

## **MINUTES**

**September 28, 2004**

Commented [PS1]:

The 329<sup>th</sup> meeting of the NH Police Standards and Training Council was called to order at 9:07 a.m. by Chairman Michael L. Prozzo, Jr., in the John D. Morton conference room at the Police Standards and Training Facility in Concord, New Hampshire.

**Members Present:** Chiefs William L. Wrenn, Hampton Police Department, John Curran, Meredith Police Department and Michael J. Magnant, Portsmouth Police Department; Sheriff Scott A. Carr, Carroll County Sheriff's Department; Justice Norman E. Champagne, Manchester District Court; Associate Justice Stephen H. Roberts, Dover District Court; Attorney General Kelly Ayotte; Major Craig H. Wiggin designee of Colonel Frederick H. Booth, NH State Police; Stephen J. Curry, Commissioner of the Department of Corrections, and Charles Annal, Deputy Commissioner designee of Commissioner William G. Simonton of the NH Community Technical College System

**Staff Present:** Director Keith H. Lohmann, Paralegal Cassandra Erickson, and Account-Technician Helen Robinson.

**Guests Present:** Corrections Officer Peter J. Ash and character witness Lt. Christopher Shaw, Department of Corrections; Officer Douglas F. Wyman and Chief Richard Young of the Sandwich Police Department; Chief Michael French of the Goffstown Police Department, Chief Theodore Smith and Colleen Gordon, Accreditation Manager of the Lincoln Police Department.

### ***Approval of Minutes (7/20/04 Special Session & 7/27/04 Regular Meeting)***

Chief Magnant commented on the minutes for the July 27, 2004, meeting indicating the department he represents should be corrected to read "Portsmouth Police Department." The minutes were unanimously approved with the amendment, on a motion by Chief Wrenn, seconded by Commissioner Curry.

### ***Director's Report***

The Director reported current enrollment for the 135<sup>th</sup> Police Academy stands at 73 recruits and 12 law package students with 2 recruits previously dropping out. Two recruits failed in driving and 24 in firearms. They have a limited amount of time to fire due to the number of recruits enrolled which accounts for the failures. Lt. Jeff Mullaney felt that 8 of the 24 would easily pass if given another chance, 8 with more practice and

the remaining 8 may have problems. He plans on spending a significant amount of time in remedial firearms. Driving remedials will be cleared up by the end of the week.

Director Lohmann reported two internal candidates for the Assistant Director's position have withdrawn their applications, leaving two external candidates. The selection process has started, with response to a comprehensive questionnaire. The Director expects it will be the end of October before all necessary steps are taken and a selection is made. Once a conditional offer of employment has been made, a background investigation will be completed by an individual outside the agency.

The \$130,000 for renovations to Lecture Hall #2 passed the Fiscal Committee on September 15, 2004, and Governor & Council on September 22, 2004. The contract will now be submitted for the October 6, 2004, Governor & Council meeting.

The Director reported the model city van purchased from Hilltop Chevrolet has been received. There are four or five departments on the list for ICS training. Approval for the 2-day ICS Model City class has been received from Washington. There is a 45-day window to archive final approval. Overtime and backfill costs can be paid for training once these 2004 funds are approved by Governor & Council.

The budget process for FY 2006/2007 has been completed. The Director submitted a 4.28% increase for FY 2006 and 4.75% increase for FY 2007. The only major change in the State budget was the shift-over of costs for the Video Conferencing which up until mid FY 2007 will be funded through grants and then those costs will be shifted to the State budget.

The only "change" item in the budget was a salary increase for the Assistant Attorney General funded by PSTC and submitted in the Office of the Attorney General's budget. Therefore, basically we held our submission to a maintenance budget.

The \$250,000 federal grant for the Video Conferencing has been approved which will be submitted for Governor & Council approval. This will give us funding for an additional year and should receive an additional \$250,000 for the final year of the Video Conferencing which will get us up to FY 2007 then pick up the sites through the State budget.

