



# CHIEFLY CHATTER

## October 2008

# CCPCA

## Association News and Meeting Minutes

### MEETING MINUTES

October 16, 2008

### MetroHealth Hospital Cleveland

Dr. Tom Collins, EMS Director of MetroHealth Hospital welcomed the members prior to the meeting.

The General Membership meeting of the Cuyahoga County Police Chiefs Association was called to order at 1202 hours by President Maine.

**Roll Call** Chief McQuaid led the Pledge of Allegiance. Chaplain Kalavsky led the Invocation. Secretary Treasurer Lipton called the roll of officers. Bova, Harris and Dease were excused. Members and guests introduced themselves.

President Maine thanked Chief Tom Miller and MetroHealth Hospital for hosting today's meeting.

**Approval of Previous Meeting Minutes** *A motion to accept the minutes of the regular membership meeting of September 18, 2008 as distributed, was made by Chief LaGatta and seconded by Chief Szeredy. Motion passed.*

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

Money Market	\$ 12,025.12
Checking	\$ 6,730.97
CD	\$ <u>4,177.53</u>
Total	\$ 22,933.62

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

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

- **Fax Number:** For some unknown reason our eFax account has been terminated. I have sent an e-mail requesting an explanation and reinstatement, but no answer has been received as yet. We are without incoming fax service until this issue is resolved.
- **Memorial Display Case:** Is currently in storage at the CPD Museum and not on public display. We are still looking for a location where the case can be maintained on permanent public display.

**Legal Report** Steve Parisi.

- A reminder that fingerprint evidence should be presented with other corroborating evidence and not as the only evidence whenever possible.
- Repeat drunken drivers with a previous felony record or who have 2 DUI convictions in the last 6 months or 5 DUI convictions in the last 20 years cannot refuse a BAC test and can be taken for a mandatory blood or urine test if they refuse a breath test.
- Cuyahoga County Common Pleas Judge Ronald Suster has issued an injunction preventing the state from enforcing provisions of the

new sex offender law. He ruled against the new requirements citing that they increase punishment without a court hearing and are retroactively applied to offenders who committed crimes before the laws implementation in 2007.

- The Ohio Supreme Court recently ruled that drifting over the white line is, by itself, a traffic violation, and establishes sufficient cause for a traffic stop in a DUI case
- A reminder that Ohio law permits the open carry of a firearm by persons not under prohibition. House Bill 347 passed in 2007 established rules for concealed carry and created the "Right to Bear Arms" law which specifically permits open carry.
- The Ohio Supreme Court has ruled that cities cannot ban firearms from their public parks
- The 8<sup>th</sup> Ohio District Court of Appeals has ruled in favor of Cleveland in exercising home rule authority to require employees to live in the city.

### Speakers for Today's Meeting

- **Boyd Kuhmer**, Director of Risk Management, MetroHealth Hospital spoke concerning the HIPA privacy rules and how they are implemented at MetroHealth.
- **Rick McGinnis**, Investigator, Cuyahoga County Prosecutors Office, Ohio Internet Crimes Against Children Task Force reviewed the background of the units operation. They are able to track violators by monitoring online file sharing and tracking IP addresses. They are in need of manpower assistance.

### Committee Reports

#### **Membership:**

This morning the Board approved the application for Active Membership received from **Chief Doyle S. Lee**, Shaker Heights Police Department

#### **Training:**

**Retired Chief Les Lagatta**, advised that two CPT hours will be required in 2009.

**OACP :** OACP President Kocab reported.

- Anyone wishing to serve on a Committee should

contact him. He will forward a listing of committees.

- OLEISIN has been adopted in all 8 regions and is funded through June 2009.
- OACP is working with the ORPCA concerning the memorial for the North Olmsted officer.
- The new District 3 Representative is Chief Dave Blough, Brimfield PD.

### Old Business None

**New Business Request from Lt. Joseph Petcak, CPD, Bureau of Special Investigations.** He has requested that member chiefs participate in a survey concerning the carrying of shotguns or patrol rifles in patrol vehicles. The survey will be e-mailed to all Chiefs and will also be posted on our website. We will request a copy of the survey results be sent to us for dissemination to the membership.

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

Chaplain Kalavsky.

- **Chief Dave Maine's mother** passed away on October 10, 2008.
- **Oliver Schroeder**, Renowned and distinguished law professor at CWRU passed away September 25, 2008. George Phillips recounted Professor Schroeder's contributions to law enforcement.

### Good of the Order:

- **A reminder concerning the e-mail distribution of the newsletter.** Simultaneous distribution of the newsletter via e-mail and regular mail was begun in August and will continue through December. If you have not gotten e-mail copies of the newsletter, we do not have a valid e-mail address for you and you will no longer receive the newsletter when we commence exclusive e-mail distribution in January 2009. Sixty two members have not yet submitted their e-mail addresses. Nine members have indicated they have no e-mail access and will continue to receive a printed copy of the newsletter.
- **Greater Cleveland Police, Fire & EMS Holy Name Society:** Annual Memorial Mass for deceased members. Tuesday, October 28, 2008 at 8:00 PM. Our Lady of Angels Church.

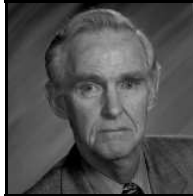
**Next Regular Meeting:** will be held at 12 noon, Thursday, November 20, 2008 at the Holiday Inn, Independence. Reservations are not required.

**Adjournment** *There being no further business to discuss a motion to adjourn was made by Chief Kostura and seconded by Chief Maddox. Motion passed. Meeting adjourned at 1316 hours.*



**Life Board Member**

Chief Thomas A. Dease, Ret.  
13081 Olympus Way  
Strongsville, OH 44149  
440-846-9258  
chiefdease02@sbcglobal.net



**Past President**

Chief Joseph C. Kocab  
Brooklyn Heights Police Department  
345 Tuxedo Road  
Brooklyn Heights, Ohio 44131  
216-749-4300 x117



**Legal Counsel**

Stephen T. Parisi, Attorney  
30800 Brookwood Drive  
Pepper Pike, Ohio 44124-5403  
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**Executive Director**

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**Special Notice**

**Survey requested by Lt. Joseph Petcak, CPD, Bureau of Special Investigations.**

- 1) Do your department's patrol vehicles carry a shotgun or a patrol rifle?
- 2) If a patrol rifle: What type?  
Does each patrol/unmarked vehicle have one? Or are they employed only in a supervisor's vehicle?

Please e-mail your response directly to Lt Petcak at:  
jpetkac2@city.cleveland.oh.us

**2008 MEETING SCHEDULE**

BOARD MEETINGS BEGIN AT 1030  
REGULAR MEETINGS BEGIN AT 12 NOON

November 20	Holiday Inn, Independence
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.

Note: Dates and locations are subject to change dependent upon unforeseen circumstances. Adequate advance notice will be given concerning firm meeting dates and locations in the newsletter and on the website.

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**NEXT MEETING**

**12 Noon**

**Thursday November 20, 2008,**

**Holiday Inn, Independence**



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

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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  
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## 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  
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2900 Community College Ave.  
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