



Ohio Private Investigation & Security Services Commission (OPISSC) September 11, 2013, Minutes

Commission Meeting Date and Location: September 11, 2013, Ohio Department of Public Safety (DPS), 1970 W. Broad Street, Columbus, Ohio 43223

Commission Members Present: Mr. John Born, Mr. Rodney Armstrong, Mr. Mike Cohen, Mr. Steven Cotner, Mr. Dennis Deskins, Mr. Dwight Holcomb, Mr. Gregg Hollenbaugh, Mr. Jeffrey Parson, Mr. Ralph Portier, Mr. Joseph Powell, Mr. Chris Johnson for Mr. Paul Pride, Mr. Brian Simms, Mr. Mark Wasylshyn

Commission Members Absent: Mr. Bryan Kirk

Also Attending: Aleta Dodson, Lora Manon, Joe Montgomery, Arnie Schropp, Anne Vitale

Visitors Attending: Mary Broyles and Justin Hykes, Ohio Peace Officer Training Academy (OPOTA); Clay Hildebrand, Continental Secret Service Bureau; Mike Moran, OPISSC Legislative Committee Chair

Mr. Mike Cohen, Chair, called the meeting to order at 1:00 PM.

ROLL CALL:

Mr. Rodney Armstrong	Here	Mr. Bryan Kirk	
Mr. John Born	Here	Mr. Jeffrey Parson	Here
Mr. Mike Cohen	Here	Mr. Ralph Portier	Here
Mr. Steven Cotner	Here	Mr. Joseph Powell	Here
Mr. Dennis Deskins	Here	Mr. Chris Johnson for Paul Pride	Here
Mr. Dwight Holcomb	Here	Mr. Brian Simms	Here
Mr. Gregg Hollenbaugh	Here	Mr. Mark Wasylshyn	Here

A quorum was present to conduct business.

OLD BUSINESS

Ms. Dodson indicated corrections are needed for the August 21, 2013, OPISSC minutes. On page two, third paragraph from the bottom, it should read "only OPOTA certified private investigators and security guard firearm instructors" instead of "only PISG firearm instructors."

ACTION: Motion to approve the August 21, 2013, meeting minutes with the noted correction. Hollenbaugh first. Parson second. None opposed. Motion approved.

Rewrite of 4749.

Firearms

Mr. Cohen said the main topic of the meeting will be on the firearm portion that has been discussed with the Ohio Peace Officer Training Academy (OPOTA). He requested Mike Moran, OPISSC Legislative Committee Chair, go over the draft document and hopefully vote on it today. Mr. Moran thanked Mr. Hykes, Assistant Attorney General, for his assistance drafting the changes contained in the document titled "Proposed Revisions to 109.75 (9-11 version)" that also includes revisions to ORC 109.78, 109.801 and 4749.10. Mr. Moran said he

made stylistic changes to the document titled "OPISSC Legislative Chair Revisions to Firearms" that was also distributed. Changes included:

4749.10

1. (A)(1)(a) changes the training from twenty hours for semi-auto handgun to forty hours (five additional hours optional for shotgun).
2. (A)(1)(b) exempts from the initial training someone enlisted in the military or discharged within the last three years and qualified retired law enforcement officers as defined under federal law.
3. (B) firearm requalification will expire December 31 like law enforcement; if an individual doesn't re-qualify their firearm within prior three years, they must take the initial training again.
4. (D) allows for licensees and employees to carry firearms other than handguns or shotguns as long as they complete a training course conducted by an instructor with active certification from the OPOTC for that specific firearm type used and qualify annually.
5. The second page of Mr. Moran's handout has Mr. Hykes' revision of 4749.10 that removed de-escalation and conflict resolution from the training as there were some concerns at OPOTA. In order to move the process forward, Mr. Hykes agreed it should be removed and Mr. Cohen concurred. Mr. Hykes said it could be worked in either through the administrative code, the commander's manual or the lesson plan.
6. At the bottom of page three of Mr. Moran's handout is a table comparing peace officer manual on firearm training (109.78). After discussions with Mr. Hykes, firearm training should not exceed twenty hours on the range within the forty hour initial training course.

