

**POLICE OFFICER STANDARDS AND TRAINING COUNCIL**

**MINUTES OF MEETING**

**May 12, 2011**

**CONNECTICUT POLICE ACADEMY**

**MERIDEN, CONNECTICUT**

Council Members Present: Mr. Richard P. Boccaccio, Chief Lisa Maruzo-Bolduc, Commissioner Reuben Bradford, Howard L. Burling, II, Off. William C. Curwen, Jr., Chief Douglas L. Dortenzio, Chief Christopher J. Edson, First Selectwoman Laura L. Francis, Chief Louis J. Fusaro, Chief Robert S. Hudd, 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, Assistant Special Agent in Charge David P. Gelios, Chief Thomas Terribile, Guilford Police Department, Deputy Chief Steven Fournier, Milford Police Department, Lt. Dan Bothwell, Milford Police Department, Off. Jim O'Keefe, Milford Police Department, Lt. William Wright, Wallingford Police Department, Michael Luzzi, Orange Police Department, Attorney Carl Secola.

Council Members Absent: Mr. Kurt P. Cavanaugh, Dr. Amy K. Donahue, Chief State's Attorney Kevin E. Kane, Special Agent in Charge Kimberly Mertz, Mr. Jack Moshier, Chief Harry W. Rilling.

**CALL TO ORDER**

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

**MINUTES**

*Chief Maruzo-Bolduc moved to approve the minutes of the March 3, 2011 meeting, 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**

**Paul Collins - Town of Beacon Falls, Town of Bethany, Town of Prospect**

Chief Dortenzio, Chair of the Certification Committee, presented requests of the Mayor of Prospect, the First Selectwoman of the Town of Bethany and the First Selectwoman of the Town of Beacon Falls on behalf of Paul Collins for a certificate of comparative compliance. Paul

Collins has been offered a position as a Part Time Constable for each town and is currently in the process of completing all entry level standards. He retired as a Sergeant with the Connecticut State Police in October, 2010. He started his career in 1987 and served at four different barracks.

***Chief Dortenzio moved to approve the request of the Towns of Prospect, Bethany and Beacon Falls, specifying that Paul Collins shall have met all entry level standards prior to being employed and subject to his successful completion of 10 specific courses and certification/recertification in two areas, seconded by Chief Fusaro. The motion carried.***

#### **Nelson Abarzua – Town of Prospect, Town of Bethany, Town of Beacon Falls**

Chief Dortenzio, Chair of the Certification Committee, presented the request of the Mayor of Prospect, the First Selectwoman of Bethany and the First Selectwoman of Beacon Falls on behalf of Nelson Abarzua for a certificate of comparative compliance. Nelson Abarzua has received conditional offers of employment as a Lieutenant with the Prospect Police Department, a part time Constable with the Bethany Police Department and the Beacon Falls Police Department. Nelson Abarzua will retire from the Connecticut State Police in June, 2011 after twenty five years of service commencing in 1985. He graduated from the 94<sup>th</sup> Recruit Training Troop and served in various assignments as a Trooper First Class and a Resident Trooper. Nelson Abarzua 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 the Town of Prospect, Town of Bethany and Town of Beacon Falls, specifying that Nelson Abarzua 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 Chief Edson. The motion carried.***

#### **Steven J. Alvey – Town of Woodbury (Part-Time Police Officer position)**

Chief Dortenzio, Chair of the Certification Committee, presented the request of Woodbury First Selectman Gerald D. Stomski on behalf of Steven J. Alvey for a Certificate of Comparative Compliance. He has been offered a conditional offer of Probationary employment and has completed all entry level standards except for the Cooper Standards physical fitness test. He retired from the Connecticut State Police on July 29, 2009 at the rank of Lieutenant after twenty two years of service. He graduated from the 97<sup>th</sup> Training Troop in 1988, worked in two different Barracks as a Trooper and then took up duties as a resident Trooper. In 1997, he was promoted to Sergeant and in 2002 was transferred to the Department of Homeland Security and in 2006, he was promoted to Lieutenant.

***Chief Dortenzio moved to approve the request of the Town of Woodbury, specifying that Steven J. Alvey 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.***

#### **James P. Kenefick – Town of Essex (Police Officer position)**

Chief Dortenzio, Chair of the Certification Committee, presented the request of Essex First Selectman Philip J. Miller on behalf of James P. Kenefick for a Certificate of Comparative Certification. On April 4, 2011, the First Selectman appointed James P. Kenefick to a Police Officer position with the Town of Essex. James P. Kenefick has completed all entry level standards. He retired as a Lieutenant with the Connecticut State Police on March 31, 2011 after twenty years of service.

