



Chief Anthony F. Colarusso, Jr.
Chairman

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

Approved
Minutes

August 23, 2016

The 470th meeting of the New Hampshire Police Standards and Training Council was called to order at 9:04 a.m. by Chairman Anthony F. Colarusso, Jr., in classroom one at the Arthur D. Kehas Law Enforcement Training Facility and Campus in Concord, New Hampshire.

Members Present: Chairman, Chief Anthony Colarusso, Jr., Dover Police Department; Chief Enoch Willard, Manchester Police Department; Vice Chairman Commissioner William Wrenn, New Hampshire Department of Corrections; Deputy Attorney General Ann Rice; Colonel Robert Quinn, New Hampshire State Police; Dr. Ekaterina Hurst, Department of Health and Human Services; Sheriff David Dubois, Strafford County; Chief David Cahill, Sunapee Police Department and Sheriff Douglas Dutile, Grafton County.

Members Absent: Chief William Hart, Londonderry Police Department; Judge Sawako Gardner, 10th Circuit District Division, Portsmouth; President Susan Dunton, Community College System of New Hampshire; and Judge James Carroll, 4th Circuit District Division, Laconia Ms. Paula Wall, Crisis Center of Central New Hampshire;.

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

Guests Present: Chief Patrick Connors, and Officer Michelle Duffett, of the Charlestown Police Department; Mr. Andrew Smith, NH Disproportionate Minority Contact Coordinator.

Approval of Minutes

Deputy Attorney General Rice moved for the Council to approve the minutes of July 26, 2016. Following a second by Commissioner Wrenn, the voice vote of the Council was unanimous.

Financial Report

Captain Jean explained that this month the financial report was included in the draft of the PSTC Annual report. The council must approve the content of the report before it goes to the governor and council for their final approval. PSTC's fund balance ended at three hundred and twenty one thousand dollars at the end of the year. This was due to the fact that the council cut a little over two hundred thousand in expenses to make sure the funds stayed viable. If the cuts were not made, there would have been about one hundred and ten thousand dollars, and if the spending had continued PSTC would not have made it through. The report was presented for council consideration and approval.

Motion by Sheriff Dubois to approve the annual report, the motion was seconded by Chief Cahill. The Council vote was unanimous in favor of the motion.

Officer Matthew Lockhart, Charlestown Police Department (DOH: 06/30/16) requests consideration for part-time police officer certification based on prior training and experience. Officer Lockhart completed his part time certification on November 11, 2003 at the 237th Part Time Academy. He was last employed by the Charlestown Police Department until July 1, 2010.

Chief Patrick Connors and Officer Michelle Duffett were present from the Charlestown Police Department. Chief Connors presented information on Charlestown's recent hire, Matthew Lockhart for a prior training and experience request.

Captain Bodanza summarized, Mr. Lockhart was an employee of the Charlestown Police Department, he was hired in 2004 part time. He maintained his certification until July 1, 2010, when he was unable to complete his three year fitness requirement. He has been out of law enforcement, but maintained a county corrections certification since then. Council guidelines state that anyone who has been out of law enforcement employment for more than three years and would like to return, must complete the full academy program for certification. Matthew Lockhart has been out of law enforcement for a little over six years. Chief Connors is asking the Council for an alternative other than the entire part time academy based upon what Mr. Lockhart has been doing since his part time officer employment with the Charlestown Police Department ended, and his certification lapsed.

Chief Connors continued. He explained that in July, 2010, Matthew Lockhart left the Charlestown Police Department as part time officer, but he continued to work part time as a dispatcher. Matthew Lockhart also is a lieutenant at the Sullivan County Jail. He has worked there since 2000. The chief brought copies of Matthew Lockhart's training records from the jail, from the year 2009 to the present, for the council's consideration. Matthew Lockhart has maintained training in firearms, use of force, and handcuffing. Chief Connors thought that Mr. Lockhart should be asked to complete the law package, but to asked the Council to excuse him from practical training. Chief Connors confirmed that Mr. Lockhart would have to complete field training at their agency.

Motion by Chief Cahill, seconded by Chief Willard to accept the request for prior training and experience by Chief Connors for Matthew Lockhart due to the ongoing training that he has maintained during the lapse in service. To allow him to regain his part time certification with the law package classes of the part time police academy. The council vote was unanimous in favor of the motion.

