

Commission Meeting Number 349

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

**POLICE TRAINING COMMISSION**

Minutes of Commission Meeting

December 7, 2022

Monmouth County Sheriff's Office  
2500 Kozloski Rd., Freehold, NJ 07728

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	Angelo Onofri
Sheriffs' Association of New Jersey	Robert A. Nolan
Police Academy Director's Association	Daniel Colucci Thomas DePaul
Commissioner-Department of Education	James Scaringelli
Commissioner-Department of Corrections	David Scott
Federal Bureau of Investigation	Elisabete Santos
New Jersey Juvenile Detention Association	Jorge Sandoval
New Jersey State Parole Board	James Dickinson
National Organization of Black Law Enforcement Executives	Edward Steed

Citizen Member—Governor’s Appointment

James Polos

Citizen Member—Governor’s Appointment

Vacant

New Jersey League of Municipalities

Samuel DeMaio

New Jersey Jail Wardens Association

Oscar Avila

New Jersey State Police

Absent

Division of Criminal Justice Staff Present

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

Deputy Attorney General Emily Anderson, Prosecution Supervision and Training Bureau

Deputy Attorney General Alessandra Baldini, Office of Public Integrity & Accountability

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

Field Representative, John Janowiak

Field Representative, Dion Feltri, Police Training Commission

Field Representative, Kim Arroyo, Police Training Commission

Field Representative, Rae Coles, Police Training Commission

Field Representative, Daniel Brown, Police Training Commission

Curriculum Unit Supervisor, Tyeka Knight, Police Training Commission

**Police Training Commission Meeting Minutes for December 7, 2022**

Administrator John F. Cunningham called the 349<sup>th</sup> meeting of the Commission to order at 11:15 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 October 5, 2022 Commission meeting. Commissioner Colucci made a motion to accept the minutes with this note. The motion was seconded by Commissioner Sharrock. The Commissioners voted to approve the motion.

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

1. Commissioner Lyons reported the following appeals were received since the October 5, 2022 meeting:

*Jeffrey Adams v. Essex County Police Academy*

Recruit was dismissed for alleged violations of academy rules and regulations.

On behalf of the Appeals and Legislation Committee, Commissioner Lyons moved and seconded a motion to uphold the recruit’s dismissal. The Commissioners voted to approve the motion.

*Ebony Ashford v. Juvenile Justice Training Academy*

Recruit was dismissed for alleged falsification on the Health History Form (PTC 7).

On behalf of the Appeals and Legislation Committee, Commissioner Lyons moved and seconded a motion to refer the appeal to the Office of Administrative Law. The Commissioners voted to approve the motion.

2. Commissioner Lyons reported that the following Final Decisions were issued and there was no action needed:

*Harry Webb v. Gloucester County Police Academy*

*Alaa Alateek v. Hudson County Public Safety Training Center*

Commissioner Lyons reported that **Agenda Item 4** was **Consideration of Extensions of Training Time** for County Correctional Police Officers and Juvenile Detention Officers, and a Youth Worker

- 4A Consideration of a Request for an Extension of Training Time for JDO, Michael Wright, Bergen County Juvenile Detention Center
- 4B Consideration of a Request for an Extension of Training Time for Two County Correctional Police Officers (Somerset County Jail)
- 4C Consideration of a Request for an Extension of Training Time for Youth Worker, Tyrell Hollis, AYC-Harborfields
- 4D Consideration of a Request for an Extension of Training Time for JDO, Erika Piedrahita, Morris County Juvenile Detention Center
- 4E Consideration of a Request for an Extension of Training Time for Two County Correctional Police Officers (Passaic County Sheriff's Office)

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

**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 Items 3A-3G were Academy Re-certifications** for the following academies:

3A Re-certification for Bergen County Police Academy

3B Re-certification for Monmouth County Police Academy

3C Re-certification for Robert A. Lyons Police Academy

3D Re-certification for Gloucester County Police Academy

3E Re-certification for Morris County Police Academy

3F Re-certification for Cape May County Police Academy

3G Re-certification for John H. Stampler Police Academy

The academy director from each respective academy was present to answer any questions and provide additional information as needed. The Commissioners voted to approve the academy recertification for the academies listed above with an expiration date of 12/31/2025.

2. Commissioner Sharrock indicated that **Agenda Item 5A was Updates** to the Basic Course for Investigators (BCI).

The Police Training Commission - Curriculum Unit, continues to review and update the course catalog for the PTC. The BCI updates we are presenting are in compliance with the new statutes, regulations and directives. The Curriculum Unit requested approval for the following updates to the BCI:

Contains updates to: Unit 1.1: History & Development of Law Enforcement:

Unit 3.12: Public Indecency Crimes:

Unit 3.15: Other Public Safety Offenses

Unit 5.5: Sex Crimes Investigations

Unit 9: Weaponry & Unarmed Defense

Unit 10: Law Enforcement Techniques Instructional

Units 10.20 through 10.23 were added from the BCPO

Unit 11: Community Relations

Unit 12.0: Legal Requirements of Arrest, Search & Seizure, Evidence & UOF

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

3. Commissioner Sharrock indicated that **Agenda Item 6A was an Update** to the Waiver of Training Requirements.

The Commission approved a new Defensive Training Program for all basic courses effective August 4, 2021, with an effective date of January 1, 2022, following finalization of Instructor Courses the new instruction rolled out June, 1, 2022. The Commission has approved a variety of Training Waivers for several different Basic Course Certifications. With the implementation of a new comprehensive Defensive Tactics Program, it would be advisable to add it as a mandatory part of waiver curriculum. Participation in the Defensive Tactics Program requires a baseline of fitness, which will minimize injury during the training. To establish the baseline of fitness the

candidate should pass the PTC Pre-Academy Fitness Exam, prior to entry into a waiver course. The Commission to consider the addition of Defensive Tactics and the Pre-Academy Fitness Standard to the following waiver course:

