

# Town of Old Saybrook



## Board of Police Commissioners

*Police Commission*

*By-Laws*

*Established 2009*

*Revised 2012*

*Revised 2016*

*Revised 2020*

*Revised 2023*

### **Commission Mission Statement**

It shall be the mission of the Old Saybrook Board of Police Commissioners to represent the Old Saybrook Community by assuring that a structure is established to provide superior traditional and non traditional law enforcement services in a safe, efficient, effective, consistent and fiscally prudent manner.

The Commission is able to satisfy this mission through the appropriate appointment and support of department leadership, selection of suitable persons to serve as police officers and front line leaders, and the establishment of department budgets and policy.

Commission members will provide these services with honesty, integrity and with the highest ethical and moral standards.

Together the Police Commission and its department of police services will exemplify a commitment to excellence.

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## **Article I - Name**

The official name of the governing body for which these by-laws are intended for is the Old Saybrook Board of Police Commissioners, herein referred to as the “Commission”.

## **Article II - Authority**

The Commission derives its authority from the Connecticut General Statutes as amended, (ss7-274, 7-275, 7-276, and 7-278), Special Acts, Charter Provisions, and Town Ordinances. These by-laws are not a substitute for the Connecticut General Statutes, Special Acts, Charter Provisions, and Town Ordinance. Should a conflict arise, these by-laws are superseded by the Connecticut General Statutes, Special Acts, Charter Provisions, and Town Ordinance

The Commission is the unit of authority. Apart from their function as part of the unit, Commission members have no individual authority. Individually Commission members may not commit the Police Department, its administrators or personnel, to any policy or act. A Commission member does not represent a factional segment of the community, but is rather part of the elected body which represents and acts for the community as a whole.

## **Article III - The Commission**

The Town Charter and ordinances provide for a seven (7) member Commission, each serving a four year term, with elections occurring biennially, as part of the municipal election process. Four (4) Commission members shall be elected at a regular biennial municipal election and three (3) shall be elected at the following regular biennial municipal election. There are no more than five (5) regular members from one political party.

The Commission may from time to time, require the services of individuals outside the employ of the Town of Old Saybrook. These services include, but are not limited to, consultants, clerks, and legal advisors. The Commission may enter into a limited contractual agreement to hire such individuals.

#### **Article IV - Commission Officers**

After each biennial municipal election at the next regularly scheduled meeting the Commission elects its officers by a majority vote of the Commission. The officers of the Commission shall be a Chairman, Vice-Chairman, and Secretary. These officers will comprise the Executive Board of the Commission. Members of the Executive Board may serve consecutive terms if so desired by the membership of the Commission.

#### **Article V - Chairman**

The Chairman executes all duties required by law, including Town Ordinances, Town Charter, and these bylaws as they relate to the general charges of the affairs of the Commission. The Chairman presides at all Executive Board and Commission meetings; appoints committees, serves as an ex-officio member of each Commission sub-committee, represents the Board to other Boards and Commissions, makes formal, annual budget requests to the Board of Selectman, and serves as the official spokesperson of the Commission.

#### **Article VI - Vice-Chairman**

If there is no duly elected Chairman, or in the case of death, resignation, incapacity, disqualification or absence, the Vice Chairman performs the duties of the Chairman.

The Vice-Chairman organizes special projects and guides committees, and serves as the Chairman of any subcommittee assigned.

#### **Article VII - Secretary**

If there is no duly elected Chairman or Vice Chairman, or in the case of death, resignation, incapacity, disqualification or absence of the Chairman and Vice Chairman, then the Executive Secretary performs the duties of the Chairman.

The Secretary shall serve, in the absence of the Commission's clerk, as both the recording and correspondence secretary for the Commission. This shall include providing the minutes to the membership following each meeting. In addition, the Secretary will provide copies of Commission correspondence to the members of the Commission as necessary.

#### **Article VIII - The Executive Board**

The Executive Board, under extraordinary or emergency situations, may meet on behalf of the Police Commission and shall meet as often as necessary to effectively discuss and propose a resolution to the situation before them. Once the Executive Board has agreed upon a proposal, they will present it at the next regularly scheduled Police Commission meeting or special Police Commission meeting. No action will be taken until the Executive Board proposal is discussed and voted on by the Commission.

## **Article IX - Responsibilities of Commissioners**

### **A. Role of Commission Members**

1. The Old Saybrook Police Commission represents the residents of Old Saybrook in carrying out their roles as a member of the Commission.
2. Commissioners understand that Commission authority rests only with the whole Commission assembled in a duly noticed meeting.
3. Commissioners understand that the Commission's powers derive from applicable Connecticut statutes and the Town Charter.
4. Commissioners are expected to actively engage in the work of the Commission. This includes reading distributed material, asking questions, participating in discussions, and keeping informed regarding matters within their purview and in accordance with law.

### **B. Code of Conduct**

All Old Saybrook Police Commissioners will:

1. Adhere to Commission bylaws;
2. Familiarize themselves and strive to comply with parliamentary procedures and the requirements of the Connecticut Freedom of Information Act;
3. Maintain confidentiality in matters discussed in confidence including refraining from divulging to anyone any details discussed in Executive Session;
4. Conduct themselves in a fair and impartial manner during all Commission meetings or when discussing Commission business;
5. Strive to ensure that the Department of Police Services has the personnel, training and equipment to fulfill its mission;
6. Consider all information that is part of the record at Commission meetings when voting on any matter;
7. Abide by decisions reached by the Commission as a collective body;
8. Disclose in advance to the Commission Chair any possible conflicts of interest regarding matters on the agenda for a Commission meeting;

9. Understand that the demonstration of bias or prejudice may prevent that Commissioner from participating in discussion or decision made by the Commission with respect to personnel matters;
10. Commissioners should be attentive to and listen to citizens' concerns regarding the Department of Police Services, but in order to protect the due process right of the employees of the Department, Commissioners should not engage in individual investigations concerning personnel-related issues.
11. Commissioners should encourage citizens expressing a personnel related complaint to follow complaint guidelines. Commissioners should also communicate such citizen concerns to the Chief of Police.
12. Individual commissioners should not hold themselves out as representing the Commission unless they have been authorized to do so by the Commission at a duly noticed meeting.

