

**OSHP Mission Review Task**  
**March 3, 2010**  
**9:00 a.m. – 10:00 a.m.**  
**Meeting Minutes**

**Attendance:**

**Task Force Members:**

Peter Tobin, Superintendent, BCI & I  
James Foltz, Trooper, Ohio State Highway Patrol  
Michael McCann, Chief of Staff, Ohio Department of Public Safety  
Senator Steve Buehrer, Ohio Senate  
John Peach, Ohio Association of Chiefs of Police  
Mark Drum, Fraternal Order of Police of Ohio  
Colonel Dave Dicken, OSHP  
Tom Charles, Inspector General  
Senator Thomas Patton, Ohio Senate

John Leutz for Larry Long, County Commissioners Association of Ohio  
Noah Wolf for Representative Mark Schneider  
Ric Oxender for Brian Newbacher, AAA  
Josh Williams for Senator Jason Wilson  
Tom Rice for Larry Davis, Ohio Trucking Association  
Eva Clarke for Representative Connie Pillich

**Other Attendees:**

Todd Dieffenderfer, Attorney General's Office  
Jeff Clark, Attorney General's Office  
Bill Costas, OSHP Retired  
Chief Keith C. Torbet, Wauseon Police Department  
Ivan Teets, OSHP Retired  
John Boster, OSHP Retired  
Vickie Boster, wife of John  
Walter F. Liddle, OSHP Retired  
Howard E. Shearer, OSHP Retired  
Richard H. Collins, OSHP Retired  
Major Herb Homan, OSHP  
Captain Carl Roark, OSHP  
Major Kolcum, OSHP  
James Spurrier, OSHP Retired  
Charles E. Linek, OSHP Retired  
Mike Everhart, OSHP Retired  
Kenneth Garloch, OSHP Retired  
Robert Booker, OSHP Retired  
Blaine Keckly, OSHP Retired  
Del Everett, OSHP Retired  
C. L. Auckerman, OSHP Retired

Lou Gliozzi, OSHP Retired  
Debbie Gliozzi  
Donna Braxton, OACP  
Richard Nelson, OSHP Retired  
William R. Cowgill, OSHP Retired  
Curt Kordel, OSHP Retired  
Arnie Schropp, Inspector General's Office  
Matt Kardi, Ohio Attorney General's Office  
Jay Smith, FOP  
Vanessa McMahon, Senator Harris' Office  
Jim Nash, Columbus Dispatch  
Lindsay Komlanc, ODPS  
R. Durant, ODPS  
Michael Weinman, ODPS  
Maria Clark, ODPS

### **Welcome and Introductions**

Chairman Tobin welcomed everyone to the task force meeting. Chairman Tobin asked the task force members to introduce themselves.

### **Old Business**

Mr. Tobin stated at this point we need to identify items that still need clarification by virtue of questions from all the different members of the task force. Some will be submitted in writing to Maria and will be forwarded to the task force members so the task force knows what questions are being asked. The questions will also be forwarded to the Patrol for answers.

He continued that the task force needs to focus on improving operational efficiency, identifying overlapping services, and consolidating current operations. That was our edict at the very beginning.

Chairman Tobin asked Colonel Dicken to provide some information on what he has in the mill in terms of changes and looks for this information to perhaps clarify positions of the Patrol at this time.

Chairman Tobin stated he was going to ask for a presentation by the Troopers Retirement Pension Board. He would like the Board to talk about the status of the pension system and what impact severe changes would make to that type of system.

Some changes to the minutes of the previous meeting were noted. Mr. Peach stated on page three, third paragraph it states Mr. Peach stated he asked the question of the past president of the OACP, it should be Ohio Prosecutors' Association. Colonel Dicken stated he had a correction on page five, paragraph seven to correct the days for a drug analysis to 45 – 47 days. Maria Clark indicated she would make those changes. Mr. Tobin asked for a motion to approve. Motion to approve was given and seconded. All task force members were in favor.

Chief Peach commented on the results of the OACP's survey that was sent out to Police Chiefs across the state. The Association wanted to get a sense of the general attitude by the Ohio Association of Chiefs of Police membership relative to the Patrol's services that have been offered in various categories. The Association wanted to limit it to a very short survey and in hindsight, as in most questionnaires, you wish you could fine tune the questions because there was some fuzziness in terms of what was expected. The Association was pleased with the results. The questionnaires went to the membership which included police chiefs, sheriffs and other law enforcement members that are part of the OACP. Below is a summary of the six questions that were sent out.

1. How would you rate your relationship with the Ohio State Highway Patrol at the local level with "5" being Superior and "1" being Poor.

Average Answer: 4.2

2. In your opinion, have you had any issues with the Ohio State Highway Patrol overstepping their authority in your jurisdiction? Yes or No.

