



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

August 24, 2021

In attendance:

Chairman, Sheriff Chris Connelly, Hillsborough County
Mr. Edward Lecius
Chief Michael Carignan, Nashua Police Department
Sheriff Massahos, Rockingham County Sheriff's Office
Vice Chairperson, Commissioner Helen Hanks, New Hampshire Department of Corrections
Deputy Attorney General Jane Young
Chief Michael Ho-Sing-Loy, Sugar Hill Police Department
Chief Steven Russo, Keene Police Department
Colonel Nathan Noyes, New Hampshire State Police
Dr. Maureen Sullivan
Judge Melissa Countway 3rd Circuit District Division, Ossipee;

Not in attendance: Judge Sawako Gardner, Circuit Court Judge and Jason Bishop, Community College System of New Hampshire

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

Guests Present: Attorney Stacie Moeser, PSTC counsel; Chief Charles Rataj, Hinsdale Police Department; Jillian Decker; Chief Peter Pelletier, Northumberland Police Department with Ken Tatro; Captain Todd Lawrence from Keene Police Department, Chief Noyes, Waterville Valley Police Department.

Chairman Connelly called the meeting to order at 9:07 a.m. He began the meeting by reading a notice into the record regarding public and nonpublic hearings.

*“These hearings are presumed to be heard in public session. You are entitled to request that the hearing be held in non-public session. If you choose to make that request, you are required to provide “relevant facts and factors” for the Council to consider “in making an independent, case-specific and fact-based determination to hold a decertification hearing

in non-public session.” The Council may not enter into a non-public session or seal the minutes of a non-public decertification hearing, “if the only reason for prohibiting public access is that the respondent in the decertification hearing has so requested.”¹

If the Council grants your request to have your hearing held in non-public session, please be advised that if the Council issues an order finding cause to take action on your certification, they will reconsider whether the testimony offered at the hearing will be sealed. The authority to hear cases involving public employees in non-public session is contained in RSA 91-A:3, III and is not automatic”.

Motion by Mr. Lecius, seconded by Chief Ho-Sing-Loy to approve the July 27, 2021 PSTC public minutes. Council members in favor were Mr. Lecius, Chief Ho-Sing-Loy, Commissioner Hanks, Sheriff Massahos, and Chief Russo. Members abstaining due to not being present at the July meeting were Colonel Noyes, Chief Carignan, Deputy Attorney General Young, Dr. Sullivan and Sheriff Connelly.

Motion by Commissioner Hanks, seconded by Chief Russo to approve the July 27, 2021 Nonpublic minutes regarding Richard Valenti Jr. Council members in favor were Mr. Lecius, Chief Ho-Sing-Loy, Commissioner Hanks, Sheriff Massahos, and Chief Russo. Members abstaining due to not being present at the July meeting were Colonel Noyes, Chief Carignan, Deputy Attorney General Young, Dr. Sullivan and Sheriff Connelly.

Motion by Mr. Lecius, seconded by Commissioner Hanks to approve the July 27, 2021 Nonpublic minutes regarding New Hampshire State Police. Council members in favor were Mr. Lecius, Chief Ho-Sing-Loy, Commissioner Hanks, Sheriff Massahos, and Chief Russo. Members abstaining due to not being present at the July meeting were Colonel Noyes, Chief Carignan, Deputy Attorney General Young, Dr. Sullivan and Sheriff Connelly.

Director’s Report (copy attached)

Director Scippa noted that PSTC was preparing to begin the next full time academy with 78 recruits, there will be no one on standby based upon the discussion from July’s meeting to help address attrition problems with agencies in New Hampshire. There will be 16 recruits in the next correction’s academy.

The in-service academy bureau is preparing contracts for inservice training, to present to the Governor and Council for their approval.

When asked, Captain Hawkins assured everyone that the Benchmark (data) system was in place, but the academy staff is still backfilling information. If officer’s records are not complete, agencies should use patience. There is a lot of work to be done to complete the database.

¹ From June 10, 2021 Order of Merrimack Superior Court Justice Andrew Schulman, Union Leader Corp. v. NH Police Standards and Training Council.

Director Scippa noted that the budget was running smooth. PSTC is waiting to hear on two COPS grants, one on state accreditation and one on national accreditation.

Staff at PSTC continues to work on rules amendments.

