

Old Saybrook Police Commission
Regular Meeting
January 23, 2023
MINUTES

A regular hybrid meeting of the Old Saybrook Police Commission was held on Monday, January 23, 2023. The meeting was recorded and can be viewed in its entirety at <https://youtu.be/mOQGQy4Q4jM>

Present: Chairman Wilcox, Vice Chairman Shippee, Secretary Notar-Francesco, Commissioners Calle, Maselli (arrived at 6:46PM), Manning and Von Dassel. Chief Spera and Captain DePerry were present from the Department of Police Services.

I. Call to Order / Pledge of Allegiance (0:20)

Chairman Wilcox called the meeting to order at 6:30 PM for the Police Commission and led those in attendance with the Pledge of Allegiance.

II. Comments from the Public (0:45)

There were no comments from the Public.

III. Discussion and Possible Action on the Meeting Minutes for: (1:03)

a. Regular Meeting – November 28, 2022 (1:06)

Secretary Notar-Francesco made a motion to approve the November 28, 2022 Regular Meeting Minutes. Commissioner Manning seconded the motion. The motion to approve the November 28, 2022 Regular Meeting Minutes passed with a vote of 6 in favor, 0 abstaining and 0 opposed. Commissioner Maselli was not present for the vote.

b. Special Meeting – January 5, 2023 (1:26)

Secretary Notar-Francesco made a motion to approve the January 5, 2023 Special Meeting Minutes. Commissioner Manning seconded the motion. The motion to approve the January 5, 2023 Special Meeting Minutes passed with a vote of 6 in favor, 0 abstaining and 0 opposed. Commissioner Maselli was not present for the vote.

c. Special Meeting – January 10, 2023 (1:43)

Secretary Notar-Francesco made a motion to approve the January 10, 2023 Special Meeting Minutes. Commissioner Calle seconded the motion. The motion to approve the January 10, 2023 Special Meeting Minutes passed with a vote of 5 in favor, 1 abstaining (Shippee) and 0 opposed. Commissioner Maselli was not present for the vote.

IV. Executive Reports (2:02)

a. FY 23 Operating Budget (2:07)

Chief Spera stated that he has no concerns regarding the FY 23 Operating Budget.

b. FY 24 Budget Process (3:17)

Chief Spera stated that the proposed FY24 budget is currently with the First Selectman and that Carl Fortuna is working with the Finance Director to bring it to the Board of Finance.

c. Off Budget Accounts (5:22)

Chief Spera stated that the Police Insurance Exchange account is currently showing a negative balance. He stated that the Department is waiting for a couple of checks from CIRMA and, once those checks are received, they will be deposited into that account.

d. Personnel Matters (6:29)

Chief Spera advised the Commission that custodian Patrick Hanley is still out and has been approved for a one-year unpaid leave of absence.

Chief Spera stated that dispatcher Caitlin Murray will be coming back to work February 1st.

Chief Spera stated that the two Police Officers who were injured during an arrest are back to work.

i. Report on New Patrolman Appointments (7:04)

Chief Spera advised that the two new trainees, Sara Silano and Eric Lawrence, are both at Connecticut Police Academy. They are scheduled to graduate in August. Chief Spera asked if the Commission would like to meet them soon or after they graduate. The Commission decided they would like to meet them soon.

e. Fleet Update (8:47)

Chief Spera updated the Commission stating that the final two cars will be sold this week. The checks have been received and deposited.

The Chief stated that there are a few final things to be completed with the current fleet and the SRO cars, but he estimated about ten thousand dollars (\$10,000) will be returned to the Town.

f. Pending Facility Insurance Claims (10:55)

Chief Spera stated that there are two major facility claims.

Chief Spera stated that during COVID touch points were wiped down three times a day and, due to all the cleaning, the facility doors started bowing. Chief contacted CIRMA regarding the issue and over seventy thousand dollars worth of doors have been replaced at the Police Department.

