



Chief Anthony F. Colarusso, 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

March 22, 2016

The 464th meeting of the New Hampshire Police Standards and Training Council was called to order at 9:05 a.m. by Chairman, Chief Anthony Colarusso, in classroom one at the Arthur D. Kehas Law Enforcement Training Facility and Campus in Concord, New Hampshire.

Members Present: Chairman, Chief Anthony Colarusso, Jr., Dover Police Department; Vice Chairman, Commissioner William Wrenn, New Hampshire Department of Corrections; Judge Sawako Gardner, 10th Circuit District Division, Portsmouth; Chief Enoch Willard, Manchester Police Department; Ms. Paula Wall, Crisis Center of Central New Hampshire; Deputy Attorney General Ann Rice; Executive Major David Parenteau, New Hampshire State Police; Dr. Ekaterina Hurst, Department of Health and Human Services (exited at 11:00 a.m.); President Susan Dunton, Community College System of New Hampshire; Sheriff David Dubois, Strafford County; Chief William Hart, Londonderry Police Department; Sheriff Douglas Dutile, Grafton County; Judge James Carroll, 4th Circuit District Division, Laconia and Chief David Cahill, Sunapee Police Department.

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

Guests Present: Chief Timothy Julian and Officer Michael Beaulieu of the Springfield Police Department with the Vice Chairman of the Springfield Selectboard, Leigh Calloway; Robert Bernier, Easter Seals, Chief James Valiquet, Bradford Police Department; Donald Goodnow, Director from the Administrative Office of the Courts, Lt. Mark Liebl, NH State Police; Monica Kohli, Administrative Office of the Courts; Deepak Pant, J-ONE Project for NH Department of Safety.

The Council meeting was called to order at 9:05 by Chairman Colarusso, who announced that the meeting would commence out of order from the numbered agenda, due to the guests in attendance.

Addendum #3

Court Personnel regarding the sharing of information from PSTC's database.

Mr. Donald Goodnow from the New Hampshire Administrative Office of the Courts was present before the Council to ask about the distribution of the unique officer identification numbers that are assigned to each newly hired officer in New Hampshire by Police Standards and Training Council. The J-ONE Project would like access to the numbers in order to track and connect with each officer from the initiation of a case to the disposition and sentencing of the case. This would enable the court to give the officer notice of the events trial notices, hearing notices and

disposition notices. The project involves the Department of Safety, the Attorney General's Office, the county attorney's offices, the police prosecutors, chief's of police, houses of correction and the state Department of Corrections. The J-One Project is a much broader use than the request in the past for the identification numbers from the county attorney's office. Council members discussed the need for the numbers, what would be required to commit to assisting with the J-One Project for PSTC staff, and the confidentiality of the information. Using individual agency numbers is not a good option, as many officers work for multiple agencies, some part time, and some full time positions.

Motion by Sheriff Dubois, seconded by Chief Cahill, to make the information available to J-One as requested; and that Council be updated about the security measures in place for a final briefing and approval. The Council vote was unanimous in favor of the motion.

Addendum #5

Robert Bernier, Provider Outreach Coordinator
Ask The Question Initiative

Mr. Robert Bernier, from Easter Seals, was present before the Council to discuss the Department of Health and Human Services Initiative, "Ask the Question" program promoted by Easter Seals.

Mr. Bernier explained that Ask The Question was, "Have you or a family member served in the military"? There are one hundred and twenty thousand veterans living in New Hampshire, twenty percent of them use the Veteran's Administration. The Ask The Question program is actively seeking the other one hundred thousand people who are not using VA services.

Mr. Bernier was asking the Council's assistance in order to promote the program and assist veterans in need. The ultimate point is that the Veteran's Administration in New Hampshire is under-utilized, and it provides free services to veterans.

The information about the Veteran's Administration could be communicated by mandating that officers ask the initial question upon contact with citizens, or adding the written line on agency documents, (to reiterate, "have you or a family member served in the military")?

Council members explained that they do not have the authority to give a directive to agencies to mandate officers to do this; however it would be up to the individual agencies what they would like their agency officers to communicate when in contact with citizens. At the academy, recruits and officers could be made aware of the initiative.

