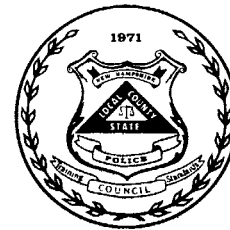




Chief David P. Cahill
Chairman

**State of New Hampshire
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John V. Scippa
Director

**PUBLIC MINUTES
Police Standards and Training Council
February 23, 2021**

Present at PSTC with below listed staff:
Chairman, Sheriff Chris Connelly, Hillsborough County
Mr. Edward Lecius;
Dr. Maureen Sullivan;

Present by Zoom:
Judge Gardner, Circuit Court Judge; in Lincoln, alone
Colonel Noyes, New Hampshire State Police, at his office alone
Attorney General MacDonald, in his office alone
Sheriff Massahos, Rockingham County Sheriff's Office; at his office alone,
Jason Bishop, Community College System of New Hampshire, alone
Chief Michael Carignan, Nashua Police Department, in his office alone
Chief Steven Russo, Keene Police Department, in his office alone

Not in attendance: Judge Countway, 3rd Circuit District Division, Ossipee; Commissioner Helen Hanks, New Hampshire Department of Corrections and Chief Ho-Sing-Loy, Sugar Hill Police Department

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

Guests Present: Peter Gakumo, NH Department of Corrections; Jhiomer Veras, NH Department of Corrections, Jacques Pelletier, Coos County Sheriff's Department; Chief David Goldstein and Patrick Harden, Franklin Police Department

Guests Present by Zoom: Sheriff Eli Rivera, Cheshire County; Chief Bradley Osgood, Concord Police Department, Deputy Chief Robert Kelley, Hampstead Police Department; Chad Clark, Salem Police Department; Sander Vargas, NH Department of Corrections with Attorney William Cahill; Joshua Basnar, Carroll Police Department; Tyler Eldridge, Freedom, Ossipee and Effingham Police Departments; Amanda Barber, Barrington Police Department; Mark Philibert, Deering Police Department; and Mark Hayward

Sheriff Christopher Connelly called the meeting to order at 9:08 a.m. Sheriff Connelly was newly appointed to the Council by Governor Sununu, and also appointed as Chairman.

He thanked the outgoing Council members for their time spent on the Council, Chairman, Chief David Cahill, Sunapee Police Department, Chief Peter Morency, Berlin Police Department, and Sheriff Brian Valerino, Coos County.

Chairman Connelly welcomed new Council members, Chief Michael Carignan, Nashua Police Department, Chief Steven Russo, Keene Police Department, the two new members holding positions as city chiefs on the Council, and Chief Michael Ho-Sing-Loy, holding a town chief position.

Chairman Connelly asked for approval for the minutes from the prior meeting

Motion by Mr. Lecius, seconded by Dr. Sullivan to approve the minutes from the January 26, 2021 Council meeting. Anne took the roll call vote.

Chairman, Sheriff Connelly	Abstained
Attorney General McDonald	Yes
Colonel Noyes	Yes
Judge Gardner	Yes
Chief Carignan	Abstained
Chief Russo	Abstained
Sheriff Massahos	Yes
Mr. Jason Bishop	Yes
Dr. Maureen Sullivan	Yes
Mr. Ed Lecius	Yes

The motion passed.

Director's Report

Director Scippa had emailed Council members his report for February the previous evening, (copy attached).

Part of the report addressed the inventory of firearms at PSTC. Director Scippa noted that the firearms at the academy were antiquated. He requests the Council's permission to update the academy firearms by trading out the old and replacing with new firearms, at no cost to PSTC.

Motion by Colonel Noyes to approve Director Scippa's request to trade the inventory of used firearms, for up to date firearms, using the guidelines of New Hampshire Administrative Services rule 611.09. The motion was seconded by Mr. Lecius.

Anne took the roll call vote

Chairman, Sheriff Connelly	Yes
Attorney General McDonald	Yes
Colonel Noyes	Yes
Judge Gardner	Yes
Chief Carignan	Yes
Chief Russo	Yes
Sheriff Massahos	Yes
Mr. Jason Bishop	Yes
Dr. Maureen Sullivan	Yes

Mr. Ed Lecius Yes

The motion passed.

