

Police Officers Commission on Standards & Training

Meeting Minutes

February 15, 2008

I. Call to order

Colonel Stephen M. McCartney called to order the regular meeting of the Police Officers Commission on Standards & Training (POST) at 10:13 a.m. on February 15, 2008 in RIMPA-Lincoln.

II. Roll call

Colonel McCartney stated for the record that all POST members were present with the exception of Colonel Brendan Doherty. The following persons were present: Colonel Stephen M. McCartney, Chief George L. Kelley, III, Chief Anthony Pesare, Chief Anthony J. Silva, Mr. Robert Driscoll, Mr. Richard B. Woolley, Esq., Captain David Ricciarelli, Captain Glen Shibley, Donna Lavallee.

Also present in the room were Wayne Salisbury, Warden of the Wyatt Detention Center and Mr. Chris Orton, Legal Council for Central Falls.

III. Approval of minutes from last meeting

Colonel McCartney asked for approval of the minutes from the last meeting, as well as approval from the "Special" POST meeting held on December 12, 2007. (Colonel Doherty is now present for the meeting at 10:15 a.m.). The minutes were approved following no further discussion. Chief Kelley made motion to accept the minutes; Mr. Driscoll seconded the motion. After no further discussion and all in favor (5-0), the minutes were accepted.

Colonel McCartney suggested that Item 8 be moved to the next item on the agenda since the parties were present.

IV. Request from Warden Wayne Salisbury for approval of the training program of Wyatt Detention Facility, pursuant to 12-7-21.

Chief Silva stated that included in everyone's package is the request for approval of a training program and at one of the previous POST meetings it was suggested that Chris Menton of RWU also review the program as well as A.T. Wall. Dr. Menton's documentation and A.T. Wall's letters are enclosed recommending approval of the curricula as submitted by Wyatt Detention Facility. In addition, there is also a letter dated January 23, 2008 from Warden Salisbury for approval of their curricula as well as the issue of the encumbrance of officers previously trained and "transport" officers. Colonel McCartney asked Mr. Woolley for his stance on this issue. Mr. Woolley noted that this discussion is now taking place under RIGL 45-54-6. There was some discussion as to this being out of realm of the Commission as the historical training curriculum presents a difficult review process. Mr. Woolley stated that in his opinion, it is the obligation and responsibility of the POST to approve or not approve the curriculum from the effective date of the statute and going forward. The statute does not require the POST to approve training curriculum prior to the Statute.

Director Silva stated that the request brought to him is to approve the training program only at the Wyatt Detention Facility. There are a number of agencies listed as "Peace" officers and we do not get involved in the training or certification of them. If the POST were to

approve the training guidelines, all it would be doing is approving the course beginning with the 2007 program and review annually as the statute requires. As to the letter dated January 23, 2008 from Warden Salisbury, it would be the responsibility of the Wyatt Detention Facility to ensure all of their people are meeting the requirements of the 2007 approved curriculum. Mr. Woolley agreed with that.

Warden Salisbury stated that Correctional officer training does not change from year to year. The in-service training schedule and “transport” schedule was included in the curriculum and the intent is to have everyone receive basic training.

Mr. Woolley suggested that if the POST is going to assume the responsibility of 14 years of training, someone would have to review it to satisfy that what they are approving rises to the level of the 2007 approval. The POST would be assuming serious liability if the training did not include the same characteristics as the 2007 curriculum. Colonel McCartney asked if there is a need for the POST to do that and Mr. Woolley replied “none”.

Christopher Orton, Legal Council, responded stating they are not asking the POST to go back 14 years and look at schedules and training. It is a fairly standard training. They have added the inclusion of a law component. The intent is to train everyone in the law component. They want to avoid re-training all prior officers. He is merely asking the POST to review the material submitted by Warden Salisbury and if approved, they will send yearly.

Chief Kelley stated that all steps were taken in the review of this 2007 curriculum and he makes a motion to accept the training program of

the Wyatt Detention Facility. Chief Pesare seconded the motion. After no further discussion and all in favor, the motion carries. Chief Pesare asked that a thank you letter be sent to Dr. Menton for his assistance.

V. Review of FY '08 Budget, funding for March 17, 2008-II class.

Director Silva reviewed the budget. We were able to secure the funding for the third class through verbal confirmation. We will have to make more cuts in order to run the class.

Chief Pesare asked if this would include a third academy class and Director Silva responded yes.

Chief Silva stated that one of the options discussed at the "Special" POST meeting in December was to be permitted to charge an "Administrative fee" to the agency sponsoring the recruit. Right now the law does not permit the Academy to do that. It may be a good idea to change the legislature under RIGL 42-28-2.6. This would give the POST the latitude to charge an Administrative fee. FY '09 is definitely going to be worst than FY'08. He is being pressured by the Budget Office to come up with an alternative. The Statute states we only have a minimum requirement to run one class.

Mr. Driscoll gets the sense from the cities and towns meetings that they feel it is cheaper to pay a fee. However, Chief Kelley stated that what is happening on the State level, is "pouring" into the cities and towns and they are feeling it now. If a fee is imposed, it may affect the instructors that are sent to the Academy from the departments to assist us.

Colonel McCartney stated that at the December meeting, Chief Silva

outlined several potential options, even \$100.00 may be significant. Despite every discussion on December 12th, not one Chief moved from a realistic position – they wanted everything to stay status-quo. This will definitely be discussed again at the next Chief's meeting. Also, any ideas on who would introduce this amendment to the legislature.

