

A public hearing will be held by the Office of Attorney General Mike DeWine on Monday, August 29, 2016 at 9:00 a.m. in the large conference room at the Ohio Peace Officers Training Academy, located at 1650 State Route 56 S.W., London, Ohio 43140.

The purpose of the hearing is to solicit comment on the following rule to be amended:

#### AMENDMENT

##### 109:2-7-05 **Certification of law enforcement canine units.**

- (A) All testing for certification of law enforcement canine units shall be approved by the executive director according to minimum standards established by the commission.
- (B) Each canine unit shall be certified annually by the executive director unless exempted because of unforeseen circumstances such as illness, emergency employment situation, or other valid reasons. The agency employing the canine unit shall submit a written request for exemption from the executive director. If granted by the executive director, the exemption shall be in writing and shall indicate the date by which the canine unit must complete the examination for certification.
- (C) Those agencies which employ canine units covered by the requirements in division (A)(10) of section 109.73 of the Revised Code shall be responsible for arranging, in a manner prescribed by the executive director, an examination for certification of such units.
  - (1) The law enforcement agency shall request approval of the proposed examination on a form provided by the executive director twenty-one days prior to the examination. Provided the proposed examination meets the minimum standards as established by the commission, the executive director shall approve the scheduled examination.
  - (2) The evaluator will be responsible for verifying the eligibility of each canine unit to be tested, and for surveying the proposed testing sites. The agency or agencies sponsoring the examination will also be responsible for providing all assisting personnel, materials, equipment and facilities necessary for conducting the examination.
- (D) Each canine unit shall be certified each time a handler is assigned a different canine or a canine is assigned a different handler before the unit assumes law enforcement duties.
- (E) Certification shall be based on successful completion of an approved certification examination as described in paragraph (B) of rule 109:2-7-03 of the Administrative Code for patrol-related Canines or paragraph (C) of rule 109:2-7-03 of the Administrative Code for special purpose canines. The evaluator will make final decisions with regard to weather conditions, adequacy of the testing site, eligibility of the unit to be tested, and controllability of the canine. No canine which has failed to meet the minimum eligibility standards set forth in this chapter, or which the evaluator determines to be uncontrollable or that does not obtain an acceptable

rating in obedience, when applicable, shall be permitted to continue the certification examination.

(1) Within thirty days after the completion date of the examination, the evaluator shall submit to the executive director testing records for all units which have been examined. Such records shall include information required on a form provided by the executive director.

(2) The evaluator shall also submit, on a form prescribed by the executive director, a ~~notarized~~ statement of recommendation for certification of the units which have successfully met all certification standards and requirements.

(F) ~~The executive director shall issue a certificate to each canine unit successfully completing certification requirements. Should the executive director refuse to issue or renew a request for certification, he shall comply with the provisions in rule 109:2-7-06 of the Administrative Code.~~

(G) Certification as a law enforcement canine unit may be suspended or revoked by the executive director for submission of falsified records, conviction of a felony, a crime of moral turpitude, an offense of violence, a sexually oriented or child-victim oriented offense, or for other good cause. Should a decision to suspend or revoke be rendered, the executive director shall comply with the provisions of rule 109:2-7-06 of the Administrative Code.

All interested parties are invited to attend the hearing and present oral and/or written testimony. Written comments may also be submitted prior to the hearing to the attention of Donna Long, Ohio Peace Officer Training Commission, P.O. Box 309, London, Ohio 43140 or [donna.long@ohioattorneygeneral.gov](mailto:donna.long@ohioattorneygeneral.gov) no later than Thursday, August 25, 2016. A copy of the proposed rules may be obtained from the Attorney General's website (OhioAttorneyGeneral.gov) or by calling 614-728-7275 or 800-282-0515. TTY users, please call Relay Ohio at 800-325-2223.