

MINUTES

June 27, 2006

The 349th Meeting of the NH Police Standards and Training Council was called to order at 9:04 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: Chief Timothy Russell, Henniker Police Department; Chief Gregory C. Dodge, Epping Police Department; Chief Peter P. Morency, Berlin Police Department; Sheriff Scott A. Carr, Carroll County Sheriff's Department; Associate Justice Norman E. Champagne, Manchester District Court; Associate Justice Stephen H. Roberts, Dover District Court; Major Barry Hunter, designee of Colonel Frederick H. Booth, NH State Police; Commissioner William L. Wrenn, Jr., Department of Corrections; and Associate Attorney General Ann Rice, designee of Attorney General Kelly A. Ayotte.

Staff Present: Director Keith H. Lohmann, Paralegal Cassandra Erickson and Secretary Denise Crocker. Assistant Director Robert B. Stafford, Jr. was excused from the meeting for a prior commitment.

Chief Michael J. Magnant, Portsmouth Police Department; Deputy Commissioner Charles Annal, designee of Commissioner William G. Simonton of the NH Community Technical College System, Colonel Frederick H. Booth, NH State Police; and Attorney General Kelly A. Ayotte were excused from today's meeting due to prior commitments.

Guests: Department of Corrections Officer Randy Inman, Major Ross Cunningham, DOC; and DOC Unit Manager Tim Moquin.

Approval of Minutes

Following a motion by Chief Russell, seconded by Judge Roberts, the Council voted unanimously to accept the Minutes of the May 23, 2006 meeting as presented.

Director's Report

Police Academy. The 140th Academy will be graduating Friday, June 30, 2006. Once again, PSTC will be honored by the Governor's presence. Therefore, there will be two guest speakers at this graduation. Sheriff Carr, President of the NH Sheriff's Association,

will be the other honored speaker at this event.

Jeff Noyes/Model City. Jeff Noyes has been the instructor of this training for approximately two years. This class is federally approved for Incident Command System training. The program has been extremely popular and Jeff has been to numerous police departments to do this program. The difficulty that PSTC is currently encountering is that it takes four people to run the model city and we can't find enough instructors to assist Jeff. The grants administrator at the Department of Safety gave approval to use Homeland funds to pay instructors to assist with training and PSTC still can't get people to assist with this program.

Chief Russell noted that if PSTC doesn't have the manpower or means to provide the quality training that this institution should be providing then PSTC shouldn't do the training. Commissioner Wrenn asked if PSTC has done any Train the Trainer classes for this program. The Director noted that three sessions of Train the Trainer have been done at PSTC. Commissioner Wrenn agreed with Chief Russell that individuals should not be used to assist in the program unless they have been through the Train the Trainer program.

The Director noted he plans to run another training program for instructors and that his staff is already trained but their availability is very limited. What the Director would like to suggest is that the larger departments which plan to train their entire organizations be requested to send a few officers to the instructor class to qualify them to assist in the training sessions for their departments. The Council felt that this was a reasonable request.

FY07 Training Grant Funds. The Director is requesting \$5000 for Training Grant Funds for Academy Staff.

Medical/Other Issues of Recruits. A Pelham recruit reported on her medical form that she had issues with dizziness in high school. She came to the Academy and completely passed out on one occasion and almost passed out on two other occasions during periods of exertion. She was sent to the emergency room and the physicians couldn't give the agency an answer about her condition. Her Police Department sent this recruit for a follow up medical evaluation. The Chief indicated that the follow up report indicated that the medical condition was more significant than had been originally disclosed and based upon that information the department terminated her employment. This recruit has taken her case to arbitration. The recruit called the Director and he advised her that there was nothing that he could do for her at this time since she was no longer employed as a police officer but should she become employed as an officer again the Director advised her that he would need to assess all medical records to determine whether she could fulfill the duties of an officer before she could be considered certifiable.

ISSUE 2. A recent recruit from UNH came through the officer survival/simulations program with an extremely poor score due to very aggressive behavior. He was put through remedials and he waffled between very aggressive and non-responsive behavior.

The Director felt it was apparent that his judgment skills were clouded. Staff advised the Director that he was a martial arts guru who had taught survival skills to police officers.

