

Commission Meeting Number 321

State of New Jersey Department of Law and Public Safety
Division of Criminal Justice

POLICE TRAINING COMMISSION

Minutes of Commission Meeting

February 5, 2018

Location: Richard J. Hughes Justice Complex, 4th Floor Conference Center

Commission Members Present

<u>Organization</u>	<u>Attendee(s)/Representative(s)</u>
Attorney General, State of New Jersey	John F. Cunningham
New Jersey State Policemen's Benevolent Association	Kevin Lyons
Citizen--Governor's Appointment	Vacant
Citizen--Governor's Appointment	Margaret Freeman
New Jersey State Association of Chiefs of Police	James Abbott
New Jersey League of Municipalities	Bruce Cocuzza
New Jersey State Lodge, Fraternal Order of Police	James Sharrock (Ariel Cortez)
County Prosecutors' Association of New Jersey	Fredric Knapp
Sheriffs' Association of New Jersey	Gary Schaffer
Superintendent of State Police	Thomas Bonham
Police Academy Director's Association	Daniel Colucci (Rocco Miscia)
Commissioner-Department of Education	Carl Carabelli
Commissioner-Department of Corrections	Aaron Erven
Federal Bureau of Investigation	Jason DeMartino
New Jersey County Jail Warden's Association	Oscar Aviles
New Jersey Juvenile Detention Association	Thomas Pollio
New Jersey State Parole Board	Samuel Plumeri
National Organization of Black Law Enforcement Executives	Absent

Division of Criminal Justice Staff Present

DAG Analisa Holmes, PTC Counsel

DAG Emily Anderson, Prosecution Supervision and Training Bureau

Academy Coordinator Connie Morder, Police Training Commission

Academy Coordinator Pat Jones, Police Training Commission

Field Representative Dion Feltri, Police Training Commission

Investigator Tykeria T. Lockhart, Police Training Commission

**Police Training Commission
Meeting Minutes for February 5, 2018**

Administrator John F. Cunningham called the 321st meeting of the Commission to order at 11:00 a.m.

Administrator Cunningham led the Commissioners in the flag salute. Commissioner Cunningham for a moment of silence in remembrance of the Law Enforcement and Military personnel who have lost their lives in the line of duty.

Ms. Tykeria T. Lockhart announced that notice of the Commission meeting had been publicized in accordance with the provisions of the Open Public Records Law by notification to the Secretary of State and five newspapers. The notifications included a copy of the meeting agenda.

Administrator Cunningham announced it was the annual Reorganization Meeting and asked Commissioner Schaffer to report on the Appeals and Legislative Committee election. Commissioner Schaffer stated that Commissioner Carl Carabelli was nominated and elected as Chairperson of the Appeals and Legislative Committee.

Administrator Cunningham asked Commissioner James Sharrock to report on the Standards Committee election. Commissioner Sharrock was nominated and re-elected as Chairperson of the Standards Committee.

Administrator Cunningham asked for nominations to elect a Vice-Chairperson. Commissioner Daniel Colucci nominated Commissioner James Sharrock and Commissioner Kevin Lyons seconded the nomination. Hearing no other nominations, the Commissioners voted to approve the motion.

Administrator Cunningham asked the Commissioners to consider the minutes of the December 6, 2017 Commission meeting. Commissioner James Sharrock made a motion to accept the minutes as written. Commissioner Aaron Erven seconded the motion. The Commissioners voted to approve the motion.

Administrator Cunningham asked Chairperson Carabelli to report on the business of the Appeals and Legislation Committee.

