



Sheriff Michael L. Prozzo, Jr.  
Chairman

State of New Hampshire  
**POLICE STANDARDS & TRAINING COUNCIL**  
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Donald L. Vittum  
Director

**Approved Minutes**

**April 22, 2014**

The 441<sup>st</sup> meeting of the New Hampshire Police Standards and Training Council was called to order at 9:06 a.m. by Chairman Michael L. Prozzo, Jr., in classroom one at the Arthur D. Kehas Law Enforcement Training Facility and Campus in Concord, New Hampshire.

Members Present: Chairman Sheriff Michael L. Prozzo, Jr., Sullivan County; Vice Chairman, Commissioner William L. Wrenn, New Hampshire Department of Corrections; Attorney General Joseph Foster; Judge Sawako Gardner, 10th Circuit District Division, Portsmouth; Chief Anthony Colarusso, Dover Police Department; Captain William Haynes, New Hampshire State Police; Chief David Cahill, Sunapee Police Department; Chief James Sullivan, Hampton Police Department; Chief Peter Morency, Berlin Police Department; Sheriff David Dubois, Strafford County and Judge James Carroll, 4th Circuit District Division, Laconia (left at 10:35 a.m.) Vice Chancellor Ronald Rioux, Community College System of New Hampshire, (left at 12:12 p.m.)

Members Absent: All members represented.

Staff Present: Director Donald L. Vittum, Chief Tim Merrill, Captain Mark Bodanza, and Captain Benjamin Jean.

Guests Present: Michael McNeil, Farmington and Middleton Police Departments; Attorney Peter Perroni, James Connor, Hudson Police Department; Chief Jason Lavoie, Hudson Police Department; Brynn Lovejoy, Attorney John Krupksi, Attorney Eric Wilson, Attorney Arthur Gatzoulis, Vernon Pousland, New Hampshire Department of Corrections; Michael Wedge, New Hampshire Department of Corrections.

**Approval of Minutes**

Chief Sullivan **moved** for the Council to approve the minutes of the meeting from March 25, 2014. Following a second by Judge Gardner, the vote of the Council was 11-0 in favor of the motion.

Chairman Prozzo announced that there were several addendum items that would be added on the consent calendar including:

2. Joel Lloyd, request for extension
3. Ian Kibbe, request for prior training and experience
4. New Hampshire Department of Corrections Academy 98<sup>th</sup> Dates  
September 15, 2014 to November 14, 2014, entrance fitness test September 2, 2014.
10. Tyler Babineau, request for prior training and experience

Removed from today's agenda, continued to the May 27, 2014 meeting:

An officer, Pol 402.02 (b) and (c).

An officer, NH DOC, Pol 402.02 (b) and (c).

An officer, Pol 301.05 (n).

An officer, Prior Training and Experience, contingent upon the eligibility hearing.

An officer Pol 402.029(c), (addendum item 5).

Previous and/or Unfinished Business

Michael McNeil, Farmington Police Department, Pol 402.02 (b) and (c) (continued from March 25, 2014 meeting)

Michael McNeil was present with Peter Perroni, his attorney. They requested a nonpublic session.

**Motion** by Chief Sullivan, seconded by Attorney General Foster to begin a nonpublic session, roll call vote including Chairman Prozzo was 12-0 in favor of the motion.

9:13 a.m. Council began a nonpublic session.

**Motion** to seal the minutes of the nonpublic session by Commissioner Wrenn, seconded by Sheriff Dubois, vote was unanimous 11-0 in favor of the motion

**Motion** to exit the nonpublic session by Chief Cahill, seconded by Chief Sullivan, roll call vote including Chairman Prozzo was 12-0 in favor of the motion.

**Motion** to take no action on the certification of Michael McNeil by Chief Sullivan as there was nothing to be gained, there was no risk to safety, Michael McNeil was currently on administrative leave from his employment, he must come back before the Council before returning to law enforcement employment. The motion was seconded by Judge Gardner. Council vote was 11-0 in favor of the motion.

Brad Zarba, Hampton Police Department, Pol 402.02 (a) (4) (b) (continued from March 25, 2014 meeting).

Chief Sullivan recused himself from this hearing.

