

## ***MINUTES***

***July 26, 2005***

The 338th meeting of the NH Police Standards and Training Council was called to order at 9:06 a.m. by Chairman Michael L. Prozzo, Jr., of the Sullivan County Sheriff's Department, in the John D. Morton conference room at the Police Standards and Training Facility in Concord, New Hampshire.

***Members Present:*** Sheriff Scott A. Carr, Carroll County Sheriff's Department; Chief William L. Wrenn, Jr., Hampton Police Department; Chief Michael J. Magnant, Portsmouth Police Department; Chief Gregory C. Dodge, Epping Police Department; Chief Peter P. Morency, Berlin Police Department; Associate Justice Norman E. Champagne, Manchester District Court; Attorney General Kelly A. Ayotte; Commissioner Stephen J. Curry, Department of Corrections; and Charles Annal, Deputy Commissioner and designee of Commissioner William G. Simonton of the NH Community Technical College System.

***Staff Present:*** Director Keith H. Lohmann, Assistant Director Robert B. Stafford, Jr., Paralegal Cassandra Erickson, and Council Secretary Denise Crocker.

Associate Justice Stephen H. Roberts, Dover District Court, and Colonel Frederick H. Booth, NH State Police, were excused from the meeting due to prior commitments.

### ***Approval of Minutes***

Following a motion by Commissioner Curry, seconded by Chief Morency, the Council voted unanimously to accept the Minutes of June 28, 2005, as presented.

### ***Director's Report***

**Staff Training Grant.** The Director requested the Council to earmark \$5,000.00 in Specialized Training Grant Funds for staff training. On a motion by Deputy Commissioner Annal, seconded by Attorney General Ayotte, the Council unanimously granted the Director's request to earmark \$5000.00 in Specialized Training Grant funds for staff training.

**HB2.** The Director outlined to the Council Police Standards and Training's position as a result of HB2. The Audit found that the \$650,000 that the Director had questioned did belong in the PSTC account and has been incorporated into its revenue line. Additionally, the auditors found another \$137,000 that has now been incorporated into PSTC revenues. Our business manager and the Auditors had some disagreement with the disbursement of expenditures. The final result of the transfer of revenue and expenditures shows that when the books are closed for FY 2005, PSTC will have basically broke even. The slight surplus of \$78,000, which will only be finally

determined when the books are closed on the fiscal year, should occur about September 30. Revenues were at \$3,195,428 which was a 3% increase over 2004 and PSTC had expenditures of \$3,117, 228 which was nearly a 16% increase of 2004. The reason for the large increase over FY 2004 was when it appeared the revenues last year were going to fall short, the Director tightened up significantly on the expenditures. This resulted in a 16% lapse back to the penalty assessment (thus, whatever amount is left over from the budget in a given year goes back into the penalty assessment, which is in effect our 'reserve' or 'savings account.'). This, all taken together, left PSTC with a penalty assessment balance at the end of this year of \$2,895,064. This year we lapsed about 7.8% of our budget back to the penalty assessment. The Director had anticipated a 6% lapse; the difference was due in part to vacant positions. The Director updated the Council on the three vacancies. He has made one conditional offer that has been accepted and plans to be making two more offers in the near future; the Director expects that PSTC will be fully staffed by the next Academy.

The Director asked for Chief Wrenn and Chief Dodge's comments regarding the Legislature's position on the Reserve Fund. The Director feels the question becomes how much can PSTC sustain as a reserve. The reason PSTC requires a reserve is partially due to the sporadic distribution of funds to the agency. PSTC must make quarterly transfers to the General Fund to reimburse for expenditures. Other items such as salary and benefit adjustments, new collective bargaining agreements, reclassifications, promotions, catastrophic repairs, additional fringe benefits to retirees also come out of our reserve fund, because these sorts of expenses cannot be anticipated. The question becomes a matter of policy of what the Council is looking to hold as a reserve. The Director recommends \$3 million. Chief Wrenn concurred with the Director that a one-year reserve is appropriate. Chief Wrenn felt the greater problem was the Legislators' lack of understanding for what this agency was using the reserve.

