



Sheriff Christopher D. Connelly
Chairman

State of New Hampshire

POLICE STANDARDS & TRAINING COUNCIL

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John V. Scippa
Director

PUBLIC MINUTES

Police Standards and Training Council

July 27, 2021

In attendance:

Mr. Edward Lecius

Sheriff Massahos, Rockingham County Sheriff's Office

Vice Chairperson, Commissioner Helen Hanks, New Hampshire Department of Corrections

Judge Sawako Gardner, Circuit Court Judge

Attorney General John Formella

Jason Bishop, Community College System of New Hampshire

Chief Ho-Sing-Loy, Sugar Hill Police Department

Chief Steven Russo, Keene Police Department

Colonel Nathan Noyes, New Hampshire State Police

Not in attendance:; Dr. Maurcen Sullivan; Chairman, Sheriff Chris Connelly, Hillsborough County; Judge Melissa Countway 3rd Circuit District Division, Ossipee; and Chief Michael Carignan, Nashua Police Department

Staff Present: Director John Scippa, Major David Parenteau, (Ret.), Lt. Adam Hawkins, and Anne Paquin, Investigative Paralegal at PSTC.

Guests Present: Attorney Stacie Mosier, PSTC counsel; Chief Allen Aldenberg, Manchester Police Department; Steven Choate, Richard Valenti, Jr.; Attorney John Krupski; Chief Charles Rataj, Hinsdale Police Department; Joshua Moore; Captain Robert Cormier, Barnstead Police Department; Officer Tyler Colcord, Tilton Police Department; Sergeant Christopher Cost, Rochester Police Department; and Sarah Lazzar; Lt. Brendan Davey, New Hampshire State Police and Jeffrey Minicucci, Corporal Mark Kimball, and CO James Kirk from the New Hampshire Department of Corrections.

Commissioner Hanks called the meeting to order at 9:00 a.m.

Motion by Mr. Lecius, seconded by Chief Russo to approve the June 22, 2021 Public meeting minutes. The Council vote was unanimous in favor of the motion, with Colonel Noyes abstaining.

Director's Report

There was no written report was submitted this month.

There is still a full time academy in session, the correction's academy recently graduated and staff is receiving applications for full time academy, part time academy and correction's academy.

The in-service bureau continues to review a number of Requests for Proposals for outside vendors that are offering in-service training. The list of RFP's is tentatively set for the Governor and Council process for the contracts. The NAMI (National Association on Mental Illness) contracts are already written out and submitted for Governor and Council submission.

Captain Adam Hawkins and Mr. Chris Collman have done a phenomenal job regarding Benchmark, the online record management system and learning management system; it is up and running. PSTC has received positive feedback from participating agencies.

Lieutenant Matt Terry also deserves recognition as one of the mandates from the LEACT commission to increase the scenario role-playing training.

- It's the most effective way to train adults, giving them an opportunity to apply what they learned in a class room for a real life situation.
- We are developing scenario training where the recruits are put through one case, where they receive an initial report and they conduct an investigation and then they move on to the drafting of search warrants and arrest warrants
- They can follow a case from the beginning to the end resolution
- They're required to create reports relative to the actions that they took, to be used the mock trial session

The budget passed, PSTC was provided four new positions, one full time training specialist, two part time training specialists and also a position for someone with experience in instructional design to build on line learning opportunities.

There were two capital projects, one was the firearm's range refurbish project and the other one was the air conditioning replacement project. Both were just approved by the Governor and Council who asked PSTC to apply for those projects through the GOFERR office using American Rescue funds, those were approved.

With the assistance of the New Hampshire Department of Justice the team was helpful in PSTC seeking two COPS grants,

- one was to help establish a state level accreditation program for all police departments in the state of New Hampshire,

- the second grant was to provide monetary assistance to help PSTC seek national accreditation. Both of those grant applications have been submitted, PSTC will wait for the outcome.

We continue to work with the Office of Legislative Services on the amendments to our administrative rules.

The LETS III candidate that was identified has withdrawn his application. The second candidate has been identified and a conditional offer of employment has been made and we are working through the background process.

It. Kevin O'Shea has resigned his position as a part time training specialist to take a position at the Strafford County Sheriff's Office, staff at PSTC wishes him well.

The Job Task Analysis is completed and we are waiting for the final report to be submitted by UNH and the graduate student that oversaw the project, she has done a tremendous job.

- The results of that job task analysis will initiate the two next projects.
- We are going to conduct a full curriculum review of the basic academy to see where we are doing well and where to make adjustments, that curriculum review is going to be significant and it make take 12 to 18 months to finish it.
- The second project is a review of the part time police officer certification program.
- That directive comes from the Governor's Order 2020-19 and it mandates that this PSTC leads a discussion and make findings on the part time certification program.

Director Scippa has been in touch with the New Hampshire Chief's Association and asked that each county identify two chiefs to represent that county and join in that discussion. Director Scippa has also spoken with Colonel Noyes to be sure the New Hampshire Marine Patrol is represented at the discussion; New Hampshire Marine Patrol maintains a large number of certified part time officers.

Several members of the Town Manager Administrator's Association, will also be included, it's important to have representation from the community, it may have an impact on the way that towns staff their police agencies.

The Citizenship Committee remains a pending item.

Director Scippa noted two issues to discuss with the Council.

Request to renew a Memorandum of Understanding with the U.S. DOJ and PSTC

The US DOJ has had an MOU in place identifying PSTC as an emergency location to operate if there is an interruption at their primary location. They are asking for a continuation of the mou.

Request by New Hampshire chiefs, agencies cannot keep up with the natural decline in the number of people working in an organization.

For example, an agency has ten people retire or leave their service and they can only identify three candidates that they can give offers of employment; those candidates must attend the academy. The deficit of more people leaving and less people coming in is creating emergencies at the agency level. They must have people in the next academy because due to a shortage they cannot wait for the next academy session.

Director Scippa is being asked by many New Hampshire chiefs about getting their candidate into the next academy. Currently there are 80 applicants, the council has allowed a maximum of 67 recruits, which is too many, with 67 recruits in session, it's overcrowded.

- Would the Council support accepting more than 67 in a session if we, from an operational point of view can address that in a way that the training is meaningful?

Director Scippa explained that the academy staff could manage 110 recruits, but would run two separate concurrent academies. It would be a new way to do business, he has discussed the idea with both PSTC bureau captains on how to proceed.

- There would be 55 recruits in each academy, to staff both academies in separate ways.
- There would be a number of classes at different stages, but all happening at the same place at the same time.
- It would depend on the total number of applications for the next session.

