



Sheriff Christopher D. Connelly
Chairman

State of New Hampshire

POLICE STANDARDS & TRAINING COUNCIL

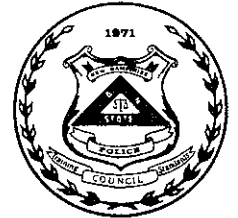
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John V. Scippa
Director

Public Minutes
February 28, 2023
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 Charles Massahos, Rockingham County Sheriff's Office
Mr. Edward Lecius
Chief Joseph Hoebeke, Hollis Police Department
Officer Jacqueline Pelletier, Goffstown Police Department
Mr. Michael Harrington

Zoom attendance:

Attorney General John Formella
Judge Melissa Countway, 3rd Circuit District Division, Ossipee
Chief Kevin Rourke, Nashua Police Department
Dr. Maureen Sullivan

Not attending:

Colonel Nathan Noyes, New Hampshire State Police
Chief Emily Cobb, New London Police Department
Mr. Christopher Stawasz
Chief Allen Aldenberg, Manchester Police Department
Judge Sawako Gardner, Circuit Court Judge
Dr. Robert Eckstein

Staff Present:

Director John Scippa, Major David Parenteau (Ret.), Captain Tom McCabe, Mr. Scott Ferguson, Virtra and Simunitions Specialist, and Anne Paquin, Investigative Paralegal.

Chairman Connelly called the meeting to order at 9:00 a.m.

He welcomed the Council's newest member, Michael Harrington.

Motion by Mr. Lecius, seconded by Chief Hoebeke to approve the public meeting minutes from January 24, 2023. The vote of the Council was unanimous in favor of the motion.

Motion by Chief Hoebeke, seconded by Mr. Lecius, to approve the nonpublic meeting minutes from January 24, 2023 relative to the discussion on Form D items. The vote of the Council was unanimous in favor of the motion.

Director's Report (copy attached)

Director Scippa noted that the next corrections academy is set to begin in October, but if there are recruits ready prior that date, there will be an academy scheduled before October.

Crisis Intervention Training

There has been discussion about adding Crisis Intervention Training to the academy. In the past, others thought it would be better for the officers to get experience, and then return for CIT.

Since the initial offer of CIT, many years ago in the state, NAMI considers that if PSTC can get the training to the recruit officers sooner, they will be ready to serve their communities.

- Director Scippa has spoken with Commissioner Hanks, the CIT would also be added to the corrections academy.
- PSTC has funding through legislative initiative in the last session.
- It would be likely that we would have to add a week to each one of the academies.
- PSTC has been asked to put in so many things that did not exist prior to George Floyd.
- It will need to be discussed for the Council's perspective.
- The CIT is a forty hour program, the program at the academy would be police centric, the program at the corrections academy would be correction's centric.
- This was brought to the Council's attention for future discussion.

Budget

Director Scippa and staff presented a request to the fiscal committee last week. The committee was supportive of the proposed budget which included two full time positions, and an additional request was for an amendment to the proposal, for another \$75,000 per year. The total amount is \$150,000, to support the accreditation program. The committee agreed unanimously to the request, it will next go forward to the Governor's office.

Director Scippa noted that he had been to the Legislative Office Building numerous times since last month. There was a bill presented that would have caused PSTC to have to change certain hours of training, the testing of officers for an allegation of excessive force. The results of the tests would have come to the Council. The Council would have had to review them and then contact the home agency. All of these were voted to be inexpedient to legislate, with two exceptions.

One is the bill to eliminate three year fitness testing;

- it was voted 3-2 to support eliminating the bill. It then went to full committee and the full committee voted to retain it.

- Retaining the bill will allow PSTC, and the NH Chief's Association, to look carefully and decide if an alternative test could be created, as opposed to the current test.
- If it can't be resolved in a way that will make sense, that retained bill would be recycled to the next legislative session.
- In that case, they may support the initiative to eliminate three year fitness testing.
- PSTC staff will work to see what options are available, and find something that would be consistent with expectations for New Hampshire.

Chairman Connelly thanked Director Scippa for his testimony regarding the bill.

Director Scippa continued, and described the second bill, SB130;

- It was generated by the Administrative Office of the Courts, to create a certification program for court security officers.
- Director Scippa was in support of this bill
- There were many questions from the New Hampshire Sheriff's Association
- After the discussion with the AOC, the questions from NHSA were answered.
- Director Scippa provided a copy of the bill to the Council members.

Staff Operations

- A number of people have been interviewed for LETS positions, they have identified good candidates, they are moving forward to make offers and starting the background process.
- All of the members of the Conduct Review Committee have been appointed by the Governor.
- Staff is prepared to conduct interviews next Monday with the five candidates for the Attorney IV position.
- They have hired Captain Tom Walsh, a previous PSTC employee. He will oversee the CIT training and reimbursement program.
- An offer has been made to a candidate for the administrative assistant position, the background investigation is in progress.

