



Sheriff Michael L. Prozzo, Jr.
Chairman

State of New Hampshire
POLICE STANDARDS & TRAINING COUNCIL
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Approved Minutes

January 24, 2012



Donald L. Vittum
Director

The 414th meeting of the New Hampshire Police Standards and Training Council was called to order at 9:10 a.m. by Chairman Michael L. Prozzo, in classroom one at the Arthur D. Kehas Law Enforcement Training Facility and Campus in Concord, New Hampshire.

Members Present: Chairman Michael L Prozzo, Sheriff of Sullivan County; Attorney General Michael Delaney; Chief James Sullivan, Hampton Police Department; Chief Peter Morency, Berlin Police Department, Sheriff Richard Foote, Cheshire County, Chief Anthony Colarusso, Dover Police Department; Chief David Cahill, Sunapee Police Department; Colonel Robert Quinn, New Hampshire State Police; Justice Sawako Gardner, 10th Circuit District Division, Portsmouth and Justice James Carroll, 4th Circuit District Division, Laconia.

(Judge Gardner arrived at 9:15; Chief Colarusso arrived at 9:30)

Members Absent: Vice Chairman William Wrenn, Commissioner New Hampshire Department of Corrections; and the Chancellor, Community College System.

Staff Present: Director Donald Vittum, Captain Benjamin Jean; Chief Timothy Merrill (Ret.) Captain Mark Bodanza; and Investigative Paralegal Anne Paquin

Guests Present: Chief Dean Crombie, Somersworth Police Department with Captain Russell Timmons, Captain David Kretschmar, Sargent Michael Dumont and Officer Edward Correia; Sheriff Craig Wiggin, Belknap County, Sergeant Kevin Duffy, New Hampshire State Police. Captain James Lima, Nashua Police Department, Chief Robert Cormier, Tilton Police Department, and Chief Vincent Baiocchetti, Belmont Police Department.

(Lt. Duffy arrived at 9:22)

Approval of Minutes

Motion by Chief Sullivan for the Council to approve the minutes of the December 13, 2011 Council meeting including the amendment to page 8 of the minutes. The motion was seconded by Chief Morency, a unanimous vote in favor 8-0.

Previous and/or Unfinished Business

SWAT/SOU Committee

Sheriff Craig Wiggin, Belknap County, Sergeant Kevin Duffy, New Hampshire State Police, Captain James Lima, Nashua Police Department, and Chief Robert Cormier, Tilton Police Department were present to finish the presentation of the SWAT/SOU Committee from November. All of the information is laid out in the document that was provided by the committee, (attached).

Attorney General Delaney and Chief Sullivan thanked the committee for taking on the project and for their professionalism, and the positive outcome resulting from including mental health training.

Chairman Prozzo thanked the committee for the time and effort on this project. He asked that the committee return in a year to update the Council on their progress.

Motion by Chief Sullivan to accept the SWAT/SOU Committee's recommendations, the motion was seconded by Sheriff Foote, the Council voted 9-0 unanimously in favor.

New Business

Public Hearing request for a rule change, amend Pol 302.01 and Pol 302.02

A public hearing on the initial proposal for a revision to the rules was held. Written comments may be submitted until February 6, 2012.

Chairman Prozzo opened the public hearing to begin the rule making process for an amendment to Pol 302.01 and Pol 302.02. There were no members of the public present for the hearing.

Chief Tim Merrill made the presentation to the Council and read the rule into the record.

These amendments are intended to address the following issues:

If an officer fails to attain certification within two years of original date of hire, there is a lifetime bar to re-employment by the same agency;

However, that officer is able to go to any other NH law enforcement agency and re-start the clock.

302.01 addresses full time officers, while 302.02 addresses similar issue for part time officers.

The proposed amendment:

- removes the words "Full-Time" from Pol 302.01 with the intention that the word "officer" includes both full and part-time officers;
- repeals Pol 302.02 because part-time officers are included in Pol 302.01 under the proposal;
- changes the reference to reemployment "by the same agency" to "by any agency";
- adds language to remove the apparent lifetime bar to reemployment by adding the language "unless the officer has been separated from police, corrections or probation/parole employment for a period of not less than 2 years beginning the day after the termination has become final"; and
- adds language limiting extensions for elected police officers to not exceed 1 year from date of election as provided in RSA 188-F:27 II.

