



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

JANUARY 5, 2012

CONNECTICUT POLICE ACADEMY

MERIDEN, CONNECTICUT

Council Members Present: Chief Anthony J. Salvatore, Sr. (Chairman); Mr. Richard P. Boccaccio; Commissioner Reuben Bradford; Mr. Howard Burling, II; Mr. Kurt P. Cavanaugh; Dr. Amy K. Donahue; Chief Douglas L. Dortenzio; First Selectwoman Laura L. Francis; Chief Louis J. Fusaro; Chief State's Attorney Kevin T. Kane; Chief Lisa Maruzo-Bolduc; Special Agent In-Charge Kimberly Mertz; Chief Thomas J. Sweeney; Town Administrator John D. Ward

Other Attendees: Thomas E. Flaherty, Police Academy Administrator; Susan E. Rainville, Director of Field Services; William J. Schultz, Director of Basic Training; Harold T. LeMay, Accreditation Manager; William E. Klein, Certification Manager; Pamela Hayes, Executive Director, CPCA; Janet Ainsworth, DESPP Staff Attorney

Council Members Absent: Chief Christopher J. Edson; Chief Robert S. Hudd; James N. Tallberg, Esq.; Mr. Jack Moshier; Chief Harry W. Rilling

CALL TO ORDER

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

MINUTES

Chief Fusaro moved to approve the minutes of the November 3, 2011, meeting, it was seconded by Commissioner Bradford. The motion carried. Attorney Kane noted that his middle initial was incorrectly noted as an E instead of T. The correction was noted.

CHIEFS/PUBLIC COMMENTS

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

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CERTIFICATION COMMITTEE

Request for Comparative Certification

Dean M. Esserman – New Haven Police Department (Police Chief position)

Chief Dortenzio, Chair of the Certification Committee, presented the request of Mayor DeStefano, City of New Haven, on behalf of Dean Esserman for a certificate of comparative compliance and a full or partial waiver of the requirement of police basic training. Dean Esserman previously attained police officer certification in 1992 while with the New Haven Police Department in the capacity of Assistant Chief. He left one year later, went to work for Metro North for five years, went to Stamford and Rhode Island, and has now come back to New Haven. The staff and Committee have reviewed the staff recommendation which is listed on the second page of the request document. The document lists classes and restrictions which must be in place until such time until certification is successfully achieved. The Committee recommends that the full Council approve the request.

Chief Dortenzio moved to approve the request of Mayor DeStefano, City of New Haven, specifying that Dean M. Esserman be granted comparative certification subject to his successful completion of 10 specific courses, it was seconded by Commissioner Bradford. The motion carried.

Joel W. Brisson – Vernon Police Department (Police Officer position)

Chief Dortenzio, Chair of the Certification Committee, presented the request of Chief James Kenny, Vernon Police Department, on behalf of Joel W. Brisson for a certificate of comparative certification and a full or partial waiver of police basic training. Joel Brisson was previously employed by the White House Police Department and a number of Departments in Tennessee. There is a list of recommended classes that must be taken prior to successful completion of the certification request. Restrictions on his authority are in place on the last page of the document. The Committee recommends the full Council approve the request as stated.

Chief Dortenzio moved to approve the request of Chief Kenny, Vernon Police Department, specifying that Joel W. Brisson be granted comparative certification subject to his successful completion of 20 specific courses and certification/recertification in two areas, it was seconded by Howard Burling, II. The motion carried.

Christine Galgano – Danbury Police Department (Police Officer position)

Chief Dortenzio, Chair of the Certification Committee, presented the request of Chief Alan Baker, Danbury Police Department, on behalf of Christine Galgano for a certificate of comparative compliance and a full or partial waiver of police basic training. Christine Galgano was formerly with the State University of New York at Purchase as a University Police Officer. She also attended the Westchester County Basic Training Program in 2008, and successfully completed that program. The Certification Committee recommends that the full Council approve the request subject to the successful completion of the classes listed in the request document, and that the restrictions listed in the document remain in place until such time as the certification is achieved.

