

To: Senate Government Operations Committee
Re: H.765
From: Matthew D. Tatro - Shelburne Police Department

Greetings,

My name is Matthew Tatro and I am a part time certified officer working for the Shelburne Police Department. I'm here today to talk a little about bill H.765 "An Act Relating to Eliminating the Part-Time Certification of Law Enforcement Officers". I know that you have been receiving testimony from a variety of sources. However, I feel that hearing from a currently certified part time officer about this bill and the effects it will have is essential.

I would like to start out by offering a little bit of my history. I have been certified as a part time law enforcement officer since 2005. I attended the part time academy and then started my career with the Addison County Sheriff's Department. For the last 15 years I have also been a full time high school music teacher. I received my bachelor's degree in music education from the University of Vermont and a master's degree in education from Plymouth State University. While on the surface it may seem that these are two unrelated fields I have found them to be very beneficial and complementary to each other.

Part time officers offer a unique opportunity to bring skill sets, not normally acquired through the academy, that can be used in helping to interact with the community and enhance law enforcement in Vermont. In my situation I have found that I have a unique understanding of young adults that most officers don't have. Working with them on such a different level helps me to determine what might be the best solution to help them in law enforcement situations. Sometimes that solution is not punitive in nature at all. I understand the stresses our young adults are under these days. I also understand the stresses that parents are under in trying to connect and interact with their teenagers. I can be a voice of reason and comfort for them. I have had parents who are "at wits end" asking what they should do for their teen. I have been able to offer advice that gives them a direction to move in while respecting their son or daughter. In the school where I work students know that I am a law enforcement officer. They have come to me to ask about domestic abuse, drug abuse, bullying, sexting, and of course traffic issues. I have found that being this resource in the school allows students to get more factual and accurate information than what their friends can offer. They feel comfortable with me where as with other officers outside of the school setting they would not. The training and experience that I have gained working in law enforcement has made me a valuable resource for those students.

Speaking of training I know that this has been a point of contention. That part time certified officers have had less training than those going through the full time academy. I attended the part time academy followed by 60 hours of field training

through the sheriff's department. When I started working with Shelburne I went through a 400-hour field-training period before I was allowed to work independently. Since then I have attended as much training as possible. I have exceeded the required 32 hours of training every year. I have gone through the ARIDE program, which is focused on advanced roadside detection procedures for intoxicated drivers. I have recently become a Use of Force instructor for the State of Vermont. This certification allows me to certify other officers in baton, OC, and hand to hand. I have attended training in mental health issues, computer and internet crimes, interrogation, domestic abuse, underage drinking, fraudulent documents, and many others. I have also been a strong participant in the Governor's Highway Safety Program as well as the START program. I have found all these trainings to be excellent and have always been excited to come back to my department and share what I had learned and to put it into practice.

Now that I've given you a little background I would like to address some of my concerns with this bill. I have no issues with the elimination of the part time certification and moving to a 3 level certification process. A person looking to get into law enforcement will have the ability to look at the certification levels and decide at what level they would be the most comfortable at. They will know from the very beginning what their limitation will be and agree to them. My gravest concern is with the transition of currently certified part time officers. I know that there is a "grandfathering" clause in the current bill but it also says that current part time certified officers have to recertify at either a level one or level two certification. This will essentially eliminate the "grandfathering" aspect and remand us to the scope of practice for a level one or level two officer. For some this may not be an issue but for others that have spent many years working in this field this is not only a insulting move but also an extremely drastic one. There needs to be an opportunity for currently certified part time officers to either transition to level three or maintain the status quo.

I would like to offer two alternatives to the current grandfathering and recertification language included in this bill. Knowing what the scope of practice for level two certification would consist of would have helped to refine these suggestions but it seems that information is being withheld for unknown reasons. The following suggestions are based on what I feel would be fair and consistent with the overall intent of the bill.

Option One: Currently certified part time officers would continue under the current definition of a part time officer. This would continue the understanding that part time certified officers would have full law enforcement authority but still have the 32 hours a week for 25 weeks a year restriction. The recertification would remain as it is now with 32 hours of training per year. Any new hires for part time officers would fall under the new three level system. This would allow for the gradual phasing out of the current part time certification. This would also allow departments who rely on part time officers to maintain a strong law enforcement

presence while allowing time for the inclusion of newly certified part time officers into their department.

Option Two: Currently certified part time officers are allowed the opportunity to have a review by an independent panel for level three certification. Certain benchmarks would need to be established for officers who wish to undergo this process. I would recommend the following benchmarks.

1. Worked for a minimum of 5 years
2. Worked a minimum of 600 hours per year over the last 3 years
3. Maintained a minimum of 32 hours of continual education every year
4. A written recommendation from the chair of the selectboard, or governing body of the municipality, or by the Sheriff of that county
5. A review of the caseload worked over the last 3 years

There are not many part time certified officers in the state and not all would want to undertake this process. I feel that this would allow an officer the opportunity to “prove” their abilities and knowledge. If the independent panel wish to recommend that the officer take some further specific education to reach the level three certification then that can be an option. If the panel felt that the officer was deserving of level three certification then they would have the authority to grant said certification. They would also have the authority to recommend another level of certification if they felt that the officer was not suitable for level three certification. I would recommend that panel be comprised of a representative from the Criminal Justice Training Council, a representative from the legislature, a representative from the Attorney General’s office, a representative from the Public Safety Department, and a representative from the Vermont Police Association. A panel made of up representative from not only the law enforcement community would help to make sure that all applicants are being assessed on their record and not necessarily by opinion.

I truly love being a police officer and I have felt that I have done a lot to help my community. I also truly love being an educator. I know that I will never be able to afford 16 weeks to attend the full time academy. All that we are asking is that there be a mechanism in place, besides the full time academy, to achieve a level three certification or continue as we have. There is a wealth of knowledge and experience that would be lost in these individuals. Municipalities would experience a hardship with the potential of a sudden shift in personnel and scheduling. I know that Shelburne would feel a huge impact by the passing of this bill as is. I urge you to strongly consider that impact that this will have and help those currently certified as part time officers continue to serve their communities to the fullest of their abilities.

Thank you for giving me this opportunity to speak with you today. I offer my services to answer any questions or whatever else may be needed while you consider this matter.

Sincerely,

Matthew D. Tatro
Patrol Officer
Shelburne Police Department