



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



PUBLIC MINUTES
Police Standards and Training Council
November 19, 2019

Present: Chief Morency, Vice Chairman, Berlin Police Department; Sheriff Valerino, Coos County Sheriff's Office; Sheriff Massahos, Rockingham County Sheriff's Office; Maureen Sullivan; Assistant Commissioner Jean, New Hampshire Department of Corrections; Attorney General MacDonald, Colonel Wagner, New Hampshire State Police and Edward Lecius.

Not Present: Chairman, Chief Cahill, Sunapee Police Department; Judge Gardner, Circuit Court Judge; Judge Vetanze, 3rd Circuit District Division, Ossipee; Charles Ansell, New Hampshire Community College; Chief Cormier, Tilton Police Department; Chief Capano, Manchester Police Department.

Staff Present: Assistant Director Chief Merrill; Major Parenteau (Ret.), Lt. Hawkins, and Anne Paquin, Investigative Paralegal.

Guests: Sgt. Brian Caldwell and Officer Richard Ell Manchester Police Department, Deputy Chief James Testaverde and Officer Kevin Pacillo Nashua Police Department, Chief Wheeler and Officer Thomas Harriman, Newbury Police Department.

The 509th meeting of the New Hampshire Police Standards and Training Council was called to order at 9:00 a.m. by Vice Chairman Chief Peter Morency in classroom one at the Arthur D. Kehas Law Enforcement Training Facility and Campus in Concord, New Hampshire.

Chief Morency introduced Edward Lecius to Council members as the new citizen member replacing Mark Long.

Motion to approve the minutes from the October 22, 2019 meeting made by Colonel Wagner, seconded by Sheriff Valerino, both Assistant Commissioner Jean and Edward Lecius abstained from the vote, the Council was unanimous in favor of the motion.

Director's Report

Assistant Director Merrill updated the Council on the part time academy graduation and the corrections graduation that had recently taken place at PSTC.

Financial Report

Assistant Director Merrill went on to state that the academy finances were appropriate for the time of year. The Governor's officer recently issued a letter, to adjust the method for year end lapse budget.

PSTC is working with the Department of Safety on getting funding for the Virtra system, the use of force simulator, through the biennium.

Previous Unfinished Business

Nashua Police Department – Prior Certification and Experience

Deputy Chief Jim Testaverde and Officer Kevin Pacillo, recruiting officer from the Nashua Police Department were present for their request.

They asked the Council for approval of the law enforcement certification program from Fitchburg Massachusetts State University. Students enter the college as a Criminal Justice Major, after four years they achieve a bachelor's degree in Criminal Justice, and then immediately begin the municipal police academy which is sponsored through the Fitchburg State University. The academy is identical to any other municipal academy in Massachusetts.

It is a seventeen week academy. Most of the training is conducted on the campus, they go outside campus for firearms, the emergency vehicle operator course and the driving course.

Upon completion, the recruits are issued certificates, making them eligible for police employment in Massachusetts.

When asked, the deputy chief responded that they are asking the Council to stipulate that the certification program at the Fitchburg State University is equal to any of the Massachusetts police academy certifications.

The second part to the request is that the person receiving the certification does not have any prior law enforcement experience. The Council uses past experience as a guideline for when an officer has been out of law enforcement, thirty days, two years, or three years lapse in service to indicate what is necessary for them to regain their certification.

If the situation were reversed, Massachusetts requires two years of documented experience to accept a New Hampshire law enforcement certification. Would the Council allow Nashua Police Department to request prior training and experience certification on an officer without experience?

Discussion ensued amongst the Council members.

Deputy Chief Testaverde explained the amount of in house training that Nashua Police Department completes for each new officer at their agency.

There is nothing in PSTC rules for parameters of experience, nothing in the matrix for Prior Training and Experience except for the amount of time the person has been out of the law enforcement field. The length of time the person has been away from law enforcement gives an indication the amount of time the person has not participated in training.

An individual that has graduated from a PSTC academy without work experience may go to work for their agency the same day that they graduate from the academy, which is the same situation for a graduate of the Fitchburg certification program.

Motion by Colonel Wagner, that the Council accepts/considers with approval, outside certifications in which there is no unreasonable time contemporaneous with their training when they set off to start their career, seconded by Sheriff Valerino.

Discussion ensued about the language in the motion.

If the person completed their certification training within the last two years then they would be eligible for the law package classes, three years would mean that the person must attend the academy. It is more like converting prior training and experience to *prior training*, given the circumstances.

Motion by Colonel Wagner, training which meets the requirements of this academy from academia standpoint standard of certification can stand in for prior experience when considering an out of state agency candidate for the fitness test and the law package for New Hampshire certification, within a two year period of time. The acceptance of the outside certification does not alleviate any aspect of what is required by PSTC, or anything required by the hiring agency. Seconded by Sheriff Valerino. The council vote was unanimous in favor of the motion.

Discussion ensued. PSTC will accept training from out of state within two years as long as the staff certifies that the training is equivalent to PSTC curriculum, the person will be allowed to request prior training and experience certification at PSTC.

Mr. Lecius clarified that his vote was in favor of the entire process, not only because it was presented by the Nashua Police Department, where he is employed as a civilian.

Deputy Chief Testaverde was informed that the cut off date for the December meeting agenda was December 4, 2019.

Thomas Harriman, Newbury Police Department, waiver for three year fitness testing

Officer Harriman and Chief Bradley Wheeler were present for the request. When asked, they preferred a nonpublic session.

Motion by Colonel Wagner, seconded by Captain Jean to begin a nonpublic session citing RSA 91-A:3, II (j) Consideration of confidential, commercial, or financial information that is exempt from public disclosure under RSA 91-A:5, IV in an adjudicative proceeding pursuant to RSA 541 or RSA 541-A. The roll call vote was unanimous in favor of the motion.