The Director was waiting for written evaluations from staff; and, in the meantime, the Director had spoken with the Deputy Chief at UNH about the matter. UNH told the Director to send the recruit back that they were going to terminate him. The Director had the Commandant in the office and called UNH back and reaffirmed to them that this was still under investigation and no determination had been made but the Director was advised by UNH that they had decided to terminate him regardless. The recruit has been calling Council members, Representatives, UNH, the Director, etc. The Director advised him with a similar response to the Pelham recruit in that if he got hired by another department he could return to the Academy and if he satisfactorily passed officer survival/simulations as well as the rest of the program he would be certified. The Director noted that this individual's training background and 20 years experience has been force-on-force and the Director is not confident that this individual can reprogram his thinking to perform the job of police officer and would not at this point in time feel comfortable certifying him.

ISSUE 3. A medical issue has arisen with an officer who was issued a provisional certification several years ago. The stipulation of the provisional certification was that he be medically evaluated annually and that his medical condition be disclosed to any department who wanted to hire him. The medical condition is epilepsy. He has been under medication. PSTC appointed physicians confirmed that as long as he remained medicated he would be fine and probably would not have any more seizures. This officer has since had two seizures; both while he was asleep. One was because he forgot to take his medication and one was when he changed medications. His department is very concerned about this and the Director made the suggestion that maybe a follow up examination with PSTC appointed physicians may be in order.

Chief Morency asked if this were an ADA issue shouldn't the department be looking into the matter not the Council. The Director felt it was a dual responsibility. Sheriff Carr asked if he still had a driver's license since having the seizure. The Director responded that was paperwork that would have to be filed by the doctor. Commissioner Wrenn felt that both seizure incidents were explainable events. Chief Russell asked if, in fact, the Chief was not willing to make a decision on the matter so he handed over to the Council. The Director informed the Council that this officer was, in fact, a disciplinary problem and was in the process of being demoted. The Director noted this was due to a performance issue. Commissioner Wrenn asked why the Chief wasn't handling this matter.

The Director asked the Council whether it had a responsibility to review the matter since it was brought to its attention. Sheriff Prozzo indicated that Council did have that responsibility. Sheriff Carr questioned what the officer's doctor indicated. The Director stated the officer's doctor stated that he was fine. The Director suggested again sending the officer back to a PSTC appointed doctor. Judge Champagne questioned the necessity of that since it appears the Chief's motives may be something other than the officer's health. Judge Champagne further noted in the two instances that this officer had seizures

they were in his sleep and were explainable with missed or changed medication. Associate Attorney General Rice highlighted the issue of not doing a follow up medical and the officer having a seizure on duty.

Sheriff Prozzo suggested that the Chief provide written evidence that the officer is not complying with his provisional certification and then the Council will investigate the matter further. Commissioner Wrenn indicated that if the Chief provides this written statement, the Council will need copies of the original letter, the officer's certification, the Minutes of that meeting, and the section of the Rules and Regulations that give the Council the authority to act on this matter.

HR 1477-Law Enforcement Safety Act of 2004. PSTC filed a bill to enable the agency to develop Administrative Rules to implement 1477 which included a liability waiver as part of that bill. This bill passed the House and Senate with the Governor signing the Bill on the 6th of June. Staff is now in the process of developing Administrative Rules which the Director anticipates he will have a draft to present to the Council in August.

The Director noted that other states are also struggling with drafting rules to implement 1477. South Dakota, which has a statewide firearms standard like NH, has decided that when individuals come in to qualify and they become qualified, they will be issued a letter that states that "the individual on this date qualified with the following weapon. Very truly yours." That is as far as South Dakota is willing to attest to. South Dakota is not certifying to mental suitability. This would mean that the officers would have to go back to the police departments from which they retired to get that ID card and the onus would be on those departments to make the determination as to their mental suitability.

Commissioner Wrenn agreed that it was up to the individual police departments to issue the ID's. Associate Attorney General Ann Rice suggested that wording be added to any NH qualification referencing the Federal statute stating that this qualification does not qualify in terms of suitability or meeting retirement standards. The Council feels that this is the position PSTC should take. The ID card should be verified by PSTC but the responsibility for suitability and meeting retirement standards should reside with the issuing entity. PTSC will be responsible for firearms qualification only.

