



Sheriff Michael L. Prozzo, Jr.
Chairman

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

Approved Minutes

August 26, 2014

The 445th meeting of the New Hampshire Police Standards and Training Council was called to order at 9:10 a.m. by Chairman Michael L. Prozzo Jr. in classroom one of 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; Vice Chancellor Ronald Rioux, Community College System of New Hampshire (exited the meeting at 11:08); Chief Anthony Colarusso, Dover Police Department; Judge Sawako Gardner, 10th Circuit District Division, Portsmouth; Sheriff David Dubois, Strafford County; Major David Parenteau, New Hampshire State Police; Chief David Cahill, Sunapee Police Department, Chief Peter Morency, Berlin Police Department.

Members Absent: Judge James Carroll, 4th Circuit District Division, Laconia and Chief James Sullivan, Hampton Police Department

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

Guests Present: Chief David Kratz, Hill Police Department and Chief David Suckling, Danbury Police Department.

Approval of Minutes

Judge Gardner moved for the Council to approve the minutes of the July 22, 2014 meeting. Following a second by Commissioner Wrenn, the Council voted unanimously in favor of the motion, 9-0.

Director's Report

Director Vittum summarized meetings with several agencies regarding the increase in academy weeks from 14 to 16 and it was agreed that any input from chiefs would be discussed during the February 2015 Council meeting.

Also discussed was increasing the number of recruits admitted into the academy from 60 to 62. On a motion by Sheriff Dubois, seconded by Chief Morency the Council voted unanimously 9-0 to increase the number of recruits attending the full time academy from 60 to 62, on a trial basis with a report due back to the Council after the next academy, 165th, September 8 to December 12, 2014.

Director Vittum also asked for permission from the Council to teach at NHTI. **Motion** by Chief Cahill, seconded by Chief Colarusso to grant Director Vittum permission to teach at NHTI, the Council vote was unanimously in favor of the motion, 9-0.

Previous and/or Unfinished Business

Part Time Officer Hours

Chief Merrill and Captain Bodanza followed up from last month's meeting where there was a discussion about a minimum amount of hours worked for part time hours and additional training requirements of part time officers.

Motion by Chief Colarusso to table the issue on a requirement of minimum hours worked for part time officers, the motion was seconded by Chief Cahill and unanimous Council vote 9-0.

Captain Bodanza went on to summarize his research for the academy and certification requirements for part time officers in the other New England states.

Public Hearing Pol 501.01 Report of Arrests

Chairman Prozzo initiated the public hearing with Chief Merrill summarizing the amendments to the rule, he read the old rule into the record and explained what changes were being made; specifically requiring police, corrections and probation parole officers to report their arrests to their own agency, and the agency being required to report the arrest of their employee to Police Standards and Training Council. The prior rule requirement pertained only to the agency that arrested the officer to report the arrest to Police Standards and Training. The rule change would also alert Police Standards and Training if an officer was arrested out of state.

There were no members of the public present, Police Standards and Training will accept comments in writing for this rule for five days after the hearing.

Protocol for the Firing Range and for the Shooting Simulator

Captain Jean was present to discuss the draft protocol for the firing range and shooting simulator. He stated that several agencies worked together for this upgrade, many agencies were interested in using the upgraded facilities. The staff recommends that any agencies who would like to use the firing range or simulator send a written request to Director Vittum. Specifics were addressed in the Firing Range/Simulator protocol document submitted by Captain Jean. An amendment was added for the firing range to state that the instructor to student ration was five to one only.

Motion by Chief Morency to accept the protocol with the amendment, the motion was seconded by Sheriff Dubois, Council vote was unanimous 9-0 in favor of the motion.

CONSENT CALENDAR

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

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

166th Academy January 5, 2015 to April 10, 2015; entrance fitness test December 22, 2015

167th Academy May 4, 2014 to August 21, 2015; entrance fitness test April 20, 2015

The 167th Academy will be the first academy to initiate the change from 14 to 16 week duration.

