



**New Hampshire Commission of Law Enforcement  
Accountability, Community, and Transparency**  
Remote Commission Meeting via Teleconference  
Thursday, June 25, 2020 at 10:00 a.m.

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**Commission Members Present:** Attorney General Gordon MacDonald, *Chair*; Robert Quinn, *Commissioner of the Department of Safety*; Ahni Malachi, *Executive Director, New Hampshire Commission for Human Rights*; John Scippa, *Director, Police Standards and Training*; Rogers Johnson, *Chair of the Governor's Advisory Council on Diversity and Inclusion*; James McKim, *President of the Manchester NH NAACP*; Sawako Gardner, *Justice of the New Hampshire Circuit Court*; Mark Morrison, *New Hampshire Police Association*; Charlie Dennis, *President, New Hampshire Association of Chiefs of Police*; Ken Norton, *Executive Director, National Alliance on Mental Illness - New Hampshire*; Joseph Lascaze, *Smart Justice Organizer, ACLU New Hampshire*; Julian Jefferson, *Attorney, New Hampshire Public Defender*; Eddie Edwards, *Public Member*; and Ronelle Tshiela, *Public Member, Organizer for Black Lives Matter Manchester*.

**Also Present:** Kim Schmidt, *Legal Research Assistant, New Hampshire Department of Justice*; Kate Giaquinto, *Director of Communications, New Hampshire Department of Justice*; Annie Gagne, *Paralegal, New Hampshire Attorney General's Office*; and Colonel Nathan A. Noyes, *Director, Division of State Police*.

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**ATTORNEY GENERAL MACDONALD:** This is Gordon MacDonald. I will call to order this meeting of the Commission on Law Enforcement Accountability, Community and Transparency. Pursuant to the public health emergency, we are meeting remotely under the Governor's Emergency Orders. And I will start by calling the roll. And I'll ask Commission Members to state where they are and if anyone is present in the room. I will begin. This is Gordon MacDonald. I am speaking from the Department of Justice in Concord, New Hampshire. I have Kate Giaquinto with me, Kim Schmidt with me, and Annie Gagne with me. Is Commissioner Quinn on the line?

**COMMISSIONER QUINN:** Good morning, General and Commission Members. I am at my office, 33 Hazen Drive. And I am joined by Colonel Nathan Noyes.

**ATTORNEY GENERAL MACDONALD:** Director Malachi?

**DIRECTOR MALACHI:** Good morning Attorney General and Committee Members. I am alone. I am at my office, 2 Industrial Park Drive, at the Commission Office. And I am alone.

**ATTORNEY GENERAL MACDONALD:** Thank you. Director Scippa? John Scippa, you with us?

(No response)

**ATTORNEY GENERAL MACDONALD:** Okay. Mr. Johnson?

**MR. JOHNSON:** Good morning. My name is Rogers Johnson. I am currently at home. There are people in the house but they're not in this room.

**ATTORNEY GENERAL MACDONALD:** Thank you. Mr. McKim?

**MR. MCKIM:** Good morning, Attorney General and Commissioners. James McKim is here. I am at my home in Goffstown. My wife is in another room and just the two of us are here at my home.

**ATTORNEY GENERAL MACDONALD:** Thank you very much. Judge Gardner?

**JUDGE GARDNER:** Good morning, General MacDonald and other Commission Members. I am alone in Chambers in Dover District Court.

**ATTORNEY GENERAL MACDONALD:** Very good. Lieutenant Morrison?

**LIEUTENANT MORRISON:** Good morning, everyone. I am located at the Londonderry Police Department in Londonderry. And I am in a conference room by myself.

**ATTORNEY GENERAL MACDONALD:** Thank you. Chief Dennis?

**CHIEF DENNIS:** Good morning, General and fellow Commission Members. I'm in my office at 46 Lyme Road in Hanover and by myself.

**ATTORNEY GENERAL MACDONALD:** Thank you. Mr. Norton?

**DIRECTOR NORTON:** Good morning, General and Commission Members. Ken Norton and I'm at my home, and I'm alone.

**ATTORNEY GENERAL MACDONALD:** Mr. Lascaze?

**MR. LASCAZE:** Good morning, Commission Members. I'm Joseph Lascaze. I am at my house in Bedford, New Hampshire. And I am alone.

**ATTORNEY GENERAL MACDONALD:** Thank you. Attorney Jefferson?

**ATTORNEY JEFFERSON:** Good morning, everyone. I am at my office in Manchester, New Hampshire. And I am alone.

**ATTORNEY GENERAL MACDONALD:** Ms. Tshiela? Are you with us? If you're there, press 5\*. No?

**MS. TSHIELA:** Hello?

**ATTORNEY GENERAL MACDONALD:** Hi.

**MS. TSHIELA:** Oh.

**ATTORNEY GENERAL MACDONALD:** Are you there?

**MS. TSHIELA:** Good morning, everyone. Yes. I'm at my residence at the University of New Hampshire and I'm alone.

**ATTORNEY GENERAL MACDONALD:** Thank you very much. And Chief Edwards? If you're there, press 5\*.

**CHIEF EDWARDS:** Hello, Commissioners. I am at my home.

**ATTORNEY GENERAL MACDONALD:** Yeah, we can hear you.

**CHIEF EDWARDS:** And I am alone.

**ATTORNEY GENERAL MACDONALD:** Thank you. And still looking for Director Scippa. Press 5\*, please.

(No response)

**ATTORNEY GENERAL MACDONALD:** Okay. Well, Director Scippa is presenting testimony today. So we have got to go track him down. And we will do that. In the meantime, let me cover some other business.

On the Agenda, we have approval of Minutes. We had prepared the Minutes from our last meeting, but did not have time to circulate it to Commission Members. So we will get that done and have it before you before our meeting tomorrow afternoon.

Today's Agenda is focusing on a review of Police training curriculum, procedures, and Policies. We have three witnesses scheduled: Director Scippa; Colonel Noyes; and Chief Dennis. Director Scippa and Colonel Noyes have prepared slides. They are posted for members of the public on the Commission's webpage. That is [governor.nh.gov/accountability](http://governor.nh.gov/accountability), again [governor.nh.gov/accountability](http://governor.nh.gov/accountability). Commission Members have received those slides via email. But for the public who wants to follow along, please access them on our webpage.

Because of the schedules of Commission Members, I think, just for planning purposes, we should plan on a hard stop for today's meeting at 12:15 p.m., 12:15 p.m. If we are able to get through our testimony and questions today, that'll be great. If we need to spill over to tomorrow, we can do that.

In terms of the questions, the way I'd like to at least try it for today's meeting is, after a witness has presented testimony, I'd like to just go through the roll of Commission Members, one-by-one, and have Commission Members ask questions. And then, we will move to the next one on the list and the next one, down the line. And then, we will start at the bottom of the list for the next witness. So, please be prepared.

Tomorrow we have a scheduled meeting at 2:00 p.m. And again, if we're not able to complete today's testimony, we will spill over until tomorrow. If not, that is an opportunity for public to testify on the issues of Police training curriculums, procedures, and Policies. We're taking that sort of issue on first.

The public is invited to indicate that they wish to participate and submit testimony in advance. It's enormously helpful for both the Commission Members and the public, if we have the testimony in advance. We can post it on the website. The way to do that is to indicate your interest in participating and submitting testimony is via our email address. It is leact@doj.nh.gov, again leact@doj.nh.gov.

In terms of enhancing our transparency and accessibility, the Governor's Office has arranged that our meetings will be transcribed. And the transcriptions will be posted as soon as we can online on our website. And again, this and all meetings will be audio recorded. And the audio recordings go up very soon after we're finished.

Those are the procedural issues I wanted to cover. If there are any questions on any of that before we get going, Commission Members can raise their hand by pressing 5\*. And let's see. Commissioner Quinn, you have your hand up.

**COMMISSIONER QUINN:** Sir, I just wanted to let you know that Director Scippa was on. He was unmuted. There were some technical difficulties and I'm trying to work through our office to see if he can get back on. But he is on the line trying to get through. I just wanted you and the Commission Members to be aware.

**ATTORNEY GENERAL MACDONALD:** Okay. Attorney Jefferson, you have your hand up.

**ATTORNEY JEFFERSON:** Yes, thank you. I've gotten a lot of feedback since our first meeting of people inquiring if these meetings will be able to transition to a video format, like Zoom or some other web video communication, to provide for a more meaningful opportunity for the public to see us do our business and also to more meaningfully interact with us.

**ATTORNEY GENERAL MACDONALD:** Yeah. I understand the suggestion and the logic of it. We've actually been exploring that possibility and we are working on it. So, give us an opportunity to do that. But I appreciate the point that you've made.

**ATTORNEY JEFFERSON:** Thank you.

**ATTORNEY GENERAL MACDONALD:** We have one other hand raised. Okay. So, we're still trying to get our first speaker on the line. Director Scippa, are you with us? It looks like you are now.

**DIRECTOR SCIPPA:** Can you hear me, sir?

**ATTORNEY GENERAL MACDONALD:** Yes.

**DIRECTOR SCIPPA:** Excellent.

**ATTORNEY GENERAL MACDONALD:** Okay. Just for the record, could you state where you are and whether anyone is present with you?

**DIRECTOR SCIPPA:** Yes, this is John Scippa. I am at 17 Institute Drive in Concord at the Police Academy. I'm in my office alone.

**ATTORNEY GENERAL MACDONALD:** Great. Okay. The next item on the Agenda is you. Are you ready to proceed?

**DIRECTOR SCIPPA:** I am, General. And my apologies. Some technical difficulty on my end, I was using the wrong information to call in. So, I apologize to all.

**ATTORNEY GENERAL MACDONALD:** And let me just remind Commission Members. You have the Director's slides. Members of the public, please access them on the Commission's website. And with that, the floor is yours.

**DIRECTOR SCIPPA:** Thank you, General. Hello to all the Commissioners and the public that's listening in. This presentation, as directed by the Chair of the Commissioner, is really going to be twofold, the scope of this presentation. Specifically, I was directed to offer a current overview of the training that we offer here at Police Standards and Training, specifically to the topics of diversity, communications and de-escalation, and use of force. And then, the second portion of this scope of presentation deals with identifying areas of possible improvement with regard to Police training here at the Academy.

