



TOWN OF NEWTOWN

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Joel Faxon
Brian Budd
Scott Cicciari
Neil Chaudhary
Stephen Sedensky

POLICE COMMISSION

The Board of Police Commissioners
Regular Meeting, Tuesday, September 5, 2023 @ 6:30 pm
191 South Main Street, Newtown, CT
Conference Room

MINUTES ARE NOT FINALIZED UNTIL APPROVED BY THE BOARD OF POLICE COMMISSIONERS

Present: Joel Faxon, Brian Budd (absent), Scott Cicciari, Neil Chaudhary, Stephen Sedensky (absent)

Also Present: Captain Bryan Bishop, Chief David Kullgren, three members of the police force; Det. Dan McAnaspie (Union President), Lt Liam Seabrook (Union Vice President), Traffic Unit Officer Lenny Penna and two members of the public.

Chairman Faxon called the meeting to order at 6:32 p.m., beginning with the Pledge of Allegiance.

Public Participation

Barney Malloy, 35 Tunnel Road, stated a concern about the repaving of Tunnel Road and Barnabus. He stated that to make a turn on to Tunnel Road off Barnabus you must advance into the intersection to have a clear view of oncoming traffic either way. Commissioner Faxon asked about the sight line. Mr. Malloy stated that it is more of a sightline issue than a speeding issue and is requesting at the T intersection that there be a three-way stop. Commissioner Faxon stated that there are various departments that would need to look at the intersection and would have to comply with the manual on intersections, T intersections, 3-way stops, and sightlines. Commissioner Faxon stated that the area may need amelioration of the area to clear the sight lines. Mr. Malloy asked about the striping on the roads. Mr. Malloy stated that the road currently has a faded yellow line and Commissioner Faxon advised him that single yellow lines are now obsolete. Commissioner Faxon stated a final decision has not been made on the striping of the roads. Fred Hurley, Director of Public Works, stated that the vegetation, tree trimming, and trimming of sightlines in all three directions is already on the list to be completed. He also stated that Tunnel Road is on the list of requests for a double yellow line. Traffic Officer Lenny Penna stated that the traffic unit has done a preliminary assessment with photographs and there is a reasonable line of sight without having to add additional stop signs. Commissioner Faxon reiterated that the intersection will be a one way stop not a three way stop, bushes and trees will be clipped, clip trees, and then reassess.

Police Union Participation

None

Consideration and action on minutes: Commissioner Chaudhary moved to accept the minutes of the special meeting of July 18, 2023. Commissioner Cicciari seconded. Motion passes.

Chief's Report

Chief Kullgren stated that the department is 45 strong with two out on injury leave, zero in field training, one pending military leave on October 1, 2023 for 60 days, effective strength 42, and one pending retirement in January 2024.

He stated that he has reached out to the First Selectman and Dr McCabe on a staffing study to replicate the one done last year. The town suggested an internal study be conducted like last year to save money, approx. \$25,000 to \$30,000 if a professional study was done. There will be a report on the staffing study in late November to early December. Patrol - The parade was quite a success due to the staff involvement in planning and deployment. Public Works was a huge asset and many thanks goes out to the Public Works staff. Community Service Division - Officer Hayes returned to patrol. Officer Stephanie McDermott was assigned to Newtown High School. In regards to the parade Commissioner Cicciari inquired about the barricading of the roads from a parking perspective and how the decisions are made on which roads are barricaded. Chief Kullgren stated the decision is made internally. The Public Works Department, Fred Hurley, is consulted as well as discussions in planning meetings and looking at trends around the country to help avoid the possibility of vehicles breaching the parade route. A debriefing meeting is being held with the parade committee, public works, and the police staff.

Old Business

Police Commissioner Regulations (23.24 Hearing Before the Police Commission)

Commissioner Faxon stated that in his judgment the Disciplinary Procedures in Section 21 of Police Commission regulations, in his judgment, are very antiquated and do not reflect the present status of the law and provide for procedures that are not appropriate and are inconsistent with what the US Supreme Court has set as the due process requirements of any discipline in a public setting where the employer is a municipality or state agency. Initially there was a suggestion that the disciplinary procedures be consistent with what is in the collective bargaining agreement that every union in the nation is familiar with. The union was invited to come and give their opinion. Officer Daniel McAnaspie (Union President) stated that the union has seen the paperwork, read over it, and changes were made to some of the wording that was all agreed upon. Commissioner Faxon clarified that the union has seen the exact amendment and that the union does not have any problems with it. Officer McAnaspie agreed to that statement.

Commissioner Faxon made a motion to amend section 23 of the regulations governing the board of police commissioners the changes that are reflected on his amendment. Commissioner Chaudhary seconded the motion. Motion passes. (see enclosure)

Consideration and Action on Police Commission Handbook

Commissioner Chaudhary made some minor changes that included updating the language of the charter, incorporated the police commissioners with the proper title, and added helpful links for new commissioners which include the police commission website, the police department website, and the MUCT federal highway regulations. Chief Kullgren stated the recommended training that includes the new statutory requirements and state training offered by CCM that would be useful for traffic authority. Commissioner Faxon requested for the last page to be centered.

Commissioner Faxon made a motion to adopt The Board of Police Commissioners Handbook as presented (see enclosure). Commissioner Chaudhary seconded the motion. Motion passes.

Commissioner Chaudhary questioned the helpful links. Commissioner Cicciari stated that the handbook is to be used as a guide for new commissioners. He stated that it is a great starting point with the chain of command. It does not include policies and procedures. The policies and procedures will be made available in a different unit.

New Business

Commissioner Chaudhary moved to add to the agenda a discussion of the application for the approval of speed limits Commissioner Cicciari seconded the motion. Motion passes.

Chief Kullgren stated that the speed limit on Jordan Hill Road is currently posted a 25-mph, however it is not authorized by the State of Connecticut. He stated that the 25-mph speed limit being accurate and safe and would like approval by local traffic authority and moved up to the state. Commissioner Faxon inquired if there is not a speed limit posted is there a default by state statute. Chief Kullgren stated there is not a statute and could be a topic for future meetings. Chief Kullgren stated that when there are complaints on roads that do not have a posted speed limit, they are reviewed by our traffic unit and are considered for a speed limit application. Officer Penna stated that there is no shortage of complaints and that roads and complaints should be addressed as they are reported. Officer Penna stated that a suggestion is given for the mph on each road, once approved by the police commission it is sent to the state DOT. The state will then conduct an investigation to determine if the suggested mph is appropriate for that road. There can be adjustments to the suggested mph, line warnings, signage additions or removals for safe travel ways as a result of the study. Commissioner Faxon stated a concern on the mph on Edmond Road that currently is at 25 mph.

Commissioner Faxon made a motion to approve and submit the 08/31/2023 application for approval of speed limits to the state. Commissioner Cicciari seconded the motion. Motion passes.