Chief Wrenn inquired about the budget submission, whether or not the Penalty Assessment Fund will satisfy budget increases for FY2006/2007. The Director explained that towards the end of FY 2004, revenues increased considerably including funds received from Department of Corrections, therefore, we did not have a deficit in FY 2004. Currently, there is approximately 2.6 million dollars in the Penalty Assessment Fund. If revenues decline, expenditures will be cutback. Most of the 15% lapse in FY 2004 budget was due to unfilled positions (4 vacancies-2 filled). The Director noted the deadline to file LSR's for the next Legislative Session is the beginning of December.

Judge Champagne along with Associate Justice Roberts felt with projections of diminishing surplus funds in FY 2006/2007 there is justification to pursue legislation to obtain additional funds from Penalty Assessment.

Chairman Prozzo agreed, given the volume of training and increasing the length of the Academy, this may be the opportunity to expand the scope to bring in more funds and not raise the Penalty Assessment. Director Lohmann will draft legislation to be presented at the next Council meeting.

### ***Unfinished Business***

#### Dennis J. Durkin Deliberation

On a unanimous roll-call vote, Chief Curran, Chief Wrenn, Sheriff Carr, Attorney General Ayotte, Associate Justice Roberts, Judge Champagne, Commissioner Curry, Deputy Commissioner Annal, and Chairman Prozzo, the Council members present for the original hearing on Dennis J. Durkin on August 24, 2004, entered into a non-public session at 9:29 a.m. for the purpose of deliberation, following a motion by Chief Wrenn that was seconded by Judge Champagne.

Chief Wrenn, seconded by Chief Curran, made a motion to seal the minutes of the non-public session, which carried unanimously.

Council exited non-public session at 9:42 a.m., on a roll-call vote, following a motion by Chief Wrenn that was seconded by Chief Curran.

Chief Wrenn then made a motion to suspend the certification of Dennis J. Durkin for a period of six months from the date of the Council meeting, effective immediately, as a result of Council rule Pol 402.02 (a) (4) e for conviction of Reckless Operation in the Portsmouth District Court. The motion carried unanimously following a second by Attorney General Ayotte.

#### Lyndeborough Training Grant - Reconsideration

Chief James Basinas of the Lyndeborough Police Department and Chief Richard Darling of the Hollis Police Department appeared before the Council to request reconsideration of the Council's refusal at the August 24 meeting of a retroactive specialized training grant in the amount of \$666.00 for his prior attendance at the IACP's Leadership in Police Organizations course in August. A motion was made to hear the reconsideration by Attorney General Ayotte, seconded by Deputy Commissioner Annal and carried unanimously.

Chief Basinas briefly explained to Council members the circumstances of why the training grant was submitted after the fact.

Chief Darling, also President of the Hillsborough County Chiefs Association, spoke on behalf of Chief Basinas indicating the course was discussed at his Association meeting in June. A question was raised as to whether or not this would be approved for training grant funds. Director Lohmann was approached; he stated the Council would most likely support the grant not realizing it was after-the-fact. Therefore, Chief Darling sent an email to Association members informing them the Council would pay two-thirds. The Chief did not realize prior approval was required.

Chairman Prozzo reminded members the application was untimely; the Specialized Training Grant Application states, "No retroactive grants will be considered and must be postmarked at least 90 days prior to scheduled training." The request was faxed August 23rd after attendance and presented at the Council meeting of August 24.

Chief Wrenn suggested the Director send a letter to Chief Savage, President, NH Police Chiefs Association, to explain the process for submitting specialized training grants.

Following discussion on the issue, Chief Curran made a motion to pay the Council's two-thirds portion (\$666.00) of the training grant. The motion was seconded by Attorney General Ayotte and carried on a vote of 8-3 with Chairman Prozzo, Justice Champagne, and Associate Justice Roberts opposed.