Draft Proposal – Pol 302.01 and 302.02

Pol 302.01 Police, Corrections and Probation/Parole Basic Training Programs. The following shall apply relative to completion of programs at the police, corrections and probation/parole basic training programs:

(a) Each newly appointed ~~full-time~~ police, corrections or probation/parole officer and each elected ~~full-time~~ police officer shall attend and satisfactorily complete the police, corrections or probation/parole basic training program as applicable when scheduled by the council, within 6 months from the date of original appointment or election.

(b) “Satisfactory completion” of the training program as used in (a) means:

(1) Achieving a passing score on all written and practical tests; and

(2) Meeting all requirements under RSA 188-F:26, V.

(c) No person shall be appointed as a ~~full-time~~ police, corrections or probation/parole officer except on a temporary or probationary basis unless he/she has satisfactorily completed the police, corrections or probation/parole basic training program as appropriate.

(d) The council shall grant an extension of the time limit for the completion of the basic training program upon receipt of a written request from the hiring authority setting forth the reasons therefore for good cause shown.

(1) Extensions of the time limit for completion of the basic training program shall not exceed 2 years from the original date of hire.

(2) Extensions of the time limit for completion of the basic training program for elected police officers shall not exceed 1 year from the date of the election.

(e) For the purposes of this section, good cause shall include, but not be limited to, the unavailability of such a program, or an officer being unable to complete the training within the prescribed period because of illness, injury, military service, or special duty assignments made in the public interest.

(f) The termination and subsequent reemployment of an ~~full-time~~ officer by ~~the same~~ any agency shall not affect the requirement that he or she attend and satisfactorily complete the police, corrections or probation/parole basic training program as appropriate within 6 months from the date of original appointment unless the officer has been separated from police, corrections or probation/parole employment for a period of not less than 2 years beginning the day after the termination has become final.

(g) Officers residing or working in New Hampshire shall complete the required basic training at a New Hampshire police standards and training council program, as appropriate, unless the council due to circumstances beyond its control, such as the cancellation of an academy or lack of enrollment, shall allow a portion of the training to be taken in another state or at another school.

Repeal Pol 302.02 Part-Time Officer Basic Training and re-numerate the remaining sections.

There were no public comments made, and the public hearing was closed.

Hearing

At 9:30 Somersworth Police Department members were present to request certification for Edward Correia based on prior training and experience. This eligibility hearing was scheduled as it is necessary before prior training and experience can be considered due to Pol 301.05 (g).

Judge Gardner recused herself from the hearing.

A non-public session was requested.

Motion by Chief Sullivan for the Council to enter a non public session, the motion was seconded by Chief Morency with a roll call vote 9-0 in favor of the motion.

At 9:35 the Council entered a non public session.

At 10:45 Council members took a short break.

At 10:55 Council members returned to non public session.

At 11:06 the witnesses were excused and Council deliberations began.

Motion by Chief Sullivan to seal the minutes of the non public session, seconded by Colonel Quinn, unanimous vote 9-0 in favor.

At 11:34 a Motion was made by Chief Sullivan for the Council to come out of the non public session, seconded by Chief Morency, roll call vote 9-0 in favor.

Motion by Chief Morency that Edward Correia was eligible for certification with a second by Chief Colarusso vote by Council 9-0 (Judge Gardner recused).

(Judge Carroll exited the meeting at 11:36)

Chief Crombie requested an extension to the next Council meeting in order to submit documents regarding prior training and experience for Edward Corriea.

Motion by Colonel Quinn to approve Chief Crombie's request for a one month extension for documentation for Edward Correia, seconded by Chief Colarusso vote by Council 9-0.

Approved Consent Calendar

Prior Training and Experience Requests

Officer Steven Gilcreast, Manchester Police Department will be granted certification upon successful completion of the medical exam and the entrance fitness test.

Officer Jamie P. Lajoie, Rollinsford Police Department will be granted certification upon successful completion of the NH Full time Academy Law Package, medical exam, and entrance fitness test.