During his career, he was assigned to several Troops, served as a CSP Academy Instructor and was promoted to Sergeant in March of 1999. In Oct. 2006 he was promoted to the rank of Master Sergeant and in February, 2007 was promoted to Lieutenant and assigned to the Internal Affairs Unit.

***Chief Dortenzio moved to approve the request of the Town of Essex, specifying that James P. Kenefick is granted Comparative Certification subject to his successful completion of 10 specific courses and certification/recertification in two areas, seconded by Off. Curwen. The motion carried.***

#### **Richard J. Roethlein – Town of Somers**

Chief Dortenzio, Chair of the Certification Committee presented the request of the Town of Somers First Selectwoman Lisa Pellegrini on behalf of Richard J. Roethlein for a Certificate of Comparative Compliance. Richard J. Roethlein is a Trooper First Class with the Connecticut State Police and plans on retiring in June, 2011. He was employed with the Connecticut State Police in January, 1986 and graduated with the 95<sup>th</sup> Training Troop. During his career, he was assigned to several Troops and is currently the Resident Trooper for the Town of Somers.

***Chief Dortenzio moved to approve the request of the Town of Somers, specifying that Richard J. Roethlein is granted a Comparative Certification subject to his successful completion of 10 specific courses and certification/re certification in two areas, seconded by Chief Sweeney. The motion carried.***

#### **Theodore R. Parker – Mohegan Tribal Police Department**

Chief Dortenzio, Chair of the Certification Committee presented the request of Chief Frank Gavigan, Chief of the Mohegan Tribal Police Department on behalf of Theodore R. Parker for a Certificate of Comparative Compliance. Theodore R. Parker was employed by the Connecticut State Police, having graduated with the 101<sup>st</sup> Training Troop. He had many assignments during his twenty year plus career with the Connecticut State Police including the Eastern District Major Crimes Unit and CSP Casino Licensing and Operations Unit. Theodore R. Parker has completed all entry level standards.

***Chief Dortenzio moved to approve the request of the Mohegan Tribal Police Department, specifying that Theodore R. Parker is granted a Comparative Certification subject to his successful completion of 10 specific courses and certification/recertification in two areas, seconded by Chief Fusaro. The motion carried.***

**Kyle G. Baudoin – Southern Connecticut State University (Police Officer position)**

*Chief Dortenzio, Chair of the Certification Committee, presented the request of Chief Joseph M. Dooley, Southern Connecticut State University Police Department on behalf of Kyle G. Baudoin for a Certificate of Comparative Compliance. Kyle G. Baudoin has been given a conditional offer of employment and has met all council entry level standards. He currently serves as a Police Officer for the North Carolina State University Police Department and has been serving in that capacity since July, 2008. He attended a Basic Training program with the North Carolina Criminal Justice Training and Standards Commission and prior to his current employment, he was a Police Officer with the Louisiana State University Police Department.*

*Chief Dortenzio moved to approve the request of the Southern Connecticut State University Police Department, specifying that Kyle G. Baudoin is granted a Comparative Certification subject to the successful completion of 20 specific courses and certification/recertification in two areas, seconded by Off. Curwen. The motion carried.*

**Brandon Egan – New Britain Police Department**

*Chief Dortenzio, Chair of the Certification Committee, presented the request of Chief William L. Gagliardi, Chief of Police of the New Britain Police Department on behalf of Brandon Egan for a Certificate of Comparative Compliance. Brandon Egan has been given a conditional offer of employment by the New Britain Board of Police Commissioners. Brandon Egan currently serves with the New York City Police Department as a Patrol Officer. He graduated from the New York City Police Academy on Dec. 29, 2006 and he currently is assigned to the 23<sup>rd</sup> Precinct in an Anti-Crime Unit.*

*Chief Dortenzio moved to approve the request of the New Britain Police Department, specifying that Brandon Egan shall have met all entry level requirements prior to appointment and shall successfully complete 19 specific courses and certification/recertification in two areas, seconded by Chief Edson. The motion carried and Councilor James N. Tallberg, Esq. abstaining.*