Director Scippa introduced the newly hired Major Schultz as a LETS III for PSTC. He noted that Major Schultz has extensive experience in law enforcement and was most recently the Assistant Director at the Fire Marshall's Office.

There are two open building service worker positions, one candidate is in the process of being verified for hire.

The new budget contains four new positions, two full time, two part time. PSTC is waiting for the Department of Administrative Services to establish the standard job descriptions for the positions before they can be advertised.

PSTC is waiting for firearms to complete the firearm's upgrade and for additional information regarding a waiver for a wet lab.

The boiler replacement will be completed with two separate projects, the residential and office section, the other is the tactical center. The residential and office area is the priority.

The law enforcement Job Task Analysis is complete. Director Scippa is going to meet with UNH to pick up the material.

Director Scippa met with individuals regarding a third entity misconduct board, from House Bill 2, which was part of LEACT. The meetings will occur every week until the November deadline for recommendations.

Pending actions include the curriculum review, and discussion on part time certification, also based on the JTA, they will begin meeting in September.

Citizenship Committee is a pending item.

Financial Report

Major Parenteau explained that there was a balance in the psychological testing fund of \$95,000. Eight refunds were awarded in August, one to Kensington, two to Merrimack, one to Marlborough, two to Pelham, one to Lisbon and one to Cheshire County. Six officers were hired full time, two were hired part time.

New Business

Logan Basta, appeal of dismissal from the 185th Academy

Chief Peter Pelletier of the Northumberland Police Department was sworn in by Sheriff Connelly.

He was accompanied by Ken Tatro, an employee of Chief Pelletier. He was present, according to the chief, to take notes.

Chief Pelletier stated that he had excused Logan Basta from the meeting room. They were present to speak about the dismissal from the academy and Logan Basta has consulted an attorney who advised him that it was not in his best interest to speak, make admissions or denials. He was waiting outside the meeting room.

The agency will not make admissions or denials either.

He then asked about a nonpublic session, noting that it could affect the reputation of someone who is not a council member.

Major Parenteau noted if there was anything further regarding a nonpublic session, in order to hear reasons why it should be nonpublic, the Council must enter a nonpublic session to hear the reasons in detail.

Chairman Connelly affirmed, and read, “the regulatory hearing regarding a private citizen pre employment, confidential background information still has to go into a nonpublic session, RSA 91-A:3 II-c, matters which if discussed in public would likely affect adversely the reputation of any person other than a member of this board, unless such person requests and open meeting the exemption shall extend to include any application for assistance or tax abatement or waiver of fee fine or other levy based on inability to pay or poverty of the applicant. Chairman Connelly asked if there was a motion based on the aforementioned.

Motion for nonpublic session by Dr. Sullivan, seconded by Colonel Noyes, Chairman Connelly did the roll call vote:

Commissioner Hanks	Yes
Chief Ho-Sing-Loy	Yes
Judge Countway	No
Sheriff Massahos	Yes
Chief Carignan,	Yes
Chief Russo	Yes
Dr. Maureen Sullivan	Yes
Mr. Ed Lecius	Yes
Jane Young, Deputy AG	Yes
Colonel Noyes	Yes
Chairman, Sheriff Connelly	Yes

At 9:20 a.m. the Council began a nonpublic session.

Motion to exit the nonpublic session by Mr. Lecius, seconded by Chief Carignan.

Commissioner Hanks	Yes
Chief Ho-Sing-Loy	Yes
Judge Countway	Yes
Sheriff Massahos	Yes
Chief Carignan,	Yes
Chief Russo	Yes
Dr. Maureen Sullivan	Yes
Mr. Ed Lecius	Yes
Jane Young, Deputy AG	Yes
Colonel Noyes	Yes
Chairman, Sheriff Connelly	Yes

At 9:35 the Council was in public session.

The below motion made in nonpublic session relative to hearing the matter in nonpublic session as follows:

Motion by Chief Carignan, seconded by Colonel Noyes to hear the Northumberland matter in nonpublic session. Chairman Connelly took the roll call vote.

Commissioner Hanks noted she was voting yes for nonpublic session as the matter was part of the hiring process and not a revocation of certification it should be heard in nonpublic because of the adverse affects on the person's reputation.