Mr. Bernier thanked Council members and agreed to forward information by email to Director Vittum, and to Dr. Hurst for her agency to use for referrals.

Michael Beaulieu, Springfield Police Department
RSA 188-F:27 III-j waiver, Three Year Fitness Testing

Chief Timothy Julian, Sgt. Michael Beaulieu and Selectman Leigh Calloway were present at the meeting. During the last Council meeting they had petitioned the Council to consider a waiver of the fitness testing requirements for Sgt. Beaulieu under RSA 188-F: 27 III-j.

They had been asked by Council to provide documentation from a doctor confirming an ADA disability and a letter from the town of Springfield that they had accepted the letter and were prepared to make any necessary accommodations for Sgt Beaulieu to continue with the Springfield Police Department.

Documentation provided by Springfield Police Department met the Council's criteria.

Motion by Sheriff Dubois, seconded by Chief Cahill, to approve the request for waiver for Sgt Michael Beaulieu of Springfield Police Department; indefinitely. The Council vote was unanimous in favor of the motion.

Approval of Minutes

Sheriff Dutile moved for the Council to approve the minutes of February 23, 2016. Following a second by President Dunton, the vote of the Council was unanimous.

Financial Report

Captain Jean summarized that the revenue had increased in January, the current fund balance is about three hundred and fifteen thousand dollars. There are several expenses due that will draw the balance down, the projections are for one hundred and ten thousand dollars in the fund by June 30th, the end of the fiscal year. There is also a personnel action which will affect the balance.

Director Vittum stated that there may be another expense, one hundred and ten thousand dollars from New Hampshire Technical Institute, regarding the electric system feed being changed. Electricity for PSTC comes from NHTI, and NHTI would like to change some lines. If that happens, the one hundred and ten thousand dollar balance for June 30th would be at zero. This situation developed after the budget for PSTC had already passed, making it complicated. President Dunton explained that the electricity for NHTI comes from both ends of the campus itself, PSTC is in the middle.

Discussion ensued amongst Council members. How is the situation to be handled if the budget has passed? Should it be budgeted as a capital expense in the future, whose expense is it, NHTI or PSTC?

President Dunton stated that this is part of a master planning process so that if NHTI determines that they need a new building and if support is needed in future bienniums, NHTI would ask for these capital expenses. It is in a planning process to look at the entire infostructure. It is not an emergency situation, it is not imminent, or an action item. It is something that NHTI and PSTC could work on and plan on together.

Sheriff Dutile explained, when asked about activity in the legislature by Director Vittum, that the hearing on funding PSTC will be on voted on Thursday (March 24, 2016) and it would be appreciated to have some Council members present at the hearing for any questions. This will be the senate vote, the dates for the house were not currently scheduled.

Addendum #4

Chief James Valiquet, Bradford PD addressed Council members in nonpublic session.

Motion for nonpublic session by Chief Cahill for personnel reasons, the motion was seconded by Sheriff Dutile, the roll call vote was unanimous in favor of the motion.

At 9:46 a.m. the Council began a nonpublic session.

Motion to exit the nonpublic session by Sheriff Dubois, seconded by Sheriff Dutile, the roll call vote was unanimous in favor of the motion.

At 9:57 a.m. the Council was back in a public session.

Motion to seal the minutes from the nonpublic session by Sheriff Dubois, seconded by Sheriff Dutile, the council vote was unanimous in favor of the motion.

Previous and/or Unfinished Business

Stacy Barnouski, NH DOC, Pol 402.02(a)(8); Pol 404.06; Pol 404.07 and RSA 188-F:27, III-d - g. (Informal Conference held February 10, 2016).

