

**MADISON DEPARTMENT OF  
POLICE SERVICES  
REGULAR MEETING – April 18, 2006  
9 CAMPUS DRIVE, MADISON– 7:30 PM**

Attendees: Commissioner Emile Geisenheimer, Commissioner Thomas Cartledge; Commissioner David Smith, Commissioner Michael Rollinson, Commissioner Michael Heaney; Chief Paul Jakobson.

Also Present: Attorney Judith Ravel; members of the community; press; department officers; Charles Walz, Board of Selectmen Liaison; James Deephouse, Board of Finance representative for Liaison James Deephouse; Peter Pardo; members of the community former commissioner Bob Cerosky, officer Mulhern, union representative William Ruddell.

**CALL TO ORDER**

Meeting was called to order at 7:34 PM by Chairman Geisenheimer, followed by the Pledge. Chairman Geisenheimer noted that this was the originally scheduled meeting of 4/13, which was changed due to a request by Commissioner Heaney for religious reasons prior to Easter. He read the notice of date change letter sent to Town Clerk Mrs. Bean. Chief Jakobson said the regular meeting was posted with the Town Clerk. The constrictions are that nothing is added to the agenda. Chairman Geisenheimer questioned whether or not it was a special meeting in that there could be no additions.

**PUBLIC COMMENTS**

Having accepted the minutes, Chairman Geisenheimer asked for public comments.

Walter Lippmann, 11 Sycamore Lane. For the record, he asked if the public comments can be in regard to old business? Or, he continued, are public comments with regard to business later on the agenda? Can we discuss items that are later in the agenda now? Chairman Geisenheimer responded, the Police Commission gives the public an opportunity to comment on anything germane to the Commission; it is not a session to interact with the Commission. Comments can be on any subject you wish, but you should stick to making a comment rather than ask a question. Mr. Lippmann asked if he will have a chance later in the agenda to comment on an item discussed? Mr. Lippmann continued, he feels the Commission should have an independent counsel who is independent from the town's counsel. There are separate interests for public safety and the town in general. Definitely in favor of separate counsel. Also, he said he would hope there will be a positive response to the Grievance, 01-2006, to avoid a long-standing dilemma that will affect the Town for many years to come and may set a precedent. He is in favor of a resolution at this level and not incurring further costs if the grievance is not remedied and ended now. It is strange the way the grading was done that one person's scores could be so different.

Ed Kritzman, Yankee Peddler Path. At the last meeting in March there was a discussion of the ad hoc committee. The Commission held off on the intervention process until all issues are resolved. Mr. Kritzman was the moderator of the group; little has been said about the work of the committee to inform the Commission and the public-at-large. Mr. Kritzman continued, the ad hoc group was addressing several years of animosity between the boards of finance, selectmen, police commission and officers regarding the level of staffing. It was reported in the *Shore Line Times*, *The Source* and the *New Haven Register*, as well as the subject of the local government TV channel. The board representatives were: First Selectman Scarpati for the Board of Selectmen; Commissioner Heaney for the Police Commission; Fillmore McPherson for the Board of Finance and Sgt. Heiden for the police union. It was suggested that a professional police-staffing consultant conduct the study to be considered in good faith. Instead, the ad hoc committee was formed and he was asked to be the moderator. Goals were to proceed in good faith for the levels of services of police to the town. There were 3 meetings: 10/6 was the posturing, venting, suspicions meeting which served a very important function. That meeting was the first time the parties talked face to face, contrasted to talking 'at each other'; this was particularly true between Mr. Scarpati and the Union. The 11/1 meeting was spirited and productive to discuss police patrol practices. It was agreed

