



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

May 8, 2014

CONNECTICUT POLICE ACADEMY

MERIDEN, CONNECTICUT

Council Member Present: Chairman-Chief Anthony J. Salvatore, Sr.; Garvin Ambrose; Justice David Borden; Officer William Brevard, II; Kurt P. Cavanaugh; Chief John Daly; Dr. Amy K. Donahue; Chief Dean M. Esserman; Town Administrator Michael Freda; Special Agent in Charge, F.B.I. Rhonda Glover; Chief Ronnell Higgins; Chief State's Attorney Kevin T. Kane; Chief Duane Lovello; Chief Michael Maniago; Chief Keith Mello; Commissioner Dora B. Schiro, DESPP and James N. Tallberg, Esq.

Other Attendees: Police Academy Administrator Thomas E. Flaherty; Captain Calvello, Bristol Police Department; Mr. Andrew Clark; Captain Brian Gould, Bristol Police Department; Chief Thomas Grimaldi, Bristol Police Department; Certification/Compliance Officer William Klein; Mr. Ted LeMay; Director of Field Services Susan E. Rainville; Assistant Attorney General Stephen R. Sarnoski; Director of Basic Training William J. Schultz; and Assistant Attorney General DeAnn Varunes.

Council Members Absent: Howard L. Burling; First Selectman Lawrence K. Groh; Chief Lisa Maruzo-Bolduc.

CALL TO ORDER

Chief Anthony Salvatore, Sr. Chairman, called the meeting to order at 9:30 AM. He welcomed Commissioner Schiro to the Council Meeting.

At the request of Chairman-Chief Salvatore, Chief Daly moved to make an adjustment on the agenda moving Old Business #1 Mr. Ken Barone to the front of the agenda, Chief Lovello seconded. The motion carried.

OLD BUSINESS

Mr. Ken Barone from the Institute for Municipal and Regional Policy, Central Connecticut State University addressed the council regarding the "Fair and Impartial Policing" model policy. Mr. Barone reviewed the policy and gave the council the opportunity to ask questions regarding the policy. Mr. Barone asked the Council to reconsider their November 2013 decision: Not to endorse the policy. Dr. Donahue asked if any changes have been made to the model policy and Mr. Barone stated that there were no changes made.

At the request of Chairman-Chief Salvatore, Mr. Cavanaugh motioned to move Accreditation to the second item on the agenda. Mr. Freda seconded. The motion carried.

ACCREDITATION COMMITTEE

1. Bristol Police Department – Tier I State Accreditation

Chief Lovello, Chair of the Accreditation Committee reported that the Bristol Police Department under the command of Chief Thomas R. Grimaldi has 121 sworn officers and 22 civilian employees. They have applied for Tier 1 Accreditation and in April 2014 they did undergo the onsite assessment.

Chief Lovello moved that the POST Council award Tier 1 State Accreditation to the Bristol Police Department. Justice Borden seconded. The motion carried.

Chief Grimaldi thanked the Council, his Department, Captain Calvello who spearheaded the project and Ted LeMay for his guidance and support. Ted LeMay stated that Wallingford will have an On Site Assessment on May 21, 2014.

MINUTES OF THE MARCH 6, 2014 MEETING

Justice Borden moved to approve the minutes of the March 6, 2014 meeting as submitted, seconded by Lovello. The motion carried.

CHIEFS/PUBLIC COMMENTS

Chairman Chief Salvatore commented that Pamela Hayes of the Connecticut Police Chiefs Association couldn't be at the meeting today because she is in Washington D.C. where her son

is being promoted from Special Forces LT. Cornel to Cornel. On behalf of the Council Chief Salvatore congratulates Pamela and her family on her son's promotion.

CERTIFICATION COMMITTEE

Request for Comparative Certification

1. Jesse Nivolo - Western CT State University Police Department - Police Officer Position

Mr. Cavanaugh, Chairman of the Certification Committee, stated that Mr. Nivolo was appointed to the position of Police Officer with Western CT State University Police Department and pending the council's permission is seated in POST Council's Basic Recruit Academy Session #345. If approved, Acting Chief Connor will remove Mr. Nivolo from session #345 and begin required comparative certification training. Mr. Nivolo was employed as a Police Officer Recruit with the Simsbury Police Department in 2008 and completed Basic Training session #335 in 2009. He resigned from Simsbury Police Department in June 2009 in good standing and in October of 2009 became a federal Park Ranger Level 2 Commission where he remained until October 2011. In March of 2012 he joined the Town of New Marlborough and Town of Granville Massachusetts Police Department as a part-time officer. He successfully completed Basic training at the Western Massachusetts Reserve/Intermittent Police Academy in February 2012. Mr. Nivolo remained in those departments until he was hired by the WCSU Police Department. Acting Chief Conner requested a Certificate of Comparative Certification on behalf of Probationary Officer Jesse Nivolo.

