

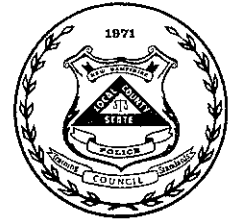


Sheriff Christopher D. Connelly
Chairman

State of New Hampshire

POLICE STANDARDS & TRAINING COUNCIL

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John V. Scippa
Director

Public Minutes September 24, 2024 Police Standards and Training Council

In attendance:

Chairman, Sheriff Christopher Connelly, Hillsborough County Sheriff's Office
Vice Chair, Chief Emily Cobb, New London Police Department
Sheriff Charles Massahos, Rockingham County Sheriff's Office
Dr. Robert Eckstein, Justice Studies, University of New Hampshire by Zoom
Commissioner Helen Hanks
Chief Mark Chase, Center Harbor Police Department
Mr. Michael Harrington
Judge Amy Manchester, Circuit Court
Mr. Edward Lecius
Chief Allen Aldenberg, Manchester Police Department (exited during initial nonmeeting)
Judge Sawako Gardner, Circuit Court,
Sergeant Jaqueline Pelletier, Goffstown Police Department,
Mr. Christopher Stawasz

Not in Attendance:

Dr. Maureen Sullivan,
Colonel Mark Hall, New Hampshire State Police
Attorney General John Formella
Chief Kevin Rourke, Nashua Police Department

Staff Present: Major David Parenteau (ret.), Attorney Stacie Moeser, Captain Tom McCabe, Captain Adam Hawkins, and Anne Paquin, Investigative Paralegal.

Guests present: Assistant Chief Peter Marr with Edwin Sepulveda, Manchester Police Department, Attorney John Krupski; and Ashante Franklin.

(All votes were done by roll call due to one member participating on Zoom).

Before the meeting was called to order, Chairman Connelly announced that there would be a non-meeting with PSTC's attorney, Stacie Moeser.

The non-meeting began at 9:08 and ended at 9:23, Chief Aldenberg exited the meeting during that time period.

Chairman Connelly called the meeting to order at 9:23 a.m.

Motion to approve the meeting minutes from August 27, 2024 by Mr. Lecius, seconded by Judge Manchester, Chairman Connelly took the roll call vote, abstentions noted.

Vice Chair Chief Cobb	Y
Chief Chase	Y
Judge Manchester	Y
Judge Gardner	A
Sheriff Massahos	Y
Sgt. Pelletier	A
Mr. Lecius	Y
Mr. Stawasz	A
Mr. Harrington	Y
Dr. Eckstein	Y
Commissioner Hanks	Y
Chairman, Sheriff Connelly	Y

Director's Report (copy attached)

Director Scippa was unable to attend and Major Parenteau summarized the key items in the report.

There was one item to be discussed by the Council, per Director Scippa's report.

Request Council to review if they want to continue with the alternative PT standards for Corrections as the one-year trial period has expired.

Major Parenteau explained that at the time of the April 25, 2023, Council meeting, NH DOC recruits were required to enter the academy at the 20 percentile of the Cooper Fitness test, and exit the academy at the 35 percentile. Discussion at the meeting led to a temporary change for NH DOC fitness tests, to enter at the 20 percentile and exit at the 25 percentile, to be reviewed after a year.

Captain Hawkins provided Council members with a chart developed by Morrigan Rush, the program assistant for the corrections academy. The chart tracked physical fitness results from the 121st Corrections Academy through the 124th. The fitness test results showed that the recruits results were well above the 35 percentile. Captain Hawkins reminded Council members that all officers were required to pass a fitness test every three years at the 35 percentile.

Commissioner Hanks noted that the chart revealed that the NH Department of Corrections was recruiting candidates that were meeting the fitness requirements. She added that she believed Director Scippa could provide examples of correction's specific physical fitness training to the Corrections Advisory Committee, and also mentioned that perhaps UNH, who had done a job task analysis for police officers, could be tasked with doing a job task analysis for corrections officers.

