



Chief David P. Cahill  
Chairman

**State of New Hampshire**  
**POLICE STANDARDS & TRAINING COUNCIL**  
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John V. Scippa  
Director

**PUBLIC MINUTES**  
**Police Standards and Training Council**  
**September 22, 2020**

Present: at PSTC with below listed staff

Chief Morency, Vice Chairman, Berlin Police Department; Sheriff Valerino, Coos County Sheriff's Office; Mr. Edward Lecius; Dr. Maureen Sullivan; Assistant Commissioner Benjamin Jean, New Hampshire Department of Corrections

Zoom:

Chief Cormier, Tilton Police Department, alone;  
Jason Bishop, Community College System of New Hampshire, alone;  
Judge Gardner, Circuit Court Judge; in Rye, alone  
Major John Marasco, New Hampshire State Police, at his office alone  
Attorney General MacDonald briefly  
Judge Vetanze, 3<sup>rd</sup> Circuit District Division, Ossipee alone  
Sheriff Massahos, Rockingham County Sheriff's Office; at his office alone

Not present: Chairman, Chief Cahill, Sunapee Police Department, Chief Capano, Manchester Police Department

Staff Present: Director Scippa, Major Parenteau, (Ret.), Lt. Hawkins, Lt. Towers, and Anne Paquin, Investigative Paralegal at PSTC in PSTC classroom two.

Guests: Attorney Mark Beaudoin, Michael Verrocchi, Attorney Andrew Cotrupi,  
Witnesses by Zoom:

Christopher Dillon, Town Manager for Salem;  
Deputy Chief James Chase, retired;  
Sergeant Steven Woidyla;  
Attorney Jason Grosky;  
Chief Joel Dolan;  
Brian Pattullo, Civilian Administrator, Salem Police Department;  
Deputy Chief, Shawn Patten, Retired;

**This month's Council meeting was held using "Zoom" due to COVID-19 restrictions for gathering of people. Per instruction for remote meetings, voting was done by roll call for every motion. Public and Nonpublic sessions were held by using separate log ins for "Zoom".**

Vice Chairman Chief Morency called the meeting to order at 9:05 a.m. Anne took roll as listed above.

Chief Morency welcomed Jason Bishop, he will be the ex officio representative from the Community College System of New Hampshire, a position formerly held by Charles Ansell.

Motion by Chief Cormier, seconded by Judge Vetanze to approve the public minutes from the August 25, 2020 meeting.

Anne took the roll call vote:

Vice Chairman, Chief Morency	Yes
Attorney General MacDonald	no response
Major Marasco	abstain
Assistant Commissioner Jean	Yes
Judge Vetanze	Yes
Judge Gardner	Yes
Chief Cormier	Yes
Mr. Jason Bishop	abstain
Sheriff Valerino	Yes
Sheriff Massahos	Yes
Dr. Maureen Sullivan	Yes
Mr. Ed Lecius	Yes

The motion passed.

Motion by Mr. Lecius, seconded by Assistant Commissioner Jean to approve the minutes of the nonpublic session regarding Timothy Julian on August 25, 2020

Anne took the roll call vote:

Vice Chairman, Chief Morency	Yes
Attorney General MacDonald	no response
Major Marasco	abstain
Assistant Commissioner Jean	Yes
Judge Vetanze	Yes
Judge Gardner	Yes
Chief Cormier	Yes
Mr. Jason Bishop	abstain
Sheriff Valerino	Yes
Sheriff Massahos	Yes
Dr. Maureen Sullivan	Yes
Mr. Ed Lecius	Yes

The motion passed.

#### Director's Report

No written report submitted.

Full-Time Academy and Corrections Academy are in session.

There have been a couple of close calls with illness during the Full Time Academy

Last Friday, with the assistance of the Fire Marshal and DHHS, an expedited Covid test was conducted with a recruit and was returned negative, as well as a recruit exposure that was not reported over the past weekend, also returned negative.

There are two recruits out presently with possible Covid exposure. Director Scippa will speak with DHHS about a plan for rapid testing.

It is not safe to assume, even in the fall season, that someone has the common cold (and not Covid). Steps will be in place for expedited tests.

Director Scippa is meeting with PSTC staff regarding more ideas to deliver academy classes with social distancing.