**Revocation of Police Officer Certification**

**William L. White – New Haven Police Department**

*Chief Dortenzio, Chair of the Certification Committee, presented the matter of former New Haven Police Department Lieutenant William L. White for Revocation of Police Officer Certification – Felony Convictions. William L. White was indicted by a Federal Grand Jury impaneled in the District of Connecticut and was charged with two counts of Theft of Government Property, 18 USC 641 and 642. On or about October 26, 2007 White entered into a plea agreement with the United States Attorneys Office for the District of Connecticut and pled Guilty to Conspiracy to Commit Theft/Bribery Concerning Programs Receiving Federal Funds, Theft of Government Property and Conspiracy to Commit Federal Bribery. On October 28, 2008, White was sentenced on the felony charges and received a term of imprisonment of*

**38 months. On February 2, 2011, White 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 February 14, 2011. As of March 22, 2011, no correspondence was received from White and he is deemed to have waived his right to a hearing.**

**Chief Dortenzio moved to approve the revocation of William L. White's Connecticut Police Officer certification for his felony convictions on April 28, 2008, seconded by Chief Sweeney. The motion carried.**

**Justen D. Kasperzyk – New Haven Police Department**

**Chief Dortenzio, Chair of the Certification Committee, presented the matter of former New Haven Police Department Detective Justen D. Kasperzyk for Revocation of Police Officer Certification – Felony Convictions. Justen D. Kasperzyk was indicted by a Federal Grand Jury impaneled in the District of Connecticut and was charged with one count – Conspiracy to Violate Civil Rights 18 USC 241 (Felony) and a second count of Theft of Government Property 18 USC 641 (Misdemeanor). Kasperzyk pled guilty to both counts and on May 29, 2008 was sentenced to a term of 12 months imprisonment. On February 2, 2011, Kasperzyk 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 February 3, 2011. As of March 22, 2011, no correspondence was received from White and he is deemed to have waived his right to a hearing.**

**Chief Dortenzio moved to approve the revocation of Justen D. Kasperzyk's Connecticut Police Officer certification for his felony conviction on May 29, 2008, seconded by Chief Fusaro. The motion carried.**

**Jose R. Silva – New Haven Police Department**

**Chief Dortenzio, Chair of the Certification Committee, present the matter of former New Haven Police Department Detective Jose R. Silva for Revocation of Police Officer Certification – Filing a False Report (False Statement 2<sup>nd</sup> Degree). Former Detective Jose R. Silva was charged with several violations of the rules and regulations of the New Haven Police Department including a charge of making false official reports. He was subsequently charged by federal authorities in the District of Connecticut for Deprivation of an Individual's Civil Rights under the Color of Law in violation of 18USC 242(Misdemeanor). On or about October 5, 2007, Silva pled guilty and stipulated to the admission of the aforesaid offenses. On March 17, 2011, Silva was sent a certified letter, return receipt requested indicating the intent of the POST Council to revoke his certification as a police officer, allowing him 15 days to respond in writing to request a hearing. The letter of signed for on March 21, 2011 and he has not responded so it is deemed that Silva has waived his right to a hearing.**

**Chief Dortenzio moved to approve the revocation of Jose R. Silva's Connecticut Police Officer Certification for his former Department's sustained finding of Filing a False Report, seconded by Chief Sweeney. The motion carried.**

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

### **Ruth Kazimierek – Town of Bethlehem (Police Officer position)**

Chief Dortenzio, Chair of the Certification Committee presented the request of Town of Bethlehem First Selectman Jeffrey Hamel on behalf of Ruth Kazimierek for Police Officer recertification under Special Circumstances. On March 4, 2011, the First Selectman offered a lateral entry conditional offer of employment to Ruth Kazimierek, a former Waterbury Police Department Detective. She retired from Waterbury, March 1, 2008 after 19 years of service. She is a former POST certified instructor and is in the process of meeting POST entry level standards. The March 4, 2011 conditional offer of employment is 3 days after her three year absence from the Waterbury Police Department and one day after the last POST Council Meeting on March 3, 2011.

