



Sheriff Michael L. Prozzo, Jr.  
Chairman

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

**Approved Minutes**

**October 28, 2014**

The 447<sup>th</sup> meeting of the New Hampshire Police Standards and Training Council was called to order at 9:05 by Vice Chairman, Commissioner William Wrenn, in classroom one at the Arthur D. Kehas Law Enforcement Training Facility and Campus in Concord, New Hampshire.

Members Present: Vice Chairman, Commissioner William L. Wrenn, New Hampshire Department of Corrections; Attorney General Joseph Foster; (arrived at 9:06 a.m. and exited 12:26 p.m.) Vice Chancellor Ronald Rioux, Community College System of New Hampshire; Judge Sawako Gardner, 10th Circuit District Division, Portsmouth; Major Russell Conte, New Hampshire State Police; Chief David Cahill, Sunapee Police Department; Judge James Carroll, 4th Circuit District Division, Laconia (exited meeting at 10:45 a.m.) and Chief James Sullivan, Hampton Police Department.

Members Absent: Chief Peter Morency, Berlin Police Department; Chairman Sheriff Michael L. Prozzo, Jr., Sullivan County; Chief Anthony Colarusso, Dover Police Department; and Sheriff David Dubois, Strafford County.

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

Guests Present: Officer Robert Russell, Madbury Police Department, represented by Attorney James Coughenour; Officer Ryan Lehman, Chester Police Department, and Chief Stephen Lefebvre, Plymouth Police Department

**Approval of Minutes**

Judge Carroll moved for the Council to approve the minutes of the September 23, 2014 Council meeting. Following a second by Chief Sullivan, the voice vote of the Council was 7-0 in favor of the motion.

**Director's Report**

A written report was distributed. Director Vittum stated that PSTC had conducted a training during the prior week on infectious diseases, it was presented regionally, and that there were cd's that were available to use as training for agencies to use as part of the required eight hours of annual training.

Financial Report

Presented verbally by Captain Jean. The first quarter of the new fiscal year has shown an increase in the fund, however there are expenses which include the repair of the roof of the academy building which will draw down the fund.

Notice of Hearing, Officer Robert Russell, Madbury Police Department, Pol 402.02(a)(5)  
When asked, Officer Russell and Attorney Coughenour introduced themselves to Council members.

Judge Gardner recused herself from this hearing.

Commissioner Wrenn read the hearings protocol into the record.

Officer Russell requested a nonpublic session for his hearing.

Motion by Chief Cahill, seconded by Chief Sullivan for the Council to enter a nonpublic session for a personnel matter. The roll call vote including the Vice Chairman was unanimous, 7-0.

9:15 the Council began a nonpublic session.

Motion to seal by Chief Cahill, seconded by Judge Carroll. Council vote including the Vice Chairman was 7-0 in favor

Motion to exit the nonpublic session by Chief Cahill, seconded by Chief Sullivan, with a roll call vote including Vice Chairman, unanimous 7-0.

Council was back in public session at 10:35 a.m.

Motion by Chief Sullivan, seconded by Judge Carroll, that it would promote the public interest to revoke the certification of Officer Robert Russell. Unanimous vote 7-0.

10:45 Judge Carroll exited the meeting and the Council members took a brief break.

10:55 back in session

Notice of Hearing Ryan Lehman, Chester Police Department Pol 301.05 (g) and (n)

Major Conte recused himself from this hearing.

Commissioner Wrenn read the hearings protocol into the record.

Officer Lehman requested a nonpublic session for his hearing.

Motion by Chief Cahill, seconded by Chief Sullivan for the Council to enter a nonpublic session for a personnel matter. The roll call vote including the Vice Chairman was unanimous, 6-0.

At 10:57 the Council entered a nonpublic session.

Motion to seal by Chief Sullivan, seconded by Chief Cahill, vote including the Vice Chairman was unanimous, 6-0.

Motion to exit the nonpublic session by Chief Sullivan, seconded by Attorney General Foster, with a roll call vote including Vice Chairman, unanimous 6-0.

