



*Sheriff Christopher D. Connelly*  
Chairman

# State of New Hampshire

## POLICE STANDARDS & TRAINING COUNCIL

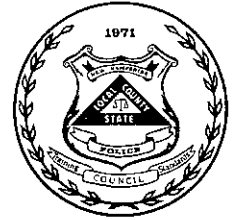
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*John V. Scippa*  
Director

Public Minutes  
December 13, 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  
Judge Melissa Countway 3rd Circuit District Division, Ossipee  
Sheriff Charles Massahos, Rockingham County Sheriff's Office  
Mr. Jason Bishop, Community College System of New Hampshire  
Mr. Edward Lecius  
Chief Michael Ho-Sing-Loy, Sugar Hill Police Department  
Chief Joseph Hoebeke, Hollis Police Department

**Not attending:**

Chief Kevin Rourke, Nashua Police Department  
Chief Allen Aldenberg, Manchester Police Department  
Dr. Maureen Sullivan  
Colonel Nathan Noyes, New Hampshire State Police

**Staff Present:**

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

Guests: Attorney Marc Beaudoin with Eric Call; Deputy Chief Shane Smith, Salem Police Department; Sergeant Christopher Cost, Rochester Police Department with Michael McQuade; Chief Roy Holland, Enfield Police Department with Matt Ocker; and Executive Major Matthew Shapiro, New Hampshire State Police.

Sheriff Connelly called the meeting to order at 9:04 a.m. and asked for a motion to approve the meeting minutes from November.

Motion by Mr. Lecius, seconded by Judge Countway to approve the minutes from the November 15, 2022 Council meeting. Chief Hoebeke and Attorney General Formella abstained from the vote with the remaining Council members unanimously approving.

## Director's Report – copy attached

Director Scippa noted that he had emailed his report the previous evening to the Council members. He expounded on the legislative bills introduced regarding three-year fitness testing; there are different perspectives between different law enforcement groups in New Hampshire regarding three year fitness testing. Staff at PSTC is exploring options and alternatives to develop a fitness test pertaining to requirements/relativity of the job.

The postings for two new law enforcement training specialists and the attorney position have been listed on the state's employment opportunity website.

There are still a considerable number of officers due to test in 2022 who have not filed their three-year fitness tests; however, the number of tests is comparable to past year's statistics.

Council members noted that New Hampshire was the only state in the United States with an ongoing fitness testing requirement state law. Each officer must attend an appointment with their medical professional and be approved by them to participate in the fitness test. Many officers may not see their doctor on a regular basis if they were not required to do so by law.

## Financial

Director Scippa and Major Schultz presented PSTC's budget on November 28, 2022. Committee members made inquiries relative to PSTC's budget, whether it could cover expenses for training all new officers if every New Hampshire law enforcement agency could fill every position that was currently empty. Director Scippa's response to the committee was that that amount of training on the current budget could not be accomplished. PSTC needs more resources.

## Previously Unfinished Business

### New Hampshire State Police – Eric Call

Attorney General Formella recused himself from this matter

Executive Major Matthew Shapiro, Attorney Marc Beaudoin and Eric Call were in attendance.

Major Parenteau gave the Council members a summary of the matter. At the October 25, 2022 meeting Attorney Beaudoin was present with Eric Call to address to the Council regarding reinstating Mr. Call's certification. Eric Call had been terminated from New Hampshire State Police on a nondisciplinary matter. The dismissal was appealed to the NH Personnel Appeals Board, the PAB overturned Mr. Call's termination by the State Police. The State Police appealed to the New Hampshire Supreme Court, the Supreme Court upheld the PAB's order, minus some sanctions that the PAB had required for reinstatement by NH State Police.

The training package was presented to the Council to re-integrate Mr. Call back to NH State Police, the Council approved. New Hampshire State Police were not notified to be present during the reinstatement hearing. New Hampshire State Police, Executive Major Matthew Shapiro would like to address the matter with the Council.

Executive Major Shapiro greeted the Council and explained that he was representing Colonel Noyes for the clarification in the matter of reinstating Mr. Call's certification. He asked for a nonpublic session due to revealing medical information in the matter.

