

Minutes

April 15, 2008

The 371st meeting of the New Hampshire Police Standards and Training Council was called to order at 9 a.m. by Chairman Michael L. Prozzo Jr., Sheriff of Sullivan County, in the Gold Room at the Town and Country Motor Inn in Gorham, New Hampshire.

Members Present: Associate Justice Stephen H. Roberts, Dover District Court; Chief Gregory Dodge, Epping Police Department; Sheriff of Carroll County, Scott Carr; Commissioner William L. Wrenn, Jr., New Hampshire Department of Corrections; Colonel Frederick H. Booth, New Hampshire State Police; Associate Justice Norman E. Champagne, Manchester District Court; Chief Timothy Russell, Henniker Police Department; Chief Peter Morency, Berlin Police Department; and, Deputy Attorney General Bud Fitch, designee of Attorney General Kelly Ayotte.

Members Absent: Portsmouth Police Chief Michael J. Magnant and Vice Chancellor Charles Annal

Staff Present: Director Donald L. Vittum, Assistant Director Robert B. Stafford, Jr., Mr. Keith H. Lohmann, Investigative Paralegal Anne Paquin, Chief Timothy Merrill, Captain Benjamin Jean, and Council Secretary Kathryn Day.

Guests Present: Chief Arthur Walker, Keene Police Department; Sheriff Richard Foote, Cheshire County Sheriff's Department; and, Assistant Attorney General Nancy Smith.

Call to Order

Chairman Prozzo called the meeting to order at 9 a.m.

Approval of Minutes

Commissioner Wrenn moved to accept the Minutes of March 25, 2008; the motion was seconded by Colonel Booth and unanimously approved by a voice vote of the Council.

Director's Report

The Director's written report, mailed under separate cover, was accepted as submitted. There were no questions or comments and no additional remarks by the Director.

Chairman's Remarks to PS&T Staff

Chairman Prozzo commended the Director and staff for the presentation and materials provided at the strategic planning session held on April 14, 2008. The Chairman noted positive comments from Sheriff Foote, Chief Walker, Chief Dubois, and Chief Kurz, all of whom enjoyed the opportunity to participate in the exercise. An analysis of the input gathered by JusticeWorks will be presented on the date of the next Council meeting, May 27, and Sheriff Foote, Chief Walker, Chief Dubois, and Chief Kurz will be invited to review and comment on the results.

Previous and/or Unfinished Business

Request for Findings of Fact and Conclusions of Law – Deputy Attorney General Fitch

In response to the request of an individual whose matter was heard in nonpublic session at their February 19, 2008, meeting, the Council has proposed Findings of Fact and Conclusions of Law that support their decision to deny the officer's Petition for Rescission. Two minor corrections were noted and the motion to adopt this document as amended was put forth by Mr. Fitch and seconded by Sheriff Carr. Hearing no discussion on the motion, the Chairman asked for a voice vote and the motion carried without opposition.

New Business

CONSENT CALENDAR

The following request for certification was considered based on **Prior Training and Experience (PT&E)**:

Part-Time

Officer Phillip T. Hill, Hopkinton Police Department

(DOH 03/25/08) requests consideration for part-time certification based on prior training and experience. Officer Hill attended the 123rd Session of the New Hampshire Full-Time Police Academy and earned full-time certification in October 2000. Staff recommends granting this request upon successful completion of the Law Package of the next Part-Time Academy.

The following **Requests for Extension** were submitted for consideration:

Full-Time Police Officer

Extensions for these full-time officers were granted until fitness testing for the requested Academy and, if testing is successful, through the end of the requested Academy.

Officer John Melia, Swanzey Police Department

(DOH 7/8/07 **Part-time certified**) requests extension to the 147th Academy. The extension is required because Officer Melia failed to pass the entrance fitness test for the 146th Academy. Staff recommends approving the extension.