that Commissioner Heaney would develop patrol staffing tables for the number of officers for approved staffing levels for a 365 day/year operation. At the 11/15 meeting, Commissioner Heaney made a detailed presentation on officer 'lost time' arising from vacation, training, sick days, etc. Considerable discussion ensued. It was agreed that each officer required hiring 1.8 officers to fill all shifts to fill all levels. This number might be subject to revision depending on the contract. The 12/12 meeting was rescheduled by Mr. Scarpati to 1/16 and was finally cancelled with no further meeting dates. On 1/20 Mr. Kritzman said he met with Mr. Scarpati for over an hour and stated that, considering number of cancelled meetings and mixed agendas, it did not appear they were proceeding in good faith and he wished to withdraw from the committee. Mr. Scarpati asked him to remain as he was personally negotiating with the Union and an agreement was very close; after that was reached, he would continue the ad hoc process. Mr. Kritzman said he would stay if Mr. Scarpati informed committee members via email. Nothing was sent. Mr. Kritzman said he received an email from Mr. Scarpati regarding issues of concern and was advised, there is no need for ad hoc activity. There are 3 organizations studying these issues. His impressions of the ad hoc process were: for the first time this offered a chance to talk face to face – it built a level of trust between parties. They could explore topics in a relaxed manner regarding issues for the town. The meetings he led facilitated the informal meeting with the Union and Mr. Scarpati which led to a memo of agreement which hopefully will lead to a contract. It is a useful tool to meet as an ad hoc group. There are many more issues to be discussed. The receipt of a 3-line email eliminating the ad hoc group was not well received by Mr. Kritzman. Chairman Geisenheimer said he will discuss this later in the meeting and Mr. Kritzman could respond at that time.

### **CONSENT AGENDA**

**MOTION** by Smith, second by Cartledge to accept the minutes of the regular meeting of March 9, 2006. All in favor. None opposed. So moved.

**MOTION** by Smith, second by Heaney to accept the Consent Agenda as presented. All in favor. None opposed. So moved.

### **OLD BUSINESS**

- IBPO Grievance: 01-2006 – 2<sup>nd</sup> Step Continuation

This grievance was presented at the last meeting but because of the length of that meeting, the Commission asked that this matter be heard thoroughly it be continued at the next meeting. Several commissioners have spoken with counsel and have done fact-finding. At the March meeting, Commissioner Heaney said he would recuse himself. His reasons are: he doesn't think he could participate dispassionately on this; he knows the officer, has spoken with him and has spoken with the commissioner involved and doesn't think it appropriate for him to vote on this. Chairman Geisenheimer asked the commissioners if they are ready to make a decision. Chairman Geisenheimer said he is deeply disturbed that an officer believes he has been mistreated by the Board of Police Commission, of all bodies; that is disturbing to him. At the same time, this grievance puts the Commission in a difficult position since only one commissioner was a member of the Board that the officer appeared before in the selection process for the sergeant's promotion. They must now second-guess. Chairman Geisenheimer said he personally asked about the rules and asked what part the Commission plays in the overall process such as, what should they do – be subjective, what should the Commission do in this process; how important is the Commission's involvement in the overall testing process? This is a very serious matter. He said he has not found that this is a grievance situation; while he may disagree on how a commissioner may have come to his conclusions, it is clear the process provides for interactions for commissioners to make decisions about intangibles. Each commissioner tries to do that. There is a step in the process that the commissioner can change the ranking. It is clear this was a largely subjective part of a multi-level process. The commissioner in question had his reasons to grade the officer as he did. While he does not endorse it, it was his option. He votes to deny the grievance and asked for a motion.

Commissioner Cartledge added, a lot of consideration has been given to this; it has been a difficult decision given the facts and lack of precedent. Given that, he agrees with Chairman Geisenheimer.

**MOTION** by Smith, second by Rollinson to deny Grievance 01-2006. Motion was voted 4-0-1. Heaney abstained.

Commissioner Rollinson commented that having been involved in this process, this raises questions of ethics and fair treatment that could be perceived, or a lack thereof. Maybe the process can be reevaluated in some other way and the promotional process can be accomplished. He agrees with Chairman Geisenheimer.

Mr. Ruddell commented, at the last meeting he said this was not an anti-union practice given Officer Mulhern's Union position. He feels this is a grievous injustice and still suggests that the officer go forward. Chairman Geisenheimer said he finds it hard, as the officer's own statement was that there was no particular bias in the matter other than he felt the youthful officers did not score as high as the senior officers. In the absence of a bias allegation, it is hard for him to see the grievance basis. The score difference is obvious, but that is part of the process which judges attributes of the candidate subjectively. The Commission scores are only 20%; higher scores in other parts of the process may well overcome this. It is part of the process that even if Officer A is #1 and the Commission decides that wasn't the outcome for subjective reasons, they have a right to do that. If we want to go forward and look at that issue as the Board of Police Commission, that is separate. We looked at whether the Commission violated its own process of a breach of contract. Officer Mulhern asked if, as part of consideration, you looked at rules in the process and was told no rules exist. He asked for a copy of such rules if they exist. Mr. Lippmann asked if additional comments could be made; Chairman Geisenheimer told him he was out of order and no, he cannot comment throughout the meeting.