Chief Ho-Sing-Loy	Yes
Judge Countway	Yes
Sheriff Massahos	Yes
Chief Carignan,	Yes
Chief Russo	Yes
Dr. Maureen Sullivan	Yes
Mr. Ed Lecius	Yes
Jane Young, Deputy AG	Yes
Colonel Noyes	Yes
Chairman, Sheriff Connelly	Yes

Commissioner Hanks confirmed, RSA 91-A, 3:II-c was the citation for the motion

Motion by Commissioner Hanks, seconded by Mr. Lecius, to begin a nonpublic session regarding the matter of Logan Basta's request to appeal his dismissal from the full time academy, citing RSA 91-A:3 II-c matters if heard in public likely would adversely affect the reputation of anyone other than a member of this board, in her opinion a hiring process.

Chief Ho-Sing-Loy	Yes
Judge Countway	Yes

Sheriff Massahos	Yes
Chief Carignan,	Yes
Chief Russo	Yes
Dr. Maureen Sullivan	Yes
Mr. Ed Lecius	Yes
Jane Young, Deputy AG	Yes
Colonel Noyes	Yes
Chairman, Sheriff Connelly	Yes

At 9:36 am. the Council was in a nonpublic session.

Motion by Deputy Attorney General Young to exit the nonpublic session the motion was seconded by Mr. Lecius.

Chairman Connelly took the roll call vote

Commissioner Hanks	Yes
Chief Ho-Sing-Loy	Yes
Judge Countway	Yes
Sheriff Massahos	Yes
Chief Carignan,	Yes
Chief Russo	Yes
Dr. Maureen Sullivan	Yes
Colonel Noyes	Yes
Chairman, Sheriff Connelly	Yes

At 10:25 the meeting returned to public session.

Motion to seal the minutes of the nonpublic session by Mr. Lecius, seconded by Chief Carigan.

Chairman Connelly took the roll call vote

Commissioner Hanks	Yes
Chief Ho-Sing-Loy	Yes
Judge Countway	Yes
Sheriff Massahos	Yes
Chief Russo	Yes
Dr. Maureen Sullivan	Yes
Mr. Ed Lecius	Yes
Jane Young, Deputy AG	Yes
Colonel Noyes	Yes
Chairman, Sheriff Connelly	Yes

Motion by Judge Countway, seconded by Deputy Attorney General Young, to affirm the dismissal

Chairman Connelly took the roll call vote

Commissioner Hanks	Yes
Chief Ho-Sing-Loy	Yes
Sheriff Massahos	Yes

Chief Carignan	Yes
Chief Russo	Yes
Dr. Maureen Sullivan	Yes
Mr. Ed Lecius	Yes
Colonel Noyes	Yes
Chairman, Sheriff Connelly	Yes

Chairman Connelly asked Director Scippa about a re-admission process for Chief Pelletier's recruit, should Chief Pelletier discuss the matter with the Director and Major Parenteau?

Director Scippa stated that he would like to speak with Chief Pelletier one on one but the decision for this individual to be re-accepted to the academy should be a decision made by the Council. It may be appropriate to hear from the person that wants to come back to the academy and have the Council members speak with him.

Chief Pelletier agreed to contact Director Scippa and exited the meeting room.

Brian Janezcko-reconsideration of academy sanction.

Major Parenteau noted that Mr. Janezcko was present to request the Council reconsider his two year suspension to obtain police certification that he was given based on information compiled and action taken during a cheating scandal during the 183rd Academy. He is looking for a reduction in time penalty given.

Brian Janezcko read a statement into the record regarding his request.

Major Parenteau delivered a summary to the Council regarding Brian Janezcko's dismissal from the academy.

During the 183rd Academy there was a cheating scandal, one recruit found a way to review submitted tests. There were recruits that came in for an appeal of their dismissal. After hearing all of the evidence the Council upheld the dismissal by the Director. All recruits are given a student manual which describes all of the requirements within the academy including cheating, honor code and things of that nature.

During one interview with the recruit that started the screen capture situation the recruit was interviewed by State Police. State Police advised Lt. O'Brien and Lt. Hawkins that the initial recruit indicated in their interview that Recruit Janezcko of Derry had approached him about sending him test questions and answers on a test that he failed. Shortly after Lt. O'Brien and Lt. Hawkins met with Recruit Janezcko he was asked if he ever approached a recruit asking him for test questions and or answers for a failed test. Recruit Janezcko indicated that he had not. Staff stated that they had a text thread related to squad three that indicated that he did. Recruit Janezcko indicated that he did not remember asking for questions. Based on the entirety of the investigation but specific to Recruit Janezcko the investigation sustained violations of D2 the honor system, D32 reporting violations or failure to make a report that he knew that this was going on, and D42 cheating prohibited. Recruit Janezcko provided untruthful information to Lt. O'Brien and Lt. Hawkins during the officer inquiry, when questioned about if he had attempted

to collect test questions and answers from another student he indicated no, he also made no mention of this in his written report.