Sheriff Massahos and Judge Gardner commented on their thoughts for a concurrent academy, and the amount of work for the staff.

Director Scippa noted that PSTC staff are his priority; there are several new training specialist positions that have been approved, and also PSTC would hire more outside cadre to help with the academies.

- Essentially, two academies, a commandant, training specialists and two cadre for each academy. There would still be overnights, but the overnight schedule would not be greatly affected.
- Resources can only handle so many people, the firing range, the driving pad, scenario training, are three areas of concern. The bureau commanders have been asked to work through those items and look for solutions.

It is vitally important to get the officers through as efficiently as possible without in any way negatively affecting the training; PSTC must maintain high quality training.

Chief Russo agreed with Director Scippa, noting that if it was possible to proceed with additional recruits and all received the same standard of training, it would be logical to proceed in that manner.

Commissioner Hanks asked for further questions and comments.

Commissioner Hanks noted that her review of the Memorandum of Understanding with the U.S. Attorney's Office revealed a standard agreement covering an emergency situation; but confirmed with Director Scippa that PSTC had physical space to provide the request.

Motion by Mr. Jason Bishop, seconded by Mr. Ed Lecius to approve Director Scippa and support the Memorandum of Understanding request from the United State's Attorney's Office. The Council vote was unanimous in favor of the motion.

Commissioner Hanks asked if it was the will of the Council to support Director Scippa in running two consecutive academies if necessary? She asked for a vote in unison to support Director Scippa, there were none opposed.

There was no previous or unfinished business.

Item 6a was a request by the New Hampshire Department of Corrections, the request was withdrawn until more information was available. Item 6b from the Northfield Police Department was withdrawn as the length of time in the particular issue was not in question, the waiver was not needed.

There were several Pol 301.05 waiver requests on the agenda.

Manchester Police Department, Chief Aldenburg and Steven Choate

The request was heard in public session. During the hiring process, Manchester Police Department learned that candidate Steven Choate had used marijuana in October 2020.

Major Parenteau read the rule into the record:

(g) The hiring authority shall evaluate the results of its background investigation and the agency shall not appoint a person or invest with authority any person elected as a police, corrections or probation/parole officer, who:

(10) Within 12 months before the application for hire, has used marijuana unless, upon review of the council at the request of a hiring authority, the council finds that the behavior pattern under the totality of the circumstances did not demonstrate a lack of good moral character as specified in (m) below;

(m) For purposes of this section, a determination of a lack of "good moral character" shall not be restricted to acts that reflect only moral turpitude, but shall be based upon the consideration of all aspects of a person's character as exemplified by his or her behavior, including but not limited to the following:

(4) Conduct that would adversely reflect on a person's fitness to perform law enforcement or corrections duties, including but not limited to:

c. Sale or use of illegal controlled substances;

Motion to grant Manchester Police Department's request for waiver of Pol 301.05 by Colonel Noyes, seconded by Chief Russo, the Council voice vote was unanimous in favor of the motion.

New Hampshire State Police, Lieutenant Brendan Davey and Jeffrey Minicucci

1.1 Davey requested a nonpublic session.

Motion for a nonpublic session by Judge Gardner who cited, due to a regulatory hearing involving a private citizen, a pre-employment, not concerning either a suspension, revocation or decertification, Mr. Ed Lecius seconded the motion.

Roll call vote

Commissioner Hanks	Yes
Chief Ho Sing Loy	Yes
Judge Gardner	Yes
Sheriff Massahos	Yes
Chief Russo	Yes
Mr. Ed Lecius	Yes
AG Formella	Yes
Mr. Bishop	Yes
Colonel Noyes	Abstained, Colonel Noyes exited the meeting room due to the nonpublic request

At 9:33 the Council began a nonpublic session.

Motion to exit nonpublic session by Judge Gardner, seconded by Mr. Lecius, the roll call vote by Commissioner Hanks:

Chief Ho-Sing-Loy	yes
Judge Gardner	yes
Sheriff Massahos	yes
Chief Russo	yes
Mr. Lecius	yes
AG Formella	yes
Mr. Bishop	yes
Vice Chairman, Commisioner Hanks	voted yes

At 9:42 the Council was back in public session.

Judge Gardner clarified the motion to enter a nonpublic session.

The proper citation for the nonpublic session with RSA 91-A:3, II(b) The hiring of any person as a public employee,

Motion by Vice Chairman Hanks, seconded by Mr. Lecius to amend the initial motion for nonpublic session with the citation of RSA 91-A:3, II(b) The hiring of any person as a public employee, as provided by Judge Gardner.

The roll call vote by Commissioner Hanks:

Chief Ho-Sing-Loy	yes
Judge Gardner	yes
Sheriff Massahos	yes
Chief Russo	yes
Mr. Lecius	yes
AG Formella	yes
Mr. Bishop	yes

Vice Chairman, Commissioner Hanks voted yes

The motion passed.

Motion to seal the minutes of the nonpublic session by Judge Gardner, seconded by Mr. Lecius as it is determined the divulgence of this information likely would affect adversely the reputation of any person other than a member of this board.

The roll call vote by Commissioner Hanks:

Chief Ho-Sing-Loy	yes
Judge Gardner	yes
Sheriff Massahos	yes
Chief Russo	yes
Mr. Lecius	yes
AG Formella	yes
Mr. Bishop	yes

Vice Chairman, Commissioner Hanks voted yes

The motion passed.

Motion to approve the waiver request of the New Hampshire State Police by Mr. Lecius, seconded by Sheriff Massahos. The voice vote of the Council was unanimous in favor of the motion, Colonel Noyes was recused for this request and did not vote.

Rochester Police Department Pol 301.05 waiver request Sarah Lazzar

Sergeant Christopher Cost was present with Sarah Lazzar, a candidate for the Rochester Police Department.

Sergeant Cost summarized his education and employment history for the Council.

When asked, Sarah Lazzar requested a public session.

Sergeant Cost gave a summary of Sarah Lazzar's education, and her internship with the Rochester Police Department for the Council.

While completing the hiring process, during the oral board interview a question of illegal drug use revealed that Ms. Lazzar had taken one Adderall six months prior during the fall semester finals and the Adderall prescription was not hers, it was from a classmate.

Sgt Cost noted that he was familiar with Pol 301.05 (g) (9) and made a phone call to Major Parenteau at the academy for assistance. Major Parenteau guided him through the process for filing a waiver.

