



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 27, 2013)**

The 433<sup>rd</sup> meeting of the New Hampshire Police Standards and Training Council was called to order at 9:08 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 Michael J. Prozzo, Jr., Sheriff of Sullivan County; Vice Chairman, Commissioner William Wrenn, New Hampshire Department of Corrections; Deputy Attorney General Ann Rice, Sheriff David Dubois, Strafford County; Chief Peter Morency, Berlin Police Department; Major Russell Conte, New Hampshire State Police; Chief Anthony Colarusso, Dover Police Department; Judge Sawako Gardner, 10th Circuit District Division, Portsmouth; Chief David Cahill, Sunapee Police Department; Vice Chancellor Ronald Rioux, Community College System of New Hampshire and Judge James Carroll, 4th Circuit District Division, Laconia (arriving at approximately 9:10 a.m.).

**Member Absent:** Chief James Sullivan, Hampton Police Department

**Staff Present:** Director Donald Vittum, Chief Timothy Merrill (Ret.), Captain Benjamin Jean, Captain Mark Bodanza, Captain James Mulla and Program Assistant Lorelee Ames.

**Guests Present:** Chief Robert Cormier, Tilton Police Department; Sheriff Craig Wiggin, Belknap County Sheriff's Office; Lt. Kevin Duffy, NH State Police; Chief William Colborn, Lancaster Police Department and Officer Aaron Collette of the Sullivan Police Department.

**Approval of Minutes**

**Motion** by Judge Gardner for the Council to approve the minutes of the July 23, 2013 Meeting. The motion was seconded by Chief Morency, Council members voted 10-0 in favor of the motion.

**Previous and/or Unfinished Business**

**Pol 301.05 Committee for Drug Policy**

This item is tabled until the September 24, 2013 meeting.

**SWAT/SOU Committee Update**

Chief Cormier, Sheriff Wiggin, and Lt. Duffy addressed the Council to update them on the SWAT/SOU Committee progress. The committee was formed after a SWAT call-out several years ago and the committee was to report back to the Council with periodical updates. The committee meets monthly to discuss current events, policies, and

procedures, and debriefs every incident. Discussion followed in regards to the yearly training that NHTOA recommends each officer should receive; which currently is 192 hours. The question was asked what happens if the officer does not receive the mandatory training hours. Chief Cormier stated that NHTOA would like each officer to receive as close to 192 hours of training as possible, and that officers are able to attend training with other departments as well. The question arose as to the liability of an incident if the officer did not receive the training and how the NHTOA would respond. Chief Cormier stated that the NHTOA realizes that not all officers will be able to achieve the 192 hours per year. Chairman Prozzo thanked the committee and requested they come back for another update in August, 2014.

### **Addendum #3**

#### **Officer Jacques Pelletier, Lancaster Police Department (DOH:02/13/13)**

During the July 23, 2013 meeting the Council voted to deny the extension request from the Lancaster Police Department for Officer Pelletier to skip an available part-time academy session.

Chief Colborn was present for reconsideration in regards to Officer Pelletier and to clarify his specific job duties. Chief Colborn stated that he is currently not serving in a law enforcement capacity; only as a range officer and assisting officers on the range with their firearms accuracy and skill building.

**Motion** by Chief Cahill, seconded by Chief Colarusso to reaffirm the prior motion and decision to deny the extension request. The Council vote on this item was unanimous in favor, 11-0.

#### **Firearms Awards**

Captain Mulla explained the concepts of the firearms award which would be given to one officer on graduation for that Academy. Discussion followed that the award should encompass and incorporate the entire firearms program; not solely on the firearms qualification score. Captain Mulla will return at the September meeting with an update.

#### **Officer Aaron Collette, Sullivan Police Department**

(DOH: 12/10/12, not part time certified) Officer Collette was present to address the Council. The staff recommendation was that the extension through the end of the 266<sup>th</sup> Part-Time Police Officer Academy be denied. An extension is required because the ending date of the 266<sup>th</sup> Academy exceeds six months from the date of hire.

**Motion** by Chief Colarusso, seconded by Chief Morency to follow staff recommendation to deny the request.

Discussion followed, whether the extension should be approved based on alleged information that the staff had received.