- **Third Reading of Policy Amendment: XIV. Operations – Manpower**

**MOTION** by Smith, second by Rollinson to accept the policy. Commissioner Heaney said he will vote against this in view of the staffing situation and because he feels this represents too much of a reduction in minimum manpower staffing levels that we are authorizing the Chief to follow. He has put some weight on the letter of February 6, 2006 from Sgt. Heiden as Union president, in that the Union's view is that the staffing level is "unsafe and imprudent" and the rank & file have concerns. He fears the staffing levels for a town of this size are unsafe – it is his subjective judgment. In two years, the Department has gone from 13 officers in a 24-hour patrol period down to 11 and now down to 9 (3-3-3). It is a huge percentage-wise drop. Part of the problem is we have new officers on the roster who are not yet on board. He would like to see more officers – it is what the public expects. Commissioner Smith said the staffing study has determined the minimums; Commissioner Heaney said one of his goals is staffing. Chief Jakubson commented, there is an MPP (Municipal Prohibitive Practice) filed by the Union that will have its first hearing on this issue on April 25<sup>th</sup>. Chairman Geisenheimer said he understands this is a minimum staffing policy, not actuals. He believes it gives the Chief more flexibility to have more staffing when he deems it necessary. As a result, he is comfortable that the Chief will make the correct judgments. This was the subject of a detailed study by Commissioner Smith. Commissioner Cartledge added, it is somewhat premature to say the numbers are such; the work of the current Commission is not finished yet. We have tried to use all the resources; when it is done the results will be made available. They are trying to do the best job they can to determine the appropriate staffing level.

**MOTION** by Smith, second by Rollinson to approve the policy amendment to Article XIV. Motion voted: 4-1-0 (Heaney).

- **Overtime Results**

Chief Jakubson passed out the 'by-date' overtime study and noted the dramatic differences due to staffing levels. There were several previous line item transfers to be acted on by the Board of Finance on 4/19. We are determining what special appropriations may need to be done by the end of the year.

- **Accreditation Process – Status**

Chief Jakubson reported, the committee meets weekly; the process is ongoing and they work on policies. Commissioner Heaney commented that, as the accreditation process has several sections on the promotion process, we might be able to spend particular attention at that point. It is under management in Tier 1.

Chief Jakobson advised, they haven't reached that section yet. Commissioner Heaney agreed, there is ample opportunity for the police to weigh in on this issue.

- **Status of FOI Complaint**

Chairman Geisenheimer reported he is pleased that the FOI matter has been resolved. He described the complaint, which rose out of a discussion and action taken 1/12/06, which had election of officers on the agenda. In the course of discussing the election, a motion was approved to rescind a Police Commission policy adopted by the prior Commission changing the date of the chair's election from the first meeting in January to the last meeting of a year following a town election. This was not specifically on the agenda. The Commission's position was, this could be easily anticipated by people reading an agenda. They met at the hearing; the hearing officer recused himself but acted as a mediator. The discussion ensued and they reached agreement on how to settle. Cindi Baran (*New Haven Register*) then withdrew her complaint. The settlement was that the Commission agenda misled her and maybe others; in the future the agendas would be as specific as possible. The matter is dismissed. Ms. Baran had no comment. Chairman Geisenheimer added, he was there for part of the process and personally thinks the settlement is absolutely fair, a good compromise and we can move on from that.

Commissioner Heaney told Chairman Geisenheimer that although moot to the extent he had any claim on any office, he has dropped that. He stated that as far as he is concerned, Emile is the chair of the commission. Walter Lippmann asked if it was dismissed or settled? Chairman Geisenheimer said dismissed – they reached an accord and it was dismissed. Chairman Geisenheimer concluded, he appreciates Commissioner Heaney's contribution today and the spirit of the FOI complaint.