Chief Wrenn felt that the Legislators thought that the Penalty Assessment was completely funding the budget and the PSTC was just "sitting on this nest egg." Chief Wrenn suggested that PSTC provide the Legislators with information to have a better understanding of how our reserve fund is utilized; Chief Wrenn also urged the Council to be proactive in its search for new sources of funding. Commissioner Annal suggested that PSTC create a generic sheet of information. Sheriff Prozzo suggested that this correspondence come from the Council itself and not the Director.

Chief Magnant asked how the change in the penalty assessment was going to affect the Council. The Director indicated that there was no way to know exactly how it will affect the agency. Statistical projections indicate it will probably break even. However, the Director noted that he received a call from a Police Chief stating that his officers were going to be more reluctant to write tickets with the increase in fine rates. Chief Magnant then questioned how to approach officers to encourage them to write tickets for traffic violations. The answer may be in doing research on what other states are charging and then educating the officers on NH fines versus other states' penalties.

Attorney General Ayotte suggested providing the officers with statistical data on the effectiveness of issuing warnings versus tickets in relation to public safety. Chief Wrenn suggested providing in-service training focusing on attacking the problem of aggressive drivers and road rage. Chief Wrenn also felt putting articles in *Articulable Suspicion* on this topic would be a good idea. The Director noted that a new program was being developed to replace *Looking Beyond the Traffic Ticket* which may offer some solutions. Sheriff Prozzo noted the Council needed to be proactive rather than reactive in this matter. The Director will write an article on the subject for the Legislative Issue of *Articulable Suspicion* which should be distributed by mid-August.

**Council Member Reappointments.** The Director recommended that the Council Members whose terms have expired and who would like to be reappointed to write to the Governor and let him know that they would like to continue serving on the Council.

**Meeting Date Changes.** The Director reminded the Council Members that the August Meeting Date was changed from August 23 to August 30. The Director also noted that the September Meeting date falls during the IACP Meeting and he recommended that the September Meeting be moved from September 27 to September 20. He also noted that there is likely to be a contested hearing at the August 30 meeting with an officer and his attorney present.

**Rule Change.** Pol 404.06(b) is being changed to reflect that the Council will not require a Form D, pursuant to Pol 301.04, to be submitted for the 3-year fitness testing procedure. A very strict reading of the current rules suggests that the medical waiver required for 3-year testing is the Form D, which is the long form that recruits submit when they are entering the Academy. The submission of this form was never the intent of the Council and the Director does not currently require submission of a Form D; however, one department's legal counsel is directing them to have this form completed for the 3-year fitness testing because of a literal reading of the rule. As part of the rule making process Cassie requested and received a fiscal impact statement and the next step is to schedule a public hearing. The Director will attempt to schedule that hearing as part of the regular meeting in either August or September depending on the timing of Legislative Services. We typically schedule this hearing during the regular meeting and we usually do not have any live testimony.

**Last Graduation.** The Governor was at the last graduation along with Joe Estey, President of the IACP and Chief of the Hartford, Vermont Police Department. It was very well received by both. The Director remarked about how he remains awestruck at an Academy graduation.

**Chief's Meeting.** Several meetings back, the Council had asked the Director to speak to the Chiefs about the Council rules, requirements and submission of forms. It was originally scheduled for the spring and it subsequently got bumped. It has been rescheduled for August 9<sup>th</sup> at the next Chiefs' meeting which is being held at PSTC.

**Training Calendar.** The next Training Calendar is in process and should be available about August 15<sup>th</sup>; at that time the Director will also announce the training part of the website which is still pending due to a couple of additional enhancements that needed to be accomplished to ensure better performance of the program.

***PT&E Requests***

**Stephen E. Nicosia, New Hampshire State Police** . The Director outlined the request of Stephen E. Nicosia, NH State Police, for prior training and experience. On a motion by Chief Wrenn, seconded by Sheriff Carr, the Council voted unanimously to accept staff recommendation and grant Officer Nicosia full-time certification upon successful completion of the medical, PT test, New Hampshire Law Package at the Full-Time Academy and First Aid/CPR, if lapsed, provided that the items checked “No” on Form A were typographical errors. (Note: A phone call was made to Colonel Booth’s secretary and she advised that that the “No’s” that were “X’d” in were, in fact, typographical errors and a corrected form would be sent to PSTC).

