



Sheriff Christopher D. Connelly
Chairman

State of New Hampshire

POLICE STANDARDS & TRAINING COUNCIL

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John V. Scippa
Director

Minutes

October 25, 2022

Police Standards and Training Council

In attendance:

Chairman, Sheriff Christopher Connelly, Hillsborough County Sheriff's Office
Commissioner Helen Hanks, Vice Chairperson New Hampshire Department of Corrections
Attorney General John Formella
Judge Sawako Gardner, Circuit Court Judge
Chief Kevin Rourke, Nashua Police Department
Chief Allen Aldenberg, Manchester Police Department
Chief Joseph Hoebeke, Hollis Police Department via Zoom
Dr. Maureen Sullivan
Judge Melissa Countway 3rd Circuit District Division, Ossipee
Sheriff Charles Massahos, Rockingham County Sheriff's Office

Not attending:

Mr. Jason Bishop, Community College System of New Hampshire
Colonel Nathan Noyes, New Hampshire State Police
Mr. Edward Lecius
Chief Michael Ho-Sing-Loy, Sugar Hill Police Department

Staff Present:

Director John Scippa, Major David Parenteau (Ret.) Captain Adam Hawkins, Lieutenant Justin Paquette, and Anne Paquin, Investigative Paralegal.

Guests: Captain Nathan Roy, Berlin Police Department with Rebecca Latham; Chief Kevin Walsh, Rye Police Department with Zachary Madeiros; Chief Charles Rataj of Hinsdale Police Department with Max Santonastaso; Lieutenant Vincent Grieco with a candidate for NHSP; Chief Timothy McLin, Somersworth Police Department with William Latch; Attorney Marc Beaudoin with Eric Call and Joshua Farmer

Chairman Connelly called the meeting to order at 9:04 a.m.

Motion to approve the September 27, 2022 was made by Dr. Sullivan, seconded by Judge Gardner, the vote was unanimously in favor by Council members.

Director's Report

Director Scippa noted that he had provided his report to the Council members by email (copy attached).

He expanded on an item listed under the Staff and Operations segment of his report. The item noted as staff member, training specialist, Lieutenant Tim Burt's 40 hour Crime Scene Investigation class. The class has been endorsed by the International Association of Identification. Lieutenant Burt will continue to work on additional classes relative to crime scenes. Council members expressed appreciation for Lt. Burt's accomplishment.

Financial Report

Director Scippa reported that PSTC has hired a Business Administrator, Jessica Nichols. Major Schultz is currently working with her and introducing her to all of her job assignments.

Director Scippa informed the Council members that he would be attending budget hearings on November 17th and 18th, and again on December 21st and 22nd.

New Business

Chief Kevin Walsh, Rye Police Department

Chief Walsh was present with his agency's candidate, Zachary Madeiros. He explained that his agency would like to hire Mr. Madeiros, his background investigation was approved, as was his psychological examination and polygraph examination. Chief Walsh explained that due to an incident in Mr. Madeiro's history, which they explained to the Council, the Rye Police Department was requesting a waiver for Pol 301.05 (g) (10).

Major Parenteau had provided the Council members with a copy of the rule for their convenience, and read the appropriate section into the record.

Discussion ensued amongst the Council including questions to Chief Walsh and the candidate.

Motion by Commissioner Hanks, seconded by Dr. Sullivan to grant the waiver, the action does not demonstrate lack of good moral character based on the totality of the information as presented by the chief with his candidate. The Council vote was unanimous in favor of the motion.

Chief Charles Rataj, Hinsdale Police Department

Chief Rataj was present with his agency's candidate, Max Santonastaso. Hinsdale Police Department would like to hire Mr. Santonastaso, the agency had an independent contractor complete the background investigation, a polygraph examination had also been completed. Chief Rataj explained that due to an incident in Mr. Santonastaso's history, which they explained to the Council, the Hinsdale Police Department was requesting a waiver for Pol 301.05(g) (10).

Major Parenteau referenced the copy of the rule provided and read the appropriate section into the record.