Chief Spera stated that he is still working with the Hartford Steam Boiler Inspection and Insurance Company for the September 25th lighting strike and surge.

g. Municipal and Public Safety Emergency Communications System (13:29)

Chief Spera spoke about the current communications system. He stated that, while there is presently no timeline in place for needing a new system, it is something that the Town needs to start thinking about. The First Selectman is very interested in finding grant funding and the Fire Department applied for a FEMA grant, but it does not allow dispatching consoles.

Chief Spera stated that using ARPA funding is a possibility, but that would have to be the First Selectman's decision.

h. Professional Development Update (19:02)

Chief Spera advised the Commission that 13 Police Officers have accomplished mandatory in-house COLLECT training and everyone has completed intoxilyzer and body-worn camera system policy training.

Chief Spera stated that today Captain DePerry and Patrolman Milardo renewed their certification in training for Human Trafficking. This allows them to train staff in-house.

The Chief advised the Commission that dispatcher Lea Offner has passed her training courses and can officially start training new hires. As per diem dispatchers get hired Lea will be assigned to train them.

i. Activity Report (21:00)

Chief Spera stated that the activity report was included in the packet for the Commission.

j. Future Commission Workshop Schedule (22:12)

Chief Spera and the Commission discussed future workshops. He listed some ideas that were on his list and asked the Commission if there was anything that should be added. The Commission discussed the format of the workshops and decided that Chairman Wilcox and Chief Spera will meet and discuss time needs for workshops before the meeting takes place so that a two-hour workshop will not take place during a regular meeting.

k. "It's Time to Do Your Duty!" – OSPD CARES Event (32:28)

Chief Spera stated that February 1st starts the Police Department's annual diaper and wipe drive.

V. Commission Workshop – By-Law Amendments (33:47)

Chairman Wilcox stated that proposed amendments to the by-laws were first made back in April. Counsel reviewed the first draft and said that the proposals were illegal/against policy. The First Selectman allowed the Commission to get outside counsel to draft by-laws to fit the needs of the Commission and these are the by-laws currently in front of the Commission.

a. Public Comment and Procedure By-Law (35:40)

i. Purpose (35:50)

Chairman Wilcox stated the purpose of changing this by-law is to make it comply with the freedom of speech provisions in federal and Connecticut Constitutions.

ii. Proposal (35:50)

The Commission encourages speakers not to make offensive statements or to engage in personal attacks against individuals. To the extent speakers wish to complain about a particular or specific Police Department employee in Public Comment, the Commission requests that speakers refrain from identifying individual employees by name, rank, badge number, or any other specific reference that tends to identify the employee.

iii. Collaboration and Edits (35:50)

Chairman Wilcox stated that he wanted to add a sentence to the first paragraph that reads, "the Police Commission welcomes input from the public, both positive and negative."

The Commission discussed the "Public Comment Conduct and Procedure."

Chief Spera read a letter regarding the new proposed by-laws and his feelings regarding them. *The letter has been attached to the minutes.*

The Commission and Chief Spera discussed the "Public Comment Conduct and Procedure."

The Commission discussed adopting something similar to the Board of Education Public Comment Conduct number 6.

iv. Discussion and Possible Action to refer the "Public Comment and Procedure By-Law Change" to the Next Regular Meeting for Action (1:21:00)

After much discussion the Police Commission achieved a consensus on the following language.

Public Comment Conduct and Procedure

The Police Commission welcomes input from the public, both positive and negative. The Police Commission may permit any individual or group to address the Commission concerning any subject that lies within its jurisdiction, except as noted below, during a portion(s) of the Commission's regular or special meetings so designated on the agenda for such purpose.

1. Three (3) minutes may be allotted to each speaker and a maximum of thirty (30) minutes total to the public comment period. The Commission may modify these limitations at the beginning of a meeting if the number of persons wishing to speak makes it advisable to do so.
2. A Police Commission member shall be appointed by the Chairperson prior to the meeting to act as timekeeper for the meeting, if deemed necessary by the Chairperson.
3. No disruptive conduct shall be permitted at any Police Commission meeting. Persistence in disruptive conduct shall be ground for removal of the disruptive individual(s) from the meeting room by order of the Chairperson or if appropriate the Chairperson may order the meeting room cleared and continue the meeting in executive session, provided duly accredited representatives of the media who are in the

attendance shall be permitted to attend the executive session, unless they were participating in the disturbance.

