



Chief David P. Cahill  
Chairman

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

**PUBLIC Minutes**

**December 19, 2017**

The 487th meeting of the New Hampshire Police Standards and Training Council was called to order at 9:00 a.m. by Chairman David Cahill in classroom one at the Arthur D. Kehas Law Enforcement Training Facility and Campus in Concord, New Hampshire.

Members Present: Chairman, Chief David Cahill, Sunapee Police Department, Vice Chairman, Chief William Hart, Londonderry Police Department, Sheriff Douglas Dutile, Grafton County Sheriff's Office, Sheriff David Dubois, Strafford County Sheriff's Office, Colonel Christopher Wagner, New Hampshire State Police, Helen Hanks, Commissioner, New Hampshire Department of Corrections, Attorney General Gordon MacDonald, Chief Peter Morency, Berlin Police Department, Debra Noyes and Mark Long.

Members Absent: Judge Sawako Gardner, 10<sup>th</sup> Circuit-District Division – Portsmouth, Chief Enoch Willard, Manchester Police Department, Judge Countway-Vetanze and President Susan Dunton, New Hampshire Technical Institute.

Staff Present: Director Donald Vittum, Chief (Ret.) Timothy Merrill, Lieutenant Christopher Paquette, Anne Paquin, Investigative Paralegal and Charlene Mains, Program Assistant II.

Guests Present: Captain Alex Lee, Claremont Police Department, Christopher Allen, Claremont Police Department, Chief Brandon Alling, Corporal Derek Sullivan and Elizabeth Hilliard (all from Haverhill Police Department), Captain Eric Nordengren, Nashua Police Department and Christopher Norton, Department of Corrections.

**Call Meeting to Order**

Chairman Cahill called the meeting to order at 9:00 a.m.

**Approval of Minutes**

**Motion** made to approve the Minutes of the November 28, 2017 Council meeting by Sheriff Dutile. Following a second by Chief Morency, with the exception of Sheriff David Dubois, who abstained, the voice vote was in favor of the Motion.

**Motion** made to approve the Boone Non-Public Minutes of the November 28, 2017 Council meeting by Commissioner Hanks. Following a second by Chief Morency, with the exception of Sheriff David Dubois, who abstained, the voice vote was in favor of the Motion.

**Motion** made to approve the Allen Non-Public Minutes of the November 28, 2017 Council meeting by Commissioner Hanks. Following a second by Chief Hart, with the exception of Sheriff David Dubois, who abstained, the voice vote was in favor of the Motion.

**Motion** made to approve the Kelly Non-Public Minutes of the November 28, 2017 Council meeting by Chief Hart. Following a second by Sheriff Dutile, with the exception of Sheriff David Dubois, who abstained, the voice vote was in favor of the Motion.

### **Director's Report**

Director Vittum requested report be tabled until the end of the meeting.

### **Financial Report**

Chief Merrill stated there was nothing new regarding the financial report. He indicated that OIT is taking over the tech management of PSTC.

### **Full-time Academy Graduation, December 15, 2017**

Chairman Cahill wished to thank everyone for their cooperation at the full-time academy graduation held last Friday, and appreciated everyone's efforts.

### **Previous/Unfinished Business**

#### **Christopher Allen – PT&E – Eligibility Hearing**

Colonel Wagner recused himself and exited the meeting at 9:04 a.m.

**Motion** to enter non-public session at 9:04 a.m. pursuant to RSA 91-A:3, II(c) made by Sheriff Dubois. Following a second by Sheriff Dutile, a roll call vote was taken and was unanimous in favor of the Motion.

**Motion** made by Debra Noyes at 9:30 a.m. to exit Non-Public Session. Following a second from Chief Morency, a roll call vote was taken and was unanimous in favor of the Motion.

**Motion** made to seal the minutes of the Non-Public session concerning Christopher Allen as the information would likely adversely affect the reputation of any person other than a member of this Council made by Sheriff Dubois. Following a second from Debra Noyes, a voice vote was taken and was unanimous in favor of the Motion.

**Motion** made by Attorney General MacDonald to table this matter until the next Council meeting on January 23, 2018. Following a second from Chief Morency, a voice vote was taken and was unanimous in favor of the Motion, with the exception of Chairman Cahill, who opposed the Motion.

Attorney General MacDonald stated he wants to hear from the Grafton County Attorney regarding the state of the record and will reach out to contact Attorney Saffo. Captain Lee responded that any help is appreciated.

Colonel Wagner returns to the meeting at 9:34 a.m.

### **New Business**

Chief Merrill stated that there are still medical extension requests coming in for the people that are due to pass their PT test by December 31, 2017 deadline. He asked that the Council allow the staff to accept the medical extensions until December 31<sup>st</sup>, and to be put on the agenda for the January 23, 2018 council meeting.