Chairman Colarusso explained that on February 10, 2016 he, along with PSTC staff, had an informal conference with Stacy Barnouski and her attorney, William Cahill. He summarized that the officer was in violation of the three year fitness testing rule because her test was late. She had two prior problems with fitness tests, it was year three and year six, the latest was year nine. In years three and six it was because of pregnancies that delayed the fitness testing. The current late submission violation was that her medical clearance report was completed in December and then she could not get a scheduled instructor to give her the test prior to January first. Her mistake was not communicating with the staff at PSTC to convey her situation. She did miss work and didn't pass the test until January fourth. Her certification had been suspended from January first to January fourth. Chairman Colarusso's suggestion was to take no action on this violation, and no further suspension; and he then asked Council members for their input regarding his proposal.

Motion by Chief Hart, seconded by Deputy Attorney General Rice, for no further action on Stacy Barnouski's certification. The council vote was unanimous in favor of the motion, with Commissioner Wrenn abstaining.

Randy Inman, NH DOC, Pol 402.02 (b)

Randy Inman has asked for an informal conference with Chairman Colarusso

Nicholas Granville, Derry Police Department, Pol 402.02(b)

Nicholas Granville was continued until April's Council meeting.

10:00 a.m. The Council members took a break

10:08 a.m. The meeting was back in session,

PT&E Requests

Captain Bodanza explained the Prior Training and Experience requests for this meeting. The three were not typical in that the officers were not from another state and were employed by another department out of state and moved to New Hampshire. All three have been through academies but have not been employed.

Edwin Sepulveda, Manchester Police Department, who is a military police officer who completed the Worcester Police Academy as a pilot program for military personnel and completed eight hundred and twenty six hours of that academy, he has not been employed as a police officer, but as a military police officer.

The two addendums, the one from Rochester, Mark Brave who went through the Ranger Academy, but with a curriculum comparable to PSTC curriculum including DT's, use of force, firearms and is over seven hundred hours of training. He has never been employed as a full time officer; however, he has been employed as a part time officer in Maine.

The last addendum for a prior training and experience request is an officer from Chichester Police Department, Irving Carrero. He has not been employed on a full time basis as a police officer but he did complete a full time academy, he was "certifiable" as he completed training in Florida.

Captain Bodanza continued, explaining that the Council takes this type of request on an individual basis to determine qualifications. All three curriculums are comparable to New Hampshire's curriculum, however these three individuals lack experience, they have not been employed as police officers.

When asked, Captain Bodanza explained that in the past at least one request had been denied due to the experience, and the person attended PSTC's full time academy. If the Council were to approve the three, they would have to take the medical exam, entrance fitness test, and complete the law package classes at the academy.

Director Vittum stated that he has been in contact with Manchester about their request for prior training and experience for their candidate, the Director is comfortable about this request.

Chief Willard explained that Manchester Police Department has a fourteen week in-house police academy, and a twelve week FTO program.

Motion by Chief Cahill, seconded by Chief Hart, to accept the prior training and experience request by the Manchester Police Department for Edward Sepulveda to be certified through the medical exam, entrance fitness test and completing the law package for the full time academy. The council vote was unanimous in favor of the motion, with Chief Willard abstaining from the vote.

Judge Carroll asked about the number of hours for the full time Police Standards and Training Council academy, and was informed by Captain Bodanza that it was six hundred and eighty four curriculum hours, currently.

Addendum #1

Mark Brave Rochester Police Department, requests prior training and experience certification.

Captain Bodanza was asked for further details on the request by Chairman Colarusso.

Captain Bodanza explained that Mark Brave was hired as a part time officer and went through a part time academy in Maine. He then went to Ohio; Ohio has an agreement with United States Forestry to put individuals through their academy to become a Forest Ranger, and he went through the academy as a self-sponsor. He graduated successfully with seven hundred and seventy hours of training. He returned to New Hampshire and was hired by Rochester. The training was completed on January 17, 2014, he's never been employed full time. He was working part time for the Maine State Capital Police Bureau until October 31, 2013, and the York Police Department until January 2015 as a part time officer.

Discussion ensued amongst the Council members regarding, acceptance of different types of law enforcement certifications from other states, the length of time the officer had been out of law enforcement, and how much time he'd spent working on the road.

Motion by Commissioner Wrenn, seconded by Judge Gardner; to approve the request of the Rochester Police Department, for prior training and experience for Mark Brave, to become certified through the medical exam, entrance fitness test, and to complete the law package of the full time academy. The council vote was 13 in favor and one opposed, the motion passed.

