departments across the country were able to save some 3,500 lives with the drug.

Entering those overdose scenes can have multiple impacts on officers. First, due to the widespread nature of these crises, the repeated exposure can be traumatic for officers. Tending to unnecessary deaths, not able to save an overdose victim, or consoling grieving families, especially children who may have come upon a loved one, can induce a trauma response from officers. It is important to understand that impact and ensure there are support systems in place for your officers to deal with the trauma.

Alternatively, when those scenes are repeated – often with victims being saved multiple times, only to return to their addiction – frustration can understandably set in for many officers. It can be easy to start to view drug abuse as a choice and character flaw. At these times it's critical not to become cynical and lose the duty to protect and serve those suffering from addiction.

It begins first with a deeper understanding of addiction as a disease. According to the NIH's National Institute on Drug Abuse, drug addiction is a chronic, complex disease that takes more than just willpower or character to overcome. Drug use and abuse changes the brain, and the user's ability to restrain from drug use. And as we've witnessed with opioids across the country, these are some of the most powerful drugs now in existence that can quickly overpower those with addiction issues.

#### The power of empathy in the face of addiction

One way to combat these responses is to encourage empathy in officers for those suffering from this disease. Empathy is the ability to sense another's emotions while imagining what they might be thinking or feeling, and in fact, it's not only officers who may lack empathy. This issue remains a greater societal issue in which we view drug addiction with such stigma. But studies demonstrate that those with empathy are more likely to help others or perform "heroic acts," and demonstrate less prejudice or racism.

For your police force, research has also demonstrated that empathy among officers for those they serve could help build trust in the community. Moreover, officers who have empathy are more adept and confident at diffusing a crisis, use less force and can feel closer to those with whom they are interacting.

In the case of opioid abuse, that empathy could help officers in responding to a situation, and how they interact with both the victim and those around them in dealing with grief, pain or anger. It can also lower an officer's stress response by reducing the anger or frustration they feel when dealing with this now-too-common problem on such a regular basis.

Police chiefs and departments can find ways to instill empathy in officers, through advanced communications skills development like de-escalation training, or programs like crisis intervention training (CIT) and "listening and explaining with equity and dignity" (LEED). The stronger the officers' ability to communicate with the community, the better they are at listening and developing an understanding that in turn creates empathy.

#### Police chiefs and the Ohio Opioid Education Alliance

And while police officer's first-line defense against the opioid epidemic is critical, the Alcohol, Drug and Mental Health Board (ADAMH) of Franklin County, which spearheads the Ohio Opioid Education Alliance, is thrilled that the Ohio Association of Chiefs of Police has joined more than 60 partners in this alliance to prevent children from using and abusing these drugs.

This campaign is centered around the striking, original and research-based "Don't Live in Denial, Ohio" public service announcements you may have seen, encouraging parents and caregivers to discuss opioids with their children.

Through focus groups with addiction experts and Ohio parents, the Alliance discovered that many are aware of the opioid crisis but significantly underestimate the risk opioids pose to their children and families. Based on

these findings, the media campaign was then developed by Ogilvy, a leading ad agency. The PSAs are set in the fictional town of Denial, Ohio, depicting residents there who reveal that they don't believe opioids will impact their children. Viewers are asked to speak with their children about opioids, visit DontLiveinDenial.org to learn how to do so, and to properly dispose of or safeguard prescription drugs.

As part of the campaign, billboards are placed in central Ohio, radio messages run regularly and the dedicated DontLiveinDenial.org website is a source of educational materials for parents, caregivers, educators and partners, including police chiefs and their officers.

We encourage you to educate yourself, your children and friends on proper prescription opioid use and disposal. Please visit DontLiveinDenial.org for more information. And if your department would like to join the Opioid Alliance as a partner, contact us at: contact.us@dontliveindenial.org.

#### **About the Author**

Jennifer Martinez, MSW, LISW-S currently serves as the Director of Clinical Services at ADAMH of Franklin County. Her work at ADAMH draws on more than 14 years of experience in program design and implementation within the community mental health system. Ms. Martinez has extensive experience working with highly vulnerable populations including those who have a severe and persistent mental illness, dually diagnosed populations, and the chronically homeless. In addition to her role at ADAMH, Ms. Martinez also serves as adjunct faculty with the Columbus State Community College School of Social and Human Services. She holds a Bachelor of Arts degree in social work from the University of Michigan, and a Master of Social Work from The Ohio State University.



