

Old Saybrook Police Commission
Regular Meeting
January 27, 2020
MINUTES

A regular meeting of the Old Saybrook Police Commission was held on Monday, January 27, 2020 at the Old Saybrook Town Hall.

Present: Chairman Von Dassel, Vice Chairman Reid, Secretary Maselli, Commissioners Quish, Keeney, Shippee and Cortese-Costa. Chief Spera and Lieutenant DePerry were present from the Department of Police Services.

I. Call to Order/Pledge of Allegiance

Chairman Von Dassel called the meeting to order at 5:59 PM and led those in attendance with the Pledge of Allegiance.

II. Public Comment

There were no comments from the Public.

III. Discussion and Possible Action Concerning Meeting Minutes

a. Regular Meeting – November 25, 2019

Commissioner Keeney made a motion to approve the November 25, 2019 Regular Meeting Minutes. Secretary Maselli seconded the motion. The Commission discussed the minutes.

Commissioner Shippee stated that under section 12 the minutes are incorrect. She stated that Secretary Maselli specifically said at the beginning of that comment that he was speaking on behalf of the Police Commission and that the Chairman said he cannot speak on behalf of the Police Commission.

Secretary Maselli stated that the minutes are correct.

Commissioner Cortese-Costa stated that she recalls Secretary Maselli saying he was speaking as an individual. Commissioner Keeney agreed.

The motion to approve the November 25, 2019 Regular Meeting Minutes as presented passed with a vote of 5 in favor with Commissioner Shippee opposing and Commissioner Cortese-Costa abstaining.

b. Special Joint Meeting – January 6, 2020

Commissioner Keeney made a motion to approve the January 6, 2020 Special Joint Meeting Minutes. Commissioner Quish seconded the motion. The motion to approve the January 6, 2020 Special Joint Meeting Minutes passed with a vote of 7 in favor, 0 against and 0 abstaining.

c. Special Meeting – January 13, 2020

Commissioner Keeney made a motion to approve the January 13, 2020 Special Meeting Minutes. Secretary Maselli seconded the motion. The motion to approve the January 13, 2020 Special Meeting Minutes passed with a vote of 7 in favor, 0 against and 0 abstaining.

IV. Executive Reports

a. Financial

1. FY 19-20 Budget Process

Chief Spera reviewed the handouts that the Commission are given and entertained any questions.

There were no questions from Commissioners.

2. FY 20-21 Budget Process

Chief Spera stated the budget process is moving forward and that all budget books have been delivered. He added that the Estuary and the Acton Library have books for public viewing.

Chief Spera added that communication has been passed along to First Selectman Fortuna that the Commission would like to participate in the upcoming union negotiations.

b. Administrative

1. Personnel Report

Chief Spera advised the Commission that Sergeant Ciccone is still out on a work related injury, he's hoping he comes back in the next couple of months. He stated that another Officer who is still on the off duty roster should be returning to work in the next couple of months.

2. Correspondence

Chief Spera passed around the most recent correspondence.

V. Discussion Concerning a Complaint from Chief Spera to the Executive Board alleging misconduct by Commissioner Shippee

Commission Cortese-Costa raised a Point of Order and questioned if the Commission should be hearing the complaint from Chief Spera as the Police Commission has no legal authority to address a complaint against an individual Commissioner.

Attorney McHale stated that there is nothing that prohibits the Commission from hearing the complaint.

Secretary Maselli asked Attorney McHale if after hearing the Chief's complaint he could advise the Commission if they should send the complaint to the ethics board.

Attorney McHale stated yes.

Chairman Von Dassel asked Commissioner Shippee if she wanted to say anything.

Commissioner Shippee stated that she was advised to not address the matter.

The Commission decided to hear the complaint in open session.

Chief Spera walked the Commission through the complaint that he made to the Executive Board.

He stated that on January 8, 2020 Old Saybrook Police Officers responded to Commissioner Shippee's home in attempt to serve two outstanding warrants on an individual that they had knowledge to be present at her home. The arrest warrants were for a violation of probation with underlying charges, that the individual had been found of or pleaded guilty to, Criminal Mischief in the second degree, Larceny in the fourth degree, Reckless Endangerment in the First Degree, Escape from Custody, and Criminal Trespass in the first degree.

The interaction between the Police Officers and Commissioner Shippee went as follows.

Patrolman White – Hello Mrs. Commissioner, how are you?

Commissioner Shippee – Fine.

Patrolman White – How's it going? Who is home with you? Who is in the house with you?

Commissioner Shippee – No one right now.

Patrolman White – No one right now? Who is the male that's home in the house with you?