**Gerald S. Lewis, Windham Police Department**. The Director outlined the request of Gerald S. Lewis, Windham Police Department for prior training and experience. On a motion by Chief Wrenn, seconded by Sheriff Carr, the Council voted unanimously to accept staff recommendation and grant Officer Lewis full-time certification upon successful completion of the medical, PT test, and New Hampshire Law Package at the Full-Time Academy. Officer Lewis’s First Aid/CPR certifications are current.

***Specialized Training Grants***

The beginning balance as of July 1, 2005 was \$55,436.00.

The Council granted \$5000.00 for staff training on a motion by Deputy Commissioner Annal and seconded by Attorney General Ayotte.

The Director noted the reason for the high number of training grant requests this month was due to the result of having to hold the grant requests that were submitted prior to the new fiscal year requesting funds from the FY2006 budget before it passed.

There were two grants that were preliminarily approved after a conversation with the Chairman due to the proximity of the dates of the course with the date of the Council Meeting and the Director will be asking the full Council for approval of those two grants today.

**Command Training Programs**

The Director outlined the requests of **Seabrook Police Department, Moultonboro Police Department, Sandwich Police Department, Rochester Police Department, and Concord Police Department** to send officers to the Command Training Series First Line Supervisor Course from September 11 – 23, 2005 at Roger Williams University in Rhode Island and **Amherst Police Department** to send an Officer to the Command Training Series First Line Supervisor Course from November 28 – December 9, 2005 at Roger Williams University in Rhode Island at a cost of \$1,000 for each officer. On a motion by Chief Dodge, seconded by Chief Morency and amended by Chief Wrenn to include the requested grant by **Sullivan County Sheriff’s Department** which was handed out at the meeting for Command Training of an officer for the November 28 – December 9, 2005, date, the Council voted unanimously to grant all the listed departments the requested grant money of \$1,000 for each officer.

**Other Training****In-State Training Grant - Dover Police Department**

The Director outlined this grant request for the Council citing the fact that with In-State Grant requests PSTC pays for up to two-thirds of the tuition costs only. This grant was preliminarily approved for \$3819.00 due to the dates being so close to the July meeting. Staff presented the pre-approved grant for a maximum of 16 NH Tactical Officers (6 Dover/Durham; 10 Seacoast SRT) to attend the 3-day Tactical Swimmer program and the 1-day Boat Interdiction class sponsored by HSS International, Augusts 15-18, 2005, with an amended cost of \$4,993.33 for full Council approval. On a motion by Attorney General Ayotte, seconded by Judge Champagne to approve the grant based on staff recommendation, the Council voted to grant Dover the \$4,993.33 for the In-State Training Grant. Chief Wrenn and Chief Magnant abstained from the vote.

**Durham Police Department.** The Director brought before the full Council the second pre-approved grant that was acted upon due to time constraints. He outlined the grant request of the Durham Police Department to send Deputy Chief Rene Kelly to the Under Aged Drinking Enforcement Training Center's 6<sup>th</sup> Annual Law Enforcement Leadership Conference: "Law Enforcement & Communities: Sustaining Progress and Blazing New Trails" in Tucson Arizona, August 17-21, 2005, for \$864.49. On a motion by Attorney General Ayotte, seconded by Judge Champagne, to approve the grant based on staff recommendation, Chairman Prozzo posed the question of the high cost of the airport parking fees included in the expenses. The Council discussed this matter and with concurrence by Attorney General Ayotte and Judge Champagne the motion was amended and the Council then voted to approve the grant minus the parking fees portion. The Council requested the Director to contact Deputy Chief Rene Kelly and ask the Deputy Chief to find an alternative to airport parking.

**In-State Training Grant – Concord Police Department.**

The Director outlined the request of the Concord Police Department for an In-State Training Grant to host a 5-day "Hostage Rescue Techniques" course the week of August 8 – 12, 2005, at a cost of \$367.00 per student for a maximum of 30 students. On a motion by Chief Wrenn, seconded by Chief Dodge, the Council unanimously voted to approve the grant request for a maximum of \$11,000 to assist those students who successfully complete this program.

