



**OHIO COLLABORATIVE  
LAW ENFORCEMENT AGENCY CERTIFICATION**

**FINAL REPORT**

**Agency Name, CEO and Agency Contact**

Chief Frank Shapiro  
Ansonia Police Department  
108 West Canal Street, Ansonia, OH 45303  
Agency Contact : Chief Frank Shapiro

**County:** Darke

**CALEA Accredited?** N

**Lexipol User?** N

**Date of the On-Site Review**

May 4, 2016

**Assessor**

Michael J. Dickey  
5230 Pleasant Avenue, Fairfield, OH 45014  
513-867-6015

**Report Checklist and Onsite Review Feedback**

Standard Number: 1

**USE OF FORCE** Employees may only use the force which is reasonably necessary to affect lawful objectives including: effecting a lawful arrest or overcoming resistance to a lawful arrest, preventing the escape of an offender, or protecting or defending others or themselves from physical harm.

**USE OF DEADLY FORCE** The preservation of human life is of the highest value in the State of Ohio. Therefore, employees must have an objectively reasonable belief deadly force is necessary to protect life before the use of deadly force. Deadly force may be used only under the following circumstances: 1. To defend themselves from serious physical injury or death; or 2. To defend another person from serious physical injury or death; or 3. In accordance with U.S. and Ohio Supreme Court decisions, specifically, *Tennessee v. Garner* and *Graham v. Connor*.

- 1.1 Policy Statements**  
A directive establishes the agency's use of force and use of deadly force policy statements and
  - a.** agency sworn personnel are issued copies of the agency's use of force and use of deadly force policy statements.
  - b.** agency sworn personnel are annually trained and tested on use of force and use of deadly force policy statements.

- c. agency provides documentation showing compliance.

Comments: The agency's policy is contemporary and states that "Officers must use only reasonable force to accomplish lawful objectives" and comports with Ohio and Supreme Court decisions. The deadly force policy states that "An officer may use deadly force only when he reasonably believes that the action is in defense of human life. This includes the officer's own life or in defense of any person who is in imminent danger of serious bodily injury." Policies are issued to employees who read and sign for the document. Reviewed documents attest to this process.

**1.2 Training**

A directive states the agency's policy on use of force and use of deadly force training and

- a. agency sworn personnel are issued copies of the agency's use of force and use of deadly force training policy.
- b. agency sworn personnel are annually trained and tested on the agency's use of force and use of deadly force training policy.
- c. agency provides documentation showing compliance.

Comments: Training documents were reviewed. The Ansonia Police Department contracts with the Montgomery County Sheriff's Office Training Center for in-service training. This includes all firearms, less lethal options such as Taser and OC spray, and policy review, testing, and documentation. Records are maintained by the Ansonia Police Department to demonstrate compliance. In addition, records are maintained by the MCSO training staff to support the department's training regimen. A written examination is provided and documented by MCSO training staff.

**1.3 Reporting**

A directive requires a written report be taken when there is a use of force or use of deadly force incident and

- a. agency sworn personnel are issued copies of the agency's use of force and use of deadly force reporting policy.
- b. agency sworn personnel are annually trained and tested on the agency's use of force and use of deadly force reporting policy.
- c. agency provides documentation showing compliance.

Comments: The chief reports that there have been no uses of force for the past several years. None the less, the agency has provided direction and forms for reporting each incident that may occur. The pointing of a firearm unless actually used does not constitute a use of force and is not reportable. The form that has been developed, if properly completed, contains sufficient information to properly record the incident for a reviewer to arrive at a proper conclusion.

**1.4 Reviews/investigations**

A directive requires each use of force and use of deadly force report is reviewed/investigated by a defined level of authority to determine compliance with agency policies and

- a. agency sworn personnel are issued copies of the agency's use of force and use of deadly force reviews/investigations policy.
- b. agency sworn personnel are annually trained and tested on the agency's use of force and use of deadly force reviews/investigations policy.
- c. agency provides documentation showing compliance.

Comments: The chief of police is designated as the review authority for any use of force. As there have been no uses of force in the past several years, no completed documentation was available for review. The procedures are in place and if followed allows for a comprehensive review of each incident. Policy requires an annual summary of all Use of Force incidents. This summary is provided to the village mayor.

Standard Number: 2

**AGENCY EMPLOYEE RECRUITMENT AND HIRING** The goal of every Ohio law enforcement agency is to recruit and hire qualified individuals while providing equal employment opportunity. Ohio law enforcement agencies should consist of a diverse workforce. Communities with diverse populations should strive to have a diverse work force that reflects the citizens served.

Non-discrimination and equal employment opportunity is the policy. Law enforcement agencies shall provide equal terms and conditions of employment regardless of race, color, religion, sex, sexual orientation, gender identity, age, national origin, veteran status, military status, or disability. This applies to all terms or conditions associated with the employment process, including hiring, promotions, terminations, discipline, performance evaluations, and interviews.

Agencies should utilize due diligence in ensuring that their prospective employees have the proper temperament, knowledge and attitude to handle this very difficult job. Agencies should have appropriate mechanisms in place in order to achieve this mission. Further, agencies should ensure their employment requirements are related to the skills that are necessary to be a successful employee.

**2.1 Policy statement**

A directive establishes the agency's recruitment and hiring policy statement for sworn personnel and

- a. agency personnel that are involved in recruitment and hiring activities are issued copies of the agency's employee recruitment and hiring policy statement.
- b. agency personnel that are involved in recruitment and hiring activities are annually trained and tested on the agency's employee recruitment and hiring policy statement.
- c. agency provides documentation showing compliance.