So, if folks are following along, on the third slide just a real quick background, I was just appointed recently. And my first day here was March 16th, 2020. And prior to my appointment, the New Hampshire Department of Legislative Budget Assistance conducted an audit of Police Standards and Training back in February of 2019. And it was really just to kind of check the organization and make sure that we were operating at peak efficiencies.

One of the observations that was made during the audit was that a Job Task Analysis should be conducted. And then, based on the findings of that Job Task Analysis, we should really look at the curriculum to ensure that we were providing Recruit Officers with a level of training so that they could perform essential tasks with regard to their job as an entry-level Police Officer.

Now, an outside company was quoted to provide that service at about \$50,000. And so, when I was first appointed, I immediately reached out to the University of New Hampshire, specifically Justiceworks, which is a research arm of the Department of Sociology and Justice Studies. And I spoke with the Professors there. And they recognized that the JTA would be a wonderful capstone project for a graduate student. And so, we were in the works to have the JTA conducted at the beginning of 2021. And that was just to be inline with the second semester of college.

The JTA is really an objective validation to what the Police Officers that are newly graduated from our Academy, really those tasks that they have to be able to do as they begin their careers. So I guess I offer that to everyone listening just to let everybody know that this review and process that we're kind of going through now with certain topics was really going to be occurring with all of the topics in a very mindful and thoughtful way.

If we go to the next slide, we're going to talk specifically about our current status on the three classes that the Commission asked me to report on and provide summary for. The first of those topics was the topic of diversity. And upon review of the present offering, which is titled Cultural Dynamics, it is only a two-hour block of instruction delivered at the Police Academy. And after review, I felt that we could

definitely improve upon this block of instruction, and particularly in the area of discussing and studying implicit bias and procedural justice.

And I want to take this opportunity to thank Eddie Edwards, who is a Member of this Commission, for his assistance with regard to putting together a group of Subject-Matter Experts and Stakeholders to review our present lesson plan and to kind of hold it up to a model lesson plan that I had offered as a comparison model.

And at this presentation, I want everybody to know that we've already conducted our first meeting with this group and I am awaiting some written submissions to come back, after they reflect on what we have for a lesson plan and information that is out there, with regard to this topic area and the lesson plan that I offered for comparison. And I'm looking forward to receiving those submissions, so that we can put those all together and then push them back out to the Working Group Members, so that we can really take a hard look at developing a more timely and better lesson plan with regard to diversity.

The next slide, we talk about communications and de-escalation training here at the Academy. And currently, we offer a class titled Communications, which is a six-hour block of instruction delivered early on in the Recruit Academy. The summary of that class is the next bullet item, and it talk specifically about addressing de-escalation tools, effective listening, and professional communication in a law enforcement setting.

Now, it's important to recognize that, while this is only a six-hour block of instruction -- and we will talk about it a little bit more in the next couple of slides -- it's important to recognize that communications and de-escalation is really not a topic, per se, but it's more of a theme that is reiterated throughout the Academy experience for the recruits. And we will talk a little bit more about that.

Now, historically, we have offered in-service programs on communication and de-escalation to active New Hampshire Police Officers as the funding to provide those programs allows. And that is something more that we will talk about later on. And sometimes those are well-received and sometimes not so much.

In-service training, for those of you who don't know, or are not familiar, Police Officers here in New Hampshire, once they graduate from the Academy and begin working, are asked to also maintain a level of training throughout their career where they have to take in-service or additional training annually. And we will talk a little bit more about that later on in this presentation. So if you hear the words "in-service training", that's what I'm talking about.

If you go to the next slide, we're going to continue talking about communications and de-escalation. We also offer a total block of instruction on Mental Illness Dynamics. And in totality, we use 24 hours to deliver this block of instruction. And that next bullet point, you can see exactly what that 24-hour block of instruction covers. We have members from New Hampshire NAMI come in and deliver part of that instruction.

Now, during the 24 hours, it's not all lecture. There is some lecture and then there is some scenario-based training that occurs after the lecture portion to just help the recruits kind of reinforce and practice the techniques that they learned during the lecture. And that is a very important piece to this particular training and really training throughout the Academy experience. And again, we will talk a little bit more about that throughout this presentation.

If you go to the next slide titled Use of Force, currently we offer the following blocks of instruction during the Academy setting. And you're going to see a number of different classes listed there with the hours dedicated to each one of those classes. And you're going to see that we do Defensive Tactics

Classroom and Practical. We have a Firearms Classroom and Practical, the use of the baton, both classroom and practical, and OC Spray, both classroom and practical.

And if you total all those hours up, you're going to see that the Recruits spend about 12 hours of classroom and 93.25 hours in their practical skills training. And I'm sure many of you are asking yourselves, why so much time in these particular areas, and so little time devoted to the first two topics?

And so, I want to just reiterate that teaching these skills is really teaching a physical skill. It's almost like teaching somebody how to hit a golf ball or perform some other physical activity that they've never probably in their life done before. And I'll give you a couple of examples. The proper application and removal of handcuffs is a physical skill that needs to be practiced to a degree that the Officer can be competent and able to perform that physically in a stressful situation. And so, that's why we devote so much time to practicing that physical skill.

We also have Recruits that come here who have never fired a handgun before. And so, literally the first time that they are shooting this handgun is the first time we bring them to the range. And again, that's another very technical, physical skill. These skills, particularly the firing of a handgun, is a low-frequency, high-liability activity. Low-frequency in that it may never happen in Officer's career; high-liability, obviously, because the use of deadly force brings with it a enormous amount of responsibility and accountability. And that's why you're going to see all of those blocks of instruction really chewing up a lot of time. It's just because of the nature of the fact that you're teaching a physical skill.

Now, what you don't see listed on this particular slide is that you don't see that we teach neck restraints, or chokeholds, or any of those types of techniques. That has never been taught here. It is certainly not advocated except for very, very critical, deadly force-type scenarios. But we do not teach that as a technique here. And that's both at a recruit level and an in-service level.

If we move onto the next slide titled Use of Force, you'll also appreciate the fact that during of this 100-plus hours of training in use of force, these Recruit Officers are also kind of reviewing and practicing, and kind of reiterating to themselves and each other Statutes and caselaw with regard to the application of force, their communication and de-escalation skills.

We talk a lot about the actual reporting of use of force and how to write your Reports in a way that you're documenting everything in an objective way. We also are very specific with regard to teaching the recruits how to recognize pre-event, prearrest signs that might be indicative of the Arrestee being predisposed to an underlying medical concern that could lead to an in-custody death.

And beyond that, we also teach and have them practice aftercare in a post-arrest setting. And that includes, once the application of handcuffs and once force is no longer used, it's supposed to immediately stop. And then, those Arrestees should be put in a recovery position, gotten off their belly, get them in a seated position or standing position as soon as practical.

So, that's what we offer right now here at the Academy, specific to those three topic areas. And I kind of include communication and de-escalation in the same block. And I guess if I was teaching a classroom right now, I would ask if anybody had any questions. But since we're going to do the presentation and then we will take questions afterwards, I'm just going to continue.

Let's talk about some recommendations or areas that I think that we might be able to improve upon. In the first instance, I'd ask you to look at Improvement to Diversity Training. And as I've already outlined, improvement is absolutely needed. And we have already begun taking action to accomplish this by working with the Subject-Matter Experts and Stakeholders to develop a new and better lesson plan for this.

It is my opinion that we should strongly consider transitioning to a nationally-recognized training model, which is referred to as the Fair and Impartial Policing Training Model. This model is endorsed and recognized by a number of different international organizations on Police training. And you're going to see some acronyms there. And I'm going to just let you know what they are.

PERF, as we call it, or P-E-R-F, is the Police Executive Research Forum. And this was a research and policy organization that was founded in 1976. And it is the gold standard. It sets the gold standard for documented Police Policy through research.

On top of that, the IACP, which is the International Association of Chiefs of Police, again another gold-standard organization, also embraces this training. The nice thing about this training is that it has modules to teach Recruit Officers, In-Service Officers, Supervisors, Command Staff. And there's also a module to actually deliver to public, to the citizens. And so, it gives the opportunity for the local Police Departments to share the same type of training and perspective that the Police Officers are learning through this program.

It's important to recognize that a lot of our training is developed at kind of a -- I'll use the term -- "grassroots" level, because the laws that we enforce here are specific to New Hampshire. When you make a DWI arrest, while there's some similarities from State-to-State, New Hampshire has a way of dealing with a DWI arrest and following the State Laws with regard to that.

But if you think about, the interactions between Police Officers and citizens does not change from State border to State border. It should not. And so, New Hampshire should really look towards using these gold standards applicable throughout the country and proven to be effective.

If we go to the next slide, Improvements to Communications and De-Escalation Training, I think, overall, we do a really, really good job with regard to teaching and reinforcing communication and de-escalation skills. We really, again, have, in my opinion, a very good program that is not topical. It's more thematic throughout the experience of the Academy.

Again, communications and de-escalation training is not State-specific. And so, I would strongly urge that we start looking at a program again that is designed by PERF that is titled ICATT, which is the Integrating Communication, Assessment, and Tactics Training. This program delivers critical-thinking strategies, crisis intervention, communication, and de-escalation skills, combined with safe tactics to address people in crisis. Again, it is a data-validated program that is used throughout the country.

I have had the opportunity to talk with a number of Chiefs. And many of them have suggested that we use CIT training, or Crisis Intervention Training at both the Academy and in-service levels. We have delivered -- and when I say we, here, in the State of New Hampshire, that type of training, that level of training has been delivered in the past. It would be expensive to be able to roll that level of training out to every single Police Officer in the State of New Hampshire.

And I think, of the two programs, from a fiscal point of view and from a gold-standard point of view, of the two programs, I would really like to look at the ICATT program first and foremost. Again, the Crisis Intervention Training is outstanding training. But it is a longer piece of training and it does cost a lot of money to put that on.

If we go to the next slide, again, it's going to be entitled Improvements on Use of Force Training. Again, I think overall we have a very comprehensive and robust training curriculum that deals with use of force training.

I have had the opportunity to work not only in Police training here in New Hampshire, but I was also the Director of a Police Academy in Massachusetts, as well. So, I have very intimate knowledge on training

methods on use of force in two different States. And I can tell you that we do a very, very good job here in New Hampshire.

