

L.E.A.C.T

Law Enforcement  
Accountability Community  
Transparency

Title of Recommendation	Current Implementation Status
<p>44. NH PSTC should explore the issue of requiring mandatory periodic psychological screenings of law enforcement officers, similar to what is currently required for physical fitness under Pol 404.07, to determine ongoing fitness for duty and/or assist with referring officers for mental health treatment/support.</p>	<p><b>In progress for PSTC.</b></p>
<p>45. The University of New Hampshire and other higher education institutions within New Hampshire are encouraged to collaborate with NH PSTC to develop specialized curriculum and/or graduate/post-graduate certificate programs dedicated:</p> <p>a. To mental health providers who collaborate with law enforcement officers in responding to individuals experiencing a mental health crisis, in order to respond more effectively to critical incidents involving individuals who are a danger to themselves or others.</p> <p>b. To address the special mental health needs of law enforcement officers/first responders including, trauma, depression, and substance misuse, in order to enhance the skills, understanding, and availability of licensed mental health professionals in New Hampshire who can provide treatment/support and collaborate with our law enforcement community.</p>	<p><b>In progress.</b></p>
<p>46. Endorse the findings and recommendations of the February 2019 Office of Legislative Budget Assistant NH PSTC Performance Audit and ensure that sufficient funding is allocated to implement and sustain the recommendations.</p>	<p><b>Legislation proposed for the next biennial budget</b></p>
<p>47. In order to enhance transparency, accountability, and community relations between law enforcement and the people they serve, the Commission strongly encourages the Governor and the legislature to allocate or re-allocate appropriate funding needed to implement and sustain the recommendations made by this Commission. Stakeholders are encouraged to advocate for their funding needs before House Finance Committee or their local funding body.</p>	<p><b>Recommendation for future action.</b></p>
<p>48. Extend, as needed, this Commission to assist with implementation of any recommendation.</p>	<p><b>Commission to re-convene to assess progress on recommendations after next legislative session</b></p>

LEACT Dashboard	Updated June 9, 2021
Title of Recommendation	Current Implementation Status
<b>A. TRAINING</b>	
<b>I. Required Training to Maintain Law Enforcement Officer Certification</b>	
<p>1. As soon as practicable, NH PSTC, with input from all relevant law enforcement agencies, should pursue all actions necessary, including emergency rulemaking pursuant to RSA 541-A, to amend existing administrative rules to provide as follows:</p>	
<p>1-A. Increase the mandatory number of hours of annual in-service training for law enforcement officers on an incremental basis over the next three years. By January 1, 2024, the total mandatory hours of annual in-service training should be a minimum of twenty-four (24) hours.</p>	<p><b>Proposed rules submitted to JLCAR. Proposed rules approved by PSTC on December 15, 2020. Presently the scenario training at the recruit academy is 76 hours as scheduled. We are in final stages of council approval to bring back live dosing labs to augment DWI detection class. Once full approved, recruits will have the ability to conduct SFSTs on dosed subjects. We anticipate further increases once the JTA is completed and a deeper review of the academy curriculum can be conducted. This will be an ongoing effort for the next 12 to 18 months.</b></p>
<p>1-B. Mandate that annual in-service training as approved by NH PSTC include, at a minimum, two (2) hours on each of the following topics:</p> <ul style="list-style-type: none"> <li>i. Implicit bias and cultural responsiveness;</li> <li>ii. Ethics; and</li> <li>iii. De-escalation.</li> </ul>	<p><b>Proposed rules submitted to JLCAR. Proposed rules approved by PSTC on December 15, 2020. The final adoption and anticipated completion date is dependent on the JLCAR process. All mandatory in-service training listed above is ready and we will be delivering each of the three classes at the NH Association of Chiefs of Police summer conference this year. Further, we will be offering these classes in a webinar style using Zoom technology to reach as many as possible. Each topic will be offered a number of times during a particular month. Finally, NH BET from the NH Department of Administrative has completed one of the three on-line learning modules so officers can take the training online. They have begun work on the remaining two classes. This has been completed by the Liquor Commission. State Police completed additional training on de-escalation and is in progress on training on ethics and implicit bias.</b></p>
<p>2. Beginning January 1, 2021, strongly encourage all law enforcement agencies to require their officers to participate and receive, at a minimum two (2) hours annually, of training in the following areas:</p> <ul style="list-style-type: none"> <li>a. Implicit bias and cultural responsiveness;</li> <li>b. Ethics; and</li> <li>c. De-escalation.</li> </ul>	<p><b>Completed.</b></p>
<b>II. NH Police Standards and Training Council General Recommendations</b>	