Commissioner Shippee – I don't have a male in the house.

Patrolman White – You do, I just saw him walk through the window and I saw him in your room.

Commissioner Shippee – I just called Troop F, I have money to bond him out, I don't want to go through the fiasco in Old Saybrook.

Patrolman White – Ok, well we're going to pick him up here because he has a warrant and we know that.

Commissioner Shippee – I know, I just called Troop F.

You then hear Patrolman White request that Commissioner Shippee bring the subject out of the house, the suspect is then placed into custody.

Chief Spera stated that Commissioner Shippee could have been arrested for her actions. He added that Police Officers also provided Commissioner Shippee much latitude in this lawful police interaction. He stated that Police Officers know that in her Commissioner capacity she sits in judgment of the Department's budget and matters that effect themselves and their families, such as discipline and promotion.

Chief Spera stated that after he personally viewed the body camera footage he requested a meeting with the individual members of the Executive Board. The three members met with the Chief, heard his formal complaint and viewed the footage.

He stated that his complaint was not criminal in nature but rather a true concern about the actions and behavior of an elected Police Commissioner had once again negatively impacted the police operation and yet again strained the relationship between the Department and the Commission.

He stated that after the January 13, 2020 Special Meeting he advised Commissioner Shippee of the complaint. He later that night sent an email to the Police Department advising staff that he had made the complaint to the Executive Board. In the email he stated that the complaint concerns Commissioner's Shippee's repeated lack of candor when being questioned by a member of our Agency during a warrant service. He stated that he finds her behavior reprehensible and contrary to the conduct expected of an elected member of the Old Saybrook Police Commission. He stated the matter was now in the hands of Chairman Von Dassel, Vice Chairman Reid and Secretary Maselli.

Chief Spera then asked for permission to play the video.

Commissioner Cortese-Costa raised a Point of Order and argued that the video should not be shown and that this seems like a disciplinary hearing because someone is presenting evidence.

Chairman Von Dassel stated he doesn't find this as disciplinary and that the Commission is entertaining the complaint from the Chief of Police.

Attorney McHale stated that it is not a disciplinary hearing as the Commission has no authority to discipline an individual Commissioner but that the Commission does have the authority to hear from the Chief and discuss concerns.

Commissioner Cortese-Costa made a motion to enter in to Executive Session to view the footage.

Commissioner Keeney seconded the motion. Secretary Maselli, Vice Chairman Reid and Commissioner Quish disagreed stating the footage should be viewed in public session. Commissioner Shippee abstained. The motion was tied at three voting to enter into Executive Session, three voting to keep it in public session and Commissioner Shippee abstaining so the motion did not pass.

Chairman Von Dassel decided to enter into Executive Session.

The Commission discussed allowing Chief in the Executive Session to show the video and then leave for the Commission to discuss with the legal counsel.

Chairman Von Dassel asked Commissioner Shippee if she objected to entering into Executive Session to view the video.

Commissioner Shippee stated that she's not making comments, this is your game and you guys do whatever you want. I will handle this in the matter that I need to handle it but do what you have to do.

Commission Keeney made a motion to enter into Executive Session inviting Chief Spera to show the video to the Police Commission and then leave when the Commission goes into discussion with Attorney McHale. Commissioner Quish seconded the motion. The motion to invite Chief Spera to show the Commission the video in Executive Session passed with a vote of 6 in favor, 0 against and Commissioner Shippee abstaining.

The Commission entered Executive Session at 6:35 PM.

The Commission exited Executive Session at 6:43 PM.

The Commission stated that they wanted it on the record that the video was not shown in Executive Session.

The video was then shown in public session.

After the video was played Chief Spera thanked the Commission for their time and requested their assistance in doing whatever possible to ensure and maintain the integrity of the Commission and a positive and collaborative environment between the Commission, the Chief's Office and the members of the Department. He stated while collectively the Commission is limited to what they can do, he understands and appreciates that, but he respectfully requested that after deliberation they choose to do something. Something that exemplifies that there is a true right and true wrong in this situation and that an elected old Saybrook Police Commission being untruthful, twice, to an Old Saybrook Police Officer is just simply wrong he said.

VI. Anticipated Executive Session for the purpose of Receiving Communications Privileged by the Attorney-Client Relationship

Commissioner Keeney made a motion to enter into Executive Session inviting Attorney McHale join in order to discuss the complaint and discuss what the options the Police Commission has. Vice Chairman Reid seconded the motion.

Commissioner Shippee asked why this is going to be in Executive Session if the video has already been played in public session.

Attorney McHale stated that because the Commission is seeking legal advice it is a valid reason to enter into Executive Session.