Again, our use of force training is based on grassroots local lesson plans. And one of the things that I've already asked my staff to do is to revisit our lesson plans, as they exist right now, and to make sure that they reflect any kind of applicable guideline that is set forth in a document that was created by PERF, by the Police Executive Research Forum, that's titled 30 Guiding Principles on Use of Force. And I'm going to talk a little bit more about that document in the next couple of slides. But it is imperative that we take a new look at our lesson plans to make sure that we are speaking directly to the guidelines set forth in that PERF Guide.

There's one other piece of training that I absolutely want to bring into New Hampshire. And it's funny. Chief Dennis and I have had a couple of conversations, as we begin the work here on this Commission. And it's refreshing to speak with Chief Dennis and Colonel Noyes. I think all three of us share the excitement in having an opportunity to really take a hard look and refresh some of the things that we're doing.

One of those things is to bring in training that is titled EPIC training, or Ethical Policing is Courageous. In my opinion, a tremendous program that was developed by the New Orleans Police Department, and this training is to empower Police Officers to prevent or intervene when they are witness to Police misconduct, thereby affording them the opportunity to further protect citizens and to further enhance public trust.

We already have a very, very strong culture in New Hampshire in the law enforcement community with regard to this topic. It just is not tolerated here in New Hampshire in really any form at all. But, to enhance that and to really kind of make that a theme throughout New Hampshire Law Enforcement, I think this training would be phenomenal and very important to deliver to not only Recruit Officers but every Police Officer in the State of New Hampshire.

If we go to the next slide, Overall Considerations, in my opinion, Police Standards and Training and every New Hampshire Law Enforcement Agency should be using the 30 Guiding Principles on Use of Force as an overarching guide when they set standards for Police training, establishing Agency Policy, and setting the standards for all Police conduct. That really should be the gold standard that we are all using collectively, so that we are all on the same page.

I think, again, we've already talked about the EPIC training. Again, it will help us to reinforce the already-established New Hampshire Law Enforcement standard, the high standard that we hold for Police conduct. And clearly, all Law Enforcement Agencies should be referring back to the Report on the 21st Century of Policing for any further guidance, as we move our Agencies forward.

If we go to the next slide, very quickly, other considerations, I believe here, at the Police Academy, we need to really look hard at our delivery method and how we're training Police Officers here, and really start to introduce adult learning strategies. We're dealing with adult learners. And so, we really have to kind of revisit the way we're putting the information out there and allow these Recruit Officers to learn through problem-solving, roleplaying, scenario-based training, very, very important. And we will be transitioning to that, as we build out the curriculum.

It is my opinion, and it'll be open for further discussion, that presently we require eight hours of in-service training. And it's very, very open, in terms of what that training can be. And it is my opinion that, from my position here at Police Standards and Training and in working with the Council, we should really work hard at significantly increasing the amount of annual training that's mandated.

And further, it is my opinion that Police Standards and Training should be mandating and writing lesson plans so that every Police Officer every years receives the same training throughout the State. And I think that's something that, again, will take some time to implement. I'm sure there'll be more discussions with my brothers and sisters with regard to what kind of impact that would have. But I do believe that it is very important for us to do that.

Diversity should not be taught as a topic but as a theme throughout the Academy. And this is not my saying. This is one of my compatriots here. One of my Instructors made that statement. And he is absolutely correct.

Right now, the way we teach it is very siloed. It's a two-hour block of instruction and I don't know that we revisit it again. And in an adult learning strategy, that should be reintroduced and be thematic throughout the Academy. And we're going to look hard at trying to make that happen.

I've had excellent discussions with my peers, the Chiefs and Colonel, and Sheriffs out there. And there is a strong interest in bringing back a State-level Police accreditation system. We used to have that in New Hampshire. I'm going to let Chief Dennis speak to that in more detail. But, from my position, we stand ready to bring that back and to make that happen. And I think all of New Hampshire Law Enforcement and the citizens of New Hampshire benefit from that kind of a process.

The last slide is really just the Challenges. And the challenges that I face right now is that we are an under-resourced Agency in that we are not going to be able to implement every single consideration that is put forth today or which is identified during the work of this Commission. And so, we're going to have to prioritize things and really recognize what are the most important things to put all of our resources towards to accomplish.

Further, as we make changes, this will impact not only operationally here at the Police Academy, but every single Police Department. And it just needs to be said that that will be a challenge that we will all have to address, if we increase the length of time on the Academy, or require more in-service training. And that is just a consideration that we have to keep in mind, as we move this forward.

And finally, I would say this. And I really just say it for the record. And that is that this is a tremendous opportunity. But, as we consider changes and the implementation of changes, I would ask that we also make these moves and set these goals, and have these visions in a way to do it the best that we can. And so, I hope that we do it correctly and not quickly just for the sake of doing something.

I want to close by just saying that I really do recognize not only the privilege but really the awesome responsibility that comes with my position here as the Director. And I don't take that lightly, ladies and gentlemen. This job is bigger than me or anybody else who can sit in this chair.

I want to thank the Governor for the opportunity to be a Member of this Commission. And I've talked with many people in the law enforcement community. And I speak for myself, but I really do share their position, as well. This is a tremendous opportunity right now for New Hampshire Law Enforcement, for all of us to work together to take something that I believe is very, very good right now. New Hampshire Law Enforcement is outstanding. And we're going to make this even better. We're going to come away from this process with a new and better vision. And I'm just really excited to be part of this opportunity. And I thank you, General, and Members of the Commission. Thank you for your time.

**ATTORNEY GENERAL MACDONALD:** Thank you, Director. I'm wondering if we could sort of step back a little bit and for perhaps some Members of the Commission and Members of the public listening in, if you could describe briefly how the Police Academy works, how Recruits come into the Academy, the hours

of instruction. And I'm talking about non-COVID, because I know you've had to transition to a different environment. But, in a non-COVID atmosphere, how the Academy works and particularly give us some context, if we're doing two hours of diversity training, that is two hours of a total number of hours, which is what?

**DIRECTOR SCIPPA:** Thank you, General. Yes. So, the short answer is about 630 hours of training during a 16-week session. And to answer more specifically to the overall process, every single Law Enforcement Officer in the State of New Hampshire, that is State Troopers, County Sheriffs, City, Town, any Municipal Police Officer, Fish and Game Officer, anyone who carries with them a -- Liquor Enforcement Officer, everyone has to attend training here at this sole source for their Police training.

It is a 16-week program. Each Agency that hires their Police Officers have to vet those Officers to standards that are set forth by New Hampshire Police Standards and Training Council. It is a very rigorous hiring process to include screenings in medical, psychological, drug testing, a deep background investigation, criminal record check, motor vehicle record check. All of this has to be accomplished by the Hiring Authority.

Once all of those standards are met and the Officer is hired, then he or she is sent to our Academy for the 16-week program. It is paramilitary in nature and it is residential, which means that the Recruit reports to the Academy on a Monday morning and then is immediately immersed in the training and in the atmosphere. They sleep here overnight in the Barracks upstairs. And they are released on Friday afternoon, after the completion of training.

This training requires that they participate in fitness training in the morning before breakfast. And then, after breakfast, they are provided eight hours of training each day. And that will encompass lecture training, skills development training, scenario-based training. And it may require them to also go up on the firing range, practice driving Police cars, practicing putting on handcuffs, defending themselves. All of those things are kind of encompassed as part of that training. And I hope that answers your questions.

**ATTORNEY GENERAL MACDONALD:** Yes, thank you. That's very helpful. And just one other background question before I will turn it over to Commissioner Quinn: how is the Agency funded?

**DIRECTOR SCIPPA:** We are presently funded through the General Fund. And so, we would put together a budget. And I would work with the Council. The Council is a 16-member group that oversees the Academy. I report directly to that Council. They are my boss. And we would work together to put together this budget. And then, we would present our budget, like any other Agency within State operations.

**ATTORNEY GENERAL MACDONALD:** Very good. We will go through Commission Member-by-Commission Member for questions. We will start with Commissioner Quinn.

**COMMISSIONER QUINN:** Thank you, General. I have no specific questions for the Director.

**ATTORNEY GENERAL MACDONALD:** Thank you. Director Malachi?

**DIRECTOR MALACHI:** Thank you, Attorney General. I have no specific questions.

**ATTORNEY GENERAL MACDONALD:** Thank you. Mr. Johnson?

**MR. JOHNSON:** Thank you, Attorney General. Director Scippa, has some thought been given to the various Police Departments as have you stated before to have the accreditation process be reimplemented throughout the State, and to have the same thing done to the individual Police Departments and as a condition of employment to have individual Police Officers also reach a level of accreditation, or forfeit their position because they could not reach that level of accreditation? Do you think that we should take that next step as something to hold a level of accountability down to the Local Police Officer?

**DIRECTOR SCIPPA:** First of all, hi, how are you? I haven't talked to you in a while. It's good to hear your voice.

**MR. JOHNSON:** Yeah, welcome back.

**DIRECTOR SCIPPA:** Yeah, thank you. First and foremost, every Police Officer is absolutely accountable to their actions. So I guess I'll answer your last question first. Every single Police Officer's accountable for their actions.

I think that kind of the accreditation process that you speak to is the process that we put them through here at the Academy. That's kind of how a Police Officer gets "accredited". The term we use is "certified". They're certified because of the background investigation and vetting process that they go through at their Home Agency. And then, after that vetting process, they complete this certification process here by successfully completing the Police Academy. I don't know if I answered your question or not, sir.

**MR. JOHNSON:** You did in a roundabout way. I'm looking to do this from the standpoint of every Police Officer across the State doing this every year to maintain that certification, more to understand that the individuals are being kept up-to-date with current standards, also having the level of training, for example, more diversity training each and every year.

But also as a tell for the general public to put them at-ease that their Police Officers are accredited all across the board each and every year, it's more of the "gold standard" that we, then, put out to the public saying, this is what we're doing. So rest assured that we are keeping your safety in mind. It's more of an effort to do two things: train and then reassure the public.

**DIRECTOR SCIPPA:** I now understand. Yes. And so, you may recall, during my presentation, I spoke to the annual in-service training. And presently annual in-service training requires every Police Officer in the State of New Hampshire to complete eight hours of in-service training plus four hours of use of force training that can incorporate a number of different topics. And then, they must qualify with their firearm.