New Hampshire State Police investigators confirmed in an interview with the original recruit that Recruit Janezcko texted him in an attempt to obtain questions and or answers on a test he failed, he asked if he still had questions from the Crimes Against Persons test, Recruit Janezcko was aware that test questions and answers were being disseminated by recruits and failed to report the violation directly to staff. Recruit Janezcko did fail the Crimes Against Persons test. On October 6 in the early hours Recruit Janezcko requested to speak with Lt. Hawkins about the inquiry from the prior day. Recruit Janezcko indicated that he did in fact request test questions and/or answers from the recruit and text that the information provided the previous day was not true.

That is the basis of his dismissal from that session.

Chairman Connelly asked Major Parenteau to confirm that the language for dismissal was “shall”.

Major Parenteau noted that there was a similar situation before the Council in July, another recruit requesting dispositional relief to shorten the two years to one year and the Council agreed to grant that request, based upon the recruit and the chief’s expression to the Council of what had changed since the dismissal.

Motion by Dr. Sullivan, seconded by Mr. Lecius, to approve the request of Brian Janezcko to shorten the time sanction he was given when he was dismissed from the academy from two years to one year, noting that Mr. Janezcko should be treated the same as the individual who made his request at the last Council meeting.

Discussion ensued amongst the Council members regarding the amount of involvement that Mr. Janezcko had compared to the involvement the other person had.

Chairman Connelly asked for a voice vote for the motion, the Council vote was unanimous in favor of the motion.

Brian Janezcko was instructed that the Council staff would supply him with a letter with the Council’s findings regarding the matter.

Jillian Decker, Hinsdale Police Department Eligibility

Jillian Decker was present with Chief Rataj of the Hinsdale Police Department for an eligibility hearing, regarding Pol 301.05 and Pol 402.02

They requested a nonpublic session citing RSA 91-A:3, II-c, reputation

Chief Russo recused himself from the hearing and exited the meeting room at 10:45 a.m.

Motion to begin a nonpublic session by Deputy Attorney General Young, seconded by Colonel Noyes.

Chairman Connelly took the roll call vote	
Commissioner Hanks	Yes
Chief Ho-Sing-Loy	Yes
Judge Countway	No
Sheriff Massahos	Yes
Chief Carignan	Yes
Dr. Maureen Sullivan	Yes
Mr. Ed Lecius	Yes
Colonel Noyes	Yes
Chairman, Sheriff Connelly	Yes

At 10:47 the Council began a nonpublic session for the purpose of discussing Chief Rataj's request for a nonpublic session.

Motion to exit the nonpublic session by Deputy Attorney General Young, seconded by Chief Carignan.

Chairman Connelly took the roll call vote	
Commissioner Hanks	Yes
Chief Ho-Sing-Loy	Yes
Judge Countway	Yes
Sheriff Massahos	Yes
Chief Carignan	Yes
Dr. Maureen Sullivan	Yes
Mr. Ed Lecius	Yes
Colonel Noyes	Yes
Chairman, Sheriff Connelly	Yes

The meeting was back in public session at 10:50 a.m.

The following motion was made in nonpublic session:

Motion by Mr. Lecius, seconded by Dr. Sullivan to approve a nonpublic session requested by Chief Rataj of the Hinsdale Police Department to hear the eligibility matter of Jillian Decker.

Commissioner Hanks	No
Chief Ho-Sing-Loy	No
Judge Countway	No
Sheriff Massahos	No
Chief Carignan,	No
Dr. Maureen Sullivan	Yes
Mr. Ed Lecius	Yes
Jane Young, Deputy AG	No
Colonel Noyes	No
Chairman, Sheriff Connelly	No

The motion failed, the matter will be heard in public session.

Major Parenteau gave a summary of the background in the matter. Jillian Decker was hired by the Keene Police Department and graduated from the 183rd Academy, she was certified December 18, 2020.

