

From: [Jankowski, Ted](#)
To: [Rosenson, Valerie](#)
Subject: FW: As Requested - Response to Items Discussed at January 22, 2019 Board of Representatives, Parks and Recreation Committee Meeting
Date: Friday, February 15, 2019 11:05:15 PM
Attachments: [Letterhead Response to Board of Representatives Parks and Recreation Committee.pdf](#)
[Director of Public Safety Ted Jankowski Reply January 22 2019 BOR PR Meeting Park Police -.docx](#)
[Addendum 1 2018-09-17 Special Police Officer Agreement - UAW Parks Park Police.pdf](#)
[COLLECT letter to PD 4-28-16.pdf](#)

Hi Valerie,

Please see below and attached.

Thank you.

Respectfully,
Ted Jankowski
Director of Public Safety, Health and Welfare
203-977-4151

From: Jankowski, Ted
Sent: Friday, February 15, 2019 11:01 PM
To: Mahoney, Dennis; McGarry, Marion
Cc: Aquila, Marc; de la Cruz, Virgil; Giordano, Philip; Matherne, Raven; Pratt, Rodney; Saftic, Ines; Stella, Jeffrey; Wallace, Lila; Watkins, David
Subject: As Requested - Response to Items Discussed at January 22, 2019 Board of Representatives, Parks and Recreation Committee Meeting

Good Evening Representative Mahoney and Representative McGarry,

As requested, please see the attached.

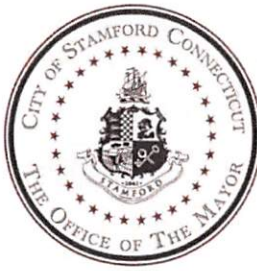
1. Response to the items discussed at the January 22, 2019 meeting
2. Agreement Related to Special Police Officers Assigned as Park Police Officers
3. COLLECT letter to the SPD from April 2016

If there is anything else needed please let me know.

Thank you.

Respectfully,
Ted Jankowski
Director of Public Safety, Health and Welfare
203-977-4151

MAYOR
DAVID R. MARTIN



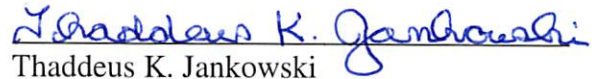
OFFICE OF PUBLIC SAFETY,
HEALTH & WELFARE
TEL: 203 977 4151
E-MAIL: TJANKOWSKI@STAMFORDCT.GOV

To: Parks & Recreation Committee Board of Representatives
From: Thaddeus K. Jankowski Director, Office of Public Safety, Health &
Welfare
Date: February 15, 2019
Subject: Response to Request

As requested by the Board of Representatives Parks and Recreation Committee please see my response(s) in Blue and Highlighted in Yellow

Thank you.

Respectfully,


Thaddeus K. Jankowski

BOR Parks & Recreation Committee Meeting, January 22, 2019

PR30.012 Stamford Park Police Status and Contract

Comments by Invited Guest, Deborah Billington, Stamford Neighborhoods Coalition Steering Committee –

As Requested by the Committee

Response by the Director of Public Safety Ted Jankowski in Blue and Highlighted in Yellow

On behalf of the Stamford Neighborhoods Coalition we thank you for your invitation and your commitment to an on-going review of the status of Park police.

You have reviewed the Status of Park Police for ten months now. Union negotiations continue and more details are revealed by SPD about the plan to police our Parks. At this point in time, we can't help but feel we are somewhere between The Twilight Zone and a Tale of Two Cities.

Over the past ten months, we have tried to sort through fact from misrepresentation. Allow me to review the rationale that has been presented to justify moving Park Police entirely under SPD. We have been told....

- **Reporting** - PARK Police **reported to Park Facilities**, not true

The "Agreement Related to Special Police Officers Assigned as Park Police Officers", Addendum 1, between the UAW and the City clarified and explicitly established that the Park Police were under the supervision of the Police Department. Prior to the adoption of the Agreement, there was lack of clarity as to the reporting structure. Both before and after the adoption of the agreement, Operations (Facilities and Parks) and the Police Department had and continue to have a role vis-à-vis the functioning of the Park Police.

