



Chief Anthony F. Colarusso, Jr.  
Chairman

**State of New Hampshire**  
**POLICE STANDARDS & TRAINING COUNCIL**  
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Donald L. Vittum  
Director

**Approved Minutes**  
**September 27, 2016**

The 471st meeting of the New Hampshire Police Standards and Training Council was called to order at 9:03 a.m. by Chairman, Chief Anthony Colarusso, Jr., 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, Sheriff David Dubois, Strafford County, Judge Sawako Gardner, 10<sup>th</sup> Circuit-District Division – Portsmouth, Chief David Cahill, Sunapee Police Department, Vice-Chairman Commissioner William Wrenn, New Hampshire Department of Corrections, Attorney General Joseph Foster, Chief William Hart, Londonderry Police Department, Dr. Ekaterina Hurst, Ms. Paula Wall, Crisis Center of Central New Hampshire.

Members Absent: Chief Enoch Willard, Manchester Police Department, Sheriff Douglas Dutile, Grafton County, Judge James Carroll, 4<sup>th</sup> Circuit – District Division – Laconia, President Susan Dunton, Community College System of New Hampshire, Colonel Robert Quinn, New Hampshire State Police.

Staff Present: Captain Benjamin Jean, Captain Mark Bodanza, Chief Timothy Merrill

Guests Present: Aaron Throneberry-Perkins

Chief Merrill introduced two new staff members, Charlene Mains and Cheryl Moses, to the Council.

**Approval of Minutes**

Paula Wall had correction to the August 16, 2016 Minutes of Meeting. Minutes stated she was present for the meeting and she indicates she did not attend the August 16, 2016 meeting and should not be listed under “Members Present”.

**Motion** made to accept the Minutes with the amendment by Chief William Hart. Following a second by Chief Cahill, the voice vote of the Council was unanimous in favor of the Motion.

**Director’s Report**

Director Vittum reported traveling throughout New Hampshire to include Keene, Sunapee, and Northern New Hampshire. He reported that the Chiefs throughout the state

are waiting on rule changes. Director Vittum also discussed the budget, and goals and objectives, being finalized.

### **Financial Report**

Captain Jean spoke to the Council about the financial report and indicated PSTC's proposed budget was under the budget allotted by the Governor by about \$23,000.00 for the first year and \$65,000.00 for the next year. The budget includes repairs to the facility, assumes full staff with personnel filling all positions, IT services to be transferred to OIT, money for new database system, website upgrade, replacing and maintenance of vehicles, and video conferencing.

### **Status of Adoption of Administrative Rules**

The following rules were approved for adoption by the Joint Legislative Committee on Administrative Rules:

POL 101.22

POL 101.24

POL 102.02

POL 209.01

POL 209.02

**Motion** by Sheriff Dubois, seconded by Chief Cahill, to adopt Rules 100-200. The Council vote was unanimous in favor of the Motion.

PSTC staff has responded to comments from the Joint Legislative Committee on Administrative Rules' legal staff regarding POL Chapters 300-600. Those rules will be addressed by the JLCAR on October 6, 2016.

### **HEARINGS – NON-PUBLIC SESSIONS**

#### **Aaron Throneberry-Perkins – POL 402.02(b) - An Addendum to the Agenda**

Aaron Throneberry-Perkins had been noticed for a temporary suspension hearing under POL 402.02(b). He requested a non-public session.

**Motion** to hold non-public session for personnel reasons by Chief Cahill, seconded by Judge Gardner, the Council vote was unanimous in favor of the Motion. Commissioner Wrenn abstained from voting.

**9:25 A.M. – Roll Call Vote Unanimous**



**Motion** to exit non-public session by Chief Cahill, seconded by Sheriff Dubois, Council vote was unanimous in favor of the Motion.

**At 9:35, Council return to public session.**

**Motion** to seal brought by Chief Cahill, seconded by Sheriff Dubois, the Council vote was unanimous in favor of the Motion. Commissioner Wrenn abstained from voting.

**Motion** under POL 402.02(b) for temporary suspension pending resolution of criminal charges to ensure the safety of the public and the confidence of the criminal justice system brought Judge Gardner, seconded by Sheriff Dubois, the Council vote was unanimous in favor of the Motion. Commissioner Wrenn abstained from voting.