**Motion** withdrawn by Chief Colarusso and seconded by Chief Morency.

**Motion** by Commissioner Wrenn, seconded by Deputy Attorney General Rice to approve the request for extension through the date of the entrance fitness test, and if testing is

successful, through the end of the 266<sup>th</sup> Part-Time Officer Academy and may continue working only in the direct presence of a certified officer. The Council vote on this item was 9-2 with Sheriff Dubois and Judge Gardner opposed.

Council break 10:28 a.m., and back in session at 10:37 a.m.

#### **Corrections Academy Curriculum hours**

Captain Bodanza addressed the Council in regards of the calculation of the hours of the curriculum that was approved at the June 25, 2013 meeting. Captain Bodanza noted that the personal hygiene hours were inadvertently added to the physical fitness practical hours. Since it was not an accurate representation of the physical fitness curriculum hours, the curriculum was brought back before the Council for review and approval.

**Motion** by Deputy Attorney General Rice to accept the the Corrections Academy Curriculum, the motion was seconded by Judge Gardner, with a unanimous vote by 11-0.

#### **Corrections Academy New Hire**

Commissioner Wrenn requested guidance from the Council in regards to a newly hired corrections recruit which, during the application process, it was learned that while in the military the individual had been diagnosed with PTSD.

Captain Bodanza explained that according to Council Pol 301.05 (h); the officer must be cleared by a NH licensed Psychologist or Psychiatrist to be fit for duty as an officer. Whereas, the Academy begins next week, there would not be enough time for this officer to be seen by a NH licensed psychologist or psychiatrist.

With accordance to Council Pol 302.12, this individual could be allowed to attend the corrections academy, as a civilian, participate in the entrance fitness testing process, and if testing was successful, attend the Corrections Academy. This would include the daily physical fitness portion, but would not be certified as a Full-Time Corrections Officer until medically cleared by a NH licensed psychologist or psychiatrist.

#### **David Scott Litigation**

Chief Merrill explained that the paperwork given to the Council was for informational purposes.

#### **Receipt of Complaints by Police Standards & Training Council**

Chief Merrill reviewed the draft policy of the Receipts of Complaints by PSTC (GO-07).

**Motion** by Chief Cahill to accept the policy of instituting complaints received, the motion was seconded by Chief Colarusso, with a unanimous vote of 11-0.

### **Proposed Rule Changes**

Public Hearing (10:50 a.m.) on Pol 301.06 changes to Forms "A" and "B". The only suggestion that has been made to Chief Merrill was from JLCAR staff which states a statute which you can no longer ask for social security numbers. The public has until September 9, 2013 to submit comments.

Public Hearing closes at 10:55 a.m.

Judge Carroll leaves at 10:58 a.m.

### **Rollover Convincer Program**

Captain Jean reviewed the rollover convincer program. NH Highway Safety had given to PSTC approximately ten years ago, and had funded the project at that time. The funding for the project ended and is now being supported by the PSTC budget.

Vice Chairman Rioux leaves at 11:03 a.m.

**Motion** by Commissioner Wrenn to end the rollover convincer program at PSTC and make the rollover convincer available first to Highway Safety and, if they refuse it, then to any agency that would like to take it over. The motion was seconded by Chief Cahill, with a unanimous vote of 9-0. The Council requested staff to report back what happens to the convincer.

### **Annual Report**

Captain Jean reviewed the Annual Report and will be presenting it to the Governor & Council meeting in September.

### **Minimum Age for NH Law Enforcement Officers**

Chief Merrill has received multiple inquiries about the minimum age requirement for law enforcement, and whether a rule should be drafted for a minimum age requirement. Discussion followed and the Council recommended to staff to research the minimum age requirements for other states and update the Council at the September meeting.

### **Cheshire County Department of Corrections Video Conference**

Captain Jean explained that the Superintendent Van Wickler, Cheshire County Department of Corrections, had contacted him about the allowing the use of their training room, without a cost, as a possible video-conferencing location.

**Motion** by Deputy Attorney General Rice to approve establishing the connection to the Keene site, motion was seconded by Chief Morency, with a unanimous vote of 9-0.