- **Chain of Command** - There has been a concern about **no chain of command** as is the case with all other Stamford police officers, not true. Park Police officers have and continue to report to the District 3 Police Captain who is now Captain Lombardo.

Please see above. In 2016, the Park Police reported to Captain McElligott, and currently they report to Captain Lombardo. However, prior to the adoption of the agreement, the Police supervisor's role in assigning the Park Police was unclear and there was not an agreed upon understanding of the chain of command for either assignment or disciplinary purposes.

- **Training** - They were not **trained as other police officers**, not true. They must complete all necessary training.

Correct. UAW Parks Police are required to hold a valid Police Officer Certification from the State of Connecticut. They cannot be certified without approved Police Officer Standards and Training Council (POSTC) training.

- **Where are they?** - SPD didn't know when they were on duty or where they were when they were on duty, not true. Park Police officers input their schedules on the SPD SCHEDULING program as all officers do. When they come on duty, they notify the dispatcher.

Please see above. The Agreement clearly established the Police Department's authority, subject to the terms of the UAW collective bargaining agreement, in regard to scheduling and assignment of the Park Police. Prior to the agreement, Park Police hours and assignments were set under the authority of the Operations Department. Their schedules are now on the SPD

Telestaff system.

- **FBI Database** - Their access to the **FBI database** was noted by the FBI as inappropriate and threatened all SPD access to the database, at your November meeting Director Jankowski explained that the city had not notified the State that our Park Officers are police officers. It was a city oversight in reporting.

The Director of Public Safety did not make this comment at the November meeting. The State and Federal Authorities require the Park Police to be under the management control of the Police Department. The SPD was notified that a Management Control Agreement (MCA) was required. The Agreement was adopted, in part, to respond to that requirement. Please see the attached.

- **No one wants the Job:** Retiring SPD are not interested in the job. The job was described two years ago as a seasonal position, not permanent part time. Those who know the nature of the job best, need to be directly involved in the recruitment and hiring process. Parks Facilities, P&R Commission and the actual Park Police Officers.

Several individuals inquired about the position. Only one individual applied. A hire was made and sworn in on July 12, 2017. The hire resigned on July 19, 2017 because of the State of Connecticut requirements for hiring armed police officers, which includes POST Certification, passing the physical fitness, polygraph, etc. Civilians are no longer certified by the State of Connecticut Police Officer Standards and Training Council (POSTC).

All of these **MISREPRESENTATIONS** have been used as rationale for moving the resource and funding entirely under SPD.

For decades Park Facilities and SPD have worked in partnership to provide taxpayers and all park goers with the most appropriate and cost effective means of policing our Parks - Officers who have police authority and report through the SPD chain of command when on duty and whose mission is enforcement of Park Rules & Regulations with their budget, overtime and shifts determined by Parks Facilities.

The Agreement provides that Park Police “under the authority and direction of the Stamford Police Department” and that the Park Police “patrol the parks with their primary responsibility to be determined between the Police Department and the Park and Facilities Department.” See the attached. The Parks Police budget line continues in and will remain in the Operations budget.

There has been just one problem. The function has been starved of funding and positions have not be back-filled.

Efforts to hire were unsuccessful. Please see above.

You listened to over 1000 who signed petitions and many who attended P&R, Budget and full board meetings. You have continued to work with the Administration to work toward restoring the Park Police force to an adequate number. You have heard from the P&R Commission and their Resolution clearly describes the need for Park Police coverage. And you have heard from Director Jankowski and SPD, one of the two members of the Partnership.

The plan for a Park Enforcement Unit within SPD was created by SPD. The elephant in the room is the complete absence of Operations, specifically Parks Facilities in this solution.

Please see above.

- How does one partner whose mission is Enforcement, emergency response and crime fighting throughout the city determine the plan for policing parks rules and regulations?

The SPD Parks Enforcement Unit will include both Officers within the Police Department and Park Police. The Unit will have responsibility for enforcing all City and State laws, rules and regulations. The expectation is that the Park Police will continue to have primary responsibility for enforcing Park Rules and Regulations.