Scott Ferguson

Director Scippa introduced Mr. Scott Ferguson to the Council members and explained that he had worked for the State of New Hampshire's law enforcement community for 35 years.

- Mr. Ferguson began his career at PSTC on February 12, 1988, when the 81st Academy was in session; he has worked through 110 full-time academies.
- He is instrumental in running simulation training at PSTC, he is a subject matter expert on the Virtra.
- He has produced more Virtra scenarios than Virtra itself has produced, and when the Virtra company has questions about how to do it, they call Mr. Ferguson to get his input.
- He has had the privilege of scaring recruits, since the 81st academy during simunitions training, (Director Scippa was one of them).

- Director Scippa congratulated Mr. Ferguson for all the work he has done for PSTC.
- Mr. Ferguson was presented with a plaque signed by Governor Sununu and a pin.
- All present at the meeting congratulated Scott Ferguson with a hearty round of applause.

Chairman Connelly asked Council members if there were questions for Director Scippa regarding his report.

Chief Hoebeke was recognized and asked about the additional money added to the accreditation program, how will the money be spent, will it help to fund programs for individual agencies or would that offset program costs?

Director Scippa explained that additional funding was specifically to help retain either a contract employee or a new employee to oversee the program.

When asked about the budget, Major Parenteau stated that PSTC continues to receive requests for reimbursements for psychological testing from agencies.

Brentwood Police Department Request

Major Parenteau explained that Chief John Ventura from the Brentwood Police Department was present to ask Council members for an academy extension for his full-time candidate, Robert Gagnon.

Major Parenteau quoted sections of the rule that applies, Pol 302.01.

- “Each newly appointed police, corrections or probation/parole officer and each elected police officer shall attend and satisfactorily complete the police, corrections or probation/parole basic training program as applicable when scheduled by the council, within 6 months from the date of original appointment
- The council shall grant an extension as follows of the time limit for the completion of the basic training program upon written request from the hiring authority setting forth the reasons therefor for good cause shown:
- For the purposes of this section, good cause shall include, but not be limited to, the unavailability of such a program, or an officer being unable to complete the training within the prescribed period because of illness, injury, military service, or special duty assignments made in the public interest;”

Major Parenteau stated that Chief Ventura would like to address the Council regarding the circumstances surrounding his request.

Chief Ventura was introduced and explained that he was requesting an extension under Pol 302.01 (a) for Officer Robert Gagnon. Officer Gagnon is part time certified; he has worked for Brentwood Police Department since November 8, 2019. He graduated from the 278th Part Time Academy; he’s a valuable member of the Brentwood Police Department. Robert Gagnon had a change in status from part time officer when he was hired on January 3, 2023 in a full time officer position.

The 192nd Academy class was full, (the current academy in session); the next academy available would be the 193rd which begins June 12th.

While the Brentwood Police Department is fully staffed, two of their officers are involved in the military. One of the officers will not return from deployment until March 2024, and the other was recently away for a two-week training period, the agency incurred 90 hours of overtime due to his absence.

Chief Ventura requested an extension for certification time and that Officer Gagnon be allowed to skip over the 193rd Academy scheduled to begin on June 13th, and attend the 194th Academy, scheduled to begin on July 31st. It will give the chief the ability to have Officer Gagnon working most of the summer.

Chairman Connelly asked Major Parenteau if the Council had granted similar requests, based on agency staffing, and Major Parenteau affirmed.

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

Entrance Fitness Testing for Grandfathered Officers

Major Parenteau explained this agenda item for the newer Council members.

- From May through July last year a few grandfathered officers requested to meet with the Council regarding waivers for the 'one time' entrance fitness test.
- 'Grandfathered' pertains to an officer being hired prior to January 1, 2001 (when the three-year fitness test statute was initiated).
- Circumstances that require fitness test from a grandfathered officer would be if he or she has a lapse of employment of more than 30 days.
- When he or she takes another job they would have to pass a medical exam and an entrance fitness test in order to re-gain certification.
- This is a 'one time' event, once they pass the medical and fitness tests the grandfathered officers are not required to participate in three-year fitness testing.
- Council members questioned why a one-time test was necessary.
- The Council had directed PSTC staff to develop language on this matter, to be brought back to the Council for review and discussion. They had asked for language specifically to eliminate the one-time fitness test for grandfathered officers.

Major Parenteau collaborated with Assistant Attorney General Stacie Moeser regarding the Council's request. They developed the ideas that are in the documents (copy attached) that were provided to Council members from the current Technical Assistance Manual (TAM). They include the new proposals for language for prior training and experience certification requirements for New Hampshire officers in general, and for grandfathered officers.

Chief Hoebeke asked for details on the medical examination required, would it be a Form D or the medical clearance report form for fitness testing?

