



CHIEFLY CHATTER

September 2011

CCPCA

Association News and Meeting Minutes

MEETING MINUTES SEPTEMBER 15, 2011

HOLIDAY INN, INDEPENDENCE

The General Membership meeting of the Cuyahoga County Police Chiefs Association was called to order at 1210 hours by President Harris.

Roll Call Chaplain Kostura led the Pledge of Allegiance and the Invocation. Secretary Treasurer Loftus called the roll of officers. All Officers were present. Members and guests introduced themselves.

Approval of Previous Meeting Minutes *A motion to accept the minutes of the regular membership meeting of June 20, 2011 as distributed, was made by Chief Dease and seconded by Chief Kostura. Motion Passed.*

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

\$ 17,352.96	General Fund
\$ 5,084.46	Scholarship Reserve
\$ 4,335.94	Checking
\$ 26,773.36	Total

A Motion to accept the Financial Report was made by Chief Viland and seconded by Chief Baumgart. Motion Passed.

Executive Director's Report Bob Bruckner.

- The website has been updated to include a link to "Links" and a link to the complete "CCPCA-Ohio-75 Year History" authored

by former Executive Director, Marion Taylor.

- The CCPCA will be participating as a sponsor of the Ohio Law Enforcement Expo at the IX Center, on March 13-14, 2012.

Legal update Steve Parisi.

- Another CPD officer has been charged with misusing the LEADS database. Steve feels that the officer will be indicted for a felony and plead to a misdemeanor.
- The U.S. Supreme Court has ruled that vehicular flight, with a gun, is a "violent felony" under the "Armed Career Criminal Act" and can trigger a mandatory 15 year federal prison sentence on a third offense.
- Steve commented on the need for department policy and procedure concerning sexual assault cases and proper evidence collection and handling in those cases.
- An Ohio Supreme Court ruling will allow denial of damages if it is found that a lawsuit seeking damages from a governmental body for illegally destroyed public records was motivated for a quest for cash rather than a sincere interest in obtaining public records.
- The U.S. Supreme Court has ruled that police may have to give Miranda warnings to juvenile suspects in some situations where they could question adults without doing so.

- An Athens County judge has ruled that while the Intoxalyzer 8000 meets the minimum standard for admissibility, defense attorneys should be allowed, on a case-by-case basis, to use expert witnesses to attack the results. Other courts have also found problems in admitting test results from this breath tester.
- Steve commented concerning the difficulty of enforcing a texting while driving ban recently approved by the Ohio House and expected to become law soon.
- The U.S. Supreme Court has reaffirmed its ruling from two years ago that court testimony concerning scientific tests must come from the actual tester who did the work. Surrogate testimony will not suffice.
- In November the U.S. Supreme Court will likely rule on the use of eyewitness evidence and which kinds of eyewitness identifications warrant a closer look from judges. Other state courts are also reviewing the use of eyewitness evidence.
- The Ohio Supreme Court has adopted a new rule that requires courts in the state to hire foreign language or sign language interpreters in some cases. Steve commented on the need for competent, trustworthy interpreters if used by police departments.
- Steve cautioned that Miranda Rights must be given to prisoners in jails or prisons until the U.S. Supreme court hears a current case filed by 35 states alleging that a 6th Circuit court ruling affords greater rights to prisoners than to other citizens concerning in custody interrogations.
- Steve cautioned Chiefs to make sure what their cities insurance covers regarding the use of tasers and what the policy may require for complete coverage.

Speakers for Today's Meeting

- **Terry A. Booth**, Liaison Specialist, LEO spoke concerning the free FBI national data exchange information system. LEO provides on line secure e-mail, training, databases and information sharing for law enforcement only. Apply for membership at www.leo.gov.
- **Alan A. Hayes**, Law Enforcement Coordinator, **MAGLOCLN** provided information on the federally funded program administered by the U.S. Department of Justice. It is a national information sharing network that also provides specialized equipment on loan, training, photo enhancement, technical assistance and funds for special operations, travel and hotels. Go to www.riss.net for additional information.