Discussion ensued amongst the Council including questions to Chief Rataj and the candidate.

Motion by Chief Aldenberg seconded by Attorney General Formella, to deny the waiver request made by Hinsdale Police Department. The Council vote was unanimous in favor of the motion with Judge Countway and Commissioner Hanks opposed.

Lieutenant Vincent Grieco, New Hampshire State Police

Lt. Grieco introduced himself and asked the Council for a nonpublic session as the matter involved the hiring of an applicant as a public employee.

Motion by Judge Gardner, seconded by Commissioner Hanks, for the Council to begin a nonpublic session, quoting RSA 91-A, 3 II, b, hiring anyone as a public employee.

Chairman Connelly took the roll call vote:

Hoebeke	yes
Countway	yes
Massahos	yes
Aldenberg	yes
Rourke	yes
Sullivan	yes
Formella	yes

Chairman Connelly voted yes.

At 9:27 a.m. the Council began a nonpublic session.

Motion to exit the nonpublic session by Judge Gardner, seconded by Chief Aldenberg.

Chairman Connelly took the roll call vote:

Hanks	yes
Hoebeke	yes
Countway	yes
Massahos	yes
Rourke	yes
Sullivan	yes
Formella	yes

Chairman Connelly voted yes.

The Council was back in public session at 9:35 a.m.

Motion to seal the minutes of the nonpublic session by Judge Gardner, seconded by

Commissioner Hanks, because it is determined that divulgence of this information likely would affect adversely the reputation of any person other than a member of this board. The voice vote of the Council was unanimous in favor of the motion.

Motion by Judge Countway to grant the waiver, finding the state of mind, the intention with regard to the conduct did not reflect seeking a profit. Commissioner Hanks seconded the motion and added, the behavior pattern and the totality of the circumstances did not demonstrate a lack of good moral character. Judge Countway agreed with the amendment to the motion. The voice vote of the Council was unanimous in favor of the motion.

Eric Call, with Attorney Marc Beaudoin

Attorney General Formella recused himself from this matter.

Attorney Beaudoin made a request to appear before the Council as his client, Eric Call, had a non-disciplinary discharge from the New Hampshire State Police. The discharge was overturned by the State of New Hampshire Personnel Appeals Board. New Hampshire State Police then filed an appeal to the New Hampshire Supreme Court, the court affirmed the decision of the Personnel Appeals Board, and Mr. Call was instructed to return to work.

Major Parenteau explained that Eric Call had not been employed in law enforcement for two years, his certification had lapsed. In order to return to work at New Hampshire State Police he must be certified, they are requesting prior training and experience. Mr. Call is required to take a medical examination, entrance fitness test, the full time academy law package classes, firearms, use of force, and would only be allowed to work with another certified officer until those requirements were completed.

Motion by Judge Gardner, seconded by Chief Aldenberg, to reinstate Eric Call's certification and that he completes all the requirements set forth by Major Parenteau. The voice vote of the Council was unanimous in favor of the motion, Attorney General Formella was recused.

Captain Nathan Roy, Berlin Police Department

(This item was an addendum to the agenda)

Captain Roy was present with his agency's candidate, Rebecca Latham. He explained that his agency would like to hire Ms. Latham, her background investigation was approved, as was her psychological examination and polygraph examination. Captain Roy explained that due to an incident in Ms. Latham's history, which they explained to the Council, the Berlin Police Department was requesting a waiver for Pol 301.05 (g) (10).

Major Parenteau referenced the rule previously provided and read the appropriate section into the record.

Discussion ensued amongst the Council including questions to Captain Roy and the candidate.

Motion by Attorney General Formella, seconded by Chief Aldenberg, to grant the waiver. The applicant has demonstrated that the circumstances around her use don't demonstrate a lack of good moral character, taking into consideration the totality of the circumstances. The voice vote of the Council was unanimous in favor of the motion.

Joshua Farmer, New Hampshire State Police Pol 402.02 (b)

Joshua Farmer was noticed for a hearing this date for a temporary suspension of his police certification. He was present with his attorney Marc Beaudoin.

