



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

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

POLICE OFFICER STANDARDS AND TRAINING COUNCIL

MINUTES OF MEETING

NOVEMBER 3, 2011

CONNECTICUT POLICE ACADEMY

MERIDEN, CONNECTICUT

Council Members Present: Chief Anthony J. Salvatore, Sr. (Chairman); Mr. Howard Burling, II; Chief Lisa Maruzo-Bolduc, Commissioner Reuben Bradford, Dr. Amy Donahue, Chief Douglas Dortenzio, Chief Christopher J. Edson, Chief Louis J. Fusaro, Chief Robert S. Hudd, Chief State's Attorney Kevin E. Kane, Special Agent In-Charge Kimberly Mertz and Chief Harry W. Rilling

Other Attendees: Thomas E. Flaherty, Police Academy Administrator; William E. Klein, Certification/Compliance Officer; Ted LeMay, Certification/Accreditation Manager; Susan E. Rainville, Director; Assistant Attorney General Stephen R. Sarnoski, Pamela Hayes, Executive Director CPCA

Council Members Absent: Mr. Richard P. Boccaccio, Mr. Kurt P. Cavanaugh, Officer William C. Curwen, Jr.; First Selectwoman Laura L. Francis, Mr. Jack Moshier, Chief Thomas J. Sweeney, James N. Talberg, Esq., and Town Administrator John D. Ward

CALL TO ORDER

Chief Anthony Salvatore, Council Chairman, called the meeting to order at 9:30 AM.

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

Chief Dortenzio moved to adopt the Amended Agenda, it was seconded by Chief Fusaro. The motion carried.

MINUTES

Chief Fusaro moved to approve the minutes of the September 8, 2011 meeting, it was seconded by Mr. Burling. The motion carried.

Chief Rilling moved to approve the minutes of the October 13, 2011 Special meeting, it was seconded by Chief Fusaro. The motion carried.

CHIEFS/PUBLIC COMMENTS

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

CERTIFICATION COMMITTEE

Request for Comparative Certification

Michael T. Colantuono – Enfield Police Department (Police Officer position)

Chief Dortenzio, Chair of the Certification Committee, presented the request of Chief Carl Sferrazza, Enfield Police Department, on behalf of Michael T. Colantuono for a certificate of comparative compliance and a full or partial waiver of the requirement of police basic training. He is formerly from the New York City Police Department having graduated from their academy. The Certification Committee has reviewed his application and found everything to be in order. Therefore, the Committee recommends the full Council approve the request subject to the conditions and restrictions listed in the document dated November 3, 2011.

Chief Dortenzio moved to approve the request of Chief Carl Sferrazza, Enfield Police Department, specifying that Michael T. Colantuono be granted comparative certification subject to his successful completion of 18 specific courses and certification/recertification in two areas, it was seconded by Chief Edson. The motion carried.

Edward J. Decker – Town of Ellington Police Department (Police Officer Position)

Chief Dortenzio, Chair of the Certification Committee, presented the request of First Selectman Maurice Blanchette, Town of Ellington, on behalf of Edward J. Decker for a certificate of comparative compliance and a full or partial waiver of the requirement of police basic training. First Selectman Blanchette has offered a conditional appointment to Edward J. Decker to the position of a Police Officer (part-time Constable) for the Town of Ellington. He is a retiree from the Connecticut State Police having retired in September 2011 after 24 years of service. He had achieved the rank of Trooper First Class. The Certification Committee has reviewed the application and found everything to be in order. Therefore, the Committee recommends the full Council approve the request subject to the recommendations and restrictions listed in the document dated November 3, 2011.

Chief Dortenzio moved to approve the request of First Selectman Maurice Blanchette, Town of Ellington, specifying that Edward J. Decker be granted comparative certification subject to his successful completion of 10 specific courses and certification/recertification in two areas, it was seconded by Chief Fusaro. The motion carried.

John T. Barth, Jr. – Town of Ellington Police Department (Police Officer Position)

Chief Dortenzio, Chair of the Certification Committee, presented the request of First Selectman Maurice Blanchette, Town of Ellington, on behalf of John T. Barth, Jr., for a certificate of comparative compliance and a full or partial waiver of the requirement of police basic training. This is a similar request as the previous request for Edward Decker. First Selectman Blanchette has offered a conditional appointment to John T. Barth, Jr., to the position of a Police Officer (part-time Constable) for the Town of Ellington. Mr. Barth retired from the Connecticut State Police in September after 24 years of service. He had achieved the rank of Trooper First Class. The Certification Committee has reviewed the application and found everything to be in order. Therefore, the Committee recommends the full Council approve the request subject to the recommendations and restrictions listed in the document dated November 3, 2011.