CONSENT CALENDAR (cont'd)

Officer Ted Long, IV, Somersworth Police Department

(DOH 02/25/08 **Not part-time certified**) requests extension to the 147th Academy. An extension is required because the start date of the Academy will exceed the six-month period from his hire date. Staff recommends approving the extension with the stipulation that the officer work under the continued supervision of a full-time certified officer.

Officer Warren P. Breau, Winchester Police Department

(DOH 06/03/07 **Part-time certified**) requests extension to the Law Package of the 147th Academy. The extension is required because Officer Breau failed the entrance fitness test that would allow him to attend the Law Package of the 146th Academy. The Council approved Officer Breau's request for certification based upon prior training and experience at their meeting on October 23, 2007. Staff recommends approving the extension.

Officer Blaine R. Hall, Northumberland Police Department

(DOH 05/12/07 **Part-time certified**) requests extension through the end of the 147th Academy. The extension is required because Officer Hall failed the entrance fitness test for the 146th Academy, due to medical issues that have since resolved. Staff recommends approving the extension. **(Page 23)**

Officer Garth G. Hurlbert, Colebrook Police Department

(DOH 07/16/07 **Part-time certified**) requests extension through the end of the 147th Academy. An extension is required because Officer Hurlbert failed the entrance PT test for the 146th Academy. Staff recommends granting the extension.

Officer Joseph P. Pivrotto, Groton Police Department

(DOH 9/10/07 **Not part-time certified**) requests extension through the end of the 147th Academy. An extension is required to allow Officer Pivrotto to pass the fitness test and attend the Law Package and be granted part-time certification with unlimited hours based on prior training and experience (approved by the Council at their November 27, 2007, meeting). Staff recommends granting the extension with the stipulation that Officer Pivrotto continue to work under the supervision of a full-time certified police officer.

Part-Time Police Officer

253rd Academy 05/03/08 – 08/01/08

254th Academy – To be determined

Officer Rondal A. Noyes, New Hampshire Marine Patrol

(DOH 02/23/07) requests extension through the end of the 254th Part-Time Officer Academy. Officer Noyes withdrew from the 252nd Session for medical issues and is presently recovering, with the intention to return to duty as soon as possible. Staff recommends approving the extension through no later than through the end of the 254th Academy without requiring any further request.

CONSENT CALENDAR (cont'd)

The Council considered two requests for **Other Training:**

Conway Police Department requests approval to send Sgt. Tommie C. McKenzie to a 10-day Police Motorcycle Operator Training course at the Northeastern University Center for Public Safety in Weymouth, Massachusetts, from June 16 to June 27, 2008. **Amount: \$1,818.00**

University of New Hampshire Police Department requests approval to send Officer Steven P. Lee to an MP5/UMP Subgun (submachine gun) Instructor Course at the Attleboro Police Department in Attleboro, Massachusetts, from June 2 to June 7, 2008. **Amount: \$648.00**

As noted by the Chairman, the remaining balance available for training is now \$229.75. The Director proposed that any new training grants be delayed until the next fiscal year that begins on July 1, 2008. Requests that are expressed as urgent may require a transfer of funds and the Director will act on that requirement if it becomes necessary.

Sheriff Carr moved that the Council adopt and approve the items on the Consent Calendar. The motion, seconded by Chief Russell, carried without opposition on a voice vote.

Ongoing 3-Year Fitness Testing – Mr. Keith Lohmann

Mr. Lohmann presented one request for a fitness testing extension. Officer Christopher Mudgett of the Claremont Police Department requires an extension, pursuant to RSA 188-F:27, III (d), through June 30, 2008.

Commissioner Wrenn moved that the Council approve the recommendation of Mr. Lohmann to grant the requested fitness testing extension. After a second by Chief Dodge, the Council rendered a unanimous voice vote in the affirmative.

Other New Business

Colonel Booth noted that the annual recognition of Police Officer Memorial Week is scheduled to take place at the Legislative Office Building monument site on Monday, May 12, 2008. Director Vittum announced that all recruits attending the Academy on that date would be present for this event.

