

**OSHP Mission Review Task**  
**January 20, 2010**  
**9:00 a.m. – 11:15 a.m.**  
**Meeting Minutes**

**Attendance:**

**Task Force Members:**

Peter Tobin, Superintendent, BCI & I  
Colonel Dave Dicken, OSHP  
Jim Foltz, Trooper, Ohio State Highway Patrol  
Mark Drum, Fraternal Order of Police  
Michael McCann, Chief of Staff, Ohio Department of Public Safety  
Brian Newbacher, Director of Public Affairs, AAA East Central  
Representative Bill Batchelder, Ohio House of Representatives  
Larry Long, County Commissioners Association of Ohio  
Senator Steve Buehrer, Ohio Senate  
Tom Charges, Ohio Inspector General

Josh Williams for Senator Jason Wilson  
Tim Lynch for Senator Tom Patton  
Eva Clark for Representative Connie Pillich  
Mckenzie Davis for Robert Cornwell, Buckeye State Sheriffs' Association  
Thomas Rice for Larry Davis, Ohio Trucking Association  
Keith Tolbert for John Peach, Ohio Association of Police Chiefs

**Other Attendees:**

Todd Dieffenderfer, Attorney General's Office  
Major C.K. Minter, OSHP  
Lt. Colonel P.L. Watts, OSHP  
Jeff Grayson, OSHP  
James Spurrier, OSHP Retired  
Kenneth M. Garloch, OSHP Retired  
Larry Phillips, Ohio State Troopers Association  
Shel Senek, President, OSHP Retirees' Association  
Ginny Fogt, OSHP Retired  
Lou Gliozzi, OSHP Retired  
Debbie Gliozzi, wife of Lou Gliozzi  
Charles E. Linek, OSHP Retired  
Richard Collins, OSHP Retired  
S/Lt. Kenneth Kocab, OSHP  
S/Lt. Randy Boggs, OSHP  
Major Kevin Teaford, OSHP  
Lt. Robert Warner, OSHP  
John P. Boster, NIA  
S/Lt/ Robert J. Dunn, OSHP

S/Lt. Patrick Vessels, OSHP  
Lt. Brian Reigle, OSHP  
S/Lt. Robert Knauff, OSHP  
Major Robert Booker, OSHP  
Vanessa McMahon, Senator Harris' Office  
Nathan Slonaker, Representative Batchelder's Office  
Arnie Schropp, Ohio Inspector General's Office  
Lt. Colonel William Costas, OSHP  
Captain Jeff Dickey, OSHP  
Captain Andrew Stritmatter, OSHP  
S/Lt. Gary Allen, OSHP  
Kimberly Wheeler, Senator Buehrer's Office  
Noah Wolf, Senator Schneider's Office  
Gil Jones, OSHP Retired  
Tom Hunter, ODPS  
Lindsay Komlanc, ODPS  
Justin Long, ODPS  
Nancy Crespo, ODPS  
Maria Clark, ODPS

### **Welcome and Introductions**

Peter Tobin welcomed everyone and stated before roll call he would like to make an announcement concerning Mark Losey. Mark Losey was a wonderful attorney from the Attorney General's office and he passed at the age of 41 from massive heart failure leaving behind a three year old son. Mr. Tobin continued with many nice statements about Mr. Losey and stated he was devastated by Mark's lose and asked that the task force give a moment of prayer for Mark.

Mr. Tobin stated he was going to make three happy announcements now. Kevin Teaforde has been promoted to Major of the OSHP; Peyton Watts promoted to Lt. Colonel of the OSHP and Dave Dicken to Colonel of OSHP.

Mr. Tobin asked that all task force members introduce themselves.

Colonel Dicken stated that the Patrol looked forward to providing as much information as they can about the operational administrative roles with the criminal justice community at large. He stated the Patrol will continue to provide the task force with whatever they can as the months wear on.

### **Old Business**

Mr. Tobin asked if anyone had any questions regarding the minutes from the previous meeting. He asked for a motion to approve. Mark Drum motioned to approve and Mike McCann seconded. All task force members were in favor.

Mike McCann stated there was a question raised at the last meeting concerning a statement Director Collins-Taylor had made at a previous meeting. He stated he spoke with the Director and she indicated those statements were made in confidence and at this point she was not interested in stating who made those comments. He continued stating that Director said if the individuals would want to come forward as the task force progresses she would be happy to verify what the individuals said.

Mark Drum stated there were a couple of questions that Lt. Colonel Costas was going to provide answers to. Lt. Colonel Costas stated there were questions regarding the scope of the policy on emergency assistance. He continued stating Colonel Dicken had the Patrol's response.