Addendum #6

Officer Irving Carrero, Chichester Police Department

(DOH: 03/14/16) requests consideration for full-time police officer certification based on prior training and experience. Officer Carrero completed his full time certification on September 29, 2014 at the Valencia College in Florida. Their curriculum is seven hundred and seventy hours. He has not been employed by law enforcement. His most recent job was in Wyoming, Pennsylvania as a Correction's officer, from July 2015 to March 2016.

Discussion ensued amongst the Council members. Florida agencies requirements are that people complete training in colleges before they are accepted by a department, making it more like going to college and getting a degree, rather than an academy process. Captain Bodanza explained that the curriculum hours were comparable, it is not a police academy like, it's a college environment where they complete academic credit for a degree. After the college training, Florida prospective officers take the test and once they are employed they would receive their certification.

Motion by Sheriff Dubois, seconded by Sheriff Dutile; to deny the request of the officer for lack of sufficient experience to correspond with the training that has been received. The Council vote was 13 in favor and one opposed, the motion carried.

Addendum #2

Non-consent skipping over an academy

Garrett Beck, Bristol Police Department (DOH: 10/24/15 **Part-Time certified**) requests extension through the end of the 171st Full-Time Police Officer Academy. *An extension is requested by the agency as he is certified as a part time officer and will benefit from an extended FTO program while the department heads into the busier summer months.*

Motion by Commissioner Wrenn, seconded by Judge Gardner; to grant an extension through the end of the 171st Full Time Academy to Garrett Beck of the Bristol Police Department, the council vote was unanimous in favor of the motion.

CONSENT CALENDAR

Officer Timothy Stevens, Hill Police Department (DOH: 03/05/16) 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.

Officer Bryon E. Lynch of the Dover Police Department (DOH: 04/18/16) 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.

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

169th Academy January 4, 2016 to April 22, 2016, entrance fitness test December 21, 2015

170th Academy May 2, 2016 to August 18, 2016, entrance fitness test April 18, 2016

171st Academy August 29, 2016 to December 16, 2016, entrance fitness test August 15, 2016

Part Time Police Officer Academy

271st Academy, February 2, 2016 to May 6, 2016, entrance fitness test January 23, 2016

272nd Academy, August 13, 2016 to November 18, 2016, entrance fitness test July 30, 2016

Corrections Officer Academy

102nd Academy, February 16, 2016 to April 15, 2016, entrance fitness test February 2, 2016

Requests for Specialized Training Grant Funds (Balance: 10,685.00).

Merrimack Police Department will be granted funds for Officer William Vandersyde and Officer Sean McGuire to attend the At Scene Vehicle Crash Investigation by IPTM at the Dover Police Department from April 18 to April 24, 2016. This is a course that would have been held at PSTC.

Merrimack Police Department will be granted funds for Officer Stephen Wallin to attend the Field Training Officer course by IPTM at Police Standards and Training Council facility on February 29 to March 2, 2016. This is a course that would have been held by PSTC.

Gilford Police Department will be granted funds for Sergeant Corey O'Connor to attend the Managing the FTO Program by IPTM at PSTC from February 24 to February 26, 2016. This is a course that would have been held by PSTC.

Lee Police Department will be granted funds for Officer Scott Tingle to attend the Field Training Officer course by IPTM at Police Standards and Training Council facility on February 29 to March 2, 2016. This is a course that would have been held by PSTC.

Plymouth Police Department will be granted funds for Sergeant Elizabeth Scrafford to attend the Field Training Officer course by IPTM at Police Standards and Training Council facility on February 29 to March 2, 2016. This is a course that would have been held by PSTC.

(END OF APPROVED CONSENT CALENDAR)

Motion to approve the consent calendar by Judge Gardner, seconded by Sheriff Dubois, the Council vote was unanimous in favor of the motion.

(Chairman Colarusso abstained from the Dover PD's item on the Consent Calendar).

Non-consent

The following item was on the February 23, 2015 agenda and due to staff error (the individual was listed as being part time certified and he is not) it has been re-submitted for Council approval.