Goals and Objectives of Police Standard and Training Council for next year

Council members agreed that goals and objectives should be generated by the staff. Goals and objectives are a requirement as part of the submission of the budget to the governor.

Colonel Quinn complimented Director Vittum for the officer training that has taken place at PSTC dealing with drugs, overdose, opioids, mental health, search and seizure; he stated that these classes are key, and the issues are not going away.

The Council consensus was that Director Vittum would provide emails to Council members with the goals and objectives from the staff, for approval in order to expedite the process and have it prepared for the governor's budget.

Andrew Smith, New Hampshire Disproportionate Minority Contact Coordinator

Mr. Smith was in attendance, during the July Council meeting, the Council members had expressed an interest in meeting with him to discuss the programs he presented to recruits at the academy in Cultural Diversity.

Mr. Smith summarized his education and background, and provided details on the training he completes at the academy. He answered questions from Council members and gave detailed descriptions and examples of his training. Council members thanked him for his presentation, voiced appreciation and approval for his continued participation as an instructor at Police Standards and Training Council.

Council members took a five minute break at this point.

NOH Diana Scott Pol 402.02 (a)

Diana Scott was not present for her hearing. Council consensus was to go forward with the hearing.

Captain Bodanza summarized the background information for Council members stating that Ms. Scott had a lengthy employment history. Diana Scott was noticed for a hearing on the issue of being a certified police officer, and being of convicted of DWI, first offense, RSA 265-A (2). Captain Bodanza provided the following exhibits to the Council while summarizing her work history.

February 10, 1995 Diana Durell was hired part time for Gilsum PD	A
February 28, 1995 Diana Durell resigned from Gilsum PD	B
March 1, 1995 Diana Durell was hired part time for Hampton PD	C
April 30, 1995 Dian Durell received her part time officer certification	D
August 2, 1995 Diana Durell was hired full time for Rochester PD	E
November 17, 1995 Diana Durell received her full time officer certification	F
January 18, 1996 Diana Durell resigned from Hampton PD	G
June 1996 Diana Durell had a change in status, Diana Scott	H1-2
November 28, 1997 Diana Scott resigned from the Rochester PD	I
TWO YEAR PLUS LAPSE IN EMPLOYMENT	
June 7, 2002 Diana Scott was hired part time by the Bow PD	J
February 22, 2003 Diana Scott received her part time officer certification	K
March 7, 2004 Diana Scott was hired full time by the Bow PD	L
March 7, 2004 Diana Scott's status changed part time to full time for Bow PD	M
May 18, 2004, Diana Scott's status changed at Bow PD to part time unlimited hours	N/O
May 18, 2004 Diana Scott was hired full time for Canterbury PD	P
November 19, 2004 Diana Scott received her full time officer certification	Q
December 1, 2004 Diana Scott resigned from Canterbury PD	R
September 4, 2005 Diana Scott was hired full time by Bow PD	S

November 6, 2005 Diana Scott went from full time to part time duty for Bow PD	T/U
September 14, 2009 Diana Scott went from part time to full time at Bow PD	V
September 19, 2013 Diana Scott resigned from the Bow PD	W
October 7, 2013 Diana Scott was hired part time by the UNH PD	X
May 1, 2016, Diana Scott resigned from the UNH PD	Y
May 23, 2016 Diana Scott was hired part time at the Strafford County Sheriff's Office	Z
June 14, 2016 Diana Scott's agency, SCSO filed a report of arrest with PSTC	AA
June 15, 2016 Diana Scott's authority was suspended by her agency, SCSO "pending resolution of the criminal matter filed by NH State Police"	BB
June 16, 2016 Diana Scott's report of arrest filed by arresting agency NH State Police with PSTC.	CC
June 22, 2016 Diana Scott's arrest reports by the New Hampshire State Police	DD1-DD5
July 8, 2016 Diana Scott's disposition from the 6th District Division Concord District Court	EE1-EE8
July 12, 2016 Diana Scott's Notice of Hearing from PSTC	FF1-FF4
August 3, 2016, Diana Scott resigned during internal investigation from Strafford County Sheriff's Office	GG

