

OSHP Mission Review Task
February 3, 2010
9:00 a.m. – 10:30 a.m.
Meeting Minutes
Corrected

Attendance:

Task Force Members:

Peter Tobin, Superintendent, BCI & I
Colonel Dave Dicken, OSHP
Jim Foltz, Trooper, Ohio State Highway Patrol
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
Senator Steve Buehrer, Ohio Senate
Tom Charles, Ohio Inspector General
John Peach, Ohio Association of Chiefs of Police
Robert Cornwell, Buckeye State Sheriffs' Association
Larry Davis, Ohio Trucking Association
Representative Connie Pillich, Ohio House of Representatives

Josh Williams for Senator Jason Wilson
Tim Lynch for Senator Tom Patton
John Leutz for Larry Long, County Commissioners Association of Ohio
Jason Pappas for Mark Drum, Ohio Fraternal Order of Police

Other Attendees:

Todd Dieffenderfer, Attorney General's Office
Thomas W. Rice, OSHP Retired
David D. Sturtz, OSHP Retired
Jeff A. May, OSHP Retired
Chief Keith C. Torbet, Wauseon Police Department
Major Robert Booker, OSHP
Captain James Brink, OSHP
Donna Braxton, Ohio Association of Chiefs of Police
Ivan Teets, OSHP Retired
Roger Norris, OSHP
Captain Russ Johnson, OSHP
John Boster, OSHP Retired
Vickie Boster, wife of John
Rickard R. Nelson, OSHP Retired
Walter F. Liddle, OSHP Retired
Howard E. Shearer, OSHP Retired
Mathew A. Kana, Attorney General's Office
McKenzie Davis, The Success Group

Richard H. Collins, OSHP Retired
Lou Gliozzi, OSHP Retired
Debbie Gliozzi, Wife of Lou
Lt. Colonel P.L. Watts, OSHP
Jeff Grayson, OSHP
Major Herb Homan, OSHP
S/Lt. Carl Roark, OSHP
S/Lt. J. E. Wernecke, OSHP
S/Lt. Rodney Tyler, OSHP
Major Kolcum, OSHP
S/Lt. Richard Baron, OSHP
James Spurrier, OSHP Retired
Larry Phillips, Ohio State Troopers Association
Shel Senek, President, OSHP Retirees' Association
Charles E. Linek, OSHP Retired
Nathan Slonaker, Representative Batchelder's Office
Arnie Schropp, Ohio Inspector General's Office
Lt. Colonel William Costas, OSHP
Captain Andrew Stritmatter, OSHP
Noah Wolf, Senator Schneider's Office
Tom Hunter, ODPS
Lindsay Komlanc, ODPS
Michael Weinman, ODPS
Justin Long, ODPS
Nancy Crespo, ODPS
Maria Clark, ODPS
Paul Aker, WBNS TV
Mike Lurle, WBNS TV

Welcome and Introductions

Chairman Tobin welcomed everyone to the task force meeting. Mr. Tobin made a couple of announcements. He stated that Nancy Crespo was leaving ODPS for a lobbyist position with State Auto. Mr. Tobin introduced ODPS's new legislative liaison, Mike Weinman. Chairman Tobin asked the task force members to introduce themselves.

Old Business

Mr. Tobin asked if anyone had any questions regarding the minutes from the previous meeting. He asked for a motion to approve. Motion to approve was given and seconded. All task force members were in favor.

Chairman Tobin stated in the package of information for today's meeting there was a letter from the Fraternal Order of Police regarding questions raised by Arnie Schropp concerning Director Collins-Taylor's statement she made at a previous meeting. Mr. Tobin asked if anyone wanted to make any comments on the letter. No one did.

Chairman Tobin stated he was looking for some follow up information that was requested from the Aviation presentation. No one presented the information. Mr. Tobin stated the information would be received down the road.

New Business

Major Dan Kolcum made a statement regarding his section, the Office of Special Operations/Investigations. Below are his remarks in their entirety.

“The Patrol’s Investigative Section – formed in 1934.

Over the years it has progressed from a crude and basic unit to high tech section composed of highly trained and educated professionals and specialists.

The OIS is actively involved and partnered with numerous local, state and federal agencies of all nature on a daily basis.

The Office has been involved in thousands of cases, many of which are everyday crimes as we know them. However, our role has been widespread and integral in completing investigations such as the Kent State University investigation (1971), the Lucasville Riot (1993) and the IS 270 shooter (2003).

The basic responsibilities of the Office are to:

- Investigate crimes involving the titling and registration of motor vehicles;
- Investigate crimes occurring on state owned and leased property and state institutions;
- Investigate crimes as directed by the Governor;
- Serve as support to all Patrol Posts around the State and;
- Provide executive protection to the Governor and other dignitaries as ordered by the Governor himself.

The Offices of Investigative Services presently consists of the following units:

- Investigative Operations
- Executive Protection Unit
 - Statutory Authority
- Vehicle Theft Unit
- Crime Lab
- Polygraph Unit
- Computer Crimes Unit
 - Law Enforcement Function
- Criminal Intelligence Unit
- Homeland Security

These eight units provide a wealth of investigative expertise, knowledge, assistance and training to the officers of our Division as well as dozens of law enforcement officers within the State as well as across the country.”