- At a recent BOF MEETING, it was mentioned, by SPD, there will be 7-11 coverage in our Parks. When questioned, it was confirmed these SPD officers would actually be in the geographic area of Parks; this is nothing new, patrol officers already do programmed patrols through parks on their beat.

The Parks Enforcement Unit is a unit dedicated to the Parks for the season.

- At the same meeting, SPD described a \$16,000 Jag Grant they have applied for and needed BOF and BOR approval to use for walking patrols on Overtime in our Parks; this is for overtime that CAN ONLY BE USED BY SPD officers who are budgeted under SPD; this is a band-aid not a solution. Grants are for a wish list that regular operating budgets can't fund. The Parks Facilities operating budget for Park Police has been a can kicked down the road for years.

JAG grants are made available specifically for Police Departments by the United States Department of Justice. These funds will be utilized to supplement the Parks Enforcement Unit on days when members utilize leave and/or as needed for park coverage.

- If we had adequate park police, we wouldn't need additional SPD OVERTIME WALKING patrols.

-

The Stamford Police Department takes every opportunity to benefit from grant monies that become available to supplement and improve police operations.

We understand that union negotiations are on-going. Why are the negotiations taking so long? Budgets are being evaluated. The demand for Park Police will only grow. We need a real solution created with all the stakeholders at the table. But in the interim, we need more permanent part time Park Police now under the decades long partnership between Parks Facilities and SPD.

We ask that you do everything in your power to ensure Parks Facilities and the Parks & Recreation Commission are not relegated to the status Director Jankowski has described, as liaison to SPD. A synonym for liaison is Ambassador, and we all know how effective Ambassadors have been in our Parks.

Expressed concerns are noted.

Thank you

**AGREEMENT BETWEEN THE CITY OF STAMFORD AND LOCAL 2377 OF THE INTERNATIONAL UNION, UNITED
AUTOMOBILE, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA-UAW**

AGREEMENT RELATED TO

SPECIAL POLICE OFFICERS ASSIGNED AS PARK POLICE OFFICERS

The City and the Union agree to the following:

General Statement:

Special Police Officers are POSTC certified police officers. Sec. C5-40-2 of the City Charter gives the Police Commission the power to appoint Special Police. The Commission shall make these appointments after consideration of recommendations made by the Chief of Police.

Park Officers, or Special Police Officers, are under the authority and direction of the Police Department.

Parks Officer are covered by the UAW contract under the heading Part-Time Park Police. Attached is a Settlement Agreement (Attachment A) regarding extra duty work dated 5/14/01 to assist supervisors in dealing with any issues that arise.

- **Duties of Parks Officers:**

- Patrol the parks with their primary responsibility to be determined between the Police Department and the Park and Facilities Department, consistent with the duties in their job description. (Attachment B) As needed, they can be dispatched or assigned to work in any of the city's parks by the Police Department.
- Parks Officers should go into and out of service via the radio with Communications and include how long they will be in service.
- Parks officers should not be pulled from the parks unless there is an emergency. They are not to be considered junior officers for unfavorable assignments but just as their title states they work in the city parks.
- Parks officers should not be initiating police investigation/enforcement outside of the parks. They may however, be responsible for issuing parking violations in restricted parking areas on the streets surrounding the parks.
- If there is a need for police action outside of the parks they should contact communications and report same.
- Communications will dispatch parks officers to calls within city parks. All calls requiring an incident report shall be done in FBR and submitted to the respective district sergeant for approval.

- **Work Schedule:** The Parties agree to negotiate over the work schedules of the current Parks Officers. The Parties will immediately select an arbitrator and obtain an arbitration date, such that if the Parties

do not reach a resolution, that the work schedules matter will be submitted to the chosen arbitrator for a decision.


- The specific schedules of Parks Officers hired after the date of this agreement shall be determined by the Police Department according to operational needs; provided, however, this provision does not constitute a waiver by the Union of any right it may have to bargain over the terms and conditions of work for Parks Officers, including work schedules.

