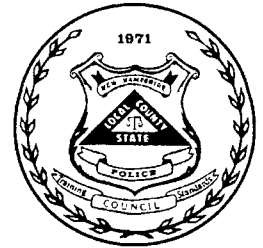




Sheriff Michael L. Prozzo, Jr.
Chairman

**State of New Hampshire
POLICE STANDARDS & TRAINING COUNCIL
ARTHUR D. KEHAS
LAW ENFORCEMENT TRAINING FACILITY & CAMPUS
17 Institute Drive — Concord, N.H. 03301-7413
603-271-2133 FAX 603-271-1785
TDD Access: Relay NH 1-800-735-2964**



Donald L. Vittum
Director

Approved Minutes

(February 28, 2012)

The 415th meeting of the New Hampshire Police Standards and Training Council was called to order by Chairman Michael L. Prozzo, Jr., Sheriff of Sullivan County, in classroom one of the Arthur D. Kehas Law Enforcement Training Facility and Campus in Concord, New Hampshire at 9:10 a.m.

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

Members Absent: Chancellor Ross Gittell, Community College System of New Hampshire and Justice Sawako Gardner, 10th Circuit District Division, Portsmouth

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

Guests Present: Danielle Normand, Chief Ryan Murdough, and Officer Jeffrey Iadonisi, both of Henniker Police Department, Nancy Smith, SAAG and Michael Brown, SAAG of New Hampshire Attorney General's Office.

Approval of Minutes

Judge Carroll moved for the Council to approve the minutes of January 24, 2012. Following a second by Sheriff Foote, a unanimous vote in favor 10-0.

Previous and/or Unfinished Business

Agenda items numbered four and five would be addressed later in the meeting as PSTC's attorney, Nancy Smith, would be arriving at 10:00 a.m.

Hearing

A hearing was scheduled for Jeffrey Iadonisi of the Henniker Police Department to show cause why the Council should not suspend or revoke his police officer certification for a violation of Pol 404.06; 404.07 and RSA 188-F:27, III d-g. Officer Iadonisi was present and was accompanied by his agency's chief, Ryan Murdough.

Chairman Prozzo explained the difference between a public and non-public hearing, Officer Iadonisi chose to have a public hearing.

Captain Bodanza was sworn in by Chairman Prozzo, and then presented a timeline to Council members which began with Officer Iadonisi's employment history, certification, and also covered the fitness testing reminder letters that had been sent by Director Vittum to Officer Iadonisi at the Henniker Police Department in 2011, ending with a suspension letter sent by Director Vittum to Officer Iadonisi January 4, 2012. Captain Bodanza explained that this hearing was about a violation of Pol 404.06; and 404.07; presently Officer Iadonisi had an approved medical clearance report form and a passing fitness test, however, this had not been accomplished within the time period specified, the test was completed on January 31, 2012. Captain Bodanza provided the exhibits from the timeline to Chairman Prozzo for Council member's consideration, with no objection from Officer Iadonisi.

Chairman Prozzo inquired if there were any questions for Captain Bodanza.

Officer Iadonisi was sworn in by Chairman Prozzo and explained to Council members about his situation. He sustained a broken ankle with torn ligaments during a soccer match in May 2010. The degree of inflammation in the ankle limited him to an air cast. He sought treatment and it was a slow healing process. He sent his medical clearance report form for approval of fitness testing to the orthopedist at the beginning of December. He did not hear back from the doctor's office, and followed up with a phone call. The doctor's office personnel responded that they would fax the form to Officer Iadonisi by Wednesday December 28th. Officer Iadonisi had previously made an appointment to take a fitness test on Friday December 30th, but he did not have an approval to test by a physician's executed medical clearance report form on that date. He went to the doctor's office in person, on Friday, December 30, 2011 and learned that his doctor would not be back in the office until the following week, and no one else in the office was comfortable signing the medical clearance report form. On January 2, 2012 he contacted the doctor's office again and made an appointment for the following week. He later received a return phone call and was informed it was not necessary for him to go to an appointment, he was medically cleared, and it had been a misunderstanding about the form not being signed and faxed.