It is my belief that, to speak to your vision, really what we should be doing is increasing the mandatory hours of in-service training, number 1. And then, number 2, developing an annual block of instruction. And we can do that either through working with New Hampshire Police Leadership, having some citizens sitting at that table, as well. But in the end, develop a standard block of instruction that every Police Officer should have to complete every year. And those topics can maybe change from year-to-year, but other topics may be the same topic reiterated every year.

It's actually what we're talking about right now and what you're suggesting is an adult learning strategy. It's called stacking. And basically what that means is that adults are smart. You only have to teach them something once. But to refresh that, they only need a small block of instruction to reiterate and bring it back into focus by delivering just a short reiteration of that training after they've learned it the first time. And so, that's kind of the vision that I have. And it sounds like you're kind of seeing it the same way.

**MR. JOHNSON:** Okay. For true transparency, Chief Scippa, I do want the Commissioners to know that, yes, you were my Chief of Police in the town that I used to live in, in Stratham, and that the information I just transmitted, my vision of what the training should be, we did not communicate prior to now about this. So I don't want anybody to think that my thought process here was prompted by anything that you did or anything that's being done right now, in terms of consideration.

I honestly think that the effort to do this on an annual basis, which may change year-after-year to augment the training, is probably a good thing. Having said that, I was hoping that we could, again, tie this to the Officers' employment saying, not only do you have to do this, if you don't think that you need this training. You're going to have to do this, because otherwise you can't be a Police Officer. Tie it to the Chief. If the Chief's Staff doesn't do it, his job is on the line, so that we maintain, again, the highest level of compliance to this effort.

**DIRECTOR SCIPPA:** To speak directly to that, sir -- and I very much appreciate the transparency and absolutely that is correct. To speak to the enforcement of that mandatory training, understand that if a Police Officer in New Hampshire does not maintain and document their mandated training through Police Standards and Training, their certification is subject to suspension, which means that if you don't complete the training, you cannot be a Police Officer.

**MR. JOHNSON:** Thank you, Chief Scippa.

**DIRECTOR SCIPPA:** You're welcome, sir.

**ATTORNEY GENERAL MACDONALD:** Thank you, Mr. Johnson. Mr. McKim?

**MR. MCKIM:** Thank you, General. Can you hear me?

**ATTORNEY GENERAL MACDONALD:** Yes.

**MR. MCKIM:** Great, thank you. I have just a few questions. And thank you, Director Scippa, for your testimony. I really am encouraged by and appreciate what you shared with us. So, my first question is you mentioned that, with the 630 hours spread over the 16 weeks, every Police Officer needs to go through that training regimen. So, just to clarify, does that mean that 100% of the Police Officers in the States [sic] today have been through that same training?

**DIRECTOR SCIPPA:** No, sir. Throughout the existence of New Hampshire Police Standards and Training, which was established in 1971, the mandated training for certification has changed over that time.

My Academy class -- and I am a Police Officer now -- my Academy class was only 10 weeks long. There are other Academies that were shorter than mine and other Academies -- the later that Academy occurs, the longer that block of instruction in total was. So, right now, we're looking at a 16-week block of instruction. But there's some old-timers like myself out there that we received a 10-week block of instruction to be certified.

**MR. MCKIM:** Great. Thank you for clarifying that. And just a follow-up to that question, is there thinking about how those who did not go through this 16 weeks' worth of training would be trained to make sure that they are now up to the current set of skills and standards that the current training warrants or imparts?

**DIRECTOR SCIPPA:** Yes. So, traditionally the way that we've kind of looked at that is that that annual mandated eight hours of training -- and that's just the minimal number. I can tell you, both as a Chief of Police and as a Police Officer that has worked in a couple of different Agencies, almost every Chief of Police builds into their budget a training budget that is going to allow him or her to exceed that eight hours of instruction. So, a lot of kind of keeping up with current trends is kind of pushed down. Historically, it's been pushed down to the local level, to the Agency level.

You're going to hear Colonel Noyes outline the State Police training. And it's going to make eight hours seem -- it well-exceeds, I should say, the eight hours of training. So, to that end, historically that's how we've tried to address it. And that's why I think we just really need to revisit the annual in-service training. Make it longer. Make it more specific.

It's really up to the Agency right now to kind of decide what kind of training they want to send their people to. But, as an organization that has sole responsibility for training and standards here in New Hampshire, I do think that this is an area that we can very much improve upon to address, I think, the concern that you have.

**MR. MCKIM:** Great. Thank you. And moving on, just I was really curious. You talked about, during your comments on the ICT [sic], the improvements of communications and de-escalation training.

**DIRECTOR SCIPPA:** Yes, sir.

**MR. MCKIM:** You mentioned two programs. And you were recommending one of them because of the cost factor and just the practicality of implementing the program, I believe.

**DIRECTOR SCIPPA:** Yes.

**MR. MCKIM:** I'm curious to hear your thoughts from the perspective of serving the public, irregardless [ph], which of those programs would you choose?

**DIRECTOR SCIPPA:** Irregardless [sic] of cost, I do not believe that I am in a position to comment or answer that question. I would want to really, really hold these two processes, or training programs, next to each other and really look hard.

I think, from not so much a content point of view, but from a applicability point of view, CIT Training is kind of a one-and-done training, as it has been delivered in New Hampshire before. So when you take CIT Training, it's a week-long program. It is excellent. CIT Training is excellent in every way. And then, those Officers will practice what they've learned. There may or may not be updates that go with that. And I believe Mr. Norton is on the panel here. He can probably speak to that a little bit.

But the ICATT program, it's structured in a way so that it is reintroduced both at an Academy level and then an in-service level. There's an in-service piece of that that can be pushed out to the Agencies much easier than it would be to hold these week-long trainings. So, I guess, from that point of view, it would be of better service to the citizens, because you could reintroduce the training over the career of the Police Officer and refresh it, as they go.

And again, I have not been through CIT Training. I am very aware of it. I've reviewed their curriculum, or kind of the summary blocks of instructions. I've talked with Police Officers and Police Leaders that have put their people through it. They say it is outstanding in every way.

So, really, part of my job is to also look at being fiscally-minded and being able to get the message out to the most Police Officers that I can on the dime that I have. And I do have to look at it that way, as well.

**MR. MCKIM:** Thank you. Certainly appreciate being fiscally responsible with the taxpayers' money, so thank you for that. My last question is, I guess, part of an observation. Part of my daytime job as being President of the NAACP is really a volunteer position. But part of my daytime job -- or my daytime job is doing diversity inclusion, consulting, and training. And one of the things I've observed is that I appreciate the notion that you put forth of incorporating diversity training in all aspects of the training that happens.

I wonder, though, if there's been a consideration about the nature of the time that we're in, where diversity is one of those issues that there's a mindset shift that has to happen. And to make that mindset shift happen, sometimes it takes specific emphasis on the issue.

I use the analogy of it there's a cut, if someone has a cut, you don't treat the whole body. You treat the cut. And maybe you give some Tylenol for the rest of the body to not feel the pain. But you take that cut head-on. So I wonder if there's any thoughts to keeping the diversity training piece, making it small and focused on shifting the mindset and addressing the systemic kind of minefield that we live in, the fog, as Dr. Jennifer Harvey says, as well as incorporating the concepts throughout all of the training.

**DIRECTOR SCIPPA:** Well, sir, I understand the analogy that you've put forth. And I would look forward to the opportunity to sit down and talk with you with regard to your vision of what we're trying to accomplish, because I'm not sure I understand what you're asking me.

**MR. MCKIM:** Happy to take this one offline.

**DIRECTOR SCIPPA:** And really I'll come your way, or you can come up here. I would look forward to the opportunity.

**MR. MCKIM:** Great. Thank you.

**ATTORNEY GENERAL MACDONALD:** Thank you, Mr. McKim. Judge Gardner?

**JUDGE GARDNER:** Yes. Thank you, Director Scippa, for your presentation and in-depth analysis of the curriculum. I would like to try to stay within the framework of our mission. And in doing so, I've looked at some of the submissions from the public.

And one of the things that caught my eye was the submission from Chief Kurz from the Durham Police Department and his in-depth sort of Report that he does annually. And I'm not asking that this be done annually. But, what are your thoughts regarding Police Departments conducting regular bias reviews, analysis of force-related incidents, and also assaults on Police Officers? That's my question. Thank you.

**DIRECTOR SCIPPA:** Thank you, Judge. I can speak from my experience as the Police Chief in Stratham, New Hampshire. I would collect data and put forth a public Report every year with regard to our use of force and specifically what types of force was used by Police Officers to make arrests or to do their jobs during the course of that year.

Within that Report, we would also collect the data with regard to age, gender, and race as part of the overall data collection. That was done at a local level. And some Agencies do that. Some Agencies do not. It's kind of a Agency-to-Agency decision.

Would there be benefit for us to collect all of that information at maybe a State level? Absolutely. The more solid objective data that we can collect to help us address these concerns that we're all brought together to address, I think, is wonderfully important. And I would look forward to being part of that process, if the State of New Hampshire and this Commission felt that that was something that we should pursue.

**JUDGE GARDNER:** Thank you.

**ATTORNEY GENERAL MACDONALD:** Your Honor, you're all set?

**JUDGE GARDNER:** I don't want to take up much time. So I'll yield to the next person. Thank you.

**ATTORNEY GENERAL MACDONALD:** Okay. Thank you, Judge. Lieutenant Morrison?

**LIEUTENANT MORRISON:** Thank you, General. And thank you, Director. The New Hampshire Police Association, we obviously have Members from Agencies across the State of all ranks. To the Officer of every conversation I've ever had, we are all excited to have Director Scippa up at the Academy. I have known Director Scippa for over 20 years, including on my first day in law enforcement. And he truly embodies what he's talking about and has never broken from that the entire time that I've known him.

One topic that you spoke of, Director, the repetition for some of these tactics and techniques that the Recruits go through, you said it's like trying to teach somebody to hit a golf ball. Can you explain to the Members of the Commission why it's important to have these sort of repetitions for these types of techniques and the reasoning behind that physically, what happens to Officers?

**DIRECTOR SCIPPA:** Thank you, Lieutenant. And thank you for those kind words. I appreciate that. Lieutenant Morrison asks a very important question. And I think it's important for everyone who's

listening to understand that Police Officers, they're just regular people. And they're put in some pretty extraordinary circumstances sometimes. And they have to perform really very rudimentary physical tasks in extraordinary and dangerous conditions.

