



Sheriff Michael L. Prozzo, Jr.
Chairman

State of New Hampshire
POLICE STANDARDS & TRAINING COUNCIL
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Approved Minutes



Donald L. Vittum
Director

June 24, 2014

The 443rd meeting of the New Hampshire Police Standards and Training Council was called to order at 9:08 a.m. by Chairman Michael J. Prozzo Jr., in classroom one of the Arthur D. Kehas Law Enforcement Training Facility and Campus in Concord, New Hampshire.

Members Present: Chairman Sheriff Michael L. Prozzo, Jr., Sullivan County; Vice Chairman, Commissioner William L. Wrenn, New Hampshire Department of Corrections (arrived at 9:10 a.m.); Judge James Carroll, 4th Circuit District Division, Laconia; Attorney General Joseph Foster; Chief Anthony Colarusso, Dover Police Department; Sheriff David Dubois, Strafford County; Major Christopher Aucoin, New Hampshire State Police; Chief David Cahill, Sunapee Police Department; and Chief James Sullivan, Hampton Police Department;

Members Absent: Judge Sawako Gardner, 10th Circuit District Division, Portsmouth and Vice Chancellor Ronald Rioux, Community College System of New Hampshire.

Staff Present: Director Donald L. Vittum, Chief Tim Merrill, Captain Mark Bodanza, and Captain Benjamin Jean.

Guests Present: James Connor, Hudson Police Department with Attorney John Krupski; James Wilson, NH Liquor Enforcement; Director Daniel Auger, Strafford County Sheriff's Office with Deputy Paul Callahan and Deputy Hana Stickles; Chief Albert Brackett and Officer Kevin Donnelly of the Atkinson Police Department, and Captain John Daigle, Hooksett Police Department.

Approval of Minutes

Chief Cahill moved for the Council to approve the minutes of May 27, 2014. Following a second by Chief Sullivan, the unanimous vote of the Council was 8-0.

Chief Sullivan moved for the Council to approve the minutes of the May 30, 2014 emergency Council meeting, Chief Colarusso seconded the motion, vote was 7-0 and Judge Carroll abstained from this vote.

Director's Report was submitted.

There will be an item for July's meeting agenda regarding the use of PSTC facility; and whether recruits should attend officer funerals.

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Vice Chairman, Commissioner Wrenn arrived at 9:10

Motion by Chief Sullivan, seconded by Chief Cahill to reappoint Commissioner Wrenn as Vice Chairman for another year. The vote was unanimous 8-0 in favor of the motion.

Peter Ash NH DOC Pol 402.02 (b) temporary suspension

Peter Ash was present with his attorney James Moir in response to a notice of hearing regarding a recent arrest. Captain Bodanza summarized for the Council, the matter of Peter Ash had been nol prossed without conditions. The Council took no action in the matter.

James Connor Hudson Police Department was present with his Attorney, John Krupski who had asked to be heard by the Council. Officer Connor had been issued a temporary suspension pending resolution of criminal charges during the April 22, 2014 Council meeting. Last week he was found not guilty of the misdemeanor charges and all other were nol prossed.

Motion by Sheriff Dubois, seconded by Chief Colarusso to lift the suspension of James Connor. Council vote was unanimous, 9-0 in favor of the motion.

Officer Kevin Donnelly Atkinson Police Department Pol 302.11 exceeding the limitation of hours for a part time officer.

Officer Donnelly and Chief Albert Brackett were present for this hearing. When asked, they requested a public session.

Captain Bodanza summarized Officer Donnelly's employment and certification history for the Council, and detailed the information regarding the affidavits and payroll records from Atkinson Police Department. When PSTC staff analyzed the records, they discovered discrepancies in the reported hours worked and hours in payroll which indicated that Officer Donnelly had gone over the allowed thirteen hundred hours for a part time police officer in 2011 2012 and 2013.

Motion by Sheriff Dubois, seconded by Chief Sullivan, to add up the hours and subtract them from this year, assess that as a penalty.

Further discussion continued about the overage of hours by this officer and the history of record discrepancies by the agency, as well as disregard for Council rules.