Chairman Prozzo asked if there were any questions for Officer Iadonisi.

Chief Morency asked if Officer Iadonisi had spoken with staff at PSTC about his situation and the difficulty he had with his waiver status. Officer Iadonisi had not communicated with PSTC staff about the situation.

Commissioner Wrenn asked Officer Iadonisi if he had received the two letters reminding him that his fitness testing was due, Officer Iadonisi confirmed that he'd received the letters. Commissioner Wrenn stated that Officer Iadonisi had still waited until December 29th.

Officer Iadonisi responded by saying that what he should have done was to get an extension, however he thought he would be ready to test on December 30th. Commissioner Wrenn responded, that the options that Officer Iadonisi had available to comply with, and that he'd not done anything.

Officer Iadonisi stated that he'd started at the beginning of December with his doctor's office for the medical clearance report form. It took several times to get the form. Commissioner Wrenn went on to state that it was Officer Iadonisi's own responsibility to get the information, not the doctor's, or the chief's responsibility.

Sheriff Foote asked about the orthopedic doctor for the injury, inquiring if Officer Iadonisi understood that the clearance form was not for the injury but for his general health. If his ankle was cleared, it did not mean that his general health was cleared for

the fitness test. Officer Iadonisi expressed that that was one of the issues, no one else in the orthopedic office was comfortable signing off on the form.

Chief Colarusso asked Officer Iadonisi what he'd been doing since his suspension, had he been working? Officer Iadonisi explained that he'd been doing construction work.

Judge Carroll asked for clarification of the date of injury, as Officer Iadonisi stated May 19, 2010, (when it was 2011).

Captain Bodanza inquired about the number of hours Officer Iadonisi worked for the Henniker Police Department in 2011. Officer Iadonisi said he'd only worked about once a month for Henniker as he had full time employment at the Washington Highway Department, except for the injury period.

Chief Murdough was sworn in by Chairman Prozzo. He indicated that he was embarrassed to have to be in attendance. He did state that Officer Iadonisi was a good police officer and did an excellent job for their agency. He stated that Henniker police officers were required to pass their fitness tests by September 1st in the year which they are due to test. Officer Iadonisi asked for an extension from the Henniker Police Department on that date, which was allowed due to the injury.

Officer Iadonisi did not work after receiving the suspension notice from Police Standards and Training, until Chief Murdough received a phone call from Chief Merrill explaining that Officer Iadonisi could work up until the hearing date when a decision would be made on his certification. He did not work for approximately 30 days; he received a verbal reprimand from Chief Murdough, he has never had any disciplinary problems in their department. Chief Murdough asked that the Council reinstate Officer Iadonisi's certification, the Chief felt that he had suffered the consequences, and he felt confident that "he would not be at a Council meeting with any of his agency's officer's discussing this issue again".

Motion by Chief Cahill to allow Jeffrey Iadonisi's certification to continue, seconded by Sheriff Foote.

Commissioner Wrenn stated that he could not vote in favor of the motion, he felt that there should be some consequences to the violation. Commissioner Wrenn stated that other people have been through this in the past, and they have been sanctioned, at least a 90 day suspension; (Commissioner Wrenn's explanation why he would vote against the motion).

Council vote 7 in favor, 3 opposed.

Danielle E. Normand – Request to address Council

Danielle Normand made a request to address the Council in order to determine her eligibility for police officer certification.

Ms Normand was present. Chairman Prozzo explained that the Council could not determine her eligibility until PSTC staff had received a Form A from an agency that had hired her. He stated he appreciated her time and her letter, but there was nothing to be done at this point. When asked, Ms. Normand indicated that she understood the process.

