



Chief David P. Cahill  
Chairman

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

**PUBLIC MINUTES**  
**Police Standards and Training Council**  
**June 25, 2019**

Members Present: Chairman David Cahill, Chief, Sunapee Police Department; Vice Chairman Chief Peter Morency, Berlin Police Department; Judge Sawako Gardner, Circuit Court Judge; Judge Melissa Vetanze, 3<sup>rd</sup> Circuit District Division, Ossipee; Chief Carlo Capano, Manchester Police Department; Charles Ansell, Community College System of New Hampshire; Colonel Christopher Wagner, New Hampshire State Police; Sheriff Charles Massahos, Rockingham County Sheriff's Office; Mark Long, Maureen Sullivan; and Deputy Attorney General Jane Young (9:07 a.m.)

Not in attendance: Chief Robert Cormier, Tilton Police Department; Sheriff Brian Valerino, Coos County Sheriff's Office and; Commissioner Helen Hanks, NH Department of Corrections;

Staff Present: Chief Timothy J. Merrill, Major David Parenteau (Ret.) Lieutenant Adam Hawkins and Anne Paquin, Investigative Paralegal.

Guests Present: Lt. Scott Towers, with Jason Gurung and Tyler Gardner, New Hampshire Department of Corrections; Daniel Wicks, Brentwood Police Department, David Burris, New Hampshire Department of Corrections, Cheshire County Sheriff Eliezer Rivera with Lionel Emond, III, Keith Gray, Superintendent for the New Hampshire Association of Counties.

The 505th 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.

Chairman Cahill welcomed Maureen Sullivan, who had been recently appointed to the Council replacing Debra Noyes.

May 28, 2019 Public Minutes Motion to approve by Colonel Wagner, seconded by Chief Capano, unanimous vote with Judge Gardner and Judge Vetanze abstaining

May 28, 2019 Manchester Police Department Nonpublic Minutes, Motion to approve by Chief Morency and Mark Long, unanimous vote with Chief Capano, Judge Gardner and Judge Vetanze abstaining

May 28, 2019 Nathan Jette Eligibility Nonpublic Minutes, Motion to approve by Mark Long and Charles Ansell, unanimous vote with Judge Gardner and Judge Vetanze abstaining

### Director's Report

Director Vittum was not present, he will be on leave beginning July 8, 2019

### Financial Report

Chief Merrill informed the Council that it is the end of the fiscal year, and there is six percent left in PSTC's budget as of this date.

The FY 2020 -2021 Capital Budget request includes projects to replace a total of fifteen furnace boilers and for an upgrade to PSTC's database. The database project is important to PSTC as many of the items identified by the Legislative Budget Assistant's performance audit would be addressed with a new database upgrade.

The capital budget was being discussed this date (June 25, 2019) at the legislature.

### Performance Audit

The full House Criminal Justice Committee will meet this afternoon (June 25, 2019) to review the PSTC Performance Audit. Chief Merrill and Chairman Cahill will attend the meeting.

One of the items on the performance audit was sharing maintenance work with other state agencies. Chief Merrill met with the Department of Administrative Service to discuss the proposal. The Department of Administrative Services came to the conclusion that adding a software program for scheduling PSTC's own maintenance division may be helpful, and that shared maintenance services would not be effective.

9:07 Deputy Attorney General Jane Young arrived.

### Planning Session

The planning session has been scheduled for October 22, 2019. There will be a brief Council meeting that morning from 8:00 to 9:00 a.m., with the remainder of the time devoted to the planning session. Council members were asked to provide subject matters to be discussed, and also suggest two individuals to invite. The total number of participants in the planning session will not exceed thirty five.

Council members should email Chief Merrill with their ideas for subject matter and whom they'd like to invite. The planning session will be addressed again in the July 23, 2019 meeting.

### Rule Amendment

Major Parenteau provided the Council with a draft to change the rule Pol 102.06, which defines the number of Council members for a quorum, to change the number from six, to 'a majority of the members'.