The Chairman asked the Council members to confirm the date for next Council meeting that falls on the day after the Memorial Day holiday: Tuesday, May 27. Hearing no objection, the Chairman will convene the next Council meeting on May 27 at 9 a.m.

Director Vittum reported that a panel of judges met on Friday, April 11, to select the winners of this year's Looking Beyond the Traffic Ticket awards. Chief Dodge served on this panel and gave the Council a summary of their deliberations.

The Director commented that he will work with police chiefs to increase the number of nominations submitted in the next award cycle. The Council is grateful to those who considered this year's nominations: Assistant Commissioner Earl Sweeney, Rochester Police Chief David Dubois, Epping Police Chief and Council Member Greg Dodge, and Major Robert B. Stafford of Police Standards and Training.

Other Business

Proposed Rule Change: Pol 301.05 – Deputy Attorney General Fitch

The question posed by the Council concerned the eligibility of a police officer who had used prescription medications that were not prescribed directly to them. Mr. Fitch proposed language that was specific to Pol Part 300. He suggested inserting at 301.05 (n) language such as, *"The Council may, for just cause shown, waive any requirement or prohibition established in"* and either make it broad to this "chapter" or make it more narrow to 301.05 (g) (1) through (16). Alternatively, and even narrower, a rule 301.05 (n) could be adopted that could read, *"Upon petition of a hiring authority and a finding of just cause, the Council may waive the prohibition in 301.05 (g)."* It would be necessary to list again the entire section in 301.05 (g) to allow a broad waiver of any of the items (1) through (16). Mr. Fitch urged the Council to consider that such broad language could open the door to increasing numbers of requests for waivers.

A more narrow option would be to keep the language specific to 301.05 (g) (9) and for it to read, *"...within 36 months before the application for hire, has used a controlled substance other than marijuana, unless the applicant was under the age of 21 at the time of using the controlled substance, in which case 24 months shall apply."* Less limiting would be to insert at 301.05 (g) (9), *"... or the use of prescription medications under mitigating circumstances."* This would constrain the potential for seeking a waiver to only circumstances involving prescription medications, as opposed to controlled substances more broadly. Mr. Fitch explained that while he provided these options for the Council's consideration, he did not endorse changing the rules.

After thoughtful consideration, the consensus of the Council was to uphold the current Rules and for the Director to communicate to all hiring authorities that any request for a hearing on such a waiver would be customarily denied.

Discussion of Pol 402.02 (b)

Director Vittum noted that the rule requires that a Form G, Report of Arrest of Police/Corrections Officer, must be filed when an officer is arrested. Further, the rule states, *"A certification shall be temporarily suspended pending resolution of criminal charges . . ."* Director Vittum asked for an opinion about the timing of a decertification hearing for an officer who has been arrested and charged. The Director noted that due to some confusion Form Gs are not routinely submitted or are submitted incorrectly, and he is communicating to all agencies that it is the arresting agency that is required to file Form G -- not the hiring authority.

Mr. Fitch referred to RSA 541-A:30-a, Rules for Adjudicative Proceedings, which requires the agency to begin the adjudicatory process within 10 days of ordering a suspension; failing to do so would automatically vacate the suspension order. This requires the Council to act on a much tighter timeline than is customary. As well, the officer most likely would want to complete their criminal process before appearing before the Council in an administrative capacity. Testimony offered at a decertification hearing that precedes the criminal court case would create a discovery opportunity for both parties; therefore, delaying administrative action until the criminal process runs its course is a typical practice. Mr. Fitch commented that it is customary when an arrest on a serious charge is made for the prosecutor to request as a condition of bail that the individual cannot practice in their licensed profession and this would apply to a certification in law enforcement.