109.75

1. (A) eliminates OPOTA firearm re-qualification academies.
2. (L) added authority for the OPOTC Executive Director to approve "additional organizations" to conduct firearms requalification training.

109.78

1. (B) changes the fee schedule. Initial training costs have been \$100 per student for the last thirty years. OPOTA proposes cost increase based on a tiered system by the number of students enrolled: \$100 for one to ten; \$150 for eleven to twenty; and \$200 for more than twenty-one.

109.801

1. (A)(1) Requalification firearm training for private investigators and security officers will be added in the law enforcement standard.

Mr. Moran said streamlining the requalification process eliminates OPOTA from the requalification business.

Mr. Wasylyshyn thanked Mr. Cohen, Mr. Moran, OPOTA and everyone who worked on this. Mr. Moran made the following clarifications for Mr. Wasylyshyn:

- A CCW permit does not allow a registered security officer/private investigator to carry a firearm on the job; this would put them in a regulatory violation, meaning their card or the license of the company they work for could be revoked.
- The revised 4749.10(A)(1)(b) exemption for federal law enforcement as defined in federal code 18 USC 926C would not cover park rangers or others who are federal law enforcement, but whose agency does not authorize them to carry a firearm. Only those authorized to carry a firearm by their agency would comply.

Mr. Hykes will present this information at the next OPOTC meeting at 10:00 September 19th at the London location, where it will hopefully be voted on. Mr. Moran plans to attend and to answer questions.

ACTION: Motion to vote on approving the proposed revisions to 109.75. Wasylyshyn first. Armstrong second. None opposed. None abstained. Motion carried.

4749 Rewrite

Mr. Cohen asked Ms. Vitale where the 4749. rewrite stood and she said the Department is waiting on OPISSC's comments, questions or recommendations to them. A Legislative Committee meeting will meet Wednesday, September 25th at 10:00 a.m. prior to the next OPISSC meeting to review the entire 4749 rewrite. The firearms portion should be resolved and can now be included. Mr. Wasylyshyn was not sure if he is a member of the committee; he is not an official member, but is welcome to attend. Ms. Vitale will be unable to attend due to a prior commitment. Mr. Moran asked if she could put together a status report of where she understood the rewrite stands. Ms. Vitale said she would have something ready by the 19th or 20th, and would meet with Mr. Schropp prior to the meeting and have PISGS send it out. Mr. Moran asked Mr. Schropp if he could get something to the committee by Monday (September 23rd) and he agreed. Mr. Moran asked Ms. Dodson to put out a public meeting notice. The purpose of the meeting will be to review the overall legislative status and make any final changes. Mr. Cohen thanked OPOTA for the progress made in the last few months, as well as Mr. Moran and members of the Legislative Committee.

COMMITTEE REPORTS

Investigative Compliance Report, Lora Manon

Ms. Manon distributed copies of the compliance report summarizing the current caseload. Year to date, 98 complaints have been received, 67 cases have been closed, 27 are pending hearings or pending mailing of notice of opportunity for hearing letter, and 4 cases are pending criminal charges. 99 compliance checks were completed since the last OPISSC meeting.

ALRS Phase III, Aleta Dodson

Ms. Dodson reported IT personnel are still working on programming and did not have any rollout dates to announce.

Mr. Cohen asked Mr. Schropp about the training program status and Mr. Schropp said Lora Manon is assisting with developing the additional sections of training. Ms. Manon said they want to ensure the course has sufficient content.

NEW BUSINESS

The next OPISSC meeting will be Thursday, October 24th at 1:00 p.m. at 1970 W. Broad Street, Columbus.

ACTION: Motion to adjourn. Wasylyshyn first. Parson second. None abstained. None opposed. Motion passed. The meeting adjourned at 1:59 PM.