Recommendations from the Traffic Unit Regarding Stop Signs on Old Green @ Valley Field South

Officer Penna stated that there is a traffic study (see enclosure) that originated from a complaint about stop signs not being followed. He stated that an evaluation of the road striping and the stop signs on Old Green Road. The stop sign was undersized on Valley Field Road South, there are not any markings on the road and that makes it difficult to anticipate that there is an intersection there. Part of the study was proper line of sight, volume of traffic, flow of traffic. There is not any cut through traffic due to a couple of the connecting roads being dead end roads. Commissioner Faxon stated that the current stop sign is being used to control the speed limit which is not appropriate and is fully supportive of the removal of the stop sign. Officer Penna stated that a sign would need to be added warning traffic that oncoming traffic does not stop. Commissioner Chaudhary inquired about a sign that says "new traffic pattern". Officer Penna stated that those signs are more for construction purposes and not for the removal of a sign. He also stated that the sign under the stop sign would alert traffic to the new traffic pattern. Commissioner Cicciari inquired about a digital sign being put up. A concern was raised about lack of space for the digital sign. Officer Penna stated that a letter to the residents would be helpful. Chief Kullgren stated that the changes will be put out on social media. Fred Hurley stated that a "change in intersection ahead" notice could be used for a while and that the sign would need to be diamond shaped.

Commissioner Faxon made a motion to remove the stop signs on Old Green Road at the intersection of Valley Field South and for the immediate future deploy a temporary sign that will warn the drivers on Valley Field South that there is new traffic configuration as well as place a permanent sign stating that oncoming traffic does not stop. Commissioner Cicciari seconded the motion. Motion passes.

Review of Policies for Accreditation and Possible Action

Chief Kullgren introduced Lieutenant Robinson. Lieutenant Robinson shared a powerpoint presentation (see enclosure) regarding the accreditation process. Commissioner Faxon requested a brief overview of the accreditation process which Lieutenant Robinson shared. Lieutenant Robinson stated that this is a one-shot deal and that updates will be needed when there are law changes or changes in the department. This information is on the shared drive. The commission has access to the drive. Lieutenant Robinson went over how to access the information. Commissioner Cicciari inquired if there will be hyperlinks in the future documents. Chief Kullgren stated that hyperlinks could be added for the future. This document is strictly for the commission. Lieutenant Robinson showed an example of a standard and explained what must standards must be complied to moving forward so the standard format will be consistent. Each of the 890+ standards and sub standards that must have a proof for each year in the reassessment period. The goal is to have one written directive for each standard. Commissioner Faxon inquired about the number of hours Lieutenant Robinson spends on accreditation. Lieutenant Robinson stated that 70-80 percent of his job is accreditation. An example was given of the new General Order format that will now include the accreditation standard. Lieutenant Robinson demonstrated how to access the google drive and the accreditation documents. A brief overview was done on the google docs and being a commentor, editor, etc.... Chief Kullgren stated that in the software there are alarms set to let the accreditation team know when updates are needed. Three weeks' notice will be given to the commission of what needs to be reviewed before the next meeting. Commissioner Faxon questioned the continuity when Lieutenant Robinson is no longer with the force. Chief Kullgren stated there is an option to hire him back for 19 hours a week as well as training of Sergeant McDermott.

Correspondence

None

Commissioners Participation

Commissioner Chaudhary inquired about Karen Boulevard and Taunton Hill by Dodgingtown Deli and it being used as a cut through when the stop light is causing a backup. Deputy Chief Bishop stated that Officer Penna conducted a study and the traffic count was very low.

Possible Executive Session

Discussion of Position of Acting Sergeant

Commissioner Faxon made a motion to move pursuant to 1-200 Subsection 6a. to move into Executive Session to discuss the appointment, employment, performance evaluation, health or dismissal of a public officer and that individual has been given the opportunity to have the matter in an open meeting and has declined pursuant to the collective bargaining agreement. Commissioner Chaudhary seconded the motion. Motion passes.

Commissioner Faxon made a motion to move out of Executive Session. Commissioner Cicciari seconded the motion. Motion passes.

Commissioner Faxon made a motion to make Officer Matt Pirhalla an Acting Sergeant during the military deployment of Sergeant Adam James. This will be revoked upon the return of Sergeant James to the department. Commissioner Cicciari seconded the motion. Motion passes.

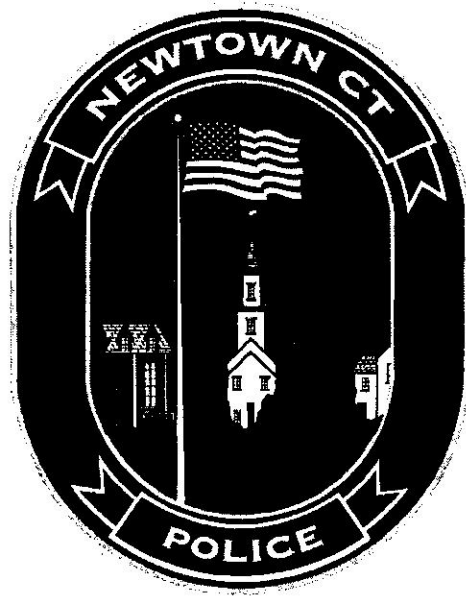
Adjournment: Having no further business the regular meeting of the Board of Police Commissioners adjourned at 8:18 p.m.

Dana Ulibarri, clerk

Enclosures

Newtown Police Department Board of Police Commissioners Handbook
Old Green Road @ Field South Road Stop Sign Study (2300004612)
Changes to Rules and Regulations Disciplinary Procedures
Accreditation Process
Newtown Police Department Stats

Newtown Police Department



Board of Police Commissioners Handbook

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Overview of the Newtown Board of Police Commissioners

The Newtown Board of Police Commissioners is the governing board for the Police Department. The Commission comprises five elected members serving four-year terms (not more than three from any party). All of whom shall be resident taxpayers of Newtown. Such commissioners shall be sworn to be faithful in performing their duties. They shall serve without compensation, but their expenses and disbursements incurred in performing their duties shall be paid from the town treasury (CGS 7-274).

Duties and responsibilities are outlined in the State Statutes, the Town Charter, and Department Policies. The primary responsibility of the Board of Police Commissioners is to hold monthly meetings, with any special meetings as needed. During these meetings, the commission is charged with, in summary:

- Hiring of Police Chief & Deputy Chief of Police
- The hiring of new police officers
- Promotions
- Discipline/Suspension over 15 days unpaid
- Termination proceedings
- Approval of new policies or modifications to current policies.
- Approval of secondary employment of police officers
- Local Traffic Authority

Recommended & Mandated Training: Once elected, commissioners should attend the following training to have the information to complete their term successfully.

- Mandatory annual for local traffic authorities or their designee (CT.gov).
- Newly elected official workshop, January, every other year (CCM).
- Fundamentals of Municipal Government, January, every other year (CCM).
- Ethics, FOIA, and Conducting Public Meetings, January, every other year (CCM).
- Department structure & chain of command workshop (Newtown PC Chair or designee).

Additionally, members are invited and encouraged to attend the many events throughout the course of a year that the department holds. These include but are not limited to:

- Swearing-In ceremonies, new officers
- Promotional Swearing-In of ranking staff
- Retirement Ceremonies for officers
- Awards and Decorations Ceremony
- Law Enforcement Memorial Ceremony
- Any Major Press Conferences

The Department encourages the board members to support the officers and the department's mission.