Answer: 91% No

Mr. Peach stated that percentage should have probably been a little more because some chiefs relished the authority that they were able to supplement their forces by the Patrol. There may be one particular case where bar owners did not like the close proximity of the Patrol at closing hours. The local police chief, however, did like it.

3. Do you feel there are any overlapping services provided by the Ohio State Highway Patrol and your agency or other state agency (ies)? Yes or No.

Answer: 75% No

Mr. Peach stated that much of the respondents said they offer certain training that the Patrol offers and they see that as overlapping. Or the agency provides certain services to other agencies that the Patrol also offers. The intent is to find out if there is an unnecessary overlapping of services and he believes the answer is no because the Patrol offers some particular special services and that is not generally offered anywhere else and is much appreciated.

4. What services of the Ohio State Highway Patrol does your agency use?

The services that were used were almost all the services the Patrol had talked about in their presentations.

5. How would you rate the services provided by the Ohio State Highway Patrol with "5" being Superior and "1" being Poor.

Average Answer: 4

The OACP could not be more pleased with 4 out of 5 in terms of the category that says how good the service is.

6. Do you have any recommendations of how to improve the services of the Ohio State Highway Patrol?

Mr. Peach indicated there isn't any trend and the answers were all over the map and some were very good. He thinks from OACP's prospective it should serve as a foundation, at this time, on the general attitude and appreciation of services offered by the Patrol and perhaps it could be an opportunity to initiate special contact with some of the respondents that said we do not communicate well with the Patrol. He stated that from his prospective all it would take is for the district or post commander to sit down and talk with the chief or sheriff to iron out things. There is a need for communication. If you don't communicate on a regular basis that is going to hurt long term the relationship of anyone whether its people or organizations. Mr. Peach hoped that Colonel Dicken saw it that way also. Colonel Dicken indicated yes.

In response to a question from Mr. Drum, Chief Peach reported that roughly 200 responses were received from the 700-800 that were sent.

Mr. Peach stated when someone has a bur about something they will be one of the first ones to respond to a questionnaire. But if everything is going ok, from his own personal experience, he would not respond because he is not concerned or it doesn't affect him. This is how OACP is interpreting the questionnaire. Not only because of this, but the general tone and feelings out there among OACP members.

Chairman Tobin stated that Jeff Clark from the Attorney General's Office is going to be reviewing the appropriate statues of the Patrol's authority. Mr. Clark would like any input from the task force members as to their interpretation of the statue.

Chairman Tobin stated that the next OSHP Mission Review Task Force meeting will be Wednesday, April 7, 2010.

### **New Business**

Chairman Tobin asked Colonel Dicken to make some remarks on where he is trying to go under his administration of the Highway Patrol.

Below are Colonel Dicken's remarks in their entirety.

"Provisional statistics show that fatalities were down by 163 deaths last year compared to 2008. This decrease is a direct result of our unwavering dedication to traffic safety.

Not only have we seen a record low in roadway fatalities, we have continued to remove drugs and dangerous felons from our communities; we have recovered stolen vehicles, stopped impaired drivers and supported our partners in the field.

I am more convinced than ever that, operationally, the Highway Patrol has never been better.

I have met with our Senior Staff officials and their respective staff and been provided a comprehensive overview of their unique roles in headquarters. Additionally I have spent the last eight weeks visiting each district and meeting with the Command Staff. These visits were an important step to help me begin to share, and further develop, our plan for moving forward.

Our troopers are out there day and night doing our work. They are the most critical piece of our team, and we want to make sure you know that everything we do is to ensure public safety in Ohio.

Our agency has welcomed the opportunity to participate in the process this Task Force provides. As a leading law enforcement agency in Ohio, we fully understand the importance of critically evaluating our strengths and weaknesses. Taking the pulse of the organization periodically is important to ensure long term health.

Toward this end, it is important to denote the Division of the State Highway Patrol has been sharpening its operational programming and honing its administrative efficiencies in recent years.

The operational successes enjoyed last year have been the hallmark of the commitment and dedication of our troopers, sergeants, dispatchers, and post and district management teams over the last several years. The advent of the agency's program known as Life Stat has produced brilliant results.

Successes of this nature do not occur without sound, intelligent planning, hard work, partnerships, and commitment from all stakeholders.

From an administrative perspective, the agency has made difficult, but intelligent, choices regarding the use of our limited resources over the last three years.

The recently formed Funding Task Force identified both need and long term solutions to the Highway Patrol's current insolvent situation. Due to the economic downturn in the national and international marketplaces, an intermediate funding strategy was promulgated for the 2010-2011 fiscal biennium.

In the last biennium, the Division was able to take a proactive position and began implementing cost-cutting programs to maximize our resources in light of the tenuous revenue picture.

