

**POLICE OFFICER STANDARDS AND TRAINING COUNCIL**

**MINUTES OF MEETING**

**JUNE 16, 2011**

**CONNECTICUT POLICE ACADEMY**

**MERIDEN, CONNECTICUT**

Council Members Present: Commissioner Reuben Bradford, Howard L. Burling, II, Off. William C. Curwen, Jr., Dr. Amy K. Donahue, Chief Douglas L. Dortenzio, Chief Christopher J. Edson, First Selectwoman Laura L. Francis, Chief Louis J. Fusaro, Chief Robert S. Hudd, Special Agent in Charge Kimberly Mertz, Chief Harry W. Rilling, Chief Anthony J. Salvatore, Sr., Chief Thomas J. Sweeney, James N. Tallberg, Esq., and Town Administrator John D. Ward.

Other Attendees: Thomas E. Flaherty, Executive Director, Susan E. Rainville, Director, William Schultz, Director, Ted LeMay, Certification/Accreditation Manager, William E. Klein, Certification/Compliance Officer, Assistant Attorney General Stephen R. Sarnoski, Mr. Damian Gunningsmith Attorney General's Office, Deputy Chief Joseph Perno, West Haven Police Department, Capt. Burton Gifford, West Haven Police Department, Assistant Chief Tobin Hensgen, New Haven Police Department, Capt. Joanne Peterson, New Haven Police Department and Sgt. David Sydnor, New Haven Police Department.

Council Members Absent: Mr. Richard P. Boccaccio, Chief Lisa Maruzo-Bolduc, Mr. Kurt P. Cavanaugh, Chief State's Attorney Kevin E. Kane, Mr. Jack Moshier.

**CALL TO ORDER**

Chief Anthony Salvatore, Council Chairman, called the meeting to order at 9:40 a.m.

Chief Salvatore announced that there was an Amended Agenda and asked for a motion to adopt the Amended Agenda.

***Officer Curwen moved to adopt the Amended Agenda, seconded by Chief Fusaro. The motion carried.***

**MINUTES**

***Chief Fusaro moved to approve the minutes of the May 12, 2011 meeting, seconded by Chief Sweeney. The motion carried with Atty. Tallberg abstaining.***

**CHIEFS/PUBLIC COMMENTS**

There were no comments offered from Chiefs of Police or the Public.

**CERTIFICATION COMMITTEE**

**Request for Comparative Certification**

### **Harold French – Madison Police Department (Police Officer position)**

Chief Dortenzio, Chair of the Certification Committee, presented the request of Chief John Drumm, Madison Police Department on behalf of Harold French for a certificate of comparative compliance. Harold French was sworn in as a Madison Police Officer on May 9, 2011 and has completed all entry level standards. He retired as a Trooper First Class with the Connecticut State Police just prior to his appointment in Madison. He started his career in 1989 and served at several different barracks.

***Chief Dortenzio moved to approve the request of the Town of Madison, specifying that Harold French be granted comparative certification subject to his successful completion of 10 specific courses and certification/recertification in two areas, seconded by Chief Edson. The motion carried with Atty. Tallberg abstaining.***

### **Thomas A. Yvon – Vernon Police Department (Police Office position)**

Chief Dortenzio, Chair of the Certification Committee, presented the request of Chief James L. Kenney, Vernon Police Department on behalf of Thomas A. Yvon for a certificate of comparative compliance. Thomas A. Yvon has received a conditional offer of employment on June 1, 2011. Thomas A. Yvon is presently a Part Time Patrolman with the Granby, Massachusetts Police Department and has been since 2005. From 2001 to 2005 he was an auxiliary officer with the same department, attended the Reserve Intermittent Police Academy, Springfield, Massachusetts after which he became a certified Reserve Police Officer. Thomas A. Yvon is in the process of fulfilling all entry level standards for appointment as set forth in Council Regulations.

***Chief Dortenzio moved to approve the request of Chief James L. Kenney, Vernon Police Department, specifying that Thomas A. Yvon is granted Comparative Certification, subject to his successful completion of 19 specific courses and certification/recertification in two areas and that he shall have met all Council Entry level standards prior to being employed, seconded by Chief Rilling. The motion carried.***

### **Raymond Buthe – Town of Burlington Police Department (Police Officer position)**

Chief Dortenzio, Chair of the Certification Committee, presented the request of Town of Burlington First Selectwoman Cathleen Bergstrom on behalf of Raymond Buthe for a Certificate of Comparative Compliance. He has been offered a conditional offer of Probationary employment to commence on July 1, 2011 and is in the process of completing all entry level standards. He will retire from the Connecticut State Police at the end of June, 2011. He is currently a Trooper First Class and the Resident Trooper for the Town of Burlington. He graduated from the 100<sup>th</sup> Training Troop in 1990, served in various assignments as a Trooper and then took up duties as a Resident Trooper.