4. Speakers are required to refrain from presentations that discuss specific employees of the Department of Police Services, regardless of whether or not the employee is identified in the presentation by name or by another reference that tends to identify an individual. Members of the public are encouraged to submit commendations, comments, or complaints concerning specific employees to the Chief of Police or to the Police Commission.

5. At no time will the Police Commission permit public comment or engage in discussion during public comment portion of a meeting concerning an active investigation or an arrest awaiting adjudication.

Secretary Notar-Francesco made a motion to move the “Public Comment Conduct and Procedure By-Law” as written above to the next meeting for possible action to adopt. Commissioner Manning seconded the motion. The motion passed with a vote of 7 in favor, 0 abstaining and 0 opposed.

b. Police Commission Correspondence By-Law (1:27:22)

i. Purpose (1:27:22)

Chairman Wilcox stated the purpose of this amended by-law is to correct the issues with the current by-law. With the new by-law, correspondence addressed to one specific Commissioner will go to the entire Commission.

Chief Spera read letter a letter regarding the “Police Commission Correspondence By-Laws” to the Commission. *The letter has been attached.*

ii. Proposal (1:27:22)

Correspondence addressed to one of more commissioners, or to “the Commission” or “Commissioners,” may be initially addressed to them at Town Hall, at the Department of Police Services building, or to one or more individual commissioners at their email or Post Office address. If addressed to them at the Police Services building, the Department shall promptly notify the addressee(s) that mail awaits them and may be picked up at the dispatch window. Mail addressed to “Commissioners” or “The Commission” shall be treated as though it were addressed to each of the Commissioners.

No matter how received, the recipient shall cause a copy to be circulated to the full Commission and to the recording clerk of the Commission. If the contents of the correspondence relates to Police personnel, or suggests the existence of a public safety concern or a threat to personnel or property of the Department, the Chief of Police shall also be notified of the correspondence.

iii. Collaborative and Edits (1:27:22)

The Commission and Chief Spera discussed the proposed by-law.

iv. Discussion and Possible Action to refer the “Police Commission Correspondence By-Law” to the Next Regular Meeting for Action (1:52:05)

After much discussion the Police Commission achieved a consensus on the following language.

Police Commission Correspondence

Correspondence addressed to one or more commissioners, or to "the Commission" or "Commissioners," may be initially addressed to them at Town Hall, at the Department of Police Services building, or to one or more individual commissioners at their email or Post Office addresses. If addressed to them at the Police Services building, the Commission clerk shall promptly notify the addressee(s) that mail awaits them and may be picked up at the Department. Mail addressed to "Commissioners" or "The Commission" shall be treated as though it were addressed to each of the Commissioners.

No matter how received, the recipient shall cause a copy to be circulated to the full Commission and to the recording clerk of the Commission for archival in accordance with State records retention law. Correspondence that pertains to operational matters (personnel, traffic / criminal complaints, matters under adjudication, vendor solicitation, etc.) should be forwarded to the Police Chief without unreasonable delay. All correspondence received should be shared with all Commission members and be saved for discussion at the next public meeting of the Commission.

Commissioner Maselli made a motion to move the "Police Commission Correspondence By-law" as written above to the next meeting for possible action to adopt. Secretary Notar-Francesco seconded the motion. The motion passed with a vote of 7 in favor, 0 abstaining and 0 opposed.

The Commission took a brief recess at 8:25PM.
The Commission was back in session at 8:30PM.

c. Responsibilities of Commissioners To Inform Themselves By-Law. (1:55:07)
i. Purpose (1:55:33)

Chairman Wilcox stated that the purpose of this revised by-law is to replace the current one, which he feels was strictly negative.

ii. Proposal (1:55:33)

Replacing Investigation of Personnel Related Matters in the current by-laws with the following:

Responsibilities of Commissioners to Inform Themselves

Commissioners should strive to keep themselves informed as to all matters within their purview pursuant to state law and the Town Charter.