- **Status of Staffing Study**

Chairman Geisenheimer stated, there have been comments in the press that there was contention between the Police Commission and the Board of Selectmen, the First Selectman and the Board of Finance. In January, the new Commission established a committee to review and submit a budget; second was the conducting of a staffing study. These items are related. We have been criticized for the budget. He stated publicly that in the absence of completing a staffing study they had no basis to change the staffing. In their presentation, they did clearly say to the boards of selectmen and finance that they would complete the study around the end of June. If at that time the study shows they need more officers, they would be back with the study's results and would argue that case. They have also been criticized for not knowing the staffing needs.

Chairman Geisenheimer continued, staffing is based on existing facts; there is nothing intuitive. The Crockett Report never analyzed this question. It says that the workload of the police department does not justify the staffing. The policy of the Commission suggests staffing requirements; the contract, etc. determines what the staffing needs are. He believes they are not aiming for a specific number but rather are trying to find the right number. He doesn't believe any board is served by having 5 people all with the same mind. They are trying to get educated about levels.

Commissioner Smith is developing a staffing policy and a model manpower plan. He is determining a manpower pool of patrol/number of commanders per shift. Manpower deployment is how they are scheduled. A staffing policy determines the level to meet the plan - that is the objective. He is currently in a fact-gathering stage to understand current loads and duties of the staff. They are collecting statistics, reviewing the Crockett Report, the LIMS Surveys and the Bureau of Statistics surveys. The next phase will be analysis of current models, crime and traffic. This intricate process will be unbiased and factual. He is willing to invest the time for the Police Commission and the Town.

Commissioner Heaney reiterated his appreciation of the work done by Dave Smith and Thom Cartledge. He thinks they are going about this with a great deal of integrity and energy. He addressed a comment that Chairman Geisenheimer said that he (Heaney) feels the Commission should be comprised of cops and commissioners. He said he doesn't feel that way and if that was the interpretation, he takes it back. What he meant was, most of you did not come with that policing experience and it takes time to acquire it. When he started on the Commission he had no particular background, but has gained it with time. This Commission, with four new people, is not an optimal situation. There was not much continuity. The

Crockett Report says, “Even more important, the establishment of priorities within the Madison Department of Police Services is a basic leadership responsibility that has not received sufficient attention in recent years. In fact, it is difficult, and probably impossible, to objectively determine valid personnel requirements in the absence of a clear understanding of the mission, purpose and operational priorities of the Department. This is especially true since there appear to be significant differences of opinion and perspective regarding what the mission and priorities of the Department ‘should’ be.”

He continued, his concern is there has not been a process to assess what is the mission – what does the Town expect. Chairman Geisenheimer agreed and said part of the study will be reviewed. Commissioner Heaney said he feels that is the ‘staffing issue’. Data is being collected from other police departments and it will be reviewed. This is not a fiscally driven process – staffing deployment, goals are measured and will be part of the study. He responded to Ed Kritzman by saying, your work was started when there were fixed positions on this viewpoint. This Commission does not have a fixed point of view today. He feels he can talk freely with the Board of Selectmen, the First Selectman, the Union, etc., and he does. When we find the solution, we can get a buy-in by all parts of the Town’s government. He hopes to draw on the fresh look of this Commission; #2 is the thorough work being done and #3 is the open communication. He wants time to let the work proceed so they can get to a point of view and feels their credibility will come to play.

Mr. Kritzman responded, the process is certainly well thought out and appropriate. It’s the role of the Commission to do exactly what you are doing. The purpose of the ad hoc committee was to create an environment where people would be able to talk and hear one another. Also, to create a face-to-face environment for the parties who have a stake in the issue to come together informally - not only to identify an issue, but to understand it, explain it and identify a viable solution; that is different than what you are going to do. As the Chair and/or commissioner, you can talk to members of the boards. What you don’t have is the bringing of members of each group together informally with non-binding talks. The potential with the ad hoc process was to get to a contract; that was a result of the First Selectman and the union president developing some degree of mutual respect. His concern is as a taxpayer; he doesn’t want to pay any more taxes but wants to have the level of services that are appropriate. This ad hoc process could not solve all these issues – that wasn’t the purpose. It was to provide a forum for discussion. He does not take personal affront to the termination, but was disappointed at how it was terminated. More than three lines in an email – you are not relevant and have no use; could have been a note thanking them for their time. It would have been more political to bring it to conclusion in some other way. There is a value to bring reps together informally. Chairman Geisenheimer said, the motion was to table this to the future, maybe we should postpone it indefinitely until we have a better feel for the future process. Mr. Kritzman concluded, what you are approaching and the manner is long overdue. Hopefully, within a reasonable period of time, you will have an answer.