Chief Silva stated he would not recommend an actual amount that would be charged. We need to send a message to everyone that we are doing everything possible and we can say we looked at every option available to us. Colonel McCartney agreed that there is a sense of urgency and with the legislative deadlines looming, it should not be tabled. Chief Silva added that another issue is that the BYRNE JAG grant was cut severely and we can not do in-service training without it.

Colonel Doherty asked if the fee would be per recruit? Would we consider a dual fee-one fee for agency and one for student. There was further discussion on how the budget deficit is affecting local towns and cities and they are not being able to replace all their retired officers. There was also discussion on perhaps the regionalization of the selection process and agility testing.

Director Silva suggested moving to Item V. at this point.

VI. Discussion on changing March 17, 2008 class from a 15 week to a 20 Week Academy class.

Director Silva discussed the reasons for recommending a 20-week class. First of all, this would not begin until August, 2008. Most academy classes run on a 20-week schedule. During the present

budget, overtime was slashed completely, which pushes us to go to a 20-week class. That would reduce expenses and we would only run two classes/per year.

Colonel McCartney stated that when this was discussed previously, Chiefs Serpa and Paquette were opposed to the 20 week class due to the overtime it would run their departments. Colonel McCartney stated he would take this item to the Chief's meeting as this is going to be reality and the Chiefs need to know what is coming.

Chief Pesare asked if we were to go to two 20-week classes, does it impact the budget. Chief Silva suggested it would be approved for the FY09 budget. The March, 2008 class would remain at 15 weeks and the August, 2008 class would be changed to reflect the change, which is the start of the FY 09 budget. Colonel McCartney recommended to move from 15 to 20 week class. Mr. Driscoll stated that the cost to the cities and towns would be higher and there will be a lot of additional expenses added to the town's budget. Chief Kelley stated that it cost approximately \$80,000 per recruit to be put on the job. Colonel McCartney stated that the cities and towns help tremendously by sending instructors to the Academy.

Mr. Driscoll suggested that a note in the amended legislature should be added that the fees must be held in a restricted account of the Academy, not in the General Fund. Chief Pesare asked if the Administrative fee would preserve the 15 week class and what is the opinion of the Staff regarding the 20-week class. Director Silva stated it would be in the best interest of everyone as it would enable us to add to the curriculum, giving us another 70 hours of training. This is

not about the staff wanting to get out at 4:30 everyday—it will be a burden on the staff to go to a 20-week class and a burden on the instructors, etc. He suggests tying in the legislature to a restricted account and maintaining the curriculum schedule (maybe adding one week).

Capt. Ricciarelli stated that we are driven by a job study—we have expanded the curriculum, going 9 hour days without the law program and Saturdays. Recruits are responding stating that the longer days impede their learning ability.

Chief Pesare made a motion in favor of the Administrative Fee, if restricted to the Academy. Mr. Driscoll seconded the motion. After no further discussion, all in favor. Motion carries.

Colonel McCartney asked the staff to get together with legal council on this matter. Also, can we get sponsors?

VII. Update on current 2008-I recruit class and scheduled 2008-II class

Capt. Ricciarelli gave an update on the current Class 2008-I. We are in week 12, lost one recruit in week 1. There are 16 departments represented. Everything is proceeding as scheduled.

Capt. Shibley stated the next Class 2008-II begins on March 17, 2008 and we are expecting 20-22 recruits.

Director Silva stated that obviously the cities and towns are feeling the fiscal pinch—they had originally reserved 36 seats for this upcoming class. Colonel McCartney stated again that we may have to look at regionalizing the testing process.

VIII. Review of Spring 2008 In-Service Schedule

Capt. Ricciarelli stated that from January 9th to the close of

February, close to 300 participants will have in-service training. He is working on a new program through Life Watch – triage skills when dealing with people with mental illness.

IX. Update on Rep. Kennedy \$200K appropriation

Chief Silva updated everyone stating that Congressman Kennedy came to the Academy on Monday and addressed the recruit class. We are going to get the funding of the \$200,000 grant in conjunction with Roger Williams University and he would expect a Press Release from the Congressman's office once this money is officially handed to us. The \$10,000 Interlocal Trust grant will continue and will be used for a new job study. The job study will provide us with a vision of the coming years.

X. Letter of resignation from Academy Director Anthony J. Silva

Director Silva asked to remove this item from the agenda with an explanation. He has moved his start date to his new position to late March, possibly early April for personal reasons and a number of issues here at the Academy that need to be followed through with. This item will be tabled to the March POST meeting.

XI. Open call to enter into Executive Session pursuant to RIGL 42-46-5(a)1 regarding appointment of an Acting Director.

Colonel McCartney states we will be entering into Executive Session. All were in favor. Moved into Executive Session at 11:50 a.m.

Chief Silva amended Item 10 – NOT to go into Executive Session based on the removal of his Letter of Resignation. Item 10 should be tabled at this time.

A vote was taken to go out of Executive Session. All in favor.

Motion carries.

Colonel McCartney states we are now in Regular session at 11:51 am.

Colonel Doherty reviewed the article which was in today's Journal that effective 7-1-08, the Academy falls under Public Safety, his command. He suggested that a prior meeting, Chief Pesare was going to look into the legislation relative to the POST and perhaps changing the language to solidify the relationships thereof. He suggests that that definitely should be looked into. Chief Pesare said he would.

XII. Adjournment

Colonel Doherty made motion to adjourn the meeting and the motion was seconded by Chief Kelley. After no further discussion and all in favor, the meeting was adjourned at 11:55 a.m.

Minutes submitted by: Donna M. Lavalley