Chairman Connelly asked for a motion for nonpublic session in order to discuss the merits of initiating a nonpublic session as requested by Executive Major Shapiro.

Motion by Chief Hoebeke, seconded by Chief Ho-Sing-Loy, citing of RSA 91-A:3, II (j) for a nonpublic session to discuss the merits for a nonpublic session in the NH State Police matter regarding Eric Call.

Chairman Connelly took the roll call vote:

Gardner	Yes
Hanks	Yes
AG Formella	Recused himself and left the meeting room
Massahos	Yes
Countway	Yes, to consider whether the Council goes to nonpublic for the presentation.
Bishop	Yes
Lecius	Yes
Connelly	Yes

At 9:21 a.m. the Council initiated a nonpublic session.

Motion by Chief Hoebeke, seconded by Mr. Lecius to return to public session.

Chairman Connelly took the roll call vote:

Gardner	Yes
Ho-Sing-Loy	Yes
Hanks	Yes
Massahos	Yes
Countway	Yes
Bishop	Yes
Lecius	Yes
Connelly	Yes

The Council was back in public session at 9:28 a.m.

Executive Major Shapiro was recognized by Chairman Connelly and summarized that on October 25, 2022 Council members were presented with a request by Attorney Marc Beaudoin on behalf of Eric Call for reinstatement of Mr. Call's police certification. The outcome was that the Council members voted to reinstate his certification upon completion of several conditions.

Executive Major Shapiro explained that New Hampshire State Police did not know that the matter was being heard on October 25, 2022; because of this, no one from the agency was in attendance. If a representative of New Hampshire State Police had been present, they would have asked for clarification and provided further information in the matter.

- October 29, 2019 letter to PSTC notification of “potential violations of Pol 402.02 (d) which may require Council action” from Colonel Christopher Wagner NHSP
- November 19, 2019 PSTC’s Assistant Director Tim Merrill responded and asked for NHSP to provide the Council with more information
- The information was hand delivered by Colonel Wagner in early January 2020.

Executive Major Shapiro read an excerpt from the November 19, 2019 letter to Colonel Wagner from PSTC’s Assistant Director Tim Merrill, asking for information in the matter. New Hampshire State Police followed up with a letter dated January 7, 2020 addressed to PSTC’s Acting Director David Parenteau, “enclosures of reports relating to conduct which require Council action pursuant to Pol 402.02 (d)” from Colonel Wagner.

Executive Major Shapiro asked to present information on the self-mutilation by Mr. Call and “ask for an evaluation by a licensed psychologist selected by the Council take place certifying that Mr. Call is fit for duty”.

Chairman Connelly stated that he would entertain a motion for nonpublic session.

Motion by Chief Hoebeke, to begin a nonpublic session pursuant to RSA 91-A:3, II (j) the motion was seconded by Mr. Lecius.

Chairman Connelly took the roll call vote:

Gardner	Yes
Ho-Sing-Loy	Yes
Hanks	Yes
Massahos	Yes
Countway	Yes
Bishop	Yes
Connelly	Yes

At 9:33 a.m. the Council began a nonpublic session.

Motion to return to public session by Mr. Lecius, seconded by Chief Hoebeke, Chairman Connelly took the roll call vote:

Gardner	Yes
Ho-Sing-Loy	Yes
Hanks	Yes
Massahos	Yes
Countway	Yes

Bishop Yes  
Hoebeke Yes  
Connelly Yes

10:48 the Council was back in public session.

Attorney Beaudoin shared that Eric Call was a non-disciplinary termination from New Hampshire State Police,

- he fought the termination, the PAB re-instated him, he's ready to go back to work.
- Then the NHSP appeals the PAB disposition to the Supreme Court, he had to wait over a year for that process.
- The Supreme Court issued a decision in June of 2022, Eric Call was again ready to be able to go back to work.
- Attorney Beaudoin and Mr. Call didn't hear anything from NHSP
- Attorney Beaudoin kept contacting NHSP about the matter
- When would Mr. Call be reinstated?
- NHSP responded and asked Attorney Beaudoin if he'd had the matter before PSTC

In October Attorney Beaudoin requested to meet with the Council regarding the prior training and experience certification for Eric Call. The Council voted to reinstate the certification with several stipulations.