**Kevin Martel – POL 402.02(a)(4)d**

Captain Bodanza indicated he was still sworn in under oath and that Mr. Martel, who worked for the Winchester Police Department, will not appear for the hearing. This is a hearing for certified police officer, Kevin Martel, who has been convicted of the crime of criminal threatening with a deadly weapon, a Class B felony conviction, out of Cheshire County. A letter submitted indicating that Mr. Martel has no desire to remain in law enforcement is presented to Council.

Kevin Martel was hired by the Winchester Police Department as a full-time officer on April 20, 2014. On October 15, 2015, Kevin Martel was arrested by the New Hampshire State Police for Reckless Conduct with a Firearm, RSA 631:3, and the Form G Notice of Arrest was provided by his own agency.

On November 13, 2015, two complaints were filed with the 8<sup>th</sup> Circuit – District Division – Keene Court reflecting that on August 21, 2015 at 9:40 p.m., Kevin Martel was charged with Criminal Threatening with a Deadly Weapon, RSA 631:4(a) and Reckless Conduct, RSA 631:3, both Class B felonies.

On January 19, 2016, staff at PSTC received a phone call from Kevin Martel that he would not attend the scheduled temporary suspension hearing and that he had resigned from the Winchester Police Department and was employed in a civilian position.

Chief Phillips confirmed the resignation of Kevin Martel from the Winchester Police Department. The Chief faxed a copy of a letter dated January 13, 2016 and the resignation, Form B, dated December 21, 2015.

On January 26, 2016, a temporary suspension hearing was held at PSTC and Council members voted to temporarily suspend Kevin Martel's certification. According to reports from the New Hampshire State Police, On September 2, 2015, Joshua Parada went to the Troop C Barracks of the New Hampshire State Police. He reported that he had been threatened by a Winchester Police Department officer two weeks prior. The officer had

driven past his home slowly with the window of the cruiser down about six inches, with a hand gun pointed at Parda. Mr. Parda believed that the officer was Kevin Martel.

Trooper Ardini of the New Hampshire State Police interviewed Kevin Martel on October 1, 2015. His interview contains many details regarding this matter and is contained in Staff Exhibits H1-H25.

Disposition documents from the Cheshire County Superior Court indicate that on March 8, 2016, Kevin Martel pled guilty and was found guilty of a felony level offense of criminal threatening.

Captain Bodanza introduced the following Exhibits with regard to Kevin Martel:

		<u>Exhibit</u>
04/20/2014	Form A, hired by the Winchester Police Department	A
08/22/2014	Full time police certification	B
10/15/2015	Form G, arrested by New Hampshire State Police	C
11/13/2015	Complaints filed at the 8 <sup>th</sup> Circuit – District Division Keene	D1-D2
01/19/2016	Memo to file by Chief Merrill	E
01/13/2016	Letter from Chief Phillips	F1-F3
12/21/2015	Form B criminal arrest	
	Notice of Hearing for temporary suspension and orders by Council	G1-G8
	Reports of investigation from the New Hampshire State Police	H1-H25
	Disposition from the Cheshire County Superior Court	I1-I19

**Motion** by Sheriff Dubois to revoke certification of Kevin Martel and enter the revocation in the National Decertification Index, seconded by Chief Cahill, the Council vote was unanimous in favor of the Motion.

**Ernest Blanchette – POL 402.02(a)(4)i**

On November 18, 2002 Ernest Blanchette was hired by the Laconia Police Department, PSTC Form A. On March 28, 2003 Ernest Blanchette received his Full Time officer certification. On October 2, 2011 Ernest Blanchette resigned from Laconia Police Department, PSTC Form B. On October 2, 2011 Ernest Blanchette was hired by the Belknap County Sheriff's Department, PSTC Form A. On September 28, 2014 Ernest Blanchette was promoted to Sergeant at Belknap County Sheriff's Department, PSTC Form B. On August 28, 2015 Ernest Blanchette resigned in lieu of dismissal from the Belknap County Sheriff's Department, PSTC Form B. On September 9, 2015, PSTC staff sent a letter to Sheriff Wiggin inquiring if the resignation in lieu of dismissal was due to a violation of administrative rule POL 402.02 (a) (5).



