

Commission Meeting Number 331

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

POLICE TRAINING COMMISSION

Minutes of Commission Meeting

October 2, 2019

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

Commission Members Present

| <u>Organization</u> | <u>Attendee(s)/Representative(s)</u> |
|--|--------------------------------------|
| Office of the Attorney General, State of New Jersey | John F. Cunningham |
| New Jersey State Policemen's Benevolent Association | Kevin Lyons |
| New Jersey State Association of Chiefs of Police | James Abbott |
| 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 | Robert A. Nolan |
| Police Academy Director's Association | Daniel Colucci (Thomas DePaul) |
| Commissioner-Department of Education | Carl Carabelli |
| Commissioner-Department of Corrections | Wayne Mainstream |
| Federal Bureau of Investigation | Jason DeMartino |
| New Jersey Juvenile Detention Association | Thomas Pollio (Absent) |
| New Jersey State Parole Board | Samuel Plumeri, Jr. |
| National Organization of Black Law Enforcement Executives | Jiles Ship |
| Citizen Member—Governor's Appointment | Vacant |
| Citizen Member—Governor's Appointment | Vacant |

New Jersey League of Municipalities

Samuel DeMaio

New Jersey Jail Wardens Association

Oscar Aviles

New Jersey State Police

Domingo De Los Santos (Alternate)

Division of Criminal Justice Staff Present

Deputy Attorney General Robert Czepiel, Deputy Bureau Chief

Deputy Attorney General Jeffrey Barile, Deputy Chief, Prosecution Supervision and Training Bureau

Deputy Attorney General Steve Wenger, Prosecution Supervision and Training Bureau

Deputy Attorney General Sarah Luciano Prosecution Supervision and Training Bureau

Academy Coordinator Pat Jones, Police Training Commission

Academy Coordinator Tykeria T. Lockhart, Police Training Commission

Field Representative Dion Feltri, Police Training Commission

Field Representative John Janowiak, Police Training Commission

**Police Training Commission
Meeting Minutes for October 2, 2019**

Administrator John F. Cunningham called the 331st meeting of the Commission to order at 11:10 am.

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

Academy Coordinator Tykeria T. Lockhart announced that “notice of the commission meeting has been publicized in accordance with the provisions of the Open Public Meetings Law by notification to the Secretary of State and five newspapers. The notifications included a copy of the meeting agenda.”

Administrator Cunningham asked the Commissioners to consider the minutes of the June 5, 2019 and August 2, 2019 commission meetings. Commissioner Sharrock made a motion to approve the minutes and Commissioner Colucci seconded the motion. The Commissioners voted to approve the motion.

Administrator Cunningham introduced Thomas Eicher, Director, Office of Public Integrity and Accountability (OPIA). Mr. Eicher spoke briefly on what OPIA does and how they want to create a working group for PTC, to see how training can be improved and look into getting more resources.

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

1. Commissioner Carabelli reported the following instructor certification revocation appeal was received since the August 2, 2019 PTC Meeting:

Revocation of the PTC Instructor Certification for Sidney Terrell

Sidney Terrell, who was serving as the Director of the Police Academy for the Atlantic County Department of Public Safety, appeals the revocation of his PTC Instructor Certification. His certification was revoked after he allegedly kicked a recruit in the calf muscle. Commissioner Carabelli, on behalf of the Appeals and Legislation Committee, moved and seconded a motion to table the matter. The Commissioners voted to approve the motion.

2. Commissioner Carabelli reported the following appeals were received since the August 2, 2019 PTC Meeting:

Noberto Batista, Jr. v. Bergen County Police Academy

Commissioner Carabelli, on behalf of the Appeals and Legislation Committee, moved and seconded a motion to refer the appeal to the Office of Administrative Law. The Commissioners approved the motion.

3. Commissioner Carabelli reported the following appeals were referred to the Office of Administrative Law:

Leavander Jones v. Division of Criminal Justice Academy

Christina Mansueto v. Ocean County Police Academy

4. Commissioner Carabelli reported that the following appeals were withdrawn by petitioner at Office of Administrative Law or PTC:

Alexia Petrillo v. John H. Stamler Police Academy

Commissioner Carabelli reported that no further action was required.