Commissioners may be called to act in a quasi-judicial capacity, but may not serve in such a capacity if she or he demonstrates either actual bias against the officer in question or prejudgment of the issue in question. Commissioners are advised to remember that there are usually two or more sides in any issue, and that they should keep an open mind as to any issue until they have heard from all interested parties in any proceeding.

iii. Collaboration and Edits (1:55:33)

The Commission discussed "Responsibilities of Commissioners To Inform Themselves By-Law."

Chief Spera read a letter regarding this proposed by-law to the Commission. *The letter has been attached.*

The Commission discussed the proposal.

iv. Discussion and Possible Action to refer the "Responsibilities of Commissioners To Inform Themselves By-Law" to the Next Regular Meeting for Action.
(2:35:36)

Commissioner Von Dassel made a motion to table the proposed "Responsibilities of Commissioners To Inform Themselves By-Law." Commissioner Maselli seconded the motion. The motion to table passed with a vote of 7 in favor, 0 abstaining and 0 opposed.

VI. Report of the Ad Hoc Committee to Develop and Evaluation Instrument for the Position of Chief of Police (2:37:15)

Secretary Notar-Francesco stated that the next meeting is February 9th at 6:00PM.

Secretary Notar-Francesco will be bringing a sample draft evaluation tool from the Morristown Police Department. The subcommittee will review, revise and discuss the next steps.

VII. Correspondence (2:39:38)

The Commission discussed correspondence.

VIII. Comments from the Public (2:38:10)

Master Sergeant DeMarco commented.

IX. Comments from the Chief of Police (2:41:31)

Chief Spera commented.

X. Comments from Police Commissioners (2:41:49)

Commissioner Calle commented.

Commissioner Von Dassel commented.

Chairman Wilcox commented.

Vice Chairman Shippee commented.

XI. Adjournment (2:49:06)

Secretary Notar-Francesco made a motion to adjourn. Commissioner Maselli seconded the motion. The motion to adjourn passed with a vote of 7 in favor, 0 abstaining and 0 opposed.

The meeting adjourned at 9:24 PM.

Respectfully submitted by:

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



Michael A. Spera
Chief of Police

TOWN OF OLD SAYBROOK DEPARTMENT OF POLICE SERVICES

36 Lynde Street • Old Saybrook, Connecticut 06475

Police Commission
Town of Old Saybrook
302 Main Street
Old Saybrook, Connecticut 06475

January 23, 2023

Re: Proposed "Public Comment Conduct and Procedure" By-Law

Commissioners:

As the Commission considers changing its "Public Comment Conduct and Procedure" By-Law, specifically paragraph four, I offer the following comments for your consideration. I respectfully request that my thoughts be considered as your current proposal impacts the Department's employees and operation.

First, to place this communication in context, I have listed at the end of my comments the language present in the current by-law as well as the language that is being considered to replace the current language. While the differences are obvious, they are also concerning to me.

Current language sets clear parameters for members of the public while protecting the employment and property interest rights of our dedicated employees. The proposed change removes language that reads: *"Speakers are requested to refrain from presentations that discuss the work performances of specific employees of the Department of Police Services in a negative manner"*.

The public most certainly has a right to question and complain about an individual employee and their performance at work, however the forum to do so is not the public police commission meeting. The proposed change is insulting to the men and women who provide police services in our community, strips them of their rights for personnel matters to be handled within established procedures, and undermines my ability to properly address personnel related matters in accordance with policy and law. Additionally, the Commission should refrain from involving themselves in personnel related matters until such time that the matter becomes the jurisdiction of the Commission.