Supervision:

- Parks Officers will be under the supervision of the District 3 Sergeant (853) or the Police supervisor assigned to them.
- Respective District Sergeants will be responsible for approval of FBR reports.
- It is imperative that sergeants recognize noteworthy performance of duty as well as any substandard work and report same up the chain of command for necessary action. The Chief can then bring this information to the Police Commission.
- If there are competing assignments; i.e. two district commanders require a Parks officer at the same time in two different locations and there is only 1 working, the shift commander will decide which park or assignment gets priority.

The foregoing represents the Parties' entire agreement on the terms contained herein, and is entered into without precedent or prejudice to the Parties' positions on other matters pertaining to the Parks Officers.

For the Union



Daniel E Livingston Counsel

September 14, 2018

Date:

For the City



9/17/18

Date:

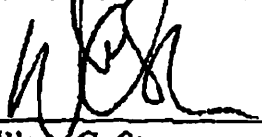
SETTLEMENT AGREEMENT

The parties to this settlement, the City of Stamford (hereinafter the "City"), Local 2377 of the International Union, United Automobile, Aerospace and Agricultural Workers of America – UAW and the Stamford Police Association (hereinafter the "Unions"), all hereby agree as follows in full and final settlement of MPP 17,453 and MPP 17,706:

1. UAW has the right of first refusal for extra duty work at Cove Island and Cummings Park for all picnics, parties and concerts, where the City determines that security is needed.
2. UAW has the right of first refusal for extra duty work at Scalzi and Mill River Parks for all picnics and parties, where the City determines that security is needed.
3. UAW has the right of first refusal for all the extra duty work for the Pink Tent Festival at Mill River Park, if the City determines that security is needed.
4. SPA has all extra duty work for hockey games paid for by F.C.I.A.C. (schools) at Terry Conners Skating Rink. The City may choose, in its sole discretion, to supplement the regular police officers (SPA members) by hiring park police/park security police to work the hockey games at Terry Conners Skating Rink.
5. The SPA has all the extra duty traffic direction functions on city streets, subject to the provisions of the SPA collective bargaining agreement and City ordinance.
6. All other extra duty work involving city parks and Terry Conners Skating Rink will be worked jointly by the UAW (park police/park security police) and the SPA (regular police) in the following manner. Every third (3rd) position hired per event will be offered to a UAW park police officer or park security police officer.
7. Nothing in this agreement shall ~~not~~ be construed as a requirement on the part of the City to hire a minimum number of extra duty personnel, unless otherwise provided for under a collective bargaining agreement, or other city ordinances, rules or regulations. Furthermore, the UAW agrees to waive any and all claims to back-pay on this prohibited practice complaint.

Date: 5/14/01

FOR THE CITY OF STAMFORD



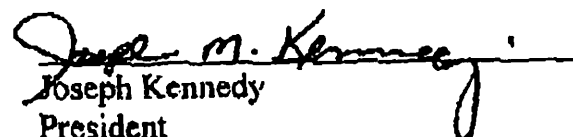
William C. Stover
Director of Human Resources

FOR UAW LOCAL 2377



David Exline
President

**FOR THE STAMFORD
POLICE ASSOCIATION**



Joseph Kennedy
President

FLSA Classification- Non Exempt
Classified- UAW
Salary Grade- V9
Reports to- Manager of Parks and Facilities

Adopted – 06/24/80
Revised – 02/27/89
Revised – 07/01/89
Revised – 02/27/97
Revised – 04/20/17

PARK POLICE OFFICER

GENERAL SUMMARY OF DUTIES

Under the general direction of the Police Chief is responsible for enforcing regulations, maintaining police security and public conduct in park areas, coordinates with Police Department in matters of administrative and assistance needs, duty tours shall vary seasonally as necessary to provide coverage of critical periods; does related work as required.

EXAMPLES OF WORK (Illustrative Only)

- Patrols parks, beaches, skating rink and other recreational facilities as assigned, by foot and/or vehicle.
- Enforces Park regulations, Ordinances and Statutes relative to the use, security and public conduct of the parks.
- Provides crowd and traffic control coverage at special events.
- Responds to emergencies at park locations.
- Checks and reports on safety and security conditions in park facilities.
- Assists the Manager of Parks and Facilities or designee in coordinating with other departments and staff on relevant items.
- Performs other similar and related duties as required.