**Motion** by Sheriff Dubois to approve the consent calendar and addendum items, the motion was seconded by Chief Colarusso, the

Council members vote was 9-0 unanimously in favor of the motion. Deputy Attorney General Ann Rice recused from the vote on Investigator Forti, and Commissioner Wrenn recused himself from Corrections Officers Kum, Beaudry, Cespedes-Peguero, Champagne, Forbes, and Glover.

### **CONSENT CALENDAR**

Officer Joseph W. McCormack, Pittsfield Police Department

(DOH: 07/23/13) Will be granted full-time certification upon successful completion of the medical exam and entrance fitness test.

Officer Tyler Gagne, NH Liquor Commission

(DOH: 07/05/13) Will be granted full-time certification upon successful completion of the medical exam, entrance fitness test and the full-time academy law package.

Investigator Michael Forti, New Hampshire Attorney General's Office

(DOH: 09/06/13) Will be granted full-time certification upon successful completion of the medical exam, entrance fitness test and the full-time academy law package.

Officer Richard Ferrero, Chester Police Department

(DOH: 08/22/13) Will be granted full-time certification upon successful completion of the medical exam, entrance fitness test and the full-time academy law package.

Officer Randy Kerkman, Chester Police Department

(DOH: 08/22/13) Will be granted full-time certification upon successful completion of the medical exam, entrance fitness test and the full-time academy law package.

Officer Robert Newell, Troy Police Department

(DOH: 07/11/13) Will be granted part-time certification upon successful completion of the medical exam and entrance fitness test.

Officer Charles Lockhart, Dalton Police Department

(DOH: 08/01/13) Will be granted part-time certification upon successful completion of the medical exam, entrance fitness test, and the part-time academy law package.

#### **Addendum #1**

Officer William Blodgett, UNH Police Department

(DOH: 08/26/13) Will be granted full-time certification upon successful completion of the medical exam, entrance fitness test and the full-time academy law package.

#### **Addendum #2**

Deputy David Golia, Hillsborough County Sheriff's Department

(DOH: 07/10/13) Will be granted full-time certification upon successful completion of the medical exam, entrance fitness test and the full-time academy law package.

#### **Full-Time Police Officer Academy**

161st Academy June 10, 2013 to September 13, 2013; entrance fitness test May 28, 2013

162<sup>nd</sup> Academy September 16, 2013 to December 20, 2013; entrance fitness test September 3, 2013

163<sup>rd</sup> Academy January 6, 2014 to April 10, 2014; entrance fitness test December 6, 2013.

#### **Part-Time Police Officer Academy**

265<sup>th</sup> Academy August 10, 2013 to November 9, 2013; entrance fitness test July 27, 2013.

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

#### **Corrections Academy**

96<sup>th</sup> Academy September 3 to November 1, 2013, entrance fitness test August 20, 2013.

#### **Requests for Extensions**

**Note: Extensions granted until fitness testing for requested Academy, and, if testing is successful, through the end of the requested Academy.**

#### **Officer Joseph Chivell II, Bristol Police Department**

(DOH: 08/13/12) Was granted the extension through the date of the entrance fitness test and, if testing is successful, through the end of the 266<sup>th</sup> Part Time Academy with the stipulation that Officer Chivell must remain actively enrolled in the 266<sup>th</sup> Part Time Academy and may continue working only in the direct presence of a certified officer.

#### **Officer Thomas Bibeau, Canterbury Police Department**

(DOH: 05/17/13, not part time certified) Was granted an extension through the date of the entrance fitness test and, if testing is successful, through the end of the 266<sup>th</sup> Part Time Academy with the stipulation that Officer Bibeau must remain actively enrolled in the 266<sup>th</sup> Part Time Academy and may continue working only in the direct presence of a certified officer.

#### **Deputy Christine Maille, Hillsborough County Sheriff's Department**

(DOH: 03/29/13, not part time certified) Was granted an extension through the date of the entrance fitness test and, if testing is successful, through the end of the 265<sup>th</sup> Part Time Academy with the stipulation that Deputy Maille must remain actively enrolled in the 265<sup>th</sup> Part Time Academy and may continue working only in the direct presence of a certified officer.