The Department of Corrections Academy class does not have the student volume that the Full-Time Academy has; the staff has ideas on how to keep each academy group separate due to Covid, the staff will be prepared to manage Covid concerns.

The LEACT Commission's final recommendations have been approved by the Governor. The Governor supports all of the recommendations and wants them expedited.

- By Executive order;
- Legislative process;
- Administrative rule;
- Taking into consideration budget issues to be sure each recommendation is carried out.

Of the forty-one (41) recommendations, twenty (20) are the responsibility of the Police Standards and Training Council. Some are being addressed currently, some will take the full effort of the Council because many involve rule changes.

Before LEACT recommendations were discussed with the Governor, Director Scippa, Major Parenteau and Program Assistant III, Lorelee Ames, conversed with the Governor's Office Budget Personnel. They discussed the budget situation, stating that PSTC would be unable to maintain itself as an agency if it is required to return any of its operating funds currently.

The Governor's Budget Personnel were supportive, PSTC has no funds to spare, and any cuts would mean eliminating staff, which would be a detriment to PSTC.

- A flat budget was submitted filling three positions;
- In addition, Lieutenant Gerald Taylor will retire at the end of September;
- A records management system and a learning management system must be acquired.

The Governor's Budget Personnel staff were in support of the requests.

There will be much more work ahead. Many LEACT items discussed have been given a deadline of the end of this calendar year, with others to be completed by April, 2021.

Chief Morency thanked Director Scippa for his diligence in LEACT and the budget process.

Director Scippa discussed future in-service training as a part of the recommendations.

Two staff members are scheduled to complete the ABLE training, and two more staff members will complete ABLE 'Train the Trainer' training in October.

Director Scippa and the staff are currently working with Fair and Impartial Policing, however there is not enough time for PSTC staff to be trained to deliver it until after April 1, 2021.

Lieutenant Christopher Paquette is working to make up for all of the firearms recertification classes that were not available due to Covid earlier this year.

The block of instruction on Train the Trainer for the staff will be held at the beginning of 2021.

There is a staff member developing a new ethics class.

Lieutenant Hawkins has developed the I CAT communication program that is ready for the next academy. The goal is to get all of the new classes into the January academy.

PSTC staff is working with Primex and the NH Chiefs Association to develop a plan of action for implicit bias training, and intervention training. Primex would like to partner with PSTC, which is a financial advantage.

Director Scippa and all of the LETS' staff are working with vendors for the LMS RMS system and it is in the final stages with a vendor-created program. The software is being reviewed, and creation of silos that other state agencies could have access to and use also. It could be ready as soon as the end of the week.

Covid will continue to have an affect on those in PSTC's training facility. Staff will continue to train in the safest way possible. Driving, simunitions and defensive tactics are the areas that are most concerning.

Any recruit that needs to stay at PSTC because of travel distance, it is available, but all other recruits will commute.

There is still a possibility that someone may get sick and the academy may face closing again.

Chief Morency inquired if the academy was prepared to return to remote learning if it became necessary.

Director Scippa confirmed and noted that classes had been provided remotely to anyone that was sick by using Zoom. The academy is front loaded to do classroom courses first, with the hands on training after, which would be difficult for social distancing but not impossible.

Chief Morency commended the Director and staff on the work completed to train recruits during the Covid pandemic.

Director Scippa thanked the staff.

### Financial Report

Major Parenteau noted that Director Scippa had included much of the financial report; however, the budget for fiscal years 22 and 23 PSTC had been given an essential figure from the Governor's office which would have required PSTC to make significant cuts. Therefore it would have made a severe impact on PSTC. During a call with the Governor's budget director, the concerns were made known.

Fiscal year 2022 represented a four percent cut from the prior operating budget, which had been previously cut and wasn't reinstated to the (previous higher) level.

Fiscal year 2023 represented a five percent cut from the Governor's office.

The Governor's budget director is taking the Director's concerns to the Governor to discuss the needs of the Police Standards and Training Council.

Chief Morency inquired about supplemental funding because of LEACT.

Director Scippa responded that the Governor spoke to address financial issues as that came up as part of completing the LEACT recommendations. The Governor is ready to make whatever moves he needs to in order to support the efforts of LEACT, and quoting "finances should not be an issue to move the recommendations forward."

