

Commission Meeting Number 356

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

POLICE TRAINING COMMISSION

Minutes of Commission Meeting

December 6, 2023

Location: **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
County Prosecutors' Association of New Jersey	Angelo Onofri
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	Elisabete Santos
New Jersey Juvenile Detention Association	Jorge Sandoval
New Jersey State Parole Board	Samuel Plumeri

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	Absent
New Jersey Jail Wardens Association	Oscar Aviles
New Jersey State Police	Captain Michael Tierney
Hudson County Police Academy	Mark Miller
New Jersey Transit Police Department	Nathan Yahm
New Jersey Transit Police Department	Christopher Lamotta
Camden County Academy	Orlando Cuevas
Camden County Academy	Robert Doyle
Camden County Academy	George Pizzo
Camden County Academy	Jose Rivera
Federal Bureau of Investigation	Thomas Notaro
FOP	James Sepp

Division of Criminal Justice Staff Present

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

Deputy Attorney General Stephen Wenger, Chief, Office of Public Integrity & Accountability

Academy Coordinator Pat Jones, Police Training Commission

Academy Coordinator Forest Kairos, Police Training Commission

Academy Coordinator Allison Gosley, 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, Police Training Commission

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

Field Representative, Donald Robertella, Police Training Commission

Field Representative, Aaron Erven, Police Training Commission

Curriculum Unit Supervisor, Tyeka Knight, Police Training Commission

Management Assistant, Dajhonna Collins, Police Training Commission

Police Training Commission Meeting Minutes for December 6, 2023

Administrator John F. Cunningham called the 356th meeting of the Commission to order at 11:30 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 4, 2023 Commission meeting. Commissioner Sharrock made a motion to accept the minutes. The motion was seconded by Commissioner Lyons. The Commissioners voted to approve the motion.

Administrator Cunningham read correspondence from Commissioner, Captain Michael Tierney, New Jersey State Police, announcing his retirement and resignation from the Commission. His replacement has not yet been announced.

Administrator Cunningham also read correspondence from Newark Mayor, Ras Baraka, explaining a state of need for establishing a Newark Police Academy.

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 4, 2023 meeting:

2A *PTC Instructor Certification issued to Manuel Gonzalez was denied.*

Gonzalez’s Instructor Certification has been suspended based on failing to reinforce/implement firearms range safety protocols.

Commissioner Lyons, on behalf of the Appeals Committee, moved and seconded a motion stating that the Commission takes no position on the matter, as the appeal was withdrawn at OAL by the appellant. Any assignment made by the employer is at their discretion, he does not hold a Commission Instructor Certification.

The Commission voted to approve the motion.

2. Commissioner Lyons reported that **Agenda Item 4A was a Consideration of Extensions of Training Time** for Juvenile Detention Officers and County Investigators

4A. Consideration of a Request for an Extension for Training Time for Four Juvenile Detention Officers (Bergen County Juvenile Detention Center)

Commissioner Lyons, on behalf of the Appeals Committee, moved and seconded a motion to approve all of the requests. Commissioner Sandoval abstained. The motion was approved.

4B. Consideration of Request for an Extension of Training time for Five County Investigators (Hudson County Prosecutors Office)

Commissioner Lyons, on behalf of the Appeals Committee, moved and seconded a motion to deny the following extension requests: Carolina Nunez, Carlos Clavijo, Edward Dehais. Commissioner Lyons stated that the officers have gone untrained for too long and the only reason the agency gave was COVID.

He also moved and seconded a motion to approve the requests for Krystal Wilkins and Russell McPherson. The Commissioners approved 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 Item 3A** was the Atlantic County Police Training Center **Recertification**.

The Atlantic County Police Academy has applied for school certification and for authorization to conduct the following courses:

- Basic Course for Police Officers
- Basic Course for County Corrections Officer
- Basic Course for Special Law Enforcement Officer Class II
- Basic Waiver Only Course for Police Officer
- Methods of Instruction
- Firearms Instructors Course

- Physical Conditioning Instructors Course
- Vehicle Operations Instructor Course
- Alternate Route
- School Resource Officer
- Basic Firearms Course

Re-certification was also requested to operate satellite facilities:

1. Atlantic Cape Community College 5 100 Black Horse Pike Mays Landing, New Jersey 08330
2. Atlantic County Pistol Range 175 Betsy Scull Road Egg Harbor, New Jersey 08234

PTC Academy Coordinator Patricia Jones has examined the application for recertification and confirmed the current validity of all information contained therein. All required attachments were included with the application, and were available for the Commissioners' inspection. School Director Edward Thornton certified on the application that the Atlantic County Police Academy will be administered and operated in accordance with the Police Training Commission policies, rules and standards. PTC Field Representative Dan Brown met with Director Edward Thornton, inspected the physical facilities at the academy, as well as, at the satellite facilities, and found them to be compliant with the PTC requirements.