Brad Zarba had been noticed for the hearing and had requested a continuance during the March 24<sup>th</sup> meeting, but was not present for today's hearing, which was held in public session.

Captain Bodanza was sworn in by Chairman Prozzo, and related that Mr. Zarba had been temporarily suspended by the council in February pending the results of litigation.

January 7, 2012 Brad Zarba was arrested by Tewksbury, Massachusetts PD and charged with: Assault and Battery, 265/15A/A (Felony) 2 counts of Assault and Battery, 265/13A/B (Misdemeanor) Malicious or Wanton or Defacement of Property, 266/126A (Felony).

Brad Zarba resigned from the Newton Police Department on April 25, 2013.

On February 26, 2014 the charges were resolved as follows: Nol Pros of Assault and Battery, 265/15A/A (Felony); Guilty Plea, two counts of Assault and Battery, 265/13A/B (Misdemeanor), and; Nol Pros, of Malicious or Wanton or Defacement of Property, 266/126A (Felony).

Brad Zarba was terminated by the Hampton Police Department April 3, 2014.

**Motion** by Chief Cahill, to revoke Brad Zarba's certification which includes being listed on the national decertification database for law enforcement. The motion was seconded by Judge Gardner, with the Council vote of 10-0 in favor of the motion.

Chief Sullivan returned to the meeting room.

Item number six from the agenda, and addendum number eight, Anna Brewer-Croteau, 163<sup>rd</sup> Academy Dismissal, Laconia Police Department.

Judge Carroll recused himself from this hearing

Anna Brewer-Croteau was accompanied by Chief Christopher Adams, and Lieutenant Alfred Lessard of the Laconia Police Department. When asked by Chairman Prozzo, the agency requested a nonpublic session.

At 10:00 a.m., by the following motion, the Council entered a nonpublic session.

**Motion** by Attorney General Foster, seconded by Chief Sullivan for the Council to enter a nonpublic session. The roll call vote for the nonpublic session was unanimous including Chairman Prozzo, 11-0.

**Motion** to seal the nonpublic minutes by Chief Sullivan, seconded by Chief Cahill, unanimous vote 10-0.

At 10:19 a.m., by the following motion, the Council exited the nonpublic session.

**Motion** to exit the nonpublic by Chief Sullivan, seconded by Chief Cahill, the roll call vote for the nonpublic session was unanimous including Chairman Prozzo, 11-0.

Judge Carroll returned to the meeting.

**Motion** by Chief Sullivan, seconded by Chief Cahill to uphold the dismissal of recruit Anna Brewer-Croteau by the Academy. The vote on this motion was 10-0, with Judge Carroll abstaining from the vote.

Council members began a discussion about allowing Anna Brewer-Croteau to take the final examination and complete her certification.

**Motion** by Chief Sullivan, seconded by Chief Cahill, to allow Anna Brewer-Croteau to take the final examination at the academy's convenience. Council vote was 8-2 in favor, with Judge Carroll abstaining from the vote.

10:35 a.m. the Council members took a break, and Judge Carroll exited the meeting.

10:43 a.m. the meeting was back in session.

William Soucy, Manchester Police Department, requesting reinstatement Pol 402.02(b).

William Soucy was present with Attorney John Krupski, they requested a nonpublic session.

At 10:45 a.m., by the following motion, the Council entered a nonpublic session.

**Motion** by Chief Cahill, seconded by Chief Sullivan, to enter a nonpublic session. The roll call vote for the nonpublic session was unanimous, in favor of the motion including Chairman Prozzo, 11-0.

Attorney General Foster recused himself from this hearing.

**Motion** by Chief Sullivan, seconded by Chief Cahill to seal the nonpublic session, 10-0.

At 10:47 by the following motion the Council exited the nonpublic session.

**Motion** by Chief Sullivan, seconded by Chief Cahill to exit the nonpublic session, the roll call vote for the nonpublic session was unanimous, including Chairman Prozzo, in favor of the motion 11-0.

**Motion** by Chief Sullivan, seconded by Chief Colarusso, based upon the record, to restore William Soucy's certification, Council vote was 9-0 in favor, Attorney General Foster abstained from the vote.

Michael Wedge, NH DOC, Pol 402.02 (a)(4).

Michael Wedge was present, and requested a public session for his hearing.