#### **Officer Sean Welch, Wakefield Police Department**

(DOH: 05/13/13, not part-time certified) Was granted the extension through the date of the entrance fitness test and, if testing is successful, through the end of the 162<sup>nd</sup> Full

Time Academy with the stipulation that Officer Welch must remain actively enrolled in the 162nd Academy and may continue working only in the direct presence of a certified officer.

Officer Michael Doucette, Stratham Police Department

(DOH: 05/13/13 not part-time certified) Was granted an extension through the date of the entrance fitness test and, if testing is successful, through the end of the 162nd Full Time Academy with the stipulation that Officer Doucette must remain actively enrolled in the 162nd Academy and may continue working only in the direct presence of a certified officer.

Officer Jeffrey Antista, Windham Police Department

(DOH: 06/17/13 part-time certified) Was granted an extension through the date of the entrance fitness test and, if testing is successful, through the end of the 162nd Full Time Academy with the stipulation that Officer Antista must remain actively enrolled in the 162nd Academy.

Officer Wayne Valley, Ossipee Police Department

(DOH: 05/07/13 not part-time certified) Was granted an extension through the date of the entrance fitness test and, if testing is successful, through the end of the 162nd Full Time Academy with the stipulation that Officer Valley must remain actively enrolled in the 162nd Academy and may continue working only in the direct presence of a certified officer.

CO Kenneth K. Kum, New Hampshire Department of Corrections

(DOH 02/08/13) Was granted an extension through the date of the entrance fitness test, and if testing is successful, through the end of the 96<sup>th</sup> Corrections Academy with the stipulation that CO Kum must remain actively enrolled in the 96<sup>th</sup> Corrections Academy and may only work in the direct presence of a certified Corrections Officer.

CO Susan Beaudry, New Hampshire Department of Corrections

(DOH 01/26/13) Was granted an extension through the date of the entrance fitness test, and if testing is successful, through the end of the 96<sup>th</sup> Corrections Academy with the stipulation that CO Beaudry must remain actively enrolled in the 96<sup>th</sup> Corrections Academy and may only work in the direct presence of a certified Corrections Officer.

CO Juan Cespedes-Peguero, New Hampshire Department of Corrections

(DOH 11/30/12) Was granted an extension through the date of the entrance fitness test, and if testing is successful, through the end of the 96<sup>th</sup> Corrections Academy with the stipulation that CO Cespedes-Peguero must remain actively enrolled in the 96<sup>th</sup> Corrections Academy and may only work in the direct presence of a certified Corrections Officer.)

CO Yves Champagne, New Hampshire Department of Corrections

(DOH 02/08/13) Was granted an extension through the date of the entrance fitness test, and if testing is successful, through the end of the 96<sup>th</sup> Corrections Academy with the stipulation that CO Champagne must remain actively enrolled in the 96<sup>th</sup> Corrections Academy and may only work in the direct presence of a certified Corrections Officer.

CO Winfield Forbes, Jr., New Hampshire Department of Corrections

(DOH 12/28/12) Was granted an extension through the date of the entrance fitness test, and if testing is successful, through the end of the 96<sup>th</sup> Corrections Academy with the stipulation that CO Forbes must remain actively enrolled in the 96<sup>th</sup> Corrections Academy and may only work in the direct presence of a certified Corrections Officer.

CO Anglo Glover, New Hampshire Department of Corrections

(DOH 11/02/12) Was granted an extension through the date of the entrance fitness test, and if testing is successful, through the end of the 96<sup>th</sup> Corrections Academy with the stipulation that CO Glover must remain actively enrolled in the 96<sup>th</sup> Corrections Academy and may only work in the direct presence of a certified Corrections Officer.

**NON CONSENT**

**Request from Department of Corrections**

The Department of Corrections requests to add an additional four trainees to the 96<sup>th</sup> Corrections Academy which begins September 3, 2013. The trainees were hired on August 9<sup>th</sup> whereas the paperwork deadline for the Academy was August 6<sup>th</sup>.