Major Parenteau read the rule into the record.

“Pol 102.06 Quorum of the Council. A quorum shall consist of a majority of the members of the council, and as such, can operate with the same authority as the full council”.

Motion by Chief Morency, seconded by Charles Ansell to approve the request to begin a rule amendment for Pol 102.06. The council vote was unanimous in favor of the motion.

### Instructor Certification Standards

Chief Merrill presented a draft protocol for PSTC instructor standards for the Council to review, and give comments for approval at the July 23, 2019 meeting.

### Steven Cornacchia Status Update

The request to update the Council had been made by Mr. Cornacchia’s attorney John Krupski, but has been withdrawn.

### New Business

Glock has offered to lend PSTC a pistol with optical red dot sights for one year.

Motion by Charles Ansell, seconded by Chief Morency to accept the loan of the pistol by Glock. The Council vote was unanimous in favor of the motion.

### County Corrections Curriculum

Superintendent Keith Gray of Belknap County, and New Hampshire Association of Counties was present requesting Council approval for the County Correction’s Officer Curriculum.

Motion by Chief Cahill, seconded by Charles Ansell to accept the curriculum presented, per PSTC Performance Audit by LBA. The Council vote was unanimous in favor of the motion.

Per the performance audit, Council was asked to develop a protocol regarding how often the curriculum should be reviewed.

Keith Gray was asked to attend the July 23, 2019 meeting to make decisions about class sequence and frequency of review.

### Airdyne Bike Protocol

Lt Adam Hawkins instructed the Council members on a memorandum he had prepared, explaining that the Airdyne Stationary Bike was used as an alternative to the mile and a half run adopted from the Cooper Institute; PSTC used the bike for those with temporary injuries for three year fitness testing.

The bike that had been used was in a state of disrepair, PSTC just bought a new bike. The difference between the two bikes is in calculating the time and resistance. The old bike reads in “levels”, the new bike reads in “watts”. Because of this, the PSTC training specialist had to make changes in the protocol for the airdyne bike.

Motion to accept the change in protocol for PSTC’s new airdyne stationary bike by Chief Morency, seconded by Judge Gardner, the Council vote was unanimous in favor of the motion.

### Corrections Advisory Committee

This item is in response to the audit; the draft protocol establishing the make up of the committee per the statute. They are to meet twice per year, the meeting is to be publicly posted, and the minutes are to be kept.

Motion to accept the draft protocol for the Corrections Advisory Committee by Judge Vetanze, seconded by Colonel Wagner, the Council vote was unanimous in favor of the motion.

### Annual Compliance Report

Major Parenteau summarized that all agencies have until January 30th of each year to file:

- hours worked for part time officers (less than 1300)
- eight hours of ongoing education for each officer
- firearms qualification and use of force training

Some agencies needed a follow up by staff to complete their filing, most agencies filed on time, some filed on time but filed incorrect documents.

Conversation ensued about the Performance Audit item asking that PSTC perform agency audits to confirm documentation regarding annual compliance by the agency.

### Lionel Emond, Cheshire County

Deputy Lionel Emond was present with Sheriff Eliezar Rivera. When asked, they preferred a public session.

Sheriff Rivera had requested an extension for Deputy Emond in order for him to continue to work full time until September 3, 2019.

Deputy Emond had attended four to five academies in the past but has failed to complete them. He attended the current academy, the 179<sup>th</sup>, but was withdrawn the second day due to a neck injury. Deputy Emond was hired on September 3, 2017 and because of the two year limit to become certified, the deputy would be out of time to become full time certified.

Deputy Emond is a part time certified officer, but because of an injury to his neck he could not perform the exercises required during the initial part of the full time academy.

Motion by Chief Cahill, seconded by Mark Long, to grant the extension to allow Deputy Lionel Emond to continue to work full time for Cheshire County until September 3, 2019. The Council voted unanimously in favor of the motion.