Judge Countway stated that she'd heard Major Parenteau state that the Council had not taken action in this matter in 2019 because Eric Call was in treatment.

Motion by Judge Countway to accept the evaluation from his psychiatrist at McLean for his return to duty, under the rule 402.02 (d), the motion was seconded by Mr. Lecius.

Sheriff Connelly called for discussion on the motion.

Commissioner Hanks asked if there was a copy of the evaluation.

Judge Countway noted that they had the representation from Eric Call's attorney that the evaluation clears him.

Attorney Beaudoin said he could provide that evaluation for the records.

Council members discussed delaying the vote on the motion or tabling the motion until receipt of the evaluation to be provided by Attorney Beaudoin.

Judge Countway amended her motion, adding, *conditioned upon receipt of the report*. Mr. Lecius was in agreement with the amendment.

Amended motion:

Motion by Judge Countway to accept the evaluation from his psychiatrist at McLean for his return to duty, under the rule 402.02 (d), conditioned upon receipt of the report; the motion was seconded by Mr. Lecius. The Council vote was unanimous in favor of the motion.

10:53 a.m. Council members took a break, and Judge Countway exited from the meeting.

11:05 a.m. the meeting was back in session

Motion to seal the minutes of the nonpublic session (regarding Eric Call) by Chief Hoebeke, seconded by Judge Gardner 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 Council vote was unanimous in favor of the motion.

### Salem Police Department

Deputy Chief Shane Smith was in attendance. Deputy Chief Smith explained that Mr. Malisos would like to work for Salem Police Department as a Special Officer, part time.

Steven Malisos had retired from the Salem Police Department in 2013 and was currently working at Pease Air Force Base as federal armed security. Deputy Chief Smith knew that due to the time span lapse, that Mr. Malisos would be required to update his training; and also that PSTC did not have a part time academy scheduled. A Special Officer/part time officer for the Salem Police Department is required to take all of the training that full-time officers do. One hundred hours of service, details or shifts supplement the agency. They help with the 4<sup>th</sup> of July and help with Christmas parade; they are there to fill outside details. Full time officers take over-time shifts, it would be rare for a Special Officer to take a shift.

Deputy Chief Smith asked the Council if Mr. Malisos could attend the full-time law package classes to get his certification reinstated.

Discussion ensued between the Council members and Deputy Chief Smith regarding the training that Mr. Malisos had taken in law enforcement between 2013 and the present. Major Parenteau, when asked, noted that the Council has approved requests in the past for reinstatement of certification with various time lengths of lapses in service. Those requests were approved with stipulations to attend law package or other training; when the individual provided updates on their law enforcement training since last employed in New Hampshire law enforcement. The law package was an alternative to re-attending an academy after a long lapse in service.

Motion by Mr. Lecius, seconded by Sheriff Massahos to grant certification with the law package and mental health classes. The Council vote was unanimous in favor of the motion.

### Rochester Police Department

Sergeant Christopher Cost was in attendance to request reinstatement of certification and a waiver of the entrance fitness test for Michael McQuade.

Sgt. Cost summarized the request:

- In September 2022 Rochester Police Commission adopted a job description for a paperwork services officer

- Funded by Rochester City Council
- The job description was drafted by Rochester Police Commission
- The job was for 25 hours each week

Mr. McQuade applied for the position. Sgt. Cost summarized Mr. McQuade's law enforcement history. He was hired by the Rochester Police Department in 1993, retiring from NHSP as a lieutenant in July 2021. He was grandfathered for three-year fitness testing.

Discussion ensued amongst the Council members, and Major Parenteau reminded them that the request was for a waiver of the entrance test, not for three-year fitness testing.

Major Parenteau continued, noting in general that the waiver of entrance testing for grandfathered officers is an issue that the Council has instructed staff to bring forth language to potentially change the entrance test requirement. He is discussing amended language with AAG Stacie Moeser, PSTC's legal counsel, which they will provide to the Council at a later date. The entrance fitness test is currently a requirement after a 30 day lapse in employment.