Christopher Wenger, Firearms Coordinator, inspected the ranges and found them to be compliant with PTC standards.

Based upon staff inspection and approval of the certification documents, as well as inspection and approval of the school facilities, Administrator Cunningham hereby recommended that the Atlantic County Police Academy application for re-certification be approved for the three-year period from January 1, 2024 through December 31, 2026.

Director Edward Thornton was present to answer any questions and provide additional information.

Commissioner Sharrock, on behalf of the Standards Committee moved and seconded a motion to approve the recertification. The Commissioners approved the motion.

2. Commissioner Sharrock indicated that **Agenda Item 3B** was the Camden County Police Academy **Recertification**.

The Camden County College Police Academy has applied for school recertification and for authorization to conduct the following courses:

- Basic Course for Police Officers
- Basic Course for County Corrections Officers

- Basic Course for Juvenile Detention Officers
- Basic Course for Class II Special Law Enforcement Officers
- Basic Course for Special Waiver Class for Police Officers
- Basic Course for Class I Special Law Enforcement Officers
- Basic Firearms Course
- Methods of Instruction
- Firearms Instructors Course
- Physical Conditioning Instructors Course
- Radar Instructors Course
- Vehicle Operations Instructor Course
- Alternate Route
- School Resource Officer
- Basic Course Humane Law Enforcement Officer

Re-certification was also requested to operate satellite facilities:

1. Gloucester Township Police Firearms Range
2. Camden County College: Papiano Gym, and Athletic Fields
3. Camden County College Blackwood. Adams Hall
4. Lindenwold Charles DePalma Complex, Outdoor Firearms Range
5. Bader Field, 515 Albany Avenue, Atlantic City, NJ
6. Gloucester Township Community Park, Peter Cheeseman Avenue, Blackwood, NJ

PTC Academy Coordinator Patricia Jones has examined the application for recertification and confirmed the current validity of all information contained therein. All required attachments were included with the application and are available for your inspection. School Director Orlando Cuevas certified on the application that the Camden County College Police Academy will be administered and operated in accordance with the Police Training Commission policies, rules and standards.

PTC Field Representative Raymonetta Coles met with Director Orlando Cuevas, inspected the physical facilities at the academy, as well as, at the satellite facilities, and found them to be compliant with the PTC requirements.

Christopher Wenger, Firearms Coordinator, inspected the ranges and found them to be compliant with PTC standards.

Based upon staff inspection and approval of the recertification documents, as well as inspection and approval of the school facilities, I hereby recommend that the Camden County College Police Academy application for re-certification be approved for the three-year period from January 1, 2024, through December 31, 2026.

Commissioner Sharrock, on behalf of the Standards Committee moved and seconded a motion to approve the recertification. The Commissioners approved the motion.

3. Commissioner Sharrock indicated that **Agenda Item 3C** was the Hudson County Public Safety Training **Recertification**.

The Hudson County Police Academy, 635 County Avenue, Secaucus, N.J. 07904, has applied for school certification and for authorization to conduct the following courses:

- Basic Course for Police Officers
- Basic Course for County Corrections Officer
- Basic Course for Special Law Enforcement Officer Class II Basic Course for Special Law Enforcement Officer Class I Methods of Instruction
- Firearms Instructors Course
- Physical Conditioning Instructors Course
- Radar Instructors Course
- Radar Operators Course
- Vehicle Operations Instructor Course
- Alternate Route
- School Resource Officer

Certification was also requested to operate satellite facilities:

1. Laurel Hill Park, Laurel Hill Road, Secaucus, NJ
2. North Bergen Pistol Range, 8501 Westside Avenue, North Bergen, NJ
3. Met Life Stadium, Stadium Club Road, Secaucus, NJ
4. Lincoln Park, I Lincoln Park, Jersey City, NJ
5. Kane Stadium, 100 Dorigo Lane, Secaucus, NJ
6. John H. Stamler Academy, EVOC Training Site, 1776 Raritan Road, Scotch Plains, NJ

PTC Academy Coordinator Forest Kairos has examined the application for certification and confirmed the current validity of all information contained therein. All required attachments were included with the application and are available for your inspection. School Director Mark G. Miller certified on the application that the Hudson County Police Academy will be administered and operated in accordance with the Police Training Commission policies, rules and standards.