Chain of Command

The police commissioners shall understand the Department's Organizational Chart and chain of command as delineated within department policy and Appendix 2 to include verbal, written & electronic communication. Specifically, any communication to the Commission (verbal, written, or electronic) shall originate from the Chief of Police or their designee.

PART I

Connecticut General Statutes Relative to Police Commissioners

Sec. 7-274. Establishment by ordinance of town police commissions; adoption by ordinance of special act provisions when police commission established thereby. (a) Any town may, by ordinance, establish a board of police commissioners to be elected, in accordance with the provisions of section 9-201 or to be appointed by the council or board of directors of a town, the common council or other body empowered to make ordinances of a city, the board of burgesses of a borough or the board of selectmen of a town not having a council or board of directors, provided in a town having both a board of selectmen and a representative town meeting such ordinance may designate the representative town meeting as the appointing authority, for the purpose of organizing and maintaining a police department in such town. Such board shall consist of three, five or seven electors, all of whom shall be resident taxpayers of such town. Such commissioners shall be sworn to the faithful performance of their duties and shall serve without compensation, but their actual expenses and disbursements incurred in the performance of their duties shall be paid from the town treasury.

(b) For any town in which a board of police commissioners has been established pursuant to a special act, such town may, by ordinance, adopt the provisions of such special act and any amendment to such act.

(1949 Rev., S. 656; 1953, S. 260d; 1957, P.A. 13, S. 19; P.A. 73-138, S. 1, 2; P.A. 74-209; P.A. 19-104, S. 1.)

History: P.A. 73-138 permitted the board to be appointed as well as elected; P.A. 74-209 clarified appointment provisions by listing specific appointing authorities; P.A. 19-104 designated existing provisions re-establishment of board of police commissioners as Subsec. (a) and added Subsec. (b) re boards established pursuant to special act.

Cited. 144 C. 21; 171 C. 553.

Upon establishment of board by town meeting, no vacancy exists when members are to be elected at the "next town election". 19 CS 316. Cited. 31 CS 145; 38 CS 419.

Sec. 7-275. Meetings of commissioners. Vacancies. The board of police commissioners shall elect one of its number to be chairman and one member to be clerk and shall hold regular meetings and keep records of the same. Meetings shall be held upon the call of the chairman or

of a majority of the members of the board. A majority of the members of the board shall constitute a quorum. In the event of any vacancy upon the board, the board of selectmen shall have authority by majority vote to fill such vacancy until the next town election, at which election a member shall be elected for the unexpired portion of the term.

(1949 Rev., S. 658; 1953, S. 261d.)

See Sec. 9-1 for applicable definitions.

Cited. 144 C. 27.

Cited. 19 CS 316.

Sec. 7-276. Powers of commissioners. Such boards shall have all of the powers given by the general statutes to boards of police commissioners, shall have general management and supervision of the police department of such town and of the property and equipment used in connection therewith, shall make all needful regulations for the government thereof not contrary to law and may prescribe suitable penalties for the violation of any such regulation, including suspension or removal from office of any officer or member of such police department. Such board shall have the sole power of appointment, promotion and removal of the officers and members of such police department, under such regulations as it adopts for the purpose, and such appointees shall hold office during good behavior and until removed for cause upon written charges and after hearing. The members of such police department shall have all such authority with respect to the service of criminal process and the enforcement of the criminal laws as is vested by the general statutes in police officers and constables.

(1949 Rev., S. 659.)

Cited. 171 C. 553; 217 C. 73; 227 C. 363; 229 C. 703. Statutory policy committing selection, direction and dismissal of police officers to town is not inconsistent with grievance procedure in collective bargaining agreement covering discipline of police officers. 255 C. 800.

Cited. 41 CA 649.

Offices of police commissioner and chief of police are incompatible and, upon acceptance of one, other office is vacated. 21 CS 294. A de novo hearing on the merits does not contravene statute since only the power of appointment, promotion and removal of police officers is exclusively reserved to the commissioners. 31 CS 87. Cited. Id., 145.

Sec. 9-201. Election of five-member boards of police commissioners. Any town, at the next regular municipal election following action under section 7-274, shall elect two members of the board of police commissioners to serve for a term of two years and three for four years. At each such election thereafter, a member shall be elected for a term of four years to succeed each

member whose term has expired. Each member of such board shall serve for the term for which he is elected and until his successor is elected and has qualified.

14-297 Definitions.

"**Traffic authority**" means the board of police commissioners of any city, town or borough, or the city or town manager, the chief of police, the superintendent of police or any legally elected or appointed official or board, or any official having similar powers and duties, of any city, town or borough that has no board of police commissioners but has a regularly appointed force, or the board of selectmen of any town in which there is no city or borough with a regularly appointed police force, except that, with respect to state highways and bridges, "traffic authority" means the Office of the State Traffic Administration, provided nothing contained in this section shall be construed to limit or detract from the jurisdiction or authority of the Office of the State Traffic Administration to adopt regulations establishing a uniform system of traffic control signals, devices, signs and markings as provided in section 14-298, and the requirement that no installation of any traffic control signal light shall be made by any city, town or borough until the installation has been approved by the Office of the State Traffic Administration as provided in section 14-299;

PART II

Town of Newtown Charter Relative to Police Commissioners

2-05 Eligibility.

(a) Unless otherwise specified, only **Resident Electors** of the **Town** shall be eligible for election to any **Town** office or appointment to any appointive board. Any person ceasing to be a **Resident Elector** of the **Town** shall thereupon cease to hold elective or appointive office in the **Town** and the office shall be deemed vacant.

(b) No person shall hold more than one elective office of the **Town** at the same time.

(c) Any **Resident Elector** of the **Town**, regardless of whether they have party affiliation, may run for public office. Specifics regarding procedures for securing a position on the election ballot are available by contacting the Elections Division of the Secretary of the State's Office, the Town Clerk's Office, or the Registrar of Voters' Office.

(d) Specific rules regarding eligibility for certain offices or **Town Body** are contained in the following subsections discussing such **Town Body**:

(Subsections 1-3 do not apply)

(4) Police Commission: No member of the Board of Police Commissioners shall be a member or officer of the Newtown Police Department, the Chief of Police, or a member of any other **Town Body**.

2-160 Board of Police Commissioners.

(a) Summary of General Responsibilities: The Board of Police Commissioners shall maintain a Police Department in the **Town** and shall appoint a Chief of Police. In addition, the Board of Police Commissioners serves as the traffic authority of the Town and may act as a Civilian Police Review Board, with the authority to issue subpoenas if so enacted by ordinance.

(b) Membership and Terms:

(1) The Board of Police Commissioners shall consist of five members.

(2) The term of office shall be four years.

(c) The Board of Police Commissioners shall, subject to budgetary limitations, have all of the powers now or hereafter granted to Boards of Police Commissioners by the **General Statutes** and, in addition to and not in limitation thereof, shall have the power to:

(1) Make all the regulations necessary to organize and maintain the Police Department including, without limitation, the establishment of ranks within said Department and the duties and responsibilities of each such rank.