- **Status of “Intervention” (Settlement) Process**

Chairman Geisenheimer advised it was noted at the last meeting that this is tabled. Commissioner Heaney asked that this be on the agenda. Commissioner Heaney said he will not be part of the process anymore; he feels said he has nothing to add.

**MOTION** by Smith, second by Cartledge, that this “Intervention” Process status report be a tabled matter under old business until the staffing study is completed. Motion voted: 4-1-0 (Heaney).

- **Status of Manual of Conduct**

Chairman Geisenheimer suggested this be on the next meeting’s agenda. Chief Jakubson said that relative to this process, he has sent the last known red line version to town counsel. She is in discussion with union representation and they are aware this needs to be brought forward. The comments by Atty. Walsh are now in the hands of the union and have been for some time. They are aware this process needs to go forward and be resolved. He will provide a copy of the red line version to Commission Heaney. There is still the process of the contract to be settled, but this needs to go forward. Chairman Geisenheimer added, Atty. Ravel is not here tonight but she has provided some comments. He and the Chief will sit down as to the differences of opinion where this stands. He would like to wait to get her point of view.

Commissioner Heaney said he will not be part of this study any further and added, Atty. Ravel has not been in contact with him, despite his request. Chairman Geisenheimer commented that Commissioner Heaney is making accusations against someone who is not here (Ravel) and he will not give him the opportunity for open criticism. Commissioner Heaney stated, Atty. Ravel has been instructed to not communicate with him. She is billing the taxpayers to work on this. For the third time, the taxpayers will pay for the same work. Chairman Geisenheimer asked him, “are you done”?

- **Prior Commission Request to Board of Selectmen for Town Meeting to Add Five New Officers**

Chairman Geisenheimer advised, at the request of Commissioner Heaney, this was put on the agenda. Commissioner Cartledge made a motion that there is relevance in having the townspeople and their opinions heard. Until the current Commission is finished with their staffing report, he would like to table this until they have something concrete to work on rather than an open discussion.

**MOTION** by Cartledge, second by Smith to table the Prior Commission Request to Board of Selectmen for Town Meeting to Add Five New Officers.

Commissioner Rollinson added, earlier we talked about priorities. He is not aware of a manpower study by the prior commission, but whatever the numbers reached by the prior commission, are subjective as to staffing, hiring, etc. This has been beaten like a dead horse, leading to the ad hoc committee. When it is completed, the Commission will have documents, numbers and statistics to verify and we will decide at that time what those numbers will be. We have been wasting time for the past 4-5 years. It should be tabled until the Commission is done with its study. He asked Commissioner Heaney for a study, if there is one. Chief Jakubson commented, he has a study that was done. Commissioner Smith added, that is part of our due diligence. Commissioner Heaney said there is information, which is a way of assessing the numbers; the prior Commission did a lot of work on numbers. This isn't the first time this has come up. To address Commissioner Cartledge's motion, he agreed it would be inappropriate to have a town meeting to throw out a general question regarding the number of cops. He feels it would be productive to have a meeting on what people think they want regarding public safety issues in town. Chairman Geisenheimer said you can't get into the substance of a town meeting. Commissioner Heaney answered that he can get into the substance for not agreeing with the motion and said he has the floor. Chairman Geisenheimer responded, these are not comments – it is a speech. Commissioner Rollinson interjected, per *Robert's Rules of Order*, he was going to call the question. Chairman Geisenheimer continued, speaking to Commissioner Heaney, that he sent 15 items for this agenda, which have been amply discussed. The motion has been called. He then called for a vote of those in favor of a motion to table this matter. The vote was taken: 4-1-0 (Heaney).

**NEW BUSINESS**

- **Protocol of Police Commission use of Town Attorney and Consideration of Need for Independent Attorney for Police Commission**

Chairman Geisenheimer advised this item was requested by Commissioner Heaney and said the protocol is that the Chief and/or Chairman, when they need legal advice, can consult the town attorney. If the consultation will be extensive, they consult with the First Selectman. This process has worked satisfactorily, except when there is an issue by a Commission to sue the Board of Finance or the Board of Selectmen. Chairman Geisenheimer said he does not feel we need an independent Commission attorney or need to revisit this.