**Motion** by Sheriff Dubois to allow the four additional trainees to attend the 96<sup>th</sup> Corrections Academy, with the motion seconded by Chief Morency, the Council vote was 8-0 unanimously in favor of the motion, with Commissioner Wrenn recused himself from the vote.

**Budget Reduction**

Captain Jean explained the reduction of the PSTC budget of \$250,000 from FY14 and FY15 which was required from the legislative budget reductions of HB2, as well potential reductions discussed with the Governor's Office.

**Requests for Specialized Training Grant Funds (Balance was \$17,664.25)**

**Motion** by Deputy Attorney General Rice and seconded by Chief Cahill to approve the Concord, Hanover, and Rollinsford Training Grants.

Discussion follows by the Council in regards to the reduction of the training grant funds.

**Motion** withdrawn by Deputy Attorney General Rice and seconded by Chief Cahill.

**Concord Police Department** requested funds for Sergeant Shawn Ford to attend the Command Training Series: First Line Supervisor Course at Roger Williams Justice Institute in Portsmouth, RI, from September 16, 2013 to September 27, 2013.

**Motion** by Chief Colarusso to deny the request based on the fact that we

offer the same course here, with the motion seconded by Commissioner Wrenn, with a unanimous vote of 9-0.

**Hanover Police Department** requested funds for Detective First Class Eric Bates to attend the Polygraph Examiner School at New England Polygraph Institute in Moultonborough, NH, from September 9 to November 15, 2013; or Spring 2014 class.

**Motion** by Chief Colarusso to grant the funds for Hanover Police Department, with a motion seconded by Commissioner Wrenn, with a unanimous vote of 9-0.

**Hillsboro Police Department** requested funds for Officer Christopher Parsons to attend the IPTM Advanced Traffic Control Investigation in Jacksonville, FL, from September 22, to October 4, 2013.

**Motion** by Chief Morency to deny the request for funds for Hillsboro Police Department training grant, with the motion seconded by Commissioner Wrenn, with a unanimous vote of 9-0.

**Rollinsford Police Department** requested funds for Lt. Jonathan Uraskevich to attend the Command Training Series Mid Management Course, Roger Williams University in Portsmouth, RI, from October 27, to November 1, 2013 and November 3, to November 8, 2013.

**Motion** by Chief Morency to grant the funds for Rollinsford Police Department, with a motion seconded by Chief Colarusso, with a unanimous vote of 9-0.

### **Audit Report**

No information has been received on the performance audit.

Judge Gardner leaves 11:43 a.m.

### **NON-PUBLIC**

**Motion** by Chief Colarusso to move the Council into non-public session, without staff, at 11:45 a.m., the motion was seconded by Chief Morency, for the purpose of discussing a personnel matter (RSA 91-A:3,II (a)). The Council vote was unanimous of 8-0.

At 12:06 p.m., Director Vittum was brought into the non-public session. At 12:10, by **motion** of Chief Colarusso, seconded by Chief Morency, and with a unanimous vote of 8-0, the Council came out of non-public session. (non-public minutes by Chief Cahill)

### **Director Vittum's Review**

Based on the law enforcement community comments and the report that was submitted by a committee that was chaired by Chief Colarusso and included Council members Colonel Quinn, Chief Cahill and Sheriff Dubois; Director Vittum received an outstanding performance evaluation.

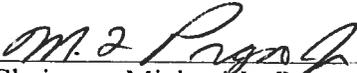
**Motion** by Commissioner Wrenn to approve a 4 year term for Director Vittum, effective at the ending of the current term that he is in, with a motion seconded by Chief Colarusso, the Council unanimous vote of 8-0.

**Next Meeting Date/Adjournment**

The next meeting of the New Hampshire Police Standards and Training Council will be held on September 24, 2013, at nine o'clock in the morning. The Council meeting in November will be held on the 19<sup>th</sup>, and the December Council meeting will be on the 17<sup>th</sup>.

**Motion** by Deputy Attorney General Rice, seconded by Chief Cahill, the Council voted unanimously 8-0 to adjourn the meeting at 12:23 p.m.

Respectfully submitted,

  
Chairman Michael L. Prozzo, Jr.