Alexandria-Bristol Case/1300-Hours Rule. The Director updated the Council in regard to the Council's request to send Chief Wingate of Bristol a letter about his responsibilities regarding tracking hours for part-time officers. The Director did send the letter to the Chief outlining the fact that he was expected to track part-time officers hours to ensure that they did not exceed the 1300 hours and failure to follow Council rules could result in his being brought before the Council for a hearing. The Director received a phone call from Chief Wingate after he received the letter to offer an explanation. The Chief indicated that since the needs of the department had changed he had offered the officer in question a full-time position in October of 2005 which the officer refused to accept. The Chief then terminated the officer on December 31, 2005.

This part-time officer is currently still employed by Alexandria and is aware that he can

only work 1100 hours in 2006.

Training Calendar. The RFP has been sent out for this year and the deadline for return was June 23rd. Cassie is in the process of reviewing it and will have it to the Director shortly. It is anticipated that the Calendar will be distributed by August 15th.

Community Mental Health Agency of Nashua. PSTC has written a letter of support to this agency which is looking for a grant, in conjunction with the Nashua District Court, to develop a Diversion Program for persons with mental illness. It appears to be a good program and PSTC got involved in the process because there was a training component to the grant and the Director is currently working with the community mental health agencies statewide as well as with NAMI. There are two in-service sessions planned this year for police officers in dealing with people with mental illness. This was probably fortuitous because there was a subcommittee meeting about two weeks ago on House Bill 1680, which was the bill that was going to require 40 hours of mental health training for every police officer and correctional officer in the state. That bill went to interim study. The folks on the subcommittee are still very interested in seeing this bill pass. Jordan Ulery is the Chair of the subcommittee. The Director has spoken with him offering his support and advising the Chairman of what PSTC has been currently doing. There is a State Rep from Rochester as well as Representative Cady, who filed the original legislation, who have now seized on the CIT program. CIT is a program which employs teams who handle calls that involve people with mental illness. These two Representatives want to see the State implement this program. The Director advised the subcommittee that he was willing to do more mental health training but did not feel that training by legislation was a positive or effective approach to training police officers. The Director also agreed to do CIT training but is not convinced that as a state-wide initiative it will be very effective.

New Business

Decertification/Suspensions/Revocations/Surrenders

Collette T. Guevin, formerly of the Hillsborough County Sheriff's Office for violation of 402.02 (a)(5), felony convictions of theft. Ms. Guevin was convicted of two counts of theft by Misapplication of Property by guilty plea on February 10, 2006. She received 2-5 years at the New Hampshire State Prison with one year of the minimum suspended upon full payment of restitution; \$41,509.95 on the first count and \$13,215.50 on the second count. Staff exhibits were

Exhibit A - Employee Status Notification Form A, dated January 1, 1985

Exhibit B - Part-Time Officer's certification, dated December 9, 1985

Exhibit C - Employee Status Notification Form B, dated October 4, 2004

Exhibit D - Certified copies of convictions from Hillsborough County Superior Court, received May 9, 2006

Synopsis: Ms. Guevin worked at the Hillsborough County Sheriff's office for 20 years. Her husband, Gary Guevin is still employed there as a Lieutenant. Ms. Guevin was in charge of receivables, money the public paid to the Sheriff's Office. The focus of the Attorney General's investigation focused on civil warrants/bonds & pre-paid money on civil judgments.

From 1995-2003, Ms. Guevin would receive cash payment from a defendant in a civil action for a cash bond that was issued out of the following district courts: Milford, Manchester, Nashua, Auburn, Portsmouth, Merrimack Goffstown, Salem, Laconia, Hillsborough, Plaistow, Colebrook, and Keene. This money was supposed to be deposited into the Sheriff's office bank account; they would then write a check to the corresponding court and the court would forward the money to the plaintiff. Instead, she would pocket the cash and call the defendant to tell them their court dates had been postponed, several times.

In January 2004, the Sheriff's Office stopped processing warrant/bonds for the Manchester District Court. It appears that Ms. Guevin then began to pocket money from cash pre-payments on civil judgments that were made by defendants. People would come to the window and she would not enter the money into the database.

Three defendants showed up for courts dates at Milford District Court that Ms. Guevin had given them and learned their cases were not docketed and the court had no record of their payments. Milford District Court wrote a letter to the Sheriff's Office in April, 2004 and a search of Ms. Guevin's desk revealed hundreds of pages of receipts and dozens on unprocessed checks.