I feel that the proposed language invites people to make negative public complaints about Police Officers to the Commission at public meetings. This creates yet another reason, established by the Police Commission, not to work in Old Saybrook. Imagine being a Police Officer, who is trying their best to perform their sworn duties having to worry that

each month when the Commission convenes that someone that they have rightfully taken enforcement action against, will be present voicing disapproval of their job performance to the Commission in public, for all to hear, which is captured and archived on video. Comments that are one sided, out of context, with no factual review, or ability to immediately rebuff about a municipal employee's job performance should not be welcomed in this format. Rather, the individual should be directed to participate in the established procedure to air their grievances and have them properly investigated in a manner that is consistent with policy and law. A process that employees have been educated on and can expect. Changing this process, is a change in working conditions for our personnel.

Again, I am not saying that a member of the public cannot or should not air their concerns or grievances. They should. Rather, I am requesting that the Commission, through its By-Laws, encourages that they do so in a manner that follows established procedures and allows their grievance to be heard while protecting the employment rights of our dedicated employees. The Commission has no evidence that I have not properly investigated personnel matters to cause this or other changes to your by-laws. In fact, there are clear examples within the past year of my transparency with the Commission concerning serious personnel matters. A transparency that sadly, has not been reciprocated.

Asking citizens to follow established procedures is not violating or restricting their First Amendment Right of free speech. Government is allowed to create rules that its citizens must follow while expressing themselves. You can't yell "FIRE" in a crowded theater, you can protest in front of Town Hall, but you may not do so inside the Mayor's Office. Rules are established for the benefit of all. In this case the rules protect the rights of both our citizens and our employees.

I must also reiterate my concern about the proposal's removal of the word "commendations:". Why would the Commission choose to remove the suggestion of hearing positive things about employees? This is not employee centric and sends a terrible message to all Department employees.

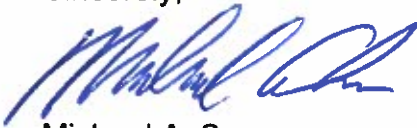
I submit that the Old Saybrook Police Commission be no different then any other Old Saybrook Board or Commission when it pertains to negative public comment about the performance of a municipal and/or board of education employee at a public meeting. The Board of Education would not permit the discussion of the negative work performance of a teacher during public comment at one of their meetings. The Zoning Commission would not allow their employee to be defamed at a public meeting nor would the Park and Recreation Commission. Why would the Town of Old Saybrook, through its duly elected Police Commission treat their Police Officers and Public Safety Dispatchers any different than other employees?

I see no practical or legal reason to change the existing by-law. I encourage the Commission to support the process that is in place and legally applied that allows citizens to air their complaints of employee workplace performance while respecting the rights of

our dedicated employees. Should the Commission still desire changes to this By-Law, I suggest a collaborative discussion with representatives from our respective labor unions and the administration to understand concerns about the current process and discuss enhancements that respect our employee's employment rights.

Until such time, I respectfully request that the Commission not make any changes to the existing "Public Comment Conduct and Procedure" By-Law.

Sincerely,



Michael A. Spera
Chief of Police

Current Paragraph 4

Speakers are requested to refrain from presentations that discuss the work performances of specific employees of the Department of Police Services in a negative manner, regardless of whether or not the employee is identified in the presentation by name or by another reference that tends to identify the employee. Members of the public, if they so choose, may submit commendations, comments, or complaints concerning specific employees to the Department of Police Services. To the extent members of the public have concerns about personnel they are encouraged to bring them to the attention of the Chief of Police or, if they prefer, through written communication to the Commission Chairperson.

Proposed Replacement of Paragraph 4

The Commission encourages speakers not to make offensive statements or to engage in personal attacks against individuals. To the extent speakers wish to complain about a particular or specific Police Department employee in Public Comment, the Commission requests that speakers refrain from identifying individual employees by name, rank, badge number, or any other specific reference that tends to identify the employee.



Michael A. Spera
Chief of Police

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January 23, 2023

Re: Proposed "Police Commission Correspondence" By-Law

Commissioners:

As the Commission considers changing its "Police Commission Correspondence" By-Law, I offer the following comments for your consideration. I respectfully request that my thoughts be considered as your current proposal impacts the Department's employees and operation.

