



OHIO DEPARTMENT
OF PUBLIC SAFETY
SAFETY • SERVICE • PROTECTION

- Bureau of Motor Vehicles
- Emergency Management Agency
- Emergency Medical Services
- Office of Criminal Justice Services
- Ohio Homeland Security
- Ohio State Highway Patrol



John R. Kasich, Governor
John Born, Director
Colonel Paul A. Pride
Superintendent

Ohio State Highway Patrol
1970 West Broad Street
P.O. Box 182074
Columbus, Ohio 43218-2074
www.statepatrol.ohio.gov

May 30, 2018

Colonel Paul Pride
Superintendent
Ohio State Highway Patrol
1970 W. Broad Street
Columbus, OH 43223

RE: Statement of Charges AI #2018-0226

Dear Colonel Pride:

It is herewith stated that reasonable and substantial cause exists to establish that Lieutenant Brian T. Holt has committed an act or acts in violation of the Rules and Regulations of the Ohio State Highway Patrol, specifically of:

4501:2-6-02 (I) (1) (3) – Conduct unbecoming an officer
&
4501:2-6-03 (A) (1) – Responsibility of command

Through administrative investigation #2018-0226, it was found that Lieutenant Holt failed to take corrective action on an erroneous court date issued to his wife by a subordinate under his command. He exploited the same error on his wife's traffic citation in an attempt to have her case dismissed. Lieutenant Holt contacted the prosecutor in an on-duty status and used his position in an attempt to garner information regarding the filing of a motion to dismiss the case due to a speedy trial issue.

Sincerely,

Captain Eric Sheppard
Warren District Commander



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1970 West Broad Street
Columbus, Ohio 43218

May 30, 2018

Re: AI # 2018-0226

Lieutenant Brian T. Holt

Warren, Ohio 44483

Dear Lieutenant Holt,

Notice is hereby being given to you that you are being recommended for a demotion to Sergeant with the Ohio State Highway Patrol for violation of the Rules and Regulations of the Ohio State Highway Patrol, specifically of Rule 4501:2-6-02 (I) (1) (3) Conduct Unbecoming an Officer and 4501:2-6-03 (A) (1) Responsibility of Command. To wit: It was found that you failed to take corrective action on an erroneous court date issued to your wife by a subordinate under your command. You exploited the same error on your wife's traffic citation in an attempt to have her case dismissed. It was found that you contacted the prosecutor in an on-duty status and used your position in an attempt to garner information regarding the filing of a motion to dismiss the case due to a speedy trial issue.

This discipline is based on an investigation report by Sergeant David Zatvarnicky.

Captain Chris J. Zurcher, Meeting Officer, will conduct a pre-disciplinary meeting on the matter on Monday, June 4, 2018 at 0800 hours at the Ravenna Patrol Post. At this pre-disciplinary meeting, you may present your version of the events or respond to the charges. You may be accompanied by a union representative or private counsel if not a member of a bargaining unit.

The employer will provide a summary of the evidence gathered in support of the proposed discipline.

Following the pre-discipline meeting, the meeting officer will consider all evidence. He will then submit a written recommendation to the Director within five days. You shall be provided with a copy of the hearing officer's recommendation.

This letter will be the only formal notice of the pre-discipline meeting. Any change of the pre-discipline meeting date shall only be made by the meeting officer.

You have the right to waive your pre-discipline meeting. If you elect to waive the pre-discipline meeting, sign the original copy of this notice and forward to the meeting officer within 72 hours. Your signature must be witnessed by another person, who must also sign this form.

COL PA Pride / mpm

Colonel Paul A. Pride
Superintendent

I have read this notice and understand my rights. No promises or threats have been made to me, and no pressure or coercion of any kind has been used against me. I am waiving my right to have a pre-discipline meeting and understand the discipline will be carried out as stated in this notice. Furthermore, I understand that I am not waiving any rights I may have under Section 124.34 of the Ohio Revised Code, and/or the applicable labor agreement.