It has been a longstanding practice of the Council to wait until matters have moved through the courts. Ms. Nancy Smith pointed to the lack of any standards in Pol 402.02 (b) and questioned whether it could be considered consistent with RSA 541-A:30. She noted that there is no general provision in Council rules for decertification on the grounds of moral turpitude; there is a rule that says the Council can decertify for various convictions and drug offenses. Based on the way the rules are currently written, without a criminal conviction the Council may not be able to make an independent determination to decertify based solely on conduct.

Mr. Fitch and Ms. Smith will continue to work on language to suggest at the Council's meeting on May 27, 2008. Changes to 402.02 that are substantive will not be included in the current Rules Revision. The proposed language should distinguish serious crimes and allow the Council more flexibility to make decisions on less serious infractions.

Manual Developed to Assist New Police Chiefs – Chief Timothy Merrill

Chief Merrill presented the Chiefs Welcome Packet developed to help police chiefs and others stay abreast of what paperwork is required by the Council and the Academy. As a reference tool, the manual will help to familiarize the reader with all of the forms they need and it encourages the use of on-line forms to avoid using any outdated documents. A section on new hires includes all of the requirements that are stated in the rules laid out in a simplified checklist; another checklist has been prepared for completing background investigations.

The Director suggested that the document might be more appropriately titled, Informational Packet for Police Chiefs and Training Officers. At small regional meetings the document will be introduced and explained, and it will further our efforts to educate the chiefs about what is required to maintain compliance. It will be distributed to all police departments, as well.

Judge Champagne moved that the Council approve the use and distribution of the information packet. After a second by Judge Roberts, the Council voiced their unanimous consent and the motion carried.

Class sizes in the Part-Time Academy – Captain Benjamin Jean

This discussion was rescheduled from the March 2008 Council meeting.

There are 13 recruits and two law package students enrolled in the 253rd Part-Time Police Academy. The cost for part-time staff at regional video-conference sites is roughly \$8,000 to \$10,000 per session; in addition, \$1,000 to \$1,500 is expended for contracted outside instructors. We rely heavily on outside instructors for firearms and driving, utilizing approximately 340 hours of volunteer labor; if this labor were valued at \$20 to \$30 per hour, the cost to the departments who send volunteers could be \$7,000 to \$10,000. With allowances for wear-and-tear on vehicles and facilities factored in, one session of the Part-Time Police Academy costs about \$20,000 to run.

Another issue with such a low enrollment number is the structure of the curriculum, which is designed for class sizes between 40 and 60 recruits. With a smaller group, the goals set in the curriculum will be reached within a shorter time period because there will be no waiting to use the range, to practice driving, etc.

Captain Jean and Director Vittum proposed delaying the 253rd Session until August to obtain a larger class size. This would create the potential for some recruits to exceed the six-month period from their date of hire and require them to request extensions.

Commissioner Wrenn asked Captain Jean to delineate which departments who have enrolled a recruit in the 253rd Academy were in the Seacoast or if there were any recruits enrolled by the Marine Patrol; essentially, how many of these agencies had a critical need for certifying their officers for the summer season? Captain Jean replied that ten Hampton officers had just completed the 252nd Session, along with a number of Marine Patrol officers; these agencies would ordinarily send their officers to the January session, anyway.

The average class size of the Part-Time Academy in past sessions has ranged from 35 to 40; the size of the class fluctuates regularly, depending on the numbers sent by Marine Patrol and Seacoast area departments. With the curriculum now expanded to 200 hours, the impact of fewer enrollments in the summer Session will need to be managed carefully. Director Vittum felt that a class size smaller than 20 would not be cost effective. Captain Jean explained that even if the Session is delayed until August and the class size increased to 40 or 50, this would still be a manageable number; because the mainstay of the curriculum is still lecture-based, a larger size is not an issue.

Judge Roberts felt that setting a minimum class size would allow less flexibility and preferred that the Council make such determinations on a case-by-case basis. Commissioner Wrenn felt that a delay of the next Session would be unfair to the departments who are planning for their officers to attend in April, as they may have taken great care to arrange the schedule of their department to accommodate the dates of the Academy.