Requests for Extensions

Note: Extensions granted until fitness testing for requested Academy, and, if testing is successful, through the end of the requested Academy.

Part-Time Police Officer Academy

The 261st Part Time Academy will be held February 4, 2012 through May 4, 2012. The entrance fitness test is scheduled for January 21, 2012 at 8:00 a.m.

Officer Jeffrey Danforth, Frankestown Police Department will be granted an extension through the date of the entrance fitness test and, if successful, through the end of the 261st Academy with the stipulation that Officer Danforth must continue to work only in the direct presence of a certified officer and must remain actively enrolled in the 261st Academy.

Officer Andrew Wood, Madbury Police Department will be granted an extension through the date of the entrance fitness test and, if successful, through the end of the 261st Academy with the stipulation that Officer Wood must continue to work only in the direct presence of a certified officer and must remain actively enrolled in the 261st Academy.

Officer Antoinette Raffaele, Madbury Police Department will be granted an extension through the date of the entrance fitness test and, if successful, through the end of the 261st Academy with the stipulation that Officer Raffaele must continue to work only in the direct presence of a certified officer and must remain actively enrolled in the 261st Academy.

Officer Sean Benoit, Raymond Police Department will be granted an extension through the date of the entrance fitness test and, if successful, through the end of the 261st Academy with the stipulation that Officer Benoit must continue to work only in the direct presence of a certified officer and must remain actively enrolled in the 261st Academy.

Full-Time Police Officer Academy

157th Academy will be held from January 9, 2012 through April 13, 2012 with the entrance fitness test on December 19, 2011.

158th Academy will be held from April 30, 2012 through August 3, 2012 with the entrance fitness test on April 16, 2012.

Chief John Bryfonski, Bedford Police Department will be granted an extension through the date of the entrance fitness test and, if successful, through the end of the 158th Academy with the stipulation that Chief Bryfonski must continue to work only in the direct presence of a certified officer and must remain actively enrolled in the 158th Academy.

Officer Jeffrey M. Vigneault, Keene Police Department will be granted an extension through the date of the entrance fitness test and, if successful, through the end of the 158th Academy with the stipulation that Officer Vigneault must continue to work only in the direct presence of a certified officer and must remain actively enrolled in the 158th Academy.

Officer Kevin M. Mulcahy, Keene Police Department will be granted an extension through the date of the entrance fitness test and, if successful, through the end of the 158th Academy with the stipulation that Officer Mulcahy must continue to work only in the direct presence of a certified officer and must remain actively enrolled in the 158th Academy.

Officer Mary Lynn Devine, Wakefield Police Department will be granted an extension through the date of the entrance fitness test and, if successful, through the end of the 158th Academy with the stipulation that Officer Devine must remain actively enrolled in the 158th Academy

Officer Matthew O'Connor, Henniker Police Department will be granted an extension through the date of the entrance fitness test and, if successful, through the end of the 158th Academy with the stipulation that Officer O'Connor must remain actively enrolled in the 158th Academy.

Training Grants

Milton Police Department will be granted \$ 1,000.00 for Lt Richard Krauss to attend Command Training Mid Management, Roger Williams University, in Portsmouth RI from February 5, 2012 to February 18, 2012.

Laconia Police Department will be granted \$983.33 for Lt Matthew Canfield to attend FBI – New England Law Enforcement Executive Development, in Uncasville CT from February 5, 2012 to, February 10, 2012. .

Keene Police Department will be granted \$943.00 for Captain Steven Russo to attend FBI – New England Law Enforcement Executive Development, in Uncasville CT from February 5, 2012 to, February 10, 2012.

Keene Police Department will be granted \$1,000.00 for Lt Eliezer Rivera to attend Command Training Series Mid-Management Course Roger Williams University, in Portsmouth RI from February 5, 2012 to February 17, 2012.

Nashua Police Department will be granted \$2,000.00 for Sgt Thomas Bolton and Sgt Carlos Camacho to attend First Line Supervisor Course Roger Williams University, in Portsmouth RI, from February 27, 2012 to March 9, 2012.