Part-Time Police Officer Academy

268th Academy February 7, 2015 to May 8, 2015; entrance fitness test January 24, 2015

New Hampshire Department of Corrections Academy

98th September 15, 2014 to November 14, 2014, entrance fitness test September 2, 2014

Requests for Specialized Training Grant Funds (Balance: \$15,028.84)

Concord Police Department was granted funds for Lt Cori Casey to attend the Mid Management Course at Roger Williams University, Portsmouth, RI, from September 28, 2014 to October 10, 2014.

Addendums to the consent calendar:

Agenda item #13 was withdrawn and replaced with Addendum #7; addendums numbered 1, 4, 5, and 8 were added.

Addendum #1

Prior Training and Experience Request

Jason Teufel, Londonderry Police Department

Will be granted certification upon successful completion of the medical exam and the entrance fitness test.

Addendum #4

Shane Arsenault, Weare Police Department (DOH: 03/06/14) 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 166th academy and may continue working only in the direct presence of a certified officer.

Addendum #5

Kyle DiFruscio Canterbury Police Department (DOH: 10/01/13) 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 166th academy and may continue working only in the direct presence of a certified officer.

Addendum #7

Peter Morelli, Fremont Police Department (DOH: 5/07/14) 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 166th academy law package and may continue working only in the direct presence of a certified officer OR under normal supervision if he has completed the agency's FTO program.

Addendum #8

Donald F. Grow, Jr. Barnstead Police Department (DOH: 1/21/14) (PTE) 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 166th academy law package and may continue working only in the direct presence of a certified officer OR under normal supervision if he has completed the agency's FTO program.

Motion by Commissioner Wrenn, seconded by Chief Morency to approve the Consent Calendar with the additional addendum items. The Council voted unanimously in favor of the motion 9-0.

(END OF APPROVED CONSENT CALENDAR)

Addendum #6 Chief David Suckling, Danbury Police Department

Chief Suckling came in to discuss an issue regarding the thirteen hundred hour rule and his current position as a part time elected chief of Danbury. Chief Suckling had applied for attendance at the 165th Full time academy, he passed the entrance fitness test on August 25, 2014; however, because he was not employed as a full time officer, he was on standby to attend the academy as protocol designates full time officers take priority. This was the second occasion that he was passed over because of the academy reaching the limit for recruits.

Chief Suckling explained that he was part time certified, and worked as chief at Danbury and worked as an officer in Hill. He was present at the meeting to ask for either an exception to 1300 hours rule, or if he could be admitted to the academy even though the academy had reached the limit for recruits, (newly set at 62).

Discussion ensued amongst Council members about this circumstance and what could be done.

Motion by Chief Cahill, seconded by Judge Gardner, that there cannot be exceptions to the 1300 hours rule by part time officers, Council vote was unanimously in favor of the motion, 9-0.

Further discussion ensued with references made to Chief Suckling trying to do the right thing.

Motion by Commissioner Wrenn, to increase the allowed number of the 165th Academy by one in order to allow Chief Suckling to attend the academy, his unique circumstance warrants the need to increase the number of recruits in the academy. The motion was seconded by Sheriff Dubois, with unanimous vote of the Council 9-0.

Requests for Extensions (Non-Consent)

Louis Yelle, Keene Police Department (DOH: 7-27-14) 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 166th academy and may continue working only in the direct presence of a certified officer.

Motion to grant extension by Chief Cahill, seconded by Commissioner Wrenn with unanimous vote in favor of the motion 9-0.

Ryan Elek, Bedford Police Department (DOH: 1/6/14) Will be granted the extension with the stipulation that the officer may continue working only in the direct presence of a certified officer, unless the officer has successfully completed the agency's FTO program, then normal supervision.

Motion to grant extension by Chief Cahill, seconded by Commissioner Wrenn with unanimous vote in favor of the motion 9-0.