**Motion** to allow for medical extensions for three year fitness testing received by December 31, 2017 to be placed on the January agenda; and not suspend until January Council meeting made by Sheriff Dutile. Following a second by Debra Noyes, a voice vote was taken and was unanimous in favor of the Motion

### **Haverhill Police Department – Pol. 301.05(g)**

**Motion** to enter non-public session at 9:37 a.m. pursuant to RSA 91-A:3, II(c) made by Debra Noyes. Following a second by Sheriff Dutile, a roll call vote was taken and was unanimous in favor of the Motion.

**Motion** made by Sheriff Dutile at 9:40 a.m. to exit Non-Public Session. Following a second from Debra Noyes, a roll call vote was taken and was unanimous in favor of the Motion.

**Motion** made to seal the minutes of the Non-Public session concerning the Haverhill Police Department as the information would likely adversely affect the reputation of any person other than a member of this Council made by Commissioner Hanks. Following a second from Debra Noyes, a voice vote was taken and was unanimous in favor of the Motion.

**Motion** made by Sheriff Dutile to allow the candidate a 301.105(g) exception and move forward. Following a second from Chief Hart, a voice vote was taken and was unanimous in favor of the Motion.

### **Steven Berry – Notice of Hearing Pol. 402.02(b)**

Chief Merrill stated that Steven Berry is a Nashua police officer who was arrested for DWI in Massachusetts and received a Notice of Hearing for temporary suspension on December 7, 2017; the charges against him are pending. Steven Berry was not present for the hearing, which was held in public session.

Chief Merrill read the Council Pol. 402.02(b) which states:

(b) A certification shall be temporarily suspended pending resolution of criminal charges if the officer has been arrested, indicted or bound over either prior to or after certification for a felony or any crime involving moral turpitude or of a crime which tends to bring discredit on the police, corrections, or probation/parole service, unless the safety of the public or the confident in the criminal justice system would not be adversely affected.

Captain Eric Nordengren, Nashua Police Department was at the meeting and indicated that Steven Berry is currently on restricted duty. Attorney General MacDonald inquired why Steven Berry would not have been in touch with PSTC to let staff know that he would not be present at today's hearing. Captain Nordengren stated perhaps Steven Berry was not present because he may not have been aware of the hearing. Mark Long inquired how the Notice of Hearings were sent out by staff and was advised they are sent out by certified mail/return receipt to the individual and their Department head. Chief Merrill indicated that a signed return receipt had not been received, however, the Notice had been sent to the Nashua Police Department.

**Motion** made by Sheriff Dubois to suspend as required by the rule, there had been no exemptions provided to the Council, pending resolution and further order of the Council. Following a second from Attorney General MacDonald, a voice vote was taken and was unanimous in favor of the Motion.

**Nathan Lyons – NOH Pol. 402.02(b)**

Nathan Lyons was not in attendance at the Council meeting. Lieutenant Christopher Paquette was sworn in by Chairman Cahill to offer proof. Lieutenant Paquette stated that Nathan Lyons was certified as an officer in 2004 and was employed the Atkinson Police Department. He was arrested for DWI, reckless operation and conduct after an accident on November 21, 2017 by the Newton Police Department. The charges are still pending. A Form B was received by PSTC on December 13, 2017 stating Nathan Lyons had resigned from the Atkinson Police Department on December 1, 2017.

**Motion** made by Sheriff Dubois to suspend as required by the rule, there had been no exemptions provided to the Council, pending resolution and further order of the Council. Following a second from Commissioner Hanks, a voice vote was taken and was unanimous in favor of the Motion.

**Christopher Norton – NOH Pol. 402.02(a)(4)(c)**

Chief Morency recused himself from the hearing, exiting the meeting room.

Commissioner Hanks abstained from any vote on this matter, but remained in the room.

**Motion** to enter non-public session at 10:00 a.m. pursuant to RSA 91-A:3, II(c) made by Sheriff Dubois. Following a second by Chief Hart, a roll call vote was taken and was unanimous in favor of the Motion.

**Motion** made by Debra Noyes at 10:26 a.m. to exit Non-Public Session. Following a second from Chief Hart, a roll call vote was taken and was unanimous in favor of the Motion.

**Motion** made to seal the minutes of the Non-Public session concerning Christopher Norton as the information would likely adversely affect the reputation of any person other than a member of this Council made by Debra Noyes. Following a second from Chief Hart, a voice vote was taken and was unanimous in favor of the Motion.

**Motion** made by Sheriff Dubois to take no further action as it would serve no rehabilitative purpose. Following a second from Chief Hart, a voice vote was taken. The Motion carried, five in favor, three opposed.

### **PT&E Requests**

Officer Victoria Taft, Portsmouth Police Department (DOH: 10/01/17) will be granted certification based on prior training and experience upon successful completion of the medical exam and the entrance fitness test.