On a motion by Sheriff Carr, seconded by Judge Roberts, with Judge Champagne and Associate Attorney General Rice abstaining from the vote, the Council voted unanimously to revoke Collette Guevin's certification for violation of 402.02(a)(5) on felony convictions of theft.

Nonpublic Hearing – Randy Inman of the Department of Corrections

Chairman Prozzo read and reviewed Council protocol with Officer Randy Inman. He advised Mr. Inman that he could be represented by an attorney and asked if he wished the hearing to be heard in public or nonpublic session. Mr. Inman requested that the hearing be heard in nonpublic session.

Commissioner Wrenn recused himself from the hearing process.

Following a motion made by Chief Dodge, seconded by Sheriff Carr, the Council voted unanimously on a roll-call vote to enter into a nonpublic session at 10:23 a.m.

Following the discussion of the matter, on a motion made by Sheriff Carr, seconded by Chief Dodge, the Council voted unanimously to seal the minutes of the nonpublic

session.

Sheriff Carr then made a motion, seconded by Chief Dodge, which carried unanimously by the Council on a roll-call vote to exit the nonpublic session at 11:40 a.m.

Upon return to public session, on a motion by Judge Roberts to take the Inman matter under advisement, seconded by Sheriff Carr, the Council voted with five (5) Council Members in favor of taking the matter under advisement and four (4) opposed. Members for were: Major Barry, Associate Attorney General Ann Rice, Judge Roberts, Judge Champagne, Chief Morency; Members opposed were Sheriff Prozzo, Sheriff Carr, Chief Dodge and Chief Russell; Commissioner Wrenn abstained from the vote. The vote carried to take the matter under advisement.

Nonpublic Session - Deliberations – Randy Inman of the Department of Corrections

In the matter of Corrections Officer Randy Inman, the Council entered into a nonpublic session with Commissioner Wrenn recusing himself from these proceedings.

Following a motion made by Judge Roberts, seconded by Sheriff Carr, the Council voted unanimously on a roll-call vote to enter into a nonpublic session at 11:50 a.m.

Following deliberations of the matter, on a motion made by Sheriff Carr, seconded by Chief Dodge, the Council voted unanimously to seal the minutes of the nonpublic session.

Sheriff Carr then made a motion, seconded by Chief Dodge, which carried unanimously by the Council on a roll-call vote to exit the nonpublic session at 12:01 p.m.

Upon return to public session, on a motion by Judge Roberts that Officer Inman's certification be suspended, effective immediately, for 6 months for violation of 402.02, specifically for conduct as set for during the hearing process, with the further stipulation that he attend AA meetings or a similar program once a week for the six-month period and that he return to the Council at the end of the 6-month period with written documentation verifying that he attended the weekly meetings as required, seconded by Sheriff Carr, with Commissioner Wrenn abstaining from the vote, the Council unanimously voted to suspend Randy Inman's certification for 6 months for violation of 402.02, with the stipulations outlined above.

Prior Training and Experience Requests**Full-Time****Christopher W. Storti, Bedford Police Department**

The Director outlined Christopher Storti's request for prior training and experience for full-time certification. The Council members had several questions on information contained on one of the PT&E forms. On a motion by Judge Roberts, seconded by Judge Champagne, the Council voted unanimously to table Officer Storti's request for prior training and experience for full-time certification until the Director has had the opportunity to gather more information and get clarification of information on the form to satisfy the Council's questions.

Part-Time**Daniel A. Whitman, Fremont Police Department**

The Director outlined Daniel Whitman's request for prior training and experience for part-time certification. On a motion by Commissioner Wrenn that due to the length of time that Officer Whitman has been inactive from law enforcement he must attend the entire Part-Time School and upon successful completion of the Part-Time School will then be granted a waiver of the 1300-hours rule and be permitted to work unlimited hours based on his full-time certification in 1996. This motion was seconded by Chief Morency, and the Council voted unanimously to have Officer Whitman attend the entire part-time school and further grant him the waiver of the 1300-hours rule upon successful completion of the part-time school.

Requests for Extensions**Full-Time****Wayne D. Comtois, Mont Vernon Police Department**

After the Director outlined the reason for the request for extension through the 141st Academy, on a motion by Commissioner Wrenn, seconded by Chief Dodge, the Council voted unanimously to grant the extension through the 141st Full-Time Academy to Officer Comtois, Mont Vernon Police Department.