Motion by Commissioner Wrenn, seconded by Chief Morency to amend Sheriff Dubois' motion to include a 60 day suspension of the officer's certification. The motion passed 7 in favor, two opposed.

Motion by Commissioner Wrenn seconded by Chief Sullivan that Officer Kevin Donnelly subtract the number of hours that he went over, 1300 hours from hours allowed in 2014 and that his certification be suspended for sixty days. Council vote was 9-0 in favor of the motion.

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Captain Jon Daigle was present for the Hooksett Police Department

Captain Bodanza addressed Council members and summarized, At the December 2013 Council meeting, the Council granted an RSA 188-F:27 III-J waiver which had been requested by the Hooksett Police Department for Officer Donald Broughton. The waiver had been granted for a six month period, the Council motion instructed the Hooksett Chief to provide an update after six months.

Captain Daigle addressed the Council and stated that Hooksett Police Department was not going to request an additional waiver for Officer Broughton.

Motion by Chief Sullivan, seconded by Chief Morency, to notify Donald Broughton that the town has chosen not to go forward with a waiver, inform him of the status of his certification and what his options are before June 30, 2014, the date when his certification will be suspended. Council vote was unanimously in favor of this motion, 9-0.

Joseph Chivell, Bristol Police Department (DOH 8-13-12) requests extension through the end of the 267th Part-Time Academy. An extension is required because the ending date of the 267th Part-Time Academy exceeds six months from the date of hire.

Officer Chivell was present with Chief Michael Lewis. Captain Bodanza explained that this request was not on the consent calendar because Officer Chivell was nearing the end of his two year window to become a certified officer.

Motion by Chief Cahill to enter a nonpublic session, seconded by Commissioner Wrenn for the purpose of RSA 91:A III-3, the roll call vote including Chairman Prozzo was unanimous in favor of the motion, 10-0.

At 10:15 the Council entered a nonpublic session

Motion to seal the non-public minutes by Chief Cahill, seconded by Chief Sullivan, unanimous vote of 9-0 in favor of this motion.

Motion to exit the non-public session by Chief Cahill, seconded by Chief Sullivan, the roll call vote including Chairman Prozzo was 10-0 in favor of the motion.

10:30 am back in public session.

Motion by Commissioner Wrenn, seconded by Chief Colarusso to reconsider the previous motion, and allow Officer Joseph Chivell to complete the fitness test and educational test, to do so by August 1, 2014. The vote was 8-1 in favor of the motion.

10:34 Council took a break, with Judge Carroll exiting the meeting.

10:45 Back in session

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Request by New Hampshire Liquor Commission

Joseph Wilson was present to make the request to use the Academy for his agency.

The request was to use PSTC Academy as a location for a course in Leadership Training. The significance in the request is that it is fee-based training, which according to past practices, has not been allowed by PSTC.

For that reason, the request was denied, however, Council members suggested that this may be a topic for the annual planning session.

Paul Callaghan, Strafford County Sheriff's Office, Prior Training and Experience request

This request had been continued from the May 27, 2014 Council agenda. Captain Bodanza explained that the agency had additional information to present to the Council in an effort for Deputy Callaghan to waive the requirement of participating in the law package classes.

Director Auger summarized the additional information regarding Deputy Callaghan's education and training.

Motion by Chief Sullivan, seconded by Commissioner Wrenn to allow prior training and experience certification for Deputy Callaghan, after successful completion of the medical exam and entrance fitness test. Council vote was 7-0 in favor with Sheriff Dubois abstaining from the vote.

Hana Stickle, Strafford County Sheriff's Office, Prior Training and Experience request

This request had been continued from the May 27, 2014 Council agenda. Captain Bodanza explained that the agency had additional information to present to the Council in an effort for Deputy Stickle to waive the requirement of participating in the law package classes.

Director Auger summarized the additional information regarding Deputy Stickle's education and training.

Motion by Commissioner Wrenn, seconded by Chief Morency to allow prior training and experience certification for Deputy Stickle, after successful completion of the medical exam and entrance fitness test. Council vote was 7-0 in favor with Sheriff Dubois abstaining from the vote.