### **New Business**

Major Chris Minter stated he was not going to go over a complete overview of Field Operations as he provided that information at the last meeting. He stated they would be covering Aviation, Field Inspections, the Expo Center, and the Licensing and Commercial Standards sections. Licensing and Commercial Standards was a separate office until May, 2009. At that time they were merged with Field Operations. One of the reasons for the merge is that all people under the office of Field Operations are uniformed officers.

Major Minter continued stating they were going to start off with the Inspections Unit. The Inspections program basically is to make sure all 55 Patrol Posts are consistent in how things are done at each post. The Inspecting Officer, S/Lt. Kenneth Kocab will explain it. What it does is it keeps the uniformity throughout the state.

Major Minter gave a brief bio on S/Lt. Kenneth Kocab.

### **Inspections Unit**

S/Lt. Kenneth Kocab provided a power point presentation for the Inspections Unit.

Major Minter gave a brief bio on S/Lt. Gary Allen.

### **Expo Special Police Operations**

S/Lt. Allen gave a power point presentation of the Expo Special Police Operations.

S/Lt. Allen stated that the Expo Special Police have been with the Highway Patrol since 1987. They have assumed that duty for policing on state properties.

Chairman Tobin asked what is the difference in salary and benefits between a trooper and a police officer. S/Lt. Allen indicated that the difference is in the area of 15 to 20 percent less than a trooper makes. Mr. Tobin continued asking under the Revised Code would the police officer be able to provide security at the State Capitol and the towers. S/Lt. Allen indicated yes they would.

Larry Long asked about the funding of this unit and patrolling the fairgrounds. Where does it come from? Does it come from the fair? How does it work? Is it out of regular Patrol sources? Colonel Dicken stated there are two revenue streams for police officers. The police officers at the fairground come from the fine revenue. The police officers at the Shipley Building and the Alum Creek Facility are funded by the traditional operating account.

Chairman Tobin asked if the Patrol had looked at forming an auxiliary unit. S/Lt. Allen stated that the Patrol does have an auxiliary unit that assists with large events. They do not usually come to the fairgrounds but they do assist with large events such as OSU football games and the Ohio State Fair. Mr. Tobin asked how many were in the auxiliary unit. Colonel Dicken indicated he believed there were around 129 scattered around the state.

Major Minter indicated that the areas the police officers patrol are high crime areas. In the area of the Shipley Building there were nine homicides that occurred from Hague Avenue down to just east of I-70. This is considered the Hilltop area. There was a triple homicide directly across from the Shipley Building.

Major Minter continued that when the Hilltop facility was being built, there was an agreement with the Hilltop community to leave it as a wide open campus, to not put up the large secure fences and the electric gates and to keep it like a park atmosphere so the public could have access to it. The Police Officers have a wide open area to look over. He continued saying that there was not a night that goes by where people come up to the Hilltop Facility to see if they can get into the building. Major Minter also stated that he cannot tell how many times the Police Officers have run people off the grounds and away from the pool cars where they were attempting to steal the vehicles. The state fairgrounds area may be one of the roughest areas in the city. The relationship the Police Officers have with Columbus Police is inter changeable. They work hand in hand with CPD on calls there. It is very essential for the security and well being of the facilities as well as the people that frequent the fairgrounds and visit the Shipley Building.

Major Minter gave a brief bio of S/Lt. Randy Boggs.

### **Aviation Section**

S/Lt. Boggs gave a power point presentation of the Aviation section. A video about the aviation section was presented and watched by the task force members.

S/Lt. Boggs wanted to give some examples of other missions of the last couple of years. In 2007 Aviation assisted District 9 and the railroad police with a band of criminals stealing copper lines that run all the way down the railroad tracks between Chillicothe and Circleville. Basically the thieves were shutting down the rail line.

In July, 2008 they used aviation for an injury crash with a missing driver. There was a blood trail from the accident into a corn field. The driver was located by using the clear infra red camera on the helicopter in an adjacent golf course fairway 304 yards from the crash. The driver was lying there unconscious on the fairway.

Brain Newbacher asked if the Patrol could describe whether there has been an increase in violations that have occurred and the number of request for assistance with tight budgets everywhere with other enforcement agencies. Have the violations and requests increased over the years. S/Lt. Boggs stated their records indicate that over the past three years there has been an increase in the Patrols enforcement compacts. Also there had been 334 requests for special missions in 2008 and it has jumped to over 430 in 2009. So there has been an increase not only in our enforcement efforts but also to go out and assist.

Brian continued with the aggressive violations; of the 11,452 does the Patrol have statistics on the various other violations that may have occurred such as driving while impaired, etc. S/Lt. Boggs stated he did not have those statistics with him but he could get them. He said they keep track of all the violations and categorized them into the different violations.