Other New Business

Request for Gift Acceptance, cap from New York City Police Department 911 Ground Zero.

Motion to accept the gift by Commissioner Wrenn, seconded by Chief Colarusso with unanimous vote in favor of the motion 9-0.

Kevin Donnelly, Atkinson Police Department

Motion to enter a nonpublic session by Commissioner Wrenn for 91-A:3 II a motion was seconded by Chief Cahill with a roll call vote including Chairman Prozzo 10-0 in favor.

10: 50 am Council members entered a nonpublic session.

Motion to seal the minutes of the nonpublic session by Commissioner Wrenn, seconded by Chief Cahill, unanimous vote of Council was 9-0.

Motion to exit the nonpublic session by Commissioner Wrenn, the motion was seconded by Chief Morency, the roll call vote was unanimous in favor of the motion.

11:07 out of nonpublic session

Motion by Sheriff Dubois to accept the resolution agreement from the informal conference for Kevin Donnelly, the motion was seconded by Chief Morency with unanimous vote by Council members 9-0.

Vice Chancellor Rioux exited the meeting at this point, 11:07.

Sheriff Prozzo asked staff to add discussion items for next months (September) agenda to change meeting dates, from November 25th to November 18th and from December 23rd to December 16th.

Addendum #3

Non public session, for a Personnel Matter RSA 91-A:3 II

Arrest of a recruit

Motion for a nonpublic session by Sheriff Dubois, seconded by Chief Colarusso, Council's roll call vote including Chairman Prozzo was unanimous in favor of the motion 9-0.

At 11:10 a.m. the Council began a nonpublic session.

Motion to seal the minutes of the nonpublic session by Commissioner Wrenn, seconded by Chief Morency, unanimous vote by Council 8-0.

Motion to exit the nonpublic session by Commissioner Wrenn, seconded by Chief Morency with a roll call vote including Chairman Prozzo of 9-0 unanimously.

Annual Report

Captain Jean discussed the annual report and informed Council members of some typographical errors he'd found in the report.

Motion by Chief Colarusso, seconded by Chief Morency to accept the report with the errors corrected, the Council vote was unanimous 8-0 in favor of this motion.

Certifications of Corrections Officers and Probation Parole Officers

Commissioner Wrenn addressed the Council about an ongoing situation at the Department of Corrections; the agency is not able to fill hours needed inside the prison therefore currently using corrections officers for a lot of overtime, including forced overtime.

The question is, does a probation/parole officer still maintain his or her certification as a correction's officer if they had one initially?

Discussion ensued amongst council members about training requirements for each separate certification, and a "lapse in certification" for those no longer employed in the certification capacity.

The decision amongst Council members was that those individuals who were formerly certified Correction's Officers and currently Probation and Parole Officers should apply for prior training and experience certification as Corrections Officers, similarly to any police officer who was from out of the state of New Hampshire or who had been out of law enforcement employment greater than 30 days. These individuals may have to participate in additional training to enable them to return to the interior of the prison in a Correction's Officer's position.

Addendum #2

Non Public Session for a Personnel Matter RSA 91-A:3 II

Motion for nonpublic session by Commissioner Wrenn, seconded by Chief Colarusso, roll call vote all in favor including Chairman Prozzo was 9-0

Nonpublic session commenced at 11:35

Staff exited

Motion to exit the nonpublic session at was made at 12:00 noon, with a roll call vote including Chairman Prozzo of 9-0 unanimously.

Motion to Adjourn was made at 12:01 by Commissioner Wrenn, seconded by Chief Morency. The Council vote was unanimous 8-0 in favor of this motion.

Next Meeting Date/Adjournment

The next meeting of the New Hampshire Police Standards and Training Council will be held on September 23, 2014 at nine o'clock in the morning.

Upon a motion by Commissioner Wrenn, seconded by Chief Morency, the Council voted unanimously to adjourn the meeting at 12:01pm.

Respectfully submitted,



Chairman Michael L. Prozzo, Jr.