To place this communication in context, I have listed at the end of my comments the language present in the current by-law as well as the language that is being considered to replace the current language.

The proposal eliminates much of the current language. While brevity is applauded, I believe perhaps too much has been trimmed. I concur that the inclusion of e-mail is a positive enhancement.

I think it is important to first discuss who the current or future "Police Commission Correspondence" By-Law governs. The By-Laws of the Old Saybrook Police Commission govern only the Commission itself. In other words, a Police Commission By-Law cannot direct or assign responsibilities to anyone other than Members of its own Commission. The four corners of the By-Law Document can only apply to the elected Members of the Police Commission.

It seems that the purpose of this by-law should be to detail how communication in any form is received, reviewed, forwarded, and archived.

First, I would recommend that the Police Commission direct me on how you would like the Police Department to manage correspondence, in any form, that is addressed to a Commissioner or to the Commission as a whole that happens to be received by the Department. I share the following suggested language in a letter from the Police Commission to me:

"Chief Spera, from time to time, an individual police commissioner or the police commission may receive correspondence (electronic or hardcopy) at the Police Department. To meet our obligations to the public, we must establish an agreement on how correspondence intended for us is handled when received by the Department in the most efficient manner. We ask that you establish written procedures that accomplish this goal to share with the Commission. Specifically, should the Police Department be in a receipt of a communication intended for an individual Police Commissioner, we ask that you cause notification to the Police Commissioner and arrange for the delivery/pick up of said communication. If the communication is addressed to the Commission, and there are enough copies or it is in electronic form, we ask that you cause notification to the Commission and arrange for the delivery/pick up of said communication. If there is only one tangible piece of correspondence that is addressed to the Police Commission, please communicate the presence of and delivery to the Police Commission Chairman. Each of these actions must occur without unreasonable delay. Finally, there may be times when individual Police Commissioners or the Commission as a whole receives correspondence that pertains to operational matters that we will forward to you. We ask that when doing so you cause the sender to learn that their correspondence has been received and if appropriate notify the Commission at its next regular meeting of any actions you have taken with respect to the correspondence."

Now that the Commission has formally advised me of how correspondence should be managed when received by the Department, your new by-law can be specific to how Police Commissioners, not the Police Department, manages and archives correspondence.

The by-law should first establish the official physical mailing address and the official e-mail address of the Commission. As an example:

"For purposes of receiving mail, the official mailing address of the Police Commission shall be: The Old Saybrook Town Hall, 302 Main Street, Old Saybrook, CT 06475. The official email address for Commission shall be police.commission@OldSaybrookCT.gov"

Then the by-law should require specific actions from Commissioners based on the nature of correspondence received. I suggest the following language:

"Correspondence that pertains to operational matters (personnel, traffic/criminal complaints, matters under adjudication, vendor solicitation, etc) should be forwarded to the Police Chief without unreasonable delay. Other correspondence received should be shared with all Commission Members and be saved for discussion at the next public meeting of the Commission."

Finally, the by-law should address public record retention. You may choose to have it read:

"All correspondence reviewed and/or sent by a Police Commissioner or the Police Commission must be forwarded to the Police Commission Clerk for archiving in accordance with state record retention laws."

Directing me on how to handle correspondence intended for a Police Commissioner or the Police Commission received by the Department establishes the guidelines desired by the Commission in a proper format, not within a by-law. The Police Commission "Correspondence" By-Law can now focus on establishing official mailing addresses, what Commissioners must do when receiving correspondence, and how correspondence must be archived with respect to the law.

I respectfully request that the Police Commission consider these suggestions as you enhance this by-law.

Sincerely,



Michael A. Spera
Chief of Police

Existing By-Law

Police Commission Correspondence

The Police Commission and/or individual Police Commissioners occasionally receive mail and/or other correspondence (electronic or otherwise) addressed to the Police Department. The Police Commission and/or individual Police Commissioners may also have such correspondence forwarded to the Police Department.

