

Criminal Justice Training Council
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Office of the Executive Director

Vermont Criminal Justice Training Council
Meeting Minutes – Conference Call
March 16, 2012

Present via Phone:

Sheriff Stephen Benard, Chair, Rutland County Sheriff's Department
Commissioner Keith Flynn, Vermont Department of Public Safety
Commissioner Andy Pallito, Vermont Department of Corrections
Commissioner Robert Ide, Vermont Department of Motor Vehicles
Captain William Elovirta, Vermont Department of Motor Vehicles
Cindy Maguire, Vermont Attorney General's Office
Sergeant Thomas Mozzer, Vermont State Police
Joe Damiata, VT League of Cities and Towns
Executive Director Richard Gauthier, Vermont Police Academy

12:00: Meeting is called to order by Chair, Sheriff Stephen Benard.

Waiver Committee:

- **Justin Szarejko**, Castleton Police Department. Chief Sherwin is requesting a waiver of the six month rule to allow Szarejko to work as a full-time officer on a part-time certification through the start of the 94th Basic Class. Szarejko failed the PT test on both attempts to gain entrance to the 92nd & 93rd Basic Classes. According to Academy records Szarejko completed the part-time certification process on 3/2/2010. Szarejko was appointed to full-time status on 1/4/2011. His six month period to work full-time hours on a part-time certification expired on **7/4/2011**. Director Gonyea spoke with Chief Sherwin and informed him that until a waiver was approved by the Council, Szarejko immediately needed to revert to part-time officer status as he has been in violation of the Council rules since 7/5/2011. Chief Sherwin indicates in his waiver request that he did not request a waiver after Szarejko failed the PT test for the 92nd Basic as he was certain he would pass the test for the 93rd Basic. If approved it would mean that Szarejko would have worked full-time hours on a part-time certification from 7/5/2011 – 2/23/2012 without an approved waiver, and from the date of approval on this request to 8/6/2012 (start of the 94th Basic) with an approved waiver. The total time worked full-time on a part-time certification would be approximately 13 months. I informed the Chief that his request would be presented to the committee and Council for further discussion.
 - **Action: Motion** made by Isabelle to approve as a onetime waiver with the condition if he does not pass the next PT test for the full-time class he will not be granted another waiver, 2nd by Humphries. No further discussion. MOTION – passed, 5-0

Motion made by Commissioner Ide to deny the waiver request. Second by Joe Damiata. Motion carried, waiver denied.



- **Donald Hull**, Stowe Police Department. Town Manager Charles Safford requests a waiver to allow Hull to transfer his full-time certification in Connecticut to VT. Hull has been appointed as the new Police Chief with an effective date of 27 Feb 2012. Hull attended the Connecticut Basic Peace Officer Academy and graduated on 11/18/1981. Hull left policing in 2012 in order to accept the new position in VT. Hull is scheduled to attend phase 1 of the VT part-time basic program in March 2012. Between basic training, continuing education, special unit assignments and supervisory experience during his time as a police officer Hull has significant hours of training in excess of our basic training requirements. In addition to the standard prescription, identified deficiencies between Hull's basic and in-service training as compared to the VT full-time basic program are; 2010 Mandatory DV training and DUI Enforcement.

 - **Action: Motion** made by Isabelle to approve as presented plus add training for persons with developmental disabilities, 2nd by Humphries. No further discussion. MOTION –passed, 5-0\

- **William Daniels**, Springfield Police Department. Chief Johnston requests a waiver to Rule 13 for Daniels based on a medical issue. According to the request Daniels was on medical leave between 10/3/2011 – 1/3/2012. Prior to going on medical leave Chief Johnston reports that Daniels had completed a total of 11.5 hours of training which included his mandatory first aid component. Chief Johnston proposes that the remaining 13.5 hours of training will be completed by 3/1/2012. Chief Johnston was contacted to provide documentation of training that had been completed which was received on 2/23/2012. Gonyea provided 30 minutes of driver training on the driving simulator on 2/17/2012 at the PD. Documentation demonstrates 31 hours of training has been completed between 3/23/2011 – 1/19/2012, including firearms but not including first aid.

 - **Action: Motion** made by Humphries to approve as presented, 2nd by Chamberlain. No further discussion. MOTION –passed, 5-0

- **Joshua Otey**, Bristol Police Department. Chief Gibbs requests that Otey be re-certified as a full-time VT Officer based on his previous training and experience in VT, combined with his continued function as a police officer in Illinois after leaving VT. Chief Gibbs did not report Otey's Rule 13 hours for 2008 after he resigned to become an officer in Illinois. Chief Gibbs did include documentation of those hours in his waiver request application. The only documentation missing for 2008 was proof that Otey had re-qualified with his firearm. Otey did qualify with his weapon in Illinois as part of his certification process in 2008 which is included with the enclosed documentation. Chief Gibbs provided documentation that Otey completed 67 hours of in-service training in Illinois during 2011 prior to returning to VT. Otey attended the 2010 Mandatory DV training at the VT Police Academy on 12/27/2011. On 2/10/2012 I received an e-mail from Officer Crowe indicating that he had taken Otey to the range to qualify with his firearm. Chief Gibbs was notified via e-mail on 2/10/2012 that Otey had an approved waiver pending review by the committee and Council.