May 3, 2021 she was discharged from the Keene Police Department, Major Parenteau read a letter from the Keene Police Department detailing the matter. The letter was addressed to Director John Scippa.

“This letter is to provide complete transparency in a follow up letter to you referencing the dismissal of former Keene Police Department probationary officer Jillian H. Decker. Miss Decker was dismissed due to credibility issues that arose during an internal investigation, not related to her other than as a witness. During her interview reference this IA, she provided false information to the investigator and disobeyed a direct order to not talk about the investigation on two occasions immediately after her interview. Although the false information was not related to the material facts of the investigation, she still misled the investigator, subsequent to and shortly after her initial interview she reached out to the investigator to re-interview this was arranged at a later date and she readily admitted the true facts which were already known through the investigation. There were several other less substantial but concerning findings concerning her as well. Due to these findings she was dismissed from service by the city manager upon the hiring authority’s recommendation. Her name was sent to the Attorney General’s Office for inclusion on the exculpatory evidence schedule. The letter is signed by Chief Steven Russo of the Keene Police Department.

Chief Rataj has done a background investigation on Jillian Decker. He determined that she fits the criteria to allow him to hire her, she was hired on May 24, 2021. Today’s matter can be considered a ‘pre-eligibility hearing’ even though she has been hired, Pol 301.05, Background Investigation.

Major Parenteau read the rule into the record: The following shall apply to the background investigation of the applicant by the agency: (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:

(13) Has been discharged or allowed to resign in lieu of discharge for reasons of moral character as defined in Pol 101.28 or Pol 301.05 (m) or moral turpitude as defined in Pol 101.29, from employment as a police, corrections or probation/parole officer for acts or omissions of conduct which would cause a reasonable person to have doubts about the individual's honesty, fairness, and respect for the rights of others and for the laws of this state or nation;

Major Parenteau further stated that Chief Rataj was present to request Council guidance for his ability to hire Jillian Decker.

Major Parenteau called Captain Todd Lawrence from the Keene Police Department to give an overview of an internal investigation.

Captain Lawrence was sworn in by Chairman Connelly.

He introduced himself to the Council and explained that in March 2020 the Keene Police Department began an investigation for officer misconduct, conduct which occurred off duty. Jillian Decker was a witness to that conduct.

- She misled the investigator on the knowledge of how she obtained the information.
- The misinformation was about the relationship that she had with another officer at the department.
- The information that she provided for the internal investigation was accurate
- After her interview, the other witness that she was having a relationship with was called in. Within ten minutes of his interview, Jillian Decker texted him, advised him of what she disclosed to the investigator to interfere with his testimony.
- This was done after the investigator told her to not speak on the matter with anyone. Later that evening she tried to contact the investigator to clarify some of the things she was interviewed about.
- Several days later she advised the investigator the truth about the relationship, she said she was embarrassed by that, her conduct and her relationship with the officer.
- When she was questioned about why she had texted the other witness, she didn't think that this particular officer was a witness within the internal investigation.
- The results of the internal investigation on Officer Decker was that a recommendation was made to the city manager to terminate her employment with the Keene Police Department.

Major Parenteau stated that Officer Decker sent the officer a text during that officer's interview to let him know that she had disclosed during her interview that she had a social relationship with him outside of work, walking dogs together or having lunch together, which wasn't true. They had a romantic relationship.

Captain Lawrence was asked by Dr. Sullivan if the Keene Police Department had a policy about such relationships, he responded that there were none.

Chief Rataj asked to clarify. Officer A is the subject of the internal investigation, Officer B would be the one Officer Decker had the relationship with.

Major Parenteau confirmed that Officer Decker was discharged for lying.

Chief Rataj noted that as an agency they struggle with employing someone that is on the EES list. It is his and the officer's reputation when they go to court. Officer Decker arrived unexpectedly at the Hinsdale Police Department seeking employment. She was honest, she went through the entire situation with him, it was embarrassing and humbling for her. She achieved success being hired by the Keene Police Department. During the investigation, she concealed her relationship, it wasn't a material fact to anything that happened, there was no breach of public trust. She paid a price because of the incident. There is a large difference in salary between Keene and Hinsdale, she doesn't have the opportunities that she would have had with Keene, a much larger agency.

Chief Rataj put time and effort into the decision to hire Ms. Decker, with his own agency personnel and with the Hinsdale Selectboard.