Motion by Dr. Sullivan, seconded by Chief Russo to approve the Director's report.
Anne took the roll call vote

Chairman, Sheriff Connelly	Yes
Attorney General McDonald	Yes
Colonel Noyes	Yes
Judge Gardner	Yes
Chief Carignan	Yes
Chief Russo	Yes
Sheriff Massahos	Yes
Mr. Jason Bishop	Yes
Dr. Maureen Sullivan	Yes
Mr. Ed Lecius	Yes

The motion passed.

Previous Unfinished Business

Citizenship Requirement for New Hampshire Police Officers

Major Parenteau presented research done by himself and by PSTC LETS Peter Russell regarding employment of officers who are not United States citizens.

Sheriff Eli Rivera, Cheshire County was present on Zoom and noted

- He has proposed an amendment to the administrative rules regarding allowing a legal, permanent resident of the U.S. the ability to apply for a position as a police officer
- It will open a pool of candidates that are interested in a law enforcement career in New Hampshire
- He is not seeking a waiver but an amendment to the administrative rule
- The individual must be actively seeking U.S. citizenship
- Must comply with any rules or regulations of the federal government for citizenship

Chief Bradley Osgood, Concord Police Department was present on Zoom and noted

- He was in agreement with Sheriff Rivera of the revision of Pol 301.03
- That rule was established in 1980
- The candidate from his agency has been in the community since he was six years old. He attended local schools and served in the military.
- He has recently been in touch with Senator Shaheen's office regarding his candidate's circumstances seeking citizenship

Discussion ensued amongst staff and Council members regarding the citizenship process and the status of the Concord Police Department candidate.

Colonel Noyes suggested that PSTC legal counsel review of the administrative rules regarding the citizenship requirement for law enforcement certification, Sheriff Rivera's suggested amendments. Chief Russo inquired as to the legality of a noncitizen taking an oath, and the difficulty of completing a background investigation on someone that has been in the U.S. for only a few years.

Judge Gardner noted:

- Should there be a sample amendment to the rule
- There are a lot of collateral issues coming into play
- In one state review, you must be a U.S. citizen to own a firearm
- It's not a matter of putting lines together to allow non-citizens to become police officers
- It will require more work than what was discussed today
- An in-depth analysis at best

Director Scippa suggested that in support of the request and all of the concerns, he suggested forming a working group, including some chiefs, Major Parenteau, and PSTC's legal counsel to develop language for a rule amendment.

Volunteers for the working group:

Sheriff Rivera	Judge Gardner
Chief Carignan	Chief Russo
Chief Osgood	Colonel Noyes

Director Scippa will contact the president of the New Hampshire Chief's Association.

Topics for the first meeting:

- To examine the present condition mandating citizenship
- Seek alternative requirements that allow more inclusive candidate pool to be considered
- Parameters that are best for New Hampshire
- What level would a person who is in the U.S. legally be allowed to work with a green card
- Require citizenship within a certain amount of time
- Working group meetings can take place when members decide, but what has worked in the past has been holding meetings immediately following the scheduled PSTC meetings
- The first meeting will be held after the PSTC meeting on March 23, 2021

Sander Vargas, NH Department of Corrections

Major Parenteau summarized that CO Vargas and Attorney Cahill were present by Zoom today due to having requested a continuance for a hearing in January. Sander Vargas was noticed for a hearing for noncompliance with three year fitness testing in 2020.

Sander Vargas is employed as a New Hampshire State Correction's Officer, he was certified in 2017 and his first three year fitness test was due in 2020. Staff at PSTC did not receive any fitness information for CO Vargas before December 31, 2020 and he was suspended. CO Vargas completed a fitness test in January 2021, and once submitted to PSTC his certification was reinstated. However, since the test was received after the deadline, he was notice for a hearing for a rule violation.