Title of Recommendation	Current Implementation Status
<p>3. NH PSTC should arrange for a Job Task Analysis (JTA) for entry-level law enforcement officers and entry-level corrections officers, and based on those findings, conduct an overall review of the present academy curriculums. Based on curriculum changes found by the JTA, an extension of the length of the police academy beyond its current 16 weeks may be warranted.</p>	<p><b>JTA in progress. Anticipated completion date prior to August 2021.</b></p>
<p>4. NH PSTC needs to leverage technology and be allowed to purchase and deploy a robust database management system and on-line learning platform for the twofold purpose of: 1) maintaining a full record over the course of an officer's career of his or her training completion, any incidents of sustained misconduct, movement from one agency to another and/or decertification, and 2) to develop and deliver standardized on-line training to all law enforcement officers in an efficient and economical way.</p>	<p><b>PSTC has purchased software from Benchmark Analytics and is working to customize it. Anticipate that the training software will be operational by June 1, 2021. Record management system may take longer to implement.</b></p>
<p>5. NH PSTC, in collaboration with other law enforcement agencies, using nationally vetted best practices as set forth by IACP, CALEA, PERF, and NOBLE, shall create policy guidelines on the following topics that serve as a minimum standard with which all law enforcement agencies must comply:</p> <ul style="list-style-type: none"> <li>- Use of Force</li> <li>- Duty to Intervene</li> <li>- Code of Conduct</li> <li>- Duty to Report Misconduct</li> <li>- Prohibition of Chokeholds</li> <li>- Procedures to Guard Against Positional Asphyxia</li> </ul>	<p><b>Nationally vetted position papers developed by the IACP and PERF on each topic have been posted online. The Model Policy on the Use of Force has been drafted and is being reviewed by the NHDOJ, NH Chiefs of Police, and the NH Police Association.</b></p>
<p>6. NH PSTC should increase the number of hours of scenario-based training in both academy and in-service settings.</p>	<p><b>Completed. PSTC has increased the number of scenario and deescalation training by 15 hours. These hours will further increase over the next 12-18 months.</b></p>
<p>7. NH PSTC should improve and augment police academy training on diversity by conducting a review of the present lesson plan on cultural dynamics, and amend it to properly address the topic. Training to be developed with one or more community partner(s).</p>	<p><b>Completed for the January 2021 academy session.</b></p>
<p>8. NH PSTC should improve and augment police academy and in-service training on implicit bias and procedural justice by adopting the IACP recognized Fair and Impartial Policing training or similar type training.</p>	<p><b>Completed. Increased training on Cultural Dynamics and Implicit Bias from 2 hours to 16 hours.</b></p>
<p>9. NH PSTC should improve and augment police academy and in-service training on de-escalation techniques by adopting the PERF's Integrated Communication and Tactics training (ICAT) or similar training.</p>	<p><b>Completed.</b></p>