Chief Dodge put forth the following motion: To hold the 253rd Session of the Part-Time Officer Academy on the dates scheduled and to discuss at the May Council meeting how to address future academies that have fewer than 20 or 25. The motion was seconded by Commissioner Wrenn. Chairman Prozzo asked Captain Jean to telephone the departments sending recruits to the next Part-Time Academy to determine if they were opposed to postponing the start date.

Captain Jean gave the following report when he returned: The thirteen recruits enrolled in the Part-Time Academy come from departments in Carroll, Jackson, Madison, Bath, Waterville, Litchfield, Pittsfield, Campton, Sandown, Plymouth State University, Westmoreland, and Roxbury; and, the two enrolled in the Law Package are from East Kingston and Concord. Captain Jean was not able to reach four of the departments. Three of the chiefs he spoke with said they would be agreeable to delaying the Session, and one chief had no feeling one way or the other. Five of the chiefs opposed the delay and said it would have a negative impact on their department.

The Chairman called for a voice vote on the pending motion to hold the 253rd Part-Time Academy as scheduled and the motion carried without opposition

Distribution of Nonpublic Agenda on Electronic Media

Director Vittum proposed the distribution of the Council's Nonpublic Agenda be accomplished using electronic media, as opposed to the hard-copy mailing that is currently made. Along with the purchase of a new copy machine for Police Standards and Training Council, a maintenance contract has been negotiated that puts a limit on the number of copies that can be generated by the machine. Laptop computers would be provided for Council members to follow the agenda during their meetings.

The material could possibly be distributed by email, but this could be cumbersome when the agenda is lengthy and the volume of backup materials is large. Ms. Nancy Smith warned that different email systems have different capacities with regard to receiving large attachments; the Director cited this as a reason to use the alternative of a portable media, such as a CD. Judge Champagne felt that downloading multiple attachments from email would be time-consuming and stated that he would prefer receiving the materials on CD.

Commissioner Wrenn expressed his preference for the hard copy that is currently distributed and Colonel Booth concurred that, for him, it was the least burdensome way to review the agenda and materials. With the material in hard copy form, it can be read as time allows, wherever and whenever the opportunity arises for someone with a schedule filled with meetings and moving from place to place during the workday.

The Council agreed to implement the Director's suggestion on a trial basis. Each Council Member will be contacted prior to the publication of the next agenda to confirm their preference: hard copy or CD.

Alternative Funding for Police Standards & Training – Director Vittum

Revenue is down from last year by approximately \$100,000. Some possible reasons for this:

- The failing economy
- The number of citations issued has decreased
- Courts are not collecting outstanding fines
- Traffic tickets are not being paid

Regardless of the reasons, Director Vittum underscored the critical need for the Police Standards and Training Council to explore alternative sources of funding for the future. Along with the rising cost of training and the expanded curriculum, rising heating costs, electricity rates, and food prices, there needs to be a more consistent source of funding. The Director asked for the Council's recommendations.

Considering the current penalty assessment fund now stands at \$3.5 million and the State of New Hampshire's current fiscal crisis, the potential for those monies to be redistributed is a real possibility and the Council needs to move quickly to protect this resource. Commissioner Wrenn suggested that the agency begin now to utilize the penalty assessment fund more aggressively. Chairman Prozzo felt that Police Standards and Training Council should propose to use penalty assessment monies to make initial expenditures for planning of capital projects and possibly the first year of payments on a bond; then, consume more of the fund for operating expenses.

Colonel Booth asked the Director to specify how much more money is needed for the agency to continue to operate. Without knowing exactly how much funding would be required annually to sustain the growth of our agency, it is difficult to determine which source of alternative funding would be adequate. Unknowns, such as the future cost of employee health insurance, are difficult to quantify.

