



DEPARTMENT OF EMERGENCY SERVICES & PUBLIC PROTECTION

POLICE OFFICER STANDARDS & TRAINING

March 28, 2025

Re: Petition for Declaratory Ruling submitted by Charles DellaRocco, State Animal Control Officer at the Connecticut Department of Agriculture, dated February 12, 2025

RECOMMENDATION TO DECLINE REQUEST FOR DECLARATORY RULING

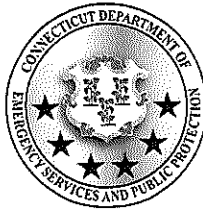
On February 20, 2025, the Police Officer and Standards Training Council (POSTC or Council), received the above-referenced petition (Petition) “seeking a declaratory ruling regarding the status of State Animal Control Officer[s] as police officers and their unit as a law enforcement unit as defined by CGS 7-294d(f).” Petition, Section II. The Petitioner posits that State Animal Control Officers (SACOs) are “police officers” and their unit is a “law enforcement unit” as defined in Conn. Gen. Stat. § 7-294a, such that SACOs should be POSTC certified. See Petition, Section III.

The Office of the Attorney General (OAG) previously addressed the applicability of POSTC training and certification requirements. See Opinions, Conn. Atty. Gen. 93-028 (Dec. 28, 1993) and Conn. Atty. Gen. 2013-006 (Oct. 17, 2013). In Formal Opinion 93-028, the Attorney General reviewed multiple officer classifications and found that some persons who performed police functions were exempt from POSTC certification because their governing statutes imposed independent training requirements. See Opinions, Conn. Atty. Gen. 93-028. OAG reaffirmed this position in Formal Opinion 2013-006, making it explicit that the threshold question is whether a specific statute imposes its own training requirement:

“If the specific governing statute did not address training, the 1993 Opinion concluded that the officers in question were subject to POSTC training and certification requirements. By contrast, if the specific governing statute did impose a training requirement different from that provided by §7-294d, the 1993 Opinion concluded, following the rule of statutory interpretation that specific statutory language controls over general, that the officers in question were not subject to POSTC training and certification.” See Opinions, Conn. Atty. Gen. No. 2013-006 (October 17, 2013), p.2.

Formal Opinion 2013-006 did not repudiate this framework. Conn. Gen. Stat. § 22-328(d) states “*the commissioner*¹ shall prescribe the standards and curriculum for a training program for persons interested in serving in the position of animal control officer or appointed on or after July 1, 2012, to such position.” (Emphasis added; footnote added). Statutorily, the Commissioner of Agriculture is solely responsible for establishing the training program for State Animal Control Officers (SACOs). Accordingly, under the

¹ Here, Commissioner is defined as the “Commissioner of Agriculture” Conn. Gen. Stat. § 22-327(4).



DEPARTMENT OF EMERGENCY SERVICES & PUBLIC PROTECTION POLICE OFFICER STANDARDS & TRAINING

reasoning set forth by the OAG, SACOs are not subject to the training and certification requirements of Conn. Gen. Stat. § 7-294d, regardless of whether they fall within the definition of "police officer" and their employment unit qualifies as a "law enforcement unit."

Since a determination as to whether SACOs are "police officers" and their unit is a "law enforcement unit" would not change the fact that SACOs are not subject to POSTC training and certification requirements, the undersigned recommends that the Council, in accordance with Conn. Gen. Stat. § 4-176(e)(5), decline to issue a declaratory ruling.

POSTC will consider this matter at a Special Meeting on a date to be determined. Parties will receive notice of the date for the Special Meeting.

SO ORDERED. Dated at Meriden, CT, this 28th day of March 2025.

Police Officer Standards and Training Council (POSTC)

By: _____

Karen Boisvert

Academy Administrator

cc: Charles DellaRocco
Carole Briggs, Esq. (carole.briggs@ct.gov)