Adam King, Antrim Police Department

After the Director outlined the reason for Adam King's request for extension through the 142nd Academy, Commissioner Wrenn asked whether Antrim would be able to meet

Council requirements that this officer be under strict supervision of a full-time certified officer until he became certified. Council's assessment was that this department was too small to meet that requirement. On a motion by Chief Dodge, seconded by Sheriff Carr to deny this extension, the Council voted unanimously to deny the extension through the 142nd Full-Time Academy to Officer King, Antrim Police Department, and require him to attend the 141st Academy.

Part-Time

Robert J. Johnson, Merrimack County Sheriff's Department

After the Director outlined the reason for the request for extension through the 248th Part-Time School, on a motion by Commissioner Wrenn, seconded by Chief Morency, the Council voted unanimously to grant the extension through the 248th Part-Time School to Officer Johnson, Merrimack County Sheriff's Department.

Corrections

Christy DeWitte, DOC

After the Director outlined the reason for the request for extension through the 83rd Corrections Academy, on a motion by Judge Champagne, seconded by Judge Roberts, with Commissioner Wrenn abstaining from the vote, the Council voted unanimously to grant the extension through the 83rd Corrections Academy to Officer DeWitte.

Mark Nurenburg, DOC

After the Director outlined the reason for the request for extension through the 83rd Corrections Academy, on a motion by Judge Champagne, seconded by Judge Roberts, with Commissioner Wrenn abstaining from the vote, the Council voted unanimously to grant the extension through the 83rd Corrections Academy to Officer Nurenburg.

Jeremy Brisson, DOC

After the Director outlined the reason for the request for extension through the 83rd Corrections Academy, on a motion by Judge Champagne, seconded by Judge Roberts, with Commissioner Wrenn abstaining from the vote, the Council voted unanimously to grant the extension through the 83rd Corrections Academy to Officer Brisson.

Trevor Dube, DOC

After the Director outlined the reason for the request for extension through the 83rd Corrections Academy, on a motion by Judge Champagne, seconded by Judge Roberts, with Commissioner Wrenn abstaining from the vote, the Council voted unanimously to grant the extension through the 83rd Corrections Academy to Officer Dube.

Tony Keene, DOC

After the Director outlined the reason for the request for extension through the 83rd Corrections Academy, on a motion by Judge Champagne, seconded by Judge Roberts, with Commissioner Wrenn abstaining from the vote, the Council voted unanimously to grant the extension through the 83rd Corrections Academy to Officer Keene.

Corey Rogers, DOC

After the Director outlined the reason for the request for extension through the 83rd Corrections Academy, on a motion by Judge Champagne, seconded by Judge Roberts, with Commissioner Wrenn abstaining from the vote, the Council voted unanimously to grant the extension through the 83rd Corrections Academy to Officer Rogers.

Brent Shallow, DOC

After the Director outlined the reason for the request for extension through the 83rd Corrections Academy, on a motion by Judge Champagne, seconded by Judge Roberts, with Commissioner Wrenn abstaining from the vote, the Council voted unanimously to grant the extension through the 83rd Corrections Academy to Officer Shallow.

Stanley Smith, DOC

After the Director outlined the reason for the request for extension through the 83rd Corrections Academy, on a motion by Judge Champagne, seconded by Judge Roberts, with Commissioner Wrenn abstaining from the vote, the Council voted unanimously to grant the extension through the 83rd Corrections Academy to Officer Smith.

Specialized Training Grants**Other Training**

Seabrook Police Department. The Director outlined the request of the Seabrook Police Department for additional funds to cover increased costs to send **Sergeant Jason R. Allen** to the Managing the Field Training Officer Program at IPTM in Jacksonville, Florida from June 12 -15, 2006 for \$304.19. On a motion by Chief Russell, seconded by Chief Morency, the Council voted unanimously to deny Seabrook's retroactive request for additional funds to cover increased costs of Sergeant Allen's training.

Fiscal Year 2007 Specialized Training Grants

Approval of all the following specialized training grants is pending FY07 funding.

Academy Staff Training. The Director requested \$5000 in training grant funds for

Academy Staff Training for FY07. On a motion by Judge Champagne, seconded by Chief Russell, the Council unanimously approved \$5000 in training funds for Academy Staff.