 - **Action: Motion** made by Humphries to approve as presented, dependent upon completion of 25 hours of required training for 2011 no later than July 1, 2012, 2nd by Isabelle. No further discussion. MOTION –passed, 5-0



- **Heather Lanagan**, Hinesburg Community Police. Chief Koss is requesting that Lanagan be re-certified as a full-time officer based on her previous full-time certification, recent training and job performance. Lanagan completed the full-time basic training course on 5/27/2005. Her Rule 13 was in compliance during her tenure with VSP, except for 2009 which is the year she resigned on 5/8/2009. Lanagan was out of policing until she was hired by Hinesburg in 2011. Chief Koss supplied documentation indicating that Lanagan completed a total of 118 hours of training in 2011, which included first aid and firearms re-qualification. Chief Koss is requesting that Lanagan be reinstated as a full-time officer and that any deficiencies with her Rule 13 requirements in 2009 be made up with by hours she completed in 2011. Enclosed with the packet is an e-mail from an Academy staff member on 10/6/2010 informing Lanagan that then Asst. Director June Kelly had determined that Lanagan would need to complete a total of 24 hours of training, which would include first aid and the firearms re-qualification.
 - **Action: Motion** made by Chamberlain to approve as presented, 2nd by Humphries. No further discussion. MOTION –passed, 5-0
- **Courtney Sojka**, Vernon Police Department. Chief Hebert's requests a waiver to Rule 13 for Sojka based on a medical issue. Chief Hebert's included a note from Sojka's physician which verifies his medical condition, recommends surgery - but does not include a projected medical end date. Sojka is reported to have been on medical leave since 11/15/2010. Based on provided documentation and Academy records Sojka has completed 10 hours of Rule 13 training in 2011.
 - Staff recommendation: Waiver be approved with the conditions that Sojka not be allowed to exercise police powers until he has been medically cleared, successfully re-qualified with his duty firearm and completed his remaining 20 hours of training for 2011.
- **Benjamin Couture**, St. Albans City Police Department. Chief Taylor requests a waiver to Rule 13 for Couture based on a scheduling issue to attend firearms re-qualification in 2011. Chief Taylor indicates in his request that the training would be completed by the end of March 2012. Based on Academy records Couture has completed 6 hours of Rule 13 training in 2011. Chief Taylor did not report Couture's Rule 13 hours on his agency roster due to this waiver request.
 - Staff recommendation: Waiver be approved with the conditions that the training is completed no later than the end of March 2012 and include a warning that outside of extenuating circumstances (i.e. military deployment, documented medical condition, extended family emergency) all Rule 13 training must be completed within the calendar year for which it is required.
- **Judy Dunn**, St. Albans City Police Department. Chief Taylor requests a waiver to Rule 13 for Dunn based on a scheduling issue to attend firearms re-qualification in 2011. Chief Taylor indicates in his request that the training would be completed by the end of March 2012. Based on Academy records Dunn has completed 6 hours of Rule 13 training in 2011. Chief Taylor did not report Dunn's Rule 13 hours on his agency roster due to this waiver request.



- Staff recommendation: Waiver be approved with the conditions that the training is completed no later than the end of March 2012 and include a warning that outside of extenuating circumstances (i.e. military deployment, documented medical condition, extended family emergency) all Rule 13 training must be completed within the calendar year for which it is required.
- **William Furnari**, St. Albans City Police Department. Chief Taylor requests a waiver to Rule 13 for Furnari based on a scheduling issue to attend 1st Aid in 2011. Chief Taylor indicates in his request that the training would be completed by the end of March 2012. Based on Academy records Furnari has completed 339.5 hours of Rule 13 training in 2011 (includes reported 259.5 hours for completing part-time certification process in Feb 2011). Chief Taylor did not report Furnari's Rule 13 hours on his agency roster due to this waiver request.
 - Staff recommendation: Waiver be approved with the conditions that the training is completed no later than the end of March 2012 and include a warning that outside of extenuating circumstances (i.e. military deployment, documented medical condition, extended family emergency) all Rule 13 training must be completed within the calendar year for which it is required.
- **Gary Taylor**, St. Albans City Police Department. Chief Taylor requests a waiver to Rule 13 for himself based on a scheduling issue to attend firearms re-qualification in 2011. Chief Taylor indicates in his request that the training would be completed by the end of March 2012. Based on Academy records Taylor has completed zero hours of Rule 13 training in 2011. Chief Taylor did not report his Rule 13 hours on his agency roster due to this waiver request.
 - Staff recommendation: Waiver be approved with the conditions that the training is completed no later than the end of March 2012 and include a warning that outside of extenuating circumstances (i.e. military deployment, documented medical condition, extended family emergency) all Rule 13 training must be completed within the calendar year for which it is required.

Motion made by Cindy Maguire to accept the recommendations for the rest of the waivers presented. Second by Commissioner Flynn. Discussion followed about the rules and statutes surrounding the waiver process, authority of the Council and Director. It was decided, after a review of the rules and the statutes that the Council had the ability to allow Executive Director Gauthier to review the waiver and issue temp waivers.

Basic Class Size: Decision reached that the Council would survey departments to see what the turnover expectations would be for the next five years and plan accordingly. The Council would issue a moratorium on tuition students (except college agreements) for the next year.

Prior Minutes: Approval of the minutes of the December meeting. Motion made by Cindy Maguire to accept the minutes. Second by Captain Elovirta. Motion passed, minutes approved. Motion made to adjourn by Cindy Maguire, second by Joe Damiata.

Meeting Adjourned at 12:38.