Committee Reports

Membership:

- **James F. Foster, Chief of Police, Brook Park Police Department** has been approved for Active Membership by the Board.
- **Daniel J. Algeri, Chief of Police, Brooklyn Heights Police Department** has been approved for Active Membership by the Board.
- **David A. Easton, Chief of Police, Cleveland Clinic Police Department** has been approved for Active Membership by the Board.

Training: FBINAA training September 25-27 at Cherry Valley.

OACP: Report on the Status of Todd Wurschmidt's civil case. Retired Chief Homer Davis has reported that the case was settled in favor of Wurschmidt. No other information is available.

Life Members: Chief Baumgart reported that **Retired Chief Tom Dease** was awarded the **2011 Outstanding Leadership Award** by the Ohio Retired Police Chiefs Association at their September 14, 2011 meeting.

Old Business

Status of Meetings with Norberto Colon, Deputy Chief of Staff for Justice, Cuyahoga County Justice Services. Chief Harris is actively planning to continue these productive meetings with the Board.

New Business

- **Northern Ohio First** request for CCPCA member chief to represent the CCPCA at the Emergency Preparedness Workshop in November. Chief Harris will represent the CCPCA.
- **Michael Gallagher, County Councilman District 5, Chairman, Public Safety Committee** requested input from the CCPCA concerning law enforcement needs for the County. Chief Harris will establish an avenue for CCPCA input to the County Council Safety Committee through discussion with Mr. Gallagher.

Health and Welfare, Members Ill or in Distress

Our sincere condolences to **Retired Chief Dennis Kancler** and his family for the loss of his son, USMC Sgt. Dennis E. Kancler in Afghanistan.

Good of the Order

- **Ret. Chief Allen Shoaff** has left his position as Director of CRIS and will be retiring to Punta Gorda, Florida at the end of the month.
- **Presentation of Retirement Plaque & Life Member Card to Ret. Chief Gary Stehlik**, University Heights Police Department

Next Regular Meeting: 12 Noon, Thursday, October 20, 2011, Holiday Inn, Independence.

Adjournment: *Motion to adjourn made by Chief Baumgart and seconded by Chief LaGatta. Motion passed.* The Regular Meeting of the Cuyahoga County Police Chiefs Association adjourned at 1318 hours.

2011 MEETING SCHEDULE

BOARD MEETINGS BEGIN AT 1030
REGULAR MEETINGS BEGIN AT 12 NOON

October 20	Holiday Inn, Independence
November 17	Holiday Inn, Independence
December 15	Holiday Inn, Independence
January 21, 2012	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.

Life Board Member

Chief Wayne Baumgart, Ret.
12170 Waterfowl Lane
Chardon, Ohio 44024
440-258-8658



Past President

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



Legal Counsel

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Executive Director

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NEXT MEETING

12 noon

THURSDAY, OCTOBER 20, 2011
HOLIDAY INN, INDEPENDENCE

Special Guest Speaker

Ohio Attorney General,
Mike DeWine

Special Notice

A Resolution to amend the By-Laws of the CCPCA to provide for a more timely collection of annual dues will be presented to the membership for approval by the voting Active and Life Members at the October meeting. A copy of the Resolution has been e-mailed to all voting members.



**CUYAHOGA COUNTY POLICE CHIEFS
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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

2011 Board of Governors

President

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

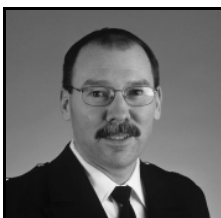


Vice-President

Temporarily Vacant

Secretary Treasurer

Chief Gregory M. Loftus
Cleveland MetroParks Rangers
4600 Valley Parkway
Fairview Park, Ohio 44126
440-331-5795



Chaplain

Chief Christopher Kostura
Orange Police Department
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Orange, Ohio 44022
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Senior Governor

Chief Steve C. Szeredy
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Governor

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Governor

Chief Timothy J. Malley
Lakewood Police Department
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Governor

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