



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

December 18, 2012

The 425th meeting of the New Hampshire Police Standards and Training Council was called to order at 9:10 a.m. by Chairman Michael J. Prozzo, Jr. in classroom one at the Arthur D. Kehas Law Enforcement Training Facility and Campus in Concord, New Hampshire.

Members Present: Chairman Michael J. Prozzo, Jr.; Sheriff of Sullivan County; Chief James Sullivan, Hampton Police Department; Chief Peter Morency, Berlin Police Department; Major Russell Conte, New Hampshire State Police; Chief David Cahill, Sunapee Police Department; Chief Anthony Colarusso, Dover Police Department, Attorney General Michael Delaney and **Sheriff Richard Foote, Cheshire County arrived at approximately 9:30 a.m.

Members Absent: Vice Chancellor Ronald Rioux; Community College System of New Hampshire, Judge James Carroll; 4th District Division Laconia; Judge Sawako Gardner, 10th District Division, Portsmouth; and Commissioner William Wrenn, Jr., New Hampshire Department of Corrections.

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

Guests Present: Chief Michael Lewis, Bristol Police Department, Lt. Joseph Chivell, Bristol Police Department, Chief Walter Madore, Grantham Police Department, Constance Jones, Grantham Selectboard, Chief Todd Faulkner, Hinsdale Police Department and Senior Assistant Attorney General Nancy Smith.

Approval of Minutes

Approval of minutes from the November 27, 2012 meeting was postponed as many of the Council members present during that meeting were absent. Chairman Prozzo asked that unapproved draft minutes be posted pending the vote during the January 22, 2013 meeting.

Previous and/or Unfinished Business

Chief Walter Madore Grantham Police Department

Chief Madore was present with Constance Jones, selectperson from the town of Grantham. Council members reviewed a request for a waiver from RSA 188-F:27 which had been forwarded to PSTC from the town of Grantham, it was presented by Captain Bodanza. The request was made because Chief Madore was approaching the deadline of

his probationary status for fitness testing and had not received medical clearance to participate in the fitness test from his medical practitioner.

Motion by Chief Morency seconded by Chief Cahill to grant the waiver for six months, instructing the town of Grantham to contact the Council after six months regarding Chief Madore's status, the vote was 6-0 in favor.

Joseph Chivell PTE Bristol Police Department

Chief Michael Lewis and Lt. Chivell were in attendance. The matter at hand was the application for Lt. Chivell to attend the part time police academy.

Captain Bodanza summarized the past two Council meetings to bring all Council members up to date. The motion for prior training and experience from the September meeting stated Lt. Chivell must complete the medical exam, entrance fitness test, and take the comprehensive exam for the full time police academy within 60 days from the date of the meeting, and if he was successful, he would regain his full time police officer certification. Lt. Chivell was unable to complete the requirement due to an injury. Chief Lewis attended the November meeting, and asked the Council if they would agree to extend that 60 day time frame for Lt. Chivell to complete the requirement. Chief Lewis's request was denied.

**Sheriff Foote arrived at approximately 9:30 a.m.

Motion by Chief Cahill to allow Joseph Chivell's to enroll in the part time academy, seconded by Chief Sullivan, vote 6-0, (Sheriff Foote abstained from this vote).

The following hearings were continued by request to the January 22, 2013 meeting.

Joshua Stone Notice of Hearing pursuant to Pol 402.02 (a) (4) (b)

Kevin Morales Notice of Hearing pursuant to Pol 402.02 (a) (12) and Pol 402.02 (a) (4) (b)

New Business

Hinsdale Police Department - Fitness for Duty Non-Public Session

Chief Todd Faulkner requested the Council review documentation regarding the fitness for duty of an officer for reason of severe level mental disorder, (Pol 402.02(a)(7)). Pursuant to Pol 205.02(a) the staff requested Council's determination on whether a hearing is necessary on the matter.

9:37 a.m.

Motion by Chief Cahill to go into non public session, second by Chief Sullivan, Council members were unanimously in favor by their roll call vote 8-0 (Chairman Prozzo voted yes).

10:15 a.m.

Motion to come out of non public session, by Chief Cahill, second by Chief Sullivan, Council members were unanimously in favor by their roll call vote 8-0, (Chairman Prozzo voted yes).

Motion to seal non public session, Chief Colarusso, second by Chief Sheriff Foote, vote 7-0.

Motion by Chief Sullivan, seconded by Chief Cahill for staff to issue a notice of hearing to the Hinsdale officer as early as possible with Council voting unanimously in favor 7-0.

10:30 Council members recessed

10:45 Council members consulted with SAAG Nancy Smith.

11:15 back in public session

Consent Calendar Items

Chairman Prozzo asked if there were any changes in the consent calendar items. Chief Merrill responded that the request for Steven Willette should be for the 160th academy, (not 161st) and the request for Jesse Emery should be the complete part time academy, not the law package of the part time academy; and to also include two addendum items.

Officer Erland Torrey, Manchester Police Department

(DOH: 11/19/12) Will be granted certification upon successful completion of the medical exam, entrance fitness test, and the Full-time Law Package of the Full-Time Police Officer Academy.

Officer Din Jenkins, Manchester Police Department

(DOH: 11/19/12) Will be granted full-time police officer certification upon successful completion of the medical exam, entrance fitness test, and the Full-time Law Package of the Full-Time Police Officer Academy.

Officer Thomas Reneau, Sanbornton Police Department

(DOH: 12/09/12) Will be granted part time police officer certification upon successful completion of the 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.

Full-Time Police Officer Academy

160th Academy January 7, 2013 to April 12, 2013; entrance fitness test December 17, 2012.

