



# ***RHODE ISLAND DEPARTMENT OF PUBLIC SAFETY***

## ***Municipal Police Training Academy***

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Colonel James M. Manni  
Superintendent, Rhode Island State Police  
Director, Department of Public Safety

Lieutenant Christopher J. Zarrella  
Executive Director  
Municipal Police Training Academy

### Police Officers Commission on Standards & Training Meeting Minutes

**February 26, 2020**

#### **Welcome and Roll Call**

**Colonel Hugh Clements** called to order the regular meeting of the Police Officers Commission on Standards & Training (POST) at 10:02 a.m. on **February 26, 2020**.

Donna Lavallee took a roll call. The following POST members were present: Colonel Hugh Clements, Colonel Michael Winquist, Maria Deaton and Mr. Shawn Brown. A quorum has been met. Absent is Chief Mello. Also present were Lieutenant Christopher Zarrella, David Ricciarelli, Donna Lavallee; Ryan Holt; Adam Sholes, Captain Michael Chalek, URI, and Paul Dutra, RI Interlocal Trust.

#### **1. Discussion/Approval of minutes:**

Chief Mello asked for a motion to accept the minutes of the POST Meeting of November 21, 2019, January 3, 2020 and February 4, 2020. Shawn Brown made a motion to accept the minutes ; Maria Deaton seconded the motion. With all in favor, 4-0, motion carries.

#### **2. Policy review in reference to Academy Standards**

Lieutenant Zarrella stated that he would like the POST to take a hard look at the policy that speaks to the appeal process. His question, for the record, is the Academy is built around the “two bits at the apple” principle so what is the reason for the appeal process. Paul Dutra stated the Trust has had no input into that. Dave Ricciarelli responded by explaining that this policy was initially established with “two bites of the apple: and a 3<sup>rd</sup> test after graduation or for the recruit to attend that training at the next Academy. The rationale was that departments needed personnel and there may be circumstances that impeded the training. Also, there was the legal aspect if there were no process for extra circumstances to be taken into consideration.

Lt. Zarrella stated that these are his concerns:

- As Director, his perspective of the Academy is the product we produce is greater than the sum of all the tests. It is their performance throughout the Academy~living and existing throughout the Academy with the stressors in place. DLO’s are briefed weekly as to their recruits performance, attitude, etc. His concern with the appeal process is that the recruit is now removed from the Academy environment. He/she is no longer taking that test with the same circumstances. The recruit is outside of those stressors. He feels there is a lot more to passing than just taking the test on that particular day.

- Secondly, he feels the question is “What is it you are appealing”? The recruit takes the first test, failed; goes to remedial and takes the 2<sup>nd</sup> test, failed. What are you then appealing? The recruit has failed the “two bites at the apple” policy. It should be “two bites at the apple” and that’s it. But it’s really not. You get the “two bites at the apple” and then a 3<sup>rd</sup> and in the latest case, a 4<sup>th</sup> attempt.

He further stated that he has contacted IADLEST to see how other Academy’s handle this situation and many do not have an appeal process. Some do but many don’t entertain an appeal process. In some instances, the POST has distanced themselves from the Academy and leave it up to the Academy. The bottom line is that he not for the appeal process as he feels it takes away from the integrity of training. Firearms already has 3 “bites at the apple”. He feels an appeal weakens the integrity of the “two bites”. Of course, there are always extenuating circumstances (death in family, sickness, etc.) and we would take that into consideration and would work that into the revised policy.

Also, under the present policy, under IV, subsection N, it states if you fail two tests, the Director would bring it to the POST for dismissal. Why would it go to the POST? If a recruit had the “two bites of the apple” and failed twice, why does it go to the POST?

Colonel Clements stated that Lt. Zarrella has made his point crystal clear. This policy was written many years ago and perhaps the policy has withstood the test of time. Academies and candidates are changing and perhaps the policy needs revision at this point. However, he would like to see the reviews that Lt. Zarrella has gotten in his research from IADLEST.

Maria Deaton asked how often does the appeal request happen. Lt. Zarrella replied that is seems to be a relatively rare occasion and most recruits do make it through. It usually happens with the Use of Force and Firearms and those test outs are late in the Academy. The Chiefs need bodies, understandably, so they petition to appeal at that point. He is seeing the number of applicants are down. There are fewer applicants and fewer really good applicants so the departments are choosing from the same pool in many instances.

Colonel Clements stated that he agrees with Lt. Zarrella and feels the Academy environment is critical to the testing process. He suggested perhaps fine tuning the language in the policy. Lt. Zarrella stated Chief Mello suggested clearing up the language and he took the task on. He added that he is concerned with the integrity of the Academy and feels it is cleaner without the appeal. Mr. Brown agreed that the stressors of the Academy is supposed to provide the candidate and assure the departments of the best possible training. If they can’t handle it in the Academy, what happens when they go out to their municipalities?

Colonel Winkvist believes the appeal should be allowed but restrictive to extenuating circumstances and not just because of manpower issues. The question was raised to Paul Dutra about the liability of someone who goes through the appeal and something comes up later within the department. Mr. Dutra responded that from the municipal end, if he’s not mistaken, once a recruit graduates, is he not then qualified immediately by the department so he can hit the road? That separate qualification, if failed, then becomes a liability of the municipality. It would break the chain. Lt. Zarrella added that the reality is that if that officer is involved in a shooting and they request the records that show the recruit failed, failed again and so on, would that not be tarnishing for the department. Colonel Clements responded they would get all the details in the investigation and he didn’t feel it would.