Motion by Judge Gardner to return to the exit standards of the 35 percentile for NH Department of Corrections recruits prior to April 25, 2023, taking effect immediately. Chief Chase seconded the motion. Chairman Connelly took the roll call vote.

Vice Chair Chief Cobb	Y
Judge Manchester	Y
Judge Gardner	Y
Sheriff Massahos	Y
Sgt. Pelletier	Y
Mr. Lecius	Y
Mr. Stawasz	Y
Mr. Harrington	Y
Dr. Eckstein	Y
Commissioner Hanks	A
Chairman, Sheriff Connelly	Y

Rochester Police Department

Major Parenteau explained that the Rochester Police Department withdrew their request.

Chairman Connelly read the following into the record prior to the requests to be heard:

“Hearings before the Council are presumed to be held in public session; however, parties have the right to a brief hearing in non-public session to request closure of a portion of the hearing if it will reveal confidential information that creates a compelling interest outweighing the public’s right of access. All parties appearing before the Council have been provided with notice of the applicable procedure”.

Edwin Sepulveda, Manchester Police Department

Edwin Sepulveda was in attendance with his attorney, John Krupski, and Deputy Chief Peter Marr. They were sworn in by Chairman Connelly.

Major Parenteau advised that there had been a request from the Manchester Police Department for the reinstatement of Mr. Sepulveda’s police certification. His certification had been temporarily suspended by Director Scippa when Mr. Sepulveda was arrested for DWI. The arrest date was March 7, 2023, he was arrested by Manchester Police Department.

The Council members were provided with exhibits from the staff to review. Major Parenteau summarized each exhibit.

Attorney Moeser announced that Judge Manchester had advised her that she was previously an employee of the city of Manchester. They wanted members to be aware of the past employment as the officer in this matter is also an employee of Manchester. However, she and Judge Manchester reviewed the recusal circumstances; they don’t believe her recusal is necessary. Judge Manchester and Attorney Moeser wanted this to be on the record.

There was no objection by Attorney Krupski for his client Mr. Sepulveda.

Major Parenteau continued with his summary in the matter.

Mr. Sepulveda refused testing for DWI. He was charged with NH RSA 265-A (2) OUI in that he did operate or attempt to operate a motor vehicle on a way in the city of Manchester, while under the influence of intoxicating liquor.

Manchester Police Department placed Mr. Sepulveda on restricted duty, a non law enforcement capacity on March 7, 2023 the same day as the arrest.

A notice of temporary suspension was issued by Director Scippa to Mr. Sepulveda on March 10, 2023, effective as of March 7, 2023.

The matter went to trial August 17, 2023, the complaint amendment form from the court, the complaint, and a sentencing order which indicates that the court found the defendant Mr. Sepulveda not guilty.

Manchester Police Department filed a change in status form for Mr. Sepulveda through an administrative review, Mr. Sepulveda was suspended for 180 days, (one year, with six months suspended). The suspension was finalized on September 13, 2024. The change in status form asks, does the dismissal implicate Pol 402.02 (a) (5)? The indication was 'no'. The cause of the discipline was a six-month suspension as the result of an internal investigation.

Attorney Krupski advised the Council that Mr. Sepulveda had been placed on temporary suspension due to RSA 106-L:2 V (a) (3) as a result of his arrest. The temporary suspension is in effect until the disposition of the matter. He was found not guilty.

Attorney Krupski asked the Council, due to the reason for Mr. Sepulveda being on temporary suspension has been resolved, lift the temporary suspension. Attorney Krupski summarized Mr. Sepulveda's history having been employed by the Manchester Police Department since 2016, and also an active member of the military, being deployed, and also the six-month suspension from Manchester Police Department.

Both Mr. Sepulveda and Deputy Chief Marr answered questions from Council members about the matter.

Deputy Chief Marr confirmed that Mr. Sepulveda was up to date in his required annual training.

Motion by Mr. Lecius, seconded by Judge Manchester, to approve the request to lift the suspension on Edwin Sepulveda. Chairman Connelly took the roll call vote.