***Chief Dortenzio moved to approve the request of First Selectman Hamel on behalf of Ruth Kazimierek to allow her lateral appointment subject to her successful completion of all entry level standards and sixty hours of mandated review training to validate her 2008 recertification period to expire on June 30, 2011, seconded by Off. Curwen. The motion carried.***

### **Third Request for a Probationary Candidate Medical Extension**

#### **Michael L. Luzzi, Jr. – Orange Police Department**

Chief Dortenzio, Chair of the Certification Committee presented the request of Orange Police Chief Robert Gagne on behalf of Michael L. Luzzi, Jr. for a third extension of Luzzi's Probationary status. Luzzi attended the 327<sup>th</sup> Session of the POST Academy which concluded on March 30, 2010. Luzzi was unable to pass the Cooper Standards physical fitness test at the 50% level standard due to an injury. After graduation, he sustained another injury to his hip which required surgery. Luzzi was approved for a three month extension of Probationary status on Sept. 9, 2010 which expired on January 28, 2011. He was approved for a second extension in January, 2011 which expired on April 28, 2011. Chief Gagne reports that Luzzi has not recovered from surgery and he is requesting a third extension. The Town of Orange has entered into a last chance agreement with Luzzi indicating that if he doesn't return to work by July 11, 2011, he would have to tender his resignation from the Department.

***Chief Dortenzio moved to deny a third probationary candidate medical extension to Michael L. Luzzi, Jr., seconded by Chief Edson.***

Chairman Salvatore opened the issue to discussion. Attorney Carl Secola spoke on behalf of Michael Luzzi and explained the sequence of events leading to this request for a third extension. Atty. Secola indicated that Luzzi's recuperation time after surgery was about six months and that six months period ends about now. Councilor Tallberg indicated that if the Council had the discretion to approve, he would be hard pressed to deny the request at this point. Mr. Luzzi advised the Council that he was working out to pass the physical fitness portion. Off. Curwen spoke and indicated that he was familiar with CIRMA and the processing

of medical issues and thought that the fact the town requested the extension was a positive aspect. Atty. Sarnoski advised the Council that they could in fact extend the probationary period to July 11, 2011. Chief Edson spoke with concern about setting a future precedent. Atty. Sarnoski indicated that it would not be a precedent as each case is taken on its facts. Other Councilors engaged in the discussion. After the discussion:

***Off. Curwen offered an Amendment to the main motion to approve the extension to expire on October 23, 2011, seconded by Councilor Boccaccio. The Amendment motion carried.***

Chief Salvatore then called for a vote on the main motion with the Amendment, that being the extension would be approved until October 23, 2011 and nothing beyond that.

***The motion with the Amendment carried.***

#### **Request for an Extension of Probationary Candidate Status: Extenuating Circumstances**

##### **Caitlin J. Farr – UCONN Department of Public Safety**

Chief Dortenzio, Chair of the Certification Committee presented the request of Chief Robert S. Hudd on behalf of Caitlin J. Farr, UCONN Department of Public Safety. This request is under extenuating circumstances in order for Off. Farr to complete her field training requirement to achieve police officer certification. Originally, Farr entered the 329<sup>th</sup> Basic Training Section which commenced on April 16, 2010. She did not pass the Cooper Standards physical fitness test at the 40<sup>th</sup> percentile but she had executed a pre-certification test verifying that she had attained the 40<sup>th</sup> percentile on April 12, 2010 administered by a UCONN Training Officer. On April 21, 201, she was administered a physical fitness retest which she failed to pass at the 40<sup>th</sup> percentile and she was subsequently dismissed from the 329<sup>th</sup> session. Recruit Farr entered the 330<sup>th</sup> Basic Training Session and graduated on Feb. 9, 2011 but she did not pass a portion of Driver Training and Firearm. She subsequently passed both remedial training sessions but then there was not enough time for her to complete her Field Training Period to be certified within one year from original appointment.

***Chief Dortenzio moved to approve an extension of probationary candidate status to Recruit Caitlin J. Farr, UCONN Department of Public Safety to fulfill her field training obligation to achieve police officer certification by July 15, 2011, seconded by Chief Edson. The motion carried with Chief Hudd abstaining.***

#### **ACCREDITATION COMMITTEE**

##### **Avon Police Department – Tier III Re- Accreditation**

Chief Sweeney, Chairman of the Accreditation Committee presented this recommendation to the Council. The Avon Police Department has submitted under Chapter IV of the State Accreditation Process Book, to become reaccredited in the State program. The Avon Police Department submitted eight standards not found in the CALEA Accreditation Program, as well as the final report of the CALEA on-site assessment of April 2010 per the procedure outlined.

The Avon Police Department was found to be in compliance with all applicable POST Council and CALEA accreditation standards.