And so, the repetition that I speak to not only occurs here at the Academy level, but once they go back to their home Agencies. Police Officers have to perform these types of things while their own lives are being threatened. And in some cases, they literally will fight for their life.

I try to equate being a Police Officer. I have to use kind of a more timely analogy. But you have to kind of be a Jedi. You have to stand for what's right and be good with people. And at the same time, you, unfortunately, have to be prepared to use force, if necessary, if necessary.

But to the Lieutenant's question, the ability for a Police Officer to act competently and appropriately in those extraordinary circumstances, their life could depend on it. The life of an innocent citizen will depend on it. So that's why the repetition occurs. They have to be able to do this in high-stress situations. And I don't know if that answered your question, Lieutenant.

**LIEUTENANT MORRISON:** It did, sort of. Part of the reason for the question was there are physiological things that happen to Officers in these situations where they lose the ability to have fine dexterity and different things. And I just wanted to try to help people understand sort of the physical challenges that go along with some of these what could be perceived as rudimentary physical motions in stressful situations. Is there a way to recreate sort of one of these events that is utilized at the Academy?

**DIRECTOR SCIPPA:** So, generally, once the Recruit learns the building blocks of the job, closer to the end of the Academy, we try to recreate -- or create scenario-based training that will ask the Officer to be able to appropriately apply laws, while in stressful situations that may or may not necessitate them to make decisions on use of force, what level of use of force, and then to measure whether they can apply that level of force properly. And that's about as close as we can get it as a scenario training. We use a tremendous amount of volunteer Instructors that we're thankful for to try to create those scenarios so that those Officers are as stressed as we can get them in a controlled environment to make sure that they can perform under those circumstances.

**LIEUTENANT MORRISON:** Thank you. And there is a simulator at the Academy, if I'm not mistaken. And I wonder if, given time and availability, if the Academy would be willing to make that simulator available to any Commission Member that would like to go through it.

**DIRECTOR SCIPPA:** I would happily do that. It's called the VirTra. It's a 365-degree video simulator. And that, too, is a tremendous training tool. And I would invite anyone who sits on this Commission to come up and we will happily demonstrate that device to you, just to give you a sense of what we can do. To his point, we also use that simulator for mental-health crisis intervention training. So part of the scenario training for communications and de-escalation is practiced in that same simulator.

**LIEUTENANT MORRISON:** Thank you, Director. And last thing I would like to add is that there are a great many Members of the NHPA who worked for Agencies that are CALEA-accredited, the Commission on law enforcement accreditation. Our Agency is currently pursuing that. But a large number of Agencies in New Hampshire are accredited and they do a lot of the tracking. They do a lot of the assessing that we

are speaking about. And I know from my own Agency, and speaking with all of our members, we are certainly committed to being part of the solution and would welcome additional training and additional resources in this area. That is all I have. Thank you so much.

**ATTORNEY GENERAL MACDONALD:** Thank you, Lieutenant. Chief Dennis?

**CHIEF DENNIS:** Hi, General. I just had just a follow-up comment to what the Lieutenant was talking about and I think where he was trying to go when he was talking about some of the physiological responses.

If you look under the stress response of just normal people, 60 beats per minute, which is kind of that Condition White. That's kind of normal resting heart rates. When you move into the 90 beats per minute, which they call Condition Yellow, your fine motor skills start to deteriorate. Your handwriting would not be as sharp as it would under normal circumstances.

Under Condition Red, which is about 120 beats per minute, your complex motor skills start to deteriorate. But your peak physical performance is much better. Complex motor skills: playing tennis, hand/eye coordination; riding a bicycle. Those things start to deteriorate.

And of course, when you get up to Condition Gray, 150 beats per minute, your cognitive processing creates tunnel vision, auditory exclusion, time dilation. All those things start coming into play with those different stress responses and as your heart starts beating faster. So I think that's a little bit what he was talking about to Director Scippa of the importance of training and the repetition of training. And with that said, I have no further questions for Director Scippa. Thank you.

**ATTORNEY GENERAL MACDONALD:** Thank you, Chief. Mr. Norton?

**DIRECTOR NORTON:** Thank you, Director Scippa. It was a great presentation. I do have a few questions. Can you tell us how the 16-week curriculum compares to other States, in terms of length of time?

**DIRECTOR SCIPPA:** Yes. So, in Massachusetts, where I was a Director, their training hours hovered around 750 to 780. There's a little bit more flexibility in their program down there. And it was over a generally speaking 22- to 23-week program. Again, more flexibility and it's delivered in a different style, where it's not a residential setting.

If you ask me to compare us to most other States out there, I'd say we're at just less than the average Academy. Most Academies out there are about 20 weeks long. But there are a number that are 16, 18 weeks, as well. So, our training is well-inline with what's going on in the nation, but it's probably a little less than most States that are out there.

**DIRECTOR NORTON:** Thanks. Can you say a little bit about the use of technology at the Academy and the ability to train remotely, and to reach some of the northern parts of the State, specifically?

**DIRECTOR SCIPPA:** Yes, I can. Unequivocally, we are under-resourced to be able to deliver any type of online training. And I compare us to the Fire and EMS Academy here in New Hampshire.

Director Pendergast, when I very first came here, she allowed her Staff from Fire Academy to come here to the Police Academy. They have a media unit there that helped us provide COVID-19 training online. It was one of the most remarkable processes that I have seen. And it is a high-quality training video that we turned around and said, hey, we're going to give everybody in-service credit for this, because it was of such high quality.

After I saw that, I immediately tasked two of my Staff Members to begin working with the Fire Academy's Media Training Unit and to identify software platforms that we can use in order to be able to create high-value online training opportunities. I would like to be able to say that we can do the same thing that the Fire Academy does, in terms of their online training, which I think they do a phenomenal job at.

We will need some financial support to make that happen. But I think the return on that investment is going to be 10-fold, because we will literally be able to reach every single Police Officer in the State of New Hampshire to provide them with that one-off training, the reiteration training, in very, very small blocks, which is the part of that adult learning strategy.

So, the scramble that I had to make my first day here and then that first week to get our Academies online, I thank God every day that I have the Staff that I have. They are outstanding and they were able to make that happen in short order. But we have a lot of catching up to do to be able to leverage technology to push the training that we really want to get out there.

**DIRECTOR NORTON:** Great. And I really appreciated what you said about research-based training. And I'm wondering if you feel that the Academy has access to New Hampshire data that's sufficient to inform your training practices.

**DIRECTOR SCIPPA:** Well, I think that that Job Task Analysis will certainly provide us with a lot of direction. I am a member of an organization. The acronym is IADLEST. It's the International Association of Directors of Law Enforcement Standards and Training, quite a mouthful.

We have very, very active collaborative organization where we trade information. We pass along information. And so, I get a lot of data from other States, even lesson plans. The lesson plan that I was able to offer to the Working Group on diversity came through IADLEST. So, it's a great resource.

I think there's a lot of talent here in New Hampshire. I think the University of New Hampshire, the New Hampshire University, the entire college/university system of New Hampshire, there's a lot of smart people out there. And I think that it's something that we just haven't tapped, with regard to assistance in the area of education and data collection, and things like that. And my hope is that we can establish and foster good relationships with those learning institutes to help with using data to steer our training here.

And then, finally, I would say that PERF and the IACP are both tremendous research organizations that put out guidance and papers based entirely on research, which is all cited. And that's why I think that we really will get a lot of value out of relying on guidance, particularly those guiding principles on use of force. That really is a gold standard that we should be looking to, as a law enforcement community here in New Hampshire. But I like to use data as much as possible and objectively validate why we're doing what we're doing.

**DIRECTOR NORTON:** Thanks. And I want to ask how many hours of annual training are required in other States for recertification and how we compare to that.

**DIRECTOR SCIPPA:** So, what research I've done shows me that, in some States, they're just like us. It's eight hours annually. And then, they have to be able to qualify with their firearm. In Massachusetts, it was 24 hours of mandated standardized training to include the annual legal update, and then topics that were decided upon through the Chiefs Association. So the Chiefs of Police would help the oversight body in the Commonwealth of Massachusetts identify training sources.

Other States say that you have to complete X number of hours over a two-year period. So, in essence, you could have a Police Officer who meets that training standard the first year, and then gets no training the second year. I don't particularly like the way that's arranged. But that's how other States do it.

**DIRECTOR NORTON:** And I'm not sure if this is what Mr. McKim was trying to ask. But, to what you just answered, does PSTC have the ability to require a specific training for recertification in a particular year? So, for instance, if it was decided that Police needed Fair and Impartial Training, or the EPIC training that you mentioned, could PSTC require that training as part of those eight years for a year for all Officers in the State?

**DIRECTOR SCIPPA:** As our technical rules and laws exist right now, the answer is no. The way that our rules outline annual training is that it's up to the choice of the Department Head, as long as that training is documented and that there's a lesson plan on file and any other training materials that were part of that block of instruction. So, the short answer is, no, we cannot mandate specific training at this time, just based on the rules that we have that guide us.

**DIRECTOR NORTON:** And those rules are developed by the Council, or who develops those rules?

**DIRECTOR SCIPPA:** So, those rules are developed by the New Hampshire Police Standards and Training Council. And to maybe lend a little more information, the Technical Assistant Manual and the rules, it's a pretty big volume of material. And we are reviewing that right now. That is open for review right now.

And as I said earlier, I would like to have the ability to mandate specific training. I would like to increase the amount of in-service training. I think it's good for the Officers. And I think it's good for the citizens. And so, you'll hear me, as we move this forward at a Council level. That is going to be my position to the Council.

**DIRECTOR NORTON:** Great. And how long is the EPIC training that you mentioned that came out of New Orleans PD?

**DIRECTOR SCIPPA:** So, the Ethical Policing is Courageous training, EPIC training, is an eight-hour block of instruction at the Academy level. And then, there is a four-hour block of instruction for In-Service Officers.

And again, I think this is just a win-win-win kind of training opportunity. It keeps our citizens safe. It helps build trust within the communities that we protect. And candidly, a Police Officer can save another Police Officer's career by preventing them from getting wrapped up in something emotionally and not making a good decision. They can intervene before a problem happens. And that's why I just think it's just good all the way around.

**DIRECTOR NORTON:** And can you say a little bit about what training you provide regarding Police Officers' own mental health and/or peer support for law enforcement?

