



# CHIEFLY CHATTER

## November 2008

# CCPCA

## Association News and Meeting Minutes

### MEETING MINUTES

November 20, 2008

### HOLIDAY INN

The General Membership meeting of the Cuyahoga County Police Chiefs Association was called to order at 1212 hours by President Maine.

**Roll Call** Chief Lipton led the Pledge of Allegiance. Chief Kancler led the Invocation. Secretary Treasurer Lipton called the roll of officers. Kalavsky was excused. Members and guests introduced themselves.

**Approval of Previous Meeting Minutes** *A motion to accept the minutes of the regular membership meeting of October 16, 2008 as distributed, was made by Chief Dease and seconded by Chief Harris. Motion passed.*

**Financial Report** Secretary Treasurer Lipton reported that our current account balances are as follows:

|              |              |
|--------------|--------------|
| Money Market | \$ 12,025.63 |
| Checking     | \$ 5,792.79  |
| CD           | \$ 4,344.70  |
| Total        | \$ 22,163.12 |

*A Motion to accept the Financial Report as presented was made by Chief LaGatta and seconded by Chief Szeredy. Motion passed.*

**Executive Director's Report** Bob Bruckner reported as follows:

- **Cost of today's lunch:** is \$13.00. Please collect at each table.
- **Fax Number:** A new internet/fax account has been established

with TrustFAX at a cost of \$29.99 per year. This account allows 150 incoming faxes per year and should be sufficient for our needs. Our new fax number is **216-916-0977** and has been added to the website and all documents with the exception of the letterhead.

- **Memorial Display Case.** John Sommer, HIDTA Executive Director, has offered to provide a display space for the Memorial Display Case in the HIDTA headquarters lobby. The move will be arranged as soon as possible.
- **Greater Cleveland Peace Officers Society Memorial Bricks.** The Memorial site will undergo a complete reconstruction in the spring. All of the existing CCPCA memorial bricks will be removed, replaced and relocated at their cost, with new, larger bricks. The new bricks that we will be purchasing will remain at \$50.00 and will be larger with an additional print line. We will still have our additional bricks purchased and placed in Spring 2009.
- **The 2008 Membership Roster** has been distributed via e-mail and is also posted on our website. If you did not receive it via e-mail, we do not have your valid e-mail address. Without a valid e-mail address you will also stop receiving the Chiefly Chatter newsletter with the December issue.

## Legal Report Steve Parisi.

- Steve commented concerning the sensitivity of witnesses and the open discovery rule mandated by Common Pleas Court. Prosecutor Mason does not intend to comply with the order citing his belief the order is unconstitutional.
- Common Pleas Judge John O'Donnell has ruled that a law that permits checks on non-teaching employees' past felony crimes cannot include crimes occurring prior to the laws enactment this year.
- Steve commented on the apparent inappropriate expenditure of \$6.4 million by the State of Ohio for the purchase of Intoxilyzer 8000 machines, which are currently the subject of numerous litigations, which question the machines reliability.
- State v. Kilgore, 175 Ohio App.3d 665, 2008-Ohio-1162 holds that in the case of a one way street traffic violation: 1. Trial court may not take judicial notice of police officers notes on the back of a traffic ticket as a substitute for admissible evidence and 2. City was obliged to present some proof that there was, in fact, a one-way street sign that defendant failed to obey.
- The 7<sup>th</sup> Ohio District Court of Appeals upheld a judges ruling that a Youngstown murder suspects confession was inadmissible due to circumstances that led the defendant to believe he was in custody prior to his admission.
- Columbus Ohio Police Chiefs are limited to two five-year terms by charter amendment. This causes a problem in recruiting candidates who are enrolled in DROP and must retire at a maximum 8 years of enrollment.

## Speakers for Today's Meeting

- **Robert Sorin CPA**, Associate Member: Reported on the results of his detailed audit and investigation concerning the actions of former Executive Director, Tom Sample and our Association's current federal tax status. All Federal tax issues have been addressed and resolved to date, without penalties. The final outcome of the audit indicated that, of all the money misappropriated by Tom Sample, \$1,518.45 was never repaid to the Association. The Board has initiated action to recover that money.
- **Darryl Anderson**, Program Director, Ohio MARCS related the history and current status of the Ohio MARCS radio system. The system was

initially for state agencies only but has expanded far beyond that today. Agencies may utilize the system for their primary communications. It is very reliable and compatible with all current radio systems. The cost to agencies includes cost of the radios, maintenance and a minimal per month fee to MARCS. Contact him at 614-466-2257 for additional information.

- **Jody Thompson**, Cuyahoga County Emergency Management presented the proposed County Post Explosion Plan. This plan covers the responsibilities of agencies in the first 60 minutes after an explosion. She is requesting that the CCPCA approve the plan by resolution. A complete copy of the plan will be e-mailed to all Chiefs for comment and action at the next regular Meeting.

## Committee Reports

### **Membership:**

- This morning the Board approved the application for Law Enforcement Administrator Membership received from **William F. Florio, Sr.**, Law Enforcement Liaison, Cuyahoga County Coroners Office.
- An application for Associate Membership has been received from **James. R. Beihl**, Chief of Police, Key Bank Police Department. *Motion to approve the membership application of James R. Beihl made by Chief Bova and seconded by Chief Falzone. Motion passed.*

**Person of the Year Award:** The Board has approved the selection of **Kathy Weslowski**, Rainbow Babies & Children Hospital, University Hospital as the person of the year. The award will be presented at the Installation Dinner.