161st Academy June 10, 2013 to September 13, 2013; entrance fitness test May 28, 2013

Officer Steven Willette, Mason Police Department

(DOH: 07/01/12 Not Part-time certified) Will be granted the extension through the date of the entrance fitness test and, if testing is successful, through the end of the 160th Academy with the stipulation that Officer Willette must remain actively enrolled in the 160thth Academy and continue to work only in the direct presence of a certified police officer

CO Jason Wynne, New Hampshire Department of Corrections

(DOH: 12/30/11) Will be granted an extension through the date of the entrance fitness test and, if testing is successful, through the end of the 95th Academy with the stipulation that CO Wynne must remain actively enrolled in the 95th Academy and may work only under the direct supervision of a certified correction's officer.

Part-Time Police Officer Academy

263rd Academy February 9, 2013 to May 10, 2013; entrance fitness test January 26, 2013

Officer Jesse Emery, Fremont Police Department

(DOH: 08/23/12) Will be granted an extension through the date of the entrance fitness test and, if testing is successful, through the end of the 263rd Academy with the stipulation that Officer Emery must remain actively enrolled in the 263rd academy and may continue working only in the direct presence of a certified officer.

Requests for Specialized Training Grant Funds (Balance: \$16,426.00)

Amherst Police Department was granted \$1,000.00 for Sergeant Chad E. Blake to attend the Spring NEACP Command Training Series: First Line Supervisor Course in Portsmouth RI at Roger William's University, from April 1 to April 12, 2013.

Ongoing Physical Fitness Testing

Requests for Fitness Testing Extension

The following individuals have fitness dates of 2011 were granted third medical extensions for fitness testing. The extensions will expire June 30, 2013.

CO Kimberley Gordon, NH Department of Corrections

Trooper Michael Feinauer, NH State Police

Chief Stuart Chase, Wolfeboro Police Department (Addendum #1)

Officer Victor Malavet, Richmond Police Department (Addendum #2)

(END OF APPROVED CONSENT CALENDAR)

Motion by Chief Sullivan, seconded by Chief Cahill to accept the consent calendar, exceptions noted, and adding the addendum items, with unanimous vote in favor 7-0.

Chief Merrill asked for direction from the Council regarding the deadline of midnight on December 31 for fitness testing, those with currently expiring medical extensions. In recent years the Council has voted that the December 31st deadline would be upheld and any requests for extensions due to medical reasons received by that date will be considered at the January meeting, with no suspensions being issued between December 31, 2012 and the January meeting.

Motion by Chief Sullivan, seconded by Chief Colarusso to grant staff authority to accept requests for medical extensions until December 31st. Unanimous vote in favor of this motion 7-0.

Non-Consent

Officer Jesse Emery, Fremont Police Department

(DOH 08/23/12) Captain Bodanza summarized this prior training and experience request for Council members. Officer Emery has been out of law enforcement for six years, one month and twelve days. The Fremont police department requested prior training and experience based upon military service in the National Guard with the counter drug task force. The staff recommends, because of the length of separation in employment, that Officer Emery completes the entire part time officer academy.

Motion by Chief Cahill, seconded by Chief Colarusso to grant certification to Officer Emery on completion of the complete part time officer academy. Unanimous vote in favor of this motion 7-0.

159th Academy Recruits

Chief Merrill explained that Recruit Paul M. Mueller, Jr., of the Hooksett Police Department and Recruit Andre Miller, of the Manchester Police Department both have physical issues or injuries that prevent them from taking the final fitness test. Both recruits surpassed the fiftieth percentile of the fitness test at the mid term test. Staff is asking if the Council would accept the mid term test results for the final fitness test in order for them to graduate with their class.

Motion by Chief Sullivan, seconded by Chief Morency to accept the scores from the mid point fitness test as the final fitness test scores for Recruit Andre Miller's and Recruit Paul Mueller's certification and graduation with the 159th Academy. Unanimous vote in favor of this motion 7-0

Other New Business

Corrections Academy Schedule change. The Council is asked to approve the schedule for the 95th Corrections Academy. The only significant change to the content is the removal of CPR/First Aid from the schedule. The Department of Corrections intends to provide the CPR training as an in-service offering.

Motion by Chief Sullivan, seconded by Sheriff Foote to approve the draft schedule and curriculum, unanimous vote in favor of this motion 7-0

Proposed Rule Changes

Chief Merrill updated Council members with the status of upcoming rule changes. The Public Hearings on Pol 402.02 and Pol 404.07 will be held January 22, 2013. These rules amendments were published in the December 6, 2012 issue of the "Rulemaking Register".

Chairman Prozzo presented the draft calendar for 2013 with proposed Council meeting dates.

Commendation to Sheriff Richard Foote

Sheriff Foote was presented with a commendation from the Council to thank him for his many years of service on the Council, by Chairman Prozzo.

Commendations to Captain Mark Bodanza and to Captain Ben Jean

Captain Bodanza and Captain Jean were both presented with commendations by Chairman Prozzo for their parts in assisting scheduling of notices for Police Standards and Training Council facility staff and recruits during Hurricane Sandy.

Next Meeting Date/Adjournment

The next regular meeting (#426) of the Council is currently scheduled for Tuesday, January 22, 2013, at the Arthur D. Kehas Law Enforcement Training Facility and Campus in Concord, New Hampshire.

Motion by Sheriff Foote seconded by Chief Colarusso to adjourn, unanimous vote in favor 7-0.

Respectfully submitted,


Chairman Michael L. Prozzo, Jr.