Motion by Chief Sullivan to allow the certification after hearing the evidence and looking at the evidence he does not meet the standards not to certify. The Council vote on this motion was three in favor and three opposed, the motion failed.

Discussion ensued amongst Council members.

Motion by Judge Gardner, seconded by Vice Chancellor Rioux to not grant certification, given the whole situation and every circumstance that was testified to, he does not meet the criteria of Pol 301.05 (g) for acts or omissions of conduct which would cause a reasonable person to have doubts about the individual's honesty, fairness, and respect for the rights of others and for the laws of this State or Nation. The Council vote on this motion was three in favor and three opposed, the motion failed

The case will be re-heard, the staff will issue another notice of hearing to Officer Ryan Lehman at Chester Police Department; the chief from Chester Police Department and also the two State Troopers involved in the arrest of Officer Lehman will be contacted to attend the hearing during the November 18<sup>th</sup> meeting.

At 12:26 p.m the Council took a short break. and Attorney General Foster exited the meeting.

12:30 p.m. the meeting was back in session.

#### **PT&E Request NON CONSENT**

Officer Nicholas Raymond Madbury (PT) and Plymouth (FT) Police Departments (DOH: 08/27/14 Madbury and (10/14/14 Plymouth) requests consideration for full-time police officer certification based on prior training and experience. Officer Raymond completed his certification on June 14, 2014 at the Ohio Peace Officer training academy at Hocking College, Nelsonville, Ohio.

At issue was that while Officer Raymond had completed a full time police academy, he had never worked in law enforcement. Council members discussed the Ohio's academy hours compared to New Hampshire PSTC Academy hours and requirements of each academy.

Motion by Chief Sullivan, seconded by Chief Cahill to deny the request for prior training and experience certification by Madbury Police Department and Plymouth Police Department for Nicholas Raymond. The council vote was unanimous in favor of the motion 6-0.

## CONSENT CALENDAR

Addendum Items 1, 2, 4, 5 and 6 were added to the consent calendar

Addendum #1

Richard Gaudreau, Conway Police Department

Officer Richard Gaudreau, Conway Police Department (DOH: 09/22/14). **Not Part-time certified.** Council 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 166<sup>th</sup> academy and may continue working only in the direct presence of a certified officer.

Addendum #2

Request by New Hampshire Department of Corrections

Prior training and experience for **PPO's Keith Phelps and Michael Duffen** to regain Corrections Officer Certification status.

Addendum #4

Officer Todd Muilenberg, Rindge Police Department (DOH: 09/22/14) requests extension through the end of the 166<sup>th</sup> Full-Time Police Officer Academy. Council will grant 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 166<sup>th</sup> academy and may continue working only in the direct presence of a certified officer.

Addendum #5

Officer Todd Muilenberg, Rindge Police Department (DOH: 9/22/2014) requests consideration for full-time police officer certification based on prior training and experience. Council will grant certification upon successful completion of the medical exam, entrance fitness test, and the Law Package of the Full-Time Police Officer Academy.

Addendum #6

James Watson, Police Standards and Training Council

Officer James Watson, Police Standards and Training Council (DOH: 08/22/14) requests extension through the end of the 166<sup>th</sup> Full-Time Police Officer Academy. Council will grant 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 166<sup>th</sup> 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

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

166<sup>th</sup> Academy January 5, 2015 to April 10, 2015; entrance fitness test December 22, 2014

167<sup>th</sup> Academy May 4, 2015 to August 21, 2015; entrance fitness test April 20, 2015

**The 167<sup>th</sup> Academy will be the first academy to initiate the change from 14 to 16 week duration.**

#### Part-Time Police Officer Academy

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

#### New Hampshire Department of Corrections Academy

98<sup>th</sup> September 15, 2014 to November 14, 2014, entrance fitness test September 2, 2014

(Extension Part Time)

Jonathan D. Francis, Bristol Police Department (DOH: 02/02/14) requests extension through the end of the 269<sup>th</sup> Part Time Academy. Council will grant 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 269<sup>th</sup> Part Time Academy and may continue working only in the direct presence of a certified officer.