Major Parenteau noted that Sgt. Cost summarized the request thoroughly but read Pol 301.05 (m) (4) (c)

(m) For purposes of this section, a determination of a lack of "good moral character" shall not be restricted to acts that reflect only moral turpitude, but shall be based upon the consideration of all aspects of a person's character as exemplified by his or her behavior, including but not limited to the following:

(4) Conduct that would adversely reflect on a person's fitness to perform law enforcement or corrections duties, including but not limited to:

c. Sale or use of illegal controlled substances;

Motion by Chief Russo, seconded by Judge Gardner, to grant the waiver request by the Rochester Police Department for Sarah Lazzar. The voice vote of the Council was unanimous in favor of the motion.

Rochester Police Department Pol 301.05 waiver request Adam Granatowski

Sgt Cost presented the second waiver request for the Rochester Police Department, the candidate, Adam Granatowski was not present.

Adam Granatowski has applied for a position with the Rochester Police Department; he is currently a full time certified officer with the Dodge City, Kansas Police Department and working as a patrol officer.

At his initial contact with Sergeant Cost, Adam Granatowski revealed that he had been previously arrested and convicted for DWI in July, 2016 in Amherst, New York. He was a student at the University of Buffalo at the time, he was 23 years old. He was stopped for a turn signal and lane change, as a result of that traffic stop he was arrested for DWI.

The state of Kansas does not consider DWI an automatic disqualifier, he went through their background investigation and was hired. The intention of applying to Rochester was to be closer to his immediate family.

There were no additional findings of alcohol abuse upon the conclusion of the background investigation by the Rochester Police Department.

Major Parenteau identified the specific administrative rule, Pol 301.05

(g) The hiring authority shall evaluate the results of its background investigation and the agency shall not appoint a person or invest with authority any person elected as a police, corrections or probation/parole officer, who:

(3) Has been convicted of a misdemeanor by a civilian or military court and for which he or she has not received a pardon, which offense or the underlying circumstances surrounding the commission thereof was such that it would cause a reasonable person to doubt the applicant's character, honesty or ability;

Discussion ensued amongst Council members regarding DWI convictions and convictions for misdemeanor, something may be a misdemeanor in one state but not in New Hampshire.

Motion by Chief Ho-Sing-Loy, seconded by Mr. Lecius, to approve the waiver request by the Rochester Police Department for Adam Granatowski. The voice vote of the Council was unanimous in favor of the motion.

Sergeant Cost thanked the Council and thanked Major David Parenteau for all of his assistance with the waiver process for Rochester Police Department's candidates.

Hinsdale Police Department Request, Chief Rataj for Joshua Moore

They requested a public session, for reconsideration of Joshua Moore's sanction from two years to one year for Joshua Moore's ability to seek law enforcement employment.

Major David Parenteau summarized Joshua Moore's education and employment history for the Council.

Joshua Moore was dismissed from the 183rd Academy for cheating. On October 13, 2020 Joshua Moore participated in an emergency meeting of the Council to appeal his dismissal; three recruits had been dismissed for cheating. The facts were presented to the Council in a nonpublic session, Chief Rataj spoke on behalf of Joshua Moore. The Council voted to uphold Director Scippa's dismissal decision, Joshua Moore would not be able to apply for a police officer position for two years.

June 21, 2021 Chief Rataj sent a request to Director Scippa requesting reconsideration for Joshua Moore.

Chief Charles Rataj introduced himself and gave his own background information to the Council. He noted that Joshua Moore was a college graduate, in good physical condition, as well as being a hard worker.

The Hinsdale Police Department would like Joshua Moore back in their agency. He has acknowledged the error, admitted he made a mistake. He signed a written confession. The year off has helped him grow as a person. He's done a lot of things the past year, and during the pandemic. Chief Rataj feels that Mr. Moore is salvageable and trainable.

Joshua Moore introduced himself to the Council. After his suspension, he was able to stay on and do non-police related work for Hinsdale Police Department. He detailed and washed the cruisers many times, He attempted to bring ACERT to the Hinsdale community. ACERT is the Adverse Childhood Experience Response Team, he participated in the training in Manchester. He would like to make ACERT his community policing project.

He took a position in Concord as infection disease investigator for DHHS, he was on pandemic response for a six month temporary contract.

He would like to return to the police academy and become a full time officer in the state.

Director Scippa stated that it was important to look at the request in totality. The rules of the academy are confining and don't allow the flexibility to recognize something as cheating and then something that could be dealt with in-house. He will carry out his duties according to the rules that exist at the time. Joshua Moore didn't receive help from anyone, he didn't cheat on an exam. According to the rules, he cheated by asking the question. It's important for people to learn, in this environment what proper behavior is and what is inappropriate behavior. Recruit Moore has had to pay a penalty for the last year. Director Scippa does not oppose Chief Rataj's request.

Discussion ensued amongst the Council. Mr. Lecius noted that it would have been easier for Mr. Moore to walk away, it was humbling experience, he went from a prospective new officer, to washing cruisers. Mr. Moore found other employment during the pandemic.

Motion to grant the request, by Mr. Lecius, to reduce the sanction to one year

Vice Chairman Hanks asked for a second, and Attorney General Formella responded that he would like more facts before voting. The hearing on the matter that was held in October was held in nonpublic session.

Chief Russo also asked for more information.

Vice Chairman, Commissioner Hanks noted that the legal landscape has changed, to answer questions about a nonpublic session from the past. Should there be another presentation of evidence to enter a nonpublic session?

Chief Rataj noted that he was open and transparent with the public, and they would answer Council questions.

Attorney General Formella asked what had transpired, what led to the findings?

Director Scippa stated that during the session that recruit Moore was in, there were lessons held using Zoom and some in person. There was one recruit who was able to figure out how to download the tests that were administered through the Moodle system, which is a more efficient way to deliver the tests. The score is immediately reported to the staff and to the student when they submit the exam, once completed. No one has to “hand correct” anything and the records are more easily managed. One recruit had figured out how to download questions, the actual test questions. Subsequent to that, there were other members in the same group, the squad, that learned of this, and based on that knowledge there were people who (captured by text message) it was easily followed. In essence, Mr. Moore was one of the individuals that learned about this, and asked a question and kind of in a tongue in cheek way, seeking some of those questions because Mr. Moore had to take a test over. He never received any information, he never cheated on a test, and when he was asked about it he was completely truthful. Because the rules in the academy manual are written the way they are, the very asking of that question, as tongue in cheek as it may have been, and to his credit he said he was half joking, but he did ask. Because the rules are so stringent, Director Scippa had no choice but to take the action that he did.

Chief Rataj commented that the test in question was Joshua Moore’s own test. It wasn’t a future test, it was reviewing answers for what he got wrong.