Chief Rataj noted that while he completed the background investigation he received phone calls from Keene officers who were supportive of Ms. Decker, as well as other people who learned that Hinsdale Police Department was interested in hiring her. Ms. Decker is an asset, and he probably would not have had the opportunity to hire her if she hadn't made the mistake.

Major Parenteau stated that the matter for the Council's consideration was the rule he'd previously read, Pol 301.05 (g) (13), honesty. The Council could weigh the honesty factor as to what the lie was and the circumstances surrounding the lie, and make a determination if it is grounds to not allow the hiring to take place, or allow the hire.

Motion by Chief Carignan, seconded by Sheriff Massahos, and clarified by Commissioner Hanks to approve eligibility for hire, not that she could be certified.

Discussion ensued amongst the Council members.

Deputy Attorney General Young asked if Pol 301.05 played into the vote. Major Parenteau answered that this was the question being asked of the Council, whether that dishonesty is enough to not allow her to be hired.

Chairman Connelly asked for a voice vote, all members were in favor, Chief Russo had recused himself from the matter and Deputy Attorney General Young was opposed based upon her understanding of Pol 301.05, she shall, has been terminated and she is on the EES.

At 11:20 a.m. the Council members took a break.

Judge Countway explained that she had additional obligations and exited the meeting.

At 11:33 a.m. the Council was back in session.

Richard Smolenski Lebanon Police Department

Major Parenteau explained that a request for continuance by Richard Smolenski, Lebanon Police Department had been granted by Chairman Connelly, Mr. Smolenski had a conflict with a hearing with the Department of Labor, his hearing would be on the September 28th agenda. He is currently on leave without pay, his certification was suspended by the Council in July.

James Kirk, New Hampshire Department of Corrections

Major Parenteau explained that the other hearing that had been scheduled was for James Kirk, arrested for DWI, who, through his attorney William Cahill, was requesting Council approval of his voluntary temporary surrender of his certification pending the resolution of the matter in court. There had been a request for an informal conference, but after discussions, they opted to request the voluntary temporary surrender.

Motion by Deputy Attorney General Young, seconded by Mr. Lecius to accept the voluntary temporary surrender of James Kirk's correction's certification until the resolution of the matter.

The voice vote of the Council was unanimous, with Commissioner Hanks abstaining from the vote.

Motion to approve the consent calendar by Dr. Sullivan, seconded by Commissioner Hanks, the voice vote of the Council was unanimous in favor of the motion.

Consent Calendar

PT&E Requests

Jeffrey Slankard, Rochester Police Department (DOH 08-01-21) Will be granted certification upon successful completion of the medical exam, entrance fitness test, and the Law Package of the Full-Time Police Officer Academy, with the stipulation that the officer must work in the direct presence of a certified officer unless the officer completes the agency's FTO program and then may work under normal supervision.

Officer Gary Gott, Newmarket Police Department (DOH 08-07-21) Will be granted certification upon successful completion of the medical exam 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.

Officer Adam Granatowki, Rochester Police Department (DOH: 08/01/21) Will be granted certification upon successful completion of the medical exam, entrance fitness test, and the Law Package of the Full-Time Police Officer Academy with the stipulation that the officer must work in the direct presence of a certified officer unless the officer completes the agency's FTO program and then may work under normal supervision.

Officer Nathaniel Gurnsey, Dover Police Department (DOH: 08/16/21) Will be granted certification upon successful completion of the medical exam, entrance fitness test, and the Law Package of the Full-Time Police Officer Academy with the stipulation that the officer must work in the direct presence of a certified officer unless the officer completes the agency's FTO program and then may work under normal supervision.

Officer Kyle Snow, Newport Police Department (DOH: 07/16/21) Will be granted certification upon successful completion of the medical exam, entrance fitness test, and the Law Package of the Full-Time Police Officer Academy, with the stipulation that the officer must work in the direct presence of a certified officer unless the officer completes the agency's FTO program and then may work under normal supervision.

Chief Corey Piser, Tilton Police Department, (DOH: 06/26/21) Will be granted certification upon successful completion of the medical exam, entrance fitness test, and the Law Package of the Full-Time Police Officer Academy with the stipulation that she must work in the direct presence of a certified officer unless she completes the agency's FTO program and then may work under normal supervision.

Requests for Extensions

Note: Extensions granted until the first council meeting following the fitness testing for the requested Academy, and, if testing is successful, to the first council meeting following the end of the requested Academy.