Signature _____ Date _____

Witness _____ Date _____



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P.O. Box 182074
Columbus, Ohio 43218-2074
www.statepatrol.ohio.gov

June 5, 2018

Director John Born
1970 West Broad Street
Columbus, Ohio 43223

Dear Director Born:

On June 4, 2018, I conducted a pre-disciplinary meeting concerning Lieutenant Brian Holt as a result of Administrative Investigation #2018-0226, Lieutenant Holt was charged with violating the Ohio State Highway Patrol Rules and Regulations, specifically: 4501:2-6-02 (I) (1) (3) – Conduct Unbecoming an Officer and 4501:2-6-03 (A) (1) – Responsibility of Command. He is being recommended for demotion to sergeant. The meeting began at 8:11 A.M. with the following in attendance:

Captain Chris Zurcher - Meeting Officer
Sergeant David Zatvarnický – Administrative Investigative Unit
Lieutenant Brian Holt - Subject of Meeting

Sergeant Zatvarnický presented the facts contained in the administrative investigation, which concluded Lieutenant Holt had failed to take corrective action on an erroneous court date issued to his wife by a subordinate under his command. He exploited the same error on his wife's traffic citation in an attempt to have her case dismissed. Lieutenant Holt contacted the prosecutor in an on-duty status and used his position in an attempt to garner information regarding the filing of a motion to dismiss the case due to a speedy trial issue.

Lieutenant Holt spoke on his own behalf and was not represented by legal counsel.

Following the meeting, there was a careful review of the administrative investigation, all recorded materials, testimony, and information presented during the meeting. As a result, I find just cause does exist for discipline.

Respectfully,

A handwritten signature in cursive script that reads "Captain C. Zurcher".

Captain Chris J. Zurcher
Meeting Officer

Order of Removal, Reduction, Suspension, Fine, Involuntary Disability Separation

Mr. Brian T. Holt

This will notify you that you are; removed; suspended; suspended (working); fined;

involuntary disability separated; reduced in pay, from your position of

Highway Patrol Lieutenant

and/or reduced to new position of

Highway Patrol Sergeant

(if applicable)

effective June 6, 2018
(date)

The reason for this action is that you have been guilty of (List relevant R.C. 124.34 disciplinary offense(s)).
(Section not applicable for involuntary disability separation.)

Specifically: You were charged with violation of Ohio State Highway Patrol Rules and Regulations 4501:2-6-02(I)(1)(3) Conduct Unbecoming an Officer and 4501:2-6-03(A)(1) Responsibility of Command. Through administrative investigation #2018-0226, it was found that you failed to take corrective action on an erroneous court date issued to your wife by a subordinate under your command. You exploited the same error on your wife's traffic citation in an attempt to have her case dismissed. You contacted the prosecutor in an on-duty status and used your position in an attempt to garner information regarding the filing of a motion to dismiss the case due to a speedy trial issue.

Notice of pre-disciplinary/separation hearing given to employee: May 30, 2018
(date)

Pre-disciplinary/separation hearing held or waived: June 4, 2018
(date)

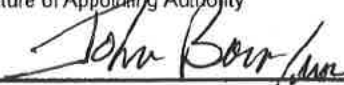
Employee allowed to meet with employer: Yes No

Order hand-delivered to employee: June 6, 2018
(date, if hand-delivered)

If employee is suspended, list dates of suspension: _____

Signed at Columbus Ohio, June 6, 2018
(city) (date)

Counter signature, if applicable

Signature of Appointing Authority


Counter signature, if applicable

Type Name and Title of Appointing Authority
John Born, Director

Counter signature, if applicable

Type Department, Agency, or Institution
Department of Public Safety

IMPORTANT INSTRUCTIONS TO THE APPOINTING AUTHORITY

(1) Actual signature means that each Order served on the employee must contain the actual signature of the Appointing Authority. Appointing Authority means the actual appointing officer of the department or agency as well as any approving officer or board required by law. If the appointment of an employee requires the approval of a board or commission, then a certified copy of the resolution of such board or commission approving the action must accompany this Order unless the actual signatures of the members of the board or commission appear on the front of the Order served on the employee.

(2) The Appointing Authority must set forth in detail the particular acts and circumstances constituting the offense(s) charged. Evidence presented on appeal must be limited to that which relates to the charge(s) made; hence the Appointing Authority must set forth the charges(s) broadly enough to encompass all the evidence the Appointing Authority intends to offer. It is equally important that the Appointing Authority fully state the ground(s) for the action.

(3) The Appointing Authority **MUST** provide an original of the Order to the employee on or before the effective date. The date on which the Order is served is the date the Order is delivered to the employee by hand or to the employee's last known mailing address by certified United States mail, whichever occurs first.