Mr. Cavanaugh moved to grant comparative certification to Probationary Officer Nivolo subject to State of Connecticut certification/recertification in NCIC/COLLECT, Intoxilyzer and the satisfactory completion of police officer training in 19 separate topics, and must complete the Cooper Standards physical fitness test at the 50th percentile administered by POST staff only prior to commencing his comparative certification training, seconded by Mr. Freda and Chief Higgins. The motion carried.

2. Ryan Delage – University of Connecticut Police Department -Part Time Police Officer Position

Mr. Cavanaugh, Chairman of the Certification Committee, stated that Mr. Delage received a conditional offer of hire with a prospective appointment date of April 18, 2014 with the UCONN Police Department. He has completed all entry-level standards except for Cooper Standards Physical Fitness test. Currently Probationary Officer Delage serves as a Police Officer with the New Your City Police Department has been there for the past twenty-one months. He graduated from the New York City Police Academy in

December 2012 and was assigned to community service policing in a city precinct. Chief Barbara O'Connor of the University of Connecticut Police Department requested a Certificate of Comparative Certification on behalf of Ryan Delage.

Mr. Cavanaugh moved to grant comparative certification to Probationary Officer Delage subject to State of Connecticut certification/recertification in NCIC/COLLECT, Intoxilyzer and the satisfactory completion of police officer training in 19 separate topics, seconded by Chief Maniago and Chief Mello. The motion carried. Dr. Donahue abstained.

3. Ryan N. Soccio – University of Connecticut Police Department – Police Officer Position

Mr. Cavanaugh, Chairman of the Certification Committee, stated that Ryan Soccio was given a conditional offer of hire as a Police Officer with a prospective hire date of April 21, 2014. He has completed all entry-level standards with the exception of the Cooper Standards physical fitness test. Mr. Soccio has served as a Police Officer with the George Mason University Police Department for the past twenty-three months. He graduated from the Northern Virginia Criminal Justice Training Academy with 800 hours of curriculum study. He was certified as a Police Officer on March 28, 2012 by the Commonwealth of Virginia Department of Criminal Justice Services. Chief Barbara O'Connor requested a Certificate of Comparative Certification on behalf of Ryan N. Soccio.

Mr. Cavanaugh moved to grant comparative certification to Probationary Officer Soccio subject to State of Connecticut certification/recertification in NCIC/COLLECT, Intoxilyzer and successful completion of police officer training in 19 separate topics, seconded by Justice Borden. The motion carried. Dr. Donahue abstained.

Revocation of Connecticut Police Officer Certifications

1. John Miller – East Haven Police Department (Felony Conviction)

Mr. Cavanaugh, Chairman of the Certification Committee, stated that Mr. Miller was certified by this body as a police officer on September 26, 1999. On or about January 18, 2012 while a member of the East Haven Police Department Sergeant Miller was indicted by a Federal Grand Jury impaneled in the District of Connecticut for Conspiracy Against Rights, in violation of 18 USC 241 and Deprivation of Rights/Using Unreasonable Force, in violation of 18 USC 242. Both charges are classified as Federal felonies. At the time of his arrest, Miller was a POSTC-certified Law Enforcement Instructor #2787. On

February 28, 2014 certification staff sent certified mail, a Notice of Intent of Revocation of Certification POST ID #8222 and Law Enforcement Instructor Certification ID #2787 for violation of Section 7-294d (2)(D)CGS. Miller had not responded to the letter so it is deemed he has waived his right to a hearing. The certification committee recommends the Council to approve the revocation of John Millers CT POST ID #8222 and Law Enforcement Instructor ID #2787.