**Claremont Police Department.** The Director outlined the request of the Claremont Police Department to send Detective Jesse Vezina, Special Victim's Unit, to the "Beyond Finding Words" course in Gulfport, Mississippi, September 11-16, 2005, at a cost of \$1,246.66. On a motion by Chief Wrenn, seconded by Chief Dodge, the Council unanimously voted to approve the grant request for \$1,246.66 to the Claremont Police Department.

**Laconia Police Department.** The Director outlined the request of the Laconia Police Department to send Sergeant Steven Clark to the 31<sup>st</sup> Annual Conference of the International Outlaw Motorcycle Gang Investigator's Association in Laughlin, Nevada, September 29 – October 1, 2005 at a cost of \$677.33. On a motion by Chief Wrenn, seconded by Chief Dodge, the Council unanimously voted to approve the grant request for \$677.33 to the Laconia Police Department.

**Seabrook Police Department.** The Director outlined the request of the Seabrook Police Department to send Detective Scott Mendes to the Master Public Information Officer Certification Course in Fort Lauderdale, Florida, November 13 – November 18, 2005 at a cost of \$937.46. On a motion by Chief Wrenn, seconded by Chief Dodge, the Council unanimously voted to approve the grant request for \$937.46 to the Seabrook Police Department.

**Portsmouth Police Department.** The Director outlined the request of the Portsmouth Police Department to send Sergeant Frank Warchol and Officer Eric Kinsman to the Institute of Police Technology and Management (IPTM): Crash Data Retrieval System Certification Course (CDR), Jacksonville, Florida, November 27 – December 1, 2005 at a cost of \$1,590.08. On a motion by Chief Wrenn, seconded by Chief Dodge, the Council unanimously voted to approve the grant request for \$1,590.08 to the Portsmouth Police Department. Chief Magnant abstained from the vote.

**Bridgewater Police Department.** The Director withdrew Bridgewater Police Department's grant request from the agenda due to changes that Chief Thompson needs to make in the request. The Chief will resubmit the request at a later date.

Chairman Prozzo noted that by the Council deciding to permit in-state training to apply for grants under the specialized grant training funding program, it has given the Council the opportunity to train more officers.

#### ***Other Business***

#### **PSTC Approval of a Firearms Training 50-Round Qualification Course by the Londonderry Police Department**

The Director highlighted the proposed firearms program submitted by the Londonderry Police Department requesting a waiver under 404.03 (d). The current course that they are proposing could be interpreted as somewhat more difficult than the PSTC qualification course. Londonderry is requesting a 50-round course as opposed to a 37-round course. This course requires on its face 75% proficiency which is in keeping with PSTC's 75%. In PSTC's case, officers must score 27 out of 36 and Londonderry's proposal is 37 out of 50. Jeff Mullaney, who is a firearms instructor, took a look at it and said he would preliminarily approve it; however, he would recommend 80% proficiency and 17 to 19 on the skills course which is phase 1. The Director believes the course may be more difficult because it does require more movement than the PSTC course. The Director has advised the Londonderry Police Department that they could fire this course of fire but could not use this course for qualification for now and to continue to use the PSTC course of fire for qualification.

Items for the Council to consider:

- It's a shorter course than the PSTC course.
- Less shooting from the 25 yard line (i.e., our course requires 6 rounds out of 36 at the 25 yard line; theirs requires 5 out of 50; our course requires 8 from the 15 yard line; theirs requires 3 at 15 and 6 from the 12-yard line, again out of 50.)

- The most significant point here is that Londonderry is asking for approval to do this course of fire only once. Our rules require that you should fire the 36 round course and pass it twice consecutively. Our experience has been that this is significant. It is not unusual at all for officers to shoot our course of fire and pass it once out of five, six or ten times; but to pass it twice consecutively requires skill, they don't usually get lucky twice.