When such correspondence that is addressed to the "Police Commission," the "Commission", "Commissioners" or in any other manner that reasonably implies that the intended receiver of the communication is the Police Commission, is received by whatever means by the Police Department the following procedures shall be followed:

The Commission Clerk shall notify the Chairman of the receipt of the correspondence. The Chairman shall cause the correspondence to be opened and reviewed in a timely manner.

If the communication relates to a personnel matter, the Chairman shall forward said Communication to the Chief of Police for proper processing in accordance with Old Saybrook Police Services General Order 4.6 and shall notify Commissioners of the general nature of the correspondence. The Chief of Police shall cause the sender to be advised that the correspondence was received in accordance with Department General Order 4.6.

If the communication relates to a non-personnel matter, the Chairman shall cause the communication to be shared with the Commission at the next Regular Meeting of the Commission.

When correspondence addressed to an individual Police Commissioner is received by whatever means at the Police Department the following procedures shall be followed:

If it is received at the Police Department, the Commission Clerk shall notify the individual Police Commissioner of the receipt of the correspondence.

The individual Police Commissioner shall cause the correspondence to be opened and reviewed in a timely manner.

If the communication relates to a personnel matter, the Police Commission shall forward said communication to the Chief of Police for proper processing in accordance with Department General Order 4.6. The Chief of Police shall cause the sender to be advised that the correspondence was received in accordance with Department General Order 4.6. The Commissioner who received the correspondence shall notify the other Commissioners of the general nature of the correspondence.

If the communication relates to a non-personnel matter, the Police Commission Member shall present the communication to the Commission Clerk who shall cause the Communication to be shared with the Commission at the next Regular Meeting of the Commission.

Proposed By-Law

Police Commission Correspondence

Correspondence addressed to one or more commissioners, or to "the Commission" or "Commissioners," may be initially addressed to them at Town Hall, at the Department of Police Services building, or to one or more individual commissioners at their email or Post Office addresses. If addressed to them at the Police Services building, the Department shall promptly notify the addressee(s) that mail awaits them and may be picked up at the dispatch window. Mail addressed to "Commissioners" or "The Commission" shall be treated as though it were addressed to each of the Commissioners.

No matter how received, the recipient shall cause a copy to be circulated to the full Commission and to the recording clerk of the Commission. If the contents of the correspondence relates to Police personnel, or suggests the existence of a public safety concern or threat to personnel or property of the Department, the Chief of Police shall also be notified of the correspondence.



Michael A. Spera
Chief of Police

TOWN OF OLD SAYBROOK DEPARTMENT OF POLICE SERVICES

36 Lynde Street • Old Saybrook, Connecticut 06475

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January 23, 2023

Re: Proposed "Responsibilities of Commissioners to Inform Themselves" By-Law

Commissioners:

As the Commission considers adding the "Responsibilities of Commissioners to Inform Themselves" By-Law I offer the following comments for your consideration. I respectfully request that my thoughts be considered as your current proposal may impact the Department's employees and operation.

To place this communication in context, I have listed at the end of my comments the language that is being considered to be added as a new by-law.

The very title of this by-law concerns me. It seems counterintuitive to facts that 1) the Commission is the Unit of Authority, 2) individual Commissioners have no authority, 3) Individual Commissioners should not conduct investigations, even in the slightest bit, and 4) that individual Police Commissioners (and the Commission as a whole) do/does not possess operational responsibilities.

The language as presented provides an illegitimate authority to an individual elected official. It may foster rogue actions as boundaries and responsibilities are not detailed. Rather the language leaves it to each Police Commissioner's self-interpretation of laws and ordinances to govern their own authority. This is dangerous and most certainly not a best practice.

By-Laws for the Commission were established in 2009. Since that time there has never been a need to detail responsibilities of individual Police Commissioners. However, perhaps it is time.

I would recommend that language be inserted in the Police Commission By-Laws following the explanation of the Executive Board and that the section be entitled "Responsibilities of Police Commissioners".