Some of our conservation included self-imposed hiring freezes and limited spending for equipment replacement.

Many business practices have been re-thought and definite changes to our business models have been instituted. For example, the service life of patrol cars has been increased. Some information technology expenditures have been postponed. And, major programs such as dispatching and providing maintenance services to our facilities have been reformed.

All changes past and future are intended to deliver services more efficiently.

The new leadership of the Division is examining every component of the Patrol – from operations to administration. It was once said that government was built to be accountable and not efficient. It will be our goal to consider every facet of the State Highway Patrol – from recruitment to retirement – and make our agency as efficient and effective as it can be.

I think our commanders have provided a good understanding of the tasks and work products generated by Patrol employees. Moreover, I think we have clearly demonstrated the value and contributions the Division provides not only to our customers throughout Ohio, but to the criminal justice community at large.

It is generally accepted that there has been three distinct eras of law enforcement in the United States since World War II.

The 1950s and 1960s were the era of *understanding*.

The 1970s and 1980s were the era of *education*.

Since 1990 to the present we are in the era of *partnerships*.

The competition and scarcity of finite resources, coupled with the infamous attacks on September 11<sup>th</sup>, underscore the importance of partnerships.

The State Highway Patrol has resolved to place even greater importance on partnerships. It is our aim to never compete with, but rather cooperate with our partners in public safety.

Certainly our Division represents a portion of a three-pronged law enforcement environment in Ohio; namely, municipal police departments, sheriffs' offices and the State Highway Patrol.

Today it is our goal to cooperate and complement the efforts of all law enforcement agencies in Ohio.

In the weeks and months ahead, as the Task Force begins its deliberations, it is my hope that the membership thoughtfully considers every detail that has been discussed thus far – from specific tasks to jurisdictional issues, and potential recommendations reflect what is best for Ohio law enforcement in general and Ohioans in particular.

Thank you.”

Tom Charles and Colonel Dicken had a dialogue regarding the potential to make available ideas developed in the past by the Colonel regarding the organization of the Ohio Highway Patrol.

Chairman Tobin called on members to submit questions that may still be outstanding. Noted it is important to hear from all members and would welcome ideas on recommendations. All recommendations will be discussed by the group.

Senator Buehrer commended the Superintendent and the whole Patrol team that has presented over the last couple of months. When this task force was assembled, he thought it

was to encourage interaction among the members and have diverse opinions and stakeholders sitting around the table. He continued at this point of the process, the task force should start allowing the chiefs, the sheriffs, the county commissioners or some of the other stakeholders sitting around the table to do a presentation. He stated he thought this task force is charged with being somewhat visionary. He hoped in the time the task force had left to meet, the other stakeholders sitting around (FOP, AAA) would have some time to present their view on how this present system of law enforcement in the state of Ohio is working. He believes the task force will have the best results if they use collective minds around the table to have a debate. Senator Buehrer stated it has been a good process but he thinks it is time to take it to the next level and utilize what the task force has learned over the last couple of months.

Chairman Tobin stated there will be some presenters from the Sheriffs' Association in the next meeting. The Chair of the Pension System will cause some thought. There will be a list of responses from the Patrol that the task force will be able to discuss. He stated anyone at the table who wants to take the podium and clearly lay out where they are coming from; he encourages it. There will be discussion and the task force will have to try and come to an agreement on how this report will be done.

Mr. Foltz asked if all task force members would have the opportunity to have presenters to come and speak in front of the task force. Chairman Tobin said absolutely.

Chairman Tobin asked the task force members if they wanted to talk about the questions that are being asked or do they want to wait until the task force has received the responses from the Patrol.

Mark Drum stated his questions are consistent with what the FOP had asked earlier. 1) Ask the Governor or the proper legislative authority to ask for an opinion of Ohio's Attorney General as to the authority of OSP members acting outside their jurisdiction when assisting local law enforcement agencies in non-emergency situations; and 2) Ask the Ohio General Assembly to expand the authority of all peace officers and law enforcement officers in Ohio to allow them to take police action outside their physical and/or legal jurisdictions.

Mr. Charles stated the issue Mr. Drum discussed is one of the recommendations he had suggested. His recommendation was there needs to be a change or clarification in the ORC to what jurisdiction does the Patrol have. What does the word emergency mean? Mr. Charles mentioned another recommendation he had was possibly developing a policy that would go out to other law enforcement agencies, stating what assistance OSP can give as well as to what is available.

Mr. Foltz stated he thinks the citizens of Ohio expect law enforcement agencies outside their jurisdiction to detain individuals until the local law enforcement agency can get there to take over. Chairman Tobin stated the task force will look at the gray areas and see if there is a need for legislation. He asked the task force to have their thoughts of these issues.

Chairman Tobin motioned to adjourn. Voice motions were heard. Meeting adjourned.