***Chief Dortenzio moved to approve the request of the Town of Burlington, specifying that Raymond Buthe is granted Comparative Certification, subject to his successful completion of 10 specific courses and certification/recertification in two areas and that he shall have met all***

***Council Entry level standards prior to being employed, seconded by Off Curwen. The motion carried.***

**Joseph G. Weber – University of New Haven Police Department (Police Officer position)**

Chief Dortenzio, Chair of the Certification Committee, presented the request of Chief Mark J. DeLieto, University of New Haven Police Department on behalf of Joseph G. Weber for a Certificate of Comparative Certification. Joseph G. Weber has met all entry level standards, has been given a conditional offer of employment and is scheduled to be sworn in on July 1, 2011. He retired as a Sergeant with the Connecticut State Police in April 2008 after serving for approximately twenty years.

During his career, he was assigned to several Troops and was promoted to Sergeant in September of 1997. He graduated from the 98<sup>th</sup> Training Troop on September 1, 1988 and ultimately worked as a Sergeant in charge of the Traffic Services Unit.

***Chief Dortenzio moved to approve the request of the University of New Haven Police Department, specifying that Joseph G. Weber is granted Comparative Certification subject to his successful completion of 10 specific courses and certification/recertification in two areas, seconded by Chief Sweeney. The motion carried.***

**Revocation of Police Officer Certification**

**Darren E. Seligman – East Windsor Police Department (Felony Conviction)**

Chief Dortenzio, Chair of the Certification Committee, presented the matter of former East Windsor Police Officer Darren E. Seligman for Revocation of Police Officer Certification – Felony Conviction. Darren E. Seligman waived his right to be indicted by a Federal Grand Jury impaneled in the District of Connecticut and did plead guilty to a one count Information charging him with Using an Interstate Facility (Internet) to Transmit Information about a Minor in violation of Title 18 U.S.C. 2425, a federal felony. On June 26, 2008, Seligman was sentenced on the felony charge and received a term of imprisonment of 48 months and was committed into the custody of the U.S. Bureau of Prisons. On May 11, 2011, Seligman was sent a certified letter; return receipt requested notifying him of the POST Council's intent to revoke his certification, allowing him 15 days to respond in writing to request a hearing. The letter was delivered and signed for on May 14, 2011. As of May 31, 2011, no correspondence was received from Seligman and he is deemed to have waived his right to a hearing.

***Chief Dortenzio moved to approve the revocation of Darren E. Seligman's Connecticut Police Officer certification for his felony conviction on March 12, 2008, seconded by Chief Rilling. The motion carried. Atty. Tallberg abstained.***

**Application to Commence a Basic Police Training Academy – Hartford Police Department**

Chief Dortenzio, Chair of the Certification Committee, presented the request of Chief Daryl K. Roberts, Hartford Police Department to conduct a Basic Police Officer Recruit Training Academy at the Hartford Police Academy, 85 Edwards St. Hartford to commence on or about June 27, 2011. This Academy session is intended to have no more than 40 Recruit Officers, 30 from the

Hartford Police Department and 10 from within the Hartford region. On May 31, 2011, the Certification staff conducted an on-site inspection of the facility and discussed the application with Lt. Peter Bergenholtz, Academy Director and his staff. Staff found that the Academy was in compliance with 80 criteria areas.

