



Sheriff Christopher D. Connelly
Chairman

State of New Hampshire
POLICE STANDARDS & TRAINING COUNCIL
Arthur D. Kehas
Law Enforcement Training Facility & Campus
17 Institute Drive, Concord, N.H. 03301-7413
603-271-2133 – Fax: 603-271-1785
TDD Access: Relay NH 1-800-735-2964



John V. Scippa
Director

March 22, 2022
Public Minutes
Police Standards and Training Council

In attendance:

Chairman. Sheriff Christopher Connelly, Hillsborough County Sheriff's Office
Vice Chairperson. Commissioner Helen Hanks, New Hampshire Department of Corrections
Sheriff Massahos, Rockingham County Sheriff's Office
Mr. Edward Lecius
Chief Ho-Sing-Loy, Sugar Hill Police Department
Jane Young, Deputy Attorney General,
Judge Sawako Gardner, Circuit Court Judge
Chief Steven Russo, Keene Police Department
Judge Melissa Countway 3rd Circuit District Division, Ossipee
Chief Allen Aldenberg, Manchester Police Department
Dr. Maureen Sullivan
Mr. Jason Bishop, Community College System of New Hampshire

Not attending: Colonel Nathan Noyes, New Hampshire State Police and Chief Joseph Hoebeke, Hollis Police Department

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

Guests Present: AAG Stacie Moeser, PSTC counsel; Michael Doran, NH State Police, Zachary Bilotta, NH State Police with Attorney Marc Beaudoin, COT Juan Ulloa-LaBeet with Major Matthew Stefanczak, New Hampshire Department of Corrections; Captain Brian Kenney with candidate Jake Destefano Nashua Police Department; Chief Adam Marsh with candidate Brian Jenkins Gorham Police Department.

Motion to approve the February 22, 2022 meeting minutes by Mr. Lecius, seconded by Dr. Sullivan, the voice vote of the Council was unanimous in favor of the motion.

Director's Report

Director Scippa had provided a copy of his report to each Council member by email the day before the meeting. (Copy attached).

Both academies, 187 and 188, will begin the hands-on portion of training, which will be a

proving point for the experiment on overlapping academies. PSTC has had a great response from outside agencies to facilitate training in driving, firearms and defensive tactics. PSTC staff has done a phenomenal job balancing the use of the building and resources to get each academy trained. Director Scippa stated that he looked forward to seeing how running two academies for hands-on sessions would work.

Director Scippa commended Major Schultz and Lorelee Ames for their parts in the budget process. They identified lines in the operating budget where our agency could leverage money that hadn't been spent and form a plan to ask permission to spend that money in other places.

Pol 403.01 – Final Proposal

Stacie Moeser, Assistant Attorney General and PSTC's counsel, was present to explain amendments to Pol 403.01, which is the rule for in-service training requirements.

She noted that the rulemaking process was long and time-consuming.

Council members had been provided with copies of the rule with all of the updated amendments. The rule had been submitted to JLCAR (Joint Commission on Administrative Rules) as a conditional approval. Changes were made to the rule based on the first comments from OLS (Office of Legislative Services), then more changes were made after their additional comments. The rule that was before Council was the result of all of the amendments, the final proposal. The dates in the rule itself will come into effect as soon as the rule passes.

Council members were asked to review the rule and vote to accept the conditional amended response and vote to accept the rule as amended. After the Council votes, the rule will be sent back to the Office of Legislative Services and Joint Legislative Committee of Administrative Rules. If they agree, this document includes all of their comments, the next meeting of JLCAR will be on March 29, 2022. They should adopt it on that date.

Commissioner Hanks commented about the title in the rule for probation parole. There was a forward slash between the words "probation" and "parole". Commissioner Hanks objected to that term being used in the rule. She suggested that the slash mark be removed any place it exists. They are a singular employee, not a probation or parole officer. They are probation parole officers.

Attorney Moeser reiterated that OLS-JLCAR would argue about that change at this point in the rulemaking process. The slash between probation and parole has always been in the rule, it's written in the same manner throughout PSTC's administrative Pol rules.