Chief Dortenzio moved to approve the request of Chief Baker, Danbury Police Department, specifying that Christine Galgano be granted comparative certification subject to her successful completion of 20 specific courses and certification/recertification in two areas, it was seconded by Chief Sweeney. The motion carried.

Sean C. Sullivan – Norwich Police Department (Police Officer position)

Chief Dortenzio, Chair of the Certification Committee, presented the request of Chief Louis Fusaro, Norwich Police Department, on behalf of Sean C. Sullivan for a certificate of comparative certification and a full or partial waiver of police basic training. Sean Sullivan has been a police officer in approximately 4

or 5 different Police Departments around the United States. His spouse is in the Military and frequently transferred. The Committee has reviewed the materials presented and recommends the full Council adopt the staff recommendation that Mr. Sullivan complete the classes listed in the request document and the restrictions listed in the document remain in place until such time as the certification is achieved.

Chief Dortenzio moved to approve the request of Chief Fusaro, Norwich Police Department, specifying that Sean C. Sullivan be granted comparative certification subject to his successful completion of 20 specific courses and certification/recertification in two areas, it was seconded by Attorney Kane. The motion carried. Chief Fusaro abstained.

INFORMATION ITEMS

EXECUTIVE DIRECTOR'S REPORT

Chief Flaherty reported that Commissioner Bradford had listened to the concerns of the Council and the Connecticut Police Chief's Association regarding tuition and the effective date, and the fact that the DESPP budget would be short about \$900,000 this year. He met with OPM and presented all the issues and concerns on the tuition issue. The Commissioner had to come up with the funds to rectify the budget shortfall within the Agency's (DESPP) budget and did so. As a result of that a copy of a letter from the Commissioner was distributed to Council members in their day packs advising that the POST tuition will go into effect July 1, 2012, to give Chiefs time to plan appropriations in their budgets to cover the tuition costs. A General Notice will be sent out to all departments and all training officers. Chief Flaherty thanked the Commissioner on behalf of POST, the Council and CPCA for all his efforts. The Commissioner conveyed his vision of his Agency which is to keep the State Police and POST unique and separate. However, he would like to see more collaboration and utilization between staffs to operate more like a business. He believes there could be cost savings in that regard, specifically with the use of instructors. Chairman Salvatore also commended the Commissioner on his efforts in working with the tuition issue.

Chief Flaherty has been attending the Commissioner's Executive Staff meetings. He also attended a working group meeting convened by the US Attorney regarding tasers. It was an information gathering session. Steve Sarnoski from the Attorney General's Office attended as well as others. In conjunction with that, Chief Fuchs and Chief Flaherty prepared a survey that was sent to all Police Departments in the State with questions about taser policies, equipment and training. The survey was strictly information gathering as instructed by the US Attorney. Chief Flaherty attended three meetings of the eye witness, ID task force with Attorney Kane. Recommended legislation is being finalized. It should be ready for review by next week. He attended a meeting on violence against women at OPM. Grant money is available, and they are looking into rewriting the Criminal Investigation Manual that was generated in the late 90's. The Chief also attended the Law Enforcement Memorial Foundation meeting and the CPCA winter meeting. The Chief has been meeting with Attorneys Janet Ainsworth and Steve Sarnoski on the regulation revision which Janet will give a report on at this meeting.

Chief Flaherty hosted several tours recently. One was for 2 interns from the Department of Emergency Services and Public Protection, one for Senator Kissel, one for Chief Esserman from New Haven and another for Detective Arturo Mendez from the Counter Terrorism Task Force Division of the New York City Police Department. Detective Mendez is helping to arrange no cost training, train the trainer here in a program called, INCOP, information gathering by police on patrol. It is a train the trainer offered by the Oklahoma City Anti-terrorism Foundation.

The General Notice was issued on the Missing Persons Policy on November 29, 2011. POSTC staff and students participated in the annual Care 'n Share Food Drive.