Mr. Cavanaugh moved to approve the recommendation of the Certification Committee for the revocation of Officer Miller's Police Officer Certifications effective immediately after having been convicted of a felony crime of Deprivation of Rights/Use of Unreasonable Force, in violation of Section 7-294d (2)(D), Connecticut General Statutes, seconded by Chief Lovello. The motion carried.

2. Michael D'Amato – East Haven Police Department (Felony Convictions)

Mr. Cavanaugh, Chairman of the Certification Committee, stated that Michael D'Amato was certified by this body as a police officer on May 26, 1987. On May 10, 2012 while a retired Detective with the East Haven Police Department, D'Amato was arrested by the Connecticut State Police for Larceny in the 2nd Degree 53a-123 and Tampering with Evidence 53a-155 both are classified as felonies. D'Amato maintained his innocence and elected a jury trial. On February 3, 2014 D'Amato was convicted by a petit jury in New Haven Superior Court on both felony charges and on March 28, 2014 received an 18-month sentence. Certification staff sent certified mail, a Notice of Intent of Revocation of Certification. The letter was sent to D'Amato home address, and informed him of his due process rights. He had 15 calendar days to respond or it would be deemed that his right would be waived if not heard from. As of April 22, 2012 D'Amato had not responded to the letter. The certification committee recommends the Council to approve the revocation of Micheal D'Amato's Connecticut Police Officer Certification POST ID #6226.

Mr. Cavanaugh moved to approve the recommendation of the Certification Committee for the revocation of D'Amato's Police Officer Certification effective immediately after having been convicted of two (2) felony crimes, in violation of Section 7-294d (2)(D), Connecticut General Statutes, seconded by Chief Maniago. Mr. Ambrose asked if D'Amato was incarcerated at the time the notice was sent. Mr. Klein responded that D'Amato was not incarcerated at the time the certified notice was sent and signed for. The motion carried.

3. Robert Liquindoli – Waterbury Police Department (Felony Convictions)

Mr. Cavanaugh, Chairman of the Certification Committee, stated that Robert Linquindoli was certified by this body as a police officer on July 29, 2001. On December 7, 2012 while a Detective with the Waterbury Police Department Linquindoli was arrested by the federal authorities for Obstruction of the Administration of the IRS Code and 3 counts of Lying to Federal Agents concerning false income tax documents. Both are classified as

federal felony crimes. On April 18, 2013, Linquindoli was terminated by the Waterbury Police Department. On November 30, 2013 Linquindoli pled guilty to Obstruction of the Administration of IRS Code, in violation of 26 USC 7212. On March 6, 2014 Linquindoli was sentenced to prison term of 72 months in the District of Connecticut. On March 10, 2014 Certification staff sent certified mail, a Notice of Intent of Revocation of Certification for violation of Section 7-294d (2) (D). As of April 22, 2014 Linquindoli had not responded to the letter. The certification committee recommends the Council to approve the revocation of Robert Linquindoli's Connecticut Police Officer Certification POST ID #11062.

Mr. Cavanaugh moved to approve the recommendation of the Certification Committee for the revocation of Linquindoli's Police Officer Certification effective immediately after having been convicted of a felony crime, in violation of Section 7-294d (2)(D), Connecticut General Statutes, seconded by Chief Higgins. The motion carried. Commissioner Schriro asked if Linquindoli was incarcerated at the time the certified letter was sent out. Mr. Klein responded that he was not incarcerated at the time the letter was sent and signed for. The motion carried.

Request to Extend the One-Year Probationary Candidate Status:

1. Robert B. Zeidenberg- Madison Police Department (3rd request)

Mr. Cavanaugh, Chairman of the Certification Committee, stated that Robert B. Zeidenberg attended the POSTC Basic Training Academy Session #338 on July 13, 2012 and during the physical fitness portion of training, Zeidenberg injured his knee. On June 13, 2013 membership of the Council granted him an extension of his probationary candidate status for a period not to exceed September 30, 2013. On November 21, 2013 the same body granted a second extension for a period not to exceed April 1, 2014. On March 11, 2014 Chief Drumm filed a third request for extension stating that Officer's Zeidenberg's doctor has not given him permission to resume full duty or the physical fitness training that is required to become completely certified. The Certification Committee recommends Council approves a third extension of the one-year probationary candidate status to Probationary Officer Robert Zeidenberg, to complete his Cooper Standards physical fitness test at the 50th percentile and obstacle course to be administered by POSTC staff, for a period not to exceed November 1, 2014.