She continued, explaining that the letter sent by OLS to PSTC with instructions that PSTC must amend the rule according to the conditional approval. If the rules have not been amended in accordance with conditional approval it will be deemed an objection.

Deputy Attorney General Young asked if it (the slash between the words probation parole) could be noted as a scrivener's error?

Attorney Moeser asked the Council if they would approve the amendment in both formats, if it is able to be corrected as a scrivener's error, then proceed that way, it wouldn't hold up the procedure.

Judge Countway noted that at some point in the future, someone will make a legal argument that the slash has a different meaning, every other place in the statute the Commissioner is saying there is no slash. We, as the "body" are saying we want it all to be consistent. She is opposed to approving it containing the slash, now that we know it isn't used anywhere else, it creates fodder for future litigation.

Attorney Moeser said it was important that the Council vote on the matter that day.

Judge Gardner asked what Commissioner Hank's suggestion was, if the forward slash was removed? Attorney Moeser noted that it was a space between the words probation parole. Judge Gardner also noted that she had reviewed Pol 401.01, that section of the rule does have a slash.

Commissioner Hanks stated that there was no slash in Department of Corrections Administrative Rules or rules for the New Hampshire Retirement System rules.

Attorney Moeser noted the concern, but the slash is throughout the rules. PSTC may have difficulty getting this passed by doing that (removing the forward slash between the words probation parole). She stated that in fact, that probation parole, (probation/parole) with a slash mark, was in the PSTC rules sixty-seven times.

Director Scippa explained that probation parole was written in that manner in PSTC's rules "Definitions," maintaining consistency. He explained that PSTC will be doing a complete rule re-write to move forward and keep the rules consistent with the slash. It can be corrected at that point.

Motion by Judge Countway to approve the rules as presented with the slash, Chief Russo seconded the Motion. The Council's voice vote was unanimous in favor of the Motion.

State of NH Police Accreditation MOU

Director Scippa asked the Council members to review the Memorandum of Understanding that he had provided by email, it was drafted to move forward for the state level law enforcement accreditation program.

- The last meeting for state level accreditation involved the Attorney General, the President of the New Hampshire Chiefs of Police Association, and himself.
- The goal is to create a stand-alone commission.
- Director Scippa consulted with Attorney Moeser, there are things that must be accomplished in order that this commission is established with lawful authority.
- He would like the council to review the Memorandum of Understanding so they can proceed forward regarding the next steps.

- The state level law enforcement accreditation was identified during the LEACT commission.
- Accreditation used to exist and was run from PSTC, but because of proprietary issues brought to the attention of PSTC, the program fell to the wayside.
- Bringing the program back would serve not only the police departments, but also the people of New Hampshire. It will give agencies that have ten or less officers that are interested in accreditation the opportunity otherwise it is out of their reach because of finances or facility problems.

Council members requested a copy of the document, while it was being copied, Director Scippa continued reviewing his written report with the Council.

The commission for certification has not been formed yet, there was no information available about the manner that the accreditation process will work. If an agency is already CALEA accredited, there would be an abbreviated process for that agency's state accreditation.

Dr. Sullivan asked how often an agency would have to get accredited, to which Director Scippa noted that because the commission has not been formally formed or recognized, the length of time of accreditation will be determined once the commission is formed and proprietary standards will be developed. Approval of the Memorandum of Understanding for the commission is the first step.

Judge Gardner asked what support would be necessary from the staff. Director Scippa answered that perhaps a Program Manager position that would provide assistance for the program, working at PSTC. He stated further that there are about 220 police agencies in New Hampshire, some of them may participate immediately, some may have to make plans financially to complete accreditation in a year or two. Some may choose not to participate.

The Program Manager position that will be requested for PSTC will need to administer other programs that were taken on as well. One Program Assistant may need to help with this, but that position will not require full-time hours.

Mr. Lecius asked if state funds would be covered by fees that the agencies would pay.