Ongoing Physical Fitness Testing

Requests for Fitness Testing Extensions

The following individuals were granted medical extensions for ongoing physical fitness testing through June 30, 2012, their initial compliance date: December 31, 2011

Stephen Akerstrom Belmont PD

Michael Feinauer State Police

David Miville DOC

Christopher Cavallaro Hudson PD

Cassandra Avery Hudson PD

Joshua Levasseur Concord PD

Heather Marquis DOC

David Hersey Seabrook PD and Kensington PD

The Consent Calendar, items 8-33 on the agenda, were approved by a Motion from Chief Sullivan seconded by Sheriff Foote, vote by Council 9-0.

Non-consent items

Prior training and experience

Shawn Coope Belmont Police Department Chief Vincent Baiochetti was present to request certification based on prior training and experience for Officer Coope. Captain Bodanza explained that Officer Coope has been out of New Hampshire law enforcement employment for two years, nine months and 27 days. Officer Coope received his full time certification at the 76th Academy and graduated in 1986. He retired from a full time position with the Raymond Police Department in 2009 and has been working for the US Marshal Service since that time. There was no staff recommendation on this request.

Chief Baiochetti explained that through a grant by Homeland Security there are positions for seasoned officers to work as analysts/intelligence officers. The town of Belmont was not paying for this position. Shawn Coope has been through part of the hiring process with Belmont PD with a medical exam, fitness test, background and polygraph, however, he will have no law enforcement authority and not carry a weapon. The certification was needed for him to access files and records.

Motion by Chief Sullivan, in order to stay consistent, to require Shawn Coope to take the law package test, (test out of the law package classes), seconded by Chief Colarusso, vote by Council 9-0.

Officer Michael Masella New Boston Police Department was present accompanied by Sergeant Richard Widener to request certification based upon prior training and experience. Captain Bodanza explained that Officer Masella had worked full time for Nashua Police Department from 1985 until retiring in 2008, and he had been out of law enforcement employment for three years and two months. Chairman Prozzo reminded Council members that the Council's policy was that those who were out of law enforcement for two years must complete the academy's law package, and those who were out 3 years must complete the full academy.

Motion by Chief Morency for Officer Masella to attend the Full-time Academy, seconded by Chief Sullivan.

Chairman Prozzo asked if there was any discussion on this motion.

Chief Colarusso inquired, wasn't it true that in situations such as Officer Masella's each case could be evaluated individually, before the Council? Chief Colarusso stated that the Council knows that Officer Masella is a 20 plus year veteran who has been out of law enforcement employment for three years and two months. Chief Colarusso felt that the Council should hear the facts, and decide whether they feel confident that the full academy is necessary. The motion was for him to go to the Full-time academy.

Chairman Prozzo interjected at this point that "we are discussing the motion".

Director Vittum explained that Officer Masella has worked on the staff at PSTC and has been a training officer for the city of Nashua and he did an outstanding job, he was an outstanding leader at the Academy. Director Vittum stated that Officer Masella has done a lot for PSTC, he has a wealth of experience, his prior experience of 20 plus years and being on staff at PSTC, working for Nashua, helping new recruits. Director Vittum stated that it would serve no purpose to have Officer Masella go back to the Full-time Academy.

Chairman Prozzo asked for any further discussion. Chief Morency withdrew his motion, stating that he thought the three years was the time line and didn't realize the window was there, he thought it was a black and white issue.

Judge Gardner asked if this was a case by case analysis; and if it was, would it be beneficial to hear from Officer Masella to be clear why the Council is making an exception?

Chairman Prozzo replied that it was case by case situation, and at that point Officer Masella provided the Council with a synopsis of his employment.

Motion by Chief Sullivan to grant certification based on prior training and experience to Officer Masella provided that he pass the medical exam, entrance fitness test and pass the law package testing (test out of the law package classes) seconded by Colonel Quinn, the vote by Council 9-0.

(Colonel Quinn exited the meeting at 12:00 noon).

Gary Robinson Tilton Police Department Captain Bodanza explained that this request for an extension was not a consent item as the Council had decided that if an extension request skips a full academy it is to go before the Council to be evaluated for the reason why the request was made, and why the individual should not go to the next scheduled academy. The Tilton Police Department indicated that they would be down two officers during 2012 Motorcycle weekend, and they feel by placing Officer Robinson in the academy it would cause a hardship to them. Tilton Police Department asks for the Council's consideration to grant an extension through the 159th Full-time Academy.

