



Chief David P. Cahill
Chairman

State of New Hampshire
POLICE STANDARDS & TRAINING COUNCIL
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Public Minutes
PSTC Meeting
August 28, 2018



Donald L. Vittum
Director

The 495th meeting of the New Hampshire Police Standards and Training Council was called to order at 9:04 a.m. by Chairman, Chief David Cahill, in classroom one at the Arthur D. Kehas Law Enforcement Training Facility and Campus in Concord, New Hampshire.

Members Present: Chief David Cahill, Sunapee Police Department; Chief Peter Morency, Berlin Police Department; Sheriff Brian Valerino, Coos County Sheriff's Department; Commissioner Helen Hanks, New Hampshire Department of Corrections; Chief Carlo Capano, Manchester Police Department; Attorney General Gordon MacDonald, Sheriff Douglas Dutile, Grafton County Sheriff's Department; Charles Ansell, Community College System of New Hampshire; Vice Chairman, Chief William Hart, Londonderry Police Department; Colonel Christopher Wagner, New Hampshire State Police, and Mark Long.

Members Absent: Judge Melissa Countway-Ventanze, Debra Noyes, and Judge Sawako Gardner.

Staff Present: Director Donald Vittum, Chief Timothy Merrill, Major David Parenteau, (Ret.), and Anne Paquin, Investigative Paralegal.

Guests Present: Chief Joseph Gordon, Sandown Police Department, Ken Lary, Eileen Lary, Timothy Acerno, Christine Maille, Hillsborough County Sheriff's Department, Sheriff Scott Hilliard and Rodney Forey, Merrimack County Sheriff's Office.

Before the meeting began, a commendation was awarded to Scott Ferguson for his 30 years of service to Police Standards and Training Council.

Two new Council members were welcomed, Chief Carlo Capano of the Manchester Police Department, and Charles Ansell from the Community College System of New Hampshire.

The meeting began at 9: 04 a.m.

Antique Car

Ken and Eileen Lary, and Tim Acerno were present to discuss the antique car with the Council. The car has been on display at the front of PSTC's building for twenty years or more. Chief Cahill has had discussions with Ken Lary, Eileen Lary, and Tim Acerno, (they were the individuals that donated the car to PSTC after responding to a request by a former director of PSTC) and Harold Parker of the Governor's Office, prior to the Council meeting to determine the future for this car. It has been decided that the car should remain on display at PSTC, as a "static item" not in running condition due to the expense of maintaining it, unless or until there is a law enforcement museum that is

interested in the car, at which time it could be placed on a permanent loan to the museum. The former owners are mostly concerned that it not be “parted out” if it ever leaves PSTC, and would take it back themselves. They would like to be notified about the car’s status if things change in the future. The Council members assured them that they would be advised if anything changes.

Approval of Minutes

Motion by Chief Hart, seconded by Sheriff Dutile to approve the public minutes of the July 24 Council meeting, with unanimous support of the Council.

Motion by Sheriff Dutile, seconded by Chief Hart to approve the nonpublic minutes from the Portsmouth Police Department for the July 24 Council meeting.

Motion by Chief Hart, seconded by Chief Morency to approve the nonpublic minutes on Newmarket Police Department for the July 24 Council meeting with unanimous support of the Council.

Director’s Report

There was no Director’s Report for this month.

Financial Report

Chief Merrill summarized the budget and finances. The governor’s office has given PSTC a target of one half of one percent increase for the 2019 budget, and another half percent for 2020-2021. There is 3.64 million for 2020 and 3.65 million for 2021. This is a tight budget but PSTC will manage.

The DOIT migration of the administrative server has been completed. The training network “moodle” will be the next project. The end result is to shut down the PSTC server that manages the moodle.

The parking lot is nearly done. There are a few items left to complete. It has been done within the allotted budget.

Previous and/or Unfinished Business

Sandown Police Department (this discussion began in public session by request of Chief Gordon, but was changed into a nonpublic session at the staff’s request. The officer whose status was being discussed was not present).

Chief Joseph Gordon was present to discuss one of his officer’s part time academy certification options. He chose to have the request in a public session.

Major David Parenteau (Ret.), PSTC staff began a summary regarding the request of Chief Gordon and a part time officer recruit.

Motion by Sheriff Valerino, seconded by Sheriff Dutile to begin a nonpublic session per RSA 91-A:3 II (c). The roll call vote was unanimous in favor of the motion.

At 9:20 PSTC Council began a nonpublic session.

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

At 10:21 a.m. the Council returned to public session.

Motion to seal the minutes of the nonpublic session according to RSA 91-A:3 II (c) by Colonel Wagner, seconded by Sheriff Valerino, the vote was unanimous in favor of the motion.

Motion by Colonel Wagner, seconded by Chief Morency to deny the request of the Sandown Police Department to allow their recruit a fourth attempt to pass the Constitutional Law Class. Council vote was ten in favor, one opposed, the motion passed.

Motion by Charles Ansell, seconded by Chief Hart, to allow the Sandown recruit to take the Constitutional Law class being held in October, take the exam with accommodations, and if he passes the exam, he is allowed to take the final exam in order to receive his part time officer certification. *The stipulation is that he provide a current diagnosis of his learning disability to PSTC staff in order to request accommodations.* The motion passed unanimously.