Director Scippa explained that this would be a "stand-alone" entity recognized by the New Hampshire Attorney General's Office as a non-profit organization. Presently they are using a COPS grant that he worked with Tim Kemper from the grant's unit at the Attorney General's Office. PSTC was awarded \$100,000 to begin, he hoped that the fee structure will help continue to drive the organization.

Motion to approve the Memorandum of Understanding concerning the establishment of New Hampshire's law enforcement accreditation program by Mr. Lecius, the motion was seconded by Chief Aldenberg, the voice vote of the Council was unanimous in favor of the motion.

This concluded Director Scippa's report, and he asked for questions.

Part Time Academy

Dr. Sullivan asked about the status of the part-time police academy. Director Scippa's response was that the subcommittee that is working on it will be meeting at the end of this month. There may be one more part-time officer police academy this year to meet the needs of the New Hampshire Marine Patrol and the Hampton Police Department. The last time a part-time academy was scheduled there were only one or two people registered. Both Marine Patrol and the Hampton Police Department depend on seasonal officers during the summer. The date for a part-time academy is being discussed.

Financial Report

Major Schultz noted that to date PSTC has expended \$16,960.00 for psychological testing, the balance in the account is \$160,615.00. There has been an increase in requests the past few weeks. We have tried many different ways to let agencies know that funds are available for the use for psychological testing of candidates.

New Business

Sheriff Connelly read the notice into the record.

Hearings before the Council are presumed to be held in public session; however, parties have the right to a brief hearing in non-public session to request closure of a portion of the hearing if it will reveal confidential information that creates a compelling interest outweighing the public's right of access. All parties appearing before the Council have been provided with notice of the applicable procedure.

New Hampshire Department of Corrections

Major Matthew Stefanczak, Chief of Security at New Hampshire Department of Corrections, was present with COT Juan Ulloa-Labeet.

Major Parenteau explained that they were in attendance to request an extension and attendance at the 118th Corrections Academy.

COT Labeet was hired January 29, 2021, as a full-time corrections officer trainee. He attended the 115th Corrections Academy May 10th to July 16, 2021. He failed some testing and re-testing, which led to a 30–60-day post academy test status, he failed some of those tests.

Juan Ulloa-LaBeet appeared at the September 28, 2021, Council meeting asking for permission to attend the classes that he failed during the 116th Academy. The Council granted that request, as well as permission to continue to work.

He attended classes during the 116th Academy, he was unsuccessful on some of them. He did not attend the 117th Corrections Academy. The Department of Corrections would like to enroll him in the 118th Academy in its' entirety.

Major Stefanczak addressed the Council. He spoke positively about COT Labeet; he goes to work every day and has a willingness to learn. During the 115th Academy, he had a meeting with the Warden and discussed English as a second language. Mr. LaBeet has a Bachelor's degree from a Massachusetts college. He learned and applied defensive tactics techniques. He went to the 116th block sessions and unfortunately, he had family losses during that period of time; those circumstances continued with additional losses in February and March of that year as well.

They respectfully request an exception is made to allow his attendance in the 118th Academy; and allow him to work while attending. There have been discussions with COT LaBeet about the necessity of advocating for himself, to speak with the Academy staff if he needs assistance.

Major Parenteau noted that the Police and Corrections Academy Manual does require permission from the Council in order to attend an academy again and continue working.

Judge Countway asked if the academy provided any English as a second language support.

Director Scippa stated that there was no ESL support. There have been discussions about what, if any, ESL support should be provided. One of the primary functions of an officer is their ability to communicate clearly in an emergency situation.

Motion by Dr. Sullivan to grant an extension to Juan Ulloa-Labeet and admission to the 118th Academy, the motion was seconded by Chief Aldenberg. The voice vote of the Council was unanimous in favor of the motion. Commissioner Hanks abstained from the vote.

Nashua Police Department

Captain Brian Kenney from Nashua Police Department's Professional Standard's Unit was present with candidate Jake Destefano. Nashua Police Department was requesting a waiver of Administrative Rule Pol 301.05(g)(8), which Major Parenteau read into the record.

Pol 301.05 Background Investigation. 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:

(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;

Captain Kenney and Jake Destefano introduced themselves to the Council.