On September 11, 2015, Sheriff Wiggin sent a letter to Director Vittum and included copies of the investigation of the event which led to the indictment on October 15, 2015, of Ernest Blanchette for the charge of aggravated felonious sexual assault against an inmate of the New Hampshire State Prison, whom he was transporting on July 2, 2015, from Belknap County Superior Court to the New State Prison for women.

On August 12, 2016, PSTC received the disposition of the case of Ernest Blanchette from the Hillsborough County Superior Court, Northern Division. Ernest Blanchette was found guilty of Aggravated Felonious Sexual Assault (RSA 632-A:2 I(n) April 28, 2016. On May 27, 2016, Ernest Blanchette was sentenced, his sentence is not more than twenty years or less than ten years in the New Hampshire State Prison, with two years of the minimum sentence suspended with his participation in a sexual offender program; no contact with the victim, he must be of good behavior and comply with all terms of his sentence as well as register as a sex offender.

Ernest Blanchette is currently housed in the Maine Correctional Center in Windham Maine.

Captain Bodanza introduced the following exhibits with regard to Ernest Blanchette:

		<u><b>Exhibit</b></u>
11/18/2002	PSTC Form A hired by the Laconia Police Department	A
03/28/ 2003	Full time officer certification	B
10/02/2011	PSTC Form B resignation from Laconia	C
10/02/2011	PSTC Form A hired by the Belknap County Sheriff's Dept.	D
09/28/2014	PSTC Form B promoted to Sergeant at BCSD	E
08/28/2015	PSTC Form B resigned in lieu of dismissal from BCSD	F
09/09/2015	Letter to Sheriff Wiggin from PSTC	G
09/11/2015	Letter to Director Vittum from Sheriff Wiggin with reports	H1-H53
08/04/2016	Letter to Hillsborough North and disposition documents	I1-I17

**Motion** by Chief Cahill to revoke certification of Ernest Blanchette indefinitely and enter his name in the National Decertification Index, seconded by Chief Hart, the Council vote was unanimous in favor of the Motion.

#### **Andrew Monaco – Surrender of Certification**

Captain Bodanza indicates that Mr. Monaco was never noticed for a revocation hearing and has submitted a letter for the Council's consideration surrendering his police officer certification through his attorney. This is also part of the Court order in this matter in which Mr. Monaco has pled guilty and was found guilty of simple assault, with a deferred sentence.

**Motion** by Chief Cahill to accept the surrender of Andrew Monaco and place his name on the National Decertification Index, seconded by Chief Hart, the Council vote was unanimous in favor of the Motion.

Attorney General Foster recused himself from the vote.



### **Requests for Extensions**

#### Sean O'Brien, Conway Police Department

(DOH: 06/27/16 Not Part-time certified) will be 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 the officer must remain actively enrolled in the 172nd academy and may continue working only in the direct presence of a certified officer.

Edward Hudson, Rye Police Department (DOH: 06/14/16 Not Part-time certified) will be 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 the officer must remain actively enrolled in the 171st academy and may continue working only in the direct presence of a certified officer.

William Jacob, Lincoln Police Department (DOH: 05/27/16 Not Part-time certified) will be 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 the officer must remain actively enrolled in the 172nd academy and may continue working only in the direct presence of a certified officer; unless the officer has successfully completed his agency's FTO Program, then normal supervision.

Philip Masi, Portsmouth Police Department (DOH: 07/01/16 Not Part-time certified) will be 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 the officer must remain actively enrolled in the 171st academy and may continue working only in the direct presence of a certified officer.

Timothy Vincent, Allentown Police Department (DOH: 06/06/16 Not Part-time certified) will be granted the extension until the first council meeting following the fitness testing for the 172nd Academy with the stipulation that the officer may continue working only in the direct presence of a certified officer. 62

Patrick Riendeau, Gorham Police Department (DOH: 06/08/16 Not Part-time certified) will be 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 the officer must remain actively enrolled in the 172nd academy and may continue working only in the direct presence of a certified officer.

Michael Puksta, Claremont Police Department (DOH: 06/16/16 Not Part-time certified) will be 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 the officer must remain actively enrolled in

the 172nd academy and may continue working only in the direct presence of a certified officer.

