

Commission Meeting Number 347

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

POLICE TRAINING COMMISSION

Minutes of Commission Meeting

August 3, 2022

Icona Resort
7849 Dune Drive, Avalon, NJ 08202

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
County Prosecutors' Association of New Jersey	Jeff Sutherland
Sheriffs' Association of New Jersey	Robert A. Nolan
Police Academy Director's Association	Daniel Colucci
Commissioner-Department of Education	James Scaringelli
Commissioner-Department of Corrections	David Scott
Federal Bureau of Investigation	Absent
New Jersey Juvenile Detention Association	Jorge Sandoval
New Jersey State Parole Board	James Dickinson
National Organization of Black Law Enforcement Executives	Jiles Ship
Citizen Member—Governor's Appointment	James Polos
Citizen Member—Governor's Appointment	Vacant

New Jersey League of Municipalities

Absent

New Jersey Jail Wardens Association

Absent

New Jersey State Police

Captain Tierney

Division of Criminal Justice Staff Present

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

Deputy Attorney General Sarah Luciano, 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

Academy Coordinator Unit Supervisor, Kathleen McSorley, Police Training Commission

Chief Investigator, James Byrd, Police Training Commission

Curriculum Unit Supervisor, Tyeka Knight, Police Training Commission

Police Training Commission Meeting Minutes for August 3, 2022

Administrator John F. Cunningham called the 347th meeting of the Commission to order at 11:27 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.

Analyst 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 1, 2022 Commission meeting. Commissioner Sharrock made a motion to approve the minutes. The motion was seconded by Commissioner Colucci. The Commissioners voted to approve the motion.

Administrator Cunningham read correspondence from General Counsel Raymond J. Santarelli, Delaware River Port Authority, in reference to police training and certification. Deputy Chief Jeffrey Barile stated that the training for Pennsylvania will be reviewed to possibly develop a waiver course.

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

1. Commissioner Lyons reported the following appeal was received since the June 1, 2022 meeting:

Jonathan Torres v. Cape May County Police Academy
Recruit dismissed for alleged rule violation (plagiarism).

Commissioner Lyons, on behalf of the Appeals and Legislation Committee, moved and seconded a motion to table the appeal to allow PTC staff an opportunity to reach out to the academy for further clarification. The Commissioners voted to approve the motion. Commissioner Sutherland abstained.

Harry Webb v. Gloucester County Police Academy
Recruit was dismissed for failure to attend 80% of the physical conditioning sessions of the Academy. A letter giving the recruit 30 days to allege a factual basis for his appeal was sent on 7/18/22.
Commissioner Lyons reported that there was no action taken on this appeal.

Commissioner Lyons reported that **Agenda Item 3A** was pertaining to **Licensing Legislation Senate Bill 2742**

On July 22, 2022, Governor Philip Murphy signed the Licensing Legislation into law. The legislation empowers the Police Training Commission to establish licensing regulations for all law enforcement officers in New Jersey, the law becomes effective in 18 months from July 21, 2022.

The Commissioners stated that they will be requesting a FAQ sheet in regards to the bill, as there seems to be a lot of confusion. Administrator Cunningham reported that a committee will be formed and PTC will take a tour to different counties to explain licensing. Commissioner Lyons requested that the collective bargaining unit be included in this.

1. Consideration of **Extensions of Training Time** for County Correctional Police Officers and Juvenile Detention Officers

4A Consideration of a Request for an Extension of Training Time for Three County Correctional Police Officers (Salem County Correctional Facility)

4B Consideration of a Request for an Extension of Training Time for JDO, Laureen Ricks, Bergen County Juvenile Detention Center

On behalf of the Appeals and Legislative Committee, Commissioner Lyons moved and seconded a motion to combine Agenda Items 4A & 4B as a consent agenda and approve the extension requests. The Commissioners voted to approve the motion. Commissioner Sandoval abstained.

Commissioner Lyons 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 Report** on concerns with Essex County Police Academy's facilities.

On June 1, 2022, the Police Training Commission directed this Administrator John Cunningham to address concerns at the Essex County Police Academy. The concerns included; recruit parking, bathrooms and shower facilities, and building capacity. On June 27, 2022, Administrator Cunningham met with Essex County Executive, Joseph DiVincenzo, Essex County Chief of Staff, Phil Alagia, and Essex County Police Academy Director, Anthony Perillo. They

entered into a discussion in reference to the concerns, and were able to reach a positive resolution. Administrator Cunningham provided the Commissioners with a copy of his letter to the Essex County Executive detailing the matters discussed and the remediation taken.