### New Business

NH Department of Corrections' made a request for an additional attempt for CO Joshua Ellis, Jr. to pass the exit fitness test and achieve Corrections Certification. CO Ellis was present with Lt. Scott Towers who explained that:

- CO Ellis failed the exit fitness test;
- Failed the additional two attempts allowed;
- Has sought medical attention and was successful;
- Per protocol, was requesting approval from Council for another attempt.

Motion to allow CO Joshua Ellis to complete the exit fitness test in 30 days was made by Dr. Sullivan and seconded by Mr. Lecius.

Roll call vote:

Vice Chairman, Chief Morency	Yes
Attorney General MacDonald	No response

Major Marasco	Yes
Assistant Commissioner Jean	Abstained
Judge Vetanze	Yes
Judge Gardner	Yes
Chief Cormier	Yes
Mr. Jason Bishop	Abstained
Sheriff Valerino	Yes
Sheriff Massahos	Yes
Dr. Maureen Sullivan	Yes
Mr. Ed Lecius	Yes

The motion passed.

### Psychological Test Reimbursement

Major Parenteau summarized that House Bill 1645 was passed and signed by the Governor in July. This bill is related to PSTC's administrative rule Pol 301.07, Psychological Screening Tests. Agencies should complete psychological testing if they have funding to do so. HB 1645 provides funding in the amount of \$100,000.00, to pay for testing officers for agencies that have not budgeted for it, as reimbursement through PSTC.

When the bill was passed, it was unclear how to institute the process. Staff contacted the Department of Administrative Services for assistance:

- The funds are distributed from the Drug Asset Forfeiture Fund through the Attorney General's Office;
- There was no guidance to initiate the reimbursement process;
- PSTC requested an accounting unit from the Department of Administrative Services to transfer funds into the psychological screening account;
- The reimbursement became effective September 14, 2020;
- PSTC has received one request for reimbursement;
- A form has been developed by the staff;
- The staff is asking for Council approval for the form;
- There must be a mechanism for the Council to approve reimbursement of the testing fees;
- In order to track the process, the form requires that a paid invoice be attached, letter requesting reimbursement and specific questions;
- Staff would verify criteria on the form, then present the information to Council for approval.

Major Parenteau asked the Council for opinions on the draft form.

- Assistant Commissioner Ben Jean asked if there was a cap on the amount of reimbursement.

Major Parenteau noted that in general, some test fees are \$500.00, some are more expensive. The fund deposit from Drug Asset Forfeiture will be \$100,000.00 per year.

- Dr. Sullivan asked if the agency would mandate a psychologist or if the officer could choose.

Major Parenteau noted that it typically is an in-state psychologist who performs the test. PSTC would accept whomever the agency chooses. PSTC has no oversight on who they choose, or the fees.

- Assistant Commissioner Jean asked if the reimbursement would be limited to the agencies that had not budgeted for psychological testing, and if it was for agencies that had not otherwise funded their testing.
- Director Scippa noted that Chairman Cahill wanted to be sure that only candidates that an agency has hired would qualify for reimbursement.

The statute does not make the reimbursement process clear.

- Chief Morency asked whether or not there were agencies that did not engage in psychological testing for their candidates for hire.
- Director Scippa noted that during a previous planning session it was noted that thirty percent (30%) of NH agencies do not use psychological testing for candidates because of funding.
- Chief Morency asked how to determine whether or not agencies had budgeted for testing.
- Major Parenteau read RSA 106-L:9 into the record: Reimbursement of Expenses: "The Council may reimburse political subdivisions or the state for, or may pay for a portion of expenses incurred by the officer for psychological stability screening for candidates for law enforcement certification."
- Mr. Lecius asked if there was a cap per each agency.
- Major Parenteau responded that once the account is depleted, the reimbursements wouldn't be available. There is no cap on tests per agency.
- Should the Council make a determination that this reimbursement is for agencies that have not historically done psychological testing because they don't have the funding?

Major Parenteau noted that the matter could be explored by further discussion. Does the Council have the authority to mandate reimbursement criteria only to those agencies that have not budgeted due to financial constraints?

Staff concerns are that due to the statute, agencies would no longer budget because they could now be reimbursed.

Further discussion and review may be in order, and contacting PSTC's legal counsel to discuss the new law, and the intent of the law.

Dr. Sullivan commented:

- There should be standards
- Should there be a committee to work on it?
- There should be rules and regulations

Chief Morency has been asked to develop a subcommittee to overlap with LEACT and PSTC's rules and procedures that need updating.