Chairman Tobin asked for the breakdown of the number of hours for the fixed wing versus the rotary wing. S/Lt. Boggs stated he will get that information to the Chair.

Senator Buehrer asked about utilization and comparables. He asked about the size of the unit compared with other states. S/Lt. Boggs is familiar with states around Ohio and has general knowledge of what units consist of through the country. The closes Ohio can compare to is the Pennsylvania State Police and they probably have four more aircraft than the Patrol does and have more helicopters than Ohio. Comparing to other agencies in the Ohio area, Indiana State Police have fixed wing for traffic enforcement. They do not have as many aircraft as Ohio. Michigan State Police have scaled down quite a bit on their aviation. He did not think Michigan used their aviation for traffic enforcement. He stated he could do research on it and give some statistics if Senator Buehrer would like. Senator Buehrer stated he does not know what it means compared to Michigan or any other states and each state has peculiarities.

Senator Buehrer continued asking if there was an industry standard. He stated if he took the Patrol's 17 aircraft and divided into the number of hours they were flown it is about 360 hours per aircraft per year in the air. He feels that does not seem like a lot of hours of utilization to own an aircraft and he imagines the price tag is pretty high for purchase and maintenance. S/Lt. Boggs stated if you break down the hours of the fixed wing aircrafts it would be highest. The numbers of hours on the fixed wing aircrafts are going to be higher because they are up flying everyday. He did not know if there is an industry standard. It depends on the law enforcement agency's mission. The Patrol is geared towards traffic. Because of maintenance reasons there may be three or four aircraft down for maintenance.

Tom Charles asked if some of the aircraft was purchased by forfeiture monies. S/Lt. Boggs stated he did not know for sure which aircrafts were, but there were some that were purchased by forfeiture funds.

Major Minter made one last comment about the aviation section. They do have a shift that starts at 8:00 p.m. every night and runs until 4:00 a.m. The purpose for this shift is because that is when things happen around the state.

Major Minter provided a brief bio of Captain Andrew Stritmatter.

## **Licensing and Commercial Standards Section**

Captain Stritmatter provided a power point presentation on Licensing and Commercial Standards.

Captain Stritmatter stated that in 1997 a few things happened. The Patrol assumed responsibility for the Motor Carrier Safety Assistance Program (MCSAP). It is the responsibility to conduct roadside inspections of commercial vehicles. Also in the same time frame was the transition from a chauffeur's license to a commercial driver license (CDL).

In 1997 the Licensing and Commercial Standards section became a stand alone office in the organizational chart. It expanded in 2007 when Licensing and Commercial Standards took over the Salvage Inspection responsibility. In 2009, the office was reduced to a section under reorganization and put back into the office of Field Operations.

Mark Drum asked about the roadside inspections. He stated he travels a lot around the state and it is his perception that he does not see as many as he used to see. Captain Stritmatter stated that of the six responsibilities that a motor vehicle inspection team does that is one of the lowest. Mr. Drum asked if it used to be higher. Captain Stritmatter stated there are more buses now.

Mr. Drum asked who did the Salvage Title Inspection prior to 2007 when it was taken over by Licensing and Commercial Standards. Captain Stritmatter stated that the Office of Investigative Services.

Mr. Drum asked that the Patrol can enforce the laws on weight but the local law enforcement cannot. Captain Stritmatter stated he was correct. Mr. Drum continued stating does it make sense for the locals to be able to extend their service if they have had the training to the Patrol. Captain Stritmatter stated that the Patrol's position is whatever they can do to promote highway safety and enforce truck regulations the more the merrier if they are properly trained.

Mark continued stating that his agency had all the training but it didn't do the agency any good because it could not be done under the current state law. Captain Stritmatter stated it would take a structure change for that to happen.

Chairman Tobin asked if there were sufficient revenues in overweight trucks. Captain Stritmatter stated it could be \$500 or \$2000 for a serious Haz Mat violation. Mr. Tobin asked about overweight trucks that are tearing up the roads. Captain Stritmatter stated it is not at that level but the fines are hefty. The more overweight the fine goes up.

Larry Long stated that during the presentation it was mentioned that the Patrol charged fees and during other parts it was stated that no fees were charged and sometimes fees were not necessary. He would like to have a little more information on the fees, are they authorized and set in legislation or does the Patrol have the authority to set the fees. Has the Patrol ever given thought to the ability to charge fees for some of the services and would that take enabling legislation on the part of the legislative. Captain Stritmatter stated as for the first

part of the question, the fees that are charged are nominal. The \$100 for the mandatory bus inspection was to offset the cost. The other fees go to the Highway Safety Fund.