Chief Dortenzio moved to approve the request of First Selectman Maurice Blanchette, Town of Ellington, specifying that John T. Barth, Jr. be granted comparative certification subject to his successful completion of 10 specific courses and said certification/recertification in two areas, it was seconded by Chief Maruzo-Bolduc. The motion carried.

Gregory J. Kenney – Town of Litchfield Police Department (Police Officer Position)

Chief Dortenzio, Chair of the Certification Committee, presented the request of First Selectman Leo Paul, Jr., Town of Litchfield, on behalf of Gregory J. Kenney, for a certificate of comparative compliance and a full or partial waiver of the requirement of police basic training and intends to offer a conditional appointment to the position of a Police Officer (full-time Constable) for the Town of Litchfield. Mr. Kenney retired from the Connecticut State Police on October 1, 2011. He had achieved the rank of Sergeant and had served for 21 ½ years. The Certification Committee has reviewed the application and found everything to be in order. Therefore, the Committee recommends the full Council approve the request subject to a language change in the first sentence of the document which indicates the Selectmen intended to offer a conditional appointment to Gregory J. Kenney. The Committee felt it was inappropriate to act on someone who is not yet an employee. It was understood to be a timing issue as the application was made in August, and the applicant did not retire until October 1. Based on that change the Committee recommends the full council approve the request subject to the recommendations and restrictions listed in the same document dated November 3, 2011.

Chief Dortenzio moved to approve the request of First Selectman Leo Paul, Town of Litchfield, specifying that Gregory J. Kenney be granted comparative certification subject to his successful completion of 10 specific courses and said certification/recertification in two areas, it was seconded by Special Agent In-Charge Mertz. The motion carried.

Mark Jazwinski – Town of Bethany and Town of Prospect (Police Officer Position)

Chief Dortenzio, Chair of the Certification Committee, presented the request of First Selectwoman Derrylyn Gorski, Town of Bethany, and Mayor Robert Chatfield, Town of Prospect, on behalf of Mark Jazwinski, for a certificate of comparative compliance and a full or partial waiver of the requirement of police basic training and have offered a conditional appointment to the position of a shared (part-time) Police Officer for the Towns of Bethany and Prospect respectively. Mr. Jazwinski retired from the Connecticut State Police after 24 ½ years of service in July 2011 at the rank of Trooper First Class. The Certification Committee has reviewed the application and found everything to be in order. Therefore, the Committee recommends the full Council approve the request subject to the recommended classes and restrictions listed in the document dated November 3, 2011.

Chief Dortenzio moved to approve the request of First Selectwoman Derrylyn Gorski, Town of Bethany, and Mayor Robert Chatfield, Town of Prospect, specifying that Mark Jazwinski be granted comparative certification subject to his successful completion of 10 specific courses and said certification/recertification in two areas, it was seconded by Chief Edson. The motion carried.

Michael G. Collins – Town of Montville (Police Officer Position)

Chief Dortenzio, Chair of the Certification Committee, presented the request of First Selectman Joseph W. Jaskiewicz, Town of Montville, on behalf of Michael G. Collins, for a certificate of comparative compliance and a full or partial waiver of the requirement of police basic training and have offered a conditional appointment to the position of a (part-time) Police Officer for the Town of Montville. Mr. Collins retired from the Connecticut State Police after 24 years of service in September 2011. He had achieved the rank of Sergeant. The Certification Committee has reviewed the application and found everything to be in order. Therefore, the Committee recommends the full Council approve the request subject to the successful completion of the recommended classes.

Chief Dortenzio moved to approve the request of First Selectman Joseph W. Jaskiewicz, Town of Montville, specifying that Michael G. Collins be granted comparative certification subject to his successful completion of 10 specific courses and said certification/recertification in two areas, it was seconded by Chief Maruzo-Bolduc. The motion carried.

ACCREDITATION COMMITTEE

Milford Police Department – Tier III Accreditation – Presentation of Certificates

The Chairman stated that no action was necessary on this item as it only requires a presentation of the certificate.