Motion by Chief Hoebeke, seconded by Sheriff Massahos, to grant the requested waiver. The Council vote was unanimous in favor of the motion.

#### Enfield Police Department

Chief Roy Holland of the Enfield Police Department was in attendance with a candidate for his agency, Matt Ocker.

Chief Holland introduced himself and Mr. Ocker, explaining that they were requesting a waiver for Pol 301.05 (g) (10) for the Enfield Police Department to hire Mr. Ocker.

Major Parenteau read Pol 301.05 (g)(10) 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:

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

Major Parenteau had provided Council members with a copy of section "m" of Pol 301.05, for their review.

Chief Holland explained:

- Enfield Police Department has done a background investigation on Mr. Ocker
- The waiver is the only remaining item to complete his background investigation

- A polygraph and a psychological examination have been conducted.

Mr. Ocker had used marijuana in May of 2022, a one-time use, in Vermont where it is legal. The information was given to the polygraph examiner and the psychological examiner, both true. The agency does not believe that the use of marijuana was an example of his moral character, they think he will be a good candidate for the Enfield Police Department.

When asked by the Council, Chief Holland answered that the candidate disclosed the marijuana use immediately.

Mr. Ocker, when asked, stated that his initial date of hire was October, and Chief Holland explained that at the time Mr. Ocker used the marijuana he was not seeking a law enforcement career.

Mr. Ocker explained that the May 2022 incident occurred while he was golfing in Rochester, Vermont. His friend had a joint and Mr. Ocker took one puff from it. It wasn't peer pressure related, it was situational being out with friends. He regrets using it, it was a poor decision.

- He became interested in law enforcement in July, due to a friend informing him that Enfield had an opening at their police department.
- He currently works for Fed-Ex as a driver, for over a year,
- prior to that he was a personal trainer.
- He's always thought about being in law enforcement, it's a vital portion of the community, especially in Enfield.
- He was in the National Guard, he enjoys the structure, which is similar to law enforcement.
- His family supports his choice to be in law enforcement.

Sheriff Connelly asked for a motion from the Council.

Motion to approve the waiver as requested by the chief of Enfield by Commissioner Hanks, seconded by Mr. Lecius. The voice vote of the Council was unanimous in favor of the motion.

#### Andrew Wood, Greenfield and Stoddard Police Departments

Major Parenteau explained to the Council that Andrew Wood (former chief of Hancock and Richmond Police Departments and currently on administrative leave) had been noticed for a hearing in November, to which he did not appear. The return receipt card was signed by another party and was returned to PSTC, Mr. Wood claims that he did not know about the hearing in November. Mr. Wood was served in hand, the letter explained to him the potential process of voluntarily surrendering his certification pending the criminal complaint. Andrew Wood sent a letter received by Major Parenteau on the day before today's meeting. The letter was addressed to Director Scippa and the Council. Major Parenteau read the letter, "I'm requesting to voluntarily surrender my certification on a temporary basis pending the resolution of the criminal matter". The letter was signed by Andrew Wood.

Major Parenteau stated that Mr. Wood was indicted by the Cheshire County Grand Jury on September 26, 2022 for felony theft by unauthorized taking and theft by deception. Major Parenteau provided a copy of the letter to Chairman Connelly.



Motion by Chief Hoebeke, seconded by Commissioner Hanks to accept the voluntary temporary surrender of Andrew Wood's certification pending adjudication. Attorney General Formella recused himself from this vote, the remaining Council members voted unanimously in favor.

Consent Calendar

Sawyer Philbrick, Holderness Police Department

(DOH: 11/14/2022) Council will grant certification upon successful completion of the medical exam (done November 1, 2022), entrance fitness test, and the Law Package of the Full-Time Police Officer Academy as a sit-in 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.

Warren Thompson, Sanbornton Police Department

(DOH: 11/20/22, part time) Council will grant certification upon successful completion of the medical exam (done November 11, 2022), and the 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.