Chairman read the following instructions into the record:

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.

Attorney Beaudoin addressed Chairman Connelly and asked if the Council could move into a nonpublic session to discuss why the hearing should be held in a nonpublic session, which has to do with the state law in the matter.

Motion by Judge Gardner, seconded by Chief Aldenberg to initiate a nonpublic session to allow counsel to discuss why the Council should hear the actual hearing in a nonpublic session.

Chairman Connelly took the roll call vote:

Hanks	yes
Hoebeke	yes
Countway	yes
Massahos	yes
Rourke	yes
Sullivan	yes
Formella	yes

Chairman Connelly voted yes.

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

At 9:56 a.m. the Council began a nonpublic session.

****Chief Aldenberg left the meeting room at 10:00 a.m.**

Motion to exit the nonpublic session by Judge Gardner, seconded by Commissioner Hanks

Chairman Connelly took the roll call vote:

Hoebeke	yes
Countway	yes
Massahos	yes
Aldenberg	wasn't present at this time
Rourke	yes
Sullivan	yes
Formella	yes

Chairman Connelly voted yes.

At 10:03 a.m. the Council returned to public session.

Nonmeeting with PSTC counsel Stacie Moeser

Motion to return to public session by Judge Gardner, seconded by Commissioner Hanks. The voice vote of the Council was unanimous in favor of the motion.

At 10:08 a.m. the Council was back in a public session.

Attorney Beaudoin was asked if he wished to add anything in public session about the matter. He said that he did not but noted that the matter was moot at this point in time.

Motion by Judge Countway that the Council take no action in the matter based on the representation of counsel that the matter has been disposed of in New York, Commissioner Hanks added to the motion that the disposition of this action does not fit the parameters of Pol 402.02 for the Council to take action on. The voice vote was unanimous in favor of the motion, (Chief Aldenberg was still out of the meeting room).

Consent Calendar

PT&E Requests

Daniel Cattani, Portsmouth Police Department

(DOH: 08/29/22) Will be granted certification upon successful completion of the medical exam (done August 9, 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.

Kareem Husaini, Portsmouth Police Department

(DOH: 08/29/22) Will be granted certification upon successful completion of the medical exam (done June 28, 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.

Kevin Carono Portsmouth Police Department

(DOH: 08/29/22) Will be granted certification upon successful completion of the medical exam (done 8/9/22), 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.

Stephanie Pabis, Dover Police Department

(DOH: 10/17/22) Will be granted certification upon successful completion of the medical exam (done 9/12/22), 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.

Jordan Vasquez-Castro Manchester Police Department

(DOH: 10/11/22) Will be granted certification upon successful completion of the medical exam, 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.

Scott Stepanian, Colebrook Police Department

(DOH: 09/27/22) Will be granted certification upon successful completion of the medical exam, entrance fitness test (done 10/5/22), 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.

Eric Smith, Manchester Police Department

(DOH: 10/11/22) Will be granted certification upon successful completion of the medical exam (done 8/16/22), 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.

Derrick Martinez, Nashua Police Department

(DOH: 10/13/22) Will be granted certification upon successful completion of the medical exam (done 6/8/22), 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.

Jonathan Palmer, Dover Police Department

(DOH: 12/19/22) Will be granted certification upon successful completion of the medical exam (09/29/22), 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	190
Dates	08/01/2022 - 11/18/2022

* More detailed information about each academy session can be found in Benchmark. This will include the dates of the session, the fitness testing date and number of available seats.

***Part Time Academy**

Class Number	282
Dates	08/27/2022 – 12/30/2022

* More detailed information about each academy session can be found in Benchmark. This will include the dates of the session, the fitness testing date and number of available seats.

***Corrections Academy**

Class Number	119
Dates	09/26/2022 – 11/18/2022

* More detailed information about each academy session can be found in Benchmark. This will include the dates of the session, the fitness testing date and number of available seats.