Major Parenteau explained that the two pages from the "Form D" that he had included were pages 8 and 9. The medical clearance report form was for the doctor's approval for participation in a fitness test. The Form D asks the medical professional "Do you have any reservation about this individual's ability to participate without reservation in a rigorous physical training program or perform the duties of a police officer"?

Major Parenteau answered Council members questions and discussion ensued regarding the new language developed and amendments to forms.

Staff will ask the JLCAR attorney if the language of the Form D could be changed from "police officer" to "law enforcement officer" without requiring a rule change procedure.

Chairman Connelly thanked Major Parenteau and Attorney Moeser for their work completing the Council's request for updated language.

Major Parenteau noted that there was one additional amendment to make in the TAM. Originally, there were two Council Form E's. The Form E's were prior training and experience forms used when an agency was hiring either in state officer with a lapse in service, or an out of state officer who had been hired by a New Hampshire agency and was seeking New Hampshire certification. The in-state Form E was two pages, the out of state Form E was 12 pages. Years ago the form names were changed, leaving in-state request as a Form E, and the out of state request form was changed to a Form J.

Major Parenteau asked that the TAM be updated to include in Chapter Six that item 3.1 be amended to read Form J instead of Form E. Council members agreed with the request.

Major Parenteau and Commissioner Hanks discussed the matrix that was used by the New Hampshire Department of Corrections for corrections officers returning to employment after a lapse in service. Page two of the document requires an entrance fitness test for those returning to work. There are very few people that are grandfathered for the DOC, that return, but it's possible

Major Parenteau asked if it was logical to remove the entrance test and add what was added from the document for the academies? Commissioner Hanks concurred with the amendment suggested.

Motion by Commissioner Hanks to accept the changes proposed; the change of (item in Chapter Six of the TAM) 2.0 that affects the rest of the chapter. The motion was seconded by Chief Hoebeke, and the Council vote was unanimous in favor of the motion.

Gary Pilote, Surrender of Certification

Major Parenteau summarized that staff at PSTC received a letter from the New Hampshire Attorney General's Office regarding Officer Gary Pilote of the Franconia Police Department. The letter was provided as part of the agenda for the Council members to review. The AGO's investigation revealed that Officer Pilote had misused the SPOTS terminal by querying a vehicle for an improper purpose. When questioned, Officer Pilote did not deny the action. The agreement made between Officer Pilote and the Attorney General's Office was that he would resign from the Franconia Police Department and agree that his police certification be revoked

and placed on the NDI, National Decertification Index. Due to the agreement, the Attorney General's Office would not press charges against Gary Pilotte. Major Parenteau brought the matter to the Council for their vote regarding the agreement that Mr. Pilotte would relinquish his law enforcement certification.

Motion by Mr. Lecius, seconded by Chief Hoebeke, that Gary Pilotte's certification be revoked and added to the NDI. Attorney General Formella abstained from the vote, with the remainder of the Council members voting in favor of the motion.

Appointment of Vice Chairperson

The vice chairperson position for Police Standards and Training Council is for a one-year term. Commissioner Hanks had been appointed Vice Chair well over a year ago. She agreed to continue to hold the position for the Council.

Motion by Mr. Lecius, seconded by Sheriff Massahos, to appoint Commissioner Hanks for a second one-year term as Vice Chairperson of PSTC. The Council vote was unanimous in favor of the motion, Commissioner Hanks abstained.

Consent Calendar

PT&E Requests

Peter Forgione, Litchfield Police Department

(DOH: 12/28/2022) Will be granted certification upon successful completion of the medical exam (done November 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.

Dean Lischke, South Hampton Police Department

(DOH: 01/04/2023) Will be granted certification upon successful completion of the medical exam, (done January 10, 2023) 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.

Donald Bolduc, Pittsfield Police Department

(DOH: 11/15/2022) Will be granted certification upon successful completion of the medical exam and th 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.

Frank Groeber, Winchester Police Department

Will be granted certification upon successful completion of the medical exam, (done December 30, 2022) 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.

Jennifer Bello-Grullon, Meredith Police Department

Will be granted certification upon successful completion of the medical exam,(done April 4, 2022) 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.

Matthew Chorzewski, Manchester Police Department

Will be granted certification upon successful completion of the medical exam (done January 11, 2023), 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.

Markus Watson, Manchester Police Department

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

Scott Camacho, Candia Police Department

Will be granted certification upon successful completion of the medical exam (Done February 10, 2023) 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.

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	192
Dates	January 9, 2023-April 23, 2023	February 27, 2023-June 16, 2023
Class Number	193	194
Dates	June 12, 2023-September 29, 2023	July 31, 2023-November 17, 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	
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	121
Dates	January 3, 2023 – February 24, 2023	October 11, 2023- December 8, 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.