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10. NH PSTC should improve and augment police academy training on police ethics by re-instituting the Ethics block of instruction.	<b>Completed.</b>
11. NH PSTC should improve and augment police academy and in-service training on the duty to intervene by adopting Georgetown University's Active Bystandership Law Enforcement (ABLE) training, (formally known as EPIC training) or similar training.	<b>Completed. A new course was added to the PSTC curriculum, making New Hampshire the first state to do so as a state-wide initiative.</b>
12. NH PSTC should include in its instruction State of New Hampshire v. Jones (decided January 10, 2020) and any other State court decisions where race or protected class was a matter the court considered while reaching its decision. These cases should be part of the lesson plan in those relevant topic areas that are already delivered. An attorney from the Attorney General's Office will be dedicated to teach at NH PSTC and regularly update materials.	<b>In progress. PSTC anticipates that the incoming NHAG will address this mandate and will be dependent on the availability of an attorney to review our present lesson plan on Search and Seizure.</b>
13. Recognizing that certain NH police agencies need to rely on part-time law enforcement officers, NH PSTC should re-evaluate the Part-Time Police Officer certification process upon receipt of the JTA and consider extending the length of such training and give certain consideration to what law enforcement functions part-time officers be allowed to perform.	<b>In progress, awaiting JTA's completion prior to August 2021.</b>
14. NH PSTC should amend administrative rule POL 301.05 Background Investigations to mandate that background investigations specifically vet police recruit candidates in the area of having demonstrated outward bias toward a protected group by way of past history, behavior, affiliation with a subversive group, social media posts and other objective sources to help determine the overall fitness for duty the candidate possesses and to consider those findings in the overall decision to hire the candidate.	<b>Proposed rules submitted to JLCAR. Proposed rules approved by PSTC on December 15, 2020. The final adoption and anticipated completion date is dependent on the JLCAR process.</b>
<b>III. Other Recommendation</b>	
15. All law enforcement agencies should be encouraged to pursue CALEA accreditation. In the absence of CALEA accreditation, agencies should continually review and maintain policies consistent with nationally accepted best practices under Section C:1-a-l.	<b>PSTC published a list of CALEA accredited law enforcement agencies.</b>
<b>B. REPORTING AND INVESTIGATION OF POLICE MISCONDUCT</b>	

Title of Recommendation	Current Implementation Status
16. Support the establishment of a single, neutral and independent statewide entity to receive complaints alleging misconduct regarding all sworn and elected law enforcement officers with the noted componets from the LEACT Report:	<b>Legislation and funding proposed in the Governor's budget. (See HB 2)</b>
17. To promote a uniform approach to investigation and prosecution of alleged criminal conduct by government officials, including law enforcement officials, establish by statute, a dedicated Public Integrity Unit within the Attorney General's Office with permanent and sustainable resources, including full-time attorneys, paralegals, legal assistants, and investigators.	<b>Completed. The Unit curretly is comprised of two attorneys. The Department has identified funding to fill two other positions within the unit and is taking steps to recruit and hire candidates to fill more positions.</b>
18. To promote equal justice under the law in all aspects of the criminal justice system, the Commission strongly encourages implicit bias and racial profiling training for all prosecutors, including all police prosecutors, all criminal defense attorneys, and all judges.	<b>Completed/ongoing. On November 20, 2020 over 600 attorneys, prosecutors, and staff, including the entire NHDOJ, participated in an implicit bias training. Further trainings to be scheduled. All future hires at the NHDOJ will be required to view this recorded presentation within thirty days of hiring. The Judicial Council completed a training for all Public Defenders and has scheduled another training for early 2021. Legislation introduced for judges. The Public Defender's office completed its training on April 16, 2021. (SB 96)</b>
19. Establish a community outreach position within the Attorney General's Office to facilitate communication between all state, county and local prosecution offices and New Hampshire's diverse communities.	<b>On February 3, 2021, the Executive Council approved a request to reclassify a vacant, classified position in order to create this position. The House Budget funded the position beginning January 1, 2023. In the meantime, the Department is continuing with the recruiting process contingent upon approval of funding. We will be monitoring the progress of the budget to see if the funding date changes.</b>
20. Amend RSA 33-A:3-a, CVIII to require "police, non-criminal-internal affairs investigations" to be retained, at a minimum, for a period of 20 years after retirement or separation.	<b>Legislation introduced. (SB 96)</b>
21. Encourage all law enforcement agencies to use body and/or dash cameras.	<b>RFP issued for State Police and responses are due on February 26, 2021. Liquor Commission has identified funding and is developing a draft RFP and anticipates implimentation prior to July 1, 2021. Legislation introduced to establish a funding source for local agencies. (SB 96)</b>