Captain Kenney noted that he was speaking on behalf of Jake Destefano, who was not yet sworn in by the Nashua Police Department. While completing the background investigation, an event took place at the time he was a juvenile. Captain Kenney requested a non-public session.

Motion by Chief Aldenberg, seconded by Chief Russo, to initiate a non-public session, RSA 91-A:3, II(b).

Commissioner Hanks	Yes
Chief Ho-Sing Loy	Yes
Judge Countway	Yes
Judge Gardner	Yes
Sheriff Massahos	Yes
Dr. Sullivan	Yes
Mr. Lecius	Yes
Deputy Attorney General Young	Yes
Mr. Bishop	Yes

10:02 a.m. The Council began a non-public session.

Motion to exit the non-public session by Commissioner Hanks, seconded by Judge Countway. Chairman Connelly took the roll call vote.

Chief Ho-Sing Loy	Yes
Judge Countway	Yes
Judge Gardner	Yes
Sheriff Massahos	Yes
Chief Aldenberg	Yes
Dr. Sullivan	Yes
Mr. Lecius	Yes
Mr. Bishop	Yes
Chief Russo	Yes
Chairman Connelly	Yes

At 10:09 a.m., the Council was back in a public session.

Motion by Commissioner Hanks to grant the waiver request by the Nashua Police Department,

Chief Aldenberg seconded the motion. The Council's voice vote was unanimous in favor of the motion.

Gorham Police Department – Addendum to Agenda

Chief Adam Marsh was present with Brian Jenkins, a candidate for the Gorham Police Department.

Major Parenteau explained that Chief Marsh was present to request a waiver for Brian Jenkins regarding Administrative Rule Pol 301.05 (g)(8)(2).

He read the rule into the record.

Pol 301.05 Background Investigation. 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:

(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:

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;

Chief Marsh addressed the Council and asked for a non-public session because Brian Jenkins was not hired yet.

Motion for a non-public session by Judge Countway who cited RSA 91-A:3, II(b) because the request was in reference to the hiring of any person as a public employee. Mr. Lecius seconded the Motion. Chairman Connelly took the roll call vote.

Commissioner Hanks	Yes
Chief Ho-Sing Loy	Yes
Judge Gardner	Yes
Sheriff Massahos	Yes
Chief Aldenberg	Yes
Chief Russo	Yes
Dr. Sullivan	Yes
Mr. Lecius	Yes

Assistant Attorney General Young	Yes
Mr. Bishop	Yes
Chairman Connelly voted	Yes

At 10:13 a.m., the Council proceeded to a non-public session.

Motion to exit the non-public session by Mr. Lecius, seconded by Dr. Sullivan. Chairman Connelly took the roll call vote.

Commissioner Hanks	Yes
Chief Ho-Sing Loy	Yes
Judge Countway	Yes
Judge Gardner	Yes
Sheriff Massahos	Yes
Chief Aldenberg	Yes
Chief Russo	Yes
Dr. Sullivan	Yes
Mr. Lecius	Yes
Assistant Attorney General Young	Yes
Mr. Bishop	Yes
Chairman Connelly voted	Yes

At 10:20 a.m., the Council was back in a public session.

Motion to approve the waiver for the Gorham Police Department for Brian Jenkins by Mr. Lecius, seconded by Judge Gardner, noting that the request met the qualifications of Pol 301.05(g)(8)(2)(b).

Chairman Connelly took the roll call vote.

Commissioner Hanks	Yes
Chief Ho-Sing Loy	Yes
Judge Countway	Yes
Sheriff Massahos	Yes
Chief Aldenberg	Yes
Chief Russo	Yes
Dr. Sullivan	Yes
Mr. Lecius	Yes
Deputy Attorney General Young	Yes
Mr. Bishop	Yes
Chairman Connelly voted	Yes

Michael Doran, New Hampshire State Police Pol 402.02(b)

Major Parenteau summarized the matter for the Council, he distributed copies of the staff's

exhibits to each Council member.