***Chief Dortenzio moved to approve the request of Chief Daryl K. Roberts and the Hartford Police Department to Commence a Basic Police Training Academy for up to 49 Recruit Officers subject to 9 specific recommendations included in the Certification Officers recommendation, seconded by Off. Curwen. The motion carried.***

## **Request Waiver of the Two Year Requirement and Lateral Entry Requirements**

### **New Haven Police Department on Behalf of Officer Angelo Mauriello**

Chief Dortenzio, Chair of the Certification Committee presented the request of the New Haven Police Department on behalf of Officer Angelo Mauriello for the Council to grant a waiver of the two year requirement and lateral entry requirements. On February 17, 2011, due to the economic situation in the City of New Haven, Officer Angelo G. Mauriello was one of sixteen New Haven Police Officers who were laid off by the city. He had been appointed to the New Haven Police Department on September 8, 2009 after fulfilling all entry level requirements. He graduated from the New Haven Police Academy, 171<sup>st</sup> Session on April 1, 2010. On April 8, 2011, Officer Mauriello was hired by the West Haven Police Department after fulfilling all entry level requirements. A lateral entry waiver of the two year requirements was not executed because Off. Mauriello had been laid off. On or about June 1, 2011, Certification was notified by the West Haven Police Department that Officer Mauriello had tendered his resignation because he was re-hired by the New Haven Police Department and intended to return to his former employment. Chief of the West Haven Police Department, John Karajanis was not inclined to waive the two year requirement. In a letter date June 6, 2011, New Haven Police Chief Frank Limon requested Council's consideration for a waiver of the two year requirement and entry level requirements and to allow the lateral transfer of Officer Mauriello.

***Chief Dortenzio moved to approve the request of the New Haven Police Department to grant lateral certification to Off. Mauriello to continue his employment with the City of New Haven, seconded by Off. Curwen.***

Chief Salvatore called for discussion of the matter and recognized New Haven Assistant Chief Tobin Hensgen to speak. Chief Hensgen spoke in favor of the Council granting the lateral certification and that Off. Mauriello continue to be a certified police officer. He reported that Off. Mauriello had in fact been laid off on February 18, 2010 and was subject to recall. In the interim, Off. Mauriello was hired by the West Haven Police Department and Chief Hensgen is urging the Council to approve New Haven's request.

Chief Salvatore recognized West Haven Captain Burton Gifford. Capt. Gifford reported that he is an Attorney and conducted some research into this issue. He indicated that it was his opinion that it was almost impossible to hold officers to the two year commitment.

Chief Salvatore reported to the Council that the law is changing with regards to the two year rule and Legislative Action taken in the most recent session of the Legislature. He reported that as of July 1<sup>st</sup>, the Council will no longer be able to enforce the two year rule. Chief Salvatore further explained the history of the new legislation and the specific provisions that the new legislation calls for.

Attorney Sarnoski advised the Council that this body will no longer be involved in the position to make these decisions and suggested that perhaps other alternatives be considered such as employment contracts.

When discussion concluded, Chief Salvatore called for a vote on the motion.

***The motion carried.***

### **Request for an Extension for Probationary Candidate Status: Medical/Injury**

#### **David Peterson – New Milford Police Department**

Chief Dortenzio, Chair of the Certification Committee presented the request of the New Milford Police Department on behalf of Probationary Candidate David W. Peterson to extend his probationary candidate status due to medical considerations. David W. Peterson attended the 330<sup>th</sup> Basic Training Session at the Connecticut Police Academy commencing August 27, 2010. On February 9, 2011, prior to graduation he injured his hand during training and was unable to commence 400 hours of field training. Approximately one month after his class graduated, he had surgery on his hand and has been on medical leave since. On June 7, 2011, he advised his department that his physician should be releasing him to full duty in approximately 3 weeks. Probationary Officer Peterson needs to return to the Connecticut Police Academy to make up the Driving Under Stress portion of the Driver Training Program. Probationary Officer Peterson's one year from date of appointment expires at midnight on August 25, 2011.

***Chief Dortenzio moved to approve the request of the New Milford Police Department on behalf of David W. Peterson for a period of twelve weeks from the date he returns to active duty to complete his field training requirements and the driving under stress portion of the driver training program, seconded by Off. Curwen. The motion carried.***

#### **Request for Recertification and Lateral Transfer**

#### **Ryan D. Mullenax – Bridgeport Police Department (Police Officer position)**

Chief Dortenzio, Chair of the Certification Committee presented the request of Chief Joseph L. Gaudett, Bridgeport Police Department on behalf of Ryan D. Mullenax for a lateral appointment and waiver of the remaining portion of the Bridgeport Basic Police Training Academy. On April 25, 2011, Ryan D. Mullenax was appointed as a Probationary Candidate with the Bridgeport Police Department and began his Basic Training the same day in the Bridgeport Police Academy. It has been determined that he was once a certified Police Officer with the Trumbull, Connecticut Police Department having been appointed on June 27, 2002 and certified on April 3, 2003. He resigned his position with the Trumbull Police Department in February, 200 and

continued his Law Enforcement career with the Winder, Georgia Police Department from March 30, 2007 to July 1, 2008. He graduated from the 213<sup>th</sup> Session Regional Basic Training Police Academy in Athens, Georgia.