Motion by Chief Sullivan that the Council accept the staff recommendation and grant the extension to Officer Robinson, seconded by Sheriff Foote, the vote by Council 8-0.

Anthony Fowler, Hillsborough County Sheriff's Office Captain Bodanza explained that Anthony Fowler was due to come to the 260th Part time Academy and he has had issues with a family member's health, and was extended to the 261st Part time Academy. He is now asking for an extension through the 262nd Part time Academy. He must attend the 262nd Part time Academy otherwise he will hit the two year window for the 263rd Part time Academy. The request is through the 262nd with the understanding that this is his last chance statutorily, he will not be able to go beyond the two year period if he remains with Hillsborough County Sheriff's Office. PSTC will notify the Sheriff and the Council that this is his last chance.

Motion by Chief Sullivan to grant the extension to Officer Fowler, seconded by Chief Morency the vote by Council 8-0.

Other New Business

Request from Massachusetts State Police regarding overnight accommodations at PSTC for out of state officers attending classes.

Captain Bodanza explained that PSTC was co-hosting Crisis Negotiation Team training with the FBI here at PSTC. PSTC has received a request from the Massachusetts State Police for their officers to stay overnight in the dorms while they are at training. The Director has asked the Council to decide how to respond.

Discussion began on costs related to overnight accommodations, and whether or not those from New Hampshire had been charged by Massachusetts State Police to stay at their barracks during training at that facility.

Director Vittum stated that there is no cost for any New Hampshire officer to stay at PSTC, this is their facility, they are in the system with penalty assessment, it's their training institution they have a right to space if it is available.

Chief Cahill stated that while attending training at Massachusetts State Police he did not have to pay to stay in their barracks, that the fee was built into the cost of the training.

Chief Sullivan stated he would agree to host Massachusetts State Police at no charge, but he'd like Council staff to research fees for future requests. Chief Colarusso agreed with Chief Sullivan and asked about the number of requests received to stay overnight at PSTC.

Director Vittum responded that this was the first request in a long period of time, but he anticipated there would be more considering everyone's financial situation.

Chairman Prozzo stated that while anyone was staying at PSTC that they must be required to obey rules, not coming and going as they please as the building was locked at certain hours. The individuals are staying to attend training, and they are responsible for their own meals.

Sheriff Foote asked about the past history in allowing outside individuals to stay overnight. The Director said it had been allowed, but did not expand on the question.

Chairman Prozzo asked if anyone had the standard rate fee? Captain Jean stated \$50.00 per night.

Motion by Sheriff Foote that PSTC charge out of state officers the standard fee and also that the Chief of Police or Colonel from the State Police responsible for the officers staying at PSTC sign an acknowledgement regarding the conduct of the individuals while they were staying at PSTC. The motion was seconded by Chief Cahill, the vote was 7 in favor, one opposed, Chief Sullivan who asked for further research on fees charged.

Law Enforcement Authority of Training Specialists -MOU for Officers Sworn for Jurisdiction only GO-39

Director Vittum explained that recently he had looked at the authority of the law enforcement training specialists at PSTC. He stated that there is a policy, and part of the policy is a memorandum of understanding executed by the Chairman for law enforcement powers for PSTC LETS. Director Vittum went on to state he would like to maintain consistency with the memorandum, making sure the policy was correct and that the memorandum was updated and executed. This action asks for the Attorney General's Office to review the MOU. An MOU from a long time ago was found that had been signed, and again, the Director asked for consistency in this practice for appropriate authority regarding what LETS can and cannot do while working at PSTC. Director Vittum stated he is concerned about liability.

Chairman Prozzo explained that when he joined the Council in 1996, Earl Sweeny, the Director at that time, spoke about whether the Chairman could swear in LETS staff. The Training Specialists did not carry weapons at that time, though they were in full uniform. Chairman Prozzo conferred with Attorney General Philip McLaughlin, and the MOU was drafted and it has been in effect since 2000. Chairman Prozzo said that Director Vittum had brought this up so that all the Council members would be aware of the MOU.