The following Council members volunteered to be on the committee:

Chairman Cahill  
Ed Lecius  
Chief Cormier  
Dr. Sullivan  
Vice Chairman Morency

The subcommittee would work on the administrative rules, and discuss their findings with the Council.

Assistant Commissioner Jean stated that Commissioner Hanks may be interested in participating on the committee.

Director Scippa noted that he and Major Parenteau would be available for subcommittee discussions, topics, regarding LEACT and administrative rules.

Assistant Commissioner Jean commented that the statute relative to reimbursement for agencies' psychological testing was in place – should the form or some other mechanism be adopted so the staff can begin gathering information and provide the agency an opportunity to begin submitting requests?

Ideas included:

- The volume of requests;
- The costs;
- Using the form to organize rather than depending on random notes and emails;
- Continuing to explore whether the reimbursement process would require rulemaking.



Major Parenteau, noted that some forms do not require rulemaking, others do. The requirement for psychological testing was part of the Performance Audit that was conducted by the Legislative Budget Assistant on PSTC. Many agencies were not completing psychological testing.

There should be a formal mechanism, a plan or procedure, to follow for the reimbursement request.

Staff has a rough idea of the number of new hires based upon the academy classes.

Chief Morency noted that the variables should be addressed before any reimbursement is done.

Director Scippa stated that the form, when approved, can be made available online.

The approval of the reimbursement form was not completed as further research is needed.

#### Informal Conference Aaron Brown

Major Parenteau summarized that he, Director Scippa and Chairman Cahill had met with Attorney Krupski and Aaron Brown on September 11, 2020. Chairman Cahill had advised Attorney Krupski that his client's case would require review by the entire Council. The matter will be on the agenda for October 27, 2020.

#### Michael Verrocchi Hearing

Michael Verrocchi was present with his attorney, Marc Beaudoin, for a hearing for the temporary suspension of his police certification.

When asked, Attorney Beaudoin stated that the witnesses he would call would attend via Zoom technology, and those with him in person were for moral support of Michael Verrocchi.

Major Parenteau was sworn in by Vice Chairman, Chief Morency.

Attorney Beaudoin, when asked, requested a public session.

Major Parenteau summarized the reason for the temporary suspension hearing was Pol 402.02(b):

“A certification shall be temporarily suspended pending resolution of criminal charges if the officer has been arrested, indicated, bound over with prior to or after certification for a felony or any crime involving moral turpitude or a crime which tends to bring discredit on the police, corrections or probation parole service unless the Council, in its discretion, determines that the safety of the public or confidence of the criminal justice system would not be adversely affected.

- (c) Examples of crimes involving moral turpitude or a crime which tends to bring discredit on the police, corrections or probation parole service shall include, but not be limited to,

Reckless conduct.

Major Parenteau noted that the exhibits he used would be provided to those participating via Zoom later, as would Attorney Beaudoin's exhibits.

Major Parenteau provided exhibits for Michael Verrocchi's history of employment and certification as a police officer to the Council members in attendance at PSTC's training facility.

Officer Verrocchi was placed on administrative leave by the Salem Police Department on February 15, 2019. PSTC received a Form G, Report of Arrest, of Michael Verrocchi on January 16, 2020 by the Attorney General's Office for Reckless conduct and Disobeying a police officer.

A complaint was filed with the Rockingham County Superior Court charging Michael Verrocchi with Disobeying a police officer contrary to RSA 265:4, a Class A misdemeanor. The complaint reads:

On or about November 10, 2012, Michael Verrocchi did purposely, while driving or in charge of a motor vehicle, neglect to stop when signaled to stop by Officer Sean York of the Salem Police Department, complaint brought by Jeffrey Ward of the Attorney General's Office.

A complaint was filed at the Rockingham Superior Court on January 15, 2020 charging Michael Verrocchi with Reckless conduct with a deadly weapon contrary to RSA 631:3, 11(a) a Class B felony. The complaint reads:

On or about November 10, 2012, Michael Verrocchi did recklessly engage in conduct which placed or may have placed others in danger of serious bodily injury in that Michael Verrocchi, while operating a Jeep Cherokee on Route 28 in Salem, operated the motor vehicle in excess of the posted speed limit, failed to stop when signaled to stop by Officer Sean York of the Salem Police Department by means of audible and visible emergency warning signals and instead fled from Officer York and engaged in a high speed motor vehicle pursuit over a distance of approximately two miles, during which Michael Verrocchi ran a red light and avoided spike strips placed in the roadway by Officer Kevin Swanson of the Salem Police Department, and continuously failed to stop for Officer York, the vehicle being operated by Michael Verrocchi being a deadly weapon as defined in RSA 625:11, that complaint also brought by Assistant Attorney General Jeffrey R. Ward.

