



DEFENSE LOGISTICS AGENCY  
DISPOSITION SERVICES  
74 WASHINGTON AVENUE NORTH  
BATTLE CREEK, MICHIGAN 49037-3092

Mr. Jeffrey S. Shadburn  
LESO State Coordinator, Ohio  
Ohio Department of Public Safety  
Columbus, OH 43223

Dear Mr. Shadburn:

In accordance with the DLA/State of Ohio Memorandum of Agreement (MOA) dated October 17, 2013, a Program Compliance Review (PCR) was conducted on the State of Ohio 1033 Program Office and received a rating of NON-COMPLIANT.

During the PCR, the LESO team inspected 33 Law Enforcement Agencies (LEA), of those 33 LEAs, seven (7) were in violation of the MOA for unaccounted and unauthorized transfers of equipment. The state had 45 unaccounted weapons, one (1) unaccounted HMMWV, and 30 unauthorized transfers of equipment. In addition, there are 22 other unaccounted controlled items.

Over 73,942 line items of Controlled Property have been transferred to your State, with an Original Acquisition Value of \$80,925,725.94. The PCR was conducted June 13-17, 2016, by a DLA Disposition Services J412 Law Enforcement Support Office (LESO) Eastern Team consisting of Mr. Jesse Hernandez, and Mr. Ron Chavis. DLA Disposition Services is a field activity of DLA and has program management responsibilities for the 1033 Program as delegated by the Office of the Secretary of Defense.

The full June 2016 PCR Report is attached for your review. We look forward to assisting the State of Ohio with it's 1033 Program. Please feel free to contact me with any questions or concerns at [Carlos.S.Torres@dla.mil](mailto:Carlos.S.Torres@dla.mil) or call (269) 961-4285.

A handwritten signature in black ink, appearing to read "C. S. Torres", is positioned above the typed name.

CARLOS S. TORRES  
Chief, Law Enforcement Support Office  
Customer Support

Attachment:  
1. Program Compliance Review

cc:  
Governor, State of Ohio



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SUBJECT: State of OHIO LESO Program Compliance Review Report/Checklist

This Correspondence is in reference to the Law Enforcement Support Office (LESO) Program Compliance Review (PCR), conducted from 6/13/16 to 6/17/16. The results are as follows:

**I. LESO will Verify:**

- \*1. Is the State Coordinator (SC) appointed, in writing, by the current Governor of the State and on-file with the Law Enforcement Support Office (LESO)? *PASS*  
1a. Appointment letter effective date: *1/26/12*
- \*2. Has the current Governor appointed SC signed the current Defense Logistics Agency (DLA) Memorandum of Agreement (MOA)? *PASS*  
2a. MOA date: *10/17/13*
3. If applicable, are State Points of Contact (SPOCs) appointed, in writing, by the current Governor appointed SC and on-file with the LESO? *YES*
4. If applicable, are State Points of Contact (SPOCs) authorized, in writing, signature authority by the current Governor appointed SC? *YES*

Comments: *Mr. Jeffrey S. Shadburn has been appointed as the State Coordinator by the Ohio State Governor. Mr. Craig Batzer and Ms. Karen Martin have both been appointed as Ohio State Points of Contact to manage the LESO Program in their state.*

**II. Website Knowledge:**

1. Are appointed personnel performing the duties with the State LESO Program proficient and knowledgeable when utilizing the following DLA websites:
- 1a. LESO Website: *YES*  
<http://www.dla.mil/DispositionServices/Offers/Reutilization/LawEnforcement.t.aspx>
- 1b. FEPMIS Website: <https://fam.nwcg.gov/fam-web/> *YES*
- 1c. FEPMIS IBM COGNOS Reports Portal: *YES*  
<https://fam.nwcg.gov/crn/cgi-bin/cognos.cgi>
- 1d. AMPS Website: <https://amps.dla.mil> *YES*
- 1e. RTD Website: <https://business.dla.mil/landing/index.jsp> *YES*
- 1f. DLA Disposition Services Website: *YES*  
<http://www.dla.mil/DispositionServices.aspx>

Comments: *Mr. Craig Batzer was able to navigate through and explain how and what each website is used for.*

**III. Eligibility Requirements:**

1. Are Applications for Participation submitted by Government agencies whose primary function is the enforcement of applicable Federal, State, local laws, and whose compensated officers have powers of arrest and apprehension signed by the Chief Law Enforcement Official (CLEO), then approved by the SC? *YES*
- 1a. What steps does SC take to ensure the application is for a bona-fide LEA?