PTC Field Representative James Erven, met with Director Mark G. Miller, inspected the physical facilities at the academy as well as at the satellite facilities, and found them to be compliant with the PTC requirements.

Christopher Wenger, Firearms Coordinator, inspected the ranges and found them to be compliant with PTC standards.

Based upon staff inspection and approval of the certification documents, as well as inspection and approval of the school facilities, I hereby recommend that the Hudson County Police Academy application for initial certification be approved for the three-year period from January 1, 2024, through December 31, 2026.

Commissioner Sharrock, on behalf of the Standards Committee moved and seconded a motion to approve the recertification. The Commissioners approved the motion.

4. Commissioner Sharrock indicated that **Agenda Item 6A** was Consideration of Consideration of a Waiver of Training Request from New Jersey Transit Police Department on behalf of, Nathan J. Yahm (Enrichment to BCPO)

On November 17, 2023, the New Jersey Transit Police Department, submitted a Notice of New Appointment for Nathan J. Yahm, he was appointed on September 26, 2017, a NONA had never been previously submitted. The agency is requesting training credit for course work previously completed as an enrichment recruit in the Bergen County Academy Basic Police Class.

Officer Yahm attended and graduated from the Basic Course for Police Officers at the Bergen County Police Academy, (his attendance was for enrichment purposes only). The course was conducted from July 24, 2015 through December 17, 2015. At the time of his attendance. Officer Yahm was purported to be a Special Agent with the Morristown and Erie Railway. The information was detailed in a letter, dated July 2, 2015, from Lawrence Evans, Commission Administrator, to Bergen County Academy Director, Michael Devine. It was discovered in 2018 that the M&ER did not have a police department.

Officer Yahm did not receive PTC Certification, as he attended for enrichment purposes only. The Morristown and Erie Railway is not covered under the Police Training Act; therefore, their officers are not required to attend a Police Training Commission Certified Course for Police Officers. In addition, after a thorough investigation it was discovered that the Morristown and Erie Railway did not have an operational police department, nor were the candidate properly vetted in accordance with the Railroad Police Statue, 48:3-38.

Captain LaMotta, New Jersey Transit Police, and Officer Yahm were both present to answer questions and provide additional information. After a lengthy discussion, Commissioner Sharrock, on behalf of the Standards Committee, moved and seconded a motion to grant Officer Yahm a partial training credit. Administrator Cunningham will develop the required training for the waiver and advise the agency of same.

Six (6) Commissioners voted to approve the motion, two (2) Commissioners voted to

deny the motion, five Commissioners (5) abstained. The motion carried and was approved.

5. Commissioner Sharrock indicated that **Agenda Item 6B** was a Bergen County Police Academy Administrative Report.

On October 4, 2023, the Commission directed staff to supply additional administrative oversight at the Bergen County Police Academy. A letter detailing the Commission's concerns was delivered to the academy, and a meeting was convened by this writer at the Bergen County Police Academy, in attendance were the following; Brett Rothenberger, Academy Director, Damian Pope, Deputy Director, James Byrd, PTC Chief Investigator, and Donald Robertella, PTC Field Investigator. I explained the concerns raised by the Commission, and the actions that will be taken moving forward. Field Investigator Donald Robertella was assigned to the Bergen County Police Academy three days per week.

PTC was recently advised that Brett Rothenberger, Academy Director, received a new assignment within the Bergen County Prosecutors Office, therefore, Lieutenant Jennifer Rueda Bergen County Prosecutors Office, has been assigned as the new academy director. With the reassignment of Director Rothenberger, and the assignment of Director Rueda, this is the fifth director in five years, and the third in the last twelve months. In addition, Commission staff have received two more anonymous complaints concerning very serious matters at the Bergen Academy.

Commissioner Sharrock made a motion to go into Executive Session at 12:20pm. Commissioner Colucci seconded the motion and it was approved. Commissioner Sharrock made a motion to end Executive Session at 12:46pm. The motion was seconded by Commissioner Colucci.