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<p>22. Make the existing Exculpatory Evidence Schedule (EES) public subject to the following provisions:</p> <p>a. The Office of the Attorney General will provide immediate written notice to all living persons on the current list that they are on the list with the following notifications that:</p> <p>i. Six (6) months from date of notification to request a hearing in Superior Court to have his or her name removed from the EES.</p> <p>ii. Six (6) months from date of notification, individual names on the list with a sustained finding shall be made public, except for any individual with a pending Superior or Supreme Court action in regard to removal from the EES.</p> <p>b. The names of deceased former law enforcement officers shall be released once there has been a determination that the officer was afforded due process prior to placement on the list or the conduct subject to EES was previously provided as discovery in a criminal case.</p>	<p><b>Legislation introduced. (Amendment to HB 471)</b></p>
<b>C. COMMUNITY RELATIONS</b>	
<b>I. Data Collection</b>	
<p>23. All law enforcement agencies should gather, analyze and make available to the public, at least annually, data on demographics (including, at a minimum, gender and race) for arrests, citations and motor vehicle and subject stops regardless of disposition.</p>	<p><b>Legislation introduced. (SB 96)</b></p>
<p>24. New Hampshire Department of Motor Vehicles should include a person's race on NH Drivers' Licenses and Non-Drivers' Identification Cards, with the option for the person to opt out from answering the question.</p>	<p><b>Legislation introduced. (SB 96)</b></p>
<p>25. All law enforcement agencies will comply with RSA 106-B:14-c by submitting crime reports to the Department of Safety, Division of State Police based on the specifications prescribed by the Federal Bureau of Investigation (FBI).</p>	<p><b>In progress. Approximately 85% meet this requirement. State Police continues to work with Law Enforcement Agencies to bring them into compliance.</b></p>
<b>II. Community Policing and Engagement</b>	

Title of Recommendation	Current Implementation Status
<p>26. All law enforcement agencies should adopt the definition of Community Policing as set forth by IACP: "Community policing is a comprehensive philosophy that guides policy and strategy aimed at achieving more effective and efficient crime control, reduced fear of crime, improved quality of life, and improved police services and police legitimacy through a proactive reliance on community resources that seeks to change crime causing conditions. This assumes a need for greater accountability of police, elected community leaders, and the community in general, along with greater public share in decision-making through the identification of service needs and priorities and a greater concern for civil rights and liberties."</p>	<p><b>Completed. Recommendation for local law enforcement.</b></p>
<p>27. Encourage all law enforcement agencies, when practicable, to dedicate an officer or unit to community policing and engagement</p>	<p><b>In progress for State Police. Recommendation for local law enforcement.</b></p>
<p>28. Encourage all law enforcement agencies to engage in community relationship building by working collaboratively with community liaisons, public agencies, non-profits, community stakeholders and existing community-based programs. Models like New Hampshire Blue and You, the Mirror Project, Police Athletic Leagues (PALs), and citizen police academies serve as a guide for such efforts.</p>	<p><b>Completed by State Police, Liquor Commission and Fish and Game Department. This will be an ongoing and continuing effort by the State. Recommendation for local law enforcement.</b></p>
<p>29. All law enforcement agencies should establish ongoing officer training at all levels to encourage a culture that empowers individual officers to engage in community policing and relationship building efforts.</p>	<p><b>Completed by State Police, Liquor Commission and Fish and Game Department. Recommendation for local law enforcement.</b></p>
<p>30. All law enforcement agencies should publish/advertise community events and consider the use of social media and the establishment of Public Service Announcement (PSA) campaigns to educate the public about police officers and their work.</p>	<p><b>Completed by State Police, Liquor Commission and Fish and Game Department. This will be an ongoing and continuing effort by State. Recommendation for local law enforcement.</b></p>
<p>31. NH PSTC should maintain and publish a list of all currently CALEA accredited law enforcement agencies.</p>	<p><b>Completed.</b></p>
<p><b>III. School Resource Officers</b></p>	