Pol 402.02(b)

(b) A certification shall be temporarily suspended pending resolution of criminal charges if the officer has been arrested, indicted or bound over either prior to or after certification for a felony or any crime involving moral turpitude or of a crime which tends to bring discredit on the police, corrections, or probation/parole service, unless the safety of the public or the confidence in the criminal justice system would not be adversely affected.

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

3. DWI

Staff Exhibits A1 through A10 detail Michael Doran's employment and certification history, beginning with his first job in law enforcement at the Laconia Police Department February 18, 1991, his certification June 7, 1991, jobs with the Dover Police Department, the Alton Police Department, and his current agency, New Hampshire State Police.

On August 29, 2021, Michael Doran, a certified police officer, employed by the New Hampshire State Police, was arrested for operating under the influence, Maine statute 29-A-2411.1-A.A.1 by the Maine State Police, Staff Exhibit B.

The New Hampshire State Police issued a 30 day suspension without pay for Michael Doran beginning September 30, 2021, with extensions of 30 days on October 31, November 30, and December 30, 2021. On January 3, 2022 New Hampshire State Police assigned Michael Doran to a non-law enforcement duty position at the agency, Staff Exhibits C1 through C5. On January 11, 2022, a complaint in the Michael Doran matter was filed in the York District Court, Biddeford, Maine for Criminal OUI, Maine Statute 29-A M.R.S. §2411 (1-A)(A) Class D. Staff Exhibit D.

Attorney Marc Beaudoin introduced himself and NH State Police Trooper Michael Doran, noting that Mr. Doran has not been arraigned yet, he has a date in April.

Officer Doran gave a summary of his education and employment history, which began in Massachusetts at Norwood Police Department as a civilian dispatcher, which he maintained while working for Norfolk. In 1982, he was hired by Norfolk, Massachusetts as a reserve patrol officer. He attended the Massachusetts Criminal Justice Academy in Foxborough. He worked there until he left to begin working for Laconia Police Department.

Attorney Beaudoin confirmed the arrest was on August 29, 2021, at 7:30 at night in Maine. Michael Doran was with a friend riding motorcycles. They stopped for lunch and had a couple of drinks. They stopped a bar on their way home to New Hampshire. As they traveled home, Mr. Doran looked in his mirror and saw that his friend had gone off the road and crashed on his motorcycle. He turned around and went back to assist. Maine State Police arrived as did medical personnel. The Maine trooper noticed an odor coming from Mr. Doran. Mr. Doran

completed the field sobriety tests that he was asked to do by the Maine trooper willingly.

He had seven drinks that day, noon to – 7:30 p.m. the time of the accident, approximately a drink per hour.

Attorney Beaudoin asked what Mr. Doran had done since the arrest for treatment.

Mr. Doran contacted the Peer Counselor Division. He enrolled in Veteran's and First Responder's Division in Manchester. He attended outpatient counseling, once a week. He is still in treatment and attends once a month.

He has taken steps to identify issues.

Motion by Deputy Attorney General Young to revoke the certification until the underlying case is resolved. The motion was not seconded at this time.

Attorney Beaudoin asked the Council to consider a retroactive certification suspension. Michael Doran is not a danger to the public; he is working but not in a law enforcement capacity.

Suspension of his certification may push his status to a suspension without pay with the division.

Judge Gardner asked about a retroactive suspension.

Attorney Beaudoin explained retroactive being "time served". Mr. Doran was suspended ninety days.

Deputy Attorney General Young affirmed her motion.

Chairman Connelly asked if there was a second on the motion.

Judge Countway asked about the distinction between "revoke" and "suspend".

Deputy Attorney General Young stated that "given the testimony that we've heard and the alcohol he had in his system, the fact that he hasn't been heard in a courtroom is not this Council's issue, it's the person who decided to drink and get behind the wheel of a vehicle, he should not have a certification while that process plays out. If he's acquitted, he can come back".

Judge Countway seconded Deputy Attorney General Young's motion, and asked to amend the language to "temporarily suspend pending resolution of the criminal charges".

Chairman Connell called for the vote, there were four "ayes".