Director Vittum stated that he had restricted what PSTC LETS could do, that all of them have been informed in writing.

SWAT/SOU Subcommittee
Submitted to the Council for review on January 24, 2012

**Final Draft Recommendations for Consideration by the Council on the
Suggested Standards and Guidelines
For
New Hampshire SWAT/SOU Teams**

SWAT/SOU Subcommittee members:

**Belknap County High, Sheriff Craig Wiggin
Tilton Chief of Police, Chief Robert Cormier
New Hampshire State Police, Sergeant Kevin Duffy
Nashua Police Department, Captain (Ret) Ronald Dickerson
Nashua Police Department, Captain James Lima
Police Standards and Training Council Liaison, Captain Mark Bodanza**

Introduction:

At the August 26, 2008 Police Standards and Training Council meeting, then Attorney General Kelly Ayotte, authored a proposed motion, presented through then Deputy Attorney General Orville “Bud” Fitch, which read:

“MOVED (by Deputy AG Fitch): That the Director and his staff prepare for a future council meeting recommendation for engaging an expert to evaluate the training and standards for Special Operations and Special Weapons and Tactics teams utilized by law enforcement in New Hampshire. The staff recommendation for a study should include identifying one or more experts, from outside the State, who have no relationship with existing New Hampshire SOU or SWAT teams. The work product or results of the study should be limited to recommendations related to future training for SOU/SWAT members and/or proposed standards for SOU/SWAT units to be certified under the existing in-state certification program. The proposed study should seek to learn from the Charlestown SOU deployment and other recent incidents where SOU/SWAT teams were utilized, however, it should be limited to a forward looking proposal regarding training and model standards. The Director and staff should consult with the Attorney General’s Office in the preparation of its recommendation to the Council.”

As a result, a contracted independent study, performed by National Tactical Officers Association (NTOA), was completed. On August 25, 2009 the New Hampshire Police Standards and Training Council voted “to authorize the Director of Police Standards and Training to work collaboration with the Chief Law Enforcement officers of the state, Police Chiefs, Sheriffs, and Tactical Teams and their leaders to develop and purpose model policies and procedures for consideration by the Police Standards and Training Council.”^[1]

This motion following NTOA’s report on its’ independent study of New Hampshire’s SWAT teams recommending the support of [The] “Establishment of state guidelines and standards for New Hampshire SWAT teams, such as those promulgated by the National Tactical Officers Association, which would increase the proficiency and interoperability of the teams.”^[2]

The following standards are suggested guidelines^[3] for the management, operation, and training of Special Operations Units within the State of New Hampshire. The intent of these suggested guidelines is to provide useful guidance to New Hampshire law enforcement agencies in the formation, operation, training and oversight of Special Operations Units.

[1] PSTC meeting minutes from August 25, 2009 motion by Deputy Atty. General Bud Fitch, second by Chief Calaruso.

[2] NTOA recommendation #5, August 25, 2009 presentation to the Council

[3] Meeting Minutes from September 28, 2010, subcommittee’s report is intended to provide only guidance to New Hampshire law enforcement agencies by establishing recommended best practices.

MISSION STATEMENT

(Suggested Language): A SOU Team should be dedicated to ensuring public safety and resolving high risk incidents by maintaining a high state of readiness through training, dedication and professionalism. An SOU team is highly trained, prepared and equipped to respond to tactical situations which exceed the capabilities of first responders.

Definition: A Special Operations Unit (SOU) is a designated law enforcement team whose members are recruited, selected, trained, equipped and assigned to resolve critical incidents. These situations involve a threat to public safety, which would otherwise exceed the capabilities of traditional law enforcement first responders and/or investigative units. SOU teams are focused on tactical solutions as opposed to other functions such as investigation.

For the Purpose of these recommended standards a Special Operations Unit (SOU) shall include SWAT, SERT, SRT, ERT, TOU and any other team whose role is defined above. Such team does not include "Warrant Team" or ad hoc team of officers that are formed around a specific mission detail, or incident, which may execute low-to-medium risk arrest or search warrants.

