Commission Meeting Number 333
State of New Jersey Department of Law and Public Safety
Division of Criminal Justice

POLICE TRAINING COMMISSION

Minutes of Commission Meeting

February 3, 2020

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

Commission Members Present

<table>
<thead>
<tr>
<th>Organization</th>
<th>Attendee(s)/Representative(s)</th>
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<tbody>
<tr>
<td>Office of the Attorney General, State of New Jersey</td>
<td>John F. Cunningham</td>
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<tr>
<td>New Jersey State Policemen's Benevolent Association</td>
<td>Kevin Lyons</td>
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<td>New Jersey State Association of Chiefs of Police</td>
<td>James Abbott</td>
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<td>New Jersey State Lodge, Fraternal Order of Police</td>
<td>James Sharrock</td>
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<td>County Prosecutors' Association of New Jersey</td>
<td>Angelo Onofri</td>
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<td>Sheriffs' Association of New Jersey</td>
<td>Robert A. Nolan</td>
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<td>Police Academy Director’s Association</td>
<td>Daniel Colucci</td>
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<td>Commissioner-Department of Education</td>
<td>Carl Carabelli</td>
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<td>Commissioner-Department of Corrections</td>
<td>Aaron Erven</td>
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<td>Federal Bureau of Investigation</td>
<td>Jason DeMartino</td>
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<td>New Jersey Juvenile Detention Association</td>
<td>Thomas Pollio</td>
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<td>New Jersey State Parole Board</td>
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<td>National Organization of Black Law Enforcement Executives</td>
<td>Jiles Ship</td>
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<td>Citizen Member—Governor’s Appointment</td>
<td>James Polos</td>
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<td>Citizen Member—Governor’s Appointment</td>
<td>Vacant</td>
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New Jersey League of Municipalities

New Jersey Jail Wardens Association                Oscar Aviles

New Jersey State Police
Division of Criminal Justice Staff Present

Deputy Attorney General Louis Lester, Counsel to PTC
Deputy Attorney General Stephen Wenger, Prosecution Supervision and Training Bureau
Deputy Attorney General Jeffrey Barile, Deputy Chief, Prosecution Supervision and Training Bureau
Deputy Attorney General Emily Anderson, Prosecution Supervision and Training Bureau
Academy Coordinator Pat Jones, Police Training Commission
Analyst, Tykeria T. Lockhart, Police Training Commission
Field Representative Dion Feltri, Police Training Commission
Field Representative John Janowiak, Police Training Commission
Tech Assistant, Jennifer O’Brien, Police Training Commission
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Police Training Commission Meeting Minutes for February 1, 2021

Administrator John F. Cunningham called the 333rd 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.

Staff member, Jennifer O’Brian 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 announced it was the annual Reorganization Meeting and asked Commissioner Carl Carabelli to report on the Appeals and Legislative Committee election. Commissioner Carl Carabelli stated that he was nominated and re-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 Aaron Erven seconded the nomination. Hearing no other nominations, the Commissioners voted to approve the motion. Commissioner Sharrock abstained.

Administrator Cunningham asked the Commissioners to consider the minutes of the December 4, 2019 Commission meeting. Commissioner James Sharrock made a motion to approve the minutes as written. Commissioner Nolan 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 the December 2, 2020 meeting:

Desiree Cuadra v. Passaic County Police Academy

Recruit appeals from her dismissal from the Passaic County Police Academy (“the Academy”) for failure to successfully complete the push-ups component of the physical fitness standards.

Jazmine Morales v. Passaic County Police Academy
Recruit appeals from her dismissal from the Passaic County Police Academy (“the Academy”) for failure to successfully complete the push-ups components of the physical fitness standards. After failing the reassessment of the push-ups, she was not reassessed on the run component of the physical fitness standard, which she also failed.

*James Delre v. Mercer County Police Academy*

Recruit appeals from his dismissal from the Mercer County Police Academy (“the Academy”) for an excludable item in his application.