5. Commissioner Carabelli reported the following Final Decisions were issued since the August 2, 2019 PTC Meeting:

Humza Abdul-Haqq v. New Jersey Police Training Academy

IMO Revocation of the PTC Certification of Lt. Ernest L. Farley- not sent to OAL

Al-Mustafa Ingram v. New Jersey Department of Corrections Training Academy- not sent to OAL

6. Consideration of **Extensions of Training Time** for County Corrections Officers, Juvenile Detention Officers and Police Officers

4A Consideration of a Request for an Extension of Training Time for Two County Corrections Officers (Burlington County Department of Corrections).

4B Consideration of a Request for an Extension of Training Time for Six Juvenile Detention County Officers (Essex County Juvenile Detention Center).

4C Consideration of a Request for Juvenile Detention Officer, Justin W. Bellis (Sussex County Juvenile Detention Center).

Commissioner Carabelli, on behalf of the Appeals and Legislation Committee, moved and seconded a motion to combine Agenda Items 4A- 4C as a consent agenda and to approve the 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 **Agenda item 6A** was a consideration of a request from PADA President, Daniel Colucci, to review the co-mingled SLEOII and BCPO Program. Commissioner Sharrock on behalf of the Standards Committee moved and seconded motion to make the pilot program a permanent program across the state noting that SLEOII recruits will only receive a SLEOII certification upon graduation. The Commissioners voted to approve the motion.

Commissioner Sharrock on behalf of the Standards Committee moved and seconded motion exempting SLEOII recruits who attended a co-mingled class from having to complete all elements of the standard SLEOII to BCPO waiver. After a waiver request is approved by PTC. These recruits would receive a full certification by registering for a BCPO course and their certification would be valid on the day the Academy Director signs off on the BCPO card. These individuals would be required to have a waiver of training submitted on their behalf and they are still required to wait one year before becoming eligible for a waiver. The Commissioners moved 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).

1. LEOTEF Chairperson, Daniel Colucci reported that technical assistance in preparing quarterly expense reports has been provided. Supplemental academy requests for LEOTEF purchases also have been reviewed and approved. Quarterly expense reports for the 1st and 2nd quarter of 2019 have been received from most academies. Office of Attorney General ('OAG') fiscal reported that there was an error in the original amount that was available for distribution. There was \$100,000 that was erroneously carried forward to the distribution amount. This amount was created by State Treasury as a placeholder in the budget for the LEOTEF account. These are not actual funds deposited into the LEOTEF account. OAG fiscal reports that \$558,708 was collected and available for distribution. This amount includes fines, the balance of funds that were returned from the Essex County College Police Academy as well as the 2018 funds that were not distributed to Essex County. Based on the revised amount, OAG fiscal has removed funding for the New Jersey State Police Training Center and reduced the award to the Division of Criminal Justice Academy to \$4,155.10. All other academies will receive the amounts that were approved at the August 4, 2019 PTC meeting. The application/award documents for the 31st distribution will be emailed to each police academy by October 15th, 2019. Documents will be returnable by December 1, 2019.

Administrator Cunningham announced **Agenda Item 9A** was the PTC's Computer System Update. Administrator Cunningham reported that Acadis is now live and the team is using the system for PTC functions.

Administrator Cunningham announced **Agenda Item 10A** was good and welfare. He reported that Administrative Assistant, Carmen Acevedo will be retiring in December, 2019.

The Civil Service Commission approved the job change for County Corrections Officers to become Sheriff's Officers. The required training will be developed and presented for the December Commission meeting.

Administrator Cunningham provided the Commissioners with a brief overview of the pre-academy fitness standard that was proposed in 2014. He advised that the process was suspended and remains suspended pending the review of a Pennsylvania lawsuit. The Deputy Attorney Generals from the Prosecutor's Supervision and Training Bureau will do legal research on the standard and present to the Commissioner at the December meeting.

Tykeria Lockhart reminded the Commissioners that they are required to complete the annual online ethics training by October 15th.

Administrator Cunningham announced the next meeting is Wednesday, December 4, 2019.

Administrator Cunningham asked for a motion to adjourn the meeting at 11:36 am. Commissioner Sharrock made a motion to adjourn the meeting. Commissioner Nolan seconded the motion. The Commissioners voted to approve the motion.