Major Parenteau explained that in October, 2020 all New Hampshire law enforcement agencies were sent a packet from PSTC identifying their responsibilities for year end compliance, part of the packet was three year fitness notifications. Also, in December 2020, Director Scippa sent an email to all New Hampshire Law Enforcement agencies reminding them of the deadline and consequences of noncompliance.

Attorney William Cahill explained that CO Vargas had misunderstood the date for his fitness test.

Sheriff Connelly explained that three year fitness testing is a requirement for certification, and that is the responsibility of the individual officer.

Motion by Mr. Lecius, seconded by Dr. Sullivan that the Council take no further action on the certification of Sander Vargas.

Anne took the roll call vote

Chairman, Sheriff Connelly	Yes
Attorney General McDonald	Yes
Colonel Noyes	Inaudible
Judge Gardner	Inaudible
Chief Carignan	Yes
Chief Russo	Yes
Sheriff Massahos	Yes
Mr. Jason Bishop	Yes
Dr. Maureen Sullivan	Yes
Mr. Ed Lecius	Yes

The motion passed.

Reimbursement for Psychological Testing

Major Parenteau summarized the process now in place to reimburse law enforcement agencies that have not budgeted for psychological testing as part of their recruitment and hiring process.

Motion to approve the proposal by Mr. Lecius, seconded by Dr. Sullivan.

Anne took the roll call vote

Chairman, Sheriff Connelly	Yes
Attorney General McDonald	Yes
Colonel Noyes	Inaudible

Judge Gardner	Inaudible
Chief Carignan	Yes
Chief Russo	Yes
Sheriff Massahos	Yes
Mr. Jason Bishop	Yes
Dr. Maureen Sullivan	Yes
Mr. Ed Lecius	Yes

The motion passed.

Standard Field Sobriety Test Training – Captain O’Brien, PSTC, and Sgt. Storm, NHSP

Sgt. Storm and Captain O’Brien were present in person at PSTC to present information on using a “wet lab”, live personnel and a controlled ingestion of alcohol for training recruits in Standard Field Sobriety Testing. Sgt. Storm used a detailed Power Point presentation to explain the subject matter.

PSTC staff will contact legal counsel at the Attorney General’s office regarding the training, and report back to the Council at a later date.

New Hampshire Department of Corrections waiver Pol 301.05(g)(10)

Amy Poirier of the New Hampshire Department of Corrections was present with candidate Mitchell Hookway to discuss the waiver request. The request was made due to Mr. Mitchell use of medical marijuana in September of 2020; administrative rule Pol 301.05(g)(10) prohibits the use of marijuana within twelve months from the individual’s date of hire.

Mr. Mitchell explained that he had a prescription for medical marijuana in Massachusetts for a back injury sustained while working in construction.

Discussion ensued amongst the Council members who requested timeline details as well as details regarding alternatives for pain relief.

Motion by Dr. Sullivan, to grant the waiver request from the New Hampshire Department of Corrections for Mitchell Hookway.

There was no second on the motion, the motion failed.

Council denied the motion for waiver, noting that Mr. Hookway must wait twelve months before re-applying.

Patrick Harden, Franklin Police Department, Law Package Classes and Extension

Chief Goldstein and Patrick Harden were present in person to discuss their request.

Major Parenteau summarized that Patrick Harden had been granted a request for prior training and experience certification during the fall of 2020. He had passed the fitness test, and reviewed the subject matter by disk for the law package classes. . He took the test and two retests, and was not able to pass. As a result he is required to request from the Council an extension and an approval to allow him to continue to work, and approval to attend the law package classes in person, at the next academy session. The next session will be the 185th. Chief Goldstein is here to request the Council’s permission for Patrick Harden to attend the classes.

Motion by Mr. Lecius to grant the extension request and request to attend the 185th Academy classes, the motion was seconded by Colonel Noyes.

Anne took the roll call vote

Chairman, Sheriff Connelly	Yes
Colonel Noyes	Yes
Judge Gardner	Yes
Chief Carignan	Yes
Chief Russo	Yes
Sheriff Massahos	Yes
Mr. Jason Bishop	Yes
Dr. Maureen Sullivan	Yes
Mr. Ed Lecius	Yes
Attorney General McDonald	Yes

The motion passed.