ADA Policy

Attorney General MacDonald expressed concern that PSTC did not have an ADA policy, and that it should be a priority. He confirmed that the Attorney General's Office would review a policy drafted by the staff of PSTC. Major Parenteau discussed the difficulty in drafting the policy, and where it would be located, whether in the Technical Assistance Manual, an administrative rule, or an internal general order.

Director Vittum asked Council members for permission for the funding to hire an ADA attorney to draft the policy.

PSTC is in the process of drafting a policy on transgender as well, and could benefit from the assistance of a professional.

Sheriff Dutile suggested a motion to spend money out of the current budget to hire an attorney to write an ADA policy for PSTC. Chairman Cahill stated that if Director Vittum found that he needed Council approval for funding an attorney, he could relay that back to the Council, and at that point the Council could make the decision.

Christine Maille, Hillsborough County Sheriff's Department, addendum

When asked about her preference, Deputy Maille requested a public session.

Major Parenteau explained that Christine Maille was present at the meeting due to her notification by PSTC staff regarding the late submission of her request for medical extension for three year fitness testing. Christine Maille works as a part time deputy for the Hillsborough County Sheriff's Department, and her three year fitness test was due in

2016. Deputy Maille had been granted a six month medical extension which expired on June 30, 2018. PSTC staff sent a suspension notice to Deputy Maille and the Hillsborough County Sheriff's Department on July 2, 2018. On July 13, 2018 PSTC received a request for medical extension for fitness test from Deputy Maille. PSTC staff responded with a letter reinstating Deputy Maille's certification, but to also notify her that she must appear before the Council to explain the violation of the June 30, 2018 deadline.

Deputy Maille explained that she had had some difficulty in scheduling medical appointments, and dealing with work and family related matters.

Motion by Chief Hart, seconded by Commissioner Hanks, to grant the request for a six month medical extension, expiring on December 31, 2018, since Christine Maille has complied with the policy consistent with past action by the Council. The Council vote was unanimous in favor of the motion.

CONSENT CALENDAR

PT&E Requests

Officer Justin Christopher Belknap County Sheriff's Office (DOH: 07/01/18) Will be granted certification upon successful completion of the medical exam, entrance fitness test, and Law Package of the Full-Time Police Officer Academy(Reciprocal Certification).

Chief Timothy Crowley, Atkinson Police Department
(DOH: 06/25/18) Will be granted certification upon successful completion of the medical exam, entrance fitness test, and Law Package of the Full-Time Police Officer Academy (Reciprocal Certification).

Officer Corey Dussault, Milton Police Department
(DOH: 07/30/18) 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, (Reciprocal Certification).

Officer Shannon Gardner, Bedford Police Department
(DOH: 08/13/18) Will be granted certification upon successful completion of the medical exam, entrance fitness test, and Law Package of the Full-Time Police Officer Academy(Reciprocal Certification).

Officer Gary Robinson, Rumney Police Department
(DOH: 08/06/18) Will be granted certification upon successful completion of the medical exam and entrance fitness test.

End of Consent Calendar

Motion by Chief Hart, seconded by Chief Morency to approve the consent calendar items, the vote was unanimous in favor of the motion.

Charles Ansell exited the meeting, 10:28 a.m.

Annual Report

Motion by Chief Morency, seconded by Chief Hart to approve PSTC's annual report as presented. The council vote was unanimous in favor of the motion.

Merrimack County Sheriff's Department, Rodney Forey Request to Waive Prior Training and Experience requirements for certification

Sheriff Scott Hilliard and part time Deputy Rodney Forey were present to request a waiver of the Council's policy on prior training and experience certification. Officer's with a lapse in law enforcement employment in New Hampshire of greater than three years, according to policy must attend a complete full or part time academy to regain their certification.

Deputy Forey provided Council members with a hard copy list of his employment and training history since the nine years he has been out of New Hampshire Law Enforcement. He has been employed with the federal government in law enforcement, and has held several other positions during that time.

Motion by Colonel Wagner, seconded by Sheriff Dutile, to grant prior training and experience certification for Rodney Forey after completion of the medical examination and entrance fitness test, waiving the complete part time academy requirement. The Council vote was nine in favor and one opposed.

Annual compliance

Major Parenteau (Ret.) updated Council members about the annual training requirements of each certified officer in the state.. The requirements are that Part time officers are to work no more than 1300 hours. All officers must complete eight hours of in-service training each year, and complete their individual firearms qualifications. The reports must be filed with PSTC by January 30th each year. There were several towns that had filed incorrect paperwork with respect to firearms. PSTC staff contacted each agency and obtained the correct paperwork. All yearly requirements for 2017 have been met.

Proposed Rules

Chief Merrill updated Council members with the filing of administrative rule Pol 302.01. The public hearing is scheduled for next month's meeting, September 25, 2018.

Correspondence

Chairman Cahill offered congratulations to Director Vittum on receipt of a congressional law enforcement award.

General

Before closing the meeting, Chairman Cahill asked if Council members had anything to discuss; Chief Morency gave positive remarks about the full time graduation from the past week.

Next Meeting Date/Adjournment

The next meeting of the New Hampshire Police Standards and Training Council (#496) will be held on September 25, 2018, at nine o'clock in the morning.

Upon a motion by Chief Morency, seconded by Chief Hart, the Council voted unanimously to adjourn the meeting at 10:37 a.m.

Respectfully submitted,



Chairman David P. Cahill