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

#### **Guilford Police Department – Reaccreditation – Tier III**

Chief Sweeney, Chairman of the Accreditation Committee presented this recommendation to the Council. The Guilford Police Department has submitted under Chapter IV of the State Accreditation Process Book, to become reaccredited in the State program. The Guilford Police Department submitted eight standards not found in the CALEA Accreditation Program, as well as the final report of the CALEA on-site assessment of December, 2010 per the procedure outlined. The Guilford Police Department was found to be in compliance with all applicable POST Council and CALEA accreditation standards.

***Chief Sweeney moved that the POST Council award Tier III Connecticut State Accreditation to the Guilford Police Department, seconded by Chief Fusaro. The motion carried.***

Chairman Salvatore introduced, recognized and offered congratulations on behalf of the Council to Chief Thomas Terribile of the Guilford Police Department.

#### **Milford Police Department – Tier II Reaccreditation**

Chief Sweeney, Chairman of the Accreditation Committee presented this recommendation to the Council. The Milford Police Department had an on-site assessment April 6, 2011 for Tier II Reaccreditation. The assessment team determined that the agency was in compliance with 207 POST Council Tier II Standards for Reaccreditation.

***Chief Sweeney moved that the POST Council award Tier II Connecticut State Reaccreditation to the Milford Police Department, seconded by Chief Dortenzio. The motion carried with Councilor Tallberg abstaining.***

Chairman Salvatore recognized Deputy Chief Steven Fournier and congratulated him on this award. Chief Fournier introduced Lt. Dan Bothwell and Off. Jim O’Keefe who worked hard to attain this recognition. The Council recognized them all.

#### **Wallingford Police Department – Tier III Accreditation**

Chief Sweeney, Chairman of the Accreditation Committee presented this recommendation to the Council. The Wallingford Police Department had an on-site assessment April 14, 2011 for Tier III Accreditation. The Assessment team determined the Agency to be in compliance with 312 Post Council Tier III Standards for Accreditation.

***Chief Sweeney moved that the POST Council award Tier III Connecticut State Accreditation to the Wallingford Police Department, seconded by Chief Edson. The motion carried with Chief Dortenzio abstaining.***



Chairman Salvatore congratulated Chief Dortenzio on behalf of the Council. Chief Dortenzio introduced Lt. Wright of the Wallingford Police Department and recognized him for his efforts in pursuing accreditation.

### **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.

The Executive Director met with the new Affirmative Action Officer, Andria Chalwell.

Training Officer Konesky and the Executive Director hosted a visit to a Domestic Violence Training Class and tour for Rep. Mae Flexer.

The Executive Director and Field Program Manager/Accreditation Manager Ted LeMay attended the CALEA Conference in Bethesda, Maryland where this Agency was re-accredited as a Public Safety Training Academy.

The Executive Director and Chief Salvatore met with Rep. David Kiner and Enfield constituents about the Enfield Fish and Game Constables.

The Executive Director testified at the Legislature on a Domestic Violence Bill.

Staff and the Executive Director met with representatives of the Dept. of Transportation finalizing a Curriculum for School Crossing Guards.

The Executive Director and staff met with Charter Oak College regarding finalizing credits to be awarded to POSTC Graduates.

The Executive Director attended a Connecticut Law Enforcement Memorial Committee meeting.

The Executive Director also met with DAS regarding a personnel issue.

The Executive Director attended a CPCA Quarterly meeting and hosted a Life Member Meeting of the CPCA at the Academy.

POSTC awarded the 2011 POSTASK Fellowship to Judge John Downey, Presiding Juvenile Justice Judge in New Haven.

The Executive Director attended a meeting of the Northeast Region of IADLEST in Providence, R.I

### **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 March, 2011 to May, 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 April to June, 2011.

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

Ted LeMay reported on the activities of his Office since the last Council Meeting. He written report in included in the Council package and he plans on offering an assessor training class for new assessors on June 8<sup>th</sup>, 2011.

#### **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 and advised that his audit reports and inspection reports were included in the material distributed to the Council.

#### **CORRESPONDENCE**

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

#### **OLD BUSINESS**

There was no old business to come before the Council.

#### **NEW BUSINESS**

There was no new business to come before the Council.

#### **ADJOURNMENT**

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

*The meeting was adjourned at 10:52 A.M.*

*Thomas E. Flaherty*

***Executive Director***