Commissioner Ship made a motion to suspend Bergen County Police Academy's certification effective immediately. Current recruits in the BCPO class can complete Agency Training and have graduation. The academy staff is to appear before the Commission in February with a Table of Organization and plan to move forward. The motion was seconded by Commissioner Colucci and was approved by the full Commission.

6. Commissioner Sharrock indicated that **Agenda Item 6C** was Report of Essex of County Academy Satellite Approval.

Director Cirillo application to the Police Training Commission (PTC), in which he requested certification of Branch Brook Park, Essex County Park Avenue and Lake Street, Newark, N.J., as a satellite training facility. The Essex County Academy would like to utilize the satellite to conduct Physical Conditioning Training.

The application was reviewed by PTC Academy Coordinator Forest Kairos, and found to be in order. The proposed satellite facility was inspected by Field Investigator John Janowiack on October 6 and 19, 2023, and found to be compliant with PTC requirements. Field Investigator Janowiak recommended approval of the application.

The satellite application was approved by Administrator Cunningham.

7. Commissioner Sharrock indicated that **Agenda Item 6D was Resiliency Curriculum.**

PTC strongly believes the Resiliency Program for Recruits should be a part of the Basic Course for Police Officers. Resiliency training will provide the necessary skills for the recruits to process their past trauma's and the complex life issues they may continue to deal with daily. We believe it will also help decrease the dropout rate within the academy.

The resiliency program is our earliest chance and maybe only opportunity to create a cultural shift and avoid the re-training cycle, patterning is everything, we all know that. By adding the resiliency program, we will be changing the stigma of getting help; again, this is the start of an entire cultural shift; its ok not to be ok and to get help so that we can reach our ultimate goal of officers having a long, successful career, making it to retirement and more importantly enjoying retirement.

Commissioner Lyons made a motion to not add resiliency training curriculum to the Basic Course for Police Officers (BCPO), and instead leave it as a curriculum elective. Commissioner Colucci seconded the motion. Commissioner Scott opposed. The motion carried and was approved.

Commissioner Lyons made a second motion to develop a Committee to review the current mental health curriculum in the BCPO. Commissioner Colucci seconded the motion and the motion was passed.

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).

1. Commissioner Colucci reported that quarterly expense reports for the 1st quarter of State Fiscal Year 2024 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. The 2nd quarter of State Fiscal Year 2024 will end on December 31, 2023. Quarterly reporting for the 2nd quarter should

be submitted by January 15, 2024. \$275,875.00 will be made available to eligible academies for the 35th LEOTEF distribution. The PTC chose and approved a funding scenario for this round of funding. The NOAF and application documents are being reviewed. Applications are expected to be sent out by the end of December.

2. Administrator Cunningham reported that **Agenda Item 8B was a Report on Social Media Rule Proposal.**

On July 21, 2022, Governor Murphy signed P.L. 2022, c. 65, which establishes a police licensing program for all New Jersey law enforcement officers. P.L. 2022, c. 65 amended the Police Licensure Act (“Act”), as codified in N.J.S.A. 52:17B-66, et. seq. Rules to implement P.L. 2022, c. 65 were originally proposed in the New Jersey Register on April 17, 2023 at 55 N.J.R. 626. In light of the comments received, the Commission adopted rules in conformance with the Act on September 5, 2023, exclusive of the sections pertaining to social media and organizational or group membership. Now, pursuant to the authority vested in the Commission through P.L. 1961, c. 56, P.L. 2008, c. 80, and P.L. 2022, c. 65, the Commission is proposing amendments to N.J.A.C. 13:1 to address certain items not covered in the adopted rules.

PTC Counsel, DAG Stephen Wenger was present and advised that the Social Media Rule is ready to be voted on by the Commission. Commissioner Lyons made a motion to move the rule forward. The motion was seconded by Commissioner Sharrock and was approved by the full Commission.

Commissioner Lyons thanked PTC staff and the Licensing Committee for the work put in to develop the rule proposal.

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

1. Administrator Cunningham introduced four new PTC employees and also spoke about licensing seminars being held statewide and thanked Magdeline Diaz for putting the seminar training dates together.
2. Commissioner Colucci asked for a status report on the vehicles ordered for PTC staff in November 2022. The vehicles are now 150 days away from being delivered.

Administrator Cunningham asked for a motion to adjourn the meeting at 12:47pm.

Commissioner Sharrock voted to approve the motion. Commissioner Nolan seconded the motion and the meeting was adjourned.

Administrator Cunningham announced the next meeting is Monday, February 5, 2023