The two charges are currently pending in the Rockingham County Superior Court.

Attorney Beaudoin made an opening statement regarding his client.

The Michael Verrocchi incident had been dealt with by the Salem Police Department in 2012. What transpired was a common prank, the command staff conducted an investigation.

It was an ongoing prank in the Salem Police Department with veteran officers pulling it on younger, rookie police officers.

The incident was brought to the attention of command staff who said:

- We need to put an end to this;
- They completed an internal investigation;
- Chief of Police sustained the internal investigation and allegations that were made;
- Discussion between the Union and command staff.

#### Disposition

- Michael Verrocchi should take responsibility for his actions and temporary lack of Judgment;
- Waived right to appeal and filing grievance;
- He was sanctioned with a one-day suspension from the Department;
- Town agreed to no further action against Michael Verrocchi regarding the incident as far as motor vehicle violations or punishments.
  
- It was put to rest back then;
- Client understood it was put to rest;
- He was a stellar officer after that;
- He was never disciplined again, and was promoted;
- He taught driving at PSTC and brought up his mistake to those that he taught.

The Town of Salem did an audit, they used this investigation as an example of a proper internal investigation that had been conducted. The Attorney General's Office learned of the incident through the audit.

- Keeping his police certification will not erode the public's confidence in the criminal justice system;
- He is not a danger to the community;
- He wants vindication and wants to continue working at the Salem Police Department.

#### Witnesses

Christopher Dillon, Town Manager for Salem;

Deputy Chief James Chase, retired;

Sergeant Steven Woidyla;

Attorney Jason Grosky;

Acting Chief Joel Dolan;

Brian Pattullo, Civilian Administrator, Salem Police Department;

Deputy Chief, Shawn Patten, Retired;

Christopher Dillon provided testimony on:

- Internal investigation provided to Kroll Auditors;
- Attorney General's Office subpoenaed records;
- Attorney General's Office scheduled a meeting with Town Manager, Christopher Dillon and Brian Pattullo;
- Kroll Auditors asked for internal investigations going back five years;
- Verrocchi's internal investigation was in the five-year window;
- Internal investigations five years or less provided;
- Kroll Auditors identified Verrocchi's internal investigation as being completed correctly;
- Verrocchi did not present himself to Christopher Dillon as being a danger to the community.

Deputy Chief James Chase – Retired, provided testimony on:

- Had heard rumors of Salem officers pranking other officers by baiting them;
- In November, 2012, he was made aware of the incident the Monday after it happened.
- Deputy Chief Chase assigned the internal investigation to Kevin Fitzgerald;
- The allegations were sustained;
- Michael Verrocchi is charismatic, intelligent, report writing is great, good police work, good driving instructor.
- Does not consider him a danger to the community;
- No adverse effect on the public's opinion of the criminal justice system.

Chief Morency asked retired Deputy Chief Chase if he agreed that the events that happened were reckless and a criminal act.

Deputy Chief Chase's response was "one hundred percent," it was egregious putting people's lives in jeopardy that night". It was a stunt gone too far.

Attorney General MacDonald joined the meeting via Zoom.

It is confirmed that the meeting is in public session. Attorney General MacDonald confirms that he is recused.

Attorney Beaudoin provided exhibits which included Salem Police Department's internal administrative letters and a letter from retired Deputy Chief, Shawn Patten.

Retired Sergeant Steven Woidyla provided testimony on:

- Was aware of the incident, he was Vice President of the Union, learned about it after the weekend.
- Approached early to resolve the matter;
- Administration wanted a five-day suspension, the Union asked for one day. Michael Verrocchi's admitted responsibility and his lapse of judgment, he admitted to his wrongdoing.

Chief Morency asked Steven Woidyla if the act that was committed on that date put the public at risk.

Steven Woidyla responded that it had put the public at risk.

The agreement with the administration was that they not proceed with criminal charges.

Judge Gardner asked if there was communication with the Attorney General's office at the time.