Medical Extensions for Fitness Testing

Elizabeth Elliott, Haverhill Police Department

Jill Bonan, Plymouth Police Department

Laura Spaulding, Concord Police Department

Gregory Miller, Mason Police Department, *extension for entrance fitness test to April 12, 2023*

Daniel Nelson, Salem Police Department

End of Consent Calendar

Motion by Commissioner Hanks, seconded by Dr. Sullivan to approve the consent calendar. The Council vote was unanimously in favor of the motion with Chief Rourke recused from the Nashua Police Department item.

Additional New Business (this item was not on the agenda)

Chief McLin, Somersworth Police Department

Chief McLin was present with his agency's candidate, William Latch. He explained that his agency would like to hire Mr. Latch. The background investigation has been approved, as was his psychological examination and polygraph examination as well as a drug screening. Chief McLin explained that due to an incident in Mr. Latch's history, which they explained to the Council, the Somersworth Police Department was requesting a waiver for Pol 301.05 (g) (10).

Major Parenteau referenced the document he had previously provided the Council members with a section of Pol 301.05. He read the appropriate section into the record.

Discussion ensued amongst the Council including questions to Chief McLin and the candidate.

****Chief Aldenberg returned to the meeting room.**

Motion by Commissioner Hanks, seconded by Chief Rourke, to grant the waiver request given that the behavior pattern and totality of the circumstances did not demonstrate a lack of good moral character based on the presentation by the chief on this individual's history and current state. The voice vote of the Council was unanimous in favor of the motion, Chief Aldenberg was recused from the vote.

Proposed Award to a PSTC recruit to honor Chief Edward Garone

Judge Gardner addressed the Council with a proposal for an award to be given out at the full time academy graduation in honor of Chief Garone. Chief Garone had passed away two weeks before this Council meeting date.

Judge Gardner explained her proposal.

- Chief Garone had served for fifty years as chief of Derry Police Department
- Had been in law enforcement for fifty-eight years

- Served in the United State's Marine Corps and was stationed in both Japan and at Camp Lejeune
- Has mentored and guided many people both in and out of law enforcement
- Was instrumental in forming Special Operations Unit at the seacoast
- Served on many boards
- Was a founding member of the Child Advocacy Center
- His long tenure, civic mindedness, devotion to community is unapparelled

To honor Chief Garone, Judge Gardner had been in contact with mutual friends who were eager to develop the award. She would like the Council's approval to begin work on an award to be presented at the PSTC full time academy graduation. A leadership award presented to a recruit that best demonstrated the qualities that Chief Garone had exemplified doing everyday service to the public.

Council members were enthusiastic about Judge Gardner's proposal. Both Sheriff Connelly and Sheriff Massahos noted that Chief Garone had been an important part of their law enforcement careers. Chief Hoebeke stated that the New Hampshire Chief's Association would support the award.

Motion by Judge Gardner, seconded by Dr. Sullivan for an award to be designated to an academy recruit to honor the memory of Chief Edward Garone. The council vote was unanimous in favor of the motion.

Proposed Schedule for 2023

Director Scippa asked the Council members for approval of the schedule for PSTC that he had provided in the last meeting, September 27, 2022. There will be four overlapping full time academies, two corrections' academies and also the schedule for the in-service training.

Council members discussed the matter, complimented the staff for their diligence in drafting the schedule.

Motion to approve the curriculum schedule by Dr. Sullivan, seconded by Chief Aldenberg, the voice vote of the Council was unanimous in favor of the motion.

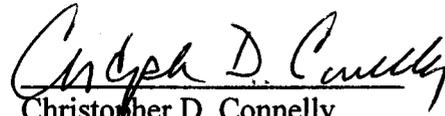
Dr. Sullivan thanked Council members for participating in the Beards for Bucks fundraiser for nonprofits and child abuse investigation.

Council members were reminded by Judge Countway that the next Council meeting was out of synch with the usual date due to the Thanksgiving holiday. The next meeting will be held on November 15, 2022.

Motion to adjourn at 10:40 by Chief Aldenberg, seconded by Commissioner Hanks, the voice vote was unanimous in favor of the motion.

November 15, 2022

Respectfully Submitted


Christopher D. Connelly
Chairman