Director Scippa replied that while they were not looking at future tests

- the fact is that he had to take a re-test and so it would have been,
- had some overt actions occurred, the furtherance of his request, then it probably would have been cheating.

The internal investigation was substantiated through the capturing of text messaging, and interviewing people, Mr. Moore told the complete truth.

Attorney General Formella asked, there was an appeal of the dismissal, he confessed to the acts, but there was some question as why it resulted in a dismissal, the appeal didn’t have anything to do with whether the actions took place.

Judge Gardner asked if Mr. Moore had an obligation to inform the staff of what was going on, D32 in the letter, reporting violation. Was he supposed to disclose what was going on to the staff?

Director Scippa said that was correct, and it was a portion of the overall event, any recruit is supposed to report an issue that is in violation of the academy rules, at the time that they learn about it.

Colonel Noyes asked about the sanction of two years before Mr. Moore could apply for law enforcement employment, does the Council have the ability to change that time? Major Parenteau stated he believed it was an academy rule.

Chief Russo asked how long it was before the situation was reported. Director Scippa could not confirm the time.

Joshua Moore stated that it was about a week before they knew that an individual was logging into the academy software. He wasn't sure how staff learned about it.

Chief Russo confirmed with Joshua Moore that he knew about it, but did not report it.

Major Parenteau and Director Scippa discussed the origin of the rule. Director Scippa asked to take a recess in order to research the rule.

10:27 a.m. the Council members took a break.

10:52 a.m. the meeting was back in session.

Vice Chairman, Commissioner Hanks went back on the record to state that in response to Colonel Noyes's question, Director Scippa and legal counsel have done the research.

The sanction imposed was based on the Technical Assistance Manual rules for the police academy. Because he is not a certified law enforcement officer, the answer is in Pol 206.17.

Commissioner Hanks read into the record:
Pol 206.17

(a) The presiding officer, upon his or her own initiative or upon the motion of any party, shall suspend or waive any requirement or limitation imposed by this chapter upon reasonable notice to affected persons when the proposed waiver or suspension appears to be lawful, and would be more likely to promote the fair, accurate and efficient resolution of issues pending before the agency than would adherence to a particular rule or procedure.

Commissioner Hanks asked for questions from the Council, if the waiver is granted, Chief Rataj will still have to request an eligibility hearing for the officer.

There was a motion on the floor by Mr. Lecius, to grant the waiver.

Attorney General Formella, commented that the applicant deserves credit for allowing the request be heard in public session, it aligns with what has been presented that he has taken responsibility for his actions.

Motion by Mr. Lecius, seconded by Attorney General Formella, to grant the request by the Hinsdale Police Department to decrease the time period in which Joshua Moore may apply for

law enforcement employment from two years, to one year. The Council's voice vote was unanimous in favor of the motion.

Hearings

Richard Valenti, Manchester Police Department, Pol 402.02 (a) (4) (c)

Mr. Valenti was present with Attorney John Krupski.

Attorney Krupski introduced himself to the Council members, he is representing Richard Valenti, Jr.

Attorney Krupski asked for a hearing in nonpublic session pursuant to RSA 91-A:3 II (c) the information to be provided is likely to affect adversely the reputation of Mr. Valenti and also would like to do RSA 91-A:3 II (j) which in affect incorporates RSA 91-A:5 IV because during the presentation we will be making reference to medical records prognosis and diagnosis of a medical condition and opinion of health care professionals which we believe brings in a privacy interest.

Attorney Krupski noted that he had the opportunity to view Judge Schulman's order. When Judge Schulman said that when looking at whether or not something should be in nonpublic session the Council is to do a weighing test similar to professional firefighters regarding the interest of the public vs the interest of the individual and make a determination as to which one carries more weight .

Vice Chairman, Commissioner Hanks asked if there were questions from Council members, as to the factors that were presented for why the Council should consider a nonpublic session in this case, that would help with the furtherance of the request?

Discussion ensued amongst the Council members, they inquired, without getting into the details how extensive or critical is the medical information?

Attorney Krupski noted that the medical information goes to the heart of the request for just cause, deviation from the rule regarding the ability of the Council to avoid a revocation or suspension because of just cause.

Judge Gardner, noted that she understood that you can have part of the hearing in public, but with some of the more sensitive medical issues you can then transition into a nonpublic.

Attorney Krupski replied that it was his understanding that would be appropriate under the standards set forth. Here it would either be in public or nonpublic but for purposes of the discussion, because it's so interspersed that it would be difficult to make that transition between public and nonpublic sessions.

Commissioner Hanks, noted that the Council can choose to go into nonpublic and then back into public session depending on the content, but in addressing the minutes if the Council grants this

request to have it in nonpublic the Council can identify certain areas of testimony that can be in public and areas that can remain nonpublic for citations of law.

Commissioner Hanks addressed the Union Leader reporter, Mark Hayward as he was taking photographs with his cell phone during the meeting, whether he was a witness to the hearing.

She read the following rule into the record.

Pol 210.04 Media Access. The following shall apply to media access at a public comment hearing:

(a) Public comment hearings shall be open to print and electronic media, subject to the following limitations when such limitations are necessary to allow a hearing to go forward:

(1) Limitation of the number of media representatives when their number together with the number of members of the public present exceeds the capacity of the hearing room;

(2) Limitation on the placement of cameras to specific locations within the hearing room; or

Commissioner Hanks asked the individual not to stand up during the hearing and take pictures .

(3) Prohibition of interviews conducted within the hearing room before or during the hearing.

Attorney Krupski noted that the rule that was quoted by Commissioner Hanks had to do with public comment hearings as opposed to adjudicatory hearings, public comments, rule making, not adjudicatory hearings. In order intervene, there are separate rules which have to be made five days prior to any hearing.

Commissioner Hanks noted that this was why she asked the person was a witness called to the hearing. Those are the articulations regarding the access. He can remain as a member of the public while the hearing is in public and then if it goes into nonpublic he must exit the room.

Mr. Hayward stated, that it was not a public comment its just a point of order and asked, "if you're going to take a vote to go into nonpublic could I ask that you specify the reason"?

Commissioner Hanks answered that every nonpublic session during the meeting the Council supplies the reason.

Commissioner Hanks addressed the Council members, asking "Is there a member of the Council that having heard the factors or facts in this case is willing to put forth a motion for nonpublic, if so using our statutory list confirm what that is and I will entertain that".

Commissioner Hanks stated "I do not have a motion, we will be proceeding in public".

Attorney Krupski noted that he had several exhibits that were medical documents, sealed for the purposes of public hearing.