Major Kolcum introduced S/Lt. Richard Baron and gave a brief bio.

S/Lt. Baron provided a power point presentation of the Office of Special Operations/Investigations. Power point presentations are attached as part of the minutes.

Major Kolcum introduced Captain James Brink and gave a brief bio.

Captain Brink gave a power point presentation of the Forensic Services Crime Laboratory Operations.

S/Lt. Baron gave a power point presentation of the second part of the Investigative Operations Section.

Chairman Tobin asked if there were any questions.

Senator Buehrer asked about the 17,000 investigations in the Crime Laboratory. He asked if about a quarter of them are for external agencies and therefore the rest for internal Patrol investigations. He wanted to know if he was interpreting the data correctly.

Captain Brink stated that 41 percent of the toxicology totals are for external agencies. Five percent of the drug chemistry tests are for external agencies. Senator Buehrer continued if he understood it correctly, three quarters of the work is for internal Patrol investigations. Captain Brink indicated yes.

Senator Buehrer asked Captain Brink how his mission differs from that of BCI & I who is also doing investigating work. Is it customer difference or service difference? Chairman Tobin stated that toxicology is not offered at all at BCI & I. Captain Brink stated the Patrol offers a centralized area to handle analyses and to maintain the analyses.

Chairman Tobin asked if the services were free. Captain Brink stated no. The Patrol charges \$37 for the initial alcohol analysis compared to \$125 charged at other labs.

Senator Buehrer asked about different services that BCI & I and the Patrol are doing. Chairman Tobin stated that BCI & I's services are free. He asked if that is why there is some overlapping even though BCI & I is not doing toxicology, is BCI & I doing other things described. Chairman Tobin stated yes.

John Peach commented there is a great difference in the ability to go to the Patrol for toxicology testing. He continued stating that it really is the access. The ability for local law enforcement in most cases makes it very difficult to 1) be able to access a good lab or 2) be able to afford one. Local law enforcement cases are usually related to serious accidents and/or death and could involve criminal charges and/or litigation. The local law enforcement agencies want to do it right. The services offered by BCI & I are generally very good but they usually have a backlog.

Robert Cornwell asked Captain Brink about the funding for the lab and whether it based on the \$37 for the toxicology report. He also asked if there are fines, grants, forfeitures or other funds that are used for the lab itself or is there general fund money. Captain Brink stated he did not know how the lab was funded. The Patrol is basically charging how much the supplies cost the Patrol to conduct the analysis, not the time involved.

Mr. Cornwell asked if the funds do not go directly to the Lab do they go through the operating fund of the Patrol and not back to the state GRF. Captain Brink stated he did not know. Mr. Cornwell asked if the Colonel could answer since he is from the fiscal side. Colonel Dicken stated there are three funding streams for the lab. The line share is the Highway Patrol operating account. There are some grants for training and equipment. The third is using some of the contraband forfeiture money for equipment replacement and new equipment expenditures. These are the three main revenue streams. The fines he believes go to the Highway Safety Fund which is the Highway Patrol operating account.

Mr. Cornwell asked Captain Brink if the Patrol charged for the criminalist's time and recovery, \$37 would not cover it. Captain Brink stated that \$125 would not cover it. Captain Brink stated the \$37 covers only the supplies.

Brian Newbacher stated that during the presentation and with regards to the 17,000 submissions to the lab, Captain Brink described it as being way above the national average. Mr. Newbacher asked if they are considered safe. Captain Brink stated that the national average analysis per criminalist is 85 cases. He stated that his staff has to be very vigilant in watching the data that is being produced by his criminalists. He stated they have such a review process so they know no mistakes are being made. He stated they have an efficient volume coming in that it can cause problems in the analysis itself. He has seen it occur in OSHP Crime Lab.

Mr. Newbacher asked how the Crime Lab can provide timely results if there is such a volume. Captain Brink stated because we are very good.

Trooper Jim Foltz asked Chairman Tobin if BCI & I charges for any DNA samples. Chairman Tobin stated they are funded by grants. He continued stating they only charge for background checks.

Chairman Tobin asked what the turn around time is for chemistry. Captain Brink stated the turn around time can vary, but if they have a straight alcohol analysis, it can be turned around in 72 hours. A drug chemistry analysis is around 45 to 47 days. If it is a rush it can be turned around in seven hours.

John Peach commented on the Vehicle Theft Unit and wanted to thank the Patrol for the resources available because this is an area of local law enforcement agencies that is being reduced first when cuts are required.

Chairman Tobin asked for any public comments. There were no comments.

Larry Davis asked if the meeting for March 17, 2010 could be moved to March 24, 2010 because many Highway Patrol members go to Florida on that day. Chairman Tobin asked Nancy Crespo to make that change.

Chairman Tobin asked for a motion to adjourn. Meeting adjourned.