Mr. Cavanaugh moved to approve the recommendation of the Certification Committee to grant a third extension of probationary candidate status to Probationary Officer Robert B. Zeidenberg to complete his Cooper Standards physical fitness test at the 50th percentile and obstacle course for a period not to exceed November 1, 2014, seconded by Chief Daly. The motion carried.

Application to Commence a Basic Police Recruit Training Academy

1. Hartford Police Academy- Hartford Police Department

Chief James C. Rovella of the Hartford Police Department has requested to conduct a Basic Police Recruit Training Academy at the Hartford Police Academy for approximately forty eight recruits beginning on or about July 14, 2014 with recruits from Hartford as well as other local police departments. The Certification Committee recommends the council approve the application with the conditions listed in the document presented to the Council.

Mr. Cavanaugh moved to accept the Hartford Police Department's application for a Basic Training Police Academy with the eleven conditions as noted in the document presented to the Council. Chief Mello seconded the motion. The motion carried.

INFORMATION ITEMS

1. Executive Director's Report

The Police Academy Administrator reported to the Council on Agency activities since the last Council meeting:

The Administrator attended the Eye Witness ID Task Force and Data Collect subcommittee meetings. The Task force is running a Symposium on May 15th for Public Defenders and State's Attorneys. Jennifer Thompson is one of the Key note Speakers. The Administrator met with Bob O'Brien from the Forensic Lab to discuss mutual efforts in Forensics Science training for police officers; attended two CCADV Law Enforcement Advisory Committee meetings; and attended the Police Commissioner of CT awards ceremony. The Administrator and Bill Schultz met with Bob Cody from Facilities about maintenance and repairs needed on the property and at Wilcox. POSTC hosted the Governor's "Finding Words" Program coordinated by State's Attorney Steve Sadinski. The Academy Administrator reported that there was two CT Law Enforcement Memorial Foundation meetings and the Annual Police Memorial Service will take place on May 22, at 11:00 am. He attended the CTIC board of directors meeting, the DUI Task Force Meeting, and the North East Regional meeting and training session of IADLEST. Family night is scheduled for May 14th. Currently POSTC is providing School Security Training for the unarmed school security officers. Over the summer POSTC will have a 3 day program for armed school security officers. Chairman, Chief Salvatore Jr. asked if POSTC received funding for School Security Training. The administrator reported that no funding was received.

2. Directors Reports

- a. **Basic Training** – Director Schultz reported to the Council on Basic Training Division activities and reviewed his written report which was distributed in the Council agenda. Director Schultz noted that the graduation scheduled for June 18th 2014 will be held at Mercy High school in Middletown, instead of Central CT State University.
- b. **Field Services** – Director Rainville briefed the Council on activities of the Field Services Division and reviewed her written reports in the Council Agenda pointing out high lights of popular classes and upcoming scheduled training sessions.

3. Accreditation Manager's Report

No report; the position has not been refilled.

4. Compliance Officer's Report

Mr. Klein advised the Council that his audit and inspection reports were included in the Council's agenda packet. Mr. Klein noted that as of June 2014 there will be a total of five simultaneous Satellite Academy's running.

5. Correspondence

NEW BUSINESS

1. Discussion –Training Requirements for Comparative Certification Candidates

Mr. Cavanaugh, Chairman of the Certification Committee began the discussion by suggesting that the Council consider a policy change to delegate to the Compliance Officer the authority to approve comparative certification candidate's attendance at required training prior to final approval by the full Council at regularly scheduled meetings, especially during the summer months when the Council does not meet. Discussion by Council members followed: The following points were made by various members in attendance: Many municipalities do their hiring of comparative certification officers during the summer months at the beginning of the fiscal year when

the Council does not meet. There was concern voiced that if the Council approved this suggestion for the summer months, there would be no reason that it shouldn't be done like that all the time. During the discussion, it was pointed out that candidates would be allowed to begin their training prior to Council authority to do so. It was also noted that this training might begin after all Council Entry Level Standards had been met. After several points were made, the Council recognized the potential hardship to an agency having to wait until the annual September meeting to engage in hiring. Chief Salvatore was opposed to delegating this pre-emptive authority to the Compliance Officer, pointing out that granting comparative certification was a Council power and should not be delegated prior to Council approval for the purpose of beginning training.