Seabrook Police Department. The Director outlined the request of the Seabrook Police Department to send **Crime Prevention Officer John Mounsey** to the American Crime Prevention Institute's program "Protecting Senior Citizens from Crime" in Louisville, Kentucky from July 9-13, 2006 at a cost of \$867.00. On a motion by Commissioner Wrenn, seconded by Judge Roberts, the Council unanimously voted to grant Seabrook's request for \$867.00 to send Officer Mounsey to the American Crime Prevention Institute's Program.

Seabrook Police Department. The Director outlined the request of the Seabrook Police Department to send **DRE Officer David Buccheri and Prosecutor Scott Mendes** to Medical Foundations of Visual System Testing at IPTM in Jacksonville, Florida from July 30-August 3, 2006 at a cost of \$1594.00. On a motion by Commissioner Wrenn, seconded by Judge Roberts, the Council unanimously voted to grant Seabrook's request for \$1594.00 to Send Officer Buccheri and Prosecutor Mendes to Medical Foundations of Visual System Testing with the stipulation that these officers will make themselves available at the Director's request to assist in teaching similar classes at PSTC.

Moultonborough Police Department. The Director outlined the request of the Moultonborough Police Department to send **MPO Wayne A. Black** to the Damage Analysis and Energy Methods in Traffic Crash Reconstruction program at IPTM in Jacksonville, Florida from July 30 - August 6, 2006 at a cost of \$1,102.67. On a motion by Judge Champagne, seconded by Sheriff Carr, the Council unanimously voted to grant Moultonborough's request for \$1,102.67 to send Officer Black to Damage Analysis and Energy Methods in Traffic Crash Reconstruction.

Durham Police Department. The Director outlined the request of the Durham Police Department to send **Lieutenant Sean Kelly** to the Association of Public Safety Communications Officials Annual Conference and Exposition in Orlando, Florida from August 5-10, 2006 at a cost of \$990.33. On a motion by Chief Russell, seconded by Chief Dodge, the Council unanimously voted to deny Durham's request for \$990.33 to send Lt. Kelly to the Public Safety Conference in Orlando, Florida. The Council has reviewed its position on training grant funds and has established a position that it will not continue to provide funding for annual conferences and expositions.

Department of Corrections. The Director outlined the request of the Department of Corrections to send **Officer Santo Antino Fiorillo** to the Law Enforcement Fitness Specialist Certification program at the Cooper Institute in Dallas, Texas from August 13 - 18, 2006 at a cost of \$1,269.14. On a motion by Judge Champagne, seconded by Sheriff Carr, with Commissioner Wrenn abstaining from the vote, the Council unanimously voted to grant DOC's request for \$1,269.14 to send Officer Fiorillo to the Cooper Institute.

Langdon Police Department. The Director outlined the request of the Langdon Police Department to send **Sergeant Rosemary Millard and Corporal Ronald Greenleaf** to R.A.D. International Training and Certification in Burlington, Vermont from July 23-27, 2006 at a cost of \$1,401.64. The Council carefully reviewed this request and determined that it did not meet the criteria for approval of funds. On a motion by Sheriff Carr, seconded by Chief Russell, the Council unanimously voted to deny Langdon's request for \$1,401.64 to send Sergeant Millard and Corporal Greenleaf to R.A.D. The Council's suggestion was that the Police Department should investigate the possibility of acquiring training funds through the Violence Against Women's Act by contacting the Attorney General's Office.

Effective July 1, 2006, The Council will require that all officers attending training sessions submit a certificate of completion to the Director to comply with the auditors' findings. A further requirement of officers/departments receiving training grants being instituted by the Council will be that the officers sent to training will be requested to make themselves available at the Director's request to assist in teaching similar classes at PSTC. The Training Grant Application will be amended to reflect these changes.

Other Business

Fitness Testing Extensions

Concord Police Department. The Director outlined the request of **Officer Katherine Moreira** for an additional medical extension through December, 2006 due to her ongoing medical injury. Officer Moreira will be at her two-year limit in December, 2006 and at that point the Council will need to determine what action they will take. The Director advised the Council that there has been a provision added to the law which states that PSTC could alter its standards to meet federal guidelines which might qualify Officer Moreira for some type of waiver under ADA. At this time, the Director's recommendation is that the extension be granted. On a motion by Judge Champagne, seconded by Commissioner Wrenn, the Council unanimously voted to grant Officer Katherine Moreira the medical extension through December, 2006.