*The State Coordinators Office checks the State of Ohio authorized law enforcement agency database ensuring that LEAs are agencies whose primary function is the enforcement of applicable Federal, State, local laws, and whose compensated officers have powers of arrest and apprehension. They also informed the LESO PCR Team that they verify LEAs by checking the Attorney Generals list of law enforcement agencies as well.*

2. Does the SC provide training to LEAs who participate in the LESO Program? YES

Comments: *The State Coordinators Office stated that they provide training to LEAs upon request and also provide training during State level PCRs that they conduct.*

**IV. Records Management:**

- \*1. Is there a current DLA approved State Plan of Operation (SPO) on-file for the State? PASS
- 1a. SPO effective date: 4/16/14
- \*2. Does the SC maintain a current copy of the SPO, signed by the current LEA CLEO, for each LEA, in any or all of the following formats: hard copy in each LEA File, in an electronic LEA file or the Federal Excess Property Management Information System (FEPMIS)? PASS
3. Does each LEA maintain a current copy of the SPO, signed by the current SC and their current CLEO in any or all of the following formats: hard copy, electronic copy or the FEPMIS? YES
- \*4. Are Transfers of controlled property approved by the DLA LESO prior to physical movement to the receiving LEA? FAIL
5. Does the SC and/or the LEA retain a copy of all FAA Certificate of Aircraft Registration for all flyable Aircraft? YES
6. If applicable, does the SC have, on-file, a copy of any approved Exception to Policy memorandums? N/A

Comments: *Ref. IV, \*4. – During the PCR, the LESO team inspected 33 Law Enforcement Agencies (LEA), of those 33 LEAs, seven (7) were in violation of the MOA for unaccounted for and unauthorized transfers of small arms, as well as other high visibility property. The state had 45 unaccounted weapons, one (1) unaccounted HMMWV, and 30 unauthorized transfers. In addition, there are 22 other unaccounted controlled items.*

**V. Property and Inventory Control:**

1. Is LESO Program controlled property properly stored in a controlled storage area with limited access? YES
2. Have all reports of lost, stolen, damaged LESO Program property been reported to the appropriate SCs Office and forwarded to the LESO? YES
3. Does the SCs Office review all requisitions in the Reutilization, Transfer and Donation Web portal on a daily basis? YES
4. What steps does SC take in determining recommendation for approval of an LEA RTD requisition?  
*The State Coordinators Office stated that they verify their LEAs requisition requests by reviewing the LEAs inventories for like items and then by ensuring that they have a valid law enforcement justification for the items they are requesting.*
5. Has the SCs office completed the annual inventory and reconciliation requirement? YES

- |   |      |
|---|------|
| 6. Does each participating LEA maintain, at a minimum, one user in the Federal Excess Property Management Information System (FEPMIS)?  | YES  |
| <i>All of the LEAs have at least one user in FEPMIS.</i>  |      |
| *7. Are photographs and serial numbers for Aircraft, Tactical Vehicles and other controlled property as required uploaded to the appropriate record in FEPMIS to include Front or Side and Data Plates? | PASS |
| *8. Are photographs of serial numbers uploaded to the appropriate record in FEPMIS for all weapons, suppressors and any other property as identified by the DLA LESO?                                   | PASS |

