



CCPCA

Association News and Meeting Minutes

MEETING MINUTES

May 18, 2017

Baldwin Wallace University

The General Membership meeting of the Cuyahoga County Police Chiefs Association was called to order at 1207 hours by President Nietert.

Roll Call Chief Maddox led the Pledge of Allegiance and Chaplain Gallagher led the Invocation. Secretary Treasurer Viland called the roll of officers. Past President Malley was absent. President Nietert thanked Dr. San Marco and Baldwin Wallace University for hosting today's meeting. Dr. San Marco welcomed the Association to Baldwin Wallace and commented on his impending retirement after 38 years. He introduced his replacement, Dr. Carol Gregory, who commented on the continued relationship between Baldwin Wallace and the CCPCA. Members and guests introduced themselves.

Approval of Previous Meeting Minutes *A motion to accept the minutes of the regular membership meeting of April 20, 2017 as distributed, was made by Chief Dease and seconded by Chief Kris Nietert. Motion Passed.*

Financial Report Secretary Treasurer Viland reported that our account balances are as follows:

\$ 20,408.95	General Fund
\$ 4,514.94	Scholarship Reserve
<u>\$ 25,795.26</u>	<u>Checking</u>
\$ 50,719.15	Total

A Motion to accept the Financial Report was made by Chief Miller and seconded by Chief Kilbane. Motion Passed.

Executive Director's Report Bob Bruckner.

- **2016 Tax Return** has been e-filed and is available for review by any member.
- **2016 Ohio Attorney General Annual Charitable Organization Registration** has been filed as required and is also available for review.
- **Thirty four members** have not yet paid their 2017 dues. If you are one of them, please send in your check ASAP.

Legal update Steve Parisi.

- State v. Gonzales, Slip Opinion No.2017-Ohio-777. The court ruled that fillers are part of the useable drug and the total weight of the substance should determine the penalty under state law. (Reversal of the original ruling)
- State ex rel. Cincinnati Enquirer v. Ohio Dept. of Public Safety, 148 Ohio St 3d 433, 2016-Ohio-7987. Decisions about whether an exception to public record disclosure applies to dash-cam recordings require a case-by-case review to determine if the requested recordings contain investigative work product.
- State v. Polk, Slip Opinion No. 2017-Ohio-2735. A school's protocol requiring searches of unattended book bags furthers the compelling governmental interest in protecting students from physical harm. The search of a book

bag to fulfill this protocol was lawful.

- Ohio OVI penalties have tightened effective April 4th. The look back time for prior offenses has been increased from six to ten years. First OVI offenses can bring a one year license suspension and an ignition interlock device. Minimum license suspension time is increased to one year.
- Ohio Senate Bill 199 has made significant changes to the concealed carry law. Check the bill for details of those changes.
- State v. Jackson, 2017-Ohio-1369. Evidence recovered during a traffic stop, initiated without reasonable suspicion of criminal activity, is inadmissible.
- In re Seizure of Approximately \$20,000 U.S. Currency, 2017-Ohio-1452. Cash was seized without either civil or criminal forfeiture proceedings having commenced. Seizure was ruled illegal.
- State v. Hall, 2017-Ohio-2682. An officer may conduct certain unrelated checks during an otherwise lawful traffic stop. But he may not do so in any way that prolongs the stop, absent reasonable suspicion ordinarily demanded to justify detaining an individual. (Concerns time required to bring out drug dog)

CCPCA 2017 Marion Taylor Scholarship Dr. San Marco commented on this year's scholarship winner's accomplishments and aspirations and thanked the Association for the award. The 2017 recipient is **Sarah Chapman** who was unable to be present. Her award was accepted from President Nietert by her father in law, Ron Lopresto.



Photo: Ron Lopresto and President Kevin Nietert

Speaker for Today's Meeting

- **Michael O'Malley, Cuyahoga County Prosecutor.** "Use of Deadly Force Investigations Policy" Prosecutor O'Malley expounded on his new policy of referring Use of Deadly Force Investigations to a third party. This will probably be the Ohio Attorney General. He also explained his new policy on mandatory bind overs for 16 and 17 year olds using a gun in a crime.
- **Dr. Julie Newcamp.** "Research Project" Dr. Newcamp will be soliciting participants, in the near future, in a research project concerning police officers pre-shift superstitions and rituals.

Committee Reports

Membership: Three new applicants have been approved for Law Enforcement Administrator Membership by the Board this morning.

- **Ross Carbone, Deputy Chief,** John Carroll University Police Department.
- **Joseph L. Manning, Deputy Chief,** Parma Police Department.
- **Joseph Mays, Assistant Chief,** South Euclid Police Department.

Audit Committee: President Kevin Nietert. An audit of all CCPCA financial records for the year 2016 was conducted at 1030 today by the Audit Committee. All of the CCPCA books and accounts were found to be accurate and in good order.