Cobb	Y
Chase	Y
Manchester	Y
Gardner	Y
Massahos	Y
Stawasz	Y
Harrington	Y
Eckstein	Y

Hanks Y
Connelly Y

Ashante Franklin Appeal of Dismissal

Major Parenteau asked Ashante Franklin and Captain Peter Russell to be seated in front of the Council.

Attorney Moeser asked to speak and addressed the Council regarding the format for the hearing. The hearing will be in two parts.

- The first part will address the facts of the situation, then there will be **two decisions** for the Council members to make.
 - **The first decision** will be whether there was a Class 1 Violation at the academy; and **the second decision** is whether there is clear and convincing evidence of sustained misconduct.
- The second part of the hearing is the penalty phase; if either of the aforementioned are in the affirmative, (the dismissal and exclusion from the academy). Council members will review the recommendation of the Conduct Review Committee as to a penalty. At that phase of the hearing, Mr. Franklin can comment on his personal situation.

Mr. Franklin and Captain Russell were sworn in by Chairman Connelly.

Major Parenteau addressed the Council, reminding them that they had been provided with the staff's exhibits in the matter.

- Mr. Ashante Franklin had been issued a notice for hearing, at his request, to appeal his dismissal from the full-time academy on April 16, 2024, by Director Scippa.
- Director Scippa's letter to Chief Sereno of Goffstown Police Department, Mr. Franklin's employer, noted three Class I violations prompting his dismissal
 - Plagiarism
 - Dishonesty
 - Insubordination

Major Parenteau described Class I violations from the academy manual as, unethical conduct, serious safety violations, and unprofessional conduct. Recruits committing a Class I violation, "shall result in dismissal".

Captain Peter Russell explained the incident that occurred which led to Mr. Franklin having been dismissed from the academy.

All academy recruits were instructed that they were not to use AI, (artificial intelligence), for their work in the academy. They were advised not to use AI on three separate occasions, by three law enforcement training specialists, Captain Mark O'Brien, Captain Peter Russell and Lieutenant Todd Crumb.

Recruits are required to complete corrective action memos to PSTC staff if they commit infractions, if they are late, if they forget to do something, etc.

While Captain Russell was reviewing another recruit's memorandum that PSTC staff suspected was created by using partial or complete A.I., Captain Russell retrieved a memorandum from the in-box of the cadre office, turned in by Mr. Franklin. Mr. Franklin's memorandum was a similar writing style as the initial recruit memorandum that Captain Russell had reviewed.

Captain Russell entered the text from Mr. Franklin's memorandum into eight different types of A.I. detection software. He explained to the Council that if any of the eight A.I. detection software returned results that the text was written by a human, he would give Mr. Franklin the benefit of the doubt, (that he'd written the memo).

Results from the eight programs indicated that either part or all of the documents were created by A.I.

Captain Russell explained to Council members that his goal in dealing with Mr. Franklin was to learn the extent that Mr. Franklin used A.I. and ultimately, a learning opportunity. When Mr. Franklin wrote the memorandum, did he use A.I. for sections of the memo, or had he used it to write the entire memo?

Captain Russell continued, noting that he teaches the ethics class at the academy. As part of the class, he explains that "candor" is being truthful, without self-preservation, and that police officers' careers can survive most things if they are truthful.

He interviewed Mr. Franklin, beginning the interview by asking that Mr. Franklin tell the truth. Throughout the interview he continued his attempts with Mr. Franklin for the truth about the generation of the memorandum.

Mr. Franklin denied having used A.I. for his memorandum throughout the interview. Captain Russell informed Mr. Franklin that he could stop him at any point during the interview, and they would be "good". Mr. Franklin did not stop Captain Russell during the interview.

Captain Russell let Mr. Franklin know that, in fact, he had evidence in the matter that showed that Mr. Franklin had used A.I. and when they got to that point, it would be too late.

Captain Russell provided Mr. Franklin with the evidence he'd collected as proof that Mr. Franklin had used A.I. Mr. Franklin reviewed the memo and chose a section and stated that he used "Google Tell Me", but also stated that he had discussed Chat-GPT with another recruit.