#### **Article X - Commission Meetings**

Commission meetings, unless otherwise specified in accordance with prescribed laws and standards, are open to the public. Four (4) members of the Commission constitute a quorum. Meeting attendance, for the purposes of a quorum, may be in person or through an acceptable electronic device. A quorum is necessary for all regular, special and emergency meetings of the Commission.

#### **Article XI - Executive Sessions**

The public may be excluded from meetings of the Commission which are declared to be executive sessions. Executive sessions may be held upon a two thirds vote of the members present taken at a public meeting for only one or more of the following reasons, and may not be held for any other reason. The Commission may invite individuals to attend executive sessions at their discretion.

1. Discussion concerning the appointment, employment, performance, evaluation, health or dismissal of a police officer or other employee over whom the police commission by law has jurisdiction, provided that such individual may require that discussion be held at an open meeting.
2. Strategy and negotiations with respect to pending claims and litigation.
3. Matters concerning security strategy or the deployment of security personnel, or devices affecting public security.
4. Discussion of the selection of a site or the lease, sale or purchase of real estate by a political subdivision of the state when publicity regarding such site, lease, sale, purchase or construction would cause a likelihood of increased price until such

time as all of the property has been acquired or all proceedings or transactions concerning same have been terminated or abandoned.

5. Discussion of any matter which would result in the disclosure of public records or the information contained therein described in Subsection (b) of Section 1-210 of the Connecticut General Statutes.
6. Any other purpose allowed by state Statute.

#### **Article XII - Regular Meetings**

The Commission votes on an annual, regular Commission meeting schedule each December. This list of meetings is filed with the Town Clerk.

The Commission makes available an agenda for each regular meeting twenty four (24) hours before the scheduled meeting. The Commission may amend its agenda to consider new business not on the agenda only by a two-thirds (2/3) vote of the members of Commission.

#### **Article XIII - Special Meetings**

The Commission may call a special meeting up to twenty-four (24) hours in advance (excluding weekends, holidays, and days on which the Office of the Town Clerk is closed) by filing a notice of the time, place and business to be transacted at the special meeting with the Town Clerk.

#### **Article XIV - Emergency Meetings**

The Commission may hold an emergency meeting without complying with the notice requirements of a special meeting; however, the Commission will file its minutes, including the reason for the emergency, within seventy-two hours (excluding weekends and holidays) with the Town Clerk.

#### **Article XV - Meeting Cancellation**

The Chairman, or person acting in the capacity of Chairman, may choose to cancel a meeting whenever there is a lack of a quorum, an emergency situation, or lack of business scheduled for the Commission to act upon.

#### **Article XVI - Conduct of Business / Parliamentary Procedures / Rules of Order**

In the absence of by-law guidance, the most recent edition of Roberts Rules of Order, Newly Revised, shall govern the proceedings of the Commission.



## **Article XVII - The Old Saybrook Police Fund**

The purpose of the Old Saybrook Police Fund is to provide for a municipal fund where general monetary donations made by private citizens, businesses and organizations to the Department of Police Services can be deposited and managed.

The resources of the Old Saybrook Police Fund shall be used to enhance, promote, and assist the Old Saybrook Department of Police Services, its members, agents, the delivery of services, and programs.

The Old Saybrook Police Commission shall have all authority over the funds in the Old Saybrook Police Fund. Monies intended for the fund shall be deposited with the Treasurer of the Town of Old Saybrook. All withdrawals from the Fund shall be done in a manner consistent with Town procedures as established by the Treasurer of the Town of Old Saybrook and with approval of the Old Saybrook Police Commission. The Fund shall be included with the Town's annual independent audit of all municipal accounts.

The Police Commission may authorize the expenditure of funds by the Chief of Police, within specific guidelines, without prior approval of the Commission. All such expenditures must be reported to the Commission at its next regular meeting.

The Police Commission shall direct the Chief of Police to report on any deposits, expenditures, and the balance of the fund at all regular police commission meetings.

## **Article XVIII - Public Comment Conduct and Procedure**

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

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

Chairperson may order the meeting room cleared and continue the meeting in executive session, provided duly accredited representatives of the media who are in the attendance shall be permitted to attend the executive session, unless they were participating in the disturbance.

4. Speakers are expected to refrain from presentations that discuss specific employees of the Department of Police Services, regardless of whether or not the employee is identified in the presentation by name or by another reference that tends to identify an individual. Members of the public are encouraged to submit commendations, comments, or complaints concerning specific employees to the Chief of Police or to the Police Commission.
5. At no time will the Police Commission permit public comment or engage in discussion during public comment portion of a meeting concerning an active investigation or an arrest awaiting adjudication.

#### **Article XIX - Police Commission Correspondence**

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

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

#### **Article XX - Amendments to the By-Laws**

Amendments to the bylaws must be proposed in writing and referred to the next regular meeting of the Commission. A 2/3 vote of the Commission in favor of the proposed amendment shall be necessary for its adoption.