### ***New Business***

#### Lincoln Police Department Accreditation

PSTC Training Development Manager Bradley Parker introduced Chief Michael French, of the Goffstown Police Department and NNEPAC Assessment Team Leader. Also in attendance were the Chief of Lincoln, Theodore P. Smith, and his Accreditation Manager, Colleen Gordon.

Chief French then explained the On-Site Assessment process conducted August 25, 2004, at the Lincoln Police Department and concluded with his recommendation that the department be granted CALEA and New Hampshire recognition.

Chief Curran then made a motion based on recommendation of the assessment team, to award the Lincoln Police Department with CALEA and New Hampshire Recognition. The motion was seconded by Chief Wrenn, and carried unanimously.

***Decertifications/Revocations***

CO Peter J. Ash, NH Departments of Corrections

Correctional Officer Peter J. Ash, convicted of False Report of An Accident in Concord District Court, appeared before the Council with character witness Lt. Christopher Shaw. Chairman Prozzo read PSTC's hearing procedure to Correctional Officer Ash who chose to have a non-public hearing.

At 10:42 a.m. following a motion by Chief Wrenn, seconded by Judge Champagne, the Council voted unanimously on a roll-call vote to enter into a non-public session with character witness present. Commissioner Curry recused himself.

The Council unanimously voted to seal the minutes of the non-public session, following a motion by Chief Wrenn that was seconded by Chief Curran.

At 10:58 a.m. following a motion by Chief Wrenn, seconded by Chief Curran, the Council voted unanimously on a roll-call vote, to exit the non-public session.

In response to a question from Chief Wrenn regarding whether or not he received any discipline from the Department of Corrections, Officer Ash indicated he did not. Chief Wrenn reiterated he had an issue with the Form "G" coming before the Council for an incident which took place three years ago and departments failure to submit paperwork in a timely fashion. Chief Wrenn stated a letter needs to be directed to all departments with regard to submittal of required paperwork. Director Lohmann indicated he didn't know what prompted the Department of Corrections to submit a letter three years later. The Director explained the arresting department, within 15 days of the arrest, are suppose to notify the Council on a Form "G" if known. No Form "G" exists and he had no knowledge of the case until the Department of Corrections Human Resources Department sent a letter dated March 19, 2004 of Officer Ash's 2001 conviction.

Judge Champagne made a motion to take the case under advisement until the Director investigates the circumstances of the case and why it was submitted to the Council three years later for action.

Chief Wrenn pointed out that Officer Ash wasn't disciplined or suspended, therefore, there was no requirement for Department of Corrections to send any paperwork. NH State Police, the arresting authority, was responsible for forwarding the Form "G".

Chairman Prozzo suggested reviewing Council rules possibly changing the wording to make the officer responsible to notify the Council when arrested.

After discussion, the motion was seconded by Associate Justice Roberts to take the case under advisement. The motion failed.

Chief Wrenn made a motion to impose a six month suspension of Officer Ash's corrections certification retroactive to the date of conviction on December 17, 2001. However, they stayed the imposition of that suspension based on the time between the offense itself and the hearing and not having received a Form "G". The motion was seconded by Deputy Commissioner Annal and carried unanimously with Commissioner Curry recusing himself from the vote as previously noted.

Mark A. Cook

The Director told members that Officer Cook who resigned in lieu of dismissal from Newington Police Department on December 1, 2003; dismissed from Rockingham County Sheriff's Office December 2, 2003, and plead nolo contendere in Portsmouth District Court on June 1, 2004, to a misdemeanor charge of Simple Assault. Conviction is actionable under Council rule Pol 402.02 (a) (3) or Pol 402.02 (4) (b). The following items are entered into evidence:

Exhibit A: Letter dated April 21, 1993, certifying Officer Mark A. Cook as a part-time police officer in the State of New Hampshire;

Exhibit B: Form "A" from Rockingham County Sheriff's Department dated May 20, 1997;

Exhibit C: Form "A" from the Newington Police Department dated May 21, 2001;