Judge Gardner asked for discussion on the motion, she asked if the Council were to suspend, does it mean he can't work in any capacity, whether it's not law enforcement or administrative functions?

Major Parenteau responded that if he isn't doing any work that is law enforcement, he didn't believe that revocation or suspension of his certification would affect his current job at State Police?

Attorney Beaudoin stated that he had spoken with the Colonel who said that without a certification he would suspend him without pay, he wouldn't be allowed to continue in the administrative position.

Chairman Connelly then inquired if he'd be allowed to return to employment when the matter was resolved in April?

Major Parenteau informed Council members that Mr. Doran would be noticed to return for a hearing after the court's resolution of the matter.

Chief Russo noted that Mr. Doran said he had taken responsibility for his actions. He then asked if Mr. Doran would plead guilty at the arraignment on April 6th?

Mr. Doran said if it wasn't a good case against him, he would plead not guilty.

Attorney Beaudoin:

- He's gone through treatment.
- Not drinking and driving at all.
- State Police may terminate him depending on the length of time it may take in the court system.

Deputy Attorney General Young stated that another option would be for him to retire as he's had a thirty-year career. He could have income.

Attorney Beaudoin countered that Mr. Doran loves his job and doesn't want to leave, Deputy Attorney General Young noted "he should have thought of that on September 29th".

Judge Countway asked about a negotiated plea on April 6th, it would be relevant to know if there have been plea negotiations.

Attorney Beaudoin stated that he was not representing Mr. Doran for the matter in Maine and would not speculate as negotiations are different in Maine.

Chairman Connelly asked for the vote in a roll call:

Commissioner Hanks	Yes
Chief Ho-Sing-Loy	Yes
Judge Countway	Yes
Judge Gardner	Yes
Sheriff Massahos	Yes

Chief Aldenberg	Yes
Chief Russo	Yes
Dr. Sullivan	Yes
Mr. Lecius	Yes
Mr. Bishop	Yes

Chairman Connelly voted yes

The motion passed.

Zachary Bilotta NH State Police Pol 402.02 (b)

Sheriff Connelly asked the parties to introduce themselves.

Zachary Bilotta was present with his attorney Marc Beaudoin.

Major Parenteau explained the matter before the Council was regarding administrative rule Pol 402.02(b), temporary suspension of law enforcement certification. He read the rule into the record.

(b) A certification shall be temporarily suspended pending resolution of criminal charges if the officer has been arrested, indicted or bound over either prior to or after certification for a felony or any crime involving moral turpitude or of a crime which tends to bring discredit on the police, corrections, or probation/parole service, unless the safety of the public or the confidence in the criminal justice system would not be adversely affected.

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

- (3) DWI;
- A Hands Free Violation
- An Open Container Violation

Major Parenteau presented exhibits to the Council members which detail Zachary Bilotta's law enforcement employment and certification history, as well as the documents regarding his arrest for the aforementioned charges and the complaints filed at Ossipee Circuit Court.

On February 5, 2022, Zachary Bilotta, a certified police officer employed by the New Hampshire State Police, was arrested for a hands-free violation, RSA 265:79-c, an open container violation, RSA 265-A:44, and DUI impairment, a Class B misdemeanor, RSA 265-A:2, 1(a) by the Wolfeboro Police Department.

Major Parenteau read the DWI charge into the record. "On February 5, 2022, at 9:14 p.m., in Carroll County, did commit the offense of DWI impairment, that the defendant did drive a vehicle, a gray 2017 Subaru Forester, on a way South Main Street in Wolfeboro, New Hampshire, while under the influence of intoxicating liquor, or any controlled drug, prescription drug, over the counter drug or any other chemical substance, natural or synthetic, which impairs

a person's ability to drive, or any combination of the above.”

Attorney Marc Beaudoin addressed the Council; he announced that at the close of the hearing, his client would offer the voluntary temporary surrender of his certification pending the resolution of the criminal matter.

Attorney Beaudoin noted that he would like to inform Council members what Mr. Bilotta has done since the incident occurred.