Purpose: The primary purpose of the SOU is to provide a systematic approach to saving lives according to the priorities of life and suggested guidelines set forth herein, in concert with the totality of the circumstances presented for each situation.

Although the safety of life is the priority of the SOU, situational circumstances will dictate the level of force necessary to protect the public and officers involved. The resolution of these incidents may result in the application of various levels of force up to and including the use of deadly force.

1- Team Organization and Structure

Each SOU Team should have, at minimum, an organization diagram detailing its command structure; this should include at a minimum a Team Commander, Team Leader(s), operational units, specialty units and support staff. The policy should also clearly outline the chain of command above team commander (Examples: Colonel, Chief, and Board of Trustees).

2- Mission Capabilities

A SOU Team should be trained and equipped to respond to the following types of incidents:

- a) Hostage Rescue;
- b) Barricaded Subject(s);
- c) Active Shooter/Sniper;
- d) High-Risk warrant/apprehension;
- e) Dignitary protection;
- f) Terrorism response;
- g) Special assignments that exceed the capabilities of first responders or investigative units.

3- Personnel

A SOU Team should have a policy outlining the specific recruitment of SOU Team members.

A SOU Team should have a policy outlining the specific minimum/suggested qualifications in the initial selection criteria. The testing criteria should include the following:

- a) Oral Board;
- b) Physical fitness proficiency test;
 - i. Task Related
- c) Firearms proficiency test.

Other criteria may include:

- a) Law Enforcement experience;
- b) Personnel Record review;
 - i. Commendation/Awards review
 - ii. Disciplinary history
 - iii. Annual Evaluation review
 - iv. Supervisory input
- c) Psychological/Emotional characteristics;
- d) Personal characteristics and attitude;
- e) Ability to act cooperatively with others in a team environment.

4- Retention

Each SOU Team should have a policy describing annual retention requirements that include physical and tactical related assessments while also considering the member's overall core job performance.

5- Advancement to leadership positions

Each SOU Team should have a policy outlining the protocols and processes for developing team leaders/commanders.

Each SOU Team should have a policy outlining the minimum standards for the positions within a team. Prior to the assignment to a particular leadership position, the individual should have the minimum industry recommended level of training.

Other considerations for the following leadership positions within the team should include:

Team Commander

- a) Industry recommended command level training for SOU Teams;
- b) Minimum five years experience in a supervisory or command position
- c) Previous tactical operations experience preferred
- d) Demonstrated Leadership ability
- e) Ability to communicate with tact and diplomacy

Team Leader

- a) Industry recommended command level training for SOU Teams;
- b) Proven leadership capabilities and experience;
- c) Previous tactical operations experience preferred;
- d) Ability to formulate and execute tactical plans.

6- Training

Minimum training requirements for newly appointed SWAT operators:

- a) Basic industry standard SWAT school (40 hours) within the first 12 months of being selected;
- b) Advanced industry standard SWAT school (40 hours) with in the first 24 months of being selected;

Minimum training requirements for teams:

- a) SWAT teams should participate in documented and verifiable monthly training to maintain individual and team core competencies as determined by the type and extent of SWAT missions and operations performed; operators shall participate in at least 96 hours of SWAT related training annually and should strive toward the ideal industry standard of 192 hours of relevant training annually.
 - i. SWAT core competencies fall within three general categories:
 - 1. Weapons, munitions and equipment training;
 - 2. Individual and team movement and tactics;
 - 3. Decision-making.
- b) For personnel with specialized skills or assignments in addition to that of an operator, teams should be guided by industry standard for the extra training recommended for that specialty. (ie. long-rifle, negotiator)
- c) All SWAT teams should have a policy outlining the documentation, frequency and maintenance of team and individual training including:
 - i) Training/lesson plans;
 - ii) Training deficiencies;
 - iii) Remedial training;
 - iv) Policy training;
 - v) Annual review/updating of training documentation.

7- Equipment

Minimum equipment requirements:

- a) Teams should continually assess and evaluate necessary equipment for the mission.
- b) Teams should have a policy regarding:
 - i) Appropriation, issuance and authorization of equipment
 - ii) Inventory of equipment
 - iii) Maintenance of equipment
 - iv) Identify personnel responsible
 - v) Removal and disposal of obsolete equipment
- c) Team members should be prohibited from carrying unauthorized equipment.