Again as a point of history, several years ago Dover asked for approval for a single course of fire, the Director denied it; Dover appealed to the Council and the Council denied it; Dover appealed it a second time and the Council still denied it. When PSTC went to 2 consecutive qualifications, the rule change happened in 2001. This was done knowingly because it does make it more difficult. The Director likes Londonderry's course of fire but he feels the one-time qualification is insufficient. Londonderry makes the case that because it is being done in three stages and all three stages have to be passed that is the equivalent of doing the PSTC course of fire twice. Another issue is the limited amount of shooting time from the 25-yard line. The Director's recommendation is that Londonderry's Course of Fire program should not be used as PSTC Qualification. Chief Wrenn agrees that there should be two courses of fire. Chief Morency who is a firearms instructor agrees that Londonderry has a great training course but not necessarily the best qualification course.

On a motion by Chief Wrenn, seconded by Chief Morency to not grant approval of Londonderry Police Department's request for their Course of Fire course to be used as a PSTC Qualification Course, the Council unanimously voted to not grant their approval of Londonderry's request.

### **Fitness Testing**

**Department of Corrections.** Officer Mary McCormack requested an additional 6-month medical extension at the recommendation of her physician to comply with NH RSA 188-F:27, III-d and III-f. On a motion by Judge Champagne, seconded by Chief Wrenn, the Council voted unanimously to grant the 6-month extension to Officer McCormack.

**Department of Corrections.** Officer Daniel LeBlanc requested an additional 6-month medical extension at the recommendation of his physician to comply with NH RSA 188-F:27, III-d and III-f. On a motion by Judge Champagne, seconded by Chief Wrenn, the Council voted unanimously to grant the 6-month extension to Officer LeBlanc.

**Hillsborough County Sheriff's Office.** Deputy Norma Traffie requested an additional 6-month medical extension at the recommendation of her physician to comply with NH RSA 188-F:27, III-d and III-f. On a motion by Judge Champagne, seconded by Chief Wrenn, the Council voted unanimously to grant the 6-month extension to Deputy Traffie.

**Department of Corrections.** Officer Tobias Wolfe requested an additional 6-month medical extension to comply with the PT testing requirements of RSA 188-F:27 (d) and (f). On a motion by Judge Champagne, seconded by Chief Wrenn, the Council voted unanimously to grant the 6-month extension to Officer Wolfe.

**Bath Police Department.** On a hand-out by staff, Chief Dennis MacKay requested a 6-month medical extension to comply with the PT testing requirements of RSA 188-F:27 (d) and (f). On

a motion by Judge Champagne, seconded by Chief Wrenn, the Council voted unanimously to grant the 6-month extension to Chief MacKay.

**Investigator Colin Daniels, Pari-Mutual Commission,** requests an additional 6 months to comply with the PT testing requirements of RSA 188-F:27 (d) and (f). After receiving an initial extension in January 2005 as a result of an injury, Investigator Daniels took and failed the PT test on Jul 15<sup>th</sup>. In regard to this request, the Council felt no action was necessary as the PSTC rules do not require the Council to approve interim extensions when an officer fails the testing. The rules give the officer a maximum of two years to successfully pass the testing requirements. The Council asked Paralegal Cassandra Erickson to flag this officer's file and periodically notify him of his status and his time remaining to pass the testing requirements.

**Chief Wrenn brought the following items before the Council**

**Evaluation of Director's Performance and PSTC.** Chief Wrenn felt that since the Council Members do not work directly with the Director on a day-to-day basis, it is difficult to evaluate his performance and the effectiveness of the Council. Chief Wrenn's recommendation was that a survey be created and sent out to the staff & Police Departments to solicit feedback on the performance of the Director & Council. Chief Wrenn believes the survey should come from the Council Members. Deputy Commissioner Annal suggested creating a system of goals and evaluating how successful the Director was at meeting the goals. Deputy Commissioner Annal indicated that this is the method the college system uses to evaluate the college presidents. The Council decided the Director will draft a survey to be sent out to the Law Enforcement Community which the Council will review and formally approve. The information collected from the survey will be used to assist in formulating goals for PSTC and the Director. The Council will work on an internal survey for staff.