(Extension Fulltime)

Michael D. Lobsinger, Hopkinton Police Department (DOH: 09/22/14) **Not Part-time certified** requests extension through the end of the 166<sup>th</sup> Full-Time Police Officer Academy. Council will grant 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 166<sup>th</sup> academy and may continue working only in the direct presence of a certified officer.

David Lockerby, NH Fish and Game Department (DOH: 09/19/14) **Not Part-time certified** requests extension through the end of the 166<sup>th</sup> Full-Time Police Officer Academy. Council will grant 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 166<sup>th</sup> academy and may continue working only in the direct presence of a certified officer.

Mark Ciarfella, Madison Police Department (DOH: 07/01/14) **Part Time certified** requests extension through the end of the 166<sup>th</sup> Full-Time Police Officer Academy. Council will grant 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 166<sup>th</sup> academy.

Amanda Gauthier, Rye Police Department (DOH: 09/09/14) **Not Part-time certified** requests extension through the end of the 166<sup>th</sup> Full-Time Police Officer Academy. Council will grant 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 166<sup>th</sup> academy and may continue working only in the direct presence of a certified officer.

Rachael Lang, Litchfield Police Department (DOH: 09/08/14) **Not Part-time certified** requests extension through the end of the 166<sup>th</sup> Full-Time Police Officer Academy. Council will grant 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 166<sup>th</sup> academy and may continue working only in the direct presence of a certified officer.

Jason Sanborn, Somersworth Police Department (DOH: 09/21/14) **Not Part-time certified** requests extension through the end of the 166<sup>th</sup> Full-Time Police Officer Academy. Council will grant 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 166<sup>th</sup> academy and may continue working only in the direct presence of a certified officer.

Jordan Boisvert, Pembroke Police Department (DOH: 09/08/14) **Not Part-time certified** requests extension through the end of the 166<sup>th</sup> Full-Time Police Officer Academy. Council will grant 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 166<sup>th</sup> academy and may continue working only in the direct presence of a certified officer.

Adam Howard, Charlestown Police Department (DOH: 08/25/14) **Part Time certified** requests extension through the end of the 166<sup>th</sup> Full-Time Police Officer Academy. Council will grant 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 166<sup>th</sup> academy.

Requests for Specialized Training Grant Funds (Balance: \$11,028.84 )

Berlin Police Department was granted funds for Corporal William Daisey to attend the DWI Instructor class at Institute of Police Technology and Management in Jacksonville, FL from December 7, 2014 to December 12, 2014.

**Ongoing Physical Fitness Testing**

Reminder letters for those who are due for three year fitness testing were sent out on October 10, 2014, over 550 letters were sent.

**Other New Business**

Institute for Intergovernmental Research, their thank you letter was appreciated.

Next month

Coos County Department of Corrections submitted a request to continue to allow lodging for their *County Corrections* cadets as they attend their academy.

Addendum #3

Addendum number three for October's agenda, addressing civilian employees at the Department of Corrections being granted prior training and experience for Correction's Officer Certifications.

Motion by Chief Sullivan, seconded by Judge Gardner, to table addendum number three, the request of the New Hampshire Department of Corrections until the November 18, 2014 meeting. Council vote was unanimous in favor of the motion, 6-0.

**Next Meeting Date/Adjournment**

The next regular meeting of the Council, #448 is currently scheduled for Tuesday, November 18, 2014, at the Arthur D. Kehas Law Enforcement Training Facility and Campus in Concord, New Hampshire.

Director Vittum recognized Chief James Sullivan for his many years of membership service on Police Standards and Training Council.

Motion to adjourn by Chief Sullivan, seconded by Chief Cahill, the meeting adjourned at 1:15 p.m.

Respectfully submitted,

  
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Vice Chairman William Wrenn.