At 10:57 a.m. the Council began a nonpublic session.

Motion to exit the nonpublic session by Attorney General MacDonald, seconded by Assistant Commissioner Jean, the roll call vote was unanimous in favor of the motion.

At 10:15 the Council was back in public session.

Motion to seal the minutes of the nonpublic session by Colonel Wagner, seconded by Edward Lecius, citing it is determined that divulgence of this information likely would affect adversely the reputation of anyone other than a member of this board. The roll call vote was unanimous.

Motion by Attorney General MacDonald, seconded by Colonel Wagner to deny the request without prejudice to come forth with the guidelines for the application for a waiver of three year fitness. The council vote was unanimous in favor of the motion.

Manchester Police Department, Alternative Airdyne bike for Entrance Fitness

Officer Richard Ell and Sergeant Brian Caldwell were present and requested a nonpublic session.

Motion to begin a nonpublic session by Assistant Commissioner Jean citing RSA 91-A:3, II (j) Consideration of confidential, commercial, or financial information that is exempt from public disclosure under RSA 91-A:5, IV in an adjudicative proceeding pursuant to RSA 541 or RSA 541-A. The motion was seconded by Colonel Wagner with the roll call vote unanimous in favor of the motion.

At 10:17 the Council entered a nonpublic session.

Motion to exit the nonpublic session by Attorney General MacDonald, seconded by Assistant Commissioner Jean, the roll call vote was unanimous in favor of the motion.

At 10:27 the Council was back in public session.

Motion to seal the minutes of the nonpublic session by Colonel Wagner, seconded by Edward Lecius because it is determined that divulgence of this information likely would affect adversely the reputation of anyone other than a member of this board. The roll call vote was unanimous in favor of the motion.

Motion by Sheriff Valerino, seconded by Assistant Commissioner Jean, to grant the waiver to Officer Ell to use the Airdyne stationary bike alternative to the mile and a half run to complete his entrance fitness test for his prior training and experience certification. The Council vote was unanimous in favor of the motion.

Consent Calendar

Evan Puopolo, Manchester Police Department

DOH (11/25/19) requests consideration for full-time police officer certification based on prior training and experience. 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, with the stipulation that the officer must 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.

Patrick Ruddell, Manchester Police Department

(DOH: 11/25/19) requests consideration for full-time police officer certification based on prior training and experience. 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, with the stipulation that the officer must 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.

Parker Wilson, Plymouth Police Department

(DOH: 08/20/19) requests consideration for full-time police officer certification based on prior training and experience. Will be granted certification upon successful completion of the medical exam (August 9, 2019), and the entrance fitness test (September 4, 2019).

Jake Sawtelle, Manchester Police Department

DOH(11/25/19) requests consideration for full-time police officer certification based on prior training and experience. 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, with the stipulation that the officer must 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.

Taylor Cyr, Concord Police Department DOH(11/03/19) requests consideration for full-time police officer certification based on prior training and experience. 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, with the stipulation that the officer must 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 Academy Schedule

Class Number	180	181	182
	09/03/2019 – 12/20/2019	01/06/2020– 04/24/2020	05/04/2020- 08/21/2020
Fitness Test	08/19/2019	12/16/2019	04/20/2020

Part Time Academy Schedule

Class Number	278	279
	08/10/2019 – 11/08/2019	02/01/2020 – 05/08/2020
Fitness Test Date	07/27/2019	01/18/2020

Corrections Academy Schedule

Class Number	111	112
	09/16/2019 – 11/15/2019	02-18-20- 04-17-20

Fitness Test Date	08/26/19	02-03-20
--------------------------	----------	----------

Jacob Hall, Hooksett Police Department (DOH: 08/05/19 Not Part-time certified) requests extension through February 18, 2020. Will be granted the extension until February 20, 2020 with the stipulation that the officer may continue working only in the direct presence of a certified officer.

Requests granted for Fitness Testing Extension

Jason Dzierlatka, Windham Police Department
Michael Chavez, Rockingham County Sheriff's Office
Steven DiChiara, Salem Police Department
Aaron Reichert, Sullivan County Sheriff's Office
Melissa Scott, New Hampshire State Police

Addendum #1 Addition Medical extension requests

Joseph Chaput, Concord Police Department
Allison Cummings, Hudson Police Department

Motion to approve the Consent Calendar including Addendum number one by Edward Lecius, seconded by Assistant Commissioner Jean, the Council vote was unanimous with Colonel Wagner abstaining from the item regarding an officer working at Department of Safety.

Public Hearing regarding Pol 102.06

Major Parenteau explained that the public hearing that was on the agenda for October 22, 2019 was supposed to have been calendared for November 19, 2019.

Vice Chairman Morency opened the public hearing on Pol 102.06, there were no members of the public present for the meeting.

Major Parenteau read the proposed amended 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.

Before the amendment, the rule read *six members* of the council would form a quorum.

Major Parenteau explained that anyone could address the rule for five days after the public hearing in writing. After the five day deadline the amendment would go back to the Office of Legislative Services as a final proposal, to be voted on by the Council at a later date.

The public meeting was closed by Vice Chairman Morency, with no members of the public present, and no comments received.

Subcommittee Members were reminded to remain after the regular Council meeting.

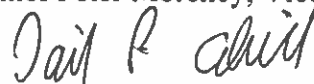
The next Council meeting will be held on December 17, 2019.

Motion to adjourn at 10:35 by Chief Morency, seconded by Sheriff Valerino, the Council vote was unanimous in favor of the motion.

December 17, 2019

Respectfully Submitted,

Chief Peter Morency, Vice Chairman

A handwritten signature in black ink, appearing to read "Peter Morency", written in a cursive style.