Officer Sara Wilkinson, Portsmouth Police Department, (DOH: 11/03/17) will be granted certification based on prior training and experience upon completion of the medical exam, entrance fitness test, and the Law Package of the Full-Time Police Officer Academy.

Officer Mario Checchi , Walpole Police Department (DOH: 10/02/17) will be granted certification based on prior training and experience upon successful completion of the medical exam, entrance fitness test, and Law Package of the Full-Time Police Officer Academy.

Officer Timothy Meegnagh, Hanover Police Department (DOH: 11/27/17) will be granted certification based on prior training and experience upon successful completion of the medical exam, entrance fitness test, and Law Package of the Full-Time Police Officer Academy.

Officer Jeremy Worcester, Brentwood Police Department (DOH: 11/14/17) will be granted certification based upon prior training and experience 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.

Chad Clark, Manchester Police Department

(DOH: 07/31/17 **Not Part-time certified**) was granted an extension through the end of the 175th Full-Time Police Officer Academy to make up missed classes, HGN/SFST twenty four hours, Drugs and Impaired four hours, Drug Laws four hours, Alcohol and Tobacco three hours.

Melissa Evans, Hinsdale Police Department

(DOH: 06/05/17 **Not Part-time certified**) was granted an extension through the end of the 175th Full-Time Police Officer Academy to retake an exam as the ending date of the 175th Full Time Academy exceeds six months from the date of hire.

Michael Carrier, Hinsdale Police Department

(DOH: 06/05/17 **Not Part-time certified**) was granted an extension through the end of the 175th Full-Time Police Officer Academy as the ending date of the 175th Full Time Academy exceeds six months from the date of hire.

Ongoing Physical Fitness Testing

Requests for Fitness Testing Extension

Stacey Blanchette

Tyler Hewes

Kevin Riley

Edward Conley

Gary Hebert

Lester Milton

Keith Bike

James MacKenna

Glen Bullock

**Addendum #1**

CO Henry Glendinning, New Hampshire Department of Corrections

(DOH: 10/31/17) requests consideration for corrections officer certification based on prior training and experience. CO Glendinning completed his correction's certification on August 12, 2016. He was last employed by the Department of Corrections until June 25, 2017. **Council guidelines indicate granting certification upon successful completion of the medical exam, and entrance fitness test.**

**Addendum #2**

Steven Henderson, Fremont Police Department (DOH: 05/19/16) requests extension through the fitness testing of the 176<sup>th</sup> Full Time Academy. An extension is required because the ending date of the 176<sup>th</sup> Full Time Academy exceeds six months from the date of hire. **Council guidelines indicate extensions**

**granted until the fitness testing for the requested academy. He must be medically cleared and pass the entrance fitness test.**

### **Addendum #3**

Request for Medical Extension for Fitness Testing:

1. Cassandra Avery
2. Steven Henderson

### **Addendum #4**

**Robert Sullivan, NH Attorney General's Office (DOH: 06/16/17) requests extension through the fitness testing of the 17<sup>th</sup> Full Time Academy. An extension is required because he failed the fitness test for the reciprocal certification program, the ending date of the 175<sup>th</sup> Full Time Academy exceeds six months from the date of hire. **Council guidelines indicate extensions granted until the fitness testing for the requested academy. He is not part time certified, he must remain actively enrolled in the requested academy, he must be medically cleared and pass the entrance fitness test for the reciprocal certification program.****

**Motion** by Sheriff Dutile to approve the Consent Calendar, including Addendums 1 – 4. Following a second by Commissioner Hanks, a voice vote was taken and, with the exception of Attorney General MacDonald who abstained on #4, was unanimous in favor of the Motion.

### **New Business**

Thank you letter from U.S. Congress for awards was received.

Chief Merrill indicated there were still about 304 outstanding fitness tests. Chief Morency questioned whether the Cooper standards had been reviewed within the last year or two, and Director Vittum indicated that they are used for a guideline but the standards come from the individual agencies. Commissioner Hanks will send out an e-mail regarding the Planning Session before the next meeting on January 23, 2018. Chairman Cahill wanted to thank everyone again for the great effort and cooperation put into the full-time academy graduation.

### **Director's Report**

Director Vittum stated if there were any questions on the weekly reports sent to Council, please let him know.

### **Next Meeting Date and Adjournment**

The next meeting of the New Hampshire Police Standards and Training Council will be held on January 23, 2018.

**Motion** by Chief Hart to adjourn at 10:40 a.m. Following a second by Commissioner Hanks, the voice vote of the Council was unanimous in favor of the Motion.

Respectfully submitted,

  
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Chairman, Chief David Cahill

**Note:** Recording device used malfunctioned during Council meeting.