Recruit separated from the 164th Full-time Academy

Council members thanked the staff for providing the update.

Form for Academy Recruit separation

Motion by Chief Cahill to accept the recruit separation form, the motion was seconded by Chief Sullivan with unanimous vote in favor of the motion by the Council, 8-0

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CONSENT CALENDAR

PT&E Requests

Officer Philip Landsteiner, Hollis Police Department

(DOH: 6-2-14) Will be granted certification upon successful completion of the medical exam, and entrance fitness test.

Requests for Extensions

Note: Extensions granted until the first council meeting following the fitness testing for the requested Academy, and, if testing is successful, to the first council meeting following the end of the requested Academy.

Full-Time Police Officer Academy

164th Academy May 19, 2014 to August 22, 2014; entrance fitness test May 5, 2014

165th Academy September 9, 2014 to December 12, 2014; entrance fitness test August 25, 2014

Part-Time Police Officer Academy

267th Academy June 14, 2015 to August 1, 2014; entrance fitness test May 31, 2014

268th Academy August 23, 2014 to November 21, 2014; entrance fitness test August 9, 2014

New Hampshire Department of Corrections Academy

98th September 15, 2014 to November 14, 2014, entrance fitness test September 2, 2014

Extensions Full Time Academy

Matthew Mitchell, Henniker Police Department (DOH: 5-6-14) was granted the extension until the first council meeting following the fitness testing for the requested academy, and, if testing is successful, to the first council meeting following the end of the requested academy with the stipulation that Officer Mitchell must remain actively enrolled in the 165th Academy.

Clay DeMarco, Hampton Police Department (DOH: 5-29-14) was granted the extension until the first council meeting following the fitness testing for the requested academy, and, if testing is successful, to the first council meeting following the end of the requested academy with the stipulation that Officer DeMarco must remain actively enrolled in the 165th Academy.

James MacKenna, New London Police Department (DOH: 4-7-14) was granted the extension until the first council meeting following the fitness testing for the requested academy, and, if testing is successful, to the first council meeting following the end of the requested academy with the stipulation that Officer MacKenna must remain actively enrolled in the 165th Academy.

Katie Koval, Madbury Police Department (DOH 5-13-14) was granted the extension until the first council meeting following the fitness testing for the requested academy, and, if testing is successful, to the first council meeting following the end of the requested academy with the stipulation that Officer Koval must remain actively enrolled in the 165th academy and may continue working only in the direct presence of a certified officer, unless she has successfully completed the agency's FTO program, then regular supervision.

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Jonathan Quigley, Greenfield Police Department (DOH: 11-26-13) was granted the extension until the first council meeting following the fitness testing for the requested academy, and, if testing is successful, to the first council meeting following the end of the requested academy with the stipulation that Officer Quigley must remain actively enrolled in the 165th Academy and may continue working only in the direct presence of a certified officer.

Kyle DiFruscio, Canterbury Police Department (DOH: 10-1-13) was granted the extension until the first council meeting following the fitness testing for the requested academy, and, if testing is successful, to the first council meeting following the end of the requested academy with the stipulation that Officer DiFruscio must remain actively enrolled in the 165th Academy.

Christopher Keyser, Hampton Police Department (DOH: 4-28-14) was granted the extension until the first council meeting following the fitness testing for the requested academy, and, if testing is successful, to the first council meeting following the end of the requested academy with the stipulation that Officer Keyser must remain actively enrolled in the 165th Academy.

Anthony Bean Burpee, Gilford Police Department (DOH: 6-1-14) was granted the extension until the first council meeting following the fitness testing for the requested academy, and, if testing is successful, to the first council meeting following the end of the requested academy with the stipulation that Chief Bean Burpee must remain actively enrolled in the 165th Academy or successfully "test out".

Justin Evans, PPO, NH Department of Corrections (DOH: 4-4-14) was granted the extension until the first council meeting following the fitness testing for the requested academy, and, if testing is successful, to the first council meeting following the end of the requested academy with the stipulation that PPO Evans must remain actively enrolled in the 165th Academy and may continue working only in the direct presence of a certified PPO.