Steven Woidyla confirmed that he was not aware of any at the time.

Attorney Jason Grosky, Prosecutor at Salem Police Department, provided testimony:

- Heard rumors or indirect comments at the police department about Michael Verrocchi;
- Alleged to have been driving too fast in a prank that went too far;
- It wasn't criminal from his position.
- Michael Verrocchi, as a police officer, is outstanding and conscientious;
- No concerns that Michael Verrocchi was a danger to the community;
- Does not think that Michael Verrocchi maintaining his police certification would erode the public's confidence in the criminal justice system.

Acting Chief Joel Dolan, Salem Police Department, provided testimony:

- Heard about incident when it happened. He was midnight Shift Commander, he was not working that night, heard about it on the following Monday;
- Had a conversation with the Town Manager who made him aware that an audit was coming;
- Internal Affairs Investigations to review for the audit were selected by Chief Donovan, Deputy Chief Morin and Captain Wagner;
- He has worked with Michael Verrocchi and he is a good officer;
- He is not a danger to the public.
- Worked midnight shift approximately five years;
- He was aware of pranks;
- He was not personally involved in pranks.

Brian Pattullo, Civilian Administrator for Salem Police Department, provided testimony:

- He was brought in because of Kroll Report.
- The Kroll Report noted that the internal affairs report on Michael Verrocchi was done correctly.
- Worked with Sergeant Verrocchi in his capacity in the Union.
- Verrocchi did a good job, very professional.

Retired Deputy Chief Shawn Patten provided testimony:

- Was aware of a prank, older officers would pull a prank on younger officers and try to get an officer to chase them, then pull over, then kind of laugh like it was a joke, it had been done to him, and he probably engaged in that behavior when he was no longer a rookie officer. It was not done to him to the level of Michael Verrocchi.
- Found out the Monday after the incident;
- No discussion of bringing the investigation result to the Attorney General's Office. Did not look at it as criminal behavior;
- Does not think the public was in danger because of the conditions at the time – no traffic on Route 28.
- Letter with his own opinion to Chief Cahill, his thought that the investigation is politically motivated;
- Internal investigation conclusion eight years after the incident occurred;
- Not a danger to the public and his maintaining a certification does not have an adverse effect on the public's confidence of the criminal justice system;
- This was a prank, one that happened a lot, eight years ago and he was properly disciplined.

Judge Vetanze asked how many times the prank occurred?

Deputy Chief Patten stated:

- The four to midnight shift was staffed by veteran/senior officers; when leaving work at midnight if they saw an officer running radar they would speed up, be pulled over and then say "You got me";
- It happened to him a dozen times over ten years;
- He probably engaged in it a couple of times;
- Back then, it wasn't a big deal, in the 80's and 90's.

Vice Chairman Morency noted that the Council was asked to look at the conduct to determine if the conduct would jeopardize the safety of the public or the confidence in the criminal justice system?

The charges are pending:

- (1) Disobeying a police officer, Class A misdemeanor;
- (2) Reckless conduct with a deadly weapon, the car, Class B felony.

Attorney Andrew Cotrupi, the criminal defense attorney for Michael Verrocchi, provided information that:

- Michael Verrocchi was indicted last week on two counts. He noted that trial may be at least ten months to a year away.
- Equitable argument
- Occurred well in the past; eight years ago
- Addressed and dealt with.
- Statute of limitations dispositive, court has ruled that it is a jury question.
- State of the New Hampshire's legal theory is the statute of limitations is not tolled because of the illegal conduct of the police chief, the police chief had a legal obligation under Laurie to disclose the information, his criminal act of non-disclosure tolls the statute of limitations;
- Never heard the theory;
- There is no Superior or Supreme Court decision on it.

Motion by Chief Morency that the certification of Michael Verrocchi be temporarily suspended pending resolution of criminal charges.

There was no second, the motion failed.

Discussion ensued regarding the statute of limitations.

Motion by Judge Vetanze, seconded by Sheriff Valerino, to not suspend the certification, amended by Assistant Commissioner Jean, to not suspend the certification pending the resolution of criminal charges, due to the length of time since the event took place, it has been determined that the safety of the public and the confidence in the criminal system would not be adversely affected.

Judge Gardner stated that if the events happened at the current time, the Council may not have come to the decision it did, which is a distinguishing factor.