CONSENT CALENDAR

PT&E Requests

Officer Edward M. Correia - Somersworth Police Department

Will be granted certification upon successful completion the medical exam, the entrance fitness test and the Full-Time law package, with the option to “test out” of the law package.

Deputy Tobias Orfant, Carroll County Sheriff’s Department

Will be granted certification upon successful completion of the medical exam, entrance fitness test, and the Law Package of the Full-Time Police Officer Academy.

Chief Daniel Sklut, Dunbarton Police Department

Will be granted certification upon successful completion of the medical exam, entrance fitness test, and the Law Package of the Full-Time Police Officer Academy with the option to “test out” of the law package.

Officer Tyler Shaw, Manchester Police Department

Will be granted certification upon successful completion of the medical exam and the 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.

Full-Time Police Officer Academy

158th Academy – 06/11/2012 – 09/14/2012 (fitness test 05/28/2012)

159th Academy – 09/17/2012 – 12/21/2012 (fitness test 9/4/2012)

Officer Matthew Poulicakos, Hillsborough County Sheriff’s Office

Will be granted the extension through the date of the entrance fitness test and, if testing is successful, through the end of the 158th Academy with the stipulation that Officer Poulicakos must remain actively enrolled in the requested academy, and may continue working only in the direct presence of a certified officer.

Officer Shawn P. Baldwin, Conway Police Department

Will be granted the extension through the date of the entrance fitness test and, if testing is successful, through the end of the 158th Academy with the stipulation that Officer Baldwin must remain actively enrolled in the requested academy, and may continue working only in the direct presence of a certified officer.

Officer Robin K. Gregg, Conway Police Department

Will be granted the extension through the date of the entrance fitness test and, if testing is successful, through the end of the 158th Academy with the stipulation that Officer Gregg must remain actively enrolled in the requested academy, and may continue working only in the direct presence of a certified officer.

Officer Michael Prescott, Kingston Police Department

Will be granted the extension through the date of the entrance fitness test and, if testing is successful, through the end of the 158th Academy with the stipulation that Officer Prescott must remain actively enrolled in the requested academy, he may continue working only in the direct presence of a certified officer.

Officer Patrick I. Riley, Belmont Police Department

Will be granted the extension through the date of the entrance fitness test and, if testing is successful, through the end of the 158th Academy with the stipulation that Officer Riley must remain actively enrolled in the requested academy.

Officer Michael Stephen Grier, New Hampton Police Department

Will be granted the extension through the date of the entrance fitness test and, if testing is successful, through the end of the 158th Academy with the stipulation that Officer Grier must remain actively enrolled in the requested academy, and may continue working only in the direct presence of a certified officer.

Officer Craig Charest, East Kingston Police Department

Will be granted the extension through the date of the entrance fitness test and, if testing is successful, through the end of the 159th Academy with the stipulation that Officer Charest must remain actively enrolled in the requested academy.

Officer Tobias Orfant, Carroll County Sheriff's Department

Will be granted the extension through the date of the entrance fitness test and, if testing is successful, through the end of the 158th Academy Law Package with the stipulation that Officer Orfant must remain actively enrolled in the requested academy** **Amendment to agenda** and may continue working only in the direct presence of a certified officer.

Chief Daniel Sklut, Dunbarton Police Department

Will be granted the extension through the date of the entrance fitness test and, if testing is successful, through the end of the 158th Academy Law Package with the stipulation that Chief Sklut must remain actively enrolled in the requested academy and may continue working only in the direct presence of a certified officer.

Officer Edward M. Correia, Somersworth Police Department

Will be granted the extension through the date of the entrance fitness test and, if testing is successful, through the end of the 158th Academy with the stipulation that Officer Correia must remain actively enrolled in the 158th academy and may continue working only in the direct presence of a certified officer.