Timothy D’Entremont, Plaistow Police Department

Was granted the extension with the stipulation that the officer shall work only in the direct presence of a New Hampshire certified police officer unless the officer has completed the agency’s field training program, then may work under normal supervision pending completion of the reciprocal certification process.

Medical Extensions for Fitness Testing were granted to the following officers

Christopher Corey, Amherst Police Department

Jacob Drouin, Franklin Police Department

Ross Desmet, Nashua Police Department

End of Consent Calendar

Motion to approve the consent calendar by Commissioner Hanks, seconded by Chief Hoebeke, Mr. Lecius recused himself from the Litchfield PTE request and the Nashua officer medical extension request. The voice vote of the Council was unanimous in favor of the motion.

Annual Report

Major Parenteau presented the annual report for PSTC for July 1, 2021 through June 30, 2022.

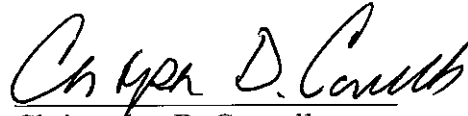
Motion by Mr. Lecius to accept the annual report, the motion was seconded by Chief Hoebeke, the Council voted unanimously in favor of the motion.

The next Council meeting, #551, will be held on March 28, 2023.

Motion to adjourn at 9:50 a.m. by Chief Hoebeke, seconded by Commissioner Hanks with the entire Council voting in favor of the motion.

March 28, 2023

Respectfully Submitted,

Handwritten signature of Christopher D. Connelly in cursive script.

Christopher D. Connelly
Chairman

To: All NHPSTC Council Members
FROM: Director John Scippa
DATE: February 28, 2023
RE: Director's Monthly PSTC Council Report

Academy and In-Service Training:

1. 191st Full Time Police Academy began on January 9th, presently 53 recruits.
2. 192nd Full Time Police Academy began on February 27th presently 53 recruits.
3. 120th Corrections Academy graduated 5 recruits on February 24th. 121st is scheduled to begin October 11, 2023
4. 283rd Part-Time Police Academy scheduled to begin July 29, 2023.
5. In-Service/On-Line Bureau has several new programs to include Background Investigations, First-Line Supervisor, Police Prosecutor, and Instructor Development.
6. Discussion on adding CIT training to the Full Time Police Academy and Corrections Academy.

Budget:

1. Budget was presented to Fiscal Committee Division II. They supported our proposed budget that included two new full time requested positions and also supported an additional 75,000 per fiscal year to support the accreditation program.

Outreach, Education and Legislation:

1. NH Law Enforcement Accreditation Commission met on February 6th.
2. I proved further testimony to the CJ sub-committee on House Bill 113 to eliminate the 3-year fitness testing for in-service officers. The full CJ Committee voted to retain the bill to allow for further work by NHPSTC and NH AOCF to find alternative testing.
3. I testified against HB 302-FN-A - Relative to including education in the United States Constitution, the Bill of Rights, and the New Hampshire constitution for New Hampshire law enforcement – in the House Criminal Justice and Public Safety Committee. The committee voted the bill ITL.
4. I testified in support of HB 183-FN- Relative to the employment of retired firefighters at the fire academy in Executive Departments an Administration, asking for an amendment to make that same accommodation for retired police officers employed at the police academy. A subcommittee has been formed for further discussion. ED&A voted the bill ITL.

5. I testified in opposition to HB 585 filed to compel the Council to screen LEO candidates for testosterone as part of the hiring process and when there was an allegation of excessive force used by an officer. I advised that the testing of new hires can be addressed in our administrative rules and that the testing of an officer on an allegation violated due process. Committee voted that the bill was ITL.
6. I testified in support of SB 130 to create a certification program at NHPST for Court Security Officers for the AOC. Bill is attached to this report.
7. I attended the first IADLEST/Bureau of Justice Assistance working group to help develop a nationwide Constitutional Policing Curriculum in Washington DC on Feb 4-6. More work to follow.
8. We continue to address 91-A requests for regulatory documents and curriculum. We continue to work with our civil attorney to respond to these requests. (No Change)

Staff and Operations:

1. We are preparing to conduct interviews for the Attorney IV position for the Conduct Review Committee on March 6th.
2. All members of the Conduct Review Committee have been appointed by the Governor and their letters have gone out.
3. We conducted interviews for open LETS I positions. Candidates have been identified and we are beginning the formal offer and hiring process.
4. We have just hired Capt Thomas Walsh (ret) as a part time program manager to oversee the CIT training and reimbursement program.
5. We have just made an offer to a candidate for the open Administrative Assistant position and that background investigation is being conducted now.

Open Action Items:

1. **Administrative Rules Committee:** Chapters 100 to 400 have been amended and are being prepared for final council review and approval.
2. **Discussion on Part Time Certification:** Position paper owed to the council.

Discussion Items:

1. None