Different alternatives offered at the strategic planning session held on April 14 included a surcharge on driver licenses. Colonel Booth estimated that the Department of Motor Vehicles has recorded approximately 1.4 million licensed drivers in the state; however, licenses are renewed only every five years. A surcharge on driver licenses of \$1 would only generate \$280,000 per year and this amount would not be sufficient. The greater the surcharge, the more opposition we can expect to encounter in the legislative process. A surcharge on registrations would be met with similar resistance and, besides, the number of registrations has been decreasing; a surcharge of \$1 on registrations may only produce \$1.2 million. Colonel Booth favored imposing a fee on insurance policies, perhaps one or two dollars; allow the insurance companies to collect the fees and hold the money for one year and collect the interest to offset their administrative costs. The Colonel's assertion was that this may appease the lobbyists working on behalf of the insurance providers.

Mr. Lohmann estimated that more than \$1 million in capital projects are planned for FY 10/11, and this amount may be bonded over a period of time (20 years). In that same fiscal period, positions added to the operating budget could increase that requirement by upwards of half a million dollars. Mr. Lohmann stated that in a typical quarter, our agency transfers about \$1 million from the penalty assessment fund for operating expenses.

The appropriation for the current year is \$3.9 million; based upon third-quarter projections, we will actually spend about \$3.2 million of this. Money was included in the current budget in anticipation of not receiving grant funds to run the videoconference sites; as it turned out, grant funds were received, so that money that is in the budget will lapse back into the penalty assessment fund at the end of the fiscal year. Revenue through the end of the year may come to about \$3.1 million.

A budget approaching \$5.5 million and current revenue of \$3.1 million dollars presents issues for planned capital projects. For example, when the Tactical Center was built at a cost of \$3 million, a bond was issued even though sufficient monies were in the penalty assessment fund. When the bond is paid off in 2013, the cost of the project will have ballooned to \$9 million (with \$500,000 paid toward bond payments). Likewise, a new \$3-million addition would require another \$500,000 in bond payments over 20 years.

Between \$5 million and \$6 million is probably a realistic expectation for a two-year budget, or \$2.5 million to \$3 million annually. Mr. Lohmann stated that the average lapse in funds over the last 15 years has been in the range of 6-7 percent. The statute allows for a way to approach the Fiscal Committee to get additional funds for a critical or urgent need. In the next operating budget, this approval may be necessary.

Director Vittum spoke of a grant that Police Standards and Training shared with the community colleges for our regional sites. A portion of these funds were used to hire two part-time employees. Now, the Federal Grant has run out and the partnership with the Community College System has been dissolved. Under the new arrangement, CCSNH receives monies from Police Standards and Training Council to fund these two part-time positions. The college, however, has no desire to continue this agreement, and they believe these two individuals should be employed by Police Standards and Training. In a letter to the Fiscal Committee, the Director has asked to have these positions transferred to our agency; CCSNH will let the current arrangement continue through the end of the current budget period (through FY 09).

Commissioner Wrenn felt that a likely scenario would not include adding more staff and that getting additional funds approved was not a realistic expectation. Even if we are successful in getting legislation before the next Session of the Legislature, these measures may not be signed into law; and, even if these efforts did succeed, the increase in revenues would not be realized for some time.

Chairman Prozzo proposed that the agency proceed with their goals for capital projects, utilizing penalty assessment funds to accomplish the planning phase for the construction of a new facility. Judge Roberts advised that we put a plan into place to consume the

funds we already have, and then develop compelling reasons for the Legislature to approve any additional funds or new sources of revenue. The Director anticipates that he will need to be prepared to protect the penalty assessment funds at the time he will appear before the Fiscal Committee about the transfer of the two part-time regional positions.