Commissioner Wrenn recused himself from the hearing, but remained in the meeting room.

Captain Bodanza presented the case for Council members by outlining Michael Wedge's employment history with the Department of Corrections and ending with his arrest and charges by New Hampshire Fish and Game of night hunting. Michael Wedge was found guilty of the charges by the First Circuit District Court of Colebrook NH, February 20, 2014.

Michael Wedge explained that there was no excuse for his actions and that he realized law enforcement was held to a higher standard, this was a mark on his reputation.

Motion by Sheriff Dubois, seconded by Chief Colarusso for a two week suspension of Michael Wedge's certification, 5-4, the motion passed. Commissioner Wrenn abstained from the vote.

James Connor, Hudson Police Department, Pol 402.02 (b) and (c)

James Connor was present with Chief Jason Lavoie and attorneys John Krupski and Eric Wilson. When asked, they requested a nonpublic session.

At 11:07 a.m., by the following motion, the Council entered a nonpublic session.

Motion by Chief Cahill, seconded by Chief Sullivan for the Council to enter a nonpublic session, the roll call vote including Chairman Prozzo was 11-0.

Motion by Chief Cahill, seconded by Chief Sullivan to seal the nonpublic session, Council vote was 10-0.

At 11:59, by the following motion, the Council exited the nonpublic session.

Motion by Chief Cahill, seconded by Chief Sullivan to exit the nonpublic session, the roll call vote including Chairman Prozzo was 11-0.

Motion by Sheriff Dubois, seconded by Commissioner Wrenn, to suspend James Connor's certification until concluding this matter in the criminal courts, and that the officer must be brought back before the Council. The Council vote was 7-3, the motion passed.

At 12: 12 p.m. Vice Chancellor Rioux exited the meeting.

Vernon Pousland, NH DOC, Pol 402.02 (b) and (c)

Vernon Pousland was present with his attorney, Arthur Gatzoulis, they requested a public session. Commissioner Wrenn recused himself from the hearing but remained in the meeting room.

Attorney Gatzoulis explained that he was present to request a continuance in the matter for Vernon Pousland, and that he was in the process of arranging for an informal conference.

Chairman Prozzo agreed to grant the request for continuance.

Consent Calendar including the following addendum items

2. Joel Lloyd, request for extension
3. Ian Kibbe, request for prior training and experience
4. New Hampshire Department of Corrections Academy 98<sup>th</sup> Dates  
September 15, 2014 to November 14, 2014, entrance fitness test September 2, 2014.
10. Tyler Babineau, request for prior training and experience

Item number 24 was removed, (David McCormick, request for extension), from the consent calendar.

#### Requests for certification for Prior Training and Experience

Stephen Sullivan, Dublin, will be granted certification upon successful completion of the medical exam, entrance fitness test, and law package of the full-time police officer Academy.

Joseph Ducharme, Hooksett, will be granted certification upon successful completion of the medical exam, entrance fitness test, and law package of the full-time police officer Academy.

#### Requests for Extensions

Note: Extensions granted until the first council meeting following the fitness testing for the requested Academy, and, if testing is successful, to the first council meeting following the end of the requested Academy.

#### Full-Time Police Officer Academy

164<sup>th</sup> Academy May 19, 2014 to August 22, 2014; entrance fitness test May 5, 2014

165<sup>th</sup> Academy September 9, 2014 to December 12, 2014; entrance fitness test August 25, 2014

#### Part-Time Police Officer Academy

266<sup>th</sup> Academy February 8, 2014 to May 9, 2014; entrance fitness test January 25, 2014

267<sup>th</sup> Academy June 14, 2015 to August 1, 2014; entrance fitness test May 31, 2014

268<sup>th</sup> Academy August 23, 2014 to November 21, 2014; entrance fitness test August 9, 2014

#### New Hampshire Department of Corrections Academy

97<sup>th</sup> March 17, 2014 to May 16, 2014, entrance fitness test March 3, 2014

Officer Samuel Muto, NH Marine Patrol will be granted the extension until the first council meeting following the fitness testing for the 267<sup>th</sup> Part Time Academy, and, if testing is successful, to the first council meeting following the end of the requested academy with the stipulation that Officer Muto must remain actively enrolled in the 267<sup>th</sup>

Part Time Academy and may continue working only in the direct presence of a certified officer.