IMPORTANT INSTRUCTIONS TO THE EMPLOYEE

If you wish to appeal this action, then you must file your written appeal with the State Personnel Board of Review (SPBR) at 65 East State Street, 12th Floor, Columbus, Ohio 43215-4213. **Your appeal must actually be received and time-stamped by SPBR by the tenth calendar day from the date this Order was served.** For the purposes of your appeal, the date on which this Order is served is the date the Order is delivered to you by hand or to your last known mailing address, as maintained by your Appointing Authority, by certified United States mail, whichever occurs first. You may obtain SPBR's Administrative Rules by writing the above office or by telephoning SPBR at (614) 466-7046. You may also obtain the rules at SPBR's website at <http://pbr.ohio.gov>.

Example of deadline to file appeal:

An employee is given a 40-hour suspension. The suspension is to begin on October 11 and run five working days through October 15. The employee is served with the forthcoming suspension Order on October 8. The employee has until October 18 to file a written appeal (ten days from the date the employee was served with the Order).

Reminder: If you are employed by a municipality or township that has a civil service commission, your appeal lies with that commission and not SPBR.

You may contact SPBR at (614) 466-7046 regarding the above information or regarding SPBR's jurisdiction or you may visit our website at <http://pbr.ohio.gov>.



- Bureau of Motor Vehicles
- Emergency Management Agency
- Emergency Medical Services
- Office of Criminal Justice Services
- Ohio Homeland Security
- Ohio State Highway Patrol

June 6, 2018

Lieutenant Brian T. Holt
Ohio State Highway Patrol
Warren Patrol Post
3424 State Route 422
Southington, Ohio 44470

Dear Lieutenant Holt:

This letter is to advise you that you are being demoted from a Highway Patrol Lieutenant to a Highway Patrol Sergeant and transferred to the Canfield Patrol Post for violation of Ohio State Highway Patrol Rules and Regulations 4501:2-6-02(I)(1)(3) Conduct Unbecoming an Officer and 4501:2-6-03(A)(1) Responsibility of Command, **effective June 6, 2018**.

Specifically, as a result of administrative investigation #2018-0226, it was found that you failed to take corrective action on an erroneous court date issued to your wife by a subordinate under your command. You exploited the same error on your wife's traffic citation in an attempt to have her case dismissed. You contacted the prosecutor in an on-duty status and used your position in an attempt to garner information regarding the filing of a motion to dismiss the case due to a speedy trial issue.

If you continue to violate the Work Rules and Procedures, further progressive discipline may lead to termination.

Sincerely,

Director John Born
Ohio Department of Public Safety

JB/jls

Mission Statement

"to save lives, reduce injuries and economic loss, to administer Ohio's motor vehicle laws and to preserve the safety and well being of all citizens with the most cost-effective and service-oriented methods available."

An Equal Opportunity Employer



**Ohio Department of Public Safety
Department Record for Employee #01229**



Report Generated On: 6/6/2018 3:48:33 PM

Employee Details							
Employee Name	Job Description	Location	R/S	Hire Date			
Holt, Brian T - 1582	Lieutenant	D4 Post 78 Warren	W/M	04/29/1991			
Case Details							
Case Number	Remarks						
20180226	Trooper Doug Bolen failed to set a court date within a timely manner causing a case to be jeopardized due to speedy trial issues. (Zatvarnicky) Lt. Holt charged with violation of work rule 4501:2-6-02(I)(1)(3) Conduct Unbecoming an Officer and 4501:2-6-03(A)(1) Responsibility of Command. 4081 Tpr. Bolen charged with 4501:2-6-02(B)(5) Performance of Duty. 4081						
Offense Code(s)		10 - Conduct Unbecoming: On Duty Conduct/Discredit to Division					
Discipline	Abey Flag?	Issued Date	Discipline Time/Days Used	Vacation Hours Used	Comp Hours Used	Personal Hours Used	Abeyance Days
Demotion	No	06/06/2018	0.00	0.0	0.0	0.0	0
Offense Code(s)		12 - Conducting/Operating Personal Business While On Duty					
Discipline	Abey Flag?	Issued Date	Discipline Time/Days Used	Vacation Hours Used	Comp Hours Used	Personal Hours Used	Abeyance Days
Demotion	No	06/06/2018	0.00	0.0	0.0	0.0	0
Offense Code(s)		900 - Failure to Supervise or Perform Supervisory Duties					
Discipline	Abey Flag?	Issued Date	Discipline Time/Days Used	Vacation Hours Used	Comp Hours Used	Personal Hours Used	Abeyance Days
Demotion	No	06/06/2018	0.00	0.0	0.0	0.0	0
Total Cases: 1							