Kristin Potito, New Hampshire Department of Corrections

(DOH: 11/04/22) Council will grant certification upon successful completion of the medical exam (done October 28, 2022) entrance fitness test, firearms qualification and the in-service Defensive Tactics class, with the stipulation that: Pol 302.01 (h) Each newly appointed or sworn uncertified police, corrections, or probation/parole officer shall work only in the direct presence of a New Hampshire certified police, corrections, or probation/parole officer, as applicable, until such time as he or she shall satisfactorily complete the police, corrections, or probation/parole basic training program, except; (2 )If an uncertified corrections officer trainee is stationed at or in a secured post such as a control room and has no direct contact with persons under departmental control.

Richard Jackson, Campton Police Department

(DOH: 11/14/22) Council will grant certification upon successful completion of the medical exam (done on September 8, 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.

Brian Lopez, Brookline Police Department

(DOH: 11/27/22) r Council will grant certification upon successful completion of the medical exam (done November 15, 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.

Benjamin Ashton, Portsmouth Police Department

(DOH: 10/24/22) Council will grant certification upon successful completion of the medical exam (done September 15, 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.

Igor Selzner, Jaffrey Police Department

(DOH: 12/05/22) Council will grant certification upon successful completion of the medical exam, entrance fitness test (done November 1, 2022), and the Law Package of the Full-Time Police Officer Academy as a sit in, 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.

Steven Ingman, Rindge Police Department

(DOH: 12/04/22) Council will grant certification upon successful completion of the medical exam (done October 5, 2022), entrance fitness test, and the Law Package of the Full-Time Police Officer Academy as a sit in, 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	191
Dates	January 9, 2023-April 23, 2023

\* 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	283
Dates	

\* 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	120
Dates	January 3, 2023 – February 24, 2023

\* 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.

Corin Kelley, Somersworth Police Department requests six-month extension for 30/60 status. Council granted the extension with the stipulation that the officer may continue working only in the direct presence of a certified officer.

Travis Bach, Durham Police Department requests six- month extension to complete classes missed due to parental leave. Council granted the extension with the stipulation that the officer may continue working only in the direct presence of a certified officer.

Medical Extensions for Fitness Testing, the following officers were granted 6 month extensions to complete their ongoing three-year fitness testing:

- Karl Hanson, Auburn Police Department
- David Torrisi, Brookline Police Department
- Matthew Oppenlaender, Exeter Police Department
- David Goldstein, Franklin Police Department
- Christopher Jacques, Gilford Police Department
- Neal Casale, Hampton Falls Police Department
- Kevin Riley, Hudson Police Department
- Katie Smigelski, Londonderry Police Department
- Mark Aquino, Manchester Police Department

Robert Bellenoit, Manchester Police Department  
Peter Boylan, Manchester Police Department  
Adam Cortese, Manchester Police Department  
Jennifer Daigneault, Manchester Police Department  
Christian Horn, Manchester Police Department  
Matthew Spanos, New Hampshire Department of Corrections, PPO  
Jeremy Hawkes, New Hampshire Fish and Game  
Mallory Littman, New Hampshire State Police  
Ryan Hajjar, New Hampshire State Police  
Michael Hutchinson, Northfield Police Department  
Anne Perriello, Pelham Police Department  
Jason Mazza, Plaistow Police Department  
Maxim Schultz, Police Standards and Training Council  
Sarah Drake, Raymond Police Department  
Hattie Johnson, Rochester Police Department  
Timothy Puchtler, Sunapee Police Department

Motion by Chief Hoebeke, seconded by Attorney General Formella to approve the Consent Calendar, (deleting the Michael McQuade matter which Council heard separately), Commissioner Hanks recused herself from all of the New Hampshire Department of Corrections items, and Mr. Lecius recused himself from the Neal Casale item. The voice vote of the Council was unanimous in favor of the motion.

11:36 a.m.

Motion to adjourn by Chief Hoebeke, seconded by Commissioner Hanks, the Council voted unanimously in favor of the motion.

January 24, 2022

Respectfully Submitted,

  
Christopher D. Connelly  
Chairman