The violations were explained by Captain Russell as "he was dishonest by saying he'd not used A.I. multiple times, and by turning in work as if it was his own".

Chairman Connelly addressed Mr. Franklin, stating that it was his own opportunity to discuss his side of the matter to the Council.

Mr. Franklin explained that the essay that he'd turned in as his own was created with A.I.

Council members noted that being honest was part of being a police officer officer, and asked Mr. Franklin why he used the A.I. when he was told not to use it. When he was asked whether or not he used A.I during the interview, he should have said yes.

Mr. Franklin responded that he shouldn't have lied. He was asked to write the essay, he was thinking he had to write it on top of all the other things he had to accomplish in the evening before the next day of the academy. He heard about A.I. from another recruit and used the A.I. to produce the essay, it was one less thing that he didn't have to do.

He had let the Goffstown Police Department down. Instead of owning up to what he'd done, he tried to hide it. When asked if he thought he could lie to a trained law enforcement officer and not get caught, he said that he thought he could.

He was not asking the Council for anything but wanted to speak to the Council and apologize. He'd been talking with other law enforcement agencies, and they'd asked him to contact them after the Council meeting for the results.

Attorney Moeser instructed Council members that at this point they were to determine whether the evidence presented regarding three violations, plagiarism, dishonesty, and insubordination proved to be Class I violations.

Motion by Mr. Lecius, seconded by Commissioner Hanks, that the Council finds that there were three sustained findings of Class I violations. Chairman Connelly took the roll call vote.

Cobb	Y
Chase	Y
Manchester	Y
Gardner	Y
Massahos	Y
Pelletier	A
Stawasz	Y
Harrington	Y
Eckstein	Y
Connelly	Y

Major Parenteau noted that the Conduct Review Committee had reviewed this matter. They determined that the complaint was valid, the investigation was valid and the finding of sustained misconduct by clear and convincing evidence that the officer made a deliberate and material lie during an investigation conducted by New Hampshire Police Standards and Training Council pursuant to RSA 106-L:2 (5)(b)(1).

The CRC's recommended sanction was a written warning in addition to the imposed two year exclusion to attend the academy.

Motion by Commissioner Hanks, seconded by Judge Gardner, a sustained finding by clear and convincing evidence that the officer made a deliberate and material lie during an investigation conducted by the NH PSTC, RSA 106-L:2 (5)(b)(1). Chairman Connelly took the roll call vote.

Cobb	Y
Chase	Y
Manchester	Y
Gardner	Y
Massahos	Y
Pelletier	A
Stawasz	Y
Harrington	Y
Eckstein	Y
Connelly	Y

Major Parenteau, when asked, stated that during the prior month’s meeting there had been an academy recruit at the Council meeting for the same matter. The motion by Commissioner Hanks had been for a six-month period of exclusion from the academy beginning retroactively to the date of the academy dismissal.

Commissioner Hanks noted that the circumstances were different because that individual was at her hearing with her chief, who informed the Council that he would keep her on and would report her to the EES.

Council members discussed EES with Attorney Moeser, who noted that it would be Mr. Franklin’s employer who would do the report for EES at that time, and that Mr. Franklin was no longer employed.

At 10:48, the Council members began a nonmeeting with Attorney Moeser.

At 11:06 the Council exited the nonmeeting.

Motion by Judge Gardner, seconded by Judge Manchester, to accept the CRC’s recommendation for a letter of warning and a two-year exclusion from attendance in the academy, to begin on April 16, 2024, the date on which he was dismissed from the academy. Chairman Connelly took the roll call vote.

Cobb	Y
Chase	Y
Manchester	Y
Gardner	Y
Massahos	Y
Pelletier	A
Stawasz	Y
Harrington	Y
Eckstein	Y
Connelly	Y

Prior to approval of the Consent Calendar, Commissioner Hanks asked staff to provide the dates for the upcoming NH Department of Corrections Academy.

Commissioner Hanks also expressed gratitude to Captain Russell for his diligence and time that was devoted to the investigation of Ashante Franklin.