Commissioner Hanks noted that under RSA 91-A 3:II-j for consideration of confidential protected information.

At 11:10 Colonel Noyes recused himself from the hearing, and left the room.

Major Parenteau was sworn in by Commissioner Hanks.

Major Parenteau noted the hearing was for the final resolution of a case involving Richard Valenti, Jr. for violation of rule Pol 402.02 revocation or suspension. Major Parenteau read the rule into the record:

(a) The council shall, unless it has just cause to do otherwise as provided in (e) below, order the suspension or revocation of the certification of any police or corrections officer for any of the following reasons:

(4) The officer has been convicted either prior to or after certification of a crime of moral turpitude or of a crime which tends to bring discredit on the police or corrections service, including but not limited to:

c. DWI;

He went further to read, Pol 402.02 (e)

(c) The council shall apply a balancing test to determine whether factors constituting just cause outweigh the public interest in protecting the safety of the public or confidence in the criminal justice system, including maintaining the integrity of sworn law enforcement, if a violation of section (a) or (d) of this rule is found. If any just cause demonstrated by the officer outweighs the purpose of protecting the safety of the public or confidence in the criminal justice system including maintaining the integrity of sworn law enforcement, the council shall decline to order suspension or revocation.

(f) Examples of just cause pursuant to (e) above shall include but not be limited to:

(1) Suspension or revocation would not have a rehabilitative value; and

(2) The officer's health or service status makes suspension or revocation a needless gesture.

Major Parenteau provided exhibits detailing the employment, certification, the DWI arrest and resolution, also from Richard Valenti, Jr.'s temporary suspension, a letter from Attorney Krupski that his client agreed to voluntarily surrender his certification temporarily until the resolution of the criminal matter, and a letter from the Council agreeing to accept the temporary voluntary surrender of the police certification.

Attorney Krupski asked to make a similar presentation as Major Parenreau, and he also asked that Chief Aldenberg and Mr. Valenti testify. He presented exhibits to the Council members. Richard Valenti's performance evaluations from the Manchester Police Department, commendations, specific police training certifications, thank you letters from individuals that Mr. Valenti had helped, attendance awards from Manchester Police Department, an article from a magazine regarding alcohol abuse, records from the court to note the reduction in ALS suspension, documents for completing an impaired driver program.

Attorney Krupski explained to the Council that there does not need to be a suspension or revocation unless there is just cause to do otherwise.

Chief Aldenberg was sworn in by Commissioner Hanks.

Chief Aldenberg provided testimony regarding Richard Valenti while being questioned by Attorney Krupski.

Chief Aldenberg stated that Mr. Valenti was placed on administrative paid leave as soon as the chief learned about the arrest, pending the resolution of the internal investigation and the criminal matter from the court. Two captains and the assistant chief reviewed the internal investigation and made a recommendation. Chief Aldenberg has known Mr. Valenti his entire career. Mr. Valenti was remorseful, he had taken responsibility and plead guilty to the offense. Chief Aldenberg noted that there were two issues in the internal investigation, one was unlawful conduct, and conducting unbecoming to an officer. For the unlawful conduct Officer Valenti was given a six month suspension, four months of that was served, two months held in abeyance, and for the conduct unbecoming he was given a 30 day suspension held in abeyance for a period of one year. When asked, Chief Aldenberg stated that he gave the long term suspension due to the totality of the circumstances. Chief Aldenberg stated that he was Officer Valenti's supervisor, shift commander, captain and now his chief, he knew the entire history and took into consideration everything. His responsibility as a chief was to make his employee better, when Chief Aldenberg took over as chief he made officer wellness a responsibility. The wellness office's priority is to focus on the health and wellness, physical and mental health of all the officers and staff. His responsibility was to improve the employee and not cast them away.

Chief Aldenberg was asked by Attorney Krupski if Officer Valenti maintained his police certification, would that would have a rehabilitative value, the chief agreed that it would. Making sure that Mr. Valenti completed his treatment will be a large part of the rehabilitation. The record will show that Mr. Valenti has not missed any appointments.

Attorney Krupski asked that their "exhibit 9" be sealed as it is medical records from one of Officer Valenti's treating health care workers.

Commissioner Hanks stated pursuant to the request, was there was a Council member willing to make a motion to seal exhibits 8 and 9 from Attorney Krupski representing Richard Valenti?

Motion by Mr. Lecius, seconded by Attorney General Formella to seal exhibits 8 and 9 from Attorney Krupski representing Richard Valenti 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, in that it is protected health information.

The roll call vote was done by Commissioner Hanks:

Chief Ho-Sing-Loy	yes
Judge Gardner	yes
Sheriff Massahos	yes
Chief Russo	yes
Mr. Lecius	yes
AG Formella	yes
Mr. Bishop	yes
Vice Chairman, Commisioner Hanks	voted yes

Motion by Judge Gardner, seconded by Chief Russo, to initiate a nonpublic session to examine exhibits 8 and 9, 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, in that it is protected health information.

The roll call vote was done by Commissioner Hanks:

Chief Ho-Sing-Loy	yes
Sheriff Massahos	yes
Mr. Lecius	yes
AG Formella	yes
Mr. Bishop	yes
Vice Chairman, Commissioner Hanks	voted yes

The Council began a nonpublic session at 11:40 a.m.

Motion to exit the nonpublic session by Judge Gardner, seconded by AG Formella

Commissioner Hanks took the roll call vote:

Chief Ho-Sing-Loy	Yes
Sheriff Massahos	Yes
Chief Russo	Yes
Mr. Lecius	Yes
Mr. Bishop	Yes
Commissioner Hanks	Yes

The motion passed.

The meeting was back in public session at 11:54 a.m.

Motion to seal the minutes of the nonpublic session by Judge Gardner, seconded by Mr. Lecius, 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, in that it is protected health information.

Commissioner Hanks took the roll call vote

Chief Ho-Sing-Loy	Yes
Sheriff Massahos	Yes
Chief Russo	Yes
AG Formella	Yes
Mr. Bishop	Yes
Commissioner Hanks	Yes

The motion passed.

Attorney Krupski asked Chief Aldenberg if Mr. Valenti continues in his current path, and this Council allows him to continue as a police officer, as the chief of the Manchester Police Department, did he believe that Mr. Valenti could serve the public with confidence and no harm to the public? Chief Aldenberg stated he agreed one hundred percent.

There were no questions from the Council for Chief Aldenberg.

Attorney Krupski continued. Richard Valenti originally received at his time of sentencing a one hundred and twenty day suspension that has been reduced to a thirty day suspension. There was a motion to reduce the license suspension which was granted by Judge Spath, that information is in their exhibits. In order to have a reduction in sentence he had to comply with all of the terms.