***Chief Dortenzio moved to approve the request of Chief Joseph L. Gaudett, Bridgeport Police Department on behalf of Probationary Officer Ryan D. Mullenax to allow his lateral appointment and waiver of the remainder of the Bridgeport Police Basic Training Academy subject to successful completion and satisfaction of sixty hours of mandated review training to validate his June 3, 2009 triennial period, seconded by Chief Rilling. The motion carried.***

## **ACCREDITATION COMMITTEE**

### **Newtown Police Department – Tier I Reaccreditation**

Chief Sweeney, Chairman of the Accreditation Committee presented this recommendation to the Council. The Newtown Police Department has applied to become reaccredited in the State program. The Newtown Police Department underwent an on-site assessment on May 25, 2011. The Newtown Police Department was found to be in compliance with 117 applicable POST Council Tier I accreditation standards.

***Chief Sweeney moved that the POST Council award Tier I State Re-Accreditation to the Newtown Police Department, seconded by Chief Edson. The motion carried.***

## **EXECUTIVE DIRECTOR'S REPORT**

Executive Director Flaherty reported to the Council on the following activities which have occurred since the last Council meeting:

The Executive Director and Director Schultz continue to both teach in the Recruit Training Program.

Staff hosted a visit and tour for the West Haven Police Department Criminal Justice Club.

Mr. Sean Holiday from Charter Oak College recently spoke with both Recruit classes to explain the benefits of the awarding of Charter Oak College credits for completion of the Recruit Academy.

The Executive Director attended a CTIC Briefing at the Department of Emergency Management and Homeland Security.

The Executive Director attended a CPCA Board of Director's Meeting.

Staff hosted a visit and tour for Westport Police Department interns.

The Executive Director hosted a visit, presentation and tour for members of the F.B.I. Citizen's Academy Alumni Association.

Staff hosted a visit and tour for students from the Wallingford Schools as well as interns from the Ridgefield Police Department.

The Executive Director hosted a visit and tour for seven high ranking Polish police Officers who were visiting the University of New Haven.

Attorney Sarnoski and the Executive Director attended a Freedom of Information Hearing.

The Executive Director and IT Analyst Linda Nido attended a meeting on Agency Consolidation and IT Transition.

The Executive Director and Director Schultz joined our Junior Recruit Class at Yale University Athletic Fields where they worked with Special Olympians.

The Executive Director pointed out that there was an updated version of the Council Membership list in the Day Packages as well as a copy of an e-mail from Atty. Sarnoski and a court decision, Easterling vs. State of Connecticut, Department of Corrections for review.

Atty. Sarnoski was invited to comment regarding this issue. General discussion ensued regarding the Cooper Standards Physical Fitness Exam as employed by this Agency. The consensus was that staff should collect the data as suggested by Atty. Sarnoski regarding the one and one half mile run to see if there is any disparate treatment because of race, age and gender. Once this data is collected, there should be a conversation with Val Lubens to discuss this issue. Chief Rilling made comments supporting our research in this area. Additional discussion took place with Chief Sweeney offering his perspective on the fitness level needed to enter the Police Academy. Chief Dortenzio spoke about the history of our employment of the Cooper Standards. When general discussion concluded:

***Chief Rilling moved that this issue as well as the issue of Lateral Transfers with regards to Cooper be referred to the Planning Committee so they can examine and review the Coopers Standards issues, seconded by Chief Fusaro. The Motion carried.***

#### **BASIC TRAINING DIVISION REPORT**

William Schultz, Director of Basic Training was in attendance at the meeting and provided a report on the status and statistics of the Basic Training Division which was also included in the Councilors Day packages.

#### **IN-SERVICE TRAINING DIVISION REPORT**

Susan Rainville, Director of the Field Services Training Division indicated that the Divisions Training Operations Report for May, 2011 to June, 2011 was included in the Council Package for this meeting. Director Rainville reviewed the POSTC Training Calendar for the next three months providing a description of the important offerings and the projected attendance. Director Rainville discussed a selection of additional courses that she and her staff have been

able to offer in addition to the current course calendar. She also reported on Additional Courses under Consideration for the period of July to September, 2011.