Robert Welch Pembroke Police Department (DOH: 12/23/15, **Not Part-Time certified**)

Motion by Sheriff Dubois, seconded by Commissioner Wrenn to grant the extension for Robert Welch of Pembroke Police Department 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 Welch must remain actively enrolled in the 170th academy and may continue working only in the direct presence of a certified officer. The Council vote was unanimous in favor of this motion.

Anonymous complaint

Motion by Chief Cahill, seconded by Deputy Attorney General Rice; for the staff to provide the agency's chief with details about the complaint, see what his or her response is to the complaint, and ask the staff to follow up if deemed necessary. The Council vote was unanimous in favor of the motion.

Draft Scholarship Protocol

Captain Bodanza summarized that NHTI has offered a scholarship for each PSTC Full Time Academy class, Granite State College would also like to provide a scholarship.

The scholarships have been awarded to the eligible recruit with the highest score; this is the first scholarship protocol written by PSTC.

If the person with the highest score doesn't want the scholarship, it would revert to the next

highest score. With Granite State College, it will be more complicated as the criteria for their scholarship for the bachelor's degree necessitates the recruit already having sixty credit hours, whereas the NHTI scholarship is for an associate's degree.

Council members agreed that these were valuable opportunities for the recruits to take advantage of, and it would be worth getting further information. Dr. Dunton mentioned that there are academic standard's committees; she suggested that the president and vice president for academic affairs at each institution have them look at the protocol. She will do some research and present the information next month.

Fallen Officer Fund for Families

Director Vittum summarized that the fund wanted the names of New Hampshire officers, the officers would be able to decide whether they wanted to donate to the fund. They are looking for a list of officers for the officers to do payroll deductions.

Discussion ensued amongst the Council members. Thoughts were that this was not part of the function of PSTC, and that donations should be sought through the cities and towns.

Motion by Chief Cahill, seconded by Commissioner Wrenn to deny the request to provide names and information for the purpose of fundraising for this particular company, because of the release of the personal information. The council vote was unanimous in favor of the motion.

Motion by Chief Cahill, seconded by Sheriff Dubois to enter a nonpublic session for personnel reasons. The roll call vote was unanimous in favor of the motion.

At 10:57 a.m. Council members began a nonpublic session.

Motion to exit the nonpublic session by Sheriff Dutile, seconded by Commissioner Wrenn, the roll call vote was unanimous in favor of the motion.

At 11:01 a.m. the Council members returned to public session.

Motion to seal the minutes of the nonpublic session by Commissioner Wrenn, seconded by Chief Hart, the council vote was unanimous in favor of the motion.

Dr. Hurst exited the meeting at 11:02 a.m.

Draft Rules for Readoption

Chief Merrill explained the changes to the rules that had accompanied the meeting agenda. Council members discussed amendments made to Pol 301.05 (g) (8), controlled substances, and also, three year fitness testing rules Pol 404.06 and Pol 404.07. Commissioner Wrenn agreed to assist the staff with some of the verbiage explaining time periods for fitness testing.

Motion to approve the amendments to the rules with Commissioner Wrenn to assist, by Sheriff Dubois, seconded by Deputy Attorney General Ann Rice, the Council vote was unanimous in favor of the motion.

Rochester Police Department will be granted funds for Officers Scott Loignon, Dominique Murphy, Elizabeth Turner and Marc Cilley for attending the Field Training and Evaluation Program presented by Roger Williams College at the Nashua Police Department from December 1, 2015 through December 4, 2015.

Motion by Commissioner Wrenn, seconded by Chief Willard, to approve the grant request for the Rochester Police Department, the Council vote was unanimous in favor of the motion.

Next Meeting Date/Adjournment

The next meeting of the New Hampshire Police Standards and Training Council #465, will be held on April 26, 2016, at nine o'clock in the morning.

Upon a motion by Deputy Attorney General Rice, seconded by Chief Hart, the Council voted unanimously to adjourn the meeting at 11:21 a.m.

Respectfully submitted,



Chairman Anthony F. Colarusso, Jr.