This section can then detail Police Commissioner Responsibilities such as regular attendance at meetings, adherence to the By-Laws, decorum at meetings, communicating with constituents, communicating with fellow Commissioners, conflicts of interest, and confidentiality. It should include language concerning how to address violations of the By-Laws and the censuring of a commissioner if found to be in violation.

I suggest that the Commission review the 9000 Series of Old Saybrook Board of Education Policy. I believe that this would be extremely beneficial to the current and future professionalism of the Commission, something that we all desire. This BOE Policy speaks to what I believe the Commission is trying to accomplish.

I respectfully request that the Commission not adopt the proposed "Responsibilities of Commissioners to Inform Themselves" By-Law and rather take the time to collaborate with each other and create a more comprehensive By-Law that details and governs the "Responsibilities of Commissioners" for both this and future Police Commissions.

Sincerely,



Michael A. Spera
Chief of Police

New By-Law –

Responsibilities of Commissioners to Inform Themselves

Commissioners should strive to keep themselves informed as to all matters within their purview pursuant to state law and the Town Charter.

Commissioners may be called to act in a quasi-judicial capacity but may not serve in such a capacity if she or he demonstrates either actual bias against the officer in question or prejudgment of the issue in question. Commissioners are advised to remember that there are usually two or more sides to any issue, and that they should keep an open mind as to any issue until they have heard from all interested parties in any proceeding.

Agenda item V a: Proposed bylaw amendment

Referred by unanimous vote of the Commission to the next regular Police Commission meeting for possible action to adopt.

Public Comment Conduct and Procedure

The Police Commission welcomes input from the public, both positive and negative. The Police Commission may permit any individual or group to address the Commission concerning any subject that lies within its jurisdiction, except as noted below, during a portion(s) of the Commission's regular or special meetings so designated on the agenda for such purpose.

1. Three (3) minutes may be allotted to each speaker and a maximum of thirty (30) minutes total to the public comment period. The Commission may modify these limitations at the beginning of a meeting if the number of persons wishing to speak makes it advisable to do so.
2. A Police Commission member shall be appointed by the Chairperson prior to the meeting to act as timekeeper for the meeting, if deemed necessary by the Chairperson.
3. No disruptive conduct shall be permitted at any Police Commission meeting. Persistence in disruptive conduct shall be ground for removal of the disruptive individual(s) from the meeting room by order of the Chairperson or if appropriate the Chairperson may order the meeting room cleared and continue the meeting in executive session, provided duly accredited representatives of the media who are in the attendance shall be permitted to attend the executive session, unless they were participating in the disturbance.
4. Speakers are required to refrain from presentations that discuss specific employees of the Department of Police Services, regardless of whether or not the employee is identified in the presentation by name or by another reference that tends to identify an individual. Members of the public are encouraged to submit commendations, comments, or complaints concerning specific employees to the Chief of Police or to the Police Commission.
5. At no time will the Police Commission permit public comment or engage in discussion during public comment portion of a meeting concerning an active investigation or an arrest awaiting adjudication.

Revised January 23, 2023

Agenda item V b: Proposed bylaw amendment

Referred by unanimous vote of the Commission to the next regular Police Commission meeting for possible action to adopt.

Police Commission Correspondence

Correspondence addressed to one or more commissioners, or to "the Commission" or "Commissioners," may be initially addressed to them at Town Hall, at the Department of Police Services building, or to one or more individual commissioners at their email or Post Office addresses. If addressed to them at the Police Services building, the Commission clerk shall promptly notify the addressee(s) that mail awaits them and may be picked up at the Department. Mail addressed to "Commissioners" or "The Commission" shall be treated as though it were addressed to each of the Commissioners.

No matter how received, the recipient shall cause a copy to be circulated to the full Commission and to the recording clerk of the Commission for archival in accordance with State records retention law. Correspondence that pertains to operational matters (personnel, traffic / criminal complaints, matters under adjudication, vendor solicitation, etc.) should be forwarded to the Police Chief without unreasonable delay. All correspondence received should be shared with all Commission members and be saved for discussion at the next public meeting of the Commission.

Revised January 23, 2023