Jennifer Martinez MSW, LISW-S Director of Clinical Services ADAMH Board of Franklin County 447 E. Board St. Columbus, OH 43215 614-222-3725 Jmartinez@adamhfranklin.org

# Professor Kevin Cashen, CLEE, Tiffin University and Co-Chair OACP Publication Committee Introduces Two Informative Articles:

- BJS and NCES Release Indicators of School Crime and Safety: 2018
- Amber Alert Best Practices

Having retired as a police chief, I know how demanding a chief's schedule can be. An area that sometimes "takes a back seat" is keeping up with professional reading. Now, as a university professor, I have the opportunity to peruse many articles to include government publications. For this issue of the OACP Police Chief Magazine I recommend reviewing two Bureau of Justice Statistics articles that should be of interest.

The first article is BJS and NCES Release Indicators of School Crime and Safety: 2018. As a police administrator, working closely with public and private education in your jurisdiction is essential. Prevention and response planning for violent incidents at school is required. Having access and knowledge to the most current indicators of school crime and safety can help confirm or modify prevention and response strategies. The knowledge also demonstrates commitment to school safety and improvement. A useful collaboration initiative is sharing the most recent data with school administrators, school resource officers, and officers or detectives assigned to criminal cases involving juveniles.

#### To view report: https://www.bjs.gov/content/pub/pdf/iscs18.pdf

The second article is the U.S. Department of Justice, Office of Justice Programs AMBER Alert Best Practices 2nd Edition (2019). Again, AMBER Alert policy and procedure is required for law enforcement agencies and is particularly important for supervisory decision making as well as agencies responsible for dispatch centers. Updating AMBER Alert policy and procedures occurs periodically, having access to and knowledge of best practices is necessary to policy and procedure development. Locating an abducted child is critical to the safety and well-being of the juvenile as well as the child's family and community. In addition, failure to follow best practices may result in litigation costs.

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# **Conducted Energy Devices Policies on Use Evolve to Reflect Research and Field Deployment Experience**

#### By Paul A. Haskins

Better knowledge of the use and effects of conducted energy devices (CEDs) and developments in constitutional law have prompted law enforcement in the past decade to revisit policies on the widely used "less-lethal weapon" that stuns and usually immobilizes subjects to make it easier for law enforcement officers to subdue them.

Evolving jurisprudence regarding excessive force as well as research insights on CED impacts, especially when improperly deployed, have steered many agencies away from reliance on the "stun gun" to control fleeing or resisting subjects — once commonplace authorized uses. Increasingly, law enforcement rules are proscribing CED use absent an immediate threat of physical harm to an officer or others.

Even with more circumscribed permissible use, however, law enforcement has embraced CEDs as a uniquely effective tool for handling certain problematic subjects without resorting to other use-of-force options. Over the past two decades, more than 15,000 agencies have adopted the use of CEDs.[1]

Still, since their introduction, CEDs have been a magnet for controversy, given the extreme if momentary pain and loss of muscle control they impart, the sometimes indistinct line between justified and improper uses of the device, and the rare but real possibility of death after CED exposure. As noted in a 2010 NIJ research report on police use of force with an emphasis on CED use outcomes, "The use of force is among the most controversial of all police activities."[2]

Notwithstanding close scrutiny from medical researchers and defendants' rights groups, science has yet to yield conclusive evidence that CEDs — when used properly — cause any lasting cognitive, physiological, or physical damage to individuals in nonvulnerable categories. Further, the same in-depth 2010 NIJ-sponsored research found that, compared with the use-of-force alternatives available to law enforcement in similar scenarios, CEDs resulted in fewer instances of injury and lethality for both the subjects and the officers. [3]

Although proponents of CEDs have emphasized a reduced incidence of injury and death, critics have spotlighted serious harm or fatalities from CEDs in certain cases. Research has revealed that improper use of a CED — for instance, too many activations of the device, prolonged exposure, or use on the chest, thus risking heart abnormalities — can cause significant injury or be a factor in those statistically rare occasions when death follows CED exposure.[4]

#### **Deployment and Misuse Concerns**

As the popularity of CEDs among law enforcement grew, so did concern about how the electrical weapons were being deployed. In 2006, a report from the Police Executive Research Forum (PERF) and the U.S. Department of Justice noted widespread uncertainty among law enforcement leaders on the appropriate role of CEDs, due largely to inadequate knowledge of the nature of CED technology and its effects on targeted subjects, resulting in uneven standards and parameters for use across departments.[5]

"As more and more conducted energy devices ... were deployed across the United States, their use sparked considerable confusion," the report's authors observed. The research team also found, "Policy issues emerged on a plethora of concerns ranging from placement [of CEDs] on the force continuum to activation parameters on at-risk populations such as children, the elderly, persons under the influence of drugs, and pregnant women."