Cecelia Stone, PPO, NH Department of Corrections (DOH: 1-24-14) was granted the extension until the first council meeting following the fitness testing for the requested academy, and, if testing is successful, to the first council meeting following the end of the requested academy with the stipulation that PPO Stone must remain actively enrolled in the 165th Academy and may continue working only in the direct presence of a certified PPO.

Extensions Part Time Academy

Eion Stapleton, Lancaster Police Department (DOH: 5-13-14) was granted the extension until the first council meeting following the fitness testing for the requested academy, and, if testing is successful, to the first council meeting following the end of the requested academy with the stipulation that Officer Stapleton must remain actively enrolled in the 267th Part Time Academy and may continue working only in the direct presence of a certified officer.

Jennifer Chandler, Madbury Police Department (DOH 5-13-14) was granted the extension until the first council meeting following the fitness testing for the requested academy, and, if testing is successful, to the first council meeting following the end of the requested academy with the stipulation that Officer Chandler must remain actively enrolled in the 267th Part Time Academy and may continue working only in the direct presence of a certified officer.

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Eric Kulberg UNH Police Department and Strafford County Sheriff's Office
Allison Vachon, Attorney General's Office
Eric Robertson, Barnstead Police Department
Michael Zappala, Hooksett Police Department
Michael Beaulieu, Springfield Police Department
Richard Telifson, Concord Police Department
Nelson Jimenez, Londonderry Police Department
Michael Hutchinson, Northfield Police Department
Vincent Ruel, NH Department of Corrections
Warren Olson, Manchester Police Department
Russell Hartley, III, Litchfield Police Department
Adam Dyer, Londonderry Police Department
Keith Bike, Auburn Police Department

END OF CONSENT CALENDAR

Motion by Chief Cahill seconded by Chief Morency, to approve the consent calendar with the exception of the prior training and experience request for Katie Koval, Madbury Police Department and the addition of extension for Patrick Wright of NHDOC. Council vote was 6-0 in favor with Commissioner Wrenn and Chief Sullivan abstaining from the vote.

Officer Katie Koval, Madbury Police Department

(DOH 5-13-14) requests consideration for full time police officer certification based upon prior training and experience.

Captain Bodanza explained that due to Katie Koval's situation, she had been out of law enforcement employment for greater than two years, the Council's guidelines would require her to complete the medical exam, entrance fitness test, and the full time academy law package. A second request had been received on June 19, 2014, from Chief McGann asking for Officer Koval's prior training and experience by enrolling her in the part time officer academy.

Discussion ensued amongst Council members regarding the 100 hours of the full time academy law package and the 200 hours to attend the part time officer academy.

Motion by Chief Morency, seconded by Sheriff Dubois, to grant the request of the Madbury Police Department, for full time certification with prior training and experience for Officer Koval by requiring a medical exam, entrance fitness test and the part time officer academy. Council vote on the motion was 7-1.

Jonathan R. Demler New Hampshire Fish and Game Department

(DOH: 5-30-14) Captain Bodanza explained that this extension request was unique in that the Department of Fish and Game was asking Council for Officer Demler to skip over an upcoming academy in order for the officer to train with the agency during the fall hunting season months.

Motion by Sheriff Dubois, seconded by Commissioner Wrenn for Officer Demler to skip the 165th Academy, and the grant the extension until the first council meeting following the fitness testing for the requested academy, and, if testing is successful, to the first council meeting following the end of the requested academy with the stipulation that Officer Demler must remain

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actively enrolled in the 166th academy and may continue working only in the direct presence of a certified officer. The motion passed unanimously 8-0.

Jeanine Farris NH DOC (DOH 12-27-13) requests extension to satisfy all required training from the 97th Academy (remedial training).

Robin Clark , NH DOC (DOH 10-18-13) requests extension to satisfy all required training from the 97th Academy(remedial training).