CO Mac Hindle, NH DOC will be granted the extension until the first council meeting following the fitness testing for the 97<sup>th</sup> Corrections Academy, and, if testing is successful, to the first council meeting following the end of the requested academy with the stipulation that CO Hindle must remain actively enrolled in the 97<sup>th</sup> Corrections Academy and may only work in the direct presence of a certified Corrections Officer.

CO Peter Picone, NH DOC will be granted the extension until the first council meeting following the fitness testing for the 97<sup>th</sup> Corrections Academy, and, if testing is successful, to the first council meeting following the end of the requested academy with the stipulation that CO Picone must remain actively enrolled in the 97<sup>th</sup> Corrections Academy and may only work in the direct presence of a certified Corrections Officer.

CO Kyle Latimer, NH DOC will be granted the extension until the first council meeting following the fitness testing for the 98<sup>th</sup> Corrections Academy, and, if testing is successful, to the first council meeting following the end of the requested academy with the stipulation that CO Latimer must remain actively enrolled in the 98<sup>th</sup> Corrections Academy and may only work in the direct presence of a certified Corrections Officer.

PPO Cecilia Stone, NH DOC will be granted the extension until the first council meeting following the fitness testing for the 165<sup>th</sup> Full time Academy, and, if testing is successful, to the first council meeting following the end of the requested academy with the stipulation that PPO Stone must remain actively enrolled in the 165<sup>th</sup> Academy and may continue working only in the direct presence of a certified officer.

Officer George Abele, Brentwood Police Department will be granted the extension until the first council meeting following the fitness testing for the 164<sup>th</sup> Full time Academy, and, if testing is successful, to the first council meeting following the end of the requested academy with the stipulation that Officer Abele must remain actively enrolled in the 164<sup>th</sup> academy and may continue working only in the direct presence of a certified officer.

Officer Michael Colby, Northfield Police Department, will be granted the extension until the first council meeting following the fitness testing for the 164<sup>th</sup> Full time Academy, and, if testing is successful, to the first council meeting following the end of the requested academy with the stipulation that Officer Colby must remain actively enrolled in the 164<sup>th</sup> academy and may continue working only in the direct presence of a certified officer.

Officer Justine Dufresne, Danville Police Department will be granted the extension until the first council meeting following the fitness testing for the 164<sup>th</sup> Full time Academy, and, if testing is successful, to the first council meeting following the end of the requested academy with the stipulation that Officer Dufresne must remain actively enrolled in the 164<sup>th</sup> academy and may continue working only in the direct presence of a certified officer.

Officer Jerrald Heywood, Kingston Police Department will be granted the extension until the first council meeting following the fitness testing for the 164<sup>th</sup> Full time Academy, and, if testing is successful, to the first council meeting following the end of the requested academy with the stipulation that Officer Heywood must remain actively enrolled in the

164<sup>th</sup> academy and may continue working only in the direct presence of a certified officer.

**Motion** by Chief Sullivan, seconded by Judge Gardner, to approve the Consent Calendar, the council members voted unanimously in favor of the motion, 9-0.

John Rogers, NH DOC, Probation and Parole, Pol 402.02 (b) and (c).

John Rogers was not present for the hearing. Captain Bodanza was sworn in and presented the case for the Council.

Mr. Rogers was notified by return receipt mail of the hearing.

Pol 402.02 (b) (b) A certification shall be temporarily suspended pending resolution of criminal charges if the officer has been arrested, indicted or bound over either prior to or after certification for a felony or any crime involving moral turpitude or of a crime which tends to bring discredit on the police, corrections, or probation/parole service, unless the safety of the public or the confidence in the criminal justice system would not be adversely affected.

John Rogers was hired as a Department of Corrections Counselor/Case Manager on July 8, 2005, Staff Exhibit A. He completed the 80<sup>th</sup> Corrections Academy as a civilian for the Counselor Case Manager position on October 7, 2005, Staff Exhibit B.

On April 7, 2007 he was hired as a probation/parole officer, Staff Exhibit C. On March 28, 2008 John Rogers was certified as a State Corrections Probation/Parole Officer, satisfying the extra class requirements for his position. Staff Exhibit D.

