

Law Enforcement Advisory Board Meeting
Minutes of Meeting - Corrected
December 6, 2012

- Rick Gauthier called the meeting to order at 1:00 pm with Board members Keith Clark, Glen Button, Michael O'Neil, John Treadwell, Paco Aumand and non-board members Jonathan Winters, and Suellen Royea present.
- **Minutes from last meeting:** Keith Clark moved to accept the minutes from November 8, 2012. Motion seconded by John Treadwell. Motion carried.
- Rick Gauthier reviewed the report that is due to Senate Gov Ops in January. Three draft reports (LEAB Report on a Comparison of Full Time Certification vs Part Time Certification, LEAB Report on S.248 and LEAB Report on S.132) were attached to agenda. Discussion began with a review of the discussion points and issues and concerns in the report on full time certifications versus part-time certification. (Tom Hanley and Tris Coffin joined the meeting around 1:05pm.) Some of the questions/concerns included: is this a liability concern that a part-time officer might get involved in a situation beyond their normal duties, concerns about the amount of training received, and concerns about current guidelines based on hours. Rick reviewed that some states have tier levels with increased training and other states have one level of training and then the designation of part-time/full-time is up to the department. (Allen Gilbert joined meeting around 1:10 pm.) It was noted that with the current hour limitation, it is hard to manage when officers work for more than one agency. Rick Gauthier pointed out that the final report will include the results of the survey referenced in the last paragraph. A review of the LEAB's role in the comparison was discussed. A suggestion was made to at least note that the LEAB recommends that the Council should review it.
- Rick Gauthier reviewed a Council meeting where they discussed the LEAB's Report on S.132. It was observed that our report is our report and not binding on the Council. The overall consensus is that there is consensus of a tier training system and agreement on hiring standards and making them more robust. No recommendations on the contents of the report were given by the Council. One suggestion at the Council meeting was to create a summer study.
- There was a brief discussion about the rule making process. A discussion was held around what the Legislature was asking the LEAB to report on. John Treadwell indicated we were asked to look at some topics and make some suggestions on statutory changes. Further discussion was held on giving the Training Council the authority to create the rules and the LEAB's role. There was some discussion about making recommendations that would justify an Internal Affairs unit at the Training Council and local control in internal affair issues. Also discussed was a vision that LEAB's role may be to adopt principals and those principals turned into legislation for the Training Council to write rules and hiring standards in a move to a model similar to New

Hampshire's except for decertification. Some scenarios were reviewed including when officers move from one agency to another, decertification process not interfering with the local process, and what happens if the Department of Labor orders the person to be re-instated due to the punishment being too harsh and the Council has decertified them. There was a general feeling that stronger hiring standards would reveal the issues in the event someone moved to a different agency.

- Allen Gilbert reviewed his thoughts on law enforcement's move toward a regulated profession. There was a discussion around the two styles of regulating police (POST versus training council) and how can we do it in a manner that does not cause a financial or personnel burden to agencies. It was noted that there are a lot of issues to be considered. Some concern was expressed about whether or not the Council is willing to tackle the issues. It was noted that the work done this past summer was good work.
- A discussion was held about the decertification process. A suggestion was made to possibly have a joint meeting with the Training Council and the LEAB. It was noted that it is too late for a meeting. The LEAB realizes that we cannot make changes without the Training Council's input, but can do what we need. It was noted that the content of the LEAB's report needs some work on the number of hours, hiring standards, and decertification process. The immediate concerns are accountability, hiring standard, and transparency issues. It was noted that these issues are not going to be addressed in one legislative session, but we need to get some language in there and begin movement on the licensing and Post type of model in the system we have. The vision was that the process would not be reliant on an agency's process; there would be a safety net. It was felt that having a centralized training facility is very helpful and encourages inter-agency assistance.
- There was further discussion on increasing professionalism and taking on the responsibility of regulating ourselves. It was noted that law enforcement is managed very militantly and that there is more accountability than what might be seen. A suggestion was made that more accountability may be needed.
- Rick Gauthier asked everyone to review the draft reports and get any changes to him. He will put together a final draft for review. A couple of suggestions were made that included: a statement be added to S.132 that we have worked with the Training Council, and that there may be some confusion about that the LEAB / Training Council's roles.
- **Old Business**

- 2011 Legislation requirement about model policy on assaults on healthcare workers: Rick Gauthier gave a review of the request, what has transpired, and noted that he has not been able to contact with the legislator since the election. Keith Clark offered to get in touch with the legislator. Paco Aumand suggested that the LEAB may need to look at how law enforcement officers are notified of changes in laws.
- Keith Clark moved to adjourn. Glenn Button seconded motion. Motion carried. Meeting adjourned at 2:35 pm.