Wayne Gallagher, Hinsdale, nonconsent Prior Training and Experience

Major Parenteau summarized the circumstances for this request. There was a miscommunication between the Hinsdale Police Department and Police Standards and Training Council regarding Officer Gallagher’s status in the agency, which was discovered when the compliance packets were sent to all the agencies in October. Officer Gallagher’s name was not on the roster that was sent to Hinsdale, and when Chief Rataj called PSTC staff to ask why, he was informed that the last information filed was that Office Gallagher had retired. Chief Rataj did find an employee status notification Form B in Officer Gallagher’s file at Hinsdale, but PSTC either had never received the form, or the form was lost. The form in question stated that Officer Gallagher had been appointed as a part time school resource officer for Hinsdale. The time period between the retirement filed at PSTC and the point that staff was informed that Officer Gallagher was still working was approximately a year and a half.

Motion by Mr. Lecius to grant the PTE request by the Hinsdale Police Department for Wayne Gallagher, he must complete a medical exam and an entrance fitness test for reinstatement of certification..

Anne took the roll call vote

Chairman, Sheriff Connelly	Yes
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Attorney General McDonald	Yes
Colonel Noyes	Yes
Judge Gardner	Yes
Chief Carignan	Yes
Chief Russo	Yes
Sheriff Massahos	Yes
Mr. Jason Bishop	Yes
Dr. Maureen Sullivan	Yes
Mr. Ed Lecius	Yes

The motion passed.

The following individuals had been noticed for violations of RSA 106-L:6 VII and IX; Pol 402.02 (a) (8) (a), Pol 404.06, Pol 404.06

Jhiomer Veras, NH Department of Corrections

Joshua Basnar, Carroll Police Department

Tyler Eldridge, Ossipee Police Department

Amanda Barber, Barrington Police Department

Mark Philibert, Deering Police Department

Peter Gakumo, NH Department of Corrections

Chad Clark, Salem Police Department

Jacques Pelletier, Coos County Sheriff's Office

Major Parenteau summarized the facts of each officer's situation separately, and each officer was reminded by Chairman Connelly that the three year fitness testing requirement was the responsibility of the officer, not a responsibility of their agency, to maintain their certification. They were all advised not to wait until the last minute when filing their fitness test documents in the future.

Consent Calendar

Major Parenteau explained that the request for **Paul Annaloro, Hampstead Police Department** was regarding prior training alone, as he had yet to work for a law enforcement agency. He was a recent graduate from Northern Essex Community College in Haverhill, Massachusetts. He was sponsored by the Methuen Massachusetts Police Department. He received a Massachusetts certification through the Massachusetts Municipal Police Committee.

This is the third instance of a request for Police Standards and Training Council to accept the training and requesting a waiver for “experience”. The Council has agreed to them. Deputy Chief Kelley from the Hampstead Police Department is present via Zoom with the new hire if there are any questions.

The curriculum was compared against the PSTC curriculum and they are similar. Their hours of training exceed the hours of training at PSTC.

There is no experience component for this officer, these requests have been granted in the past. Director Scippa can attest to the legitimacy of the Massachusetts academy.

Deputy Chief Kelley, when asked, confirmed that Officer Annaloro is currently participating in three weeks of Field Training, he is passing with flying colors and passing all the expectations.

When asked by Mr. Lecius if a separate motion for this request was necessary, Major Parenteau explained that a separate motion wasn’t necessary. He wanted to be clear to the Council that this request was different than the typical PTE, in that there was no experience. He also noted that the training met the expectations, but future requests with training only may not be equivalent to PSTC’s academy curriculum.

PT&E Requests

Paul J Annaloro, Hampstead Police Department

(DOH: 01/31/21) was granted consideration for full-time police officer certification based on prior training.

Christopher Rider, Litchfield Police Department (DOH: 12/14/20) was granted consideration for full-time police officer certification based on prior training and experience.

Sarah Gacek, Chester Police Department

(DOH: 01/05/21) was granted consideration for full-time police officer certification based on prior training and experience.