*Full Time Academy

Class Number	185	186	187
Dates	05/03/21-08/20/21	08/30/21-12/17/21	01/04/2022-04/22/2022
Paperwork Submission Deadline *	04/05/21	08/21/2021	12/06/21
Fitness Test Date	04/19/2021	08/16/2021	12/20/2021

* 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	281
Dates	07/24/2021-11-19/2021
Paperwork Submission Deadline *	06/26/2021
Fitness Test Date	07/10/2021

**Corrections Academy

Class Number	116
Dates	09/07/2021-11/12/2021
Paperwork Submission Deadline *	08/09/21
Fitness Test Date	08/23/21

****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.**

End of Consent Calendar

Joseph Nericcio, Waterville Valley Police Department Extension Request Nonconsent

Chief Noyes was present to request Officer Joseph Nericcio skip over the full time academy in order to remain working for the agency. Chief Noyes explained that he was the new director of public safety. Waterville Valley is a six person agency and they are low in staff due to the new chief of police attending the fire academy, and a sergeant is out of work on a medical issue. They'd like Officer Nericcio to attend the January academy due to the hardship, Officer Nericcio is part time certified.

Major Parenteau noted that the full time academy will start on January 4th, through April 22nd. When asked, Major Parenteau noted that the current academy was full and couldn't accept any addition recruits.

Motion by Commissioner Hanks, seconded by Dr. Sullivan, to approve the request by Waterville Police Department for an extension for Officer Joseph Nericcio to attend the 187th Academy beginning January 4, 2022. The voice vote of the Council was unanimous in favor of the motion.

James Iseman, NH Department of Corrections, Prior Training and Experience Request Non-consent

Mr. Iseman was not present, and there were no representatives from the Department of Corrections for this request.

Major Parenteau explained that staff at PSTC received a prior training and experience request for certification for James Iseman. A request had been made to Director Kench and to Administrator Ella Fredette for them to be present for the matter.

Commissioner Hanks stated that she could find out the status, but that she had not been apprised of the request.

Commissioner Hanks recused herself for this request and left the meeting room.

Major Parenteau summarized the matter for the prior training and experience, non-consent status of James Iseman for the Council members.

James Iseman has had continued difficulty with three year fitness testing, he has failed tests many times.

The procedural point is that he was required to complete a three year fitness test in 2017. He failed the test, and his certification was placed in probationary status for two years. He was unable to

pass the test after the two years and was suspended in January 2020. He resigned his position as correction's officer at the New Hampshire Department of Corrections on January 30 of 2020.

The Department of Corrections re-hired him on August 13, 2021. The question for the Council is, is he is still under suspension from January 2020 for not passing the test?

Does he have to abide by the suspension? He resigned, he was re-hired, and as part of prior training and experience he must take a medical exam and a fitness test. Is he able to be rehired and the clock starts again, where he has up to two years to get certified?

Major Parenteau read the following rule into the record relative to hiring status:

Pol 301.05 the Background Investigation (i) The hiring authority or designee shall inquire whether certification or license of the person as a police or corrections officer has ever been denied or revoked by the council or by a similar agency in another jurisdiction, and if so, whether the denial or the revocation has been rescinded. The agency shall not appoint an officer whose certification or license is under suspension or revocation in this or any other jurisdiction;

The fact pattern of an officer with a suspension due to fitness testing resigning and being re-hired has not happened to the recollection of current staff members.

Chairman Connelly noted that the Council wasn't able to determine anything further because Mr. Iseman wasn't present to answer questions.

Chief Russo asked if he was suspended when he resigned, which Major Parenteau confirmed. Chief Russo stated that it would make sense that if he resigned at the time he was suspended that his certification would remain suspended. The resignation doesn't negate the suspension.


Director Scippa noted that he wasn't sure if he should weigh in on the discussion, but, he agreed with Chief Russo, the suspension is not stayed due to resignation.

Motion by Mr. Lecius, seconded by Deputy Attorney General Young, to table the matter on James Iseman until the September 28, 2021 Council meeting. The voice vote of the Council was unanimous in favor of the motion.

Motion to adjourn the meeting at 11:55 a.m. by Deputy Attorney General Young, seconded by Chief Russo, with a unanimous voice vote from the Council

September 28, 2021

Respectfully Submitted



Christopher D. Connelly, Sheriff
Chairman