Mr. Burling asked the Council if there were any concerns amongst the Police Chiefs about the use of tasers. Chief Dortenzio responded by pointing out there is established policy and established law on the use of force, and therefore, the device must be used in conjunction with restraining education of use and

law. It cannot be subjected to misuse. If it is, the agency takes the appropriate response, and the use of force must be reviewed.

DIRECTORS' REPORTS

Basic Training Division

Basic Training Director William Schultz reported that currently there are two classes progressing through the academy, Classes 334 and 335. Class 334 began in August with 41 recruits, and it remains with 41 recruits. Class 335 began October 7 with 29 recruits, and it remains with 29 recruits. Class 334 will graduate on January 25, 2012. Class 335 will graduate in mid-March 2012. The next training session will be Class 336. It is scheduled to begin January 27, 2012, with a graduation date in mid-July 2012. The Commissioner added that a State Police training class is scheduled to begin in late May with approximately 80 recruits. Chief Dortenzio asked about the next training class for POST, Class 337. That will be the first POST class that will be tuition based. He asked if there is a process in place as to how the tuition will be implemented or billed. Chief Flaherty stated that the procedures have not been finalized yet. Chief Flaherty and Mrs. Rainville will be meeting with the Chief Fiscal Officer at DESPP in two weeks to begin working out the details of that plan. When it is finalized, a General Notice will be issued with an explanation of how it should be implemented.

In Service Training Division

In Service Training Director Susan Rainville had distributed copies of the In Service Training report dated December 14, 2011, for the period of November 2011 through December 2011. She highlighted some of the items on the report. An Interview & Interrogation class was held for 3 days in the auditorium for 121 attendees. A First Line Supervision and Critical Incident Management class was held for 7 ½ days and had 27 attendees. A two day program was offered by local officers of the Glastonbury and State Capitol and New Britain Police on Computer Crime and Internet Tools with 75 attendees. Mrs. Rainville had also distributed copies of the training calendar from January 2012 through March 2012. It is a mixture of contract cost classes and no-cost classes. In terms of tuition, the no cost classes will be no charge and ongoing. These classes will not be affected by the tuition charges that are planned in July. She noted that her office will need to clarify that these classes are no cost classes and not affected by the tuition charges. Mrs. Rainville highlighted some of the courses offered on the calendar. There is an FTO Train the Trainer session in February. It is anticipated there may be approximately 25 attendees for that class. Crime scene courses will also be held and broken down into basic, intermediate and advanced levels. Also offered in three levels will be crash/accident investigations. It is hoped people will take advantage of as much no cost training as possible between January and June. The US Attorney's Office has contacted POSTC to do an ADA training course. DOT has come forward to offer classes on DWI instructor-drug recognition expert. Additional training at the range is also being planned.

ACCREDITATION MANAGER'S REPORT

Accreditation Manger Ted LeMay had distributed his report in the packets that were mailed to the members. He corrected the information on the Training Class scheduled for January 17. There are now 34 attendees scheduled representing 22 departments. Several departments are new to the process. Mr. LeMay also reported that he will be participating in a meeting of CIRMA in Guildford which will discuss police liability issues. They will also be involved in setting rates for agencies involved with CARMA for their liability insurance. It was noted by Chief Sweeney that due to upcoming changes to the Council membership, the Accreditation Committee membership will also be affected. The information was noted by the Chairman.

COMPLIANCE OFFICER'S REPORT

Compliance Officer William Klein began by addressing Mr. Burling's concerns about taser usage. He assured Mr. Burling and other Council members that as the Compliance Officer/Certification Officer, one of his responsibilities for POSTC is to certify law enforcement instructors in the high risk/high liability

hearings, one of which is taser. He screens the applications very carefully and makes sure the taser certifications are valid before he issues a POST law enforcement instructor certification. He makes sure that they are current with the manufacturer's certificate. Tasers, batons, firearms etc. are all scrutinized very carefully in comparison to other areas of law enforcement instruction.