### **ACCREDITATION MANAGER'S REPORT**

Ted LeMay reported on the activities of his Office since the last Council Meeting. His written report is included in the Council package and he reported that he offered an assessor training class for new assessors on June 8<sup>th</sup>, 2011 and that there were 18 attendees.

### **COMPLIANCE OFFICER'S REPORT**

William Klein gave a certification division report to the Council. He briefed the Council on his activities since the last Council meeting. After the Compliance Officer's report, Chief Salvatore advised the Council that the Mr. Klein has lost his License and Permit analyst due to budgetary reasons and that Mr. Klein would be working alone in that Office. He also reported on the loss of our Librarian, Gerry Seagrave and the retirement of Field Program Manager George Miller who position will not be replaced.

Chief Rilling indicated that he wanted to commend the Academy staff with all the financial restrictions being placed upon them and the loss of staff and everyone seems to be picking up the slack and probably doing double and triple duty. He stated that he thought they should be commended by the POST Council in that they continued to provide quality recruit training and quality in-service training. He further added that he didn't know many other people who could stand up to this kind of struggle and continue to provide this level of excellence.

Commissioner Bradford reported that with POST coming under the umbrella of the new agency, the Department of Emergency Services and Public Protection, he didn't see any major changes and reported that he didn't see any reason why staff efforts couldn't be combined with a co-mingling of staff to provide training.

Chief Salvatore reported that he had received a notice just yesterday announcing a meeting and the formation of a group of all the interested parties to determine how this move into the new Agency is going to be made and as a stakeholder; we have been invited to the table along with all the other stakeholders. Chief Salvatore advised that as Chair he would represent the Council at the table.

Commissioner Bradford advised that with the establishment of the new agency, there is going to be an Advisory Board with representation of each part of the new agency and that POST will be represented on that Board. They will be an Advisory Committee that will meet at least four times a year. The Commissioner once again reported that he didn't see any major changes. He further reported that the new agency would conduct finance and H.R. functions for POST.

Mr. Burling offered his perspective on co-mingling of staff in terms of his early law enforcement experiences with training.

Commissioner Bradford spoke about his prior experiences in training and sharing staff here at the Academy pointing out that partnering is the way to go.



Councilor Francis inquired of Chairman Salvatore about the status and provisions of the new Legislation. Chief Salvatore reported that the legislation will allow the agency to continue basically the same in consultation with the Commissioner. The Commissioner reported that the Council might see a charge to local municipalities for sending a person to be trained. He advised that with the consolidation, we had lost three positions and expressed hope that our Defensive Tactics instructor would be maintained. The same Defensive Tactics instructor could help out with the State Police Training. Nothing in the new legislation repeals or terminates this policy board.

Chairman Salvatore reported that there is nothing cast in stone with regards to the cost to municipalities and we have not received any direction where we have to charge let. Commissioner Bradford reported that he and his staff were working their way through this and advised that he would keep everyone informed.

Chief Rilling advised that there was concern in the field over the issue of charging specifically because municipality's budgets have already been set. Chief Salvatore reiterated that the legislation gives the Council the right to charge but it doesn't set the amount in the legislation. Chief Salvatore advised the Council that before anything is done, the Council will sit and debate it. Commissioner Bradford reported that not only will the Council but there will be a new Advisory Board to which the Council will be represented by someone appointed by the Council. The Commissioner reported that if any charges are set they will probably be applied going forward, not within the first year. The Commissioner also spoke about the Fire Academy being part of the new Agency and the fact that they charge a fee for training. Chief Salvatore pointed out for the record that in 1979 there was a traffic enforcement fee that was supposed to be earmarked for law enforcement training.

Chief Dortenzio offered that although the Fire Academy charges for training there is no law requiring Firefighters to be certified like there is for police officers. There was discussion about setting up a dedicated account for law enforcement training.

Mrs. Rainville offered a reminder about the annual legal update offered at the Chief State's Attorney's Office.

### **OLD BUSINESS**

There was no old business to come before the Council.

### **NEW BUSINESS**

There was no new business to come before the Council.

### **CORRESPONDENCE**

Chief Salvatore reported that there were two items of correspondence included in the Council Package for review which are self explanatory.

**ADJOURNMENT**

***A Motion was made by Chief Rilling to adjourn the meeting which was seconded by Chief Salvatore. The motion carried.***

***The meeting was adjourned at 10:40 A.M.***

***Thomas E. Flaherty***

***Executive Director***