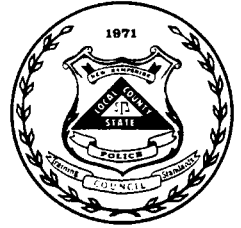




Chief David P. Cahill
Chairman

**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

PUBLIC MINUTES

December 18, 2018

The 499th meeting of the New Hampshire Police Standards and Training Council was called to order at 9:03 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 David Cahill, Chief Sunapee Police Department; Vice Chairman, Chief William Hart, Jr., Londonderry Police Department; Chief Carlo Capano, Manchester Police Department; Helen Hanks, Commissioner, New Hampshire Department of Corrections; Attorney General Gordon MacDonald, Colonel Christopher Wagner, NH State Police; Sheriff Brian Valerino, Coos County Sheriff's Office Charles Ansell, Chief Operating Officer, CCSN, Mark Long, and Chief Peter Morency, Berlin Police Department

Not in attendance: Justice Sawako Gardner, 7th Circuit-District Division – Rochester; Justice Melissa Vetanze, 3rd Circuit – District Division – Ossipee and Debra Noyes

Staff Present: Donald L. Vittum, Director, Chief Timothy Merrill (Ret.), Major David Parenteau, (Ret.), Loralee Ames, Program Assistant III and Charlene Mains.

Guests Present: Chief David Goldstein, Franklin Police Department, Chief Scott Pinson and Officer Teighlar Carney, Lisbon Police Department and Chief Bradley Osgood, Concord Police Department. There were also many chiefs and members of law enforcement present from throughout the state.

Chairman Cahill called the meeting to order at 9:03 a.m.

Motion by Chief Hart, seconded by Colonel Wagner, to approve the November 27, 2018 public meeting minutes. The vote was unanimous in favor of the Motion.

Motion by Chief Morency, seconded by Sheriff Valerino, to approve the minutes of the November 27, 2018 nonpublic session of the Performance Audit, with the Council vote unanimous in favor of the motion.

Motion by Chief Hart, seconded by Mark Long, to approve the minutes of the November 27, 2018 nonpublic session regarding the Strafford County matter. The Council vote was unanimous in favor of the motion with the exception of one abstention.

Motion by Chief Morency seconded by Chief Sheriff Valerino, to approve the November 27, 2018 nonpublic minutes regarding the Performance Audit on October 23, 2018. The Council vote was unanimous in favor of the Motion.

Chief Cahill wanted to acknowledge the work of the Director and staff during the incident last week. He thanked everyone for their quick response in providing security and safety at the graduation. He thanked Colonel Wagner and Captain Ferry and the Concord Police Department for providing security.

Chief Cahill received a letter of resignation last month from Sheriff Dutile; he wanted to thank and recognize him for all his work and efforts while serving on the Council.

Financial Report

Chief Merrill reported the budget is where it should be and there was nothing new to report.

Director's Report

Director Vittum did not offer a report at this time.

Performance Audit

Council members discussed the ongoing LBA Performance Audit. Specifically, the discussion involved if there was any feedback from the responses provided by PSTC and the turnaround time for a report from the legislature.

Appointment of Director

Chairman Cahill began the discussion noting that Director Vittum was seeking re-appointment for his position as Director for a third term. Chairman Cahill summarized that the last review had been completed by then Chairman, Chief Colarusso, who spoke with employees, chiefs and other individuals directly involved with the Director. A review by the Council had not been done for the current appointment. Chairman Cahill would like to table the matter for the Director's appointment until a complete review is done, by next month.

The Director was not in agreement with postponing a vote on his appointment.

Motion by Chief Morency, seconded by Sheriff Valerino, to appoint the Director for a third term.

Discussion ensued about the Motion as follows:

- The importance of maintaining consistency of the past practice of a review before appointment;
- There has been more than two years to conduct a review and it has not been done;
- The vote for reappointment of the Director should not happen until a review of his performance has been completed. The challenges in the law enforcement profession and the scrutiny make transparency and accountability critical.

- The vote for reappointment of the Director should not happen until a review of his performance has been completed. The challenges in the law enforcement profession and the scrutiny make transparency and accountability critical.
- The Council should be fair and consistent in the review process. If a review of the Director's performance was done in the past, the Council should continue to do so.
- The review should have been done earlier and by not voting to re-appoint puts the Director's career on hold;
- The staff of PSTC has not been interviewed regarding the Director. The Council needs feedback from the staff;
- The Director's position could be held over until the review was complete, and he could then be re-appointed with the integrity of a process.

Motion by Attorney General MacDonald, seconded by Commissioner Hanks, to table the appointment of the Director pending a review at the discretion of the Chairman and Council. The vote was two in favor, eight opposed, the Motion failed.

Motion by Chief Morency, seconded by Sheriff Valerino, to re-appoint Director Vittum. The vote was eight in favor, two opposed, and the Motion passed.

Further discussion ensued amongst the Council members regarding the process in appointment of the Director:

- An annual review of the Director's performance should be completed;
- Phone calls from staff to two Council members regarding the Director's re-appointment should be addressed;
- Director Vittum disagreed and revisited the length of time that had been available for a review;
- A review process should be put into place by March, along with the process to remove someone as Director due to poor performance.

Financial Disclosure Forms

Chief Cahill discussed the guidelines on filling out the form, and the staff will maintain a copy of the public forms for file.

