



Chief Anthony F. Colarusso, Jr.
Chairman

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

Approved Minutes

October 25, 2016

The 472nd meeting of the New Hampshire Police Standards and Training Council was called to order at 9:01 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, 10th Circuit-District Division – Portsmouth, Chief David Cahill, Sunapee Police Department, Attorney General Joseph Foster, Chief William Hart, Londonderry Police Department, Chief Enoch Willard, Manchester Police Department, Sheriff Douglas Dutile, Grafton County, Judge James Carroll, 4th Circuit – District Division – Laconia, President Susan Dunton, Community College System of New Hampshire, Colonel Christopher Wagner, New Hampshire State Police.

Members Absent: Dr. Ekaterina Hurst, Paula Wall, Vice-Chairman Commissioner William Wrenn, Department of Corrections

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

1. Call Meeting to Order

Chairman Colarusso called meeting to order at 9:01 a.m. and welcomed Colonel Christopher Wagner, New Hampshire State Police, to the Council and congratulated him on his position.

2. Approval of Minutes

Motion made to accept the Minutes of the September 26, 2016 Council meeting by Sheriff Dubois. Following a second by Judge Gardner, the voice vote of the Council was unanimous in favor of the Motion.

3. Director's Report

Captain Jean presented a commendation to President Dunton, NHTI, for her service, time and dedication to PSTC, by providing use of NHTI's air conditioned auditorium for PSTC's correction's officer graduation in August of 2016. President Dunton thanked the Council for the commendation.

Captain Bodanza spoke about the Blue Courage project. He indicated Council has already approved implementation of Blue Courage into the full-time academy and will try to immerse the entire state. This requires partnering with other agencies. The partnership

requirements start with application process through IADLEST in which the Council identifies which large city agencies are partnered in order to move forward with not only the implementation and support, but also the tracking and research component they are looking for to make sure program is being implemented, that lives are being saved, officers are going out and making longevity of their lives and different components based on the program. The question for the Council's consideration is, is the Council on board with immersion of program and, if so, identifying key partners to put into a letter to Executive Director of IADLEST and Blue Courage to move forward on the project?

Chief Colarusso and Chief Willard volunteer to have their agencies spearhead the program in their cities and represent agencies throughout the State, and will show commitment of program to Council and State of New Hampshire.

4. Financial Report

The financial report was presented.

5. Diversity Training

There is a limited program led by Andrew Smith who teaches recruits regarding diversity. There is no charge at the present time for his services as he is doing it as a State employee. However, Mr. Andrews gave suggestions on how to strengthen the program, which Council thought was a great idea, and Mr. Smith asked to enter into a contract for a dollar amount – yearly total of which would be \$3,750.00, broken down into three full-time and two part-time academies.

Captain Bodanza indicated that Mr. Smith is very capable and competent, and course materials open up a lot of minds, uncovering unconscious bias.

Motion made by Chief Cahill to enter into contract with Andrew Smith. Following a second by Sheriff Dutile, the voice vote of the Council was unanimous in favor of the Motion.

6. Goals and Objectives

The Goals and Objectives were discussed in Captain Jean's financial report.

9. Proposed Rule Changes

Chief Merrill indicated that the final proposal, which has been worked on for several months, went before JLCAR as they had concerns with the wording. It has been narrowed down to two issues, both involving Pol. 402.02, revocation and suspension. The first concern was regarding balancing test added by the Council. JLCAR accepted

that change with the exception that the Council delete “any other lesser sanction authorized by the rules.” They pointed out that there is “no lesser sanction authorized by the rules” and using that phrase would be contrary to legislation. The other issue is JLCAR does not like the fact that the rules do not delineate how the Council determines whether the sanction shows suspension or revocation. Staff took some language from the nursing rules, which include things the Council would consider in determining sanctions:

- Seriousness of the offense;
- Officer’s prior disciplinary record;
- Officer’s acknowledgment of his or her wrongdoing;
- Purpose of the rule or the statute violated;
- Potential harm and safety to the public.

If the Council votes to accept changes made to the rules, these will go back to JLCAR’s legal staff to be reviewed and then sent back next month for Council to adopt.

Chairman Colarusso indicated that it is plain language now, and fairly easy to follow.

Motion made to approve changes in rules and file with OLS by Chief Hart. Following a second by Sheriff Dubois, the voice vote of the Council was unanimous in favor of the Motion.

New Business

Council has had three separations from Academy from three different police departments. There were no extenuating circumstances with regard to the separations.

Requests for Extensions

Consent Calendar

PT&E request for extension by James Astuto, Lisbon Police Department, was only off the calendar pending approval of his request for part-time police officer certification based on prior training and experience, and since that request was approved, the PT&E request is approved.

Motion made to approve the request for an extension by Sheriff Dubois. Following a second by Judge Gardner, the voice vote of the Council was unanimous in favor of the Motion.