Administrator Cunningham stated that the Essex County Building Inspector was on-site during the meeting and set building capacity at 200 persons, inclusive of staff. The bathroom facilities will accommodate the 200 persons, in accordance with current OSHA standards. The shower capacity was resolved by having the recruits participate in physical conditioning at the end of the training day, therefore, they will shower offsite. In reference to parking, Administrator Cunningham, toured the additional parking areas, and found them to be satisfactory.

2. Commissioner Sharrock indicated that **Agenda Item 6B was a Request** from Bergen County Public Safety Academy for approval for a BCCCPO Class.

On June 10, 2022, PTC received a request from Lieutenant Damian Pope, Assistant Director, Bergen County Public Safety Academy to conduct a Basic Course for County Correctional Police Officer. The letter details the need to run a class to add staffing to the Bergen County Correctional Facility, based on recent increase in the inmates, due to a shared service agreement with Passaic County. The Bergen County Public Safety did not receive certification to conduct the BCCCPO at their January 1, 2020 academy recertification, due to not running a course since 2015.

Commissioner Sharrock, on behalf of the Standards Committee, moved and seconded a motion to permit the academy to conduct a singular BCCCO class. The class must have a minimum of twenty-five recruits. The Commissioners voted to approve the motion. Commissioner Sandoval abstained.

3. Commissioner Sharrock indicated that **Agenda Item 6C was a Request** to review Basic Course for County Correctional Police and State Correctional Police Officer to Basic Course for Police Officer Waiver criteria.

The Commission has approved waiver programs for County Correctional Police Officers and State Correctional Police Officers to the Basic Course for Police Officers in limited circumstances.

The first authorized circumstance was based on legislation authorizing a County Correctional Police Officer to move to the Sheriff's Officer title, commonly known as the GAP.

The second authorized circumstance was based on the 2019 amendments to the Special Police Officers Act, Title 40A:14-146, allowing for the expansion of eligible titles to include County, and State Correctional Police Officers to serve as a Special Law Enforcement Officer Class III.

The third authorized circumstance was based on P.L 2021, Chapter 107, approved on June 11, 2021. This legislation allowed correction officers employed at a county correctional facility which closed during the 2021 calendar year to receive a waiver, developed by the PTC, for BCPO and BCI course credit. In this immediate instance, the Union County Correctional Facility was the only facility to close in the 2021 calendar year. The main concern in reference to the above waivers, revolves around the fact the Commission approved the waiver program, however, it is limited in its scope to a small group of officers. The waiver gives credit for previously received training to a limited number of officers, where thousands have received the same training. The Commission was asked to review the current practice, and if feasible to include the officers similarly circumstanced.

Commissioner Sharrock, on behalf of the Standards Committee, moved and seconded a motion to develop a standard waiver for all state and county corrections to Basic Course for Police Officers (BCPO). The Commissioners voted to approve the motion. Commissioner Scott opposed and the motion carried.

4. **Commissioner Sharrock indicated that Agenda Item 6D was Correspondence** from Chief Michael Pontillo, Westwood Police Department, in reference to the SLEO III waiver for the Port Authority of NY and NJ.

Commissioner Sharrock, on behalf of the Standards Committee, moved and seconded a motion to grant partial training credit for officers from the Port Authority.

5. Commissioner Sharrock indicated that **Agenda Item 6E** was the finalization of the PT Assessment and Psychological Examination requirement.

DAG Luciano reported that the proposal was sent to OAL and the comment period closes August 5, 2022—to date, there have been no regulatory comments to date. The regulatory proposal will be adopted as is, unless comments are received before the closing period.

Commissioner Nolan made a motion to adopt the pre-academy fitness standard and psychological exam requirements. Commissioner Colucci seconded the motion and it carried. Administrator Cunningham mentioned that it took fifteen years to get the pre-academy fitness standard approved and implemented.

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).

Commissioner Colucci reported that quarterly expense reports for the grant periods of 07/01/21 – 09/30/21 and 10/1/21 – 12/31/21 have been reconciled, signed and emailed to all counties except 1. Grants is waiting on missing (old) dcs forms to complete the reconciliation before signing off on the last 2 dcs.

The quarter of 04/01/22 – 06/30/22 ends August 3, 2022 and the dcs, including all backup documentation is due by July 15th, 2022. All documents should be emailed to Ed Mount. They are no longer accepting any documents via HARD COPY / mail.

Technical assistance in preparing quarterly expense reports has been provided. Supplemental academy requests for LEOTEF purchases have been reviewed and approved.

Administrator Cunningham announced the next meeting is Wednesday, October 5, 2022

Administrator Cunningham asked for a motion to adjourn the meeting at 11:46 am. Commissioner Sharrock voted to approve the motion. Commissioner Colucci seconded the motion and the meeting was adjourned.