Consent Calendar

PT&E Requests

Officer Stephen Delman, Concord Police Department

(DOH: 01/01/19) will be granted full-time police officer certification based on prior training and experience upon successful completion of the medical exam, entrance fitness test, and the Law Package of the Full-Time Police Officer Academy.

Officer Kevin Lally, Manchester Police Department

(DOH: 12/07/18) will be granted full-time police officer certification based on prior training and experience upon successful completion of the medical exam, entrance fitness test, and the Law Package of the Full-Time Police Officer Academy.

Officer Marylee Schnittgen, New Hampshire State Police

(DOH: 12/07/18) will be granted full-time police officer certification based on prior training and experience upon successful completion of the medical exam, entrance fitness test, and the Law Package of the Full-Time Police Officer Academy.

Officer Brendan Tallon, New Hampshire State Police

(DOH: 12/07/18) will be granted full-time police officer certification based on prior training and experience upon successful completion of the medical exam, entrance fitness test, and the Law Package of the Full-Time Police Officer Academy.

Officer George Walker, Jackson Police Department

(DOH: 11/14/18) will be granted full-time police officer certification based on prior training and experience upon successful completion of the medical exam, and entrance fitness test.

Officer John Zavala, Concord Police Department

(DOH: 12/16/18) will be granted full-time police officer certification based on prior training and experience 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

Class Number	Dates	Fitness Test Date
178	1/7/19-4/26/19	12/2/18
179	5/6/19-8/23/19	4/22/19
180	9/3/19-12/20/19	8/19/19

Part Time Police Officer Academy

Class Number	Dates	Fitness Test Date
277	2/2/19-5/10/19	1/19/19

Corrections Officer Academy

Class Number	Dates	Fitness Test Date
--------------	-------	-------------------

Jonathan Marshall Barnstead Police Department (DOH: 07/01/18 **Not Part-time certified**) was granted an extension until the first council meeting following the requested end date of February 14, 2019. The extension is granted with the stipulation that the officer may continue working only in the direct presence of a certified officer.

Paul Samataro, Hinsdale Police Department (DOH: 06/04/18 **Not Part-time certified**) was granted an extension for six months through June 4, 2019. Officer Samataro was granted prior training and experience certification at the October 23, 2018 meeting with the stipulation that the officer may continue working only in the direct presence of a certified officer.

Ongoing Physical Fitness Testing Medical Extensions

Lester Milton	Loudon
Richard Brown	Manchester
Stacie Fiske	Merrimack County Sheriff's Office
Paul Oyori	Corrections
John Minichiello	Hancock
Kevin Chapdelaine	Goffstown
Christopher Carter	Bristol
David Goldstein	Franklin
Kevin Riley	Manchester

END OF CONSENT CALENDAR

The Consent Calendar included addendums (Medical Extensions) for the following: Richard Tellifson, Concord, Scott Hudon, Nashua, Michael Crowell, Jr., Loudon, Robert Bellenoit, Manchester, Richard Valenti, Jr., Manchester and Mike Tollett, Winchester.

Motion by Chief Hart, seconded by Sheriff Valerino, to accept the Consent Calendar as presented, along with three addendums. The Council vote was unanimous, with the exception that Colonel Wagner and Chief Capano abstained on any matters involving their departments.

New Business

Chief Scott Pinson and Officer Teighlar Carney, Lisbon Police Department, introduced themselves to Council.

Major Parenteau stated that Officer Carney is full-time certified in the state of New York, and went to a full-time academy in Utica, NY graduating in August of 2014. Subsequent to that training, she was employed by two agencies in NY on a part-time basis. Ms. Carney worked an average of 32 to 60 hours per week. Because she is full-time certified but works part-time, this matter was brought before the Council for a decision on Prior Training and Experience. The

certification curriculum was comparable to PSTC's full-time curriculum. She was last employed as a police officer in October of 2017.

Motion by Chief Morency to grant certification based on providing a medical exam, required fitness test and attending the law package of the full-time academy, seconded by Sheriff Valerino. The Council vote was unanimous in favor of the motion.

Proposed Rule Changes

Rule Pol 302.1

Chief Merrill stated the rule changes are on the Rules Register consent calendar for approval by JLCAR for Thursday of this week.

Form D Change

Major Parenteau indicated the Form D had been amended for the medical provider to indicate the gender appropriate status for the physical fitness testing, and was submitted to the Office of Legislative Services. The request was published in the Rules Register on December 13th.

Correspondence

Chairman Cahill received correspondence from the Sheriff of Strafford County thanking the Council for the way a matter was reviewed concerning one of his deputies.

Chief Goldstein

Chief Goldstein was on the Consent Calendar for a medical extension, which was granted. However, Director Vittum said he would not need an extension as he should be grandfathered from three year testing. Director Vittum said the issue was when Chief Goldstein's certification was reinstated, it should have gone back to his original appointment date, and he would not be required to complete the three year fitness testing as he would have been grandfathered. The issue arose as there was a break in service.

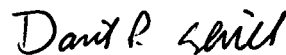
Chief Osgood

Chairman Cahill acknowledged Chief Osgood who had two out-of-state officers on the Consent Calendar for PT&E's, which have been approved.

The next Council meeting (500) will be held on January 22, 2019.

Motion by Chief Capano, seconded by Chief Hart, to adjourn the meeting at 10:02 a.m., the Council voted unanimously.

Respectfully submitted,



Chairman, Chief David Cahill