Gilmanton Police Department. The Director outlined the request of **Officer Philip O'Brien** for an additional medical extension through December, 2006 due to his continued medical status. On a motion by Judge Champagne, seconded by Sheriff Carr, the Council unanimously voted to grant Officer Philip O'Brien the medical extension through December, 2006.

Allenstown Police Department. The Director outlined the request of **Officer Clifford Jones** for an additional medical extension through December, 2006 due to his continued medical status. On a motion by Judge Champagne, seconded by Sheriff Carr, the Council unanimously voted to grant Officer Clifford Jones the medical extension through

December, 2006.

Belmont Police Department. The Director outlined the request of **Officer Stephen Akerstrom** for an additional medical extension through December, 2006 due to his continued medical status. On a motion by Judge Champagne, seconded by Sheriff Carr, the Council unanimously voted to grant Officer Stephen Akerstrom the medical extension through December, 2006.

NH State Police Department. The Director outlined the request of **Officer Marcus Harring** for an additional military leave extension through December, 2006 due to his continued deployment in active military service. On a motion by Judge Champagne, seconded by Sheriff Carr, the Council unanimously voted to grant Officer Marcus Harring the extension through December, 2006.

General Discussion

Dunbarton Accreditation. According to the Assessors, Dunbarton Police Department has met the standards for CALEA Recognition. If the Council approves moving this request forward, it will be on CALEA's agenda in Lexington, Kentucky. As part of this process, Dunbarton did 160 hours of additional training for their part-time officers, which was completely beyond the training the officers received at the Part-Time School. Dunbarton has also limited their duties in the job descriptions in order to meet the CALEA standards. Sheriff Prozzo noted, that being said, any department could choose to do the same and that this recognition was optional.

On a motion by Judge Champagne to accept the Assessors report as written, seconded by Chief Morency, the Council voted unanimously to accept the Assessor's report on the Dunbarton Police Department's submission for CALEA Recognition.

CALEA/NNEPAC. After the last meeting and Council vote, the Director set up a meeting with members of NNEPAC to discuss the distinct possibility of having to develop a State Recognition program apart from CALEA. The Director then received some information from Mike French that CALEA's position may have changed, which in turn changed the agenda for the meeting. When the Director met with NNEPAC, Sheriff Prozzo, Chief Morency, and Commissioner Wrenn were present at that meeting. At that meeting Sheriff Prozzo discussed the costs involved with changing the way the program exists to include 16.3.3. He advised the NNEPAC representatives that the Council had not changed its position from its May meeting and he would go down to Kentucky with that position.

Sheriff Prozzo noted that it was important for the Council to understand that even without an Alliance Agreement any department could still proceed with CALEA Recognition; it would increase the cost to the department but it won't prevent them from participating.

Chief Russell voiced concern that if the state has to develop its on State Recognition program that it be given top priority and that a plan be in place by the new year. Commissioner Wrenn felt it was necessary for CALEA to understand that PSTC is not against 16.3.3 under the accreditation process but that we're against it under the Alliance program. The Alliance program was always perceived as getting the department started in the process and giving them some sense of success in achieving what they did; and in doing so, brought the small departments up to a particular level of professionalism, but also encouraged them to move on. In our state, with our rural setting, sometimes it's impossible for departments to continue the process because of 16.3.3 which is not very flexible. Some of the departments just can't afford to do that. For New Hampshire, it is important that CALEA allow the state to continue to do what it has been doing for the last 16+ years in encouraging the departments to achieve some level of accreditation and encouraging them to go on; but if they can't at least they raised their departments to a higher level in the high liability areas. Commissioner Wrenn felt that a written testimonial should be submitted along with the verbal testimony.