Title of Recommendation	Current Implementation Status
32. NH PSTC should set forth mandated "certification" for SROs that would require the officer to complete National Association of School Resource Officers (NASRO) training, Mirror Project Train-the-Trainer and Effective Police Contact with Youth training prior to assignment. Further, certain annual in-service hours to maintain SRO "certification" should be identified and mandated by NH PSTC.	<b>Proposed rules submitted to JLCAR. Proposed rules approved by PSTC on December 15, 2020. The final adoption and anticipated completion date is dependent on the JLCAR process.</b>
33. NH PSTC should work with stakeholders and oversee the development of a model SRO Memorandum of Understanding (MOU) to be used by police departments and School Administrative Units (SAUs) that clearly defines the roles, expectations and prohibitions of the SRO's role in the school setting and specifically with regard to the SRO's role in student discipline for non-criminal matters.	<b>Completed. Sample MOU is posted on PSTC's website.</b>
34. Each law enforcement agency should have a field training program specifically for SROs. A transition plan should be implemented over a course of weeks/months between each outgoing/incoming SRO so there is overlap, information exchange, and adjustment for the stakeholders.	<b>Recommendation for local law enforcement agencies.</b>
35. MOUs between law enforcement agencies and SAUs should be made public.	<b>Legislation introduced. (SB 96)</b>
<b>IV. Hiring/Recruitment of Officers</b>	
36. Recognizing the difficulty of hiring and recruiting qualified candidates, law enforcement agencies should continue efforts to recruit officers from minority communities to allow for a diverse law enforcement workforce.	<b>Completed by the State Police Recruitment and Training Unit, and will require ongoing efforts. Recommendation for local law enforcement.</b>
37. All public entities should develop a comprehensive strategy to actively attract, recruit, and retain diverse law enforcement candidates, to include candidates from outside New Hampshire.	<b>Completed by State Police, Liquor Commission and NH Fish and Game Department. Recommendation for public non-state entities</b>
<b>V. Other</b>	
38. In order to advance relationships with the trans and gender non-conforming population, all law enforcement agencies should seek and provide training on pronoun inclusion.	<b>In progress for State Police and NH Fish and Game Department. Completed by Liquor Commission. Recommendation for local law enforcement</b>

Title of Recommendation	Current Implementation Status
<p>39. In order to advance relationships with the deaf and hard of hearing community, law enforcement agencies should continue to seek a better understanding of, and communication with, members of that community, to include the greater use and dissemination of driver visor cards by law enforcement.</p>	<p><b>Completed by State Police and Liquor Commission. Recommendation for local law enforcement</b></p>
<p>40. In order to advance a greater understanding of juvenile offenders, form a separate commission to review the present state of juvenile justice laws. In particular, the commission should review the minimum age for juvenile prosecutions and the statute that creates a presumption of transfer to the adult criminal court.</p>	<p><b>Based on feedback from community stakeholders, specific legislative changes were introduced in lieu of a commission. (SB 96)</b></p>
<p><b>The Commission makes the following recommendations for reforms and improvements with respect to mental health and well-being and the results of the February 2019 Office of Legislative Budget Assistant NH PSTC Performance Audit.</b></p>	
<p>41. Specially trained mental health professionals should be embedded in tactical response teams. There should be a review to determine if such mental health professionals will be afforded protection from litigation stemming from their participation in such activities.</p>	<p><b>In progress for State Police.</b></p>
<p>42. Encourage partnerships between communities and local law enforcement to pursue services and resources dedicated to individuals with substance use disorders (SUDs) and mental illness and to make those services readily available in order to reduce the burden on law enforcement responding to issues stemming from SUDs as well as mental illness.</p>	<p><b>Recommendation</b></p>
<p>43. Offer training regarding the mental well-being of law enforcement officers. Training should include information regarding the high rates of post-traumatic stress, depression and suicide among law enforcement officers and available resources for seeking help. Enhance the availability and encourage the continued collaboration of law enforcement peer support programs in the state.</p>	<p><b>In progress for PSTC. Completed by State Police and Liquor Commission. In progress for NH Fish and Game Department.</b></p>