Upon conclusion of the discussion, the Police Academy Administrator was directed to; based on the consensus of the Council, if the need arises, schedule a Special Council Meeting in late July or early August to deal with requests for comparative certification to accommodate those agencies that have a need.

2. Discussion- NCIC/COLLECT Certification Issues

The Academy Administrator advised the Council of an issue that was identified recently when a local Chief of Police contacted the Academy to refer a situation in which a Sergeant had misused the NCIC/COLLECT system and had his certification permanently revoked. It was explained to the Chief that the Council did not have the authority to de-certify a police officer for misuse or abuse of access to NCIC/COLLECT and given that there was termination hearing planned locally, the Chief was referred to Joan Hilliard from the NCIC/COLLECT unit. Joan Hilliard testified at such a hearing, but the sergeant was not terminated. The Chief's dilemma was what to do with his employee whose access was prevented.

It was noted that problems arise when Chief's terminate personnel who have their NCIC/COLLECT certification revoked and then the Labor Board sends them back to work without the ability to perform the functions of a police officer. Assistant Attorney General Stephen Sarnoski participated in the discussion regarding several options that might be considered by the Council. Part of the discussion centered on whether loss of NCIC/COLLECT certification would preclude an officer from even listening to a police radio that transmitted information from the system.

Several options were discussed including the possibility of proposing legislation for the next session of the Legislature to give the Council the power to de-certify an officer as a

police officer, once their NCIC/COLLECT certification was revoked. Chief Salvatore reported that if this was the Council's option, recommendations should be made to Commissioner Schriro's Office.

Mr. Klein pointed out that some departments do elect to charge their officer's with Computer Crime in the 3rd degree which is a felony. He added that if an officer is convicted of that statute, then the Council can decertify. It is up to the departments to determine if they chose to place criminal charges against their officers. The point was also made that our Review Training period is on a three year cycle but the FBI requires recertification in NCIC/COLLECT every two years. It was suggested that NCIC/COLLECT recertification become a requirement for POST recertification and that this suggestion should be forwarded to the Curriculum Committee to explore whether this is a solution.

Discussion also revolved around the fact that currently there is no Due Process in place, once a decision is made to revoke a person's NCIC/COLLECT certification.

Consensus was that the CSO for NCIC/COLLECT should be queried for clarification as to whether or not simply listening to police radio transmissions constitute access for the purposes of certification or is access limited to working in the Dispatch Center or present in the Communications Center.

The Council would like this issue referred to the Curriculum Committee to discuss whether this certification should be part of the 60 hour review training period as required and if a person loses their NCIC certification, can they be recertified as a police officer.

Mr. Kane reported that this issue will be addressed at the next Legal Update.

3. New Legislation

Chief Salvatore began a discussion regarding Legislation that was passed that affects law enforcement agencies. Chairman Chief Salvatore asked Chief Flaherty to reach out to Scott Devico our legislative liaison and compile a list of bills that specifically affect POSTC and law enforcement agencies.

Specifically POSTC was given the authority to go back to Electronic Control Devices and make our policy mandatory and in addition we are required to develop a form that will be used statewide each time a device is used. There are also other requirements that

Law Enforcement agencies will have to comply with. Chief Salvatore asked Chief Lovello to work on this issue.

The second piece of legislation which affects POSTC: "Citizens Complaints" which POSTC has been directed to write a mandatory policy addressing citizens' complaints. And Departments will have to adopt that policy. After Chief Flaherty speaks with Scott Devico we will get a committee together and start working on developing a policy.

Armed school security bill passed that may affect POSTC in the future.

Mr. Kevin Kane spoke about some of the bills that were passed in the Legislative session that are related to Law Enforcement, including Search Warrants for locating a GPS on a car.

The topic of the Model Policy was brought up and discussion ensued. The letter that was sent out to Ken Barone explaining POSTC's position regarding endorsing the policy will be sent electronically to members who requested it.

Motion made to adjourn by Daly and seconded by several Council members. The motion carried. Meeting adjourned at 11:05 AM.

A handwritten signature in black ink, appearing to read "Thomas E. Flaherty". The signature is fluid and cursive, with the first name being the most prominent.

Thomas E. Flaherty

Police Academy Administrator