1. Commissioner Carabelli reported the following appeals were received since December 6,

2017 PTC Meeting:

Martin McDonald v. NJ Department of Corrections Training Academy
Anthony Rubbe v. NJ Department of Corrections Training Academy
Hector E. Ojeda v. Morris County Public Safety Training Academy
Robkeerah Sampson v. New Jersey State Police Training Academy
Steven Cruz v. Morris County Public Safety Training Academy
Byron Molina v. Essex County College Public Safety Academy
Alesha Bethea v. Mercer County Police Academy
Humza Abdul-Haqq v. New Jersey State Police Training Academy
Stephanie Marte v. New Jersey State Police Training Academy

2. Commissioner Carabelli reported the following appeals were forwarded to the Office of Administrative Law since December 6, 2017 PTC Meeting:

Martin McDonald v. NJ Department of Corrections Training Academy
Anthony Rubbe v. NJ Department of Corrections Training Academy
Hector E. Ojeda v. Morris County Public Safety Training Academy
Robkeerah Sampson v. New Jersey State Police Training Academy
Steven Cruz v. Morris County Public Safety Training Academy
Byron Molina v. Essex County College Public Safety Academy
Caridad Rivero v. New Jersey State Police Training Academy
Katherine Abreu v. New Jersey State Police Training Academy
Alesha Bethea v. Mercer County Police Academy
Nicholas Diaz v. New Jersey State Police Training Academy
Diamond Plowden-Kirkland v. New Jersey State Police Training Academy

3. Commissioner Carabelli reported the following Initial Decision was received from the Office of Administrative Law since December 6, 2017 PTC Meeting:

Frank James, Jr. v. Essex County College Public Safety Academy
The Initial Decision memorializes a Settlement Agreement between the trainee and the Academy. The Settlement Agreement appears to be an attempt to amend the Dismissal of the trainee to a voluntary resignation, with an agreement that the trainee will not attempt to re-enroll at the Essex County College Public Safety Academy

4. Commissioner Carabelli reported the following appeals were withdrawn since December 6, 2017 PTC Meeting:

Tanya Berry v. Division of Criminal Justice Academy

Ryan Downes v. Camden County College Police Academy
Dardan Totaj v. Passaic County Police Academy
Erika Santos v. Essex County College Public Safety Academy

6. Consideration of **Extensions of Training Time** for County Corrections Officers and Juvenile Detention Officers.
 - 4A Consideration of a Request for an Extension of Training Time for County Corrections Officer Talitha Fryar (Burlington County Corrections)
 - 4B Consideration of a Request for an Extension of Training Time for Juvenile Detention Officer Meara Silberstein (Burlington County Juvenile Detention Center)
 - 4C Consideration of a Request for an Extension of Training Time for Juvenile Detention Officer Daniel Moore (Ocean County Juvenile Detention Center)

Commissioner Carabelli, on behalf of the Appeals and Legislation Committee, moved and seconded a motion to combine **Agenda Items 4A and 4C** as a consent agenda and to grant the six-month extensions of training time requests. The Commissioners voted to approve the motion.

Commissioner Carabelli concluded the Appeals and Legislation Committee Report

Administrator Cunningham asked Chairman James Sharrock to report on the business of the Standards Committee.

1. Commissioner Sharrock indicated that **Agenda Item 6A** was a Consideration of a Request from PTC Administrator John Cunningham to update PTC Form #6 - Report of Injury or Illness

At the December 13, 2017 meeting of the Police Academy Directors Association several Academy Directors asked for a review, and update to PTC Form #6. The Academy Directors had concerns regarding the section of Form #6 which allowed for restrictions to certain portions of physical activity. An example was offered as to whether a trainee could participate in Defensive Tactics if they had a restriction precluding them from running during Physical Conditioning. To alleviate any ambiguity the Form # 6 has been updated to reflect the trainee is medically fit to participate in all aspects of training which have a physical component, or the

trainee is not medically fit to participate. A copy of the form was included for the Commissioner's review and consideration.

Commissioner Sharrock, on behalf of the Standards Committee, moved and seconded a motion to approve the form update. The Commissioners voted to approve the motion.