Consent Calendar

PT&E Requests

Sung Min Crosthwaite, Bedford Police Department

(DOH: 08/26/2024) Will be granted certification upon successful completion of the medical exam (done on September 9, 2024) and entrance fitness test, with the stipulation that the officer must work in the direct presence of a certified officer unless the officer completes the agency's FTO program and then may work under normal supervision.

Myranda Gradney, Portsmouth Police Department

(DOH: 08/19/2024) Will be granted certification upon successful completion of the medical exam (done on July 18, 2024, entrance fitness test, and the Law Package of the Full-Time Police Officer Academy, with the stipulation that the officer must work in the direct presence of a certified officer unless the officer completes the agency's FTO program and then may work under normal supervision.

Matthew Leppo, Portsmouth Police Department

(DOH: 08/19/2024) Will be granted certification upon successful completion of the medical exam, (done July 23, 2024) entrance fitness test, and the Law Package of the Full-Time Police Officer Academy, with the stipulation that the officer must work in the direct presence of a certified officer unless the officer completes the agency's FTO program and then may work under normal supervision.

Jordan Westgate, Canterbury Police Department

(DOH: 09/16/2024) Will be granted certification upon successful completion of the medical exam, (done July 18, 2024) entrance fitness test, with the stipulation that the officer must work in the direct presence of a certified officer unless the officer completes the agency's FTO program and then may work under normal supervision.

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 Academy

Class Number	198
Dates	July 29, 2024-November 8, 2024
	199
	January 6, 2025-April 25, 2025
	200
	May 5, 2025- August 22, 2025
	201
	September 2, 2025 – December 19, 2025

* More detailed information about each academy session can be found in Benchmark. This will include the dates of the session, the fitness testing date and number of available seats.

*Part Time Academy

Class Number	284
Dates	TBD

* More detailed information about each academy session can be found in Benchmark. This will include the dates of the session, the fitness testing date and number of available seats.

*Corrections Academy

Class Number	125
Dates	October 7, 2024 – November 26, 2024

* More detailed information about each academy session can be found in Benchmark. This will include the dates of the session, the fitness testing date and number of available seats.

Harold Chastain Jr, Moultonborough Police Department

Has been granted a six-month extension from October 2, 2024, to April 2, 2025 due to a knee injury, with the stipulation that he must work in the direct presence of a certified officer unless he completes the agency’s FTO program and then may work under normal supervision.

John Santoro, Plaistow Police Department

Has been granted a final six- month extension which will run from November 1, 2024, through May 1, 2025. Chief Santoro must complete the entrance fitness test and the Law Package test out to obtain certification no later than May 1, 2025, with the stipulation that he must work in the direct presence of a certified officer unless he completes the agency’s FTO program and then may work under normal supervision

Medical Extensions for Fitness Testing

Amy Bossi, Henniker Police Department will be granted an extension from January 1, 2025 through June 30, 2025.

Motion to approve the Consent Calendar by Commissioner Hanks, seconded by Chief Cobb. Chairman Connelly took the roll call vote.

Chase	Y
Manchester	Y
Gardner	Y
Massahos	Y
Pelletier	Y
Stawasz	Y
Harrington	Y
Eckstein	Y
Connelly	Y

Commissioner Hanks requested the dates for the next NH Department of Corrections Academy.

Motion to adjourn at 11:11 by Chief Cobb, seconded by Sgt. Pelletier.

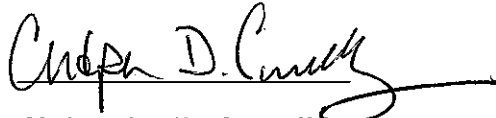
Chairman Connelly took the roll call vote.

Chase	Y
Manchester	Y
Gardner	Y
Massahos	Y
Stawasz	Y
Harrington	Y
Eckstein	Y
Hanks	Y
Connelly	Y

The next Council meeting will be on October 22, 2024 at Primex.