Commissioner Wrenn recommended completing a master plan study that considers projected staffing needs, improvements to existing facilities, planned capital projects, and where our programs will be in the next ten, fifteen, and twenty years. Cultivating relationships with key legislators is very important, too. Colonel Booth suggested a limit on the number of recruits would demonstrate the need for expanding the facility and hiring additional staff; when the Legislature begins to hear an outcry from police departments who cannot get their officers through the Academy soon enough, they will begin to recognize our critical needs.

The Director then proposed that the Council approve a 14-week residential Academy starting in January 2009, rather than the 16 weeks that was raised in the survey. More hands-on and scenario based training will be provided in this program. With the current facility and the current staff, it is not feasible to expand to 16 weeks right now. Commissioner Wrenn reiterated that it will be important to distinguish which legislators would be supportive and help us develop our approach to the Fiscal Committee. There needs to be a detailed cost analysis for the 14-week residential Academy, as well. Colonel Booth supported the Commissioner's recommendation for an outside consultant to examine the costs. This independent, professional analysis gives more credibility to proposals that come before the Legislature, and the Council should give the Director the authority to engage such expertise. The Colonel recommended completing the exercise before June 30, 2008, utilizing the 6 or 7 percent of funds that traditionally lapse at the fiscal year end.

Chairman Prozzo suggested that the Director come back to the Council and show what it costs to accomplish what is currently being done and contrast that with what is proposed for content in a 14-week residential Academy, as well as supporting detail on what it would cost to operate, beginning in January 2009.

Fitness Testing for Entrance to the Part-Time Officer Academy

Chief Russell proposed that applicants to the Part-Time Officer Academy be required to pass an entrance fitness test. Although physical training is not now part of the Academy, part-time certified officers are required to participate in ongoing three-year fitness testing. Mr. Lohmann indicated that failures in the first complete cycles of ongoing three-year fitness testing were minimal. Judge Roberts favored some minimum fitness requirement for entrance to the Part-Time Officer Academy; he also preferred that the testing be done by the Academy, rather than delegating it to police departments.

Commissioner Wrenn stated that prior Councils had never intended for there to be a required level of fitness for entrance to the Part-Time Academy; one of the reasons for this was it causes a hardship for departments looking to hire only part time, since many of these candidates would be excluded from the hiring process by the fitness requirement. To be fair, these officers are given the three-year period to build up to the level of fitness required to maintain their certification.

Chief Morency thought the message communicated through the survey was that the standards for part-time officers should be raised to at least a minimal level of fitness. Chief Russell pointed out that the expanded 200-hour curriculum now includes scenario based training and other physical activities. Captain Jean said that, besides the lecture based training offered before, now there is also driving, firearms, defensive tactics, and scenario based training. The last Academy had motor vehicle stops with varying circumstances, a domestic violence scenario, managing a stop of someone who is hearing impaired and dealing with the mentally ill. Physical activity is limited to these training exercises; there is no physical training per se. Chief Russell felt that even this level of physical exertion should require a minimum level of fitness.

Chairman Prozzo warned that the Police Standards and Training Council would need to assume the cost and provide staff and facilities to perform the fitness testing. There is also the fact that fitness testing would have the effect of reducing the class size even further. He agreed that the onus should fall on the departments to winnow out candidates that may not have the required level of fitness. The Director confirmed to Chief Russell that when this issue was brought before the chiefs, there was great support for fitness testing for entrance to the Part-Time Officer Academy.

Commissioner Wrenn asked for a survey of police chiefs to confirm this support. The Director agreed to put the question out to the chiefs and ask them to respond before the next Council meeting. In the meantime, the Council will take no action on this matter.

Next Meeting Date/Adjournment

The next meeting of the New Hampshire Police Standards and Training Council will be held on Tuesday, May 27, 2008, at nine o'clock in the morning, at the John D. Morton Conference Room at 17 Institute Drive, Concord, New Hampshire.

Upon a motion by Judge Champagne, seconded by Judge Roberts, the Council voted unanimously to adjourn the meeting at 11:45 a.m.

Respectfully submitted,

Chairman Michael L. Prozzo, Jr.