Comments: *No issues to report.*

**VI. Executive Order (EO) 13688 Compliance:**

1. The following agencies reviewed by the DLA LESO during the course of the PCR have one or more of the following Executive Order 13688 (EO) Controlled Equipment; Manned Aircraft (Fixed Wing), Manned Aircraft (Rotary Wing), Armored Vehicle (Wheeled), Tactical Vehicle (Wheeled), Command and Control Vehicle, Breaching Apparatus, Riot Baton, Riot Helmet or Riot Shield:

*No Executive Order controlled items were reviewed during the PCR.*

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|---|-----|
| 2. Does each LEA with EO Controlled equipment have evidence of civilian governing body's review and approval or concurrence of the LEAs acquisition of the requested EO Controlled equipment?   | N/A |
| 3. LEAs that acquire controlled equipment through Federal programs must ensure that its personnel are appropriately trained and that training meets the following requirements:   |     |
| 3a. Required Annual Training on Protocols. On an annual basis, all LEA personnel who may use or authorize use of controlled equipment must be trained on the LEA's General Policing Standards and Specific Controlled Equipment Standards.  | N/A |
| 3b. Required Operational and Technical Training. LEA personnel who use controlled equipment must be properly trained on, and have achieved technical proficiency in, the operation or utilization of the controlled equipment at issue.   | N/A |
| 3c. Scenario-Based Training. To the extent possible, LEA trainings related to controlled equipment should include scenario-based training that combines constitutional and community policing principles with equipment-specific training. LEA personnel authorizing or directing the use of controlled equipment should have enhance scenario-based training to examine, deliberate, and review the circumstance in which controlled equipment should or should not be used. | N/A |
| 3d. Record-Keeping Requirement. LEAs must retain comprehensive training records; either in the personnel files of the officer who was trained or by the LEA's training division or equivalent entity, for a period of at least three (3) years, and must provide a copy of these records, upon request, to the Federal agency that supplied the equipment/funds.  | N/A |

4. Do LEAs maintain reports when involved in a Significant Incidents which resulted in the use of controlled equipment? N/A

The report/s must contain:

- (a) Identification of the controlled equipment used (e.g. categories and number of units of controlled equipment used, make/model/serial number
- (b) description of the law enforcement operation involving the controlled equipment
- (c) identification of LEA personnel who used the equipment and, if possible, civilians involved in the incident
- (d) results of controlled equipment use (e.g., arrests, use-of-force, victim extraction, injuries)

NOTE: A Significant Incident is defined by:

- (a). A violent encounter among civilians or between civilians and the police
- (b) Use-of-force that causes death or serious bodily injury
- (c) A demonstration or other public exercise of First Amendment rights
- (d) An event that draws, or could be reasonably expected to draw, a large number of attendees or participants, such as those where advanced planning is needed

5. Does the LEA retain all "Significant Incident" reports for a period of at least three (3) years? N/A

6. Upon request, did the LEA provide a copy of their "Significant Incident" reports to the DLA LESO? N/A

7. Are reports for Significant Incidents made available to the community in accordance with applicable policies and protocols including consideration regarding the disclosure of sensitive information? N/A

Comments: *The State does not have any Executive Ordered Controlled Items that were scheduled for review during the PCR.*

## **VII. Compliance and Utilization Reviews:**

\*1. Does the State Coordinator ensure an internal PCR is performed for at least 5% of LEAs that have assigned property from the LESO Program on an annual basis? PASS