(2) Appoint and promote members and officers of the Police Department in accordance with said regulations. Such members and officers shall continue to hold office during good behavior.

(3) Suspend and remove members and officers of the Police Department for cause in accordance with said regulations. A violation of the regulations adopted by the Board of Police Commissioners shall be sufficient cause for removal.

(d) The Chief of the Police Department shall not be dismissed unless written notice of the specific grounds for such dismissal is given, as well as an opportunity to present a defense, personally and by counsel, at a public hearing before the Board of Police Commissioners. Such public hearing shall be commenced not less than 5 nor more than 10 days after such notice. Any person so dismissed may appeal in the manner described by Section 7-278 of the **General Statutes**.

(e) The members and officers of the Police Department shall have the authority with respect to the service of criminal process and the enforcement of the criminal laws as vested by the **General Statutes** in officers and members of an organized police department or force.

PART III

Appendixes

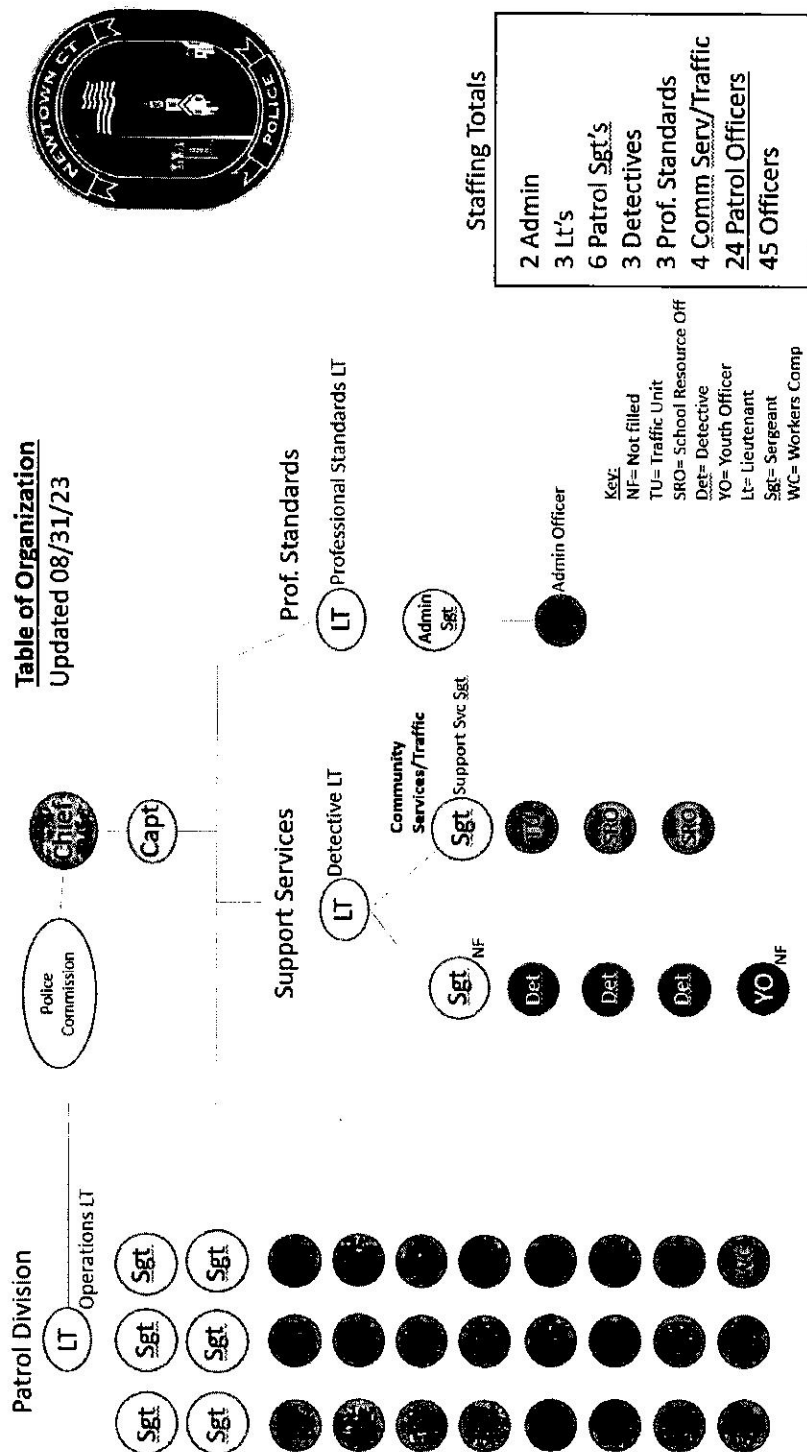
Appendix A: Helpful links

<https://www.newtown-ct.gov/newtown-police-department>

<https://www.newtown-ct.gov/police-commission>

https://mutcd.fhwa.dot.gov/HTM/2003r1/part3/fig3b-14_longdesc.htm

Appendix B: Departmental Organizational Chart



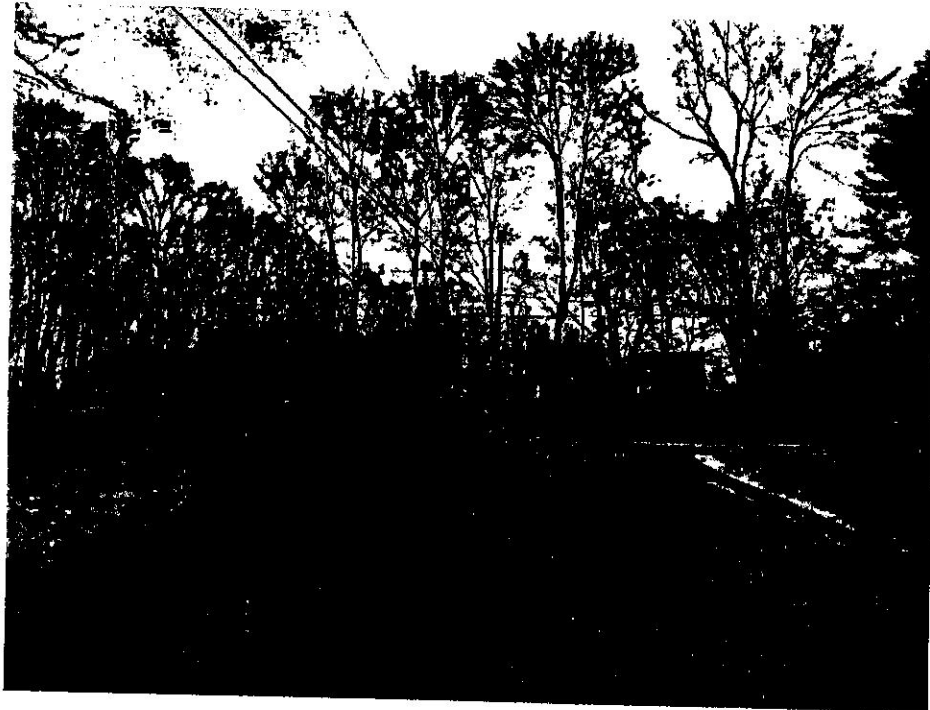
OLD GREEN ROAD @ VALLEY FIELD ROAD SOUTH
STOP SIGN STUDY
(2300004612)



Officer Leonard Penna #076
Newtown Police Department Traffic Unit
August 2023

There has been recent complaints in regards to vehicles not obeying the stop signs in both directions on Old Green Road at Valley Field Road South. This is a three-way Intersection comprised of (2) Town owned roads with Old Green Road having a State DOT approved 25 mph speed limit and Valley Field Road South having a State DOT approved 20 mph speed limit. This intersection is currently controlled by three stop signs. Upon reviewing this Intersection, it was decided that a traffic study should be conducted to determine the necessity of the stop signs on Old Green Road.