Henry Gula, New Hampshire State Police

(DOH: 01/29/21) was granted consideration for full-time police officer certification based on prior training and experience.

Jessa Trimm, New Hampshire State Police

(DOH: 01/29/21) was granted consideration for full-time police officer certification based on prior training and experience.

Edward Ireton, Concord Police Department

(DOH: 01/03/21) was granted consideration for full-time police officer certification based on prior training and experience.

James Martin, Hanover Police Department

(DOH: 02/08/21) was granted consideration for full-time police officer certification based on prior training and experience.

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.

Teighlar Carney, Lincoln Police Department

(DOH: 05/18/20) requests extension through May 13, 2021, **Council guidelines stipulate that she may continue to work under normal supervision.**

*Full Time Academy

Class Number	184	
Dates	01/04/21 – 04/23/2021	
Paperwork Submission Deadline *	12/07/2020	
Fitness Test Date	12/21/2020	

* All paperwork by the submission deadline, which is before 4:30 PM close of business. Class size is limited to 67 students. The attendees will be determined after successful completion of the Entrance Fitness Test, based on the received order of the completed applications.

Part Time Academy

Class Number	280		
Dates	01/23/2021 – 05/21/2021		
Paperwork Submission Deadline *	01/02/2021		
Fitness Test Date	01/16/2021		

**Corrections Academy

Class Number	114	
Dates	1/11/2021-3/19/2021	
Paperwork Submission Deadline *	12/14/2020	

Fitness Test Date	12/28/2020	
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**All paperwork by the submission deadline, which is before 4:30 PM close of business. Class size may be limited. If so, the attendees will be determined after successful completion of the Entrance Fitness Test, based on the received order of the completed applications.

Medical Extension Requests

Chad Clark, Salem Police Department will be granted a six month medical extension

End of Consent Calendar

Motion to approve the Consent Calendar by Mr. Lecius, seconded by Attorney General MacDonald. Colonel Noyes voiced his recusal from the New Hampshire State Police items on the Consent Calendar.

Anne took the roll call vote

Chairman, Sheriff Connelly	Yes
Attorney General McDonald	Yes
Colonel Noyes	Yes
Judge Gardner	Yes
Chief Carignan	Yes
Chief Russo	Yes
Sheriff Massahos	Yes
Mr. Jason Bishop	Yes
Dr. Maureen Sullivan	Yes
Mr. Ed Lecius	Yes

The motion passed.

Chairman Connelly asked if there was further business.

Major Parenteau reminded the Council members that due to the changes made in Council membership, there was currently no vice chairperson. Council members should determine a new vice chairperson, and that was a decision that should be made soon.

Major Parenteau also asked about the process for addressing fitness testing violations in the future. It required a lot of time for the Council to go through all the hearings, and if a letter drafted to address the violation and consequence of further violation would be a better option.

Director Scippa thanked Major Parenteau and noted that he had similar thoughts. He'd like to request any officer in violation of three year fitness testing report to PSTC for a meeting with himself and Major Parenteau. He went further to state that the violator would sign a document

describing the violation, and confirming their understanding of the rule and the consequence of further violation.

Discussion ensued amongst the Council members as they agreed that a face to face meeting regarding consequences would be advantageous. Chief Carignan noted his willingness to help with in person meetings. Judge Gardner was concerned about the amount of time necessary to meet with all of the officers taking up Director Scippa and Major Parenteau's schedule, and that the plan may need adjusting.

Attorney General MacDonald requested that Director Scippa and Major Parenteau should also report to the Council with the names and agencies of the individuals that they had meetings. Sheriff Massahos inquired about the notification process, and outlined the system at his own agency for tracking three year fitness tests.

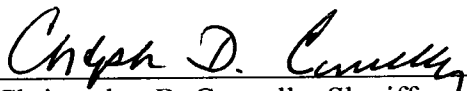
Director Scippa explained that once PSTC's new online training and learning system was in place, it would make a big difference in the way that officers and agencies are contacted about compliance.

Mr. Lecius congratulated Sheriff Connelly on his first Council meeting.