Part-Time Police Officer Academy

262nd Academy 08/12/2012 – 11/16/12 (fitness test 7/28/2012)

Officer Victor S. Rodden, Dalton Police Department

Will be granted the extension through the date of the entrance fitness test and, if testing is successful, through the end of the 262nd Academy with the stipulation that Officer Rodden

must remain actively enrolled in the requested academy and may continue working only in the direct presence of a certified officer.

Motion to approve the items on the consent calendar by Chief Sullivan, seconded by Colonel Quinn (noting amendment to agenda by Captain Bodanza on Tobias Orfant ext), with a unanimous vote in favor 10-0.

Addendum #1

Request for Extension Rosalind Dickey NH Department of Corrections

Will be granted the extension request with the stipulation that CO Dickey must remain actively enrolled in the 94th Corrections Officer Academy.

Motion by Chief Colarusso to approve the extension was seconded by Chief Morency with a 9-0 vote in favor of the motion, Commissioner Wrenn abstained.

(END OF APPROVED CONSENT CALENDAR)

Memorandum of Understanding for Law Enforcement Training Specialists

This item was tabled from the January agenda.

SAAG Smith compared the original memorandum of understanding with the new draft proposal for council members relative to Police Standards and Training law enforcement training specialists' law enforcement authority between Sheriff Prozzo and the Director of Police Standards and Training.

Motion by Attorney General Delaney to accept the MOU with SAAG Smith's proposed edits seconded by Chief Sullivan voted 10-0 in favor.

10:15 Break

10:30 Back in session

Requests for Specialized Training Grant Funds 14,941.00 available

Police Standards and Training Council was granted \$1,116.00 to send Lt. Justin Paquette to the Cooper Institute Law Enforcement Fitness Specialist Training at the Vermont police academy

Motion by Commissioner Wrenn, seconded by Chief Cahill to approve funding for PSTC to send Lt. Paquette Cooper Institute Law Enforcement Fitness Specialist Training at the Vermont police academy, voted 10-0 in favor

Request from the Department of Corrections, Petition for Declaratory Ruling

This item was tabled from the January agenda.

New Hampshire Department of Corrections represented by SAAG Brown and Commissioner Wrenn addressed the Council relative to a Petition for Declaratory Ruling filed by the New Hampshire Department of Corrections on January 19, 2012.

The Department of Corrections is seeking an answer to the question, “may previously certified corrections officers who do not pass the physical fitness test at the required three year interval and who subsequently have their certification suspended by this Council because of that failure return to trainee status and perform the work of a corrections officer trainee until they regain certification”?

At 10:40 a.m.

Motion to adjourn for legal advice from SAAG Smith by AG Delaney, seconded by Chief Colarusso, vote 9-0.

Commissioner Wrenn and SAAG Brown exited the room.

Motion to go back to public session by Chief Sullivan with second by Chief Morency, vote 9-0

10:55 back in public session.

Commissioner Wrenn and SAAG Brown returned.

Chairman Prozzo reported that the Council was in receipt of the petition, and the Council would respond to it in 30 to 60 days. He then asked if there were further questions. The item was taken under advisement.

Other New Business

Strategic Planning Session

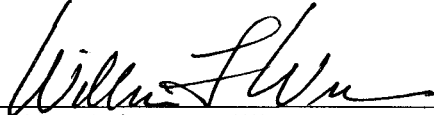
Director Vittum suggested the planning session be held in June as at that time there would be a better understanding of the finances for PSTC. Chairman Prozzo suggested the planning session remain on the Agenda for June or July.

Next Meeting Date/Adjournment

The next meeting of the New Hampshire Police Standards and Training Council will be held on March 27, 2012, at nine o'clock in the morning. Sheriff Prozzo stated that he would not be available, and the Vice Chairman, Commissioner Wrenn, agreed to chair.

Upon a motion by Chief Sullivan seconded by Chief Cahill, the Council voted unanimously to adjourn the meeting at 11:07 a.m..

Respectfully submitted,



Vice Chairman William Wrenn