



**STATE OF CONNECTICUT
DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION**

**Police Officer Standards and Training Council
Connecticut Police Academy**

GENERAL NOTICE 16-06

To: Chief Law Enforcement Officers
Training Officers
Protective Services
Resident Troopers

From: Thomas E. Flaherty
Police Academy Administrator

Date: July 12, 2016

Subject: Lateral Hires
Comparative Certifications
Decertification Process

This General Notice is meant to be informative in the areas listed above and to clarify common questions in these areas. All of these matters are handled through Mr. William Tanner, the Compliance Officer of the Certification Division, and questions should be directed there.

LATERAL HIRES

These requests are directed to the Compliance Officer in the Certification Division. A POSTC 51 form (Entry Requirements) needs to be completed and forwarded. Special attention needs to be given to Question 9 since the passage of CGS 7-291c, effective October 1, 2015. Question 9 of the POSTC 51 form requires the identity of the person supplying information to the agency from the previous agency on the prospective Lateral Hire. It is important that the submitting agency investigate fully and carefully any misconduct or malfeasance reported or occurring during an officer's previous employment that falls within the strictures of CGS 7-291c. Any and all documentation completed in this regard by a previous employer should be obtained, reviewed by the submitting agency, and forwarded in its entirety to POST-C for review and consideration.

A polygraph examination must have been completed within the previous 6 months. A psychological examination must have been completed within the previous five (5) years. A background check, to include the submission of fingerprints and a drug screen, must also be completed for the applicant. Firearms qualifications are not required but highly recommended because of the liability issue.

An officer who has not reached their expiration date can begin work immediately following the completion of all entry level requirements. Their training records should be obtained from their previous agency as they are still valid toward their recertification. They should receive any outstanding training before their expiration date as they normally would

An officer who has already expired but has been out of service less than three (3) years can have no independent contact with the public. They can begin work immediately following the completion of the entry level requirements. However, while they obtain their review credits they will need to be accompanied by a certified officer (not necessarily an FTO) and that certified officer will need to take all appropriate enforcement action. Once all review training is completed they can assume solo patrol. They would then follow the normal triennial recertification training requirements.

An officer that has been out of service more than three (3) years will be required to attend a Basic Recruit Training Academy. This can be at the POST-C Training Academy in Meriden or any of the six (6) Satellite Academies.

COMPARATIVE CERTIFICATION

These requests are also submitted to the Certification Division. The agency must submit the following no later than 10 days prior to a POST Council meeting; a resume and all training records (Basic and in-service) from the individual's previous law enforcement agencies, and a request for Comparative Compliance Certificate Request (POST-C form 60). As with lateral hires, the submitting agency shall have exercised due diligence in assuring compliance with CGS 7-291c, obtaining and submitting all relevant documents related thereto for the review and consideration by the Compliance Officer and POST Council.

The Compliance Officer reviews the documents and determines which training areas the individual would need in order to comply with Connecticut training mandates and standards. This recommendation is then forwarded to the Certification Committee of the POST Council. The Committee vets the information and discusses the recommendations. The recommendation can be approved as written by the Compliance Officer or amended to add or subtract training areas. The package is then presented by the Committee Chairperson to the full Council for a

vote. Following a positive outcome the Compliance Officer will notify the agency of the training required of the individual to gain certification.

While they can be hired earlier, their training can ONLY begin AFTER the individual has been approved by the Council. When their training is complete the agency must submit a Comparative Certification Training Completion Form (POSTC form 60A) and all Review Training Credit Reports (POSTC forms 50 and 50B) for said training. The Compliance Officer will then create the officer's profile and issue a POSTC ID card.

DECERTIFICATION PROCESS

Pursuant to POSTC Regulations, specifically Section 7-294d (2)(1) of the CGS provides that; *"The council may cancel or revoke any certificate if: (A) The certificate was issued by administrative error, (B) the certificate was obtained through misrepresentation or fraud, (C) the holder falsified any document in order to obtain or renew any certificate, (D) the holder has been convicted of a felony, (E) the holder has been found not guilty of a felony by reason of mental disease or defect pursuant to section 53a-13, (F) the holder has been convicted of a violation of section 21a-279, (G) the holder has been refused issuance of a certificate or similar authorization or has had his or her certificate or other authorization cancelled or revoked by another jurisdiction on grounds which would authorize cancellation or revocation under the provisions of this subdivision, (H) the holder has been found by a law enforcement unit, pursuant to procedures established by such unit, to have used a firearm in an improper manner which resulted in the death or serious physical injury of another person, or (I) the holder has been found by a law enforcement unit, pursuant to procedures established by such unit, to have committed any act that would constitute tampering with or fabricating physical evidence in violation of section 53a-155, perjury in violation of section 53a-156 or false statement in violation of section 53a-157b."*

Whenever it is learned that any of the criterion above might exist, the Compliance Officer will notify the Officer by certified mail and offer a Compliance Conference. This Conference is most analogous to a pre-trial hearing. The Compliance officer presents the evidence to the Officer and any representatives for comment. The Officer then has an opportunity to make a case as to why the evidence is insufficient for revocation and can offer mitigating factors and/or evidence.

If the Compliance Officer feels there are grounds for Decertification the Officer and the Chief of Police are notified and arrangements are made to conduct a De Novo hearing. The De Novo hearing is presided over by the Academy Administrator and is transcribed. The Administrator then has up to ninety (90) days to issue a ruling on the matter. If the decision goes against the Officer (Recommendation of Decertification) the Officer can appeal that decision to the full Council at the meeting at which the vote for Decertification will take place.

If the Decertification is upheld by the full Council, the officer and their Department will be notified. The Officer's name will be added to the Connecticut and National database of Decertified Police Officers.

This same process is followed for Certified Law Enforcement Instructors certified by POST-C through the Certification Division.