Daniel Wicks, Brentwood Police Department

Daniel Wicks was present and asked the Council for a nonpublic session.

10:06 a.m. Motion by Colonel Wagner, seconded by Chief Morency to begin a nonpublic session citing RSA 91-A:3, II (j). The Council's roll call vote was unanimous in favor of the motion.

10:25 a.m. Motion to exit the nonpublic session by Mark Long, seconded by Chief Morency. The roll call vote was unanimous in favor of the motion.

Motion to seal the minutes of the nonpublic session as it may adversely affect the reputation of anyone that was not a member of the board made by Colonel Wagner, seconded by Chief Capano, the roll call vote was unanimous in favor of the motion.

Motion by Colonel Wagner seconded by Chief Capano to allow Daniel Wicks to use the Airdyne Stationary Bicycle as an alternative to the mile and a half run in his entrance test requirement for prior training and experience certification. The Council vote was unanimous in favor of the motion.

David Burris, New Hampshire Department of Corrections

David Burris had been noticed for a final hearing on a violation of PSTC administrative rule Pol 402.02 (a)(4)(e).

Mr Burris requested a nonpublic session.

10:30 a.m. Motion by Colonel Wagner, seconded by Judge Gardner to begin a nonpublic session and citing RSA 91-A:3, II (j). The Council's roll call vote was unanimous in favor of the motion.

10:50 a.m. Motion to exit the nonpublic session by Judge Gardner, seconded by Colonel Wagner, the Council's roll call vote was unanimous in favor of the motion.

Motion to seal the minutes of the nonpublic session by Colonel Wagner, seconded by Judge Gardner as it may adversely affect the reputation of anyone that was not a member of the board. The Council's roll call vote was unanimous in favor of the motion.

Motion by Chief Morency based on 402.02 for the conviction of a misdemeanor, seconded by Sheriff Massahos to revoke both the probation parole and corrections certification of David Burris. The vote was unanimous in favor of the motion, with one abstention.

Tyler Gardner, New Hampshire Department of Corrections

Tyler Gardner was present along with Lt. Scott Towers to request to retake the final fitness examination for a Correction's Officer certification.

They requested a nonpublic session.

10:55 a.m.

Motion by Judge Gardner, seconded by Colonel Wagner to enter a nonpublic session, citing RSA 91-A:3, II (j). The roll call vote was unanimous.

11:02 a.m.

Motion by Judge Gardner, seconded by Colonel Wagner to exit the nonpublic session, the roll call vote was unanimous.

Motion by Judge Gardner, seconded by Chief Morency to seal the minutes of the nonpublic session as it could adversely affect the reputation of any person other than a member of the board. The roll call vote was unanimous.

Motion by Colonel Wagner, seconded by Mark Long to grant the request of the Department of Corrections to allow one retake of the final fitness test within the next 30 days, as this individual is a viable candidate for the agency. The Council vote was unanimous in favor of the motion.

Jason Gurung, New Hampshire Department of Corrections

Jason Gurung was present along with Lt. Scott Towers to request to retake the final examination for a Correction's Officer certification.

They requested a nonpublic session.

11:05 a.m.

Motion by Chairman, Chief Cahill, seconded by Charles Ansell to enter a nonpublic session, citing RSA 91-A:3, II (j). The roll call vote was unanimous.

11:15 a.m.

Motion to exit the nonpublic session by Judge Vetanze, seconded by Colonel Wagner, the roll call vote was unanimous.

Motion by Chief Morency, seconded by Charles Ansell to seal the minutes of the nonpublic session as it could adversely affect the reputation of any person other than a member of the board. The roll call vote was unanimous.

Motion by Colonel Wagner, seconded by Chief Morency to allow Jason Gurung one opportunity within thirty days to pass the Correction's Officer final exam. The Council voted unanimously in favor of this motion.