*Rowan Mahgoub v. Passaic County Police Academy*

Recruit appeals from her dismissal from the Passaic County Police Academy (“the Academy”) for failure to successfully complete the push-up portion of the physical fitness requirements.

*Emily Bennett v. Camden County Police Academy*

Recruit appeals from his dismissal from the Camden County Police Academy (“the Academy”) for failure to complete the sit-up portion of the physical fitness requirements.

Commissioner Carabelli moved and seconded a motion to uphold the dismissals. The Commissioners voted to approve the motion.

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

*Michael A. Romero v. Essex County Police Academy*

Recruit appeals from his dismissal from the Essex County Police Academy (“the Academy”) for a rule violation, specifically for being charged with shoplifting.

*Jason Martin v. Mercer County Police Academy*

Recruit appeals from his dismissal from the Mercer County Police Academy (“the Academy”) for a rule violation, specifically being found in possession of an allegedly open bottle of alcohol in his vehicle, as well as fake money, during a credential check of the recruits.

*Chantell Diaz v. John H. Stamler Police Academy*

Recruit appeals from her dismissal from the John H. Stamler Police Academy (“the Academy”) for multiple violations of Academy Rules and Regulations.
Celia Vaughn v. Passaic County Police Academy

Recruit appeals from her dismissal from the Passaic County Police Academy (“the Academy”) for failure to successfully complete the push-ups component of the physical fitness standards.

Renee T. Wilson v. Passaic County Police Academy

Recruit appeals from her dismissal from the Passaic County Police Academy (“the Academy”) for failure to successfully complete the push-ups component of the physical fitness standards.

3. Commissioner Carabelli reported the following appeals were Withdrawn by the Petitioner at the Office of Administrative Law:

Patrick McGee v. John H. Stamler Police Academy
Norberto Batista v. Bergen County Police Academy
Christina Mansueto v. Ocean County Police Academy

4. Commissioner Carabelli reported the following Final Decisions Issued:

IMO Revocation of the PTC Certification of Sidney Terrell

The Commission voted to uphold its Initial Decision of revoking the PTC Instructor Certification of former Director Sidney Terrell.

Kevin J. Baxter, Jr. v. Cape May County Police Academy

The Commission adopted the Initial Decision of the ALJ, which incorporated a settlement between the parties, as its Final Decision.

Ryan Andrick v. Cape May County Police Academy

The Commission adopted the Initial Decision of the ALJ, which incorporated a settlement between the parties, as its Final Decision.

5. 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 Eight County Corrections Officers (Burlington County Correctional Facility).

4B Consideration of a Request for an Extension of Training Time for Jonathan L. Figueroa, Correction Officer (Cumberland County Correctional Facility).
4C Consideration of a Request for an Extension of Training Time for Three County Correction Officers (Salem County Correctional Facility).

4D Consideration of a Request for an Extension of Training Time for Steven G. Santangelo, Correction Officer (Somerset County Correctional Facility).

4E Consideration of a Request for an Extension of Training Time for Seven Juvenile Detention Officers, (Bergen County Juvenile Detention Center).

4F Consideration of a Request for an Extension of Training Time for Robert M. Swiston (East Rutherford Police Department).

On behalf of the Appeals and Legislative Committee, Commissioner Carabelli moved and seconded a motion to combine agenda items 4A-4F as a consent agenda and approve all of the extension requests. The Commission voted to approve the motion.

Commissioner Carabelli concluded the Appeals and Legislation Committee Report

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

1. Commissioner Sharrock indicated that Agenda Item 6A was a Discussion concerning the Subcommittee’s recommendation for the Pre-Academy Physical Fitness Standard, and proposed Commission Rules.