New London Police Department – Tier I Accreditation – Presentation of Certificates

The Chairman also noted that no action was necessary on this item as it only requires a presentation of the certificate.

Simsbury Police Department – Tier III Re-Accreditation

Chief Edson reported that the Police Department of Simsbury has applied for recertification of the Tier III level. Since the original award of Tier III in 2007, they have applied for CALEA accreditation which was granted. On April 16, 2011, they had also complied with the 8 additional standards required by POST to maintain their Tier III accreditation. The Committee recommends that the Tier III Re-Accreditation be awarded to the Simsbury Police Department. It was noted that the Council congratulate the Simsbury Police Department as they could not be present at this meeting.

Chief Edson moved to approve the request from the Simsbury Police Department for Tier III Re-Accreditation, it was seconded by Chief Rilling. The motion carried.

INFORMATION ITEMS

Correspondence to Commissioner Bradford Re: “Status of POST employed currently certified Police Officers”

It was noted that a copy of Chief Flaherty’s letter to Commissioner Bradford dated September 22, 2011, was included in the Council packet that had been mailed to members before this meeting. The letter was a follow up to Chief Dortenzio’s report and request from the Planning Committee at the last Council meeting of September 8, 2011. This letter advised Commissioner Bradford on the status of POST-employed, certified Police Officers as required by additional legislation which went into effect July 1, 2011.

EXECUTIVE DIRECTOR’S REPORT

Police Academy Administrator Flaherty reported to the Council on the following activities which have occurred since the last Council meeting:

Executive Director Flaherty and Chief Salvatore attended two DESPP Advisory Board meetings held in the Commissioner’s Office.

Executive Director Flaherty also attended two meetings of the Electronic Recording Task Force held in Attorney Kane’s office.

POST hosted a visit with the new Director of Connecticut Coalition Against Domestic Violence and provided a tour.

Executive Director Flaherty and Chief Salvatore have been meeting with Steve Spellman, Chief of Staff to Commissioner Bradford, to develop a tuition plan.

A refill plan was submitted to Human Resources to fill vacancies.

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Executive Director Flaherty also attended four meetings of the Eye Witness Identification Task Force. That work is progressing.

Several visits have been held with the staff of the Southern Connecticut State University Graduate School of Library Science in an effort to re-open the Library at POST at no cost to the Department or the State.

Executive Director Flaherty attended the quarterly meeting of the CPCA.

Executive Director Flaherty also attended the Connecticut Coalition Against Domestic Violence Award Breakfast where Training Officer Stanley Konesky was recognized as one of the 100 most influential men in the State against Domestic Violence.

POST hosted a visit and tour for students from the University of New Haven Criminal Justice Program.

Executive Director Flaherty attended a meeting with Lt. Kittle of the State Police regarding the training on the new missing persons' policy and procedure. A draft copy of the procedures was distributed to council members.

The Executive Director also attended a CHRO meeting on October 12, 2011, where POST's Affirmative Action Plan for last year was approved.

POST hosted a visit for three high ranking South Korean police officers who are exchange students at the University of New Haven.

POST hosted a presentation here by Dr. Michael Bourke, Chief Psychologist for the US Marshals Service, on Internet Sexual Predators.

The Executive Director along with Director Schultz visited the Senior Recruit Class at Light House Point in New Haven where they were putting up Christmas lights for the benefit of the Easter Seal Foundation as their Community Policing Project.

The Executive Director mentioned that included in today's day packs was a copy of a letter from Chief Fuchs in his capacity as Chairman of CPCA and Chief of the Redding Police Department, addressed to Commissioner Bradford regarding revenue collected for offenses both misdemeanor and infractions from 2008 through 2010 as it relates to the tuition issue.

The final draft of the Policy for Handling Missing Persons Investigations was distributed in the day packs to Council members for review. Attorney Sarnoski has reviewed and made final revisions.

Also distributed in the day packs was the report on POST's firearms range done by the Department of Transportation, Office of Environmental Planning, Bureau of Policy and Planning. A complaint had been made by a Meriden resident regarding noise or loud sound from the range. The complaint had been made to POST and also to State Representative Emil Altobello. Executive Director Flaherty and Chief Salvatore met with the individual and gave him a tour of the range. DOT came in with sound monitoring equipment to do a formal scientific study. The report concluded that there are no issues with sound from POST's shooting range. Representative Altobello will be sent a copy of the report.

