Police Officers Commission on Standards & Training
Meeting Minutes
February 21, 2019

1. Welcome and Roll Call

Chief Edward Mello called to order the regular meeting of the Police Officers Commission on Standards & Training (POST) at 10:05 a.m. on February 21, 2019.

Chief Mello took a roll call. The following POST members were present: Chief Edward Mello, Colonel Hugh Clements, and Colonel Michael Winquist. A quorum has been met. Excused absences are Mr. Shawn Brown and Maria Deaton. Also present were Lieutenant Christopher Zarrella, Paul Dutra; Paul Brouilette; David Ricciarelli; Donna Lavallee; R.I. Police Chief’s Association Executive Director Chief Sydney Wordell; Sue Urso; Ryan Holt; Director Norman Gamache; Paul Saccoccio; Ralph Ezvoski.

2. Discussion/Approval of minutes:

Chief Mello asked for a motion to accept the minutes of the POST Meeting of November 20, 2018; Colonel Winquist made a motion to accept the minutes; Colonel Clements seconded the motion. With all in favor, 3-0, motion carries.

3. Discussion by Mr. Paul Saccoccio and Mr. Ralph Ezvoski of possible POST Certification for current RISD Officers.

Colonel Winquist stated that he was contacted by Mr. Paul Saccoccio, who is representing officers at RISD to discuss a proposal to POST certify officers currently working, with the understanding that all new officers will attend RIMPTA beginning July, 2019.

Mr. Saccoccio introduced himself and said he is representing RISD Public Safety officers and supervisors. The school has indicated that they are desirous to have public safety officers certified as police officers as they want officers to have certification for purposes of making arrests on campus and if they had to use Use of Force. He asked if the status of peace officers satisfy those requirements. He stated that he researched POST minutes from past meetings and in 2005 this was addressed and there was a desire to do this. In 2012, the General Assembly added to them to the statute and they have enjoyed peace officer status. RISD now wants them certified Police Officers. The concern is they have a closed group of employees now serving as peace officers. All have had schooling which fits the criteria of what RIMPA teaches. They have attended educational blocks of training both here and in-house. The closed group of active employees is asking if the POST can give them credit for what they’ve done already and not having to come back to the Academy. He
has no objection to sending all new members to the Academy, this proposal is just for the closed active group of employees.

Colonel Clements stated that RISD officers work with the City of Providence and he knows what they do. He fully supports they bypass the physical portion as long as they have the prerequisite training. He feels it is important that they have the certification. There was discussion about the Bill of Rights and Mr. Ezvoski noted they are not covered under the Police Bill of Rights. Chief Mello asked if any were certified as of now and Mr. Ezvoski answered no. He asked how many officers are affected and Director Gamache answered 17. Colonel Clements asked Director Gamache to explain the direction RISD is headed. He replied stating the goal is to maintain a hybrid force where the new officers will go the Academy. He is hoping to start with 1 administrator in July and the officers to follow. Chief Mello stated they have arrest authority but cannot carry a firearm. He doesn’t feel there is a statute requiring that they attend the Academy and asked legal counsel for their thoughts. Sue Urso stated that she’s not sure this fits the 3-year rule or waiver. Chief Mello said you could compare it to Brown University where by policy, they elect to send their officers to RIMPA but not required to do so. Paul Dutra cited the Supreme Court case involving the East Greenwich officer who was unable to pass the swim portion of the Academy. The court case recognized the need and authority of the POST to be the certifying agency for police officers in the State. He said he’d caution to look at the case. Chief Mello stated the reality is a conflict in the law as to POST authority to certify other curriculum. He doesn’t think they have to be certified. He feels it should handled case by case. Sue Urso agreed that you cannot make a decision as a whole…it would be by-passing the system. Mr. Saccoccio added that they are not looking for waiver status. The members already know it is a case by case, with they providing their training package for review. Sue Urso stated that the E.G. police officer that couldn’t pass the swim requirements went to Providence where at the time, there was no swim requirement. The Supreme Court said no, you cannot bypass the statute. Lieutenant Zarrella explained the waiver process and how he handles the review of training records. Chief Mello suggested that perhaps we take a sample of 1 of 17 and see if we are even close to granting waiver status. He added that we don’t know enough of their training level as to compare to what RIMPA requires. Chief Wordell suggested maybe in doing the research, bring someone close to being certified and someone who has the minimum. Lt. Zarrella agreed and stated if we are going to essentially consider them waiver candidates, they are now completely certified police officers so that needs to be considered. Director Gamache stated that there is only a select few in his opinion that would be remotely ready. Colonel Winquist asked about firearms training and Director Gamache replied that they would need to meet the criteria of the 80 hours of firearms training. Lt. Zarrella asked if he could supply him with a complete job description so he knows what is expected of them and Director Gamache said he is in the process of re-writing job descriptions. Colonel Clements made a motion to continue this item to the May meeting; Colonel Winquist seconded the motion. With all in favor, 3-0, motion carries.