Attorney Beaudoin asked Mr. Bilotta questions relative to this background and education:

- He is from Lunenburg, Massachusetts.
- He went to Lunenburg High School and graduated in 2010.
- He graduated from Westfield State University with a degree in criminal justice and sociology in 2014.
- He was hired by Lunenburg Police Department as a reserve officer and went through the reserve academy held in West Boylston.
- He was then hired by the New Hampshire State Police in 2015 and graduated from the academy in December 2015.
- He works from the Troop E barracks.

Attorney Beaudoin requested a non-public session, he had documents from a therapist that he wanted to submit to the Council but asked that the documents be non-public.

Sheriff Connelly announced that he would entertain a motion for a non-public session.

Motion by Judge Gardner to admit the documents that are confidential, medical documents under RSA 91-A:3, II (j), but still have the hearing, noting that they can all look at the documents, but the documents would be sealed and confidential, and then discuss. Mr. Lecius seconded the motion. The voice vote of the Council members was unanimous in favor of the motion.

Major Parenteau took the documents that Attorney Beaudoin had and exited the meeting room to make copies.

Attorney Beaudoin explained that Zachary Bilotta was currently out of work on FMLA. He asked Mr. Bilotta some questions to explain what he had been doing after his arrest.

- The day after his arrest, he contacted peer support to ask them about treatment options.
- There were a couple of options, one was the VFR (Veteran and First Responder) Program in Manchester, the other was a more extreme option, more in depth, the McLean Hospital in Belmont, Massachusetts for two-week inpatient therapy.
- He attended the Leader Program at McLean Hospital, the two-week inpatient program which focuses on law enforcement, first responders for substance abuse, mental illness issues.

- He completed the program and was referred to a social worker in Meredith, New Hampshire.
- He began speaking with her immediately after completing the McLean Program.
- He asked if he could increase the meetings each week or if she could refer him to another local meeting.
- She referred him to the VFR and got him an appointment.
- He did an intake meeting at VFR and was admitted to the program. He started the program the week prior to the Council meeting.
- He will be receiving treatment from VFR for another six weeks.

Attorney Beaudoin asked that the documents that were being copied by Major Parenteau were submitted to the Council members as “sealed” for their review. They are documents from therapy sessions on Mr. Bilotta’s progress.

Chairman Connelly inquired if Council members had any questions.

Judge Countway asked if a motion from the Council was needed if Mr. Bilotta and Attorney Beaudoin intended to do a temporary suspension?

Attorney Beaudoin responded that Zachary Bilotta was willing to voluntarily surrender his certification pending the outcome of the criminal matter. They hope it is resolved quickly. They asked that once it is resolved that they are able to speak to the Council again to ask about reinstatement.

Motion by Judge Countway to accept the voluntary temporary surrender of Zachary Bilotta’s certification, Dr. Sullivan seconded the motion. The voice vote of the Council was unanimous in favor of the motion.

Christopher Norton, New Hampshire Department of Corrections Pol 402.02(b)

Major Parenteau explained that he had received information the day before that Mr. Norton had resigned and was going to file for retirement.

Sean Donahue, Littleton Police Department Pol 402.02(b)

This matter was continued due to conflicting dates with his arraignment in court, which was also March 22nd. The hearing will be scheduled for the April 26, 2022 meeting.

Consent Calendar

PT&E Requests

Sarah M. Stark, Portsmouth Police Department

Will be granted certification upon successful completion of the medical exam (done November 16, 2021), 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.

Andrew Weaver, Police Standards and Training Council

Will be granted certification upon successful completion of the medical exam, (done January 26, 2022) 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.

William Walker , UNH Police Department

Will be granted certification upon successful completion of the medical exam, (done January 4, 2022) entrance fitness test, and the Law Package of the Full-Time Police Officer Academy, with the stipulation that the officer must work in the direct presence of a certified officer unless the officer completes the agency's FTO program and then may work under normal supervision.