November 19, 2024

Respectfully Submitted



Christopher D. Connelly
Chairman

To: All NHPSTC Council Members

FROM: Director John Scippa

DATE: ~~August 24, 2024~~ September 27, 2024

RE: Director's Monthly PSTC Council Report

Bureau of Recruit Training:

1. 197th Full Time Police Academy began on June 17, 2024.
2. 198th Full Time Police Academy begin on July 29, 2024
3. 125th Corrections Academy set to begin on October 11, 2024.

Bureau of Professional Development:

1. Court Security Officer Training and Certification program-now waiting to hear from AOC regarding proposed rules. The entirety of the curriculum is built and ready to go once the rules are agreed upon by the AOC and the PST Council.
3. 2024-2025 In-Service Training contracts are in approval process with G+C.
4. RFP for LMS/RMS System vendors are presently going through the scoring process.
5. Working with NH DOJ, NHSP and DEA to begin offering a Basic Drug Investigations class.
6. Working with NH DOJ, State, local and federal stakeholders to develop training for Wide Scale Incident Management.

NH Law Enforcement Accreditation Commission:

1. 33 agencies now enrolled.
2. NH LEA Commission has been tasked by the legislature to render a report regarding issues identified with the existing BWC law in NH. That report is being finalized.
3. PST just completed an Accreditation Program Manager training here in Concord which was very well attended. The next one is planned to be held in Portsmouth next month and we are identifying 3 other areas in the state to offer this program.

Bureau of Standards:

1. Pathways to Certification guidance document is being finalized for Council Review.
2. Pol rule covering firearms changes is being developed.
3. Audits are regularly being conducted.

Conduct Review Committee:

1. As of Wednesday, September 18, we have received 304 complaints with 133 originating from the public portal (although some on the public portal are duplicative).
2. 189 cases have been closed by the CRC.
3. Fourteen (14) cases have been sustained as misconduct. One had a hearing at the Council last month, another is scheduled for this month, and the rest are being prepared for hearings.
4. The next (15th) meeting of the CRC will be held on Wednesday, September 25.

PST Budget and Facilities:

1. We submitted our FY26/27 biennium operating budget request on 9/16. That budget will begin on July 1, 2025. The Governor provided us with a total budget number of \$6,368,138 for each of the fiscal years represented in this budget request, essentially a 0.9% decrease in both years. Our FY25 current operating budget is \$6,805,527. Effectively, this means we are being asked to reduce our budget by (\$437,389) each fiscal year of the new budget. Fortunately, we can maintain all programs and personnel as we currently operate, due to our ability to move funds from one account to another to adjust for the reduction. We have (1) request in prioritized needs for an additional Law Enforcement Training Specialist I position, to be used for General Court (legislative) Security training. The next step in the process will be budget hearings with the Governor and their staff, which have not been scheduled yet.
2. This week, we are having a new door access control system installed in the building, to be followed by a new security alarm system. This is part of a project to improve building security with funds from last fiscal year.
3. We are in the process of awarding a contract to replace the TAC Center floor. The funding for this is left over capital budget funds from the TAC Center boiler project. The floor will be more robust and durable than the last floor and similar in markings as the current floor with colors that reflect the PST brand. The flooring is made by Nora and is used in many colleges athletic training and weight rooms. We are planning for this project to be completed after the 198th graduates and be completed before the end of December.

Outreach, Education and Legislation:

Staff and Operations:

1. We are excited to welcome Lt Chris Lewis as our new FT LETS, who comes to us from the detective bureau of the Nashua Police Department. Lt Lewis will be attached to our In-Service Training Bureau. We are also excited to welcome, (back!) Lt Scott Towers, who recently retired as the NH DOC training captain and who will now be a PT LETS with us as the Corrections Academy Commandant under the Recruit Training Bureau.
2. We are working with NHDAS to finalize the SJD and pay band placement for the Curriculum Designer.

Open Action Items:

1. Administrative Rules Committee continues to work towards the total re-write of our rules. New project manager will help streamline this initiative.

Discussion Items:

1. Request Council to review if they want to continue with the alternative PT standards for Corrections as the one-year trial period has expired.