**MOTION** by Cartledge, second by Smith to continue the existing practice of using the Town's attorney for the Board of Police Commission. Chairman Geisenheimer restated, the practice is in the judgment of the Chief or Chair of the Police Commission. If there is a need for advice of counsel they may contact the Town's attorney for advice. If it is to be costly, they will contact the First Selectman to seek his approval to use the Town attorney for that purpose; that has been the practice. Commissioner Cartledge said that is his motion; seconded by Commissioner Smith.

Commissioner Heaney said he has not heard that protocol enunciated; it has not been prior practice. In the past couple of years, the Chair made a judgment that when it was needed it was routinely turned down.

One board may feel another board is acting unlawfully. Litigation is often taken. Chairman Geisenheimer said, there is a motion on the table, at which point Commissioner Heaney said he is entitled to speak. Chairman Geisenheimer advised, the motion is to be discussed. Commissioner Heaney said he is discussing the motion but it is inaccurate and does not represent the history of the protocol you are referring to. Chairman Geisenheimer said, the Chair is permitted to interrupt. Commissioner Heaney continued, the matter discussed was the actual practice with an attorney; it is highly relevant. We never threatened to sue the town – we never got that far. We were turned down; there will always be times when boards reach an impasse. The only avenue may be litigation – both boards cannot use the same attorney and he doesn't think we need outside counsel as a regular course.

Commissioner Heaney then read what Selectwoman Traugh has researched and discovered: “Section 2: Role of Town Attorney, Paragraph 4): No legal action shall be initiated by the Town of any Agency on behalf of the Town nor shall the defense of any legal action be undertaken for or on behalf of the Town, unless or until such action shall have first been approved by the Board of Selectmen and/or its First Selectman after a review of the Case File and after consultation with the Agency, the Town Counsel, and if deemed appropriate, any Outside Counsel.”

We have a policy that we have not been following. He asked if Chairman Geisenheimer spoke to the First Selectman to ask if he could contact Atty. Ravel. Chairman Geisenheimer replied, we did not discuss the need – we discussed trial strategy. Judith (Ravel) was asked to be here but it was not discussed publicly. Commissioner Heaney commented, the First Selectman needs to say he did approve that. Charles Walz said the First Selectman did approve that in advance for that particular legal financial cost. Commissioner Heaney reiterated the policy “after review of the case file and after discussion with the agency”. Mr. Walz said it was done immediately after the FOI was filed. Commissioner Heaney asked - this wasn't public? No minutes? Mr. Walz answered that they don't tape every meeting we have. Mr. Scarpati doesn't have to tape every meeting. Do not paraphrase me - you infuriate me when you paraphrase. Mr. Scarpati, in advance, approved (according to policy) as First Selectman, the legal. If you want to rephrase that, do so. In that FOI situation, it was approved in advance for Mr. Geisenheimer and for the Police Commission. He was part of that first meeting; he knew the case and so did Mr. Scarpati. We approved the legal expense. Commissioner Rollinson added, it was discussed at the Selectmen's meeting. Chairman Geisenheimer said, there is a motion on the table to continue the past practice. He is happy to review the document Mr. Heaney has alluded to and make sure the practice is correct. Motion has been seconded. He called for a vote: 4-1-0 (Heaney).

- **Resident and Police Department Survey**

Chairman Geisenheimer noted, this agenda item is at Mr. Heaney's request. Under Commission policy he can defer the requests but he wanted to be able to deal with Mr. Heaney's requests. He continued, he endorses a survey to gather information from officers about public safety matters. We have started that process; he feels it important that the commissioners meet with the officers. There are different groups that attend public meetings of their particular interests, i.e., police, seniors, schools. The average citizen doesn't know how the police department operates. He feels this should be done in the near future to gather formal opinions from the citizenry. Chief Jakubson advised, we have previously compiled some information with survey questions. Guilford has just completed their survey within the past year. The Chief continued, he invites a commissioner to sit with him and Chris to look at the logistics of doing the survey as a mailing, online response or a combination of both. We need to look to mailing costs, printing, etc. and he thinks it is a great idea. He will find out the exact percentage of responses. Commissioner Heaney added, this item was not meant to be contentious but rather to start a discussion for a survey to take the pulse of the townspeople. At the police department, the survey would be to evaluate police officers. He feels it is a way to get honest feedback from the rank and file to improve what we do. Chairman Geisenheimer suggested we continue this dialogue.