2. Commissioner Sharrock indicated that **Agenda Item 6B** was a **Report** of a request from Essex County College Public Safety Academy Director Rocco Miscia to enroll three Officers from the Essex County College Police Department in components of the Basic Course for Police Officers for Enrichment Purposes.
3. Commissioner Sharrock indicated that **Agenda Item 6C** was a **Report** of a Request from Morris County Public Safety Training Academy Director Daniel Colucci to enroll Officer Jeffrey Snyder, Borough of Franklin Police Department, in components of the Basic Course for Police Officers for Enrichment Purposes.
4. Commissioner Sharrock indicated that **Agenda Item 6D** was a **Report** of a Request from Ocean County Police Academy Director Brian Klimakowski Requesting Certification of a Satellite Facility - Tri-Boro First Aid Squad.
5. Commissioner Sharrock indicated that **Agenda Item 6E** was a **Report** of a Request from Monmouth County Police Academy Director Darryl Breckenridge to Conduct the Basic Course for County Corrections Officers with less than 25 Trainees.
6. Commissioner Sharrock indicated that **Agenda Item 7A** was a consideration of a Request from John H. Stamler Police Academy Director Eric Mason to Suspend Instructor Certification for Antonio LaCosta.

Commissioner Sharrock, on behalf of the Standards Committee, moved and seconded a motion to affirm the suspension. The Commissioners voted to approve the motion.

Commissioner Sharrock concluded the Standards Committee report.

Administrator Cunningham announced **Agenda Item 8A** was a Status Report of the Law Enforcement Officers Training and Equipment Fund (LEOTEF).

Quarterly expense reports for the 4th quarter of 2017 have been reviewed and processed. Technical assistance in preparing quarterly expense reports has been provided. Supplemental academy requests for LEOTEF purchases also have been reviewed and approved.

All fifteen police academies received their contracts for SFY 2017 LEOTEF Funds (29th distribution). Eleven contracts have been returned and reviewed. Contract packets were sent to the Office of Attorney General for signature prior to fund disbursement.

Administrator Cunningham reported on the status of the new PTC computer system. PTC staff have regular conference calls with the vendor. Administrator Cunningham stated that the computer system implementation is moving forward and making tremendous progress. The data migration is continuing as well as the cleaning of the data before migrating it into the new system. The vendor has loaded the curriculum into the system for the BCPO, BCCO, SLEOII and Park Rangers courses thus far. Administrator Cunningham also noted that the process is taking long because the system is being built from the ground up as we go along. Monmouth County Police Academy has already started using certain parts of the computer system for their daily functions and the system will be extremely helpful to all when it is up and running.

Commissioner Erven asked if the State Corrections curriculum was loaded into Acadis yet and Administrator Cunningham advised that it has not yet been done. The vendor is focusing on loading curriculum for the larger courses with state corrections being one of them, so this should be done soon. Commissioner Erven advised he was inquiring because he has a meeting with the vendor at the end of February.

Administrator Cunningham asked if there were any comments from the public.

Administrator Cunningham announced that Connie Morder will be retiring effective March 30, 2018 and this will be her last PTC meeting. He presented her with a certificate and thanked her for her efficiency, hard work and service to PTC.

Deputy Chief Analisa Holmes spoke about Connie's work with NEEP and her invaluable service to PTC and thanked her for her efforts.

DAG Joseph Walsh advised the Commission that a new HELO bill requires PTC to take action and he will have material for the Commissioners to review prior to the April meeting for consideration during that meeting. He also stated that an initial decision was received from the Office of Administrative Law regarding the temporary restraining order (TRO) dismissal rule where a recruit is automatically dismissed from an academy if a TRO is issued against them. The OAL judge upheld the Commission's decision and upheld the agency's decision to terminate the recruit. This will also be discussed in detail at the April meeting.

Administrator Cunningham, announced the next Commission meeting is **Wednesday, April 4, 2018.**

Administrator Cunningham asked for a motion to adjourn the meeting at 11:19 a.m.

Commissioner Sharrock made a motion to adjourn the meeting. Commissioner Carabelli seconded the motion. The Commissioners voted to approve the motion.