The Intersection of Valley Field Road South at Old Green Road was determined to have a sufficient line of sight from Valley Field Road South in both directions onto Old Green Road. See the attached photos of Intersection below.



Valley Field Road South approaching Old Green Road



Old Green Road (Eastbound) Approaching Valley Field Road South



Old Green Road (Westbound) Approaching Valley Field Road South



Line of Sight from Valley Field Road South onto Old Green Road (Eastbound)



Line of Sight from Valley Field Road South onto Old Green Road (Westbound)

STOP SIGN STANDARDS

According to the Manual on Uniform Traffic Control Devices (MUTCD);

Section 2B.04 Right-of-Way at Intersections

- 01 *YIELD or STOP signs should be used at an intersection if one or more of the following conditions exist:*
- A. *An intersection of a less important road with a main road where application of the normal right-of-way rule would not be expected to provide reasonable compliance with the law;*
 - B. *A street entering a designated through highway or street; and/or*
 - C. *An unsignalized intersection in a signalized area.*
- 04 *In addition, the use of YIELD or STOP signs should be considered at the intersection of two minor streets or local roads where the intersection has more than three approaches and where one or more of the following conditions exist:*
- A. *The combined vehicular, bicycle, and pedestrian volume entering the intersection from all approaches averages more than 2,000 units per day;*
 - B. *The ability to see conflicting traffic on an approach is not sufficient to allow a road user to stop or yield in compliance with the normal right-of-way rule if such stopping or yielding is necessary; and/or*
 - C. *Crash records indicate that five or more crashes that involve the failure to yield the right-of-way at the intersection under the normal right-of-way rule have been reported within a 3-year period, or that three or more such crashes have been reported within a 2-year period.*
- 05 *YIELD or STOP signs should not be used for speed control.*
Support:
- 06 Section 2B.07 contains provisions regarding the application of multi-way STOP control at an intersection.
Guidance:
- 07 *Once the decision has been made to control an intersection, the decision regarding the appropriate roadway to control should be based on engineering judgment. In most cases, the roadway carrying the lowest volume of traffic should be controlled.*
- 08 *A YIELD or STOP sign should not be installed on the higher volume roadway unless justified by an engineering study.*
Support:
- 09 The following are considerations that might influence the decision regarding the appropriate roadway upon which to install a YIELD or STOP sign where two roadways with relatively equal volumes and/or characteristics intersect:
- A. Controlling the direction that conflicts the most with established pedestrian crossing activity or school walking routes;
 - B. Controlling the direction that has obscured vision, dips, or humps that already require drivers to use lower operating speeds; and
 - C. Controlling the direction that has the best sight distance from a controlled position to observe conflicting traffic.

Section 2B.06 STOP Sign Applications

Guidance:

- 01 *At intersections where a full stop is not necessary at all times, consideration should first be given to using less restrictive measures such as YIELD signs (see Sections 2B.08 and 2B.09).*
- 02 *The use of STOP signs on the minor street approaches should be considered if engineering judgment indicates that a stop is always required because of one or more of the following conditions:*
- A. *The vehicular traffic volumes on the through street or highway exceed 6,000 vehicles per day;*
 - B. *A restricted view exists that requires road users to stop in order to adequately observe conflicting traffic on the through street or highway; and/or*
 - C. *Crash records indicate that three or more crashes that are susceptible to correction by the installation of a STOP sign have been reported within a 12-month period, or that five or more such crashes have been reported within a 2-year period. Such crashes include right angle collisions involving road users on the minor street approach failing to yield the right of way to traffic on the through street or highway.*

Both, Old Green Road and Valley Field Road South have a low volume of traffic. A review of the Department's Accident History retained from the past five years did not yield any accidents at this intersection.

Currently, Old Green Road's Stop Signs are installed without any stop bars making it difficult for motorists to see those stop signs. Also, the Stop Sign on Old Green Road controlling the northbound travel lane is undersized according to the (24"x24" rather than the required 30"x30"), making it even more difficult to see. As there are no centerlines on Old Green Road, there is no clear indication that an intersection is ahead by not having any line breaks. The combination of no road markings, undersized stop sign and unexpected placement of the stop signs on Old Green Road contribute to motorists not anticipating having to stop at this intersection. This easily allows motorists to violate these stop signs unintentionally, which increases the likelihood for an accident to occur.

It is believed that the stop signs on Old Green Road were most likely installed in an attempt to slow traffic rather than control the intersection due to either heavy traffic volume or having an insufficient line of sight.

FINDINGS:

The Traffic Unit is recommending the removal of the two Stop Signs on Old Green Road for the following reasons;

- 1) The review of the Department's accident history did not yield any accidents.
- 2) Low Traffic Volumes on both roadways.
- 3) Valley Field Road South having sufficient sight lines in both directions.
- 4) MUTCD Standard for not using Stop Signs for Speed Control.

It is also recommended that a "Cross Traffic Does Not Stop" (W4-4P) plaque accompany the Stop Sign on Valley Field Road to comply with the MUTCD standards as well as to assist with the change to how this Intersection is being controlled.

Traffic Unit Officer Leonard Penna #076

Changes to Rules and Regulations

Disciplinary Procedures

	<p>B. Temporary relief from duty with or without pay</p> <p>C. Demotion</p> <p>D. Termination</p> <p>The Chief of Police is responsible for the administration of disciplinary action within the department. They may take any disciplinary or other corrective action, but it cannot exceed suspension without pay for greater than fifteen (15) workdays, and it cannot include demotion, termination or discharge. They may recommend suspension for more than fifteen (15) work days, demotion, termination or discharge to the Police Commission who may carry out such recommendation.</p>		
23.03		23.03	<p>D. Termination</p> <p>The Chief of Police is responsible for the administration of disciplinary action within the department. They may take any disciplinary or other corrective action, but it cannot exceed suspension without pay for greater than fifteen (15) workdays, and it cannot include demotion, termination or discharge. They may recommend suspension for more than fifteen (15) work days, demotion, termination or discharge to the Police Commission who may carry out such recommendation.</p>
23.04	<p>Any supervising officer in the Department may issue reprimands and relieve employees from duty where warranted. Any employee who is relieved from duty shall return to work only after approval by the Chief or, in their absence, the officer in charge.</p>	23.04	<p>Any supervising officer in the Department may issue reprimands and relieve employees from duty where warranted. Any employee who is relieved from duty shall return to work only after approval by the Chief or, in their absence, the officer in charge.</p>
23.05	<p>Nothing herein contained shall limit the power of the Chief of Police or the Police Commission to relieve an employee from duty with or without pay pending a hearing.</p>	23.06	<p>Nothing herein contained shall limit the power of the Chief of Police or the Police Commission to relieve an employee from duty with or without pay pending a hearing.</p>
23.06	<p>Written documentation of disciplinary action shall be maintained in the employee's personnel file. The employee shall have an opportunity to read the documentation and initial or sign it before it is placed in their personnel file. When an employee refuses to initial or sign the documentation, such fact should be noted on the written document. The employee may write a rebuttal to the documentation which rebuttal shall also be maintained in their personnel file.</p>	23.07	<p>Any employee who is relieved from duty, suspended, discharged, or otherwise terminated shall immediately surrender their department issued badge and identification to the officer in charge. If they are not scheduled for return to duty, they shall also surrender all other departmental property in their possession.</p>