Exhibit D: Form "B" from the Newington Police Department dated December 1, 2003, noting that he resigned in lieu of discharge;

Exhibit E: Form "B" from the Rockingham County Sheriff's Department dated December 2, 2003, noting he has been discharged;

Exhibit F: Complaint identified as 040809 charging Mark A. Cook with one count of violation of RSA 631:2 (a) by causing unprivileged contact to Joshua Locke by grabbing Locke in the area of Locke's neck with his hands on November 15, 2003;

Exhibit G: Plea Agreement between the State of New Hampshire and Mark A. Cook dated June 1, 2004. The Plea Agreement includes language as follows:

#2. The defendant will be sentenced to 30 days suspended for 12 months on condition of good behavior.

Exhibit H: Notification letter from the Council dated July 28, 2004, and returned dated August 6, 2004.

The Director gave a synopsis of the case indicating the officer made a custodial arrest, brought him to the station, and in the process of booking him, the individual who was arrested refused to sign the property form. The officer started to argue with him, the gentlemen continued to refuse to sign the property form, but at no point made any physically aggressive moves or cursed at the officer. Finally, the officer in frustration, jumped the guy, grabbed him by the neck, went down to the floor, and it was all caught on videotape.

On a motion by Chief Curran that was seconded by Chief Wrenn, the Council unanimously voted to revoke the certification of Officer Mark A. Cook pursuant to Council rule Pol 402.02 (a) (3) as a result of his conviction in the Portsmouth District Court for Simple Assault.

CO Matthew E. Borovich – Formerly of NH Department of Corrections

Correctional Officer Matthew E. Borovich, formerly of the NH Department of Corrections was convicted of two counts of Simple Assault and one count of Criminal Threatening in Hillsboro District Court on June 21, 2004. Conviction is actionable under Council rule Pol 402.02 (a) (3) or Pol 402.02 (4) (b). There are three more counts pending for violations of Protective Orders in Derry District Court which have not been resolved and are not part of the current case. The Director circulated to Council members and entered the following into evidence:

Exhibit A: Form "A" from NH Department of Corrections dated June 13, 2003, for Matthew E. Borovich.

Exhibit B: Certification as a full-time State Correctional Officer dated October 3, 2003.

Exhibit C: The Arrest and Incident Report from the Hillsboro Police Department Arrest 03-442-AR and 03-18693 dated December 17, 2003.

Exhibit D: Form "B" from NH Department of Corrections dated May 1, 2004

Exhibit E: The facsimile from Hillsboro District Court dated June 21, 2004.

Exhibit F: Case of Simple Assault 2004CR0084 and 2004CR0086 and Criminal Threatening 2004CR0085.

Exhibit G: In each case sentenced to 30 days suspended for one year pending good behavior concurrent with other charges. Total fine and penalty assessment \$300 and Anger Management evaluation.

After outlining the circumstances of Matthew Borovich's arrest, Chief Wrenn made a motion to revoke his certification. The motion carried unanimously on a second by Chief Curran with Commissioner Curry recusing from the vote.

Natalie L. Guzman – Formerly of NH Department of Corrections

The Director told members Natalie Guzman, formerly of NH Department of Corrections, was convicted of Negligent Homicide in the Belknap County Superior Court RSA 630:3 (Case #03-S-393) on August 20, 2004; Second Degree Assault in Belknap County Superior Court RSA 631:2 (Case #04-S-010); Aggravated DWI RSA 265:82a (Case 04-S-011) on August 19, 2004. The Notice of Hearing dated August 25, 2004, was returned unclaimed on September 13, 2004. The conviction is actionable under Council rule 402.02 (a) (2). The Director entered the following into evidence:

Exhibit A: Form "A" from NH Department of Corrections dated July 6, 1998.

Exhibit B: Certification as a State Correctional Officer dated September 11, 1998.

Exhibit C: Form "B" from NH Department of Corrections dated June 8, 2004, noting an ordinary resignation.