**DIRECTOR SCIPPA:** Yes. I have some papers here. We have a block of instruction on mental health and wellness for Police Officers. And that is actually delivered by a Police Chief who holds a PhD in Psychology and is one of the main peer-support people here in the State of New Hampshire for First Responders.

And then, on top of that, we deliver a block of instruction on health and wellness that's put on by one of my Staff Members who has multiple certifications in the area of physical wellness and physical training, and things like that. So, we do try to cover both the mental and the physical aspect of wellness.

And candidly, I think that's another place that we really could do a better job on, quite frankly. I think this job, it's a tough job. We all signed up for it. We all kind of knew what we were getting into. But, I think we have to do even a better job at making sure that Officers have resilience throughout their career, not just when we start them at the Recruit Academy, but really throughout their career. And hopefully, as we work on the total curriculum, we really take a hard look at our Officer-wellness block of instruction to see if we can build that out.

**DIRECTOR NORTON:** Great. And I apologize. I have so many questions. But, I have two more. One is you mentioned the Fair and Impartial Training model. And I Googled that but I wasn't really coming up with what it was. Can you say what's involved with that and how many hours that is?

**DIRECTOR SCIPPA:** So, let me just check my notes real quick. I don't want to speak off the top of my head. Let's see here. I apologize. This particular block of instruction was developed by a PhD who was a Police Officer down in Florida. Now that Doctor oversees this particular block of instruction. And all of the details can be found on the PERF website. So if you go to Police Executive Research Forum, you'll be able to find a link to the Fair and Impartial Police Training.

**DIRECTOR NORTON:** Great. And then, my last question is, did the legislative audit that you mentioned recognize that PSTC was under-resourced?

**DIRECTOR SCIPPA:** I'm looking through. Hang on one second. I don't think that ever came up. I think what it did was it just looked at our operation, per se, in the absence of, I guess, finances not being considered, how can we do better in our operation? And so, those observations were made really without looking at the budget.

**DIRECTOR NORTON:** Great. Thanks very much, Director.

**DIRECTOR SCIPPA:** You're welcome, sir.

**ATTORNEY GENERAL MACDONALD:** Thank you, Mr. Norton. Mr. Lascaze?

**MR. LASCAZE:** Thank you very much. Thank you, Director Scippa, for the information that you've provided and for doing this presentation. I appreciate that. I have a couple questions. The first one that I

actually just wanted to get out there was for Commissioner McKim, concerning the question that he had asked of Director Scippa. That's a very important question and I would like to highlight it. So I was wondering, if it's possible, when that answer is given offline, that we could have that submitted for the record for the Commission.

**DIRECTOR SCIPPA:** Oh, absolutely. I would be happy to share that, absolutely.

**MR. LASCAZE:** Yeah, perfect. Okay. So, one of the things that I wanted to talk about is, as the Smart Justice Organizer for the ACLU, transparency is a big topic that I get calls on and asked from the community members. And one of the things that people are wondering is what the current annual budget of Police Standards and Training Council is.

**DIRECTOR SCIPPA:** I have my budget book right here. So I can give you the exact number. I'm sorry. Hang on one second. I'm going through a document here that's in a notebook, if that tells you anything.

**MR. LASCAZE:** No problem.

**DIRECTOR SCIPPA:** I don't have that exact number right in front of me. But there's somebody right down the hall that could get that to you, if you wanted me to reach out to them.

**MR. LASCAZE:** Please, I appreciate that. Okay. The next question I have for you, I want -- thank you for talking about the Fair and Impartial Policy model and shedding more light on that. Could I ask that Police Standards and Training submit for the record a breakdown of the curricula of Fair and Impartial Policing Training model, in a similar way for the time and the topical breakdown that we saw for the current curricula that's being taught at Police Standards and Training?

**DIRECTOR SCIPPA:** I'm sorry, sir. You broke in-and-out during that. Can you repeat that, please?

**MR. LASCAZE:** Sure, is this better?

**DIRECTOR SCIPPA:** It is better. Yes.

**MR. LASCAZE:** So, I wanted to thank you for providing more information on the Fair and Impartial Policing Training model. And I would like to answer that Police Standards and Training Council can submit for the record a breakdown of this curricula in the same way for the time and topical breakdowns of this curricula being taught.

**DIRECTOR SCIPPA:** Oh, okay. So, just so that I make sure that I understand, are you looking for a breakdown of every one of the classes and the amount of hours we dedicate to that class? Or do you want me to provide that same lesson plan to the Commission?

**MR. LASCAZE:** No, the former, if possible.

**DIRECTOR SCIPPA:** Oh, excellent. Yes, I can happily do that for all the Members of the Commission. I'll send that out.

**MR. LASCAZE:** Absolutely. Thank you. I appreciate that. While we're on Fair and Impartial Policing Training, what I would like to know is what would Police Standards and Training Council actually need to formally adopt this Fair and Impartial Policing Training model?

**DIRECTOR SCIPPA:** I'm sorry, sir. You keep breaking in-and-out.

**MR. LASCAZE:** Okay. What would Police Standards and Training Council actually need to formally adopt the Fair and Impartial Policing Training model?

**DIRECTOR SCIPPA:** I think that the steps that we would need to take is to just reach out to that organization. I've already left a message with them. I have not heard back. I candidly can only imagine how busy they are right now, as every State is doing exactly what we're doing.

But I would work with that company to find out what the cost is. What I'd really like to do is create Trainers. So we would host a Train the Trainer class here so that we could get a bunch of people certified as Instructors of that program. And then, we can send all those Instructors out to the various Police Departments to be able to deliver that training.

**MR. LASCAZE:** Okay. And who would authorize this adoption?

**DIRECTOR SCIPPA:** I'm sorry, sir?

**MR. LASCAZE:** And who would authorize this adoption of the Fair and Impartial Police Training model to being taught at Police Standards?

**DIRECTOR SCIPPA:** So, this suggestion would be brought forth in front of the New Hampshire Police Standards and Training Council. The Members of that Council do a wonderful job in making sure that they have all the facts before they make decisions. But clearly, they recognize when something makes sense and it needs to happen. I enjoy their support. So, formally, that's how that would come to be.

**MR. LASCAZE:** Okay. And who are the Members of the Council?

**DIRECTOR SCIPPA:** So, there are a number of Members. Hang on one second, and I can send that to you, if you'd like, because it is pretty vast.

**MR. LASCAZE:** Okay. Yeah, we could probably just get that submitted for the official record of this Commission, in the interest of time.

**DIRECTOR SCIPPA:** Okay.

**MR. LASCAZE:** What I would like to also know, though, so the same question for the -- you spoke about the EPIC ethical policing. Again, same questions, what would Police Standards need to adopt this? And again, this would be the Police Standards and Training Council that would authorize this, correct?

**DIRECTOR SCIPPA:** That is correct. Again, I've reached out to EPIC and I have made inquiries. Because of COVID, they kind of said they're on hiatus right now. Everybody's working from home. But in the works, I've already reached out to these organizations that offer this kind of training.

I think the situation is such that, because everybody was kind of on hiatus for COVID, and then I'm sure because of the tremendous interest across our nation right now, these particular organizations are really working with the entire country, I can imagine. So, the responses may not be as timely as we hoped. But the same process to get that block of instruction okayed would have to go through the Council.

**MR. LASCAZE:** All right, thank you. You spoke earlier about cultural dynamics. And you mentioned that cultural dynamics and diversity training, it should be thematic. And I believe that courses on racism, implicit bias, these are issues that should be thematic and woven out through the curriculum, as you had stated, and not just restricted to a two-hour course. It should be a part of mandatory training.

And what I would like to know is that, you spoke about the VirTra simulator earlier. And in the spirit of transparency, you and I have spoken about the VirTra machine before the Commission was established and when I had done the tour there. And I had asked a question concerning passive or classical conditions that happens in the virtual machine. And what I wanted to know was, you said that Police Standards and Training Council has the ability to control every dynamic of the virtual machine, correct?

**DIRECTOR SCIPPA:** Yes, we do. We can build our own scenarios.

**MR. LASCAZE:** Okay. And given the racial disparities that happen in New Hampshire, I had asked if the AI that Officers interact with, or when you rebuild the scenes, how many people of color are represented as individuals that are arrested or okayed when an Officer is allowed to use deadly force in that makeup? How people of that make up people of color?

**DIRECTOR SCIPPA:** Yeah. I think that's an excellent question. We have over 125 different scenarios that are built right now. I have not gone through each one of them. I don't believe that we have made any kind of a record with regard to any of those pedigree questions in terms of race or gender, or anything else like that. I don't believe that we've ever really recorded and maintained that kind of information. But it absolutely is something that we're going to need to do, so that we're being fair and impartial in that way that that VirTra is used.

**MR. LASCAZE:** Okay. Thank you. Earlier, when you were speaking to Commissioner Johnson, you had said that Officers are individually responsible for their actions. And I agree with you. Law Enforcement at the end of the day is people, and people are humans. And as humans, we're all flawed. And given the platform and authority that Law Enforcement has, those flaws can have very detrimental consequences. And that is what we're here to try to mitigate and correct. So, I wanted to shift over to certification. And what I would like to know is, what's the current process through which Police Standards and Training Council would review an Officer's certification?

**DIRECTOR SCIPPA:** So, in the case of a concern with a Police Officer coming into the building, there's really three general types of complaint processes that we have here. In the first instance, there is a Report of a Police Officer being involved in some type of criminal activity. In other words, they've been arrested. And maybe they haven't been arrested.

But there's a mechanism in place that mandates New Hampshire Police Departments to report on what we call a Form G to make notice to Police Standards and Training that they either arrested a Police Officer or that they have a Police Officer that works for them that reports that they have been arrested. So, if you're a Police Officer in X community and you get arrested in Y community, both communities are required to report to us that that arrest has been made. And then, administratively, our Council would, then, work through a flowchart with regard to how that's addressed. So that's one way of how a complaint would come to us.

Secondly, Police Departments, Police Chiefs, Colonels, and Sheriffs are required to inform us of any status change of a Police Officer. That status change comes in on a different kind of form. And that form will let us know that there was a resignation or a termination, or they hired somebody. They promoted somebody. They demoted somebody.

If there is a negative movement on that status, in other words the person is demoted or suspended, or terminated, or they resigned in lieu of a termination, we will make inquiry. When I say we, the Council will make inquiry as to whether there was a rule violation. And if there was, then we will take action on that person's certification, as well.