PT&E Requests

Peter Connor, Portsmouth Police Department (DOH: 09/26/16) 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.

Colonel Wagner requested that Steven Puckett’s request for full-time certification based on prior training and experience be tabled until November meeting.

Steven Puckett, New Hampshire State Police (DOH: 09/16/16) requests consideration for full-time police officer certification based on prior training and experience. Officer Puckett completed his full time certification on November 18, 1994 at the 104th PSTC Full Time Academy.

Motion made to table the request, Steven Puckett, until November 15, 2016 Council meeting by Sheriff Dutile. Following a second by Chief Cahill, the voice vote of the Council was unanimous in favor of the Motion.

James Astuto, Lisbon Police Department (DOH: 08/01/16) will be granted certification upon successful completion of the medical exam, entrance fitness test, and the Part-Time Officer Law Package of the Part-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.

Joey Backman CO Ext, NH DOC (DOH 09/16/16) was granted an 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 104th Corrections Academy and may only work in the direct presence of a certified Corrections Officer.

Joseph Devereaux CO Ext NH DOC (DOH 09/16/16) was granted an 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 104th Corrections Academy and may only work in the direct presence of a certified Corrections Officer.

Matthew Millar CO Ext, NH DOC (DOH 09/16/16) was granted an 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 104th Corrections Academy and may only work in the direct presence of a certified Corrections Officer.

Spencer Ryan CO Ext, NH DOC (DOH 09/02/16) was granted an 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 104th Corrections Academy and may only work in the direct presence of a certified Corrections Officer.

Anna Wong CO Ext, NH DOC (DOH 09/16/16) was granted an 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 104th Corrections Academy and may only work in the direct presence of a certified Corrections Officer.

Page Shindel CO Ext, NH DOC (DOH 08/05/16) was granted an 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 104th Corrections Academy and may only work in the direct presence of a certified Corrections Officer.

Bryan Jalava FT Ext, Hinsdale Police Department (DOH: 06/27/16 **Not Part-time certified**) will be granted an 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.

Robert Gauthier PT Ext, Pittsfield Police Department, thirty day lapse in certification (DOH: 06/01/16) will be granted an 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 may continue working only in the direct presence of a certified officer.

End of Consent Calendar

Non consent, due to Prior Training and Experience Request

James Astuto PT Ext, Lisbon Police Department (DOH: 08/01/16) will be granted an 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 273rd Part Time Academy and may continue working only in the direct presence of a certified officer.

Motion made to grant the extension by Sheriff Dubois. Following a second by Judge Gardner, the voice vote of the Council was unanimous in favor of the Motion.

Addendum #1 Chaplain Paul Dionne presented a 3x5 Thin Blue Line flag for donation to the Academy with personal funds in the amount of \$37.90.

Motion made to accept flag donated by Paul Dionne by Sheriff Dutile. Following a second by President Dunton, the voice vote of the Council was unanimous in favor of the Motion.

Addendum #2 Chief Merrill advised the Council that the Department of Corrections had hired a corrections officer who was then deployed with the military. The officer has returned and is recuperating from an injury received during his deployment. Per the two year time period allowed by statute and Council rule, the timeframe for the officer to

become certified will expire before the officer can complete the corrections academy. Federal law requires that individuals returning from military service can return to their former employment. At issue is the conflict between the state and federal laws. Chief Merrill asked for direction from the Council whether the military deployment time, including time to recuperate from deployment-related injury, counts towards the two year timeframe to become certified.

Motion made by Chief Cahill that with this individual military time is not counted, and that the policy be approved that PSTC does not count military time towards the timeframe for training for certification. Following a second by Chief Hart, the voice vote of the Council was unanimous in favor of the Motion.

Chairman Colarusso stated an additional item had been added, the donation of smoothing compound offered by NHTI (Richard Bowen) to fix floors in Classrooms 1 and 2 which will save PSTC from purchasing these products which are needed to fix the floors.

Motion made to accept donation of smoothing compound by Sheriff Dutile. Following a second by Susan Dunton, the voice vote of the Council was unanimous in favor of the Motion.

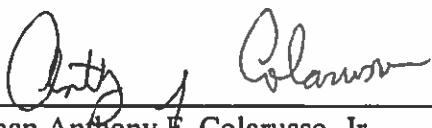
Chairman Colarusso indicates staff would like Council to know Fitness Reminder letters have been mailed and there should be no excuses for not testing.

Next Meeting Date and Adjournment

The next meeting of the New Hampshire Police Standards and Training Council will be held on November 15, 2016. The December meeting will be held on December 20, 2016. The usual e-mail reminders will be sent.

Motion to adjourn made by Chief Hart. Following a second by Sheriff Dubois, the voice vote of the Council was unanimous in favor of the Motion.

Respectfully submitted,



Chairman Anthony F. Colarusso, Jr.