Exhibit D: The narrative investigation report from Sgt. Dana C. Farley of the Gilford Police Department.

Exhibit E: The indictment and return from the Belknap County Superior Court on Case #03-S-393 dated August 20, 2004, noting the conviction of Natalie Guzman for one count of Negligent Homicide.

Exhibit F: Indictment and return from Belknap County Superior Court on Case #04-S-010 dated August 20, 2004, noting the conviction of Natalie Guzman for one count of Second Degree Assault.

Exhibit G: Indictment and return from Belknap County Superior Court on Case #04-S-011 on August 20, 2004, noting the conviction of Natalie Guzman for one count of Aggravated DWI.

Exhibit H: Notice of Hearing to Natalie Guzman returned unclaimed dated August 25, 2004, returned to September 13, 2004.

After the Director read the synopsis of the case, Chief Wrenn made a motion, seconded by Deputy Commissioner Annal to revoke the certification of Natalie Guzman. Commissioner Curry recused himself from the vote.

***Request For Reinstatement***

Officer Aaron W. Warkentien

The Director removed Officer Aaron W. Warkentien from the agenda due to a conditional offer of employment from the Washington Police Department subsequently



being withdrawn due to **State v. Laurie** considerations expressed by the County Attorney.

***Prior Training and Experience Requests***

Full-Time

Douglas F. Wyman, Sandwich Police Department

The Director outlined the request for prior training and experience for Douglas Wyman indicating he was hired September 5, 2004; originally part-time certified January 30, 1990; full-time certified March 13, 1992, certified as a full-time Correctional Officer on June 1, 2001. He resigned from the Moultonboro Police Department on March 1, 2001, hired by NH Department of Corrections on February 23, 2001; resigned from NH DOC September 3, 2004; While working at Department of Corrections full-time, he worked part-time at the Sandwich Police Department. He has numerous certifications including Instructor Certifications, OC and Defensive Tactics. The Director recommends certification upon successful completion of the medical exam, physical fitness test, NH Law Package, and First Aid/CPR, if lapsed, at a full-time academy.

Chief Richard Young and Officer Wyman of the Sandwich Police Department, appeared before the Council to request full-time certification based on Officer Wyman's previous law enforcement experience. Chief Young spoke on behalf of Officer Wyman stating he grew up in a police family, his father being a Lieutenant with the Concord Police Department. Officer Wyman started in law enforcement in 1989 as a part-time police officer. In 1992, he worked full-time with Thornton Police Department. A year later he worked at Moultonboro Police Department with Chief Young leaving in 2001 to work full-time with the Departments of Corrections for three years. Therefore, he attended the Part-Officers School in 1989, the full-time Police Academy in 1992, and the Corrections Academy in 2001.

Officer Wyman spoke stating he has remained current in his requirements. In addition to the instructor certification, he met his 8 hour yearly requirement, and took Motor Vehicle and Criminal Code updates. Worked part-time with the Investigation's Bureau at the Lakes Region Facility of the NH Department of Corrections investigating criminal cases to be brought before the Belknap County grand jury.

In answer to a question by Chief Wrenn, Officer Wyman indicated he went to Field Training Officers School in 1995 and was a Field Training Officer for Moultonboro and Sandwich Police Departments and the Department of Corrections.

Chairman Prozzo inquired under the 3 years physical training requirement if Officer Wyman would fall in that category. The Director stated he was full-time police certified on January 1, 2001, and wouldn't fall in that category.

Chief Wrenn made a motion to issue full-time certification to Officer Wyman **without** the need for the NH Law Package, medical examination, physical agility test, and First Aid/CPR at a full-time academy. The motion was seconded by Deputy Commissioner Annal, and carried unanimously.