Attorney Krupski noted that he has met the elements for Pol 402.02 (e) and (f) regarding the evidence portrayed.

Attorney Krupski further offered that driving while intoxicated is a serious offense but to put it into perspective, it was a first offense, it's the lowest level offense under the DWI classification.

Richard Valenti, Jr. plead guilty and before this Council, he submitted a temporary voluntary suspension of his certification; and in 2021 because of circumstances outside of the Council's control or Mr. Valenti's control, no Council hearing was held in June, which continued his suspension for a period of sixty days. Attorney Krupski asked the Council, based on the evidence presented to find there is just cause to not revoke his certification and requested that he receive the 60 day suspension that he has already served as a penalty for receiving a DWI first level offense.

Major Parenteau stated that he has researched previous penalties for the same offense, there has been a wide variety of suspensions from no time to suspensions from 30 days to a year, as well as revocation.

Chief Russo asked if the 60 day suspension was over, Attorney Krupski answered that it ran from May to June to July, the May 25th date was originally issued. The sixty days is over.

Commissioner Hanks asked for a motion.

Motion to reinstate the certification of Richard Valenti effective today (July 27, 2021) by Chief Russo, seconded by Sheriff Massahos.

Judge Gardner asked if the Council was asking for a 60 day extension retroactive, or no suspension at all?

The motion was amended by Chief Russo, Motion for a retro active 60 day suspension

The voice vote was unanimous in favor of the motion.

Attorney Krupski thanked the Council members.

PSTC's counsel, Attorney Stacie Mosier requested that the record reflect that Officer Valenti testified only to the medical record exhibits, and that if there was a motion from Attorney Krupski to seal exhibit 8.

Commissioner Hanks noted that she had sworn in Officer Valente to testify to his health protected information.

Attorney Krupski then made a motion to seal under 91-A:3, II (j) incorporating 91-A:5, IV confidential medical information, for exhibits, 8, 9 and the testimony.

Commissioner Hanks noted the motion to seal with roll call vote after exiting the nonpublic session for Officer Valenti.

Tyler Colcord, Tilton Police Department Pol 301.05 (g) (a) (2)

Tyler Colcord and Robert Cormier were present for the matter.

Commissioner Hanks asked if there was cause for the matter to be held in nonpublic session.

Tyler Colcord confirmed that a public hearing was acceptable.

Major Parenteau explained the nature of the hearing. Tyler Colcord's background investigation and what should have resulted in an eligibility hearing, was not brought before the Council, prior to his time of hire.

Captain Cormier is present for this part, he is on the agenda to follow up in a second matter as to why an eligibility hearing was not brought forward, a separate case with the chief. The first hearing is separated to Officer Colcord's situation.

Major Parenteau noted that he was still under oath.

Major Parenteau summarized that Tyler Colcord was hired by the Tilton Police Department based upon a questionnaire, polygraph examination and other items included in a background investigation. He attended the 180th Full Time Academy at PSTC, receiving his certification on December 20, 2019.

In March of 2021, Director Scippa received communication from the interim administrator at the Tilton Police Department, Richard Mann. Captain Cormier had retired by then and Richard Mann was interim administrator. Officer Colcord had requested a copy of his personnel file to seek employment with another agency. He was given the packet, and told Richard Mann that he was applying for a full time position with the Merrimack Police Department. March 25, 2021 Mr. Mann spoke with the Merrimack chief who advised him that there may be an issue with the background investigation that took place, that they were no longer considering Tyler Colcord for a position. Mr. Mann reviewed the personnel records, background investigation and other supporting documents, which revealed that Officer Colcord admitted in his questionnaire, and polygraph interview, that he had purchased a bag of marijuana for \$40.00 dollars in 2017, kept it for a short time did not consume any of that marijuana and then subsequently sold it for \$40.00 later to get his money back. Based on that scenario, it would require the Tilton Police Department to hold an eligibility hearing based on

Pol 301.05 Background Investigation,(g)

(g) The hiring authority shall evaluate the results of its background investigation and the agency shall not appoint a person or invest with authority any person elected as a police, corrections or probation/parole officer, who:

(8) Has ever illegally manufactured, transported for sale, or sold a controlled substance as sale is defined in RSA 318-B:1, unless, upon review of the council at the request of a hiring authority, the council finds that:

a. Either:

1. The conduct occurred at an age when the applicant would have been considered a juvenile under the laws of the state of New Hampshire; or
2. Where a sale as defined in RSA 318-B:1 did occur, however, the intent was not for profit, meaning the actual conduct exhibited was not intended to result in an excess of financial return over the expenditure in a transaction or series of transactions; and

b. The behavior pattern under the totality of the circumstances did not demonstrate a lack of good moral character as specified in (m) below;

Today's hearing is a "post employment" eligibility hearing. Officer Colcord is currently certified, through no fault of his own, he did not come before the Council to explain the matter

for eligibility, he is continuing to seek employment in the law enforcement community however he is being stagnated by the lack of a waiver from the Council based on the fact that the incident did not come before the Council.

Tyler Colcord was present to ask the Council to grant a waiver based upon the aforementioned situation that took place in 2017.

Tyler Colcord and Robert Cormier were both sworn in by Commissioner Hanks.

Tyler Colcord reiterated that he bought marijuana in 2017, he was not smoking at the time, he no longer wanted it, he sold it for less than \$40.00 he paid for it. He disclosed it all to the Tilton Police Department in his background investigation and during his polygraph investigation. He was hired and went through the academy. Since then he applied to the Merrimack Police Department, at that point he learned that he did not have a waiver for the incident in his personnel file, which is why he was present for the hearing.

Captain Cormier then stated that he was the chief at Tilton when Tyler Colcord was hired. He remembers when the background investigation was conducted, it came back that Mr. Colcord was honest and hard working. Tyler Colcord received the recommendations of the Detective Sergeant and Captain, they mentioned marijuana and that it was experimental and that it was outside the 12 month time period. The individuals that completed the background investigation did not forward the information to Captain Cormier to request a waiver, they recommended him for hire. Mr. Colcord had a degree from NHTI, his employers spoke highly of him, the marijuana was an isolated incident.

It was an administrative oversight that they didn't forward it to Captain Cormier.

Major Parenteau asked Tyler Colcord, if he didn't smoke marijuana why did he buy it? Officer Colcord noted that his ex-girlfriend smoked, he wasn't smoking so he got rid of it.