And then, finally, if somebody files a complaint -- and that could be anybody -- files a documented complaint on a Police Officer, there is a system by which we would look at that, as well, to make sure that no harm was committed or no violation of Police Standards has been committed. So, we have three very, very comprehensive ways to follow up on very specific complaints, either a criminal arrest or the employee's status changed, or we receive a complaint. And I hope that answers your question.

**MR. LASCAZE:** Sure, absolutely. Thank you. And as the Commission is about transparency and accountability, after hearing what you said, another question (inaudible) which is if, for whatever reason, it seems that your Police Standards and Training Council would need to be notified from the Police Departments or the community members in New Hampshire. Now, if that doesn't occur, is there any other mechanism of accountability that would take that into consideration and still allow this process to occur?

**DIRECTOR SCIPPA:** I'm sorry, sir. Your phone is breaking in-and-out. Could you just repeat that question for me, please?

**MR. LASCAZE:** Sure. I said, so this is about accountability. And it seems as if, in order for these reviews to take place, that would require Police Standards and Training Council being notified. And if, for some reason, Police Standards and Training Council wasn't notified of these infractions or Reports, is there any other mechanism that's in place that would serve as an accountability measure so that Police Standards and Training Council could still effectively review certifications where necessary?

**DIRECTOR SCIPPA:** I guess to respond to that, we will address any complaint that comes into our building. But if we don't know about it, then we can't address it. So, am I understanding you to ask that, is

there any other reporting system in place, other than the three that I outlined? I would say, no, not from our perspective.

Now, each Police Department in the State of New Hampshire can agree to put on their website, or have a mechanism for them to collect those types of complaints. And then, they would investigate them at their level. And really there is no central or formal way for us to receive them, other than the three ways that I just explained.

**MR. LASCAZE:** Okay, perfect. Thank you. To your knowledge, do you know how many law enforcement certifications that have been rescinded, due to misconduct in the last five years?

**DIRECTOR SCIPPA:** I do not have that number available.

**MR. LASCAZE:** Okay. And also, are there any explicit criterias [ph] that would automatically result in an Officer's certification being suspended or revoked?

**DIRECTOR SCIPPA:** There is nothing that specifically is outlined in our rules that says it is absolutely automatic. In every case, the Council will look at all of the facts, provide due process, and then make the decision after review of those facts and making sure that the Officer in question is provided their due process throughout the process.

**MR. LASCAZE:** Okay. All right. So does Police Standards and Training Council, then, see it as its job to uphold the credibility of Police certifications in New Hampshire by imposing certification suspensions and revocations in certain instances?

**DIRECTOR SCIPPA:** Yes.

**MR. LASCAZE:** Okay, cool. And one last question, since we are talking about training, that I wanted to know, is there any training that addresses legal limitations that would prohibit Officers from holding people due to suspected civil immigration violations, including at the request of ICE or CBP?

**DIRECTOR SCIPPA:** There is a very clear guidance that was developed probably in the last year with regard to State, County, and Municipal Police Officers here in New Hampshire on very strict guidance as to how they interact with Federal situations and specifically to the question that you asked. I do not have a copy of that guidance in front of me. I do know that the New Hampshire State Police is on the cutting edge of that and they were able to disseminate a very clear and comprehensive set of guidelines, Policy, if you would, to help Local Police Officers navigate that.

**MR. LASCAZE:** And that guidance is incorporated into the current curricula?

**DIRECTOR SCIPPA:** I don't know if that is spoken to directly or not. And I literally, as we're talking, I have a number of documents in front me I'm kind of going back-and-forth with. And I cannot speak with any accuracy on that. But I can do some research and get back to you, if you'd like.

**MR. LASCAZE:** Okay, sure. Thank you. One last thing, regarding the physical reactions that we're speaking about earlier, I understand it's a high-stress position, high-stress job and these physical reactions come into play which informs decision-making, right? And the training is done to make sure that, when they happen, that a clear, logical thought process is used.

I come from a Military family. And in particular, one of the family members was speaking to me about some of the challenges of going from Military into law enforcement being the instinct that Military Personnel are trained for one specific thing in engagement and when they're engaging with hostiles. So, when people enter into the Police Standards and Training Academy that do have a Military background, I'm wondering, is there any type of special consideration that's given to training for them that may help to shift the instinct to kill first, as opposed to de-escalation?

**DIRECTOR SCIPPA:** I think everybody would agree that a Soldier in our Military is a warrior and Police Officers are guardians. Police Officers are supposed to watch out for their communities and the members of their communities, and to help any way they can.

We don't take any kind of formal actions in training members of our Recruit classes differently because they have a Military background. And if anything, it's been my experience that the majority of former Military people, particularly those who have been under fire, quite frankly, are much more worldly and experienced, and have the maturity level to understand how important de-escalation is and how important communication skills are. So, I don't know that I have seen any kind of real negative attributes that are brought to the table by those Recruits who have past Military background.

**MR. LASCAZE:** All right. Thank you, Director Scippa. I really appreciate this time.

**DIRECTOR SCIPPA:** Not at all, sir. Good talking with you.

**ATTORNEY GENERAL MACDONALD:** Thank you very much. I'd just note for the record that it's 12:02. We have three Commission Members who still have to have an opportunity to ask questions. And I hope we can get to Attorney Jefferson and Ms. Tshiela, and Chief Edwards within our remaining time. So, Attorney Jefferson?

**ATTORNEY JEFFERSON:** Thank you. So, Director Scippa and other Commission Members, I want to make it very clear that I am speaking for myself in my personal capacity. I'm not representing the Public Defender's Office and nor am I representing the Criminal Defense Bar.

So, there are elements of the Police Reform Movement that's ascribed to this notion that all Cops are bad. And I think that is a misguided and factually incorrect assertion. There are good Cops. There are plenty of good Cops. My sister and several members of my family are Law Enforcement Officers. There are some of those good Officers who exist across our country and in this State.

But, Director Scippa, I must respectfully disagree with you and state that it is equally factually incorrect to assert that we have very little or no issues with Police misconduct in this State with regard to assaulting Suspects in this State. I think we, as a Commission, would be putting our heads in the sand if we don't recognize and confront that there is a culture in law enforcement across this country and in this State that allows for some Police Officers to cross that line from being a professional that is protecting and

...serving the public and turning into a bully that's bullying the public. And I think this Commission, if we're going to be doing our job, is that we need to confront, address, and break down that culture.

And I can tell you, as a Criminal Defense Attorney in this State for the past nine years, I will give you just two examples, both within the past six years, that show that there is a problem that we need to confront in this State. I had a Police Prosecutor tell me, somebody with supervisory powers, that if a Suspect is being chased (inaudible) catches up to them, they're going to get a few lumps. And I just want that to sit in for a moment, not only for Director Scippa but for all of our Commission Members, that a Senior Police Officer in a supervisory position felt he was okay to say that to a Criminal Defense Attorney.

Another example, I had a drunken man who was being investigated for a DWI, drunk out of his mind. Flailing his arms at a Police Officer, hits the Officer in the face, and this man was mercilessly beaten up by several Police Officers, again within the past six years. And I wish that every Member of this Commission could have been in holding and seen his face when I had to go and see him for his initial arraignment. During his jury trial, a Police Officer asserted that somebody with his hands in the air poses a risk to Police Officer safety. And I would like that to sink in for a moment, as well.

So, we need to realize that this culture is real. It infiltrates Police Agencies. And it is making it difficult for good Police Officers to be good Police Officers. And it makes it hard to identify and remove those bad Police Officers.

So, to that end, Director Scippa, I'd like to pose these three proposals to you and to get your responses to that and also to everything that I have said. I think we need to adopt an express Policy of any statewide Police (inaudible) that Officers have a duty to intervene. And I know you spoke about it as part of EPIC training (inaudible). But I think above and beyond that, there needs to be an express Policy in writing that every Cadet must sign and review, so that we can begin to break down this culture of putting fellow Police Officers over your overriding duty to protect the public, which includes even Suspects that you are arresting.

I also really found it great to hear that you do not train, nor does anybody in your organization train, on chokeholds or strangleholds. But again, we can go a step further and say we need to take an express Policy of banning chokeholds and strangleholds, and again something that every Cadet should review and sign, so that it's clear that that is the position of our statewide Police Training Academy.

I was also encouraged to hear that you're looking at increasing diversity training. I would challenge us not to call it diversity training or cultural dynamics and call it what it is, because that will make it easier to develop a good training plan, and that is race relations between minorities and the law enforcement community.

And for it to be a two-hour block that's called something that's amorphous, Cultural Dynamics, it's hard to even understand what that means. And as you correctly note, there's robust training on use of force in those physical techniques. But there's two hours to this amorphous idea of cultural dynamics. And there's 24 hours for mental-health illness.

So I would like to get your thoughts on exactly what you mean by robust, because it should be equally important, race relations with minority communities in policing, so that we can have a thematic thing that's at least 24 hours-or-more that goes through those ideas of implicit, explicit bias, and how to root out cultures (inaudible). So, I know that is a lot to put up, Director Scippa. So please take your time in responding and let me know if you have any questions for me.

**DIRECTOR SCIPPA:** Absolutely, so I guess, as you started off, you told me a couple of concerning stories. And I guess I would have a question to you. And that is particularly in the second instance, was there any Report of that kind of conduct made to the Agency so that it could be looked into?

**ATTORNEY JEFFERSON:** No. I mean, the Agency was fully-aware of it. I mean, the Agency's response was to charge my Client with simple assaults against the Officers. So that was the Agency's response. So, no, there was no response of concern about how my Client looked. And there were zero injuries to any Officers in that scenario.

And trust me, you have any Criminal Defense Attorney who's been a Criminal Defense Attorney in this State will tell you that that's not an isolated incident, that those are incidents that happen all the time. When they go down to lockup and their Client is being charged with assault on a Police Officer, you look at a picture of a Police Officer who has no injuries, or a scratch on his knee, and you'll see several lacerations, black eyes, and bruises on your criminal Defendant.

And that is a reflection of a culture of an us-versus-them mentality that just naturally kind of builds in Law Enforcement Agencies over time. And we need to deliberately break that down, and not only in new Cadet training but in ongoing training for in-service.

**DIRECTOR SCIPPA:** Yeah. And I would take it a step further and that is to say that, whenever somebody comes into that kind of information, the reporting of that information is equally important because it allows, like you said, the good Cops to be able to address that and stop it. And I think that's an important piece to what we're talking about here.