#### Part-Time

The Director outlined the request for part-time certification based on prior training and experience for Officer Russell St. Pierre of the Troy Police Department, previously employed with the Rindge Police Department and currently working full-time in Templeton, Massachusetts. Director recommends certification upon successful completion of the NH Law Package at the Part-Time Officers' School; however, if they contemplate either part-time unlimited hours or full-time certification, they should be advised that the Officer should complete the medical examination, physical agility test, NH Law Package at the full-time academy, and First Aid/CPR, if lapsed.

On a motion by Chief Curran, seconded by Chief Magnant, the Council voted unanimously to grant part-time certification based on prior training and experience upon Director's recommendation.

#### ***Requests For Extensions***

The Director outlined the circumstances of the requests for extension for full-time Officers Travis Austin of the Bristol Police Department, Brian J. Brown of the Northfield Police Department, Patrick R. Carr of the Lancaster Police Department, Daniel W. Fowler, III, of the Littleton Police Department, Amie L. Prescott-Colbeth of the Northumberland Police Department, Brett E. Wells of the Newfield Police Department, and Collin L. Zamore of the Chesterfield Police Department.

Chief Wrenn made a motion to grant all requests but Northumberland Police Department for Officer Amie L. Prescott-Colbeth, seconded by Chief Curran. Major Wiggin questioned, with respect to Travis Austin, what the policy is on officers who are not part-time certified. Chairman Prozzo believed departments were required to have an uncertified officer be supervised and ride with a certified officer when on duty. The Director indicated the letter sent to departments states, "the Council highly recommends that an uncertified officer work under supervision."

Chief Wrenn, seconded by Chief Curran withdrew his motion regarding Officer Travis J. Austin for further discussion.

Following a motion by Chief Wrenn, seconded by Chief Curran, the Council voted unanimously to grant full-time extensions to all officers except Officers Travis J. Austin and Amie L. Prescott-Colbeth.

The Director read Council rule 302.01 (f) which states, "The termination and subsequent re-employment of a full-time officer by the same hiring authority, shall not affect the requirement that he or she attend and satisfactorily complete the police, corrections or probation/parole basic training program as appropriate within 6 months from the date of original appointment."

After a brief discussion, Chief Wrenn, seconded by Attorney General Ayotte, made a motion to grant an extension through the 136<sup>th</sup> Police Academy to Officer Travis J. Austin of the Bristol Police Department with the condition that he work under the strict supervision of a certified officer at all times. The motion carried unanimously.

The Director read the circumstances of Officer Amie L. Prescott-Colbeth of the Northumberland Police Department requesting an extension for firearms certification. He indicated she failed firearms at the 134<sup>th</sup> Police Academy. Under the rules she is given 60 days to complete the firearms certification which she failed to do. Chief Tippitt asked for an extension to attend firearms class during the 135<sup>th</sup> Police Academy. On September 24<sup>th</sup>, she fired five qualification rounds, is required to pass two consecutive. She passed the fourth one with a minimum score of 27.

Lt. Mullaney informed Chief Tippitt that Officer Prescott-Colbeth would not be able to carry a firearm until she could arrange for further firearms training. Chief Tippitt has not responded to date.

Chief Wrenn made a motion to table the request for extension of Officer Aime L. Prescott-Colbeth until receipt of further information from the Northumberland Police Department. The motion was seconded by Associate Justice Roberts. Motion to table was then withdrawn by Chief Wrenn and Associate Justice Roberts.

Director Lohmann will send a letter to Chief Tippett informing him that Officer Prescott-Colbeth **shall not** be permitted to carry a firearm in the course of duty as a result of her failure to qualify with a firearm pursuant to Chapter 2, Section C, of the PSTC Technical Assistance Manual until qualified.

#### Department of Corrections

Chief Wrenn, seconded by Attorney General Ayotte, made a motion to grant an extension as requested to Correctional Officers Michael LaVallee and Marianne Sylvester of the NH Department of Corrections. The motion carried unanimously.

#### ***Training Grant Requests***

The Council voted unanimously to approve a specialized training grant to the Meredith Police Department to send one Sergeant and one Officer to command training at the

Rogers Williams University in Rhode Island, following a motion Commissioner Curry that was seconded by Deputy Commissioner Annal. Chief Curran abstained from the vote on the Meredith Police Department.