**Academy Weeks 11 and 12.** One of the Chief's in the State requested Chief Wrenn to bring forward an issue surrounding Academy weeks 11 and 12 being optional commuter weeks when the Chief thought the Full-Time Academy was live-in. The Chief felt if the last two weeks are optional commuter weeks why can't the entire academy be commuter. Chief Wrenn suggested that maybe it should be live-in for the entire academy or commuter for the whole Academy. Sheriff Prozzo refreshed the Council's memory stating that these two weeks became optional live-in/commuter weeks when the Academy went from a 10-week program to a 12-week program. In the initial implementation of the 12-week Academy, recruits did not have to attend the last two weeks if they chose not to attend. The Director confirmed that when the 12-week Academy was put into place PSTC had a Basic Academy and an Enhanced Academy and that there were concerns under Article 28-A of the State Constitution whether PSTC could go beyond the 10 weeks curriculum that was in effect when Article 28-A went into effect. What happened over a period of three years was PSTC stopped calling it a basic and an enhanced academy. It became a 12-week Academy. There was one instance since it changed to just a 12-week Academy where a department refused to send a recruit to the last two weeks. We permitted the recruit to attend just the 10-week session. Since then PSTC has received an opinion from the AG's office for the Part-Time School, but it is analogous to this situation, which states "that as long as the purpose of the training is basically the same we can increase the Academy and there is not a 28-A issue." If PSTC were presented with the same issue today, the Director believes we could say if you do not remain for the 12 weeks you will not get certified. The Director believes that it is a supportable position based on the opinion of the Attorney General's office.



In essence what PSTC is doing right now is we will have an enhanced 13 ½ weeks in the fall Academy and we will have an enhanced 13<sup>th</sup> and 14<sup>th</sup> week at the end of the January Academy on homeland defense which people may choose to come to if they wish. The Director is further hoping to get that to an enhanced 15-week Academy. And, eventually, it will simply become a 15-week Academy. If the Council were going to contemplate a change to make the 11<sup>th</sup> and 12<sup>th</sup> weeks residential, now would be a logical time to do so, since we are adding additional time on the back end of the Academy the way we did in 1993-4.

Sheriff Prozzo went on record stating he feels it would be a good idea to make weeks 11 and 12 residential but serious consideration needs to be given to increased costs and to the impact on the staff. The Director responded he felt the ball-park figure in additional food costs would be around \$10,000. He further felt that could be absorbed in his current food contract. The Director indicated he has not discussed this with staff but he could state with a fair amount of accuracy that it would not be a popular decision. The Director stated that the increased cost and the impact on staff should not directly influence the Council's decision if lengthening the Academy was the right approach to take, as the moment may be right to do so at this time. Attorney General Ayotte questioned whether there would be a need for additional staff hours. The Director assured her staff costs would be minimal. Staff is scheduled so that they do not exceed much over their 40 hour work week by doing overnights.

Sheriff Prozzo felt it should be added to the survey to get a consensus from the Chiefs as Law Enforcement support is needed if it is to be successful.

The Director noted that the last Academy had an additional 4 days added for Homeland Security. The Fall Academy will have 8 days added; the January Academy will have 10 days added, bringing the Academy to 14 weeks; it is still undetermined when the 15<sup>th</sup> week will be added.

**6-Mile Pride Run.** Chief Wrenn brought this concern before the Council on behalf of a Chief in the State who was concerned about the 6-mile Pride Run at the end of the 12<sup>th</sup> Week of the Academy. The Chief understood it was a requirement. The Chief's concern was what if his officer sustained an injury and was put out on workman's compensation. Chief Wrenn felt the Chief did have a point when new requirements are added to the end of an Academy that could affect an officer's functioning upon return to his department.

The Director explained the process of how the Academy is run. The final PT test is done at the end of week 10. During weeks 11 and 12, physical training is done twice a week. The Pride Run is one of the activities during the last two weeks. The run is 6.2 miles at a slow pace and the likelihood of injury is relatively low. As far as the Director is concerned even though the recruits have passed the PT test, physical training is a requirement of the Academy and it shouldn't be optional. If you are coming to the Academy and PT is part of the schedule for the day you should be participating unless you are injured. During the Academy itself, the requirement is for a 1.5 mile run but very typically 3 mile runs are done by the second week of the Academy. If it is the length of the run that is the issue, we go well beyond that because its physical conditioning not just getting people through a mile and a half run.