The education piece and the training piece, certainly; and then you talk about a duty to intervene. I think we all have a duty to intervene and stop and address those kinds of things so that the certifying body can have that information to take appropriate action. So I guess I just put that out there, because speaking with one of the other gentlemen on the Commission, we can only act on what we know. So it's important for us to kind of get that information. You spoke about creating a class on race relations. Did I understand you accurately there?

**ATTORNEY JEFFERSON:** Correct. I think it's important to call the class exactly what it should be. I mean, diversity training is something that's done in a for-profit corporate institution to talk about how to create a diverse workforce. Cultural dynamics, I don't even know what that means.

The problem that this Commission was designed to solve was -- one of the major things is race relations. We're a State that is the third-whitest State in the nation and there's absolutely nothing wrong with that. There's no negative inference to be taken from that.

But the reality of that is, is therefore the minorities in this State are, indeed, in a very real sense, the minorities. And so, we need to have very explicit training on how a minority member of the community can feel when interacting with a Law Enforcement Official, and how a Law Enforcement Official can have implicit and explicit biases that need to be confronted head-on and broken down. And that's a sensitivity that might come in dealing with a minority member of the community.

So, in order for it to be an effective class, we have to call it what it is. So that is my suggestion to you that you don't have a Cultural Dynamics class. You don't have a diversity class. You have a race relations with Law Enforcement class.

**DIRECTOR SCIPPA:** Completely understood. And I think the way the class historically had been built out was really an effort and clearly not an adequate effort, but an effort to address not only race relations but interacting with people of all types of different cultures, religious backgrounds, those members of the gay community, transgender community. All of those people who belong to those groups who are kind of, in some cases, pushed to the end, disenfranchised, I think that class was trying to really capture and deliver as much information as they could on getting the point across to the Recruits that, make no judgments and deal with them as people.

And candidly, we fell short. And we have to do better. And if the Commission ultimately decides that there should be a specific class on race relations and then a subsequent class to address interactions with other groups that may be disenfranchised or feel vulnerable, then maybe we have two classes. I don't know.

But I think that's the other thing that we're trying to accomplish here with that. And I agree with you. Cultural diversity, it's like taking a college class. I get that. And we do have to really explicitly meet the demands set forth and the expectations of being able to address this.

**ATTORNEY JEFFERSON:** And I think it's a good point that you make. And to respond to your point about other minorities, I mean, I think that would encompass under race relations. You could even call it Law Enforcement interaction with minorities. That would clearly cover the transgender community, the gay community, and it's kind of the point of communities that are minorities in this State. And how do we handle that head-on as far as it comes to interaction with Law Enforcement?

So, I'm glad to hear your responses on that and also glad to hear that the two hours is not nearly enough, that this needs to be something that's interwoven and repetitive throughout the entire course, so that Cadets are constantly reminded this is something that we actually take serious and we're not going to cram into one two-hour session.

My final question is, so what is your thoughts about your Agency adopting an express Policy for duty to intervene and a ban on chokeholds and strangleholds? And I would take your point of having an exception if deadly force is authorized then sort of anything is authorized. But with that limited exception, what is your position on your Police Academy adopting those as very specific Policies that will be individually presented to Cadets?

**DIRECTOR SCIPPA:** So, I think the chokehold issue either has just recently been addressed or is about to be addressed through law. And I apologize for not having timely information. But I know that I testified to a Senate Bill that specifically will outlaw any kind of chokehold, neck restraint, or anything like that, unless the Officer is faced with a deadly force situation. And I wholeheartedly supported that.

The only recommendation I had was the Legislature suggested that that law be under a different chapter than use of force. So I just asked them for a housekeeping reason to put it into RSA 627:5, which is the law that oversees use of force by the Police.

In terms of duty to intervene, clearly, as the training facility here, I have no problem making that a Policy. I want it to be part of the training of Police Officers, absolutely. And again, it's good for the citizens. It's good for the communities. But it's also good for the Police. And it's good for the Police Department.

So, I think taking that kind of a stand is common sense. And I think that every Police Leader in this State would stand shoulder-to-shoulder with me on that. I don't want to speak for them. But, we all have a duty to intervene when we see something that's inappropriate.

**ATTORNEY JEFFERSON:** Wonderful, Director Scippa. Thank you so much. And I have been so encouraged with your presentation and our back-and-forth conversation. I yield my time.

**DIRECTOR SCIPPA:** Thank you, sir.

**ATTORNEY GENERAL MACDONALD:** Thank you, Attorney Jefferson. We're at the endpoint of our time today and my suggestion to the Commission is that we reconvene tomorrow at 2:00. Director Scippa will still be presenting and we go to the last two Commission Members who haven't had a chance to ask questions yet. And then, we will go to Colonel Noyes and Chief Dennis.

That will necessarily likely affect our ability to hear all the public testimony tomorrow. We're working on finding a date that's going to work next week, a day or two, and based on the survey results we've had from Commission Members. So we will be able to announce that tomorrow.

**DIRECTOR SCIPPA:** General, may I make one amendment to my testimony?

**ATTORNEY GENERAL MACDONALD:** Yes.

**DIRECTOR SCIPPA:** I apologize to everybody. As time allowed, I was researching. In fact, the total hours for our training Academy is 594.25. And I initially testified it was around 650. And that is inaccurate. It's 594.25.

**ATTORNEY GENERAL MACDONALD:** Thank you. So, unless Commission Members have any concerns about the plan I've outlined, if you do, you can raise your hand right now by pressing -- yes. Ms. Tshiela?

**MS. TSHIELA:** Yeah. So, because I didn't get to ask my questions today and you did say I will be able to ask them tomorrow, are we still going to begin in reverse order with Commission Members tomorrow?

**ATTORNEY GENERAL MACDONALD:** Yeah.

**MS. TSHIELA:** Okay. Thank you.

**ATTORNEY GENERAL MACDONALD:** You would be first up to ask questions of Mr. Scippa, and then Chief Edwards. And then, we'd move on to hear from Colonel Noyes of the State Police, if that's okay.

**MS. TSHIELA:** Okay. And in that, will I still be last, or will I be able to -- because you said we'd begin in reverse order for the next set of questions.

**ATTORNEY GENERAL MACDONALD:** Chief Edwards would be the first. You would be the second. We're going to go in reverse order.

**MS. TSHIELA:** Okay. Thank you.

**ATTORNEY GENERAL MACDONALD:** Okay. Director Malachi, did you have something?

**DIRECTOR MALACHI:** Yes, just a really quick point. I know that we're going through a volume of information. There's a lot to cover. And there's a tremendous amount of information that's being given to all of us. And I would just like to make a request, Attorney General MacDonald, and of course of my other Commission Members that we actually keep the questions specific and germane to the exact information that's being presented, if there's a presentation.

And if we could please hold our comments and commentary, instead of making those semi-questions, to take those at another point where we can have fruitful conversation, after we have all had an opportunity to hear the presentations, to digest that information, and then move that into a conversation.

I think some of that took quite a bit of time today. And we didn't get an opportunity to finish listening to everything. So, if I could just step out on a limb and make that request of you, Attorney General, as well as my other Commission Members, so that we can stay on topic?

**ATTORNEY GENERAL MACDONALD:** Okay, good. Thank you for that. We do have a great deal of ground to cover. It's very important to me that everyone have a chance to participate and to have their voice heard. I think it's vital to the integrity of the process here.

I do want to say that, with respect to accountability and misconduct, that is a separate inquiry that we're going to take up. And I anticipate that Director Scippa would be back before us to describe in more detail that aspect of our charge.

But I will have to be honest, Director Malachi. I hope Commission Members will understand the scope of our work and we can all work together to get through it. But I'm reluctant to call time or to police, so to speak, statements that are being made. Anything else?

**DIRECTOR MALACHI:** Oh, my apologies, no, that's all. That was my share moment for the meeting. And it will be as it is. Thank you.

**ATTORNEY GENERAL MACDONALD:** Okay. Okay. Anything else from any other Commission Member? Okay. So we will be back on the phone at 2:00 p.m. tomorrow. And appreciate everyone's attention today. May I have a Motion to Adjourn, please?

**ATTORNEY JEFFERSON:** So moved.

**ATTORNEY GENERAL MACDONALD:** Who is that?

**ATTORNEY JEFFERSON:** Julian Jefferson.

**ATTORNEY GENERAL MACDONALD:** Is there a second?

**DIRECTOR SCIPPA:** I would second that, General, Director Scippa.

**ATTORNEY GENERAL MACDONALD:** Okay. It does require a roll call vote. Commissioner Quinn?

**COMMISSIONER QUINN:** Yes.

**ATTORNEY GENERAL MACDONALD:** Director Malachi?

**DIRECTOR MALACHI:** Yes.

**ATTORNEY GENERAL MACDONALD:** Director Scippa?

**DIRECTOR SCIPPA:** Yes.

**ATTORNEY GENERAL MACDONALD:** Mr. Johnson?

**MR. JOHNSON:** Aye.

**ATTORNEY GENERAL MACDONALD:** Okay. It was a yes. Mr. McKim?

**MR. MCKIM:** Yes.

**ATTORNEY GENERAL MACDONALD:** Judge Gardner?

**JUDGE GARDNER:** Yes.

**ATTORNEY GENERAL MACDONALD:** Lieutenant Morrison?

**LIEUTENANT MORRISON:** Yes.

**ATTORNEY GENERAL MACDONALD:** Chief Dennis?

**CHIEF DENNIS:** Yes.

**ATTORNEY GENERAL MACDONALD:** Mr. Norton?

**DIRECTOR NORTON:** Yes.

**ATTORNEY GENERAL MACDONALD:** Mr. Lascaze?

**MR. LASCAZE:** Yes.

**ATTORNEY GENERAL MACDONALD:** Attorney Jefferson?

**ATTORNEY JEFFERSON:** Yes.

**ATTORNEY GENERAL MACDONALD:** Ms. Tshiela?

**MS. TSHIELA:** Yes.

**ATTORNEY GENERAL MACDONALD:** And Chief Edwards?

**CHIEF EDWARDS:** Yes.

**ATTORNEY GENERAL MACDONALD:** Okay. Thanks, everyone. Look forward to talking to you tomorrow.

(Meeting adjourned.)