4. Discussion on Department of Corrections request to review their pre-service twelve-week Academy

Sue Urso stated that this is similar to the previous item on the agenda that they just discussed. Based on statutes and authority, the POST focus is on police officers. Asking the POST to act on this is a little or a lot of their expertise. If you extend it, are you opening it up to others? She suggests to leave it as it is a far field from what the POST has done historically. Chief Mello added this is a straight out request to certify their Academy. POST has no authority to certify other Academies. Colonel Clements made a motion to not certify the Department of Corrections pre-service twelve-week Academy; Colonel Winquist seconded the motion. With all in favor, 3-0, motion carries. Chief Mello will notify Deputy Warden Salisbury.
5. **Communication and Informational memo from Chief Brian Sullivan**

Chief Wordell explained that the Rhode Island Police Chiefs, under the direction of Chief Sullivan, with the work of the Executive Board to take a look at RIMPA due to the unfortunate move in January. They are going to take a hard look as to how best to serve the Academy and recruits. To date, the RIPCA has been hands off due to the statutes but they will take a look, along with the RISP, to memorialize where the Academy would be and the future of the Academy. The individuals listed in the attached letter are part of the committee in charge. Colonel Mendonca will be calling a meeting soon.

6. **Re-Evaluation of General Order, 2.102 “Provisional Police Officer Certification”**

   Lieutenant Zarrella explained that in reviewing this policy and in light of correspondence with other agencies, a scenario has come up of what the policy documents and what it doesn’t do. It speaks only to Providence and RISP. He gave the scenario of have a police officer who graduated from RIMPA, went on to their department and had no issues. Then they re-locate out of state for a few years and now want to come back to Rhode Island. Can he go right back on the road? He can’t afford to wait to the next Academy to come through as a sit in. He stated he is looking for a policy that speaks to this as it is becoming more and more relevant. Colonel Winquist asked if our instructors could train them and Lt. replied yes but is there certification criteria. Like how long before maybe Law needs to be re-visited or Domestic Violence? Colonel Clements asked if it is as easy as codifying the Provisional Policy. Chief Mello agreed that this scenario is lacking in the Provisional Policy. Sue Urso suggested that it looks like the reasoning behind the policy is because back then Providence and RISP were not POST certified. What is the cleaner way to go? New policy or revised policy? Paul Dutra stated that the Trust policies recognize each of the 3 Academies at equal footing. The unique provisional policy brought in Providence & RISP, but it didn’t contemplate what is happening today. He suggests it may be cleaner to set up a new policy. Chief Mello added that we need to take a broader look. Can a police officer from another State come in and get Provisional status while going through as a waiver. Maybe get a minimum certification knowing they have to complete everything else in so much time. Paul Dutra suggested reciprocity. Lt. Zarrella explained that they must be very, very close. He suggested maybe a standardized test. If they pass everything, they can work. He said he will take a harder look and see if a vehicle exists. He asked to keep this on the agenda till the next meeting.

7. **Request for Approval of Firearms Qualifications**

   Lieutenant Zarrella is recommending approval of the following Firearms Qualifications:
   - Burrillville Police Department
   - Charlestown Police Department
   - Cumberland Police Department
   - Glocester Police Department
   - Middletown Police Department
   - North Smithfield Police Department
   - Westerly Police Department
He added that North Kingstown will be tabled till next meeting as they have not yet met the standards. Colonel Winquist made a motion to approve the above Firearms courses; Colonel Clements seconded the motion. With all in favor, 3-0, motion carries.

Lieutenant Zarrella asked for approval of the Providence Police Department Patrol Rifle Operator’s Course. Colonel Clements recused himself from this vote. Chief Mello made a motion to approve the course; Colonel Winquist seconded the motion. Lieutenant Zarrella asked for approval of the Jamestown Police Department Firearms Course. Chief Mello recused himself. Colonel Clements made a motion to approve the course; Colonel Winquist seconded the motion.

8. **Approval of Re-Certification of the East Providence PD Special Response Team**

Lieutenant Zarrella stated members of the RI Tactical Team have recommended approval of the re-certification of the East Providence SRT. Colonel Clements made a motion to approval re-certification of their team for a three-year period; Colonel Winquist seconded the motion. With all in favor, 3-0, motion carries.

9. **Certification of Instructors**

- Officer Bruce Celico – Portsmouth PD – Use of Force
- Captain Steve Johnson – Westerly PD – Drug Recognition Expert
- Lieutenant James Jennings – Cranston PD – Report Writing (amendment to original app)

Lt. Zarrella reviewed all of their qualifications and recommended certification as Basic Certification. Colonel Clements made a motion to certify the above-named officers and Colonel Winquist seconded the motion. With all in favor, 3-0, motion carries.

10. **Update on Continuing Education**

Captain Ricciarelli stated he has sent a survey out to all of the Police Chief’s and has received an 89% return rate. Paul Dutra stated it is extremely telling as to the Chief’s side of what should be a training necessity. From the liability side, he has stressed the need for these trainings areas. Lt. Zarrella added that was exactly the intent of the survey.

11. **Update on Class 2019-I**

Lt. Zarrella stated that the class is finishing Week 7 and holding steady at 36 recruits. All are doing exceptionally well and healthy. Chief Mello asked if they received First Amendment training and the Lt. replied yes, they are bombarded by the Class Training Officers with it and also the Fusion Center has added it to its curriculum.

Chief Mello announced that this is Sue Urso’s last meeting as she has been re-assigned to another department. He thanked her for her commitment and wished her well. He welcomed her replacement Ryan Holt.
12. Adjournment:

Chief Mello asked for a motion to adjourn the meeting. Colonel Clements made a motion to adjourn the meeting at 11:25 am and Colonel Winquist seconded the motion. With all in favor, 3-0, motion carries.

Respectfully submitted,

Donna M. Lavallee
Administrative Assistant