Motion to adjourn by Dr. Sullivan, seconded by Mr. Lecius.

March 23, 2021

Respectfully submitted


Christopher D. Connelly, Sheriff
Chairman

To: All NHPSTC Council Members
FROM: Director John Scippa
DATE: February 23, 2021
RE: Director's Monthly PSTC Council Report

Full Time Police Academy:

Full Time Recruit Academy session 184 started on January 4, 2021 via Zoom. We just transitioned this week, returning to a face to face, day academy. Graduation date: April 23, 2021

Part Time Police Academy:

Part Time Recruit Academy started on January 23, 2021 via Zoom. Graduation date: May 21, 2021

Corrections Academy:

Corrections Academy Class 114 started on January 11, 2021 via Zoom. Graduation date: March 19, 2021

Academy and In-Service Training:

1. Full Time Police Academy staff are developing a plan to return to a day academy for the upcoming session.
2. In-service Training Bureau is beginning to put together in-service programming to resume April 1st.
 - a. Efforts continue on the development of lesson plans and online training for the 2 hour mandatory in-service training blocks for Ethics, Implicit Bias and De-Escalation. These will be the first blocks of in-service that we will offer face to face starting April 1st.
 - b. Lt Hawkins continues to work with LETS and NH BET to create online delivery for Ethics, Implicit Bias and De-Escalation.

Budget:

1. I presented our FY22-23 operating budget to the House Division 2 Committee on February 18 via Zoom. There appeared to be support of our budget including the additions I requested through the Governor. I have attached the written materials I submitted in support of my verbal testimony.

Outreach, Education and Legislation:

1. I filed the fourth 30 Day LEACT progress report to the Governor on or about February 1, 2021, reporting the status update of each mandate that PSTC is responsible for. Copy attached.
2. I participated as a guest lecturer for the UNH Homeland Security Major on February 17 and had the opportunity to interact with about 70 students via Zoom.
3. Proposed Rule Changes continue to move through the JLCAR rule making process.
4. I have been contacted by a number of House Representatives and State Senators relative to bills that they are filing. I have provided written guidance on some and have testified on others. All of my written and testimonial efforts were in support of bills that support LEACT goals.

Staff and Operations:

1. We have made a conditional offer for the last open Law Enforcement Training Specialist I position. The candidate is now in the background process.
2. We continue to work with the Department of Personnel to move forward filing the open LETS III position.

Completed Action Items:

On-Going Open Action Items:

1. Curriculum Review: Based on recommendations made by the Governor's Commission on police accountability, existing curriculum will need to be augmented and or re-written. The JTA will be needed to begin this.
2. Database, LMS/RMS System: Lt Hawkins and Chris Collman continue to work with Benchmark Analytics as they continue to customize the software to our requirements. Anticipated completion of project is July 2021. **This is an audit item.**
3. Boiler Replacement Project: The engineering study has been completed. This project has been approved and is moving forward with an anticipated completion date of May 1, 2021.
4. Accreditation: Due to the number of changes that have come from the LEACT report, no money was allocated for accreditation for FY 22-23 **This is an audit item.**
5. JTA: Director Scippa has met with UNH professors and the graduate student who will be assisting with our JTA. They have begun work and the workgroup is being supervised by Lt O'Shea.

6. Mental Wellness/Screen: Director Scippa has met with a working group and has begun discussions on the need/feasibility of conducting periodic mental health screening of in-service officers. This group will continue to meet and will produce a position paper to meet a LEACT mandate.
7. Fitness Testing Working Group: Lt Hawkins has organized a working group of SME and representatives from the NH Chiefs to examine our present fitness testing standards and to possibly identify alternative methods of fitness testing that are scientifically validated and applicable to the law enforcement community.

Discussion/Open Action Items:

1. Firearms Upgrade. Lt Chris Paquette, the Firearms Training Coordinator, has worked diligently to create an opportunity for the academy to eliminate the present inventory of agency owned firearms that have not been in use for the last 20 years and using the trade-in value of that inventory to cover the entire cost of upgrading the agency's issued firearm and holster platforms.