23.14 Employees Who Have Completed The Probationary Period

23.15

No employee who has completed their probationary period shall be disciplined by reprimand, loss of pay, suspension, reduction in rank or grade or discharge except for just cause.

23.16

Just cause for disciplinary action shall include, but shall not be limited to:

- A. Violation of or failure to adhere to these Rules and Regulations;
 - B. Violation of or failure to adhere to General and Special Orders of the Chief of Police;
 - C. Violation of or failure to comply with any lawful order of a superior;
 - D. The receipt of three consecutive unsatisfactory yearly evaluations;
 - E. The receipt of an aggregate of three unsatisfactory yearly evaluations during any three-year period;
 - F. Failure to maintain the physical capabilities required for the proper performance of duties;
 - G. Conviction of a felony;
 - H. Violation of reasonable and ordinary standard of good conduct.
- Reasonable and ordinary standards of good conduct shall include, by way of example, but shall not be limited to the following:
- A. Reporting for work on time as scheduled.
 - B. Regular attendance to work.

23.17

23.16

Just cause for disciplinary action shall include, but shall not be limited to:

- A. Violation of or failure to adhere to these Rules and Regulations;
 - B. Violation of or failure to adhere to General and Special Orders of the Chief of Police;
 - C. Violation of or failure to comply with any lawful order of a superior;
 - D. The receipt of three consecutive unsatisfactory yearly evaluations;
 - E. The receipt of an aggregate of three unsatisfactory yearly evaluations during any three-year period;
 - F. Failure to maintain the physical capabilities required for the proper performance of duties;
 - G. Conviction of a felony;
 - H. Conduct unbecoming a Police Officer.
- (conduct unbecoming a Police Officer) shall include, by way of example, but shall not be limited, to the following:
- A. Reporting for work on time as scheduled.
 - B. Regular attendance to work.
 - C. Remaining on duty unless proper authorization to leave has been obtained.
 - D. Following the orders and instructions of superior officers; no insubordination.
 - E. Carrying out assigned duties and responsibilities.

23.17

- V. Observance of no smoking regulations.
- W. No falsification of records, forms, documents, etc.
- X. Reporting any condition, which may render an employee unfit for duty.
- Y. Adherence to Department rules on reporting illness or other absences.
- Z. Use of sick leave solely for personal illness rendering the employee unfit for duty.
- AA. Maintenance of current and valid State Motor Vehicle Operator's License

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- Y. Adherence to Department rules on reporting illness or other absences.
- Z. Use of sick leave solely for personal illness rendering the employee unfit for duty.
- AA. Maintenance of current and valid State Motor Vehicle Operator's License and of other certifications required by the Department.
- BB. Adherence to Department procedures and practices concerning housekeeping and safety
- CC. Observance of the department chain of command.
- DD. Avoiding conduct unbecoming a public official and avoiding the

36

and of other certifications required by the Department

BB. Adherence to Department procedures and practices concerning housekeeping and safety

CC. Observance of the department chain of command

DD. Avoiding conduct unbecoming a public official and avoiding the appearance of any such conduct.

Employees may be disciplined, reassigned, demoted or terminated for failure or inability to properly perform their duties.

23.18

23.20

appearance of any such conduct.

EE. Maintaining fitness for duty in all respects.

Employees may be disciplined, reassigned, demoted, or terminated for failure or inability to properly perform their duties.

F. Complaints leading to disciplinary action may be instituted by the Board of Police Commissioners or the Chief of Police

During the course of the investigation of a complaint, Loudernall procedures shall be followed.

23.19

23.18

23.19 Complaints leading to disciplinary action may be instituted by the Police Commission, the Chief of Police or by any other person. If the complaint is initiated by a person who is not a member of the department or an official of the Town, the complaint shall be in writing.

23.20 During the course of the investigation of a complaint, both the complainant and the employee charged shall be interviewed and interviewed separately. The interviews shall be conducted in a confidential manner and the results of the interviews shall be included in the report to the Chief. Statements and to supply information relevant to the investigation.

23.21 After the investigation is complete, the investigator shall submit a written report to the Chief. Said report shall contain findings of fact and evidence in support of the findings.

23.22 The Chief shall consider the report and take appropriate action. If the Chief determines that disciplinary action should be assessed, they shall take such action up to a suspension without pay of 15 days or less.

23.23 If the Chief concludes that suspension without pay in excess of 15 days, demotion, discharge, or other termination is warranted, they shall file their recommendation with the Chairman of the Police Commission and shall provide written notice to the employee which notice shall include the following:

- A. A copy of the Chief's recommendation for discipline filed with the Police Commission.
- B. The reason or reasons for the recommendation.
- C. The date, time, and location of the hearing to be held by the Police Commission to consider the recommendation.
- D. A statement that the employee may, if they wish, be represented by counsel and may present evidence at the hearing.

23.21 The Chief shall consider the report and take appropriate action. If the Chief determines that disciplinary action should be assessed, they shall take such action up to a suspension without pay of 15 days or less.

23.22 If the Chief concludes that suspension without pay in excess of 15 days, demotion, discharge, or other termination is warranted, they shall file their recommendation with the Chairman of the Police Commission and shall provide written notice to the employee, which notice shall include the following:

- A. A copy of the Chief's recommendation for discipline filed with the Police Commission.
- B. The reason or reasons for the recommendation.
- C. The date, time, and location of the Loudernall hearing to be held by the Police Commission or the Chief as its designee.
- D. A statement that the employee may, if they wish, be represented by counsel and may present evidence at the hearing.

23.24 Hearing before the Board of Police Commissioners or the Chief as designee

23.25 The Board of Police Commissioners may designate the Chief to conduct the termination hearing in accordance with the laws of the State of Connecticut and Loudernall procedures.

23.26 The hearing before the Board of Police Commissioners or its designee shall comply with the laws of the State of Connecticut and the Loudernall process.

23.27 All decisions of the Board of Police Commissioners or its designee shall be in writing, shall be issued within 15 days of the hearing and shall be delivered to the employee.