Chief Russo asked, somewhere in the background, this was documented, someone found it later. He asked Captain Cormier whether he'd read the background. Captain Cormier stated he'd not read the background, Major Parenteau noted that there was nothing in the background investigation about drug use. Major Parenteau noted that the background investigation for Tyler Colcord was not up to standards, basically the investigator talked about family, finances, he didn't reference any part of the drug use or anything of that nature.

Tyler Colcord stated that in his background process he "starred" one of the key parts where it specifically asked whether or not marijuana was purchased or sold, he wrote down those specific answers, "sold marijuana it wasn't for profit as he was not using an illegal substance at the time and wanted to dispose of the illegal drug". Major Parenteau stated that those notes were in the questionnaire, but not in the background report.

Discussion ensued amongst the Council members.

Commissioner Hanks stated that the item before the Council was in retrospect, the ability of the officer to become certified due to the incident.

Motion to grant the waiver by Mr. Ed Lecius, seconded by Judge Gardner, the voice vote was unanimous in favor of the motion.

At 12:24 pm the Council took a break.

12:31 the meeting was back in session.

Captain Cormier, Barnstead Police Department, Pol 301.05(g)(8)(a)(2) and Pol 402.02 (a) (8) (a)

Major Parenteau summarized that Captain Cormier was present due to his hiring of an individual due to normal circumstances would have required an eligibility waiver based on his sale of marijuana violation of

Pol 301.015 (g)(8)(a)(2).

(g) The hiring authority shall evaluate the results of its background investigation and the agency shall not appoint a person or invest with authority any person elected as a police, corrections or probation/parole officer, who:

(8) Has ever illegally manufactured, transported for sale, or sold a controlled substance as sale is defined in RSA 318-B:1, unless, upon review of the council at the request of a hiring authority, the council finds that:

a. Either:

1. The conduct occurred at an age when the applicant would have been considered a juvenile under the laws of the state of New Hampshire; or
2. Where a sale as defined in RSA 318-B:1 did occur, however, the intent was not for profit, meaning the actual conduct exhibited was not intended to result in an excess of financial return over the expenditure in a transaction or series of transactions; and

Pol 402.02 Revocation or Suspension.

(a) The council shall, unless it has just cause to do otherwise as provided in (e) below, order the suspension or revocation of the certification of any police or corrections officer for any of the following reasons:

(8) A law enforcement officer has willfully:

- a. Violated council rules relative to himself or herself or the officers working under his/her control;

(e) The council shall apply a balancing test to determine whether factors constituting just cause outweigh the public interest in protecting the safety of the public or confidence in the criminal justice system, including maintaining the integrity of sworn law enforcement, if a violation of section (a) or (d) of this rule is found. If any just cause demonstrated by the officer outweighs the purpose of protecting the safety of the public or confidence in the criminal justice system including maintaining the integrity of sworn law enforcement, the council shall decline to order suspension or revocation.

(f) Examples of just cause pursuant to (e) above shall include but not be limited to:

- (1) Suspension or revocation would not have a rehabilitative value; and
- (2) The officer's health or service status makes suspension or revocation a needless gesture.

Major Parenteau continued, the matter of hiring the individual should have come before the Council for an eligibility hearing, and it did not. The person was hired, and that amounts to a violation of a Council rule.

Commissioner Hanks thanked Major Parenteau for the summary, and asked Captain Cormier for his response.

Captain Cormier noted that Detective Sergeant Buffington was the Tilton Police Department's polygrapher, he also oversees the background investigations and new hires. He was working with Captain Martin at that time. They did the applicant processing, background checks all the way through hiring, including a p.t. test, medical exam, polygraph, psych exams and oral board for Tilton Police Department.

Captain Cormier was pleased with the background investigations and the agency never had an issue. Detective Buffington did polygraphs for departments all over the state, he was also a member of the lab team, the drug task force, he was very experienced, and Captain Cormier had a lot of faith and trust in him (Detective Buffington) and Captain Martin. He remembered that in two separate instances people were removed from the hiring process because their use was less than 12 months, which made them ineligible. That showed him (Captain Cormier) that they were experienced in the process, that if they ran into an issue they would address it with him.

Major Parenteau noted, the Pol 402 rule indicates that the officer had "willfully violated the Council rule" as the Captain is explaining, that the Council keep that in mind.

Commissioner Hanks noted, from the prior hearing, that the background investigation did not include the facts as presented by Officer Colcord, but they also did not include the reference to "experimental use". There is a question for this Council, with regard to the Tilton Police Department and their compliance to a background investigation process. The willfulness is unclear.

Major Parenteau commented that the Tilton Police Department has hired a new chief, and their department has been added to the list of agencies for a review by PSTC staff.

Motion by Judge Gardner, to take no further action given that there is no way to determine that now Captain Cormier has willfully violated any of the Council rules. The motion was seconded by Mr. Lecius. The voice vote of the Council was unanimous in favor of the motion.

Captain Cormier thanked the Council, and was reminded by Commissioner Hanks to ensure accuracy of any background investigations in the future.

Richard Smolenksi, Lebanon Police Department, Pol 402.02 (b)

Commissioner Hanks noted that Richard Smolenski was not present at the meeting. Major Parenteau noted that return receipt mail had been sent for the June hearing, which was continued, and follow up mail was sent for the July hearing, letter dated July 6th, to both Richard Smolenski and to the cc'd to the chief of the agency.

When asked, Major Parenteau stated that Richard Smolenski was not actively working as an officer for his agency, he was placed on administrative leave on May 26, 2021.

Motion by Attorney General Formella, that given the nature of the charge, move to temporarily suspend the certification of the officer, Mr. Ed Lecius seconded the motion.

Commissioner Hanks affirmed that the motion was to temporarily suspend until a hearing is held. The voice vote was unanimous in favor of the motion.

James Kirk, New Hampshire Department of Corrections Pol 402.02 (b)

Commissioner Hanks recused herself.

Judge Gardner prepared to chair the hearing for the recused Commissioner Hanks.

Major Parenteau announced that there would not be a hearing as he had been informed by phone call from Attorney William Cahill stating that Attorney Cahill had just been notified of the hearing and he was seeking a continuance. CO Kirk stated that he had not been notified for the hearing, however his notice was sent out by return receipt mail to the New Hampshire Department of Corrections on July 14th and the signed response was received back at PSTC on July 16th, the notice had also been cc'd to agency supervisors.

Judge Gardner greeted Corporal Mark Kimball and CO Kirk. They had documents from shift commander Kevin Valente and the warden's assistant. Judge Gardner stated that she was handed an email correspondence noting that they had not received notice from the Council for the day's hearing.