PSTC received notice from New Hampshire State Police indicating that Diana Scott was arrested on June 6, 2016 for a DWI offense. Details of the report in Staff Exhibit CC indicate that Ms. Diana Scott went off the roadway at 8:50 in the morning on June 6, 2016 in Canterbury on Baptist Hill Road, just a short distance from her home. She left the roadway and was in a ditch when a passerby stopped and called 911, Canterbury Fire and Rescue responded for any injuries. The State Police responded to the scene. Sgt. Ron Taylor who identified Diana Scott as the vehicle's driver, whom he'd met before. He noticed her injuries. He asked about what had happened, Ms. Scott explained that she had been on her phone and was driving too fast. Sgt Taylor detected alcohol on her breath, she had slurred speech and she was unsteady on her feet. Ms. Scott refused medical attention, though EMT's were at the scene, he encouraged her to go to the hospital and she refused. She refused to participate in the field sobriety tests. Based upon Sgt. Taylor's observations, he believed that the contributing factor for the crash as well as Ms. Scott's driving behavior was due to intoxication. He placed her under arrest and she was transported to the hospital to be assessed there. He read her administrative license suspension rights which she refused to be tested. She was later released on a hand summons. She was due to appear at the Concord District Court on July 8, and she plead guilty to the offense of DWI in the first offense under RSA 265-A (2) the penalty was a five hundred dollar fine, a loss of driver's license for nine months, and her completion of the IDCP program for treatment; and the administrative license suspension was withdrawn. Diana Scott was placed on administrative leave for an internal investigation by the Strafford County Sheriff's Office, she later resigned from that agency.

There were no questions from the Council members.

Motion by Chief Cahill, seconded by Sheriff Dutille to suspend Diana Scott's certification for thirty days based upon the facts presented by staff and find that she has committed a violation of public trust, and to not suspend would serve no legitimate purpose.

Discussion ensued amongst the Council members regarding the length in the motion, thirty day lapse of a certification, and requirements for the officer to report before the Council prior to being hired.

When asked, staff explained that the rule violation allowed for suspension or a revocation. If a certification is revoked, the person cannot request a rescission for two years.

Further discussion ensued, members asking staff about the time of day of the arrest for DWI, and the nonparticipation of the officer in today's hearing.

An amendment to the motion to include that Diana Scott must have a hearing before her certification could be regained was discussed. Staff suggested language, thirty day suspension and further order of the Council.

Chief Cahill amended his motion, adding: "in order for Diana Scott to get her certification back she would have to appear before the Council".

Motion by Chief Cahill, seconded by Sheriff Dutile, to suspend Diana Scott's certification for thirty days based upon the facts presented by staff and find that she has committed a violation of public trust, and to not suspend would serve no legitimate purpose. In order for Diana Scott to get her certification back, she must appear before the Council. The Council vote was unanimous in favor of the motion, with Sheriff Dubois and Colonel Quinn recused from the vote.

CONSENT CALENDAR

PT&E Requests

Officer Andrew Bridges, Portsmouth Police Department

(DOH: 08/01/16) will be granted certification upon successful completion of the medical exam, entrance fitness test, and the Law Package of the Full-Time Police Officer Academy.

Officer James G. Astuto, Lisbon Police Department

(DOH: 08/01/16) will be granted certification upon successful completion of the medical exam, entrance fitness test, and the part time academy law package.

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

Class Number	Dates	Fitness Test Date
170	05/02/16 – 08/18/16	04/18/16
171	08/29/16 – 12/16/16	08/15/16
172	01/03/17 - 04/21/17	12/20/16
173	05/01/17 - 08/18/17	04/17/17
174	08/28/17 - 12/15/17	08/14/17

Part Time Police Officer Academy

Class Number	Dates	Fitness Test Date
272	08/13/16 - 11/18/16	07/30/16
273	02/04/17 - 05/05/17	01/21/17
274	08/12/17 - 11/10/17	07/29/17

Corrections Officer Academy

Class Number	Dates	Fitness Test Date
103	06/16/16 – 08/12/16	05/31/16
104	02/13/17 - 4/14/17	01/30/17
105	06/12/17 - 08/11/17	05/30/17

(Extension Full Time)

Kevin Manuele, Merrimack Police Department (DOH: 06/13/16 **Part-Time certified**) will be granted the extension 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 with the stipulation that the officer must remain actively enrolled in the 171st academy.

Daniel Peltier, Goffstown Police Department (DOH: 06/05/16 **Not Part-time certified**) will be granted the extension 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 with the stipulation that the officer must remain actively enrolled in the 171st academy and may continue working only in the direct presence of a certified officer.