Requests for Extensions

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

*Full Time Academy

Class Number	187	188	189
Dates	01/03/2022-04/22/2022	02/07/2022-05/27/2022	06/06/2022-09/23/2022
Paperwork Submission Deadline *	12/06/2021	01/14/2022	05/09/2022
Fitness Test Date	12/20/2021	01/24/2022	05/23/2022

* 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	TBA	
Dates		
Paperwork Submission Deadline *		

Fitness Test Date		

****Corrections Academy**

Class Number	117	118	119
Dates	01/22/2022- 05/20/2022	05/31/22 – 07/22/22	09/26/22- 11/18/22
Paperwork Submission Deadline *	12/27/2021		
Fitness Test Date	01/08/2022	05/16/22	09/12/22

****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.**

Paulo Sanchez De La Cruz, NH DOC (DOH 12/17/21) Will be granted an extension 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 with the stipulation that the officer must remain actively enrolled in the 118th Corrections Academy and may only work in the direct presence of a certified Corrections Officer or is stationed at or in a secured post such as a control room and has no direct contact with persons under departmental control.

Scott Hamel, NH DOC (DOH 04/23/21) Will be granted an extension 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 with the stipulation that the officer must remain actively enrolled in the 118th Corrections Academy and may only work in the direct presence of a certified Corrections Officer or is stationed at or in a secured post such as a control room and has no direct contact with persons under departmental control.

Federico Larralde, NH DOC (DOH 12/21/21) Will be granted an extension 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 with the stipulation that the officer must remain actively enrolled in the 118th Corrections Academy and may only work in the direct presence of a certified Corrections Officer or is stationed at or in a secured post such as a control room and has no direct contact with persons under departmental control.

Kayleigh MacDougall, NH DOC (DOH 09/24/31) Will be granted an extension 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 with the stipulation that the officer must remain actively enrolled in the 118th Corrections Academy and

may only work in the direct presence of a certified Corrections Officer or is stationed at or in a secured post such as a control room and has no direct contact with persons under departmental control.

Joshua Hermann, NH DOC (DOH 11/19/21) Will be granted an extension 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 with the stipulation that the officer must remain actively enrolled in the 118th Corrections Academy and may only work in the direct presence of a certified Corrections Officer or is stationed at or in a secured post such as a control room and has no direct contact with persons under departmental control.

Cameron Beaton, NH DOC (DOH 08/13/21) Will be granted an extension 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 with the stipulation that the officer must remain actively enrolled in the 118th Corrections Academy and may only work in the direct presence of a certified Corrections Officer or is stationed at or in a secured post such as a control room and has no direct contact with persons under departmental control.

Michael Nicoli, Portsmouth Police Department (DOH: 09/13/21 Not Part-time certified) Will be granted an extension 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 with the stipulation that the officer must remain actively enrolled in the 189th academy Law Package classes and may continue working only in the direct presence of a certified officer, unless the officer has successfully completed their agency's FTO Program, they may work with normal supervision.

Erik Josephson, Winchester Police Department (DOH: 10/04/21 Not Part-time certified) Will be granted an extension with the stipulation that the officer may continue working only in the direct presence of a certified officer, unless the officer has successfully completed their agency's FTO Program, they may work with normal supervision.

Cheryl Clancy, NH Division of Ports and Harbors, (DOH: 09/24/21 Not Part-time certified) Will be granted an extension with the stipulation that the officer may continue working only in the direct presence of a certified officer, unless the officer has successfully completed their agency's FTO Program, they may work with normal supervision.

End of Consent Calendar

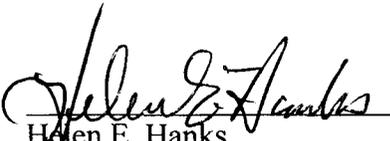
Motion to approve the Consent Calendar by Mr. Lecius, seconded by Chief Russo, the voice vote was unanimous in favor of the motion, with Commissioner Hanks abstaining from the Department of Corrections matters.

The next Council meeting will be held on April 26, 2022 (#540)

Motion to adjourn at 11:28 a.m. by Dr. Sullivan, seconded by Chief Russo, the voice vote of the Council was unanimous in favor of the motion.

April 26, 2022

Respectfully Submitted


Helen E. Hanks
Vice Chairperson