The PERF-DOJ study pointed to an acute absence of data for guiding CED use: "The dearth of available information on how CEDs worked and how they were used in daily police work had hampered the ability of police executives to make informed policy decisions about the devices." The PERF-DOJ initiative produced the first set of standardized CED guidelines for law enforcement agencies to consider.

By 2010, when the use of CEDs as a physical control tactic was still widely accepted, the problem of misuse was manifest. In the police use-of-force study sponsored by NIJ, researchers said that although CED use to establish physical control "may be beneficial in many cases, their ease of use and popularity among officers ... raise the specter of overuse." A leading authority on police use of force who contributed to that study, Geoffrey P. Alpert, later elaborated on observed CED misuse in a 2012 NIJ.gov interview, referencing the study findings: [6]

I think, again, that it's a great tool. How do you use it properly? Well, you use it when nothing else is going to work. You use it obviously as an alternative to deadly force, but even to fend off a threat of active aggression, and I think that becomes a very important tool ... but officers have to understand that when you use this tool, people will fall down, people will injure themselves, and

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it's got to be used against a limited number of people in a limited number of circumstances ... . And our research showed that it was used too often. And I think that's a training and a supervision and, again, an accountability issue.

Alpert also said that the 2010 NIJ-supported research had shown there were "officers out there who go to their Taser[7] far too early in an encounter and far too often."

#### Federal Courts Weigh In

As the 2000s progressed, a number of federal courts sounded warnings on the intense nature of the blow CEDs deliver, declaring that CEDs are built to cause "excruciating pain"; the CED is a "per se dangerous weapon at common law"; it inflicts "a painful and frightening blow"; it causes "severe pain"; and "the physiological effects, the high levels of pain, and foreseeable risk of physical injury lead us to conclude that the [Taser model] X26 and similar devices are a greater intrusion than other non-lethal methods of force we have confronted."[8]

Consistent with emerging awareness of the danger of CED misuse, federal courts began moving toward a stricter constitutional standard for CED use, clarifying that a subject's mere physical resistance or failure to comply physically with police commands did not warrant being shocked by a CED. For example, in 2010 the U.S. Court of Appeals for the Seventh Circuit ruled that a plaintiff's refusal to release his arms for handcuffing did not justify police use of a CED, where the subject was unarmed and there was little risk that he could access a weapon.

[9] Similarly, a 2011 decision by the Ninth Circuit held that police used excessive force in deploying a CED against a pregnant woman who actively resisted arrest but posed no immediate threat to the officers. [10]

This trend culminated in the Fourth Circuit's 2016 decision in *Armstrong v. Pinehurst*,[11] which drew a line in the sand against police use of a CED for "pain control," that is, using CED-induced pain to physically control a subject, as opposed to CED use to protect an officer or third party from an immediate threat of harm. *Armstrong* effectively banned CED use by law enforcement absent immediate danger to officers or others.

The Fourth Circuit, whose appellate decisions are binding federal law in North Carolina, South Carolina, Maryland, Virginia, and West Virginia, held in *Armstrong* that "Taser use is unreasonable force in response to resistance that does not raise a risk of immediate danger." [12] Even when the subject was unrestrained and physically resisting law enforcement, the Fourth Circuit held that use of a CED would be excessive absent a safety threat to police or others: "A rule limiting Taser use to situations involving a proportional safety threat does not countenance use in situations where an unrestrained arrestee, though resistant, presents no serious safety threat." [13]

The Fourth Circuit also raised the bar among federal courts at the time with its sharp assessment of the CED's inherent danger, declaring that CEDs impart not only pain but also injury. The court deemed a CED's impact "severe and injurious regardless of the mode to which the Taser is set."[14]

The 2016 Armstrong decision also proscribed CED use on a fleeing subject, again absent an immediate danger posed to others. In contrast, an NIJ-supported pre-2010 survey of more than 500 law enforcement agencies found that almost three-fourths of the agencies using CEDs allowed their use against fleeing subjects.[15]

The U.S. Supreme Court declined to hear an appeal of the Armstrong decision.