Thomas Harriman, Newbury Police Department

(Officer Harriman was not present at the meeting. This item was not addressed by the Council.)

PT&E Requests

Logan Scelza Lebanon Police Department (DOH: 03/24/19) Will be granted certification upon successful completion of the medical exam (completed January 8, 2019, entrance fitness test, (completed May 20, 2019) and the Law Package of the Full-Time Police Officer Academy, with the stipulation that the officer work in the direct presence of a certified officer, unless the officer completes the agency's FTO program and then may work under normal supervision.

Ryan Vaclavik Hampton Falls Police Department (DOH: 05/15/19) Will be granted certification upon successful completion of the medical exam (completed February 1, 2019) and entrance fitness test with the stipulation that the officer work in the direct presence of a certified officer, unless the officer completes the agency's FTO program and then may work under normal supervision.

Nicholas Paquin Swanzey Police Department (DOH: 06/03/19) Will be granted certification upon successful completion of the medical exam and entrance fitness test with the stipulation that the officer work in the direct presence of a certified officer, unless the officer completes the agency's FTO program and then may work under normal supervision.

Stephen O'Connor, NH State Police – Marine Patrol (DOH: 06/07/19) Will be granted certification upon successful completion of the medical exam (completed May 8, 2019,) entrance fitness test, and the Law Package of the Full-Time Police Officer Academy with the stipulation that the officer work in the direct presence of a certified officer, unless the officer completes the agency's FTO program and then may work under normal supervision.

Benjamin Bailey, Lebanon Police Department (DOH: 05/26/19) Will be granted certification upon successful completion of the medical exam (completed April 4, 2019,) entrance fitness test, and the Law Package of the Full-Time Police Officer Academy with the stipulation that the officer work in the direct presence of a certified officer, unless the officer completes the agency's FTO program and then may work under normal supervision.

### 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
179	05/06/19-08/23/19	04/22/19
180	09/03/19-12/20/19	08/19/19

#### Part Time Police Officer Academy

Class Number	Dates	Fitness Test Date
278	08/10/19-11/08/19	07/27/19

#### Corrections Officer Academy

Class Number	Dates	Fitness Test Date
111	09/16/19 – 11/15/19	08/26/19

Kyle Johansson, Epsom Police Department (DOH: 04/22/19 **Not Part-time certified**) 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 180th academy and may continue working only in the direct presence of a certified officer.

Thomas Goulden, Frankestown Police Department (DOH 12/17/18) Was granted an extension until August 30, 2019 with the stipulation that the officer work in the direct presence of a certified officer, unless the officer completes the agency's FTO program and then may work under normal supervision.

Robert Collette Washington Police Department (DOH: 12/30/18) Was 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 work in the direct presence of a certified officer, unless the officer completes the agency's FTO program and then may work under normal supervision.



Ongoing Physical Fitness Testing

The following officers were granted six month medical extension for three year fitness testing:

Christopher Carter, Bristol Police Department  
Richard Tellifson, Concord Police Department  
Michael Crowell, Loudon Police Department  
Lester Milton, Loudon and Bennington Police Department  
Carleen Bowman, UNH Police Department  
Michael Tollett, Winchester Police Department  
Martin Cashin, Bath and Franconia Police Department

Motion by Charles Ansell, seconded by Chief Morency to approve the Consent Calendar as written, the vote to approve was unanimous.

Discussion

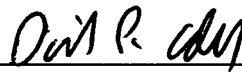
Chief Merrill confirmed with Council members that they had all received their agenda by the encrypted email, and that going forward email would be the method of delivery.

There was a handout for each Council member regarding the job description for the Director of PSTC, members were asked to review it as the job description would be discussed at the July meeting.

The next Council meeting is scheduled for July 23, 2019.

Motion to adjourn at 11:20 a.m. by Chief Morency, seconded by Mark Long, with unanimous approval by the Council members.

Respectfully submitted,



Dated

Chairman David Cahill