After adjusting a request for \$2,710.82, the Council voted unanimously, on a motion by Chief Wrenn, seconded by Chief Magnant to issue \$1,355.41 to the Seabrook Police Department to allow one officer to attend the IPTM conducted Police Internal Affairs course in Jacksonville, Florida.

After discussing a handout from the Seabrook Police Department, Associate Justice Roberts made a motion to grant \$2,000.00 for two officers to attend command training: First Line Supervision course at the Roger Williams University in Rhode Island. The motion was seconded by Chief Wrenn, and carried unanimously.

The Director discussed a handout regarding the policy on In-State Training Grant reimbursement, reminding Council members at the August 24, 2004, meeting they approved \$7,000 for New Hampshire officers attending the SWAT II School in October. A SWAT I school was recently held. Due to full capacity, the Salem Police Department officers were unable to attend, therefore, have submitted a training grant request to attend the SWAT I school in Revere, Massachusetts.

Chairman Prozzo indicated the previous decision made by Council members was to fund **two-thirds** of the tuition for SWAT II for New Hampshire officers only. SWAT I school had 30 attendees, SWAT II 20 attendees which did not include many officers from New Hampshire. The Chairman stated the money allotted should be for New Hampshire officers.

The Director stated these requests will come before the Council beforehand and the Council will decide how to allocate the money. Because we pay two-thirds for out-of-state tuition, will a blanket policy be adopted for in-state requests to pay 100% tuition.

Chairman Prozzo suggested, again, this is a discussion for the Council Retreat. May be looking at training that the Council or Director feels we should have for the New Hampshire officers and allocate money out of training grants funds. The Chairman felt he would like to have this training in New Hampshire rather than out-of-state and utilize the officers already trained in New Hampshire.

Chiefs Wrenn and Curran strongly felt that preference should always be given to New Hampshire officers.

The Director indicated the policy will be a discretionary decision on the part of the Council as to what percentage they wish to fund on a case-by-case basis.

Associate Justice Roberts made the following editorial comments to the Director's policy: Paragraph 1, This request "**must**" be made to the Police Standards and

Training Council at least 60 days previous to the beginning of the course, in writing rather than ***“will”***. The letter ***“shall”*** indicate the tuition cost for the class instead of ***“should”***.

Also add, ***“untimely or retroactive submissions will not be considered.”***

Chairman Prozzo indicated there were 12 recognized SWAT teams in the State of New Hampshire not including NH State Police. The goals of the Association is to have every member of SWAT I and II trained as a requirement within a certain amount of time.

After a lengthy discussion, Chief Wrenn made a motion to deny the training grant request of the Salem Police Department to send 3 officers to the SWAT I training in Revere, Massachusetts. Following a second by Deputy Commissioner Annal, the motion passed unanimously.

#### ***Other Business***

The Director informed Council members of proposed federal legislation HR #218 , Law Enforcement Officers Safety Act of 2004. A proposal was made at the last Chiefs meeting to have PSTC issue State ID cards to all retired police officers and possibly be responsible for firearms qualifications. The law basically allows officers and retired officers, if they meet certain criteria, to carry the ID card nationwide.

Chief Martin Dunn will be making a presentation on HR #218 and discussion will be held at the Council's meeting in October.

Prior to the next meeting, Attorney General Ayotte will bring to the Council information gathered from the National Association of Attorney General's. This issue is being circulated among the Attorney General's as to how each state will implement the federal law.

#### ***Adjournment***

After scheduling the next meeting of the Council for 9:00 a.m. on October 26, 2004, in the John Morton conference room, the Council unanimously voted to adjourn the meeting at 12:29 p.m., following a motion by Commissioner Curry that was seconded by Deputy Commissioner Annal.

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Chairman Michael L. Prozzo, Jr.