23-24 **Hearing Before The Police Commission**
23-25

In the event of a hearing, the Chairman or Secretary of the Police Commission may sign and issue subpoenas to compel the attendance of witnesses at the hearing. At least 5 days before the hearing date, the employee may submit a list of witnesses to be subpoenaed to the Chairman or Secretary.

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23-26

The hearing shall be closed to the public unless the employee requests that the hearing be open.

23-27

The formal rules of evidence shall not be in the hearing. The employee shall have the right to be represented by counsel, to examine and cross-examine witnesses, and to present any other evidence in their own behalf. All testimony will be taken under oath and a verbatim record of the hearing shall be made.

23-28

At the conclusion of the presentation of evidence and argument, the Police Commission shall reach a decision by majority vote.

23-29

All decisions of the Police Commission shall be in writing, shall be made within 15 days of the conclusion of the hearing, and shall be sent to the employee.

23-24

- B. The reason or reasons for the recommendation.
- C. The date, time, and location of the Loudernill hearing to be held by the Police Commission or the Chief as its designee.
- D. A statement that the employee may, if they wish, be represented by counsel and may present evidence at the hearing.

23-24 **Hearing before the Board of Police Commissioners or the Chief as designee**

23-25

The Board of Police Commissioners may designate the Chief to conduct the termination hearing in accordance with the laws of the State of Connecticut and Loudernill procedures.

23-26

The hearing before the Board of Police Commissioners or its designee shall comply with the laws of the State of Connecticut and the Loudernill process.

23-27

All decisions of the Board of Police Commissioners or its designee shall be in writing, shall be issued within 15 days of the hearing and shall be delivered to the employee.

23-28

The Board of Police Commissioners or its designee shall impose whatever discipline it deems appropriate in conformity with applicable law.

23-29

All decisions of the Police Commission shall be in writing, shall be made within 15 days of the conclusion of the hearing, and shall be sent to the employee.

Newtown Police Department

Accreditation Process

Accreditation Process

- Initial Accreditation
 - Requires agencies to demonstrate compliance with accreditation standards through documentation of written directives, observation of assessors, photographs, videos, or other documentation. (Written directives)
- Re-accreditation
 - Triennially demonstrate by providing proofs for each of the standards and/or substandard. Some standards/substandard require multiple proofs per year, some may only require proofs when certain conditions are met.

NPD Accreditation History

In 2005 the Newtown Department of Police Services was granted Tier I accreditation in the POST Accreditation Process. Since that time the Newtown Police Department has been Re-Accredited at Tier I five times.

The Newtown Police Department is currently Tier I Accredited with the next assessment scheduled for December 2024.

State of Connecticut Police Accountability Bill

Accreditation Requirements

	Tier I	Tier II	Tier III
Minimum Standards & Practices Descriptions	Minimum standards and practices designed to protect law enforcement units from liability, enhance service delivery, and improve public confidence in units	Minimum standards and practices for unit administration, management, and operation	Higher minimum standards and practices for unit administration, management, and operations
Required Certification Dates	December 31, 2023	December 31, 2024	January 1, 2026
NPD Progress	Accredited	On target	On target

Current Status of NPD Accreditation

- Tier I Accredited (re-accreditation assessment was scheduled for 2022 – deferred until December 2024)
- Tier II/III – In the process of reviewing all old Policies & Procedures, making necessary changes to meet building and organizational changes, accreditation Tier I – III standards, and State & Federal Law changes. Currently on schedule to complete compliance by December 2024.

Accreditation/General Order Project Timeline

- January 2022 – December 2022
 - Complete Accreditation Manager/Team orientation and training
 - Complete 2022 Tier I proofs
- January 2023 – December 2023
 - Complete 2023 Tier I proofs
 - Complete General Order Project through Chapter 5
 - Complete Tiers I – III compliance through Chapter 5
- January 2024 – December 4, 2024
 - Complete 2024 Tier I proofs
 - Complete General Order Project
 - Complete Tiers I – III compliance

<u>Accreditation Standards</u>			<u>Accreditation Compliance</u>			
<u>Standard</u>	<u>Substandard</u>	<u>Topic</u>	<u>Written Directives</u>		<u>Compliance Method</u>	<u>Approvals</u>
			<u>Old P&P</u>	<u>GO</u>	<u>Completed</u>	<u>Admin Approval</u>
1.1.1		Portable Radios	10.00	1.0	General Orders	7/11/2023 8/31/2023
1.1.2		Immediate Playback of radio/Phone	N/A	N/A	Observation	7/11/2023 8/31/2023
1.1.3		EMD	N/A	N/A	Other	7/11/2023 8/31/2023
1.1.4	a	Generator monthly test	N/A	1.0	General Orders	7/11/2023 8/31/2023
	b	Operational test on full load yearly	N/A	1.0	General Orders	7/11/2023 8/31/2023
	c	Documents of actual use of generator	N/A	1.0	General Orders	7/11/2023 8/31/2023
	d	Record of Maintenance and repair	N/A	1.0	General Orders	7/11/2023 8/31/2023
1.1.5		Misdirected Emergency Calls	N/A	1.0	General Orders	7/11/2023 8/31/2023
2.1.1		Compliance with FCC Regulations	N/A	1.0	General Orders	7/11/2023 8/31/2023

1.1.1

1.1.1 Unless specifically excepted by the nature of the assignment, every on-duty officer has a portable radio providing two-way continuous communication to the agency's communications center.

Commentary: Immediate communication with a central point is essential to officer safety; therefore, every officer performing law enforcement duties in the community at large should be equipped with a portable radio. The intent of this Standard is to ensure that circumstances in which officers do not have portable radios have been reviewed for the degree of risk involved. The agency should review assignments on a case-by-case basis: such assignments would include those with little risk of exposure to hazardous situations.

Newtown Police Department Policy & Procedure Manual

Policy Number: 10.00 Revision: 5/3/2022

TITLE: Uniform, Equipment and Appearance Standards

Contents:

- I. Purpose
- II. Policy
- III. General Considerations
- IV. Uniform Classes and Specifications
- V. Body Armor
- VI. Authorized and Required Equipment
- VII. Uniform Accoutrements
- VIII. Appearance and Grooming
- IX. Uniform and Equipment Inspections

I. PURPOSE

The purpose of this policy is to provide Newtown Police Department personnel with guidelines for the wearing of police uniforms and equipment, and to promulgate standards that create a professional appearance.

1.1.1.1 Unless specifically exempted by the nature of the assignment, every on-duty officer has a portable radio providing two-way continuous communication to the agency's communications center.

Commentary: Immediate communication with a central point is essential to officer safety; therefore, every officer performing law enforcement duties in the community at large should be equipped with a portable radio. The intent of this Standard is to ensure that circumstances in which officers do not have portable radios have been reviewed for the degree of risk involved. The agency should review

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(See policy and procedure 3.01, "Field Training Program").

C. Uniform and Equipment Required While on Duty

1. Uniformed Officers: Unless otherwise specified in this policy, uniformed patrol officers, in addition to their authorized Class B uniform clothing, shall be equipped with the following items while on duty.