- 1.) SLEO II to Basic Course for Police Officer (BCPO)
- 2.) SLEO II to Basic Course for Investigator (BCI)
- 3.) BCI TO Basic Course to Police Officer
- 4.) Basic Course for County Correctional Police Officer to BCPO
- 5.) Basic Course for County Correctional Police Officer to BCI
- 6.) Basic Course State Correctional Police Officer to BCPO
- 7.) Basic Course State Correctional Police Officer to BCI

In addition, the Commission may wish to discuss the class of waivers involving the SLEO III title.

Commissioner Sharrock, on behalf of the Standards Committee, moved and seconded a motion to require all waiver candidates to complete the Pre-Academy Fitness standard and Defensive Tactics instruction effective February 1, 2023. The Commissioners voted to approve the motion.

4. Commissioner Sharrock indicated that **Agenda Item 6B was a Review** of the Defensive Tactics Written Examination.

Commission Staff have distributed the written examination component for the Defensive Tactics Academy Program. The test consists for 25 multiple choice questions, which each recruit must pass in order to successfully complete the Defensive Tactics Training Program. Administrator Cunningham is requesting the passing score be set at the 80 percentiles, this will create a passing score equal to the requirements for Functional Area 5: Use of Force. Use of Force and Defensive Tactics are two training components uniquely tied together, an officer must have a strong grasp of both to understand the limitations placed on their ability to utilize force when effectuating an arrest.

Commissioner Sharrock, on behalf of the Standards Committee, moved and seconded a motion to set the passing score at 80% for the Defensive Tactics Examination. The Commissioners approved the motion.

5. Commissioner Sharrock indicated that Agenda Item 6C was a Request for Waiver of Training from Alternate Route to SLEOII from Chief Christopher Battiloro, Westfield Police Department.

On November 30, 2022, Patricia Jones, PTC Academy Coordinator, was contacted by the Westfield Police Department in reference to a PTC-ID for Special Law Enforcement Officer Scott Mersereau. Upon checking the ACADIS System, it was discovered that Officer Mersereau was listed as an alternate route graduate from the John H. Stamler Academy on December 7,

2009. Westfield reported that Officer Mersereau has been employed as the agency's full time SLEO II, since his appointment in March of 2010. The PTC has no record of employment with the Westfield Police Department, nor has he been certified by the Commission. The Alternate Route Program was designed to allow individuals, without an appointment as a police officer, to attend the Basic Police Course, upon graduation seek employment as full time municipal police officers. In addition, the appointing agency would then seek certification, through the Commission. Although the Alternate Route Program was designed for full time municipal appointments, the Commission has approved training waivers for alternate route graduates appointed as county detectives. The request was forwarded to the full Commission for review and consideration. Chief Battiloro reports that Officer Mesereau has completed the required agency training and mandatory annual in-service training requirements. Chief Battiloro is requesting that the Commission approve a waiver and subsequent certification for Officer Mersereau.

Chief Battiloro was present to provide additional information and answer any questions. After a lengthy discussion and going into Executive Session, Commissioner Colucci, on behalf of the Standards Committee, moved and seconded a motion to grant a waiver of training and training credits to Officer Merserau. The Commission will allow Administrator Cunningham to determine what the proper training credits are and compose the appropriate waiver of training letter to be distributed to Chief Battiloro. The Commissioners voted to approve the motion.

#### **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 1st Quarter of State Fiscal Year 23 are being reviewed and processed. Technical assistance in preparing quarterly expense reports has been provided. Supplemental academy requests for LEOTEF purchases have been reviewed and approved. \$258,030.55 will be made available to eligible academies for the 34th LEOTEF distribution. The PTC was provided 2 funding scenarios that were passed on to the LEOTEF subcommittee for their recommendation. This recommendation has been presented to the Police Training Commission for approval. OAG Legal is currently reviewing the NOAF and application for the 34th LEOTEF distribution. The Grants Unit expects to have applications sent out by the end of November. Applications should be emailed to [Grants@njoag.gov](mailto:Grants@njoag.gov).

Administrator Cunningham reported **that Agenda Item 10A was Good and Welfare**.

Administrator Cunningham reported that Bureau Chief and PTC Counsel, Jeffrey Barile will be leaving the Division of Criminal Justice since he has accepted a new position with a prosecutor's office. On behalf of the Commission, Administrator Cunningham thanked Jeff for his service and wished him luck with his future career endeavors. He was also presented with a Certificate of Appreciation.

**Administrator Cunningham announced the next meeting is Monday, February 6, 2023**

Administrator Cunningham asked for a motion to adjourn the meeting at 12:51 pm. Commissioner Nolan voted to approve the motion. Commissioner Sharrock seconded the motion and the meeting was adjourned.