#### Policy and Use After Armstrong

The Armstrong decision's restrictive impact on CED-use policy countered preexisting guidance from researchers urging that both CEDs and "pepper spray" (oleoresin capsicum, or OC) "should be authorized as possible response alternatives to defensive forms of suspect resistance such as muscle tensing, struggling to escape physical control, and fleeing on foot." [16] (It should be noted that 2011 CED-use guidelines issued jointly by the Department of Justice's Office of Community Oriented Policing Services and PERF called for limits on the use of CEDs against fleeing subjects.) [17]

#### See "Pepper Spray: Research Insights on Effects and Effectiveness Have Curbed Its Appeal"

For law enforcement agencies within the Fourth Circuit's five-state jurisdictional reach, the *Armstrong* opinion mandated immediate revision of existing CED policies that allowed police to use stun guns on subjects who were fleeing or even physically resisting police but posed no immediate danger to officers or others.

The decision had an immediate and dramatic impact on CED use. As part of its series chronicling the toll of excessive CED use nationally, the news agency Reuters reported that after the *Armstrong* decision, CED use dropped precipitously in 2016 in major cities within the Fourth Circuit, as follows:[18]



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Other courts have since adopted the bright-line rule that only a need to protect police or others from a present threat — and not mere desire to control the subject — can justify CED use. For example, in 2017, the Ninth Circuit, holding that an individual subjected to multiple CED applications when already subdued by police could go forward with an excessive-force civil action, explained that "any reasonable officer should have known that such use can only be justified by an immediate or significant risk of serious injury or death to the officers or public."[19]

#### The Use-of-Force Continuum

The *Armstrong* decision and related CED jurisprudence stand as a firm reminder that every agency should regularly reassess its use-of-force continuum. The continuum is a guidance tool depicting the authorized escalation of force techniques by law enforcement officers as warranted by circumstances. A typical progression, adopted as department policy, would be police presence, verbal instruction, verbal command, "soft hand" physical force, "hard hand" physical force (such as pushing), chemical weapon (such as pepper spray), impact weapons (such as batons), and lethal weapons.

Like law enforcement standards generally, the use-of-force continuum can vary by community. Brett Chapman, an NIJ social scientist and police use-of-force authority, explained that individual departments "try to find standards that are appropriate for their community. You have to consider the relationship between the police and the community." In some cities, Chapman explained, law enforcement leadership placed CEDs right below guns on the force continuum — only to be used in serious confrontations. In other communities, CEDs have been used more liberally, based on the belief that CEDs are a mid-level use-of-force tool.

Those localized determinations of where CEDs lie on the use-of-force continuum are also constrained by court precedent. A 2013 Seventh Circuit opinion, for example, relied on earlier circuit authority for the position that a CED "falls somewhere in the middle of the nonlethal-force spectrum" and "does not constitute as much force as so-called impact weapons, such as baton launchers and beanbag projectiles."[20] In contrast, the Fourth Circuit in *Armstrong* made it clear that the court saw CEDs as closer to the lethal-force end of the spectrum. The court relied, in part, on a Ninth Circuit opinion finding that the Taser X26 and similar devices "are a greater intrusion than other non-lethal methods of force we have confronted."[21]

#### Understanding the Effects of CEDs

Heightened caution about the effects and possible risks of CEDs has been reflected in recent news coverage. The Reuters series on negative CED impacts nationally, published in 2017, found from a review of records — including rulings by medical examiners — that 1,005 people in the United States had died after encounters with law enforcement officers who used CEDs. In 153 of those cases, coroners or medical examiners cited the CED as a cause or contributing factor in the death. Regarding issues of liability, the news service found 442 CED-related lawsuits. Settlements and judgments from these lawsuits totaled \$172 million nationwide — a conservative estimate, according to Reuters. [22]

Thinking in the medical research field has evolved regarding the importance of medical monitoring of CED effects on subjects. In 2008, an NIJ special report on deaths following shocks by CEDs concluded, "Medical evaluation is not mandatory after all CED exposures," noting exceptions where medical care would be indicated. [23] By 2011, however, a medical panel convened by NIJ to study CED safety was advising that "regardless of how long the CED exposure lasts, some form of medical screening and ongoing observation of individuals exposed to CEDs is crucial. Screening should start at the scene and individuals should continue to be monitored in custody for abnormal physical and behavioral changes." [24] That recommendation foreshadowed the American Medical Association's 2014 call for standard medical and mental health assessments after CED exposures. (As early as 2006, the initial CED policy guidelines proposed by PERF and DOJ urged that "all persons who have been exposed to a CED activation should receive a medical evaluation." [25] A 2011 refinement of those guidelines stated that medical responders should provide the evaluation in the field or at a medical facility. [26])