Mr. Klein reported that applications have been received for satellite academies in New Haven, Hartford, Milford and Bridgeport. Milford is planning approximately 45 – 50, Bridgeport approximately 30, Hartford's current class will graduate next Friday and another application will follow for another 30. New Haven, Hartford and Bridgeport will be using COPS grant money. Since the last meeting Mr. Klein only processed three lateral police officer certifications.

CORRESPONDENCE

Amongst other material in the Council day packs, there was a copy of a letter to the Governor from Chief Sweeney regarding his retirement. Chairman Salvatore commended Chief Sweeney on his years of service to the Council, and specifically his membership on the Council's Accreditation Committee.

OLD BUSINESS

REPORT ON STATUS OF REGULATION CHANGES

The Chairman introduced Attorney Janet Ainsworth who has been working with Attorney Steve Sarnoski on the POSTC regulation changes. She explained there were two issues that were the purpose for the regulation changes. The first being the Statutory change eliminating the two year rule for lateral certifications. The other was the fitness testing due to the lack of a statewide standard. After reviewing existing regulations some additional technical and clarifying changes were made. There were some obsolete statutory references to the Freedom of Information Act. Also there were certain legislative Commissioner's Office attorney reviewer conventions that are required in regulations. One is that Statutes are not restated, they are referred to. That way if a Statute changes, it is not necessary to go back into the regulation and change it to conform to the Statute. The referral will make that change automatically. Regarding existing practices that were not recognized in the regulation, Section 2B was repurposed from the review of a lateral to the review of someone who is lapsed because that language was already there. Connecticut was added to the definition of lateral certification to make it clear in going from one unit in Connecticut to another because of subsection 3 from the existing language in 2A. There were some changes in Town Municipalities to a broader definition.

Attorney Ainsworth explained the process for changing a regulation. The process takes up to one year. It has to be filed first with the Governor and OPM. There has to be a fiscal note prepared which Attorney Ainsworth will work on with staff. Once it goes to the Governor and OPM, it could be held up there from 3 to 6 months. Once it is approved, it can be scheduled for a public hearing. It is an approximate 6 week process because the notice needs to be published in the law journal. It will then be 30 days from the date of that publication. The hearing is conducted, comments are reviewed and a determination is made whether or not to change the document. The reasons for any changes need to be stated, and it becomes part of the filing. The final draft after that process is submitted to the Attorney General's Office. It is reviewed for its efficiency. It is then sent to the Legislative Regulation Review Committee which will take it under consideration. It will be filed the following month. Attorney Ainsworth stated that it is typical for regulations submitted to that committee to have at least two submissions before approval because the LCL reviewers have their own rules, some are published and some are not. Rewrites are not allowed unless they recommend rejection, which they will do. Therefore, Attorney Ainsworth adds an additional two months to every regulation in anticipation of any rewriting that might be necessary. There was some discussion regarding standards of out of state candidates. There were concerns regarding the time frame involved for the whole process to be completed.

Chief Fusaro moved to accept the regulation changes to be forwarded to the Commissioner with the recommendation that the process move forward, it was seconded by Chief Maruzo-Bolduc. The motion carried. Chief Dortenzio was opposed.

NEW BUSINESS

CONSIDERATION OF ADJUSTED TIMES FOR THE COOPER STANDARDS RUN

Chief Flaherty referred to the last page of the packages that were mailed to the members regarding the suggested revised Cooper's Standards Adjusted times for the 1 ½ mile run at 40% and 50%. Gary Fredericks, the Fitness Training Coordinator discovered that Cooper had revised the recommended standards in 2009. Chief Flaherty discussed this with Val Lubens and recommended that the Council accordingly adopt the adjusted times. If the Council chooses to do that, a General Notice will be issued to all Departments that employ the Cooper Standards. The adjusted times are more favorable slightly to the candidates at the 40% range.

Chief Fusaro moved to adopt the adjusted times for the Coopers Standards Run, it was seconded by Chief Dortenzio. The motion carried.

ADJOURNMENT

A motion was made by Mr. Boccaccio to adjourn the meeting, it was seconded by Mr. Burling. The motion carried.

The meeting was adjourned at 10:20 AM.

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