Motion by Mr. Ed Lecius to grant a continuance to the August meeting, the motion was seconded by Sheriff Massahos, the voice vote was unanimous in favor of the motion, with Commissioner Hanks recused.

The matter will be placed on the agenda for the August meeting.

Major Parenteau noted that the attorney for James Kirk has also requested an informal conference. The informal conference will be scheduled prior to the August Council meeting. Major Parenteau also requested copies of any emails that Corporal Kimball had provided regarding notification.

Consent Calendar

PT&E Requests

Edward Devereaux, Auburn Police Department

(DOH 05-11-2021) requests consideration for full-time police officer certification based on prior training and experience.

Requests for Medical Extensions for Three Year Fitness Testing

Brian Newcomb, Hillsborough County Sheriff's Office
Robert Cameron, Laconia Police Department
Jason Wyatt, New Hampshire Department of Corrections
Dawn Shea, Allenstown Police Department
Jason Dzierlatka, Windham Police Department
Michael Jewett, Newton Police Department
Aaron Chapple, Bristol Police Department
Mark Philibert, Deering Police Department
Kevin Fay, Marlow Police Department
Michael Carpentier, Salem Police Department
Mark Babbitt, Salem Police Department
Chad Clark, Salem Police Department
Paul Benoit, Salem Police Department

Motion by Attorney General Formella, seconded by Chief Russo to approve the consent calendar. The voice vote of the Council was unanimous in favor of the motion, with Commissioner Hanks recusing herself from the New Hampshire Department of Corrections item under three year fitness testing.

Public Hearing for Amendments to PSTC Administrative Rules

Major Parenteau read the rule into the record, Pol 403.02 regarding School Resource Officers. He noted that this was a new rule.

There were no members of the public present.

Pol 403.02 School Resource Officer Certification. The following shall apply to the certification of school resource officers:

- (a) Any certified police officer who is assigned as a School Resource Officer must be “School Resource Officer certified”, under this rule, prior to their assignment;
- (b) To achieve initial certification as a NH School Resource Officer, a certified police officer must complete the following three (3) training programs before they can assume their position as an SRO:
 - (1) National Association of School Resource Officer, (NASRO) 40 hour Basic Certification;
 - (2) Mirror Project-Train the Trainer Certification; and,
 - (3) Effective Police Contact with Youth Certification.
- (c) Thereafter, to maintain certification as a NH School Resource Officer the SRO must complete eight (8) hours of annual in-service training in topic areas that will continue to enhance their effectiveness in working within the school environment and with their school population. In-service training topics could include, but would not be limited to training in, Mental Illness Response Involving Juveniles, Legal Issues in Schools/NH Juvenile Law Review, Youth Mental Health First Aid, Youth Crisis Intervention, Active Threat Response Restorative Justice Techniques, or any other such training that enhances SRO effectiveness;
- (d) Any training that is completed by a certified police officer to obtain or maintain a NH SRO certification outlined in this rule may also use these training hours to help complete their overall annual in-service training requirements listed in Pol 403.01; and
- (e) If an SRO fails to meet their annual SRO mandated training, their certification will lapse until such time as they make up all outstanding training hours.

Discussion ensued amongst the Council members.

Director Scippa noted that he had drafted the rule, and it has been brought to his attention by a few chiefs in the state that there should be a “grace period” if, as police chief you must make a move quickly to replace an SRO. Under “b” it is very stringent that the officer cannot assume that SRO position until such time as all three of those trainings have occurred. Director Scippa asked that “b” be re-written so that it allows a six month time period, and to achieve initial certification as a New Hampshire School Resource Officer a certified police officer must complete the following three training programs, within six months of their appointment as an SRO. That will allow agencies to have more flexibility.

Chief Russo asked what would happen to the SRO's currently, would they have to be taken out and trained?

Director Scippa noted that as the rule had been written, yes. To make it practical, to allow some flexibility but at the same time still set the professional level, the rule should be edit to "within six months of their appointment".

Chief Russo stated that he wasn't sure what would happen if an SRO was out of work for an injury and had to be replaced, they couldn't put anyone in, but the police department has an agreement with the school, there must be someone at the school.

Commissioner Hanks asked about "e". It says if an SRO fails to meet their annual SRO mandated training their certification, that as written, even though it's in a section of a rule, it implies to their actual police certifications, so, add "SRO certification" in front of that as a preface.

Judge Gardner asked, in the past when you mandate certain programs or training, is there a way to say "or equivalent"? The three indicated, National Association of School Resource Officers, the Mirror Project and Effective Police Contact with Youth Certification, if those classes are available, but what if something happens and that is not available? Can we add language to add options to mandate other training?

Director Scippa agreed.

Commissioner Hanks suggested that in the past the language used was 'or equivalent best practice standard as affirmed by the Director of Police Standards and Training Council', the Director can delegate that authority.

Director Scippa noted that it was in line with firearms instructor certifications.

Colonel Noyes was recognized and stated he had a point similar to Judge Gardner. If the language included a "six month window", is the forty hours of training in person and what if the timing is off? Is it an online course or training in person?

Director Scippa stated that the NASRO program was held at PSTC the week before the meeting, it is a face to face class. If it's not available over the internet, he has been working with the "Juvenile Officers Association" to be sure there are opportunities where there will be at least two SRO programs per year and in fact we may have to build it out even more, depending upon the demand.

Agencies can also have their people travel to a program.

Chief Russo stated that he has sent people to Florida or Ohio to be sure they were trained in that class. There are small classes they are able to attend locally. The Mirror Project and the Effective Police Contact with Youth.

Director Scippa stated that Effective Police Contact With Youth is being offered currently and will be part of the recruit curriculum, going forward. Every police officer in New Hampshire will get that training. The Mirror Project train the trainer certification PSTC offers both of those routinely as in-service classes.

Director Scippa confirmed with Captain Hawkins that the aforementioned classes were on the training calendar.

Those three programs were specifically identified by the Commissioners of the LEACT Commission. They felt strongly that those three programs specifically be mandated for every SRO in the state; which is why staff arrived with those three classes for SRO certification.

Director Scippa noted that if the Council chooses to go with Judge Gardner's suggestion and build in "an equivalent as determined by the Director of Police Standards and Training Council" it would solve the problem.


Council members suggested and agreed upon "approved equivalent".

The next meeting date is August 24, 2021.

Motion to adjourn by Mr. Lecius, seconded by Chief Russo, the voice vote was unanimous in favor of the motion.

August 24, 2021

Respectfully Submitted,


Christopher D. Connelly, Sheriff
Chairman