- **Commission Use and Format of Monthly “Chief's Report”**

Commissioner Heaney said he had in mind, for discussion, if we are getting the most useful information in our reports. Maybe with Dave Smith's and Thom Cartledge's data they can use these reports. His concern is that the reports are not helping frame an actual policy; this is not a criticism as much as, ‘what are we doing with them’? Commissioner Smith said his sense is to determine how the officers spend their time; it

might be a good idea to take some items from the staffing study for things to monitor, such as response times, calls for service, etc. to be in a graphic track. Chief Jakubson added, the compilation of reports is input from previous commissions from many, many years. We try to frame the reports with relative data in previous timeframes of previous years. He welcomes any of the commissioners giving ideas as to how to eliminate irrelevant reports. He is open to suggestions.

Commissioner Cartledge said it might be important to go on record to explain this is not to add up columns. What has been done is to go into the IT base of the department to extract information; fact finding programs have been written. We hope to bring forth an understanding of the numbers so we can explain it to townspeople with specific questions. What took place in what particular sectors can be shown; there is a diversity in this group they hope will be an asset. Chairman Geisenheimer said that regarding a clear mission priorities, objectives and goals should be the driving force for the reporting to go forward. One study has a good way to analyze response times. He saw another department's goals set by priority, which is how it was reported monthly regarding the percentage of time they hit that goal. Chief Jakubson added, background is not statistical or analytical. Most departments have people who do that; we have some who can apply the knowledge but he thinks this is not a department adrift. This is not a department that has lost its focus. We have a very clear mission statement, available for viewing any time which has been reviewed by the accreditation committee. In his capacity as either chief or officer, he welcomes any input and is open to change that is good for the town and the department. He continued, he wants to make it clear he is not interpreting comments that there is something wrong with how the department is comprised or operates. If there is a better way for the wheel to turn he welcomes it. He reiterated, he wants to make it clear that this police department is not in trouble. Commissioner Cartledge then said, they are not casting aspersions that anyone has been negligent; they are trying to understand and make recommendations. Chairman Geisenheimer added, there maybe opportunities for improvement. It is not a witchhunt. Chief Jakubson advised that the door is open. Commissioners Heaney said this was an attempt to get the discussion going – it is not a criticism of the Chief. It is to see how to do more with reports.

- **Parliamentary Issues and Commission Protocol, Role and Duties of the Chairman**

Commissioner Heaney stated that parliamentary procedures are important but should not get in the way of substance. He offered to try to put together a primer/memo for the commissioners for their use on typical scenarios to have a standard agreement for the use of *Robert's Rules*. This is not taking issue with anything. Chairman Geisenheimer commented that within *Robert's Rules* there is a set of rules for small boards. One example regards the 'seconding of motions'. He would like to take the abbreviated rules and add to them for small boards. We can circulate that prior to the next meeting.

**COMMISSIONER COMMENTS:** None

**CHAIRMAN COMMENTS:** Chairman Geisenheimer said he hopes we can move on to new business.

**MISCELLANEOUS CORRESPONDENCE**

Chief Jakubson reviewed: a letter from Troop F, Westbrook, complimenting detectives Fox and Daniels; a letter from a Hickory Lane resident thanking the officers in general; letters complimenting Officer Boggs and Officer Hedges.

**EXECUTIVE SESSION**

**MOTION** by Geisenheimer, second by Rollinson at 9:51PM to enter Executive Session to discuss Legal Issues; a CID Briefing by Sgt. Curry; Status of FBI National Academy; Staffing. All in favor. None opposed. So moved.

Present: Chief Jakubson; Sgt. Curry; Commissioners Geisenheimer, Heaney, Smith, Rollinson and Cartledge.

**MOTION** by Geisenheimer, second by Rollinson, to adjourn Regular Session at 11:01 PM. All in favor. None opposed. So moved.

Minutes accepted as amended: May 11, 2006