**OACP :** Chief Kocab reported that the LETPP Grant has been awarded for 2009 to cover AFIS and live scan.

### Old Business None

### New Business

- **December Election:** Election will be held at the December meeting. Chiefs Chris Kostura and Greg Loftus have indicated an interest to run for the open Governor's position to date.
- **Petition of Support:** Requested by Grace Leon via Chief Nealon for U.S. Marshall Pete Elliott to retain his position under the new administration. Individual Chiefs may sign the petition if they desire.

- **CISM Pamphlets:** Chief Bova distributed pamphlets which outlined the services offered by the CISM Team.
- **Dennis Burke,** Ohio AAA, reminded Members of the traffic safety presentations available to agencies by distributing an information flyer. This information will also be posted on our website.

**Health and Welfare, Members Ill or in Distress:**

- **Ron Logan,** our long time waiter at the Holiday Inn, died October 25, 2008. He always went out of his way to see that we received the best possible service. Ron was at so many meetings he was almost a member.
- **FBI Special Agent Samuel Hicks** of the Pittsburgh Division was fatally shot in the line of duty on Tuesday, November 18, 2008.

**Good of the Order:**

- **Larry Schuck,** Law Enforcement Administrator Member, N&S Railroad Police will be leaving the Association membership as he has been promoted to

Inspector, Training & Administration, and relocated to Atlanta, GA. He can be contacted at 404-529-1752 or e-mail to larry.schuck@nscorp.com.

- **Chief Anthony Adinolfi,** Lyndhurst Police Department has advised that he is retiring December 31, 2008.

**Next Regular Meeting:** will be held at 12 noon, Thursday, December 18, 2008 at the Holiday Inn, Independence. Reservations are not required.

**Adjournment** *There being no further business to discuss a motion to adjourn was made by Chief Dease and seconded by Chief Bova. Motion passed. Meeting adjourned at 1342 hours.*

**2008 MEETING SCHEDULE**

BOARD MEETINGS BEGIN AT 1030

REGULAR MEETINGS BEGIN AT 12 NOON

December 18                      Holiday Inn, Independence  
 January 10, 2009                Landerhaven Installation\*

\*Advance reservations are required for these meetings. Information concerning reservations will be distributed in advance of the scheduled meeting in the prior month's Chiefly Chatter and on the website.





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**NEXT MEETING**

**12 Noon**

**Thursday December 18, 2008,  
 Holiday Inn, Independence**

*MERRY CHRISTMAS  
 HAPPY HANUKKAH  
 HAPPY KWANZAA  
 HAPPY HOLIDAYS  
 AND  
 HAPPY NEW YEAR*

|  |   |
|--|---|
| <p><b>Life Board Member</b><br/>         Chief Thomas A. Dease, Ret.<br/>         13081 Olympus Way<br/>         Strongsville, OH 44149<br/>         440-846-9258<br/>         chiefdease02@sbcglobal.net</p>                                      |   |
| <p><b>Past President</b><br/>         Chief Joseph C. Kocab<br/>         Brooklyn Heights Police Department<br/>         345 Tuxedo Road<br/>         Brooklyn Heights, Ohio 44131<br/>         216-749-4300 x117</p>                              |  |
| <p><b>Legal Counsel</b><br/>         Stephen T. Parisi, Attorney<br/>         30800 Brookwood Drive<br/>         Pepper Pike, Ohio 44124-5403<br/>         216-360-9969</p>  |  |
| <p><b>Executive Director</b><br/>         Chief Robert W. Bruckner, Ret.<br/>         12234 Chamberlain Rd.<br/>         Aurora, Ohio 44202<br/>         216-374-6482<br/>         Fax 216-916-0977<br/>         robert.bruckner@ccpcaohio.com</p> |  |



**CUYAHOGA COUNTY POLICE CHIEFS  
ASSOCIATION**  
12234 CHAMBERLAIN RD., AURORA, OHIO  
44202

Robert W. Bruckner, Executive Director  
Phone: 216-374-6482  
Fax: 216-916-0977  
Email: robert.bruckner@ccpcaohio.com

Stephen T. Parisi, Legal Counsel

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

**WWW.CCPCAOHIO.COM**

# 2008 Board of Governors

## **President**

Chief David A. Maine  
Hunting Valley Police Department  
38251 Fairmount Blvd.  
Hunting Valley, Ohio 44022  
440-247-7324



## **Vice President**

Chief Paul F. Falzone  
Bratenahl Police Department  
411 Bratenahl Road  
Bratenahl, Ohio 44108  
216-681-1234



## **Secretary/Treasurer**

Chief Robert T. Lipton  
Broadview Heights Police Department  
9543 Broadview Road-Bldg. 19  
Broadview Heights, Ohio 44147  
440-526-5400



## **Chaplain**

Chief Timothy Kalavsky  
Bedford Heights Police Department  
5661 Perkins Road  
Bedford Heights, Oh 44146  
440-786-3222



## **Governor**

Chief John W. Maddox, Jr.  
Middleburg Hts. Police Department  
15850 Bagley Rd.  
Middleburg Heights, Ohio 44130  
440-243-1234



## **Governor**

Chief Kevin R. McQuaid  
Brookpark Police Department  
17401 Holland Rd.  
Brookpark, Ohio 44142  
216-433-7234



## **Governor**

Chief Frank X. Bova  
Warrensville Hts. Police Department  
4301 Warrensville Center Rd.  
Warrensville Heights, Ohio 44128  
216-587-6538



## **Governor**

Chief Clayton A. Harris  
Cuyahoga Community College Police  
Department  
2900 Community College Ave.  
Cleveland, Ohio 44115  
216-407-0412