Chairman Von Dassel stated that the Executive Session is not to discuss the complaint but to discuss steps from here moving forward.

The motion to enter into Executive Session inviting Attorney McHale to join passed with a vote of 6 in favor and Commissioner Shippee opposing.

The Commission entered into Executive Session at 6:49 PM.

The Commission exited Executive Session at 7:07 PM.

VII. Discussion and Possible Action regarding the Complainant from Chief Spera regarding the conduct of Commissioner Shippee

Commissioner Keeney made a motion that authorizes Chairman Von Dassel, the Chairman of the Police Commission to send Commissioner Shippee a letter of disapproval as discussed in Executive Session. Secretary Maselli seconded the motion. The motion to send Commissioner Shippee a letter of disapproval passed with a vote of 5 in favor, with Commissioner Cortese-Costa opposing and Commissioner Shippee abstaining.

VIII. Discussion and Possible Action Concerning Proposed Operational Workshops

Chief Spera passed out the list of his proposed operational workshop list.

He stated that his goal is to create a workshop series that exposes the Commission to the various aspects of the Department that allows the Commissioners direct access to the staff as they make the presentations.

They reviewed the list.

Commissioner Quish stated that this would be great for her so she can learn about the operations.

Chief Spera asked if there was anything he missed.

Secretary Maselli stated training and professional development.

Commissioner Keeney stated Marine Patrol.

Chairman Von Dassel stated he would like to see something regarding updating the Police Department general orders and the accreditation process.

Secretary Maselli stated DUI and DUI funding programs and the aging records management systems.

The Commission decided that at the next meeting Chief Spera is going to try to have a representative from the Freedom of Information Commission come to present.

Vice Chairman Reid stated that he would like an update on department weapons.

Commissioner Shippee asked to see the hiring process workshop after the FOI presentation.
Commissioner Quish agreed.

Secretary Maselli made a motion to request that the Chief present these operational workshops with a schedule that works with the people who need to present these over the upcoming year. Vice Chairman Reid seconded the motion. The motion for Chief to present these operational workshops over the next year passed with a vote of 7 in favor and 0 against and 0 abstaining.

IX. Comments from the Chief of Police

Chief Spera stated that his personnel is doing a great job especially being short staffed. The Sergeants are on an emergency schedule working 12 hour shifts. This is temporary as once Sergeant Ciccone returns the schedule will go back to normal.

He stated that the diaper drive starts February 1st.

He stated that letters have gone out for Chief's Clergy Council. He has set a meeting to have them come to the station and he intends to meet with them once a quarter.

He also stated that he thanks everyone for their attention. He stated that he knows sometimes that things can be difficult to discuss but he appreciates everyone's professionalism and collaborative nature.

X. Comments from Commissioners

There were no comments from the Commissioners.

XI. Public Comments

Keith Margotta stood up and made comments to the Commission regarding the prior arrests of his son and himself.

A member of the public asked the Commission if they have looked into having outside review. He also stated that one weekend he was eating breakfast at a local restaurant and saw Police Officers arrive in the parking lot, change into tactical gear and head down a road. He stated that this is not Chicago, this is Old Saybrook.

Chris Root asked if everyone is going to be treated the same as Renee.

Chief Spera addressed the Commission and stated that Mr. Margotta had already sent letters regarding his and his sons arrests to the First Selectman and the Chairman of the Police Commission and both of them had already spoke to the court about his claims and found them not to be true. He also stated that the call that the gentleman is alluding to was a man holding his wife hostage with a firearm and threatened harm to himself. He stated that not everything that happens is publicized. And that sometimes people witness police action that they don't understand.

Detective Perrotti stood up and stated that not everyone knows what calls they go to. He stated that Old Saybrook is a beautiful area but that violent crimes still take place here. He stated that when they do go into these situations they need appropriate equipment that they are lucky to have that equipment because the Chief brought that forward to them. He said there is crime here, and people have firearms. He stated that understanding that may be upsetting but that it is real life. Old Saybrook has had shootings at hotels in which Officers have been shot. He stated that the Police Officers are trying to do their best. He tHe stated that he appreciates the Commissions support and stated he would like to work together as one moving forward to protect the people who work for the Department and the citizens of Old Saybrook.

XII. Adjournment

Commissioner Keeney made a motion to adjourn. Secretary Maselli seconded the motion. The motion to adjourn passed with a vote of 7 in favor and 0 against.

The meeting adjourned at 7:44 PM.

Respectfully submitted by:

Jennifer D'Amato
Records Clerk for the Old Saybrook Police Commission