Mr. Long asked of the fees that are being charged are they specified in statute or is the Patrol authorized to do those fees. Captain Stritmatter stated yes the Patrol was authorized to charge the fees. Mr. Long asked if Patrol can set the fees at different levels. Colonel Dicken stated that any fees that are charged are codified in statute. He can recall some structures that had minimums and maximums. The Patrol's hands are tied in this area.

Mr. Long asked if the Patrol had ever investigated or looked at the idea of fees for services where the Patrol is prohibited or not authorized by statute. Colonel Dicken stated that during the course of the last five to eight years with some of the challenges the Patrol has faced with the operating fund, the administration has looked at a variety of fees. He continued that he did not know specifically if this particular area had been considered.

Mr. Long asked if counties had the authority to contract with the Patrol. Does the Patrol provide services outside for the counties that do not do it themselves and would the counties have the authority to contract the Patrol to do that enforcement in the counties' area. If the county does not have the authority, would it be something the Patrol would consider in terms of authority to do. Colonel Dicken stated he believed the Patrol can contract with any entity that chooses to. The problem is the availability of resources. The Patrol has the state pretty much saturated. If there are particular areas that have problems due to overweight violations or intense truck traffic, he thought the Patrol could work in partnership to solve some of the issues. He thinks it would be premature to talk about contractual obligations with others.

Mr. Long stated he thought it should be something that should be looked at when the task force gets to the recommendations stage. The county government at this point in time is required to take money from the motor vehicle license and gas tax fund under the jurisdiction of the county engineer in order to staff such a unit under the county sheriff. He stated he is throwing out an idea that the chairman might want to look at it in terms of how the counties can be more efficient and cooperative in the areas that need it.

Chairman Tobin asked if the revenues generated by the courts for enforcement of these activities pay for themselves. Colonel Dicken stated he did not believe they do. Colonel Dicken stated he did not think the revenue was even close to what the expenditures are.

Senator Buehrer asked about the motor carrier safety vehicles. Are they totally different from regular Patrol vehicles? Do they have any authority to do any traffic enforcement? Captain Stritmatter stated these vehicles have the authority to stop commercial vehicles for inspections.

Senator Buehrer asked if the difference between the motor carrier safety vehicles and the Patrol vehicles was by statute or by practice. Captain Stritmatter stated it was by statute and that motor carrier enforcement officers are not peace officers. Chairman Tobin stated the motor carrier enforcement officers are considerably less expensive. Captain Stritmatter stated they are civilian inspectors and do not have arrest powers and do not carry a side arm. Chairman Tobin asked what the percentage difference was for an inspector and a trooper.

S/Lt. Carl Roark stated he could give a ballpark answer. The motor carrier inspector's base rate is in the area of \$22 an hour and a trooper's base rate is \$28 an hour.

Tom Charles talked about ODOT receiving just short of a million dollars for the Annual Size and Weight Plan and Certification and wanted to know if there had been any effort made for some of those funds to pay for all certification weight programs. Colonel Dicken stated he does know there are restrictions on how that money is used, there is an education component and an engineer and construction and things of this nature but he is not sure how it would relate to the Patrol. Mr. Charles asked if this is something the task force should look at. Mr. Tobin stated he will look at that.

Mr. Charles asked if there had been any effort to move the MCSAP/Haz Mat program under DPS/Patrol and the funding that goes with it. Captain Stritmatter was not aware of recent discussions but he is aware that PUCO goes to private carriers on private property for their part of the inspection. This would be something that would need to be changed legislatively. Mr. Charles stated that the Patrol's civilian employee could do what PUCO does. He continued stating that it has been talked about for years of moving the program. It originally was all under PUCO and MCSAP was split to the Patrol. But they want to keep the funding and not give it up. He believes this needs to be looked at.

**Chairman Tobin opened the floor for any comment from the public.**

Arnie Schropp wanted to ask a follow up question to Colonel Dicken or Major Minter if they have or ever had knowledge that any local agencies complaining about the operation of the Patrol outside of their jurisdiction boundaries. Both Colonel Dicken and Major Minter said they had not heard anything.

Mr. Schropp asked if the Director would be willing to articulate what it is the people believe the Patrol is doing outside its jurisdictional boundaries since obviously the Patrol has never received these complaints. Mr. McCann stated that the Director told him the conversations were during a seminar and she felt uncomfortable since they were told to her in confidence. Mr. McCann stated he would follow up with Director Collins-Taylor.

Chairman Tobin stated the next meeting will be about the Office of Investigations. The next meeting is February 3, 2010 at 9:00 a.m. Chairman Tobin asked for a motion to adjourn. Mark Drum motioned, Representative Batchelder seconded.

Meeting Adjourned.