When Chief Wrenn brought this matter up to the Director, the Director questioned whether we should be doing the final PT test in week 12 as opposed to week 10. The Director indicated that this is another argument for making weeks 11 & 12 residential mandatory. One of the issues is

when it is non-residential it is very difficult to schedule physical training; typically we have done it in the morning as we always have but the staff in this Academy asked if could do it in the afternoon because people didn't want to show up early to do PT at 5:30 am in the morning; but then schedules had to be altered and PT canceled because of oppressive heat.

Chief Wrenn agreed with the Chief on the fact that if the officer were injured it could result in a workman's comp claim; but he also agreed with the fitness position the Director has taken. Chief Wrenn suggested if it is optional then we need to emphasis that it is just that and if it is mandatory then it needs to be in the Academy literature. Sheriff Prozzo suggested letting things remain status quo until the survey results come in. Sheriff Prozzo suggested including in the survey what a 12, 13, 14, & 15 week Academy would look like. Sheriff Carr felt it is important to educate the departments on how we fare with the other states in regard to training requirements. The Director indicated he would bring a typical Academy schedule to the next meeting for the Council's review.

### **Colin Wentworth Hearing**

At the last meeting the Council advised the Director that the Council's wishes were to have a separate date for the Colin Wentworth Hearing. The Assistant Director spent several days in the North Country doing interviews. The Director is seeking legal advice from the Attorney General's Office regarding discovery as a result of Colin Wentworth's attorney sending the Director a six-page letter with 27 items for discovery. Colin Wentworth's attorney had suggested dates at the end of August for the hearing. Those dates conflicted with the Council's regularly scheduled meeting at which there is going to be another contested hearing.

The Council asked the Director to advise Colin Wentworth's Attorney that the Council has set the date of September 13, 2005 at 9 a.m. in the John Morton conference room at the Police Standards and Training Offices as the hearing date, time and place. Chief Morency and Colonel Booth will be recused from the hearing process. Council Members will keep September 15<sup>th</sup> available for deliberations on this case in the event it is necessary.

### **Nonpublic Executive Session to discuss Personnel Matters**

The Director requested the Council to enter a not public session to discuss personnel matters.

Following the motion made by Sheriff Carr, seconded by Chief Wrenn, the Council voted unanimously on a roll-call vote to enter into a non-public session at 11:35 a.m. for the purposes of discussing personnel matters.

Following the discussion, on a motion made by Chief Wrenn and seconded by Commissioner Curry, the Council voted unanimously to seal the minutes of the non-public session.

Chief Wrenn then made a motion, seconded by Commissioner Curry that the Council carried unanimously on a roll call vote to exit the non-public session at 11:35 a.m.

**Change to the Corrections Academy Curriculum**

The Corrections staff has been working diligently to upgrade the Corrections curriculum and have come up with proposed changes. Ultimately changes to the academies require Council approval but the Director has come before the Council with a request that the Council allow the staff to run the next Academy on an experimental basis to evaluate the outcome of the proposed changes prior to incorporating these changes on a permanent basis. Basically, the change the Corrections staff is proposing is that Firearms be taught outside of the eight weeks of the Academy; it is still going to be a requirement for graduation and we will have a staff member there who will ensure that everyone qualifies. Secondly, the Corrections staff will then take that extra week in the eight week program and add additional topics to the curriculum.

On a motion by Chief Wrenn, seconded by Chief Dodge the Council unanimously voted to grant a one-time curriculum change for the next Corrections Academy to evaluate the proposed changes in the Corrections curriculum with the request that the Director advise the Council of the results of the pilot curriculum.

**HR218 Update**

Nancy Smith advised the Director that she has a 14 page memorandum on the subject. Attorney General Ayotte indicated that she has the memorandum and a lengthy discussion needs to be had on this subject before it is released. Attorney General Ayotte requested the HR218 memorandum be added to the August Agenda.

***Next Meeting Date/Adjournment***

After scheduling the next two Council Meetings for 9:00 a.m., Tuesday, August 30, 2005, and Tuesday, September 20, 2005, respectively, in the John Morton conference room, the Council unanimously voted to adjourn the meeting at 11:46 a.m., on a motion by Chief Morency and seconded by Chief Dodge.

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Chairman Michael L. Prozzo, Jr.