Captain Bodanza explained to the Council the CO Farris and CO Clark were unable to be certified at the time of their academy graduation due to not satisfactorily completing the requirements, because of this they had asked for an additional 60 days of training.

Motion by Sheriff Dubois, seconded by Chief Sullivan to approve the requests for both Jeanine Farris and Robin Clark of NHDOC with the stipulation that Council guidelines indicate during the period of extensions CO Farris and CO Clark may only work in the direct presence of a certified Corrections Officer. The Council vote was 7-0, with Commissioner Wrenn abstaining from the vote.

John Minichiello, Hancock Police Department and Candia Police Department

Request for Fitness Testing Extension 2012 and consideration on 3 year standards.

Captain Bodanza summarized for Council members that Officer Minichiello was nearing the end of the five year limit to pass a fitness test. He was requesting his final medical extension, but had also asked if the Council could allow him to test at the age bracket for 70 years in advance of his birthday.

Council members discussed the second request, they cannot grant changes to fitness testing standard.

Motion by Chief Morency, seconded by Commissioner Wrenn to grant the medical extension request which will expire at the end of this year. Council vote was unanimous on the motion 8-0.

Chief Stephen Sullivan, Dublin Police Department, request to miss classes

Currently attending the 164th Law Package classes, for prior training and experience certification. He has requested to take the tests for some of his courses without attending the classes, the classes are being held during a time when he had a family commitment.

Council members discussed the circumstances, whether there have been similar requests, what the commitments are for individuals attending law package classes.

Motion by Chief Cahill, seconded by Commissioner Wrenn to deny the request, requiring that Chief Sullivan attend the classes.

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Addendum Items

Request from PSTC for training funds (addendum #2)
 Glenn Bergeron, NH Department of Corrections #2 2013 medical extension (addendum #3)
 Dino Scala, Carroll County Sheriff's Office #2 2013 medical extension (addendum #4)

Motion by Chief Cahill, seconded by Chief Sullivan to accept the addendum items as part of the consent calendar, unanimous in favor, 8-0.

Addendum #6, a request from Herzing University will be heard at the July meeting.

Addendum #1, ammunition donation, Piermont Police Department
 PSTC received notice from the Piermont Police Department that they had ammunition to donate pursuant to a court order. However, the order does not name PSTC.

Motion by Sheriff Dubois, seconded by Chief Sullivan for staff to notify Piermont Police Department that PSTC is not named in the court order and that the court should dispose of the ammunition. The Council vote was unanimous in favor of the motion 8-0.

Increasing the length of the Full-Time Academy
 Director Vittum stated that they would hold off and there was more information to present.

Remaining Medical Extensions

There are approximately eight individuals with medical extensions that will expire on June 30, 2014. Staff has not heard from these individuals. If staff receives either a passing or failing test by the end of the month, they would be in compliance, if we do not hear from them, they will be suspended as of July 1st. If we receive a request for an addition medical extension by the end of the month, is it appropriate to accept it and add it to the July agenda for Council approval?

Motion by Chief Colarusso, seconded by Chief Sullivan to accept requests for medical extensions until June 30, 2014.

Training Calendar and Finances

Captain Jean summarized the changes to the training calendar for the next year and gave a brief summary on finances.

Contract Classes

Captain Jean then summarized the contract classes which had gone out for the bidding process.

Motion by Sheriff Dubois, seconded by Commissioner Wrenn to accept the classes. The Council vote was unanimous in favor of the motion 8-0.

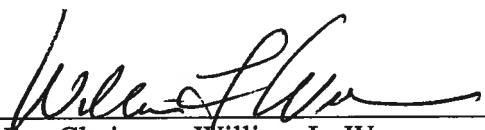
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Next Meeting Date/Adjournment

The next meeting of the New Hampshire Police Standards and Training Council (#444) will be held on July 22, 2014, at nine o'clock in the morning, it will be chaired by Commissioner Wrenn.

Motion by Chief Colarusso, seconded by Chief Sullivan, the Council voted unanimously 8-0 to adjourn the meeting at 11:47.

Respectfully submitted,



Vice Chairman William L. Wrenn