Golf: Chief Kostura advised there are still openings available for the 2017 Golf Outing at Beechmont Country Club on June 12, 2017. The information/registration flyer with complete information will be distributed to the membership again via email.

Old Business

- **Committee Appointments.** President Nietert. Committee appointments for 2017 have been adjusted and will be disseminated to the membership as soon as possible. Bob Bruckner will finalize the document from President Nietert's final draft.
- **Meeting with the County Prosecutor concerning his new Use of Deadly Force Investigation Policy.** The new revised policy has been sent out to all departments. He will accept a ruling by the local prosecutor. He needs a bind over or a referral from the local court or prosecutor to become involved in the investigation. All incidents involving the use of deadly force or deaths will go to a third party investigator. (Probably the Ohio Attorney General) All

departments should have a policy concerning this issue.

New Business





- **Crime Stoppers Funding.** A meeting has been scheduled for 1100, May 30, 2017 with Dr. Khoury and board members to discuss their proposal to use departments' Law Enforcement Trust Fund monies.
- **Dr. Tom Gilson, Cuyahoga County Medical Examiner** advises that they are now accepting on-line evidence submissions.

Health and Welfare, Members Ill or in Distress

- **Life Member, Chief James L. Farrell, Ret., South Euclid Police Department** died on April 22, 2017.

Good of the Order

- **Chief Jamie Gallagher, North Olmsted Police Department** has announced that he will retire on August 4, 2017.

<p>Life Board Member Chief Lester LaGatta, Ret. 12709 Heath Rd. Munson Twp., Ohio 44026 216-570-9121</p>	
<p>Past President Chief Timothy J. Malley Lakewood Police Department 12650 Detroit Ave Lakewood, Ohio 44107 216-529-6749</p>	
<p>Legal Counsel Stephen T. Parisi, Attorney 30800 Brookwood Drive Pepper Pike, Ohio 44124-5403 216-360-9969</p>	
<p>Executive Director Chief Robert W. Bruckner, Ret. 12234 Chamberlain Rd. Aurora, Ohio 44202 216-374-6482 Fax 216-916-0977 robert.bruckner@ccpcaohio.com</p>	

Next Meeting 1130, Monday, June 12, 2017. Golf Outing at Beechmont Country Club. Information has been distributed via email. [Contact Chief Kostura to register for Golf.](#) Contact Bob Bruckner if you want to attend for the meeting and lunch only.

Adjournment *Motion to adjourn made by Chief Gallagher and seconded by Chief Viland. Motion passed.* The Regular Meeting of the Cuyahoga County Police Chiefs Association adjourned at 1305 hours.

CUYAHOGA COUNTY POLICE CHIEFS ASSOCIATION

2017 MEETING SCHEDULE

BOARD MEETINGS BEGIN AT 1100

REGULAR MEETINGS BEGIN AT 12 NOON

[*Reservations are required for all meetings.*](#)

Past Presidents are invited to all board meetings.

June 12	Golf Outing. Beechmont CC
July	No Meeting
August	No Meeting
September 21	Cleveland Clinic
October 19	Independence Recreation Center
November 16	Solon Police Dept.
December 21	Federal Reserve Bank

NEXT MEETING

Monday, June 12, 2017

GOLF OUTING

Beechmont Country Club

29600 Chagrin Blvd., Orange



Practice: 11:00 am

Meeting/Lunch: 11:30 am

Tee Off: Noon



CUYAHOGA COUNTY POLICE CHIEFS ASSOCIATION
12234 CHAMBERLAIN RD.,
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Stephen T. Parisi, Legal Counsel

**Seeking ways to improve the delivery of
 criminal justice to the citizens of
 Cuyahoga County**

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2017 Board of Governors

President

Chief Kevin Nietert
 South Euclid Police Department
 1349 South Green Rd.
 South Euclid, OH 44121-3945
 216- 691-4250



Vice-President

Chief Kelly J. Stillman
 Rocky River Police Department
 21012 Hilliard Blvd.
 Rocky River, Ohio 44116
 440-331-1234



Secretary Treasurer

Chief Christopher P. Viland
 Solon Police Department
 33000 Solon Rd.
 Solon, Ohio 44139
 440-248-1234



Chaplain

Chief Jamie Gallagher
 North Olmsted Police Department
 27243 Lorain Ave.
 North Olmsted, Ohio 44070
 440-777-353



Senior Governor

Chief Kris Nietert
 Bedford Police Department
 165 Center Rd.
 Bedford, Ohio 44146
 440-735-6553



Governor

Chief James Foster
 Brook Park Police Department
 17401 Holland Rd.
 Brook Park, Ohio 44142
 216-433-1239



Governor

Chief Michael Cannon
 Hunting Valley Police Department
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 440-247-7324



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 Moreland Hills Police Department
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