

Hatfield, Thomas

From: Hall, Doug
Sent: Wednesday, April 28, 2010 9:18 AM
To: Hatfield, Thomas
Subject: FW: SLFU considerations considering my anticipated transfer

From: Hall, Doug
Sent: Friday, February 26, 2010 10:49 AM
To: Cassista, Mark
Cc: Kostrzewa, Mike
Subject: SLFU considerations considering my anticipated transfer

Sir,

First and foremost I want to express what a great honor it has been to work with the people assigned to the Special Licensing and Firearms Unit. I have been truly fortunate to have spent the last three years in the office and have to say that you will not find a group of more dedicated and professional people in one place. The amount of work accomplished by the small group of people is a credit to each and every one of them. I will deeply miss the tight working relationships that I have established during my tenure in the office.

As you are aware, I have spent the last two plus years attempting to establish guidelines consistent with statutory requirements and the Board of Firearms Permit Examiners decisions in making a determination to revoke or reinstate a pistol permit. This is a very complex and volatile area of the law, which can be a major point of liability for the agency. There is a strong need for uniformity in the revocation process and my concern continues to be that individuals cannot allow their personal beliefs to influence their decisions and must rely on statutory provisions and Board determinations to make consistent revocation/reinstatement decisions.

There is a need for someone with a strong understanding of the statutes providing an oversight to the decisions being made. I continue to feel that TFC Mattson's views of suitability and strong opinions need to be tempered by a supervisor allowed to monitor and control the revocation/reinstatement decisions. These are decisions based on statutes which do not allow room for personal beliefs regarding the possession of firearms in a revocation determination.

I have spoken with Trooper Hatfield regarding the Board of Firearms Permit Examiners hearings and how my transfer would impact the agency's presentment of solid cases. He relayed his concerns to me about presenting cases that are prepared by TFC Mattson. He also provided specific issues that he has encountered in his preparation of cases, including one instance where TFC Mattson shredded a police file that had just been faxed to the revocation's fax machine regarding an appeal before the Board scheduled for the next day.

With the limitations imposed on the Legal Affairs Unit, and the level of empowerment that TFC Mattson has historically been given with the decision to revoke, I believe that I have a logical solution. The investigator that makes the determination to revoke a permit is the person that presents the appeal to the Board. This assures that all relevant information and documentation that was used to make the determination is in the file and the person that made the decision to revoke is in the best position to express the factors used to make the determination. The investigator could confer with the Legal Affairs Unit prior to the hearing to ensure all relevant evidence is properly admitted into evidence.

Understanding that passion for one's job is admirable, it must be tempered when dealing with statutory requirements. Imposing ones beliefs can prove to be detrimental to the revocation process. I have spoken to Sgt. Kostrzewa and expressed my concerns. I do not, and have not, doubted TFC Mattson's drive or knowledge of the protocol or revocations process and do not write this as a negative commentary. It is partially

her strong beliefs and drive that raise my concerns. The decisions made within SLFU are, and will continue to be, scrutinized much more thoroughly now than at any point in the past. There is a strong need to assure that each revocation is solidly based on a legitimate concern for public safety and that the decision can be properly argued to the Board.

I would also like to express my concern with splitting the duties at the firearms vault. Firearms are unique and require a heightened level of scrutiny. Like money and drugs, firearms require additional steps to ensure accountability. Assigning one intake officer to the vault provides consistency and a direct chain of custody. TFC Musial has established contacts with the BATFE as well as numerous gun dealers. I believe that placing him at the vault is the best business practice because he can split his time between firearms intake, investigations and dealer inspections.

I appreciate the support that you have provided me during my time within the unit and I am always available if there are any issues that arise in the future.

Respectfully,

dah 207

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