On March 28, 2014 John Rogers was arrested by the Lebanon Police Department and charged with two counts of stalking, on January 19, 2014 and on February 8, 2014 placing a note on a woman's vehicle causing her to fear for her personal safety; and one count of computer related crime, on January 21, 2014 using the J-ONE/SPOTS terminal for something unrelated to his official duty in connection with the administration of justice. Staff Exhibits E, F and G.

The question before the Council is Pol 402.02 (b) whether or not to temporarily suspend Mr. Roger's certification as a probation/parole officer for the state as a result of being arrested for those crimes. PSTC has received unofficial notice that he resigned as of April 19, 2014.

**Motion** by Sheriff Dubois, seconded by Chief Sullivan to suspend according to the rule, and past practice. Council vote 8 in favor with Commissioner Wrenn abstaining.

Brynn Lovejoy, Pol 402.02 (d) Addendum numbers one and eight.

Captain Haynes recused himself from this hearing.

Brynn Lovejoy was present with her attorney John Krupski, who requested a nonpublic session for his client.

At 12:22, after the following motion, the Council entered a nonpublic session.

**Motion** by Commissioner Wrenn, seconded by Chief Morency for the Council to begin a

nonpublic session. Roll call vote including Chairman Prozzo was, 9-0, unanimously in favor of the motion.

**Motion** to seal the minutes of the nonpublic session by Chief Sullivan, seconded by Chief Cahill, 8-0 in favor of the motion.

At 12:29, after the following motion, the Council returned to public session.

**Motion** by Chief Sullivan, seconded by Chief Cahill to exit the nonpublic session. Roll call vote including Chairman Prozzo was, 9-0, unanimous in favor of the motion.

Captain Haynes returned to the meeting.

**Motion** by Chief Sullivan, seconded by Judge Gardner, to accept the psychologist's report and to lift the suspension of Brynn Lovejoy's certification, Council vote was unanimous in favor of the motion 7-0, with Captain Haynes abstaining from the vote.

#### Entrance Fitness Testing Date Memorandum research by PSTC Staff

The issue discussed was adding make up dates for those who failed entrance fitness testing.

**Motion** by Sheriff Dubois, seconded by Chief Colarusso to keep the entrance fitness testing policy the same. Council vote was 6-3, the motion passed.

#### Facility use request, Angela Isaia, "Well Armed Women"

The request was to use the firearms' range for training.

**Motion** by Chief Cahill, seconded by Judge Gardner to deny the request. The vote on this motion was 9-0 in favor.

#### Acceptance of Gifts

A t-shirt from State Police had been gifted to Director Vittum and a commemorative coin had been gifted to the Academy.

**Motion** to accept the gifts by Chief Cahill, seconded by Sheriff Dubois. The vote on this motion was 9-0 in favor.

#### Discussion regarding NARCAN training

Chief Colarusso explained that there was discussion at the governor's office about training law enforcement personnel to use NARCAN, which is a nasal spray, in the incidence of drug overdose. This is an ongoing discussion at the Governor's office.

Discussion regarding overnight stays at the Academy

This discussion originated due to the Correction's Academy, which usually runs parallel to the Full Time Academy. When this is the case there has not been an issue. The current Correction's Academy went past the date when the Full Time Academy finished. Overnight stays at the Academy are not allowed unless there is an academy in session when there will be PSTC staff working, remaining overnight with recruits.

Addendum #8 Jeremy Breton

Jeremy Breton, formerly of the Gilford Police Department, submitted a request to finish his requirements in order to become certified. He was withdrawn from the 163<sup>rd</sup> Academy by Gilford Police Department prior to graduation.

**Motion** by Chief Cahill, seconded by Sheriff Dubois to deny his request until he is hired by an agency. The vote on this motion was 9-0 in favor.

**General**

Topic for next meeting will be about extending the length of time at the academy.

**Next Meeting Date/Adjournment**

The next meeting of the New Hampshire Police Standards and Training Council, #442, will be held on May 27, 2014 at nine o'clock in the morning.

Council commenced an executive session today at 12:57, with all PSTC staff employees exiting the meeting room.

Respectfully submitted,

  
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Chairman Michael L. Prozzo, Jr.