A common refrain in NIJ-sponsored research on CED effects has been that more research is needed to fully grasp the elusive and complex impact of a CED's electrical insult. As a 2015 NIJ-supported study of cognitive functioning following CED exposure stated, in finding that

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CEDs cause fleeting deficits in neuropsychological functioning, "Our findings show that the effects of Taser exposure on brain functioning are not well understood. ... Findings indicate that additional research is needed to understand the effects of Taser exposure on brain functioning." [27] That study revealed a number of cognitive impacts from CED exposure, but no effects were observed more than one hour after exposure: [28]

Results indicate that Taser exposure causes statistically significant reductions in one measure of verbal learning and memory (HVLT), as well as several subjective state self-measures (concentration difficulty, feeling overwhelmed). The effects lasted less than 1 hour and were limited to the HVLT test.

Even with wider knowledge of CED risks and the narrowing of scenarios when their use is permitted, CEDs remain a favored less-lethal weapon option for law enforcement — one that, overall, spares injuries to officers and subjects.

In the end, the effectiveness and safety of CEDs are a function of the quality of training received by officers on the street. As leading police-use-of-force researcher Geoffrey P. Alpert told the *Chicago Tribune*, "If it's not really good training, you're going to end up with not really good practices." [29]

#### About the Author

Paul A. Haskins is a social science writer and contractor with Leidos.

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#### Notes

[note 1] Source of the 15,000 figure: Geoffrey P. Alpert et al., *Police Use of Force, Tasers and Other Less-Lethal Weapons*, Research in Brief, Washington, DC: U.S. Department of Justice, National Institute of Justice, grant number 2005–IJ–CX–0056, May 2011, 1, NCJ 232215

[note 2] Michael R. Smith et al., "<u>A Multi-Method Evaluation of Police Use of Force Outcomes: Final Report to the National Institute of Justice</u>," grant number 2005-IJ-CX-0056, July 2010, 8-7.

[note 3] Smith et al., "A Multi-Method Evaluation," 8-2 to 8-5.

[note 4] After surveying the research, an NIJ-sponsored medical panel on CED safety recommended that law enforcement "apply CEDs for no longer than 15 seconds at a time and to limit the number of discharges to the fewest needed to control the suspect"; the medical panel also noted that "most deaths associated with CED use involved multiple or prolonged discharges." Brian Higgins, "Final Findings From the Expert Panel on the Safety of Conducted Energy Devices," NIJ Journal 268, October 2011, NCJ 235888; Douglas P. Zipes, "TASER Electronic Control Devices Can Cause Cardiac Arrest in Humans," Circulation 129 no. 1 (January 7, 2014), doi:10.1161/circulationaha.113.005504. Others have drawn attention to the October 2009 Taser International training bulletin warning that the device should not be aimed at the chest due to risks to heart function. Jack Ryan, "TASER<sup>TM</sup>: The Target Zone, Policy and Training," Indianapolis, IN: Public Agency Training Council, 2009.

[note 5] James M. Cronin and Joshua A. Ederheimer, *Conducted Energy Devices: Development of Standards for Consistency and Guidance*, Washington, DC: Police Executive Research Forum and U.S. Department of Justice, Office of Community Oriented Policing Services and Bureau of Justice Assistance, November 2006, 1, 3-4.

[note 6] Interview of Geoffrey P. Alpert, University of South Carolina, Department of Criminology and Criminal Justice, March 12, 2012, "Use of Force and Conducted Energy Devices," video transcript.

[note 7] Taser technology is so ubiquitous that the name has become synonymous with CED.

[note 8] Armstrong v. Pinehurst, No. 15-1191, 810 F.3d 892, 902 (4th Cir. 2016) (collecting cases). The 2016 federal appellate court opinion in Armstrong v. Pinehurst gathered that language from other federal court decisions.

[note 9] Cyrus v. Town of Mukwonago, 624 F.3d 856, 863 (7th Cir. 2010).

[note 10] Mattos v. Agarano, 661 F.3d 433 (9th Cir. 2011).