### **2. LEAs reviewed during the State Level LESO Compliance Review:**

- |  |  |
|--|--|
| 1. <i>Ontario Police Department</i>        | 14. <i>Toledo Police Department</i>          |
| 2. <i>Ottawa County Sheriff Office</i>     | 15. <i>Union Police Department</i>           |
| 3. <i>Pataskala Police Department</i>      | 16. <i>Vinton County Sheriff Office</i>      |
| 4. <i>Portsmouth Police Department</i>     | 17. <i>West Carrollton Police Department</i> |
| 5. <i>Richland County Sheriff Office</i>   | 18. <i>Wayne County Sheriff Office</i>       |
| 6. <i>Rio Grande Police Department</i>     | 19. <i>Bexley Police Department</i>          |
| 7. <i>Russells Point Police Department</i> | 20. <i>Circleville Police Department</i>     |
| 8. <i>Charleston Police Department</i>     | 21. <i>Delaware County Sheriff Office</i>    |
| 9. <i>Shelby Police Department</i>         | 22. <i>Fairfield County Sheriff Office</i>   |
| 10. <i>Springboro Police Department</i>    | 23. <i>Lancaster Police Department</i>       |
| 11. <i>London Police Department</i>        | 24. <i>Madison County Sheriff Office</i>     |
| 12. <i>Pickaway County Sheriff Office</i>  | 25. <i>Pickerington Police Department</i>    |
| 13. <i>Reynoldsburg Police Department</i>  | 26. <i>West Jefferson Police Department</i>  |

3. Was documentation provided to the LESO PCR Team for each LEA that received a State level Program Compliance Review? YES

4. Does the SC provide documentation to the DLA LESO in cases of non-compliant LEAs? YES

5. What steps are taken to resolve cases of non-compliance to the terms and conditions of the DLA MOA?

*The State Coordinators Office stated that they would work with the LEA to resolve any non-compliance and would keep the LESO posted on the situation.*

Comments: VII, 5. – *The LESO PCR Team ensured that the State Coordinators Office was aware that they need to inform the LESO on all cases of non-compliance to the terms and conditions of the DLA MOA.*

### **VIII. Non-Utilized LESO Program Property:**

1. What steps does the SC take to ensure LEAs do not requisition unnecessary or excessive amounts of property?

*The State Coordinators Office stated that they ensure that LEAs do not requisition unnecessary or excessive amounts of property by reviewing/verifying the LEAs inventory for like items and by also ensuring that all requests for property are within the allocation limits.*

2. What steps does the SC take to ensure LESO Program Controlled or DEMIL property is not sold?

*The State Coordinators Office stated that they ensure that items are not sold by performing internal state PCRs, verifying that the LEAs still have the items and that the LEA is aware that they cannot sell anything received from the LESO Program.*

3. Has there been an incident, since the last conducted PCR, where an LEA has sold controlled or DEMIL property received under the LESO Program or received LESO Program property for the sole purpose of selling it? NO

3a. If yes, provide detail and supporting documentation of the outcome (who, what, when, where, how much).

*N/A*

Comments: *The State Coordinators Office states that they are well aware of the requirements set forth within the DLA to State MOA and will ensure that their LEAs comply as well.*

### **IX. Conclusion:**

The Program Compliance Review for the State of OHIO has been completed. The DLA LESO has found the State to be NON-COMPLIANT with the current terms and conditions as set forth in the MOA between DLA the State.

### **X. Areas of Concern and/or Recommendation:**

21% of the thirty-three LEAs visited during the PCR either had an unauthorized transfer or had unaccounted for property of a weapon or a tactical vehicle. The LESO recommends that the State Coordinators Office review 100% of the LESO Program property that LEAs have requisitioned during their internal state PCR visits. Also it is recommended that the State Coordinators Office ensure that all of the LEAs within the state are aware of the policies and procedures within their State Plan of Operations regarding what they can and cannot do with their requisitioned property. The LEAs need to know that they cannot transfer anything without the States and the LESO authorization.

**XI. Areas of Praise:**

The State Coordinators office was very professional during the Program Compliance Review.