On January 9, 2020, the Police Training Commission received correspondence from Commissioner Dan Colucci, member of the PTC Subcommittee on the Pre-Academy Fitness Standards. The correspondence details the subcommittee's recommendation that the Commission move forward with a Pre-Academy Fitness Assessment consisting of the components recommended in the I/O Solutions Report. The I/O Solutions standards were adopted by the full Commission in 2016, as part of the Physical Fitness Functional Area. I have attached the standards for your review, as well as, PTC Directives, forms, and memorandum. In addition, I have included the proposed Commission Rules for the Pre-Academy Fitness Standard; the Commission suspended the rule making process in reference to this standard in 2015. Included in the rules is a mandatory requirement that all recruits receive a psychological evaluation prior to enrollment in a PTC approved basic law enforcement course. The psychological examination component was part of the original I/O Solutions recommendations.

The Standards Committee made a motion to approve the recommendations. Commissioner Colucci seconded the motion. The Commissioners voted to approve the motion.
2. Commissioner Sharrock indicated that **Agenda Item 6B was a Discussion** and consideration of the Physical Conditioning Preparation Program for law enforcement candidates.

As a follow up to the discussion held at the December 4, 2019 Commission meeting, Administrator Cunningham proposed that each preparation program run for a total of six weeks. Individuals will be required to attend the orientation session on week one to be eligible for participation. The six-week sessions should be scheduled various times by each PTC Certified Academy at intervals throughout each calendar year. Instructors assigned to the preparation program must carry a PTC Physical Conditioning Instructors Certification. Below is a suggested format for the motivational preparation program:

1.) Orientation: Importance of physical fitness throughout a law enforcement career. Overview of the PTC Physical Fitness Assessment.

2.) Candidates will participate in a pre-workout warm up and stretching session.

3.) Candidates are offered the opportunity to be assessed in accordance with PTC Fitness Standards.

4.) Voluntary follow up physical conditioning sessions held on a weekly basis for six weeks.

5.) Week six consists of a follow up assessment to allow the candidates to gauge improvement. Prior to participation, the candidates will be required to supply the academy with a medical clearance, as well as, a liability waiver. The medical clearance and liability waivers will be made available to the candidates in advance of the program to allow time for completion prior to the start of the preparation program. The program information should be posted on academy websites, as well as, notification to local law enforcement agencies.

The Standards Committee made a motion to approve a Physical Conditioning Preparation Program for law enforcement candidates. Commissioner Colucci seconded the motion. The Commissioners voted to approve the motion.

3. Commissioner Sharrock indicated that **Agenda Item 6C was a Request** submitted by Daniel Colucci, President, Police Academy Director’s Association, concerning the Alternate Route Selection Region.

On January 9, 2020, the PTC received correspondence from Daniel Colucci, President, Police Academy Director’s Association, requesting a modification to the existing Alternate Route Policy to allow an Academy to restrict the area that they draw Alternate Route applicants. The academy directors are concerned that many local departments are bypassing a review of Alternates from parts of the State that are too far away for them to
consider. The academy directors believe the modification should be permissive and not restrict an Academy that wishes to continue to accept applicants statewide.

This item was tabled for review by legal staff.

**Commissioner Sharrock concluded the Standards Committee report.**

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

LEOTEF Chairperson, Daniel Colucci reported quarterly expense reports for the 4th quarter of 2019 are being 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 police academies received their contracts for SFY 2019 LEOTEF Funds (31st distribution). All fourteen contracts have been returned and reviewed. Eleven contracts have been executed and funds transferred. The remaining three contracts are currently being reviewed by legal staff in the Office of Attorney General.

Administrator Cunningham reported that **Agenda Item 8B was a Staffing Update**

Administrator Cunningham reported that PTC staff will have a new staff member starting on February 15, 2020. Forest Kairos will join PTC as an Academy Coordinator.

**Administrator Cunningham announced the next meeting is Wednesday, April 1, 2020**

Administrator Cunningham asked for a motion to adjourn the meeting at 12:05 pm. Commissioner Lyons voted to approve the motion. Commissioner Nolan seconded the motion and the meeting was adjourned.