8- Activation/Deployment

- a) Teams should have a policy in place to describe the criteria and procedure for the activation and deployment of the team.
 - 1) Activation and deployment criteria should consider a threat assessment process upon which to base full or partial team activation.
- b) Teams should have a policy detailing the on scene responsibilities of the Incident Commander and the SOU Commander.
 - 1) Incident Commander and SOU Commander responsibilities should be clearly defined and delineated.
 - 2) Incident Command System (ICS) principals should be applied.
- c) Teams responding outside their jurisdiction should deploy in accordance with RSA 106-C.
- d) Teams should describe the procedure for deactivation of the SOU when no longer needed or operation is complete.

9- Operations Plans

- a) Teams should have a policy detailing the development and utilization of an operations plan for each potential mission.
 - 1) Plans should be written/documented and retained for a prescribed length of time after the operation.
- b) Teams should describe the process by which operational plans are periodically reviewed and/or updated.

10- Use of Force/Response to Resistance Policy

- a) Teams should have a policy that addresses all levels of force/response to resistance in accordance to applicable laws and agency policy.
 - 1) The policy should require documented training in all use of force topics applied by the team.
- b) Teams should have a policy describing appropriate “Priority of Life” as recommended by industry standards.
- c) Teams should have a policy addressing the reporting and documentation of use of force by any member of the team while engaged in the mission.

11- After-Action Critique/Reporting

- a) Teams should develop and implement an after-action review or reporting process that evaluates and analyzes critical incidents that afford individual and team assessment, help identify training needs, and reinforce sound risk management practices.

12- Emergency Medical Operations

- a) The SOU Team should, when necessary, utilize a response that enacts an emergency medical support operation plan during the conduct of an operation.

13- Policy Review/Update

- a) Teams should have a policy for the adoption, approval, review and update of policies.
- b) Policy review should occur annually.

Chairman Prozzo stated that he had spoken to the Merrimack County Sheriff and asked him if he would prefer to swear in LETS as they work in Merrimack County, but he declined, saying the procedure was working well as it stood. The Chairman then asked the Council for comments.

Attorney General Delaney stated that he had been reviewing the draft, and that the defense in the indemnification for PSTC LETS is done by the Attorney General's Office. He then stated, "if something goes wrong here, it is on our shoulders". AG Delaney went on to state that if the prior MOU was in place, and if it was not an undue burden on the Council, he'd like to table the MOU item until the next Council meeting to allow a review of the changes.

Chairman Prozzo agreed, and said that if there is a change at his own office or at the Attorney Generals office, there should be reviews. Attorney General Delaney responded that he'd like to respond to the terms of the MOU to ensure that it "fits squarely within the statutory authority of this Council for delegating authority". He then asked Director Vittum if the LETS were participating in any details, to which Director Vittum responded, "no, no details, no ride alongs".

AG Delaney again stated that he would like to table the MOU matter until next month's meeting to review final language, Chairman Prozzo agreed.

Department of Corrections Request for Declaratory Ruling

Captain Bodanza announced a last minute addendum item received from the Department of Corrections, hard copies were handed out to Council members. This request was continued to the February Council meeting.

Pending Legislation

Director Vittum advised the Council members on three significant bills that were currently pending, all relating to funding for PSTC and penalty assessment. He and the staff are following these bills and being pro-active. Chief Cahill also spoke of all of his contacts with individuals in dealing with the bills.

Chairman Prozzo went on to speak of the Governor and Council meeting that had been held at PSTC earlier this month. He stated "they heard from us, the Attorney General was very supportive in what he had to say, and they were very supportive in what we were doing".

Next Meeting Date/Adjournment

Chairman Prozzo stated that the next Council meeting would be held on February 28th, and at that meeting they would discuss the 2012 calendar, with potential for two days of training being held during March.

Motion to adjourn at 12:30 by Chief Colarusso, seconded by Chief Morency, vote 7-0.

Respectfully submitted,



Chairman Michael L. Prozzo, Jr.