- full duty belt
 - holster with check 15 call side arm (fully loaded)
 - magazine holder: w/ 10 call fully loaded magazines
 - handcuff case with handcuffs
 - handcuff key
 - Captain's holder with non-expired OC spray
 - portable radio w/ 10 shoulder mic and holder

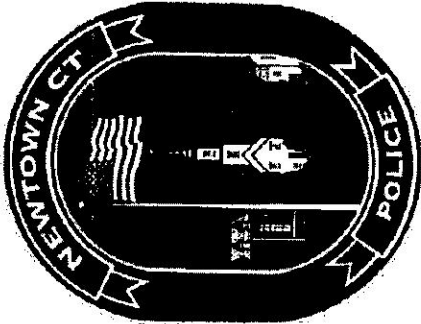
RULES and REGULATIONS
NEWTOWN POLICE DEPARTMENT NEWTOWN, CONNECTICUT
NEWTOWN BOARD OF POLICE COMMISSIONERS

SECTION 21 – OBEDIENCE TO ORDERS

21.00 Orders of the department shall be issued as general orders and special orders. Any order applicable to all members of the department shall be issued as a general order over the signature of the Chief of Police. Any order applicable to more than one, but less than the entire membership shall be issued as a special order over the signature of the Chief of Police. All orders shall continue in force until rescinded by a subsequent order. All members of the department shall be required to familiarize themselves with the contents of all orders. Under no circumstances shall a lack of knowledge of such orders be considered as an excuse for their non-observance by any member of the department. All policies adopted by the Board of Police shall be considered general orders of the police department.

Current Policies & Procedures

Policy & Procedure	Title	Adopted Dated	Revised/Updated	Issue
1.22	Employee Drug Policy	2/7/2006		Does not address Police Accountability Act
1.23	Employee Injuries	2/7/2006	5/3/18, 8/4/22	Physician One Urgent Care is no longer our provider
2.01	Prisoners and the Holding Facility	4/2/2002	7/6/04, 4/4/06, 5/1/07, 7/1/08, 4/11/14	Written entirely for the old building
3.02	Sidearms and Accessories Equipment	9/1/1989	6/6/96, 4/1/03, 1/2/07, 9/3/19, 8/3/22	Needs to be updated after delivery and issuing of new sidearms
5.07	Police Response to Crimes of Family Violence			This is the Statewide Model Policy. It has not been adopted in anyway to NPD.

	NEWTOWN POLICE DEPARTMENT GENERAL ORDER		DISTRIBUTION All Personnel	G.O. # 5.02	
	Order Title Newtown Police Department Written Directive System	Section 5	Section Title Management		
	Original Issue Date 7/18/2023	Reissue/Effective Date 7/18/2023			
	Rescinds	Accreditation standard 1.5.5			

This General Order is for departmental use only and does not apply in any criminal or civil proceeding not be construed as the creation of a higher legal standard of safety or care in an evidentiary sense concerning third party claims. Violations of this General Order will only form the basis for departmental administrative sanctions. Violations of law will form the basis for civil and criminal penalties in a recognized judicial setting.

MISSION STATEMENT (1.5.5 a)

It is the mission of the Newtown Police Department to protect and serve our community

It is the purpose of the policy to define the structure and application of this agency's written directive system (WDS) and provide officers and other employees with a better understanding of its importance, use, and applicability.

II. POLICY (1.5.5 b)

The Newtown Police Department has established a written directive system to help guide, inform, direct, clarify and document, department procedures and activities. These directives reflect our agency values and mission statement. The written directive system is designed to be an informative resource for agency employees that informs officers of what is expected of them in the performance of their duties, to provide guidance to them in performing such duties, and to establish the basis for employee accountability and the means to fairly evaluate officer and unit performance. The Newtown Board of Police Commissioners retains all authority to issue or modify departmental General Orders, Procedures, and Rules and Regulations. The Chief of Police shall retain the authority to issue Special Orders, Personnel Orders, Memorandum, and direct the research and development of necessary written directives that require Police Commission approval. (1.5.5 b)

III. DEFINITIONS

A. **Written Directives:** Written directives are position statements by or authorized through the Chief of Police that guide or direct the actions and activities of

Questions?

2022 NEWTOWN POLICE DEPARTMENT STATISTICS CALLS FOR SERVICE

2023

Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	YTD
1579	1238	1560	1336	1682	1614	1657	1510					17196

2022

Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	YTD
1025	1179	1442	1434	1628	1499	1491	1339	1441	1444	1459	1411	17365

TRAFFIC CRASHES

Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	YTD
4	7	48	35	64	59	45	46					424
7	7	8	10	13	4	11						65
43	64	55	63	74	65	49	57	0	0	4	4	498

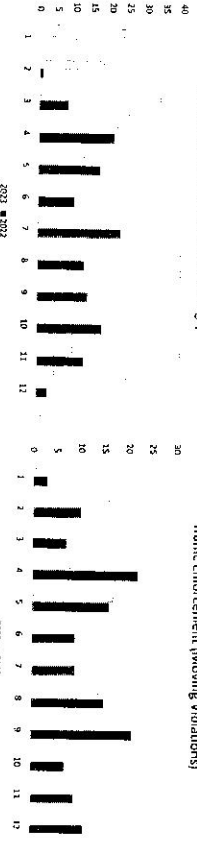
TRAFFIC ENFORCEMENT

Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	YTD
60	89	110	66	74	57	64	64					622
30	16	34	22	13	9	20	20					165
13	16	25	8	17	13	8	34					115
143	123	169	94	104	79	92	98	0	4	8	8	944

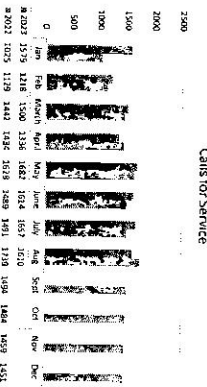
Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	YTD
21	16	23	50	36	41	36	74	55	85	68	53	599
0	1	8	21	17	10	13	14	18	13	3	3	141
3	10	7	22	16	9	9	15	21	7	11	11	139
24	34	38	93	69	60	68	110	139	118	90	66	879

Traffic Enforcement (Written Warnings)

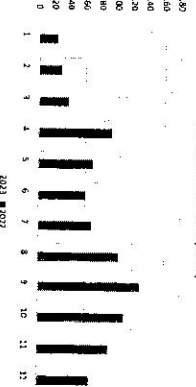
Traffic Enforcement (Moving Violations)



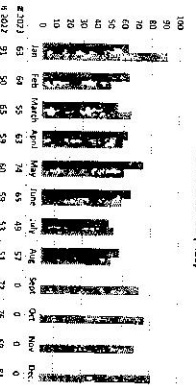
2023



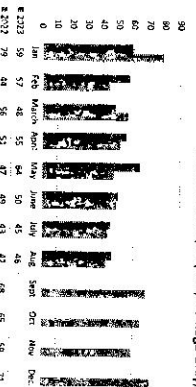
Traffic Enforcement (Total)



Traffic Crashes (All)



Traffic Crashes (Property Damage Only)



Traffic Crashes (Injury)