Chief Morency and Dr. Sullivan agreed.

Roll call vote:

Vice Chairman, Chief Morency	Yes
Attorney General MacDonald	(exited Zoom)
Major Marasco	Abstained
Assistant Commissioner Jean	Yes
Judge Vetanze	Yes
Judge Gardner	Yes
Chief Cormier	Yes
Mr. Jason Bishop	Abstained
Sheriff Valerino	Yes
Sheriff Massahos	Yes

Dr. Maureen Sullivan	Yes
Mr. Ed Lecius	Yes

Nine in favor, two abstained, the motion passed.

Consent Calendar

PT&E Requests

Christopher G. Chappell, Northumberland Police Department

(DOH: 06/17/20) will be granted certification upon successful completion of the medical exam, entrance fitness test, and the NH full time law package, 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.

Brittany N. Lewis, Hudson Police Department

(DOH: 10/05/20) will be granted certification upon successful completion of the medical exam, entrance fitness test, and the NH full time law package, 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.

Sean E. Welch, Sr., Tamworth Police Department

(DOH: 08/24/20) will be granted certification upon successful completion of the medical exam (valid date 12/30/2020), and entrance fitness test 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.

Albert Tien, Nashua Police Department

(DOH: 09/21/20) will be granted certification upon successful completion of the medical exam (06/23/2020), entrance fitness test, and the law package classes of the full time 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 Fitness Testing Extensions were granted to:

- William R. Haynes, Jr., New Hampshire State Police
- Richard Pappalardo, Rockingham County Sheriff's Office

Motion to approve the Consent Calendar by Mr. Lecius, seconded by Sheriff Valerino

Anne took the roll call vote:

Vice Chairman, Chief Morency	Yes
Attorney General MacDonald	(exited Zoom)
Major Marasco	abstain
Assistant Commissioner Jean	Yes
Judge Vetanze	Yes
Judge Gardiner	Yes



Chief Cormier	Yes
Mr Jason Bishop	abstain
Sheriff Valerino	Yes
Sheriff Massahos	Yes
Dr. Maureen Sullivan	Yes
Mr. Ed Lecius	Yes

Mr. Lecius abstained from the Nashua Police Department prior training and experience item.

Emergency Rule for Limitation of Hours of Part Time Officers

Major Parenteau informed the Council members that the emergency rule initiated at the beginning of the pandemic, removing the limitation of 1300 hours for part time officers would expire on October 6, 2020.

The Attorney General's Office is working with Executive branch agencies on the ability to extend the rule by Executive order, which the Governor can do. The question is does the Council wish to extend for another period of time and make the request that the procedure go forward upon the Council's approval.

This falls under the emergency declaration order, but according to administrative rules the same emergency rule cannot be renewed. The manner in which to do this is that the Governor's Office can issue an Executive order. The Attorney General's office is assisting the Governor's Office and executive agencies in drafting an amendment or an exhibit to present to the Governor to approve the extension, if that is the Council's desire.

Motion by Assistant Commissioner Jean, seconded by Mr. Lecius, to move forward to the Governor's Office to get the declaration to cover the extended period, and in the future draft a permanent rule. The roll call vote

Anne took the roll call vote:

Vice Chairman, Chief Morency	Yes
Attorney General MacDonald	(exited Zoom)
Major Marasco	abstain
Assistant Commissioner Jean	Yes
Judge Vetanze	Yes
Judge Gardiner	Yes
Chief Cormier	Yes
Mr Jason Bishop	abstain
Sheriff Valerino	Yes
Sheriff Massahos	Yes
Dr. Maureen Sullivan	Yes
Mr. Ed Lecius	Yes

The next Council meeting will be on October 27, 2020.


Motion to adjourn at 11:45 by Assistant Commissioner Jean, seconded by Chief Morency

Anne took the roll call vote:

Vice Chairman, Chief Morency	Yes
Attorney General MacDonald	(exited Zoom)
Major Marasco	yes
Assistant Commissioner Jean	Yes
Judge Vetanze	Yes
Judge Gardiner	Yes
Chief Cormier	Yes
Mr Jason Bishop	abstain
Sheriff Valerino	Yes
Sheriff Massahos	Yes
Dr. Maureen Sullivan	Yes
Mr. Ed Lecius	Yes

October 27, 2020

Respectfully Submitted

  
Peter Morency  
Vice Chairman