DIRECTORS' REPORTS

Basic Training Division

William Schultz, Director of Basic Training, was not in attendance due to a teaching commitment, however, he provided a report on the status and statistics of the Basic Training Division which had been mailed to the members in their meeting packets.

In-Service Training Division

Susan Rainville, Director of the Field Services Training Division, distributed copies in the members' day packs of the courses offered and amount of attendees for each course. She reviewed the information for the members. Three Legal Update classes were completed for Chiefs, Deputy Chiefs and Managers required to attend with 438 attendees. A makeup date was scheduled for November 8 for the Chief State's Attorney's Office for those who could not attend the session. A Pharmaceutical Drug Investigation course was offered, and 77 were trained. The Internet Sex Offender class had 128 police personnel statewide that attended. It was a half day training session. A two week Police Firearms Instructor course was held and completed with 32 in attendance. A Cell Phone Investigation course was held with 22 investigators. Currently being posted is a class funded through DOT, the Office of Highway Safety, entitled, High Visibility Traffic Enforcement. A second five-day session will be held. Additional sessions are scheduled for November. A Records Retention class was held this fall and will be held annually. There were 123 in attendance. A course calendar was distributed indicating the course from September through the end of December. They were no cost training courses. After January some cost contract courses will be scheduled. They will consist of 3 levels of crime scenes, 3 levels of accident investigations, DWI enforcement, interview and interrogation, legal training, civil liability training, management supervisory training, and internal affairs. Additional classes will be added as they are planned.

Accreditation Manager's Report

Ted LeMay reported on the activities of his Office since the last council Meeting. He has been reviewing policies and procedures within the Academy to make them consistent with the organizational changes with DESPP. His written report is included in the Council package.

Compliance Officer's Report

William Klein gave a Certification Division report to the Council. Mr. Klein's audit reports and inspection reports are included in the Council package. He noted that the Bridgeport Satellite Academy graduated on October 28, 2011. The Hartford Academy is in their 19th week. He will soon be receiving an application from the New Haven Police Department. They have received COPS grant money for 45 officers. A pre-inspection will be conducted once the application is received. In consultation with Attorney Sarnoski and Chief Flaherty Mr. Klein discussed the need to consider changing policy for General Notice 03-2003 from "highly recommended" to "mandated" for annual firearm qualifications. Based on training records, audits and other issues, he has concluded that this has become problematic. He recommends this body go back to required annual firearms qualifications. He explained that the written policy states that qualifying should be done every three years. An officer with the existing policy can get his nine hours of mandates in the first month of the first tri-annual period and would be recertified in 3 years. The next recertification period, that person could shoot in the last month of the 3 years. Therefore, an officer can actually go 5 years and 10 months without shooting or qualifying. For liability issues this would be a reason to change policy. Another reason would be because all Police Departments have annual firearms qualifications, they set their own standards and policies. This has recently been challenged by the Union and officers in Bridgeport. With regard to the nine hours issue, if an officer qualifies once and gets nine hours in, does the officer get recertified. The POST General Notice indicates that the officer would get recertified, however, that issue is not addressed. These are all potential liability issues. There is also a concern with handguns rather than firearms because of the policy. There are also concerns that handgun records are not properly tracked. Mr. Klein referred to H.R. 218, Law Enforcement Officers Safety Act. It requires annual firearms qualifications. For accreditation purposes, Standard 1311 states in order to carry weapons a department is required to receive inservice training annually. Accreditation is mandating annual firearms qualifications, but Certification is only "highly recommended." Several departments with their own policies based on their legal review, instruct staff to not document a raw score because of liability issues. Mr. Klein asked that the Council take all this information into consideration for a policy change. The Chairman suggested that the issue be researched from 2003. It will be discussed again with the Council after review and referred to the Curriculum

Committee. It was agreed that the Council does not have the authority to change policy on their own. Chief Flaherty asked Attorney Sarnoski to research whether or not the Council has the legal authority to mandate annual qualifications. This topic will be researched.

OLD BUSINESS

Tabled at the October 13, 2011, Special Meeting – “Consideration and Discussion of Public Act No. 11-61- Tuition and Fees for Training”

A motion was made by Chief Rilling to remove this issue from the table, it was seconded by Chief Fusaro. The motion carried.