Colonel Clements added that these are all interesting questions that were poised but would like a further review of Lt. Zarrella's findings. He made a motion to table this discussion for the next meeting, pending the collection of the policies from Lt. Zarrella. Mr. Brown made the motion as worded by Colonel Clements; Colonel Winquist seconded the motion. With all in favor, 4-0, motion carries to table.

### **3. Request for approval of Firearms Qualifications Courses**

- Charlestown Police Department
- Cumberland Police Department
- Jamestown Police Department
- Middletown Police Department
- North Smithfield Police Department
- Scituate Police Department
- Smithfield Police Department
- South Kingstown Police Department
- Warren Police Department
- Westerly Police Department

Lieutenant Zarrella stated that Scituate and North Smithfield PD Qualification courses will be tabled until the next meeting as Captain Gould is still awaiting some documentation for approval.

Colonel Winquist made a motion to approve all Firearms put before them with the exception of North Smithfield and Scituate; Maria Deaton seconded the motion. Mr. Brown recuses himself from the vote due to Middletown's course. With all in favor, 3-0, motion carries.

### **4. Certification of Instructors**

- Off. David Wyrostek, Barrington PD - Basic Water Rescue Instructor
- Officer Patrick Majeika, Charlestown PD - First Responder/CPR Instructor
- Officer Conor Debold, E. Providence PD-Basic Water Rescue Instructor
- Officer Gregory Silvia, Bristol PD - Patrol Operations Instructor
- Off. Philip Garland, Central Falls PD - Patrol Operations Instructor
- Sgt. Matt Jennette, Providence PD - Patrol Operations Instructor
- Off. Jose Deschamps - Providence PD - Patrol Operations Instructor
- Off. Warren Caldwell, E. Providence PD - Patrol Operations Instructor
- Off. Stephen Fernandez, Coventry PD- Patrol Operations Instructor
- Off. Aires Medeiros, Coventry PD - Patrol Operations Instructor
- Off. Harold Guise, DEM - Basic Water Rescue Instructor
- Trooper Lauren Lanoie, RISP - Use of Force Instructor
- Trooper Patrick Sarasin, RISP - Use of Force Instructor

- Trooper Matthew House, RISP - Use of Force Instructor
- Trooper Robert Bentsen, RISP - Use of Force Instructor
- Trooper Kristen Carr, RISP-Use of Force Instructor
- Trooper Marcin Ferenc, RISP-Use of Force Instructor
- Trooper Joseph Pronk, RISP-Use of Force Instructor
- Trooper Stephen Vinton, RISP-Use of Force Instructor
- Trooper Heather Palumbo, RISP -Use of Force Instructor
- Trooper Scot Baruti, RISP -Use of Force Instructor
- Trooper Theodore Gibbons, RISP-Use of Force Instructor
- Off. David Cragin, Cranston PD - Patrol Operations Instructor

Lt. Zarrella stated that there is a push to expand our staff and the above list of instructors is the early outcome of that. All the Troopers went through the same LOCKUP training as our Academy staff. Regarding the Patrol Operations, we have new curriculum in place that went before the POST and it is working out very well. All the qualifications of the above instructors have been reviewed and they have all taken the necessary classes, passed and met all the requirements. The Patrol Operations instruction is moving from classroom PowerPoint to a more experiential way of teaching to include going through scenarios, situational drills and is more labor intensive. Due to this, we need more instructors on the ground to walk them through. The more instructors we get, the less it is on any one department. Colonel Clements said he suggests getting this out to the departments.

Maria Deaton made a motion to approve all above instructors minus Providence and Cranston; Mr. Brown seconded the motion. With all in favor, 4-0, motion carries.

Maria Deaton made a motion to approve Sergeant Matt Jennette and Off. Jose Deschamps from Providence PD and Mr. Brown seconded the motion. With Colonel Clements recused, the motion carries, 3-0.

Maria Deaton made a motion to approve Off. David Cragin from Cranston PD; Mr. Brown seconded the motion. With Colonel Winquists recused, the motion carries, 3-0.

## **5. Update on Continuing Education**

Captain Ricciarelli reviewed upcoming and past trainings for the spring. He said 25% are new programs and spoke on a couple that we are hosting here next month.

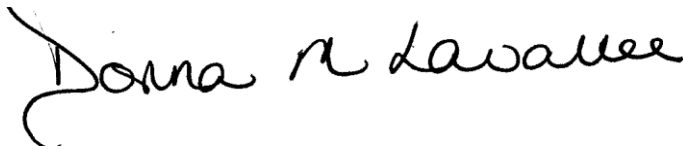
## **6. Update on Class 2020-I**

Lt. Zarrella stated that the class is in Week 8. We are down to 49 recruits after having lost one this week due to an injury and a couple are still struggling physically. All have passed the Academic testing so far. March 13<sup>th</sup> is the Use of Force test out and all departments are encouraged to attend.

## **7. Adjournment:**

Colonel Clements asked for a motion to adjourn the meeting. Maria Deaton made a motion to adjourn the meeting at 10:59 am and Colonel Winkvist seconded the motion. With all in favor, 4-0, motion carries.

Respectfully submitted,

A handwritten signature in black ink that reads "Donna M Lavalley". The signature is written in a cursive, flowing style.

Donna M. Lavalley  
Administrative Assistant