(Extension Part Time)

Peter Crowell, New London Police Department (DOH: 03/23/16) will be granted the extension 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 with the stipulation that the officer must remain actively enrolled in the 273rd Part Time Academy and may continue working only in the direct presence of a certified officer.

Matthew J. Willis, Roxbury Police Department (DOH: 05/23/16) will be granted the extension 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 with the stipulation that the officer must remain actively enrolled in the 273rd Part Time Academy and may continue working only in the direct presence of a certified officer.

Requests for Specialized Training Grant Funds (Balance: 10,733.33)

Weare Police Department will be granted funds for Frank Hebert to attend the Command Training Mid Management at Roger Williams University in Portsmouth, RI from October 24, 2016 to October 28, 2016.

Weare Police Department will be granted funds for Frank Hebert to attend Chief Executive Leadership in Louisville KY from April 24, 2017 to April 28, 2017. Rumney Police Department will be granted funds for Greg Patten to attend the Investigative Interview and Advanced Interrogation class being held at the Hampton Inn in Tilton NH by the Tilton Police Department from October 4, to October 7, 2016.

Sullivan County Sheriff's Department will be granted funds for Thomas Cummings to attend the Grant Writing class instructed by Grants USA, to be held at Hannah Grimes Center in Keene, NH from October 6th to October 7, 2016.

Ongoing Physical Fitness Testing

Requests for Fitness Testing Extension

Anna Brewer-Croteau Laconia Police Department, 2017 will be granted a medical extension

Addendum #1 August 23, 2016 Meeting

Full time Academy Staff Gifts from the 170th will be accepted

Addendum #2 August 23, 2016 Meeting

Garrett Beck FT Academy Extension

Garrett Beck, Bristol Police Department (DOH: 10/24/15 **Part-Time certified**) will be granted the extension 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 with the stipulation that the officer must remain actively enrolled in the 172nd .

Addendum #3 August 23, 2016 Meeting

Training Grant Request from Cheshire County Sheriff's Office
High Risk Apprehension Techniques for Deputy Mark Cotton

Cheshire County Sheriff's Office will be granted funds for Deputy Mark Cotton to attend the High Risk Apprehension Techniques training at Rowan-Carbarus Community College in Salisbury, NC from September 28, 2016 to October 1, 2016.

Motion by Sheriff Dubois, seconded by Deputy Attorney General Rice, to approve the Consent Calendar, with the addition of addendum items one through three, and removing the matter on Matthew Lockhart's Prior Training and Experience request by the Charlestown Police Department. The Council vote was unanimous in favor of the motion.

Other New Business

The Request for Training Grant from the Weare Police Department is continued to the September Council meeting. Council members would like to view the goals and learning objectives for the training grant requested by the Weare Police Department.

Final Proposal for Amendment and Readoption to PSTC rules

Staff summarized that final proposal incorporated the Council's suggested changes from July, and the changes suggested by the Office of Legislative Services.

Motion by Sheriff Dubois, seconded by Sheriff Dutile, to submit the rules as the final proposal to JLCAR. The vote was unanimous in favor of the motion.

Inservice Contract Classes - "Request for Proposals"

These are classes for inservice training taught by outside instructors. Captain Jean provided a spread sheet with the class listings for Council members. Staff requested that Council members rank the top ten classes that PSTC should hold. Council members were in agreement that the staff and Director Vittum should decide on the classes, as long as the classes were within the budget; and that the staff has the knowledge to make these decisions.

Discussion

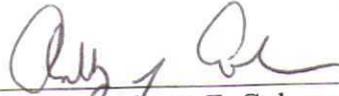
Chief Cahill asked for the number of recruits in the full time academy, (regarding the waiting list for the academy). Captain Bodanza answered that there were sixty seven total that had been approved by the Council and there are nine recruits on the waiting list. There has been communication with the nine people and their agencies. Those on the waiting list understood that their registration paperwork was received close to the deadline. Those individuals who are on the waiting list will be granted extensions.

Next Meeting Date/Adjournment

The next meeting of the New Hampshire Police Standards and Training Council will be held on September 27, 2016, at nine o'clock in the morning.

Upon a motion by Chief Cahill, seconded by Deputy Attorney General Rice, the Council voted unanimously to adjourn the meeting at 10:45 a.m.

Respectfully submitted,



Chairman Anthony F. Colarusso, Jr.