David A. Torrasi, Brookline Police Department (DOH: 08/29/16 Not Part-time certified) will be 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 the officer must remain actively enrolled in the 172nd academy and may continue working only in the direct presence of a certified officer.

(Extension Part Time)

Steven Henderson, Fremont Police Department (DOH: 05/19/16 Not Part-time certified) will be granted the extension with the stipulation that he may continue working only in the direct presence of a certified officer.

### **Ongoing Physical Fitness Testing**

Jonathan Evans Hill Police Department 2016, is granted a medical extension.

Requests for Specialized Training Grant Funds (Balance: \$7,406.56).

Berlin Police Department is granted funds for Adam Labonte to attend the AR 15 Platform Armorer Course at the Hardwick/New Braintree Police Department in New Braintree MA, from October 31 to November 2, 2016.

Berlin Police Department is granted funds for Kerry Theriault to attend the AR 15 Platform Armorer Course at the Hardwick/New Braintree Police Department in New Braintree MA, from October 31 to November 2, 2016.

Northwood Police Department is granted funds for Cory Krochmal to attend the FBI-LEEDA Leadership Institute, Supervisory Leadership at the Gilford Police Department, from October 31 to November 4, 2016.

### **End of Consent Calendar**

**Motion** by Sheriff Dubois to accept the Consent Calendar, seconded by Judge Gardner, the Council vote was unanimous in favor of the Motion.

### **Training Grant Request**

Captain Jean indicates Sean F. Kelly, Chief of the Weare Police Department, sent a request to take nine officers to tour the Holocaust Memorial Museum located in Washington, DC. The Chief was not present at the meeting but sent a three-page letter outlining why he believes the training is appropriate. "Good and decent and honorable police officers patrol our streets every day." In sum, Chief Kelly wrote "The lessons learned at the Holocaust Memorial Museum of sacrifice being part of our sworn duty are a moral imperative that cannot be overstated nor over-trained." The request is to pay for lodging and transportation. This was given as a no recommendation grant for consideration by the Council.



It was agreed that although admirable, funding is limited and programs in the past have normally been utilized to promote leadership, supervisory training and the like, and it is believed money would be better suited to provide supervisory training, as well as other training programs, and the request does not meet objective goals.

**Motion** by Chief Hart to decline the grant, seconded by Commissioner Wrenn, the Council vote was unanimous in favor of the Motion.

Thank you note to PSTC from Representative Pantelakos is read to the Council.

### **Goals and Objectives of PSTC**

Goals and objectives were discussed, including:

- Time consuming events;
- New roof – Bureau of Public Works;
- Rule changes;
- Look at classes to meet objectives and goals;
- Work on progress with staff;
- Trend in law enforcement;
- Corrections Academy fitness requirement recommendations to Commissioner Wrenn will be time consuming;
- Communicate about goals unable to meet;
- Cross training for career development and keeping training specialists current;
- Active training on dealing with mental health.

### **NH Blue and You**

Chief Colarusso, Jr. brought up NH Blue and You, a program used to start breaking down barriers between police and the public. The first event will be held on November 1, 2016, 6-8 p.m. in Dover (location to be determined). The Chief would like to roll this out to cities and town across NH to facilitate these events. The purpose of NH Blue and You is to interact with the communities and hear both sides of the story. The Chief also indicated it would be good to get activists involved such as Black Lives Matter so we can hear their concerns, they hear the concerns of the police, and build a mutual trust. He met with the Manchester Chapter of NAACP and educated them on the purpose of PSTC. Chief Colarusso stated people are impressed when they hear about PSTC; however, the public does not hear about the decertification of officers.

Attorney General Foster added that the public would be impressed on how tough law enforcement is on law enforcement, and it is something that would be helpful if the public knew. He also said we need to keep up the public trust, but the 24-hour media makes that task extremely difficult.

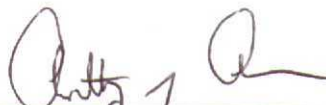


**Next Meeting Date/Adjournment**

The next meeting of the New Hampshire Police Standards and Training Council will be held on **October 25, 2016** at nine o'clock in the morning.

Upon a Motion by Chief Hart, seconded by Attorney General Foster, the Council voted unanimously to adjourn the meeting at 10:19 a.m.

Respectfully submitted,



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Chairman Anthony F. Colarusso, Jr.