**XII. LEAs visited during the DLA LESO PCR:**

- |   |  |
|---|--|
| 1. <i>Athens County Sheriff Office</i>        | 18. <i>Lawrence County Sheriff Office</i>          |
| 2. <i>Blendon Township Police Department</i>  | 19. <i>Licking County Sheriff Office</i>           |
| 3. <i>Circleville Police Department</i>       | 20. <i>Lima Police Department</i>                  |
| 4. <i>Columbus Division Police Department</i> | 21. <i>Madison County Sheriff Office</i>           |
| 5. <i>Crawford County Sheriff Office</i>      | 22. <i>North College Hill Police Office</i>        |
| 6. <i>Eaton Police Department</i>             | 23. <i>Ohio Bureau of Criminal ID Investigator</i> |
| 7. <i>Englewood Police Department</i>         | 24. <i>Ohio Peace Officer Training Academy</i>     |
| 8. <i>Fayette County Sheriff Office</i>       | 25. <i>Ottawa County Sheriff Office</i>            |
| 9. <i>Fostoria Police Department</i>          | 26. <i>Pickaway County Sheriff Office</i>          |
| 10. <i>Hamilton County Sheriff Office</i>     | 27. <i>Portsmouth Police Department</i>            |
| 11. <i>Hamilton Police Department</i>         | 28. <i>Reynoldsburg Police Department</i>          |
| 12. <i>Hardin County Sheriff Office</i>       | 29. <i>Seneca County Sheriff Office</i>            |
| 13. <i>Hilliard Police Department</i>         | 30. <i>Toledo Police Department</i>                |
| 14. <i>Hocking County Sheriff Department</i>  | 31. <i>Union County Sheriff Office</i>             |
| 15. <i>Huber Heights Police Department</i>    | 32. <i>Walbridge Police Department</i>             |
| 16. <i>Indian Hill Police Department</i>      | 33. <i>West Carrollton Police Department</i>       |
| 17. <i>Jackson Police Department</i>          |  |

**XIII. PCR Inventory Results:**

	STATE OF OHIO LESO PROGRAM PROPERTY					
	STATE TOTALS	SAMPLE SIZE	TOTAL REVIEWED DURING PCR		TOTAL ON-HAND	% ACCURACY
			*Items Physically Inventoried	*Items Reviewed via Approved ECR		
WEAPONS	6,901	1,351	1,098	208	1,306	97%
AIRCRAFT	1	0	0	0	N/A	N/A
TACTICAL VEHICLES	231	32	31	0	31	97%
DEMIL PROPERTY	66,809	470	425	23	448	95%
TOTALS	73,942	1,853	1,554	231	1,785	96%
<b>**OVERALL STATE INVENTORY ACCURACY RATE (%):</b>					<b>96%</b>	


\* The DLA LESO PCR Team is required to physically inventory or obtain a copy of an acceptable custody card for 100% of the LESO Program Weapons, Aircraft, Tactical Vehicles and DEMIL property as listed in the record of property, for each LEA that has been selected for review during the PCR. The LEA must provide the DLA LESO PCR Team a copy of any custody card (s) used, at the time of the site visit, and must maintain the custody card (s) on-file as part of substantiating records. An acceptable version of a custody card must contain the following elements: 1) LEA name, 2) Name of individual responsible for physical custody of item, 3) Item nomenclature (Name), 4) Serial number of item (if applicable), 5) QTY of item (if more than one), 6) Printed name of individual responsible for physical custody of item 7) Signature of individual responsible for physical custody of the item and 8) Date.

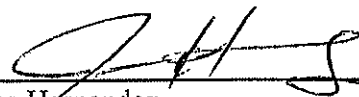
\*\*Overall State Inventory Accuracy Rate (%) is determined by adding required Weapons (A), Aircraft (B), Tactical Vehicles (C) and DEMIL Property (D) at LEAs selected for review during the PCR, and dividing by the actual # of the property that was physically inventoried (X) or verified via an approved custody card (Y) during the course of the PCR

$\frac{A+B+C+D}{(X+Y)}$	= Overall State Inventory Accuracy Rate (%)
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**XIV. Summary:**

Thank you for the professionalism and support shown to us during our visit. As always, we at the LESO stand ready to support and serve. If you have any questions or concerns, please feel free to contact us at 1-800-532-9946 or via email at: [lesocertifications@dla.mil](mailto:lesocertifications@dla.mil).

X   
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Ron Chavis

X   
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Jesse Hernandez