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[note 11] 810 F.3d 892 (4th Cir. 2016).
[note 12] 810 F.3d 892 (4th Cir. 2016), 905.
[note 13] 810 F.3d 892 (4th Cir. 2016), 904.
[note 14] 810 F.3d 892 (4th Cir. 2016), 913, endnote 8.
[note 15] Smith et al., "A Multi-Method Evaluation," 3-20.
[note 16] Smith et al., "A Multi-Method Evaluation," 8-5.
[note 17] Guideline 26 stated, "Fleeing should not be the sole justification for using an ECW [electronic control weapon] against a
subject. Personnel should consider the severity of the offense, the subject's threat level to others, and the risk of severe injury to the
subject before deciding to use an ECW on a fleeing subject." Police Executive Research Forum [PERF] and U.S. Department of Justice
[DOJ], Office of Community Oriented Policing Services [COPS], 2011 Electronic Control Weapon Guidelines, Washington, DC: PERF
and DOJ COPS, March 2011, 20.
[note 18] Jason Szep, Peter Eisler, and Tim Reid, "Breathe, Ronald, Breathe': The Court Case Curbing Taser Use," Special Report,
Reuters, August 23, 2017.
[note 19] Jones v. Las Vegas Metro. Police Dept., 873 F.3d 1123, 1132 (9th Cir. 2017).
[note 20] Abbott v. Sangamon County, 705 F.3d 706, 726 (8th Cir. 2013) (internal citations omitted).
[note 21] Armstrong, 810 F.3d 892 at 902, quoting Bryan v. MacPherson, 630 F.3d 805, 825 (9th Cir. 2010).
[note 22] Peter Eisler, Grant Smith, and Jason Szep, "How Reuters Tracked Fatalities and Taser Incidents," Reuters Backstory, August 22,
2017.
[note 23] National Institute of Justice, Study of Deaths Following Electro Muscular Disruption: Interim Report, Special Report,
Washington, DC: U.S. Department of Justice, National Institute of Justice, June 2008, 5, NCJ 222981.
[note 24] Higgins, "Final Findings," 32-33.
[note 25] See Guideline 13 in Cronin and Ederheimer, Conducted Energy Devices, 24.
[note 26] See Guideline 36 in PERF and DOJ COPS, 2011 Electronic Control Weapon Guidelines, 21.
[note 27] Michael D. White et al., "Examining Cognitive Functioning Following TASER Exposure: A Randomized Controlled Trial,"
Applied Cognitive Psychology 29 (2015): 600.
[note 28] White et al., "Examining Cognitive Functioning," 606.
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[note 29] Dan Hinkel, "In Change to Force Rules, Chicago Police Discourage Using Tasers on People Who Flee," Chicago Tribune,

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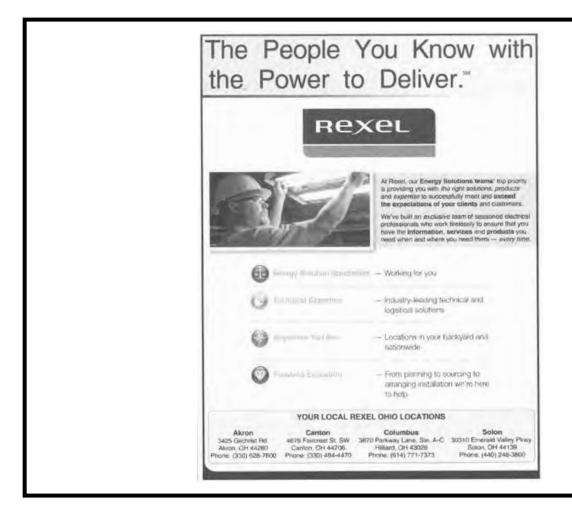
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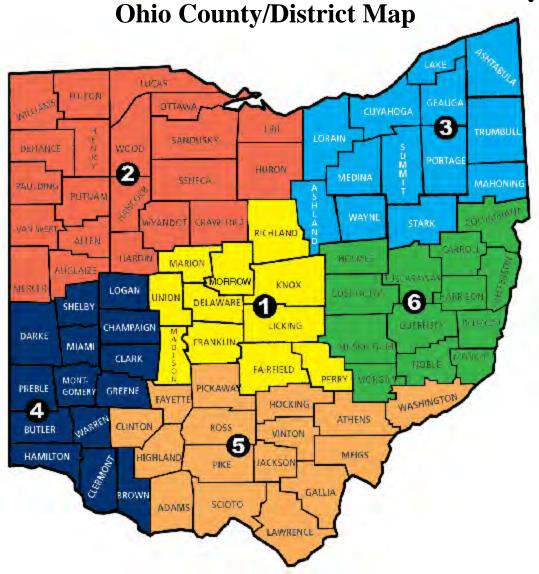
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