Chief Flaherty discussed the Special Meeting of the Council on October 13. It was decided collectively at that meeting that information be obtained from the State on how much money had been deposited over the last 3 years as a result of fees from motor vehicle violations. Mr. Spellman made a request to get the information for the Council and forward it to Chief Flaherty. Chief Flaherty made an independent request on behalf of the Council for the same information, and Chief Fuchs made a request on behalf of the CPCA to another source. The results were included in the packets. The results totaled \$6,250,651. Chief Flaherty spoke with Debra Fuller from the Judicial Department who advised that it was not possible to breakdown those funds any further. The funds are deposited into the General Fund, and there are no dedicated accounts. Chief Dortenzio asked if 51-56a, subsection C require money be dedicated. It was noted that it just identifies the purpose of the funds for State and local training. Chief Salvatore stated that it is assumed the money is used to offset the cost of State Police training and municipal training but the total amount it is not enough to satisfy that fund. Mr. Sarnoski noted that the surcharges referred to in Subsection C are not required to be segregated in an accounting way, such as in Subsections B and D. Therefore, an exact amount cannot be determined. The Chairman noted that if the Council knows how much money over the last three years went into the General Fund, and if it exceeds the budgets of the agencies, the argument would be that there is money owed. If it does not, there is no argument because the Legislature is appropriating funds to add to that fund. The Chairman suggested holding off on any action for another six months as the fiscal year is already six months old. When the Legislature is back in session, other options can be explored to find funding to cover the budget requirements. The Chairman suggested that the Commissioner go back to the Legislature and request that the extra funding needed from the municipalities be collected from increased rates on fees for fines to meet the goals of the Governor's budget. In other words, increase the cost of the fines to meet the goals of State and local training. Chief Dortenzio was in agreement to go back to the General Assembly. However, he stated that his town would give up that money as long as training remained at no cost. The Chairman suggested that the Council make a recommendation to the Commissioner that the Commissioner make a request to OPM to hold off implementing tuition fees until July 1, 2012, in an attempt to go back to the Legislature to see if additional revenue can be generated from another source either by increasing fine rates or fines on hand held devices to meet the goals of the Governor's budget. Steve Spellman noted that under the language in the Statute, the Commissioner is required to set tuition fees in consultation with the POST Council. This discussion and outcome is part of the consultation process. The Chairman stated that by the time any action is taken by this body, the agency budget will already be 6 months behind in collecting any additional revenue to meet proposed budget goals. Chief Maruzo-Bolduc commented that the option of waiting until July would give Police Chiefs the opportunity to work within their town budgets and work with legislators to make adjustments. It was noted that the Commissioner could be denied the request, in which case the agency would need to find other sources to meet the goals of the budget.

A motion was made by Chairman Salvatore that the Council request the Commissioner hold off any action on setting tuition fees until July 1, 2012, in an attempt to resolve this issue; and specifically to go back to the Legislature and request that certain fines and fees be adjusted to make up the difference that is needed in the Governor's budget in regards to State and local police training, it was seconded by Chief Dortenzio. The motion carried.

NEW BUSINESS

Consideration of Adopting a Policy Concerning the Acceptance of Missing Person Reports pursuant to Public Act No. 11-102 – “An Act Concerning The Investigation of Adult Missing Persons Reports.”

It was noted that the Council is mandated to have this policy in place by January 1, 2012. The policy documents what the Council has already recommended. Executive Director Flaherty stated some of the additions that were made were a reference to the acronym, NAMUS-National Adult Missing Person Database. This was not included in the prior policy. It also indicates how to access that database. It is anticipated there will be training associated with this in conjunction with State Police training staff. It is thought that there will be some train-the-trainer sessions held to train others. Copies of the revised policy were included in the Council day packs. Chief Edson commented that the policy does not specify who has jurisdictional responsibility once the missing person is reported. In reference to Chief Edson's concerns, Chairman Salvatore noted that the policy states that, "the law enforcement agency will accept without delay any report of a missing adult person."

A motion was made by Chief Edson that Council adopt the Policy Concerning the Acceptance of Missing Person Reports pursuant to Public Act No. 11-102 as presented in the amended draft copy, it was seconded by Chief Fusaro. The motion carried.

ADJOURNMENT

A motion was made by Chief Rilling to adjourn the meeting, and seconded by Chairman Salvatore. The motion carried.

The meeting was adjourned at 10:45 AM.

***Thomas E. Flaherty
Police Academy Administrator***