REQUIRED KNOWLEDGE, SKILLS AND ABILITIES

- Good knowledge of patrol and law enforcement procedures, principles and practices.
- Ability to direct and supervise the work of others.
- Ability to understand and follow oral and written directions.
- Ability to deal effectively with the public and others.

MINIMUM TRAINING AND EXPERIENCE REQUIRED

There are no minimum requirements for this position except special requirements as described below.

SPECIAL REQUIREMENT:

At time of appointment, possession of a valid motor vehicle operator's license and a Valid Connecticut Police Officer Standards and Training ("POSTC") certification which must be continuously maintained as a condition of continued employment.

ADA AND ADAAA SPECIFICATIONS

Physical Demands:

Traverse difficult terrain, strength and stamina to physically restrain suspects; vision to read printed materials and a computer screen; and hearing and speech to communicate in person or over the telephone.

Work Environment:

While performing the duties of this job, the employee may be exposed to weather conditions.

The noise level in the work environment is usually moderate.

This job description is not inclusive of all job functions and will be reviewed periodically as duties and responsibilities change with business necessity. Position duties and responsibilities are subject to modification.



STATE OF CONNECTICUT
DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION
Division of State Police

April 28, 2016

Chief Jonathan Fontneau
Stamford Police Department
805 Bedford Street
Stamford, CT 06901

Dear Chief Fontneau:

As you are aware, the Connecticut On Line Law Enforcement Communications Teleprocessing System (COLLECT) is the statewide computer system that provides its users with a link to the National Crime Information Center (NCIC). NCIC is a nationwide computerized information system established as a service to all criminal justice agencies. Disclosure of information from COLLECT/NCIC is for the purposes of providing information to authorized agencies to facilitate the apprehension of fugitives, the location of missing persons, the location and return of stolen property, or similar criminal justice objectives. Access to NCIC is restricted to "criminal justice agencies" that perform the "administration of criminal justice" as defined in Title 28, Code of Federal Regulations, Part 20.

A criminal justice agency is a governmental agency or subunit thereof which performs the administration of criminal justice pursuant to a statute or executive order, and allocates a substantial part of its annual budget to the administration of criminal justice. Although special police officers are sworn members of the police department, law enforcement status alone does not qualify special police officers for access to NCIC. Furthermore, the management control of the criminal justice function does not remain solely with the Stamford Police Department.

Additionally, special police officers were managed by two separate noncriminal justice departments within the City of Stamford. Park special police officers are responsible for patrolling the City of Stamford parks. The other special police officers are responsible for duties as assigned by the parking authority.

On April 28, 2016, Assistant Chief Thomas Wuennemann provided documentation confirming that parks police officers are now under the management control of Stamford Police Department. However, this document is not sufficient. A Management Control Agreement (MCA) must be executed as provided with this letter.

*1111 Country Club Road, Middletown, CT 06457
Phone: (860) 685-8020/Fax: (860) 685-8636
An Affirmative Action/Equal Opportunity Employer*

April 28, 2016
Chief Jonathan Fontneau
Page 2

There was no documentation provided that confirmed the police department's management control for the parking authority special police officers. Additionally, parking authority police officers were not recertified for COLLECT/NCIC access. The certification for special police officer James Purcell and Gary Peterson expired on August 14, 2014. Both special police officers are not authorized to access or request COLLECT/NCIC information in any form. Authorization for access can be obtained by executing an MCA for parking authority special police officers and attendance at a three day COLLECT certification class.

A written response is needed that addresses resolutions to the issues listed above. I am requesting that you provide your response within **15 days** of this correspondence. Please do not hesitate to contact the COLLECT Unit staff at (860) 685-8020 for any questions, concerns, or assistance.

Sincerely,



Darryl Hayes
Connecticut
Criminal Justice Information Services
Systems Officer

By:



Versie L. Jones
COLLECT/NCIC Auditor

Cc: Assistant Chief Thomas Wuennemann

Sergeant John Scalise

Enclosures