

During the September 28, 2010 Police Standards and Training Council meeting there will be a hearing for any public comments for the proposed changes to rule **Pol. 402.02 Revocation or Suspension** to readopt and amend.

The language in the initial proposal to the New Hampshire Office of Legislative Services Rulemaking Register is as follows:

Pol 402.02 Revocation or Suspension.

(a) The council shall, unless it has just cause to do otherwise as provided in (e) below, order the suspension or revocation of the certification of any police or corrections officer for any of the following reasons:

- (1) The certification was obtained by fraudulent or illegal means;
- (2) The officer has been convicted either prior to or after certification of a crime which constitutes a felony in this or any other state, territory, province or country;
- (3) The officer has been convicted either prior to or after certification of a misdemeanor for which there was a sentence of incarceration, regardless of whether all or part of the sentence was suspended;
- (4) The officer has been convicted either prior to or after certification of a crime of moral turpitude or of a crime which tends to bring discredit on the police or corrections service, including but not limited to:
  - a. Theft;
  - b. Assault;
  - c. DWI;
  - d. Criminal threatening;
  - e. Reckless conduct;
  - f. Corrupt practices;
  - g. Falsification of documents or evidence;
  - h. Fraud;
  - i. Sexual assault;
  - j. Public indecency;
  - k. Stalking or criminal violation of a protective order;
  - l. Reckless driving; or
  - m. Disobeying an officer;
- (5) The officer's discharge has become final or he or she has been allowed to resign in lieu of discharge from police or corrections employment in this or any other state,

country, or territory for reasons of a lack of moral character as defined in Pol 101.28 or Pol 402.02 (k) or moral turpitude as defined in Pol 101.29 or 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 the state or nation.

(6) The officer has, after being hired as a police, corrections or probation/parole officer:

- a. Used marijuana;
- b. Illegally used or possessed any other controlled substance; or
- c. Illegally purchased, sold, cultivated, transported, manufactured, or distributed a controlled drug or an imitation controlled drug.

(7) The officer is unable to continue as an active duty police, corrections or probation/parole officer for a period of 45 days or more by reason of a severe level mental disorder as diagnosed by a psychologist or psychiatrist who uses mental status examinations and standardized psychological tests normed for police or corrections officers;

(8) A ~~chief~~ law enforcement officer has willfully:

- a. violated council rules relative to himself or herself or the officers working under his/her control; or
- b. submitted false or forged documents; or
- c. misrepresented a document or testimony before the council;

PSTC will accept comments in writing until October 8, 2010.

Please contact Chief Timothy Merrill for copies or questions, 271-2133