Cyber-Crime Investigator Costs. The Cyber-Crime Initiative among the State Police, PSTC and the Attorney General's Office is going well. The training is being done at three levels. The first is an Awareness Level which ultimately will be for everybody and would include the Full- Time Academy and the Part-Time School. It is the Director's intention that this would be computer-based training. This training would be a prerequisite to move onto the second level. The second level of training would be the Investigator Training. These would be the people who would be performing low level forensics. The training will be provided at no cost to the individuals; however there is a book involved and the cost of the book is \$125. The training provider has indicated that each student will need to have a book while attending training. The Director anticipates that there will be about 150 people trained at the Investigator Level. The last level of training would be a forensic technician and there probably would be only about 20 individuals trained at this level. The issue that has come forth is who is going to pay for the books. The Council discussed several alternatives and decided that the department should pay for the books for the officers that they send to the training.

Polygraph Course. At the Council's wishes the Director investigated doing a polygraph course. Dave Crawford has given the Director a proposal for a course with a tuition rate per student of \$6500. The class would be 10 weeks in length and could be done from mid-April to the end of next fiscal year. The Director has advised Mr. Crawford that if he were awarded the contract to do the course it would have to be accredited and Mr. Crawford is in the process of trying to get his course accredited by either the APA (American Polygraph Association) Or CAPP (Canadian Association of Police Polygraphists). The Director feels if the instructor can get the course accredited PSTC should move forward and do the class. The maximum number of students that will be enrolled is 12-15. The Council needs to consider the fact that the original request to do this class came from a department who has indicated if Mr. Crawford is the instructor their people will not be attending. Sheriff Prozzo asked what was the minimum number of students that will be accepted to allow this class to run; and Commissioner Wrenn asked if part of the tuition fees were being split with PSTC. The Director indicated that

none of the fees were coming to the agency. The Director further indicated that it was a reasonable tuition cost for this type of program.

The Director also suggested that the Council begin considering whether they want to allot training grant funds for in-state training for this program.

Chief Russell asked about soliciting proposals from other companies to compare the costs. The Council was in general consensus that consideration should be given to putting this proposal out to bid. Sheriff Carr asked the Director to research the costs involved in the tuition fees.

Academy Entrance PT Test Criteria for Exclusion. The Director met with the Bureau Chiefs and the Assistant Director to discuss the matter. The outcome of the meeting did not generate any significantly new ideas. The exclusion process would first exclude part-time officers who enrolled as part-time officers, the second group to be excluded would be full-time officers that are part-time certified who are not working on an extension, the next group to be deferred would be those already on an extension and finally, if more individuals needed to be excluded to reduce the numbers for an Academy, individuals with no certifications would be pulled. In all exclusion groups, the names would be drawn by lottery.

Chief Russell felt there was no provision to accommodate the smaller departments who may have only one recruit attending while larger departments may have several recruits attending.

The Council asked when was the cutoff date for the submission of the Form A's to register for an Academy. In short it would be two weeks before the PT testing. The Director advised the Council, however, that some of the larger departments do not submit a Form A until after the individual passes the PT test. These departments make a conditional offer of employment until the individuals pass the PT test and then the department officially hires them; this has to do with CALEA guidelines. These departments reserve slots based on the number of recruits they anticipate will be attending.

Commissioner Wrenn and Chief Russell felt the selection should be made on the Form A's on a first come, first served basis only. The Director indicated that if this is the approach the Council wishes to pursue, then he will need time to get a memo out to the departments advising them of this policy. Sheriff Prozzo indicated that he believes that this is the best policy to follow and that the arrival of the Form A's should determine placement in each Academy. He suggested this new policy be disseminated with the Training Calendar in August. The Council feels that this simplifies the matter. The only exclusion will be that full-time officers will be given preference over part-time officers who are enrolling in the Full-time Academy but will be remaining in part-time positions. The Director asked the Council that for the August Academy that the current process remain in place. Council agreed.

On a motion by Commissioner Wrenn, seconded by Chief Russell, that all openings in Academies beginning after January 1, 2007, will be filled by the earliest dated receipt of the Form A's from the respective departments until the Academies' slots are filled noting that preference will be given to full-time recruits and part-time officers will be accepted on a space available basis, the Council voted unanimously to establish this as the current policy for accepting recruits into the Full-Time Academies beginning January 1, 2007.

Next Meeting Date/Adjournment

After scheduling the next Council Meeting date for 9:00 a.m., Tuesday, July 25, 2006, in the John D. Morton Conference Room, the Council unanimously voted to adjourn the meeting at 12:40 p.m., on a motion by Sheriff Carr and seconded by Chief Dodge.

Chairman Michael L. Prozzo, Jr.