Comments: The agency has a comprehensive set of directives which has been issued under the authority of the Village Council. The Village Council approved the latest update in December 2009. Executive authority lies with the mayor who is responsible for the various departments of the Final Report

village including the police department. The village has developed an Employee Handbook and Personnel Policy Manual. This manual contains directives related to recruitment and selection of employees. Employees are required to acknowledge receipt of the handbook and policies by signature.

**2.2 Recruitment plan**

A directive establishes the agency's recruitment plan for sworn personnel and

- a.** agency personnel that are involved in recruitment and hiring activities are issued copies of the agency's recruitment plan.
- b.** agency personnel that are involved in recruitment and hiring activities are annually trained and tested on the agency's recruitment plan.
- c.** agency provides documentation showing compliance.

Comments: The agency's recruitment plan is contained as a section in the Employee Handbook and Personnel Policy Manual. As a practical matter, with two employees including the chief, the police department has had little opportunity to recruit. Should a vacancy occur, the position would be advertised internally and externally. Candidates would be required to meet the Hiring Standards and Qualifications section as outlined in the aforementioned manual. Annual training and testing on the plan is not feasible since the only position involved is the chief himself and the plan is rarely used.

**2.3 Employee recruitment and hiring equal employment opportunity plan**

A directive states the agency's plan on equal employment opportunity for sworn personnel and

- a.** agency personnel that are involved in recruitment and hiring activities are issued copies of the agency's equal employment opportunity plan.
- b.** agency personnel that are involved in recruitment and hiring activities are annually trained and tested on the agency's equal employment opportunity plan.
- c.** agency provides documentation showing compliance.

Comments: It is the village's stated policy to select municipal employees in accordance with the principles of equal opportunity employment. The plan is contained in the Personnel Policy Manual which is issued to all village employees.

**2.4 Employee recruitment and hiring qualifications**

A directive establishes the agency's qualifications for sworn applicants and

- a.** agency personnel that are involved in recruitment and hiring activities are issued copies of the agency's employee recruitment and hiring qualifications.
- b.** agency personnel that are involved in recruitment and hiring activities are annually trained and tested on the agency's employee recruitment and hiring qualifications.
- c.** agency provides documentation showing compliance.

Comments: The police department's Policy 1.1 supplements the village's policy found in the personnel manual. The policy contains a firm commitment to employing personnel in accordance with equal opportunity for all protected classes. Given budgetary considerations, the police department only considers applicants who have completed a basic police academy and possess an OPOTA Peace Officer certificate.

**2.5 Application process**

A directive establishes the agency's sworn application process including but not limited to physical examinations, emotional/psychological examinations, and background checks and

- a.** agency personnel that are involved in recruitment and hiring activities are issued copies of the agency's application process.
- b.** agency personnel that are involved in recruitment and hiring activities are annually trained and tested on the agency's application process.
- c.** agency provides documentation showing compliance.

Comments: The agency uses a variety of methods to evaluate a candidate. Given that the agency only accepts certified peace officer applicants, certain screening devices, such as written examinations may be waived. For example, a person recently completing a peace officer basic academy may be considered fit for duty given the physical agility testing requirement required for graduation.

**2.6 Selection process**

A directive establishes the agency's selection process for hiring sworn personnel and

- a.** agency personnel that are involved in recruitment and hiring activities are issued copies of the agency's selection process.
- b.** agency personnel that are involved in recruitment and hiring activities are annually trained and tested on the agency's selection process.
- c.** agency provides documentation showing compliance.

Comments: Following submittal of applications, potential applicants are first interviewed by the chief. Should the chief be willing to recommend the candidate for consideration, the agency then conducts a background investigation including lie detector examination, and a psychological examination. If the candidate remains qualified, a conditional offer of employment would be extended. At this point, a medical examination required by the retirement system would be required. These activities are included in the police policy and are conducted by the chief.

**2.7 Annual review/analysis of recruitment and hiring process**

A directive requires the agency to conduct a documented annual review/analysis of its sworn personnel recruitment and hiring process and

- a.** agency personnel that are involved in recruitment and hiring activities are issued copies of the agency's selection process.

- b.** agency personnel that are involved in recruitment and hiring activities are annually trained and tested on the agency's annual review/analysis of recruitment and hiring process.
- c.** agency provides documentation showing compliance.

Comments: The Ansonia Police Department is authorized two positions, i.e., the chief and one full-time police officer. The auxiliary program has been discontinued as a result of SB11 effective in March 2016. The village considered continuation of the auxiliary program as cost prohibitive. Future employment opportunities will be limited unless one of the current two officers would leave employment. The police officer was hired in 2015 and the procedures outlined in the Personnel Manual were followed and are in compliance with this standard.

**Summary:**

There were no issues identified that preclude certification. In fact, this agency is to be commended in demonstrating that any agency with the will to achieve compliance with contemporary standards and the willingness to submit itself to review can achieve certification. The agency has a directive system in place that was written for Ansonia and is not language simply to be included in a manual and achieve recognition. The agency's actual effort by training with the nationally recognized Montgomery County Sheriff's Office, approximately 50 miles distant from Ansonia, is testament to this agency's striving for excellence.

This report documents the onsite review findings and is being submitted to the OCJS Executive Director for review and to aid in making the decision to grant Ohio Collaborative Law Enforcement Agency Certification to the Ansonia Police Department.



Assessor

May 10, 2016

Date