

PC 2013/11/06

**Rochester Police Commission
Rochester, NH 03867**

James F. McManus, Jr., Chairman
Alan B. Bemis, Vice Chairman
David E. Winship, Jr., Commissioner

MINUTES OF THE POLICE COMMISSION MEETING

The Rochester Police Commission held their regular monthly meeting at the Police Department on November 6, 2013. Present at this meeting was Comm. McManus, Comm. Winship, Chief Allen, Dep. Chief Dumas, Attorney Grossman and recording Secretary Warburton; as well members of the public.

The meeting was called to order at 7:00 P.M.

A. Pledge. All participated in the Pledge of Allegiance.

B. Prayer. Comm. McManus led the opening prayer and moment of silence.

C. Roll Call. The clerk called the roll marking Comm. McManus and Comm. Winship present.

Comm. Bemis passed away on October 16, 2013 after being ill for several months. The City Council officially declared his seat vacant on November 6, 2013.

2. PUBLIC COMMENT:

Mona Perreault from Rochester. Ms. Perreault said she has been hearing for several months about drugs in Rochester and surrounding communities and how bad it is. Stating that she doesn't read the paper or watch TV, she was looking for an overview of some issues. She is concerned for her safety and the safety of her home. She noted that she grew up here and now she has to lock doors. Are there areas more problematic than others? Where is the worst area? She is also looking for information on gangs in town, and how many officers are on the department.

Chief Allen said that we can set up a time to meet and discuss all of the

things she is concerned about.

David Bickford from New Durham. Mr. Bickford is concerned with the Department's bad check policy, specifically the list of 14 things prohibiting an investigation. He stated that his son came to the police department on October 27, 2013 with a third party check scam and was told that the police department does not investigate third party checks. He provided the Commissioners with a copy of a letter sent to the Department from the Attorney General's office, along with the 14 points list. He said this woman just disappeared. She had a tale of woe and his son has known her forever. If this is related to the drug trade and the Department doesn't investigate, the potential for additional people to be scammed is real. His son's bank account got frozen today. The Attorney General says this is wrong. You can't just pick and choose which laws to investigate.

Chief Allen said that what the letter from the Attorney General indicates is not the full details of what an investigation uncovers. We have a policy set by the Commission for when we accept checks for prosecution. In this case the check doesn't meet the criteria of the policy.

Mr. Bickford asked if we had contacted the Attorney General regarding this. He said you take an oath to uphold the law. Now you can pick and choose what to investigate? How can you have a policy that allows you to ignore investigating a crime? Is this the Commission's policy or the Chief's policy?

Chief Allen said this is a local issue and based on the information we received the check didn't meet the criteria for a criminal prosecution at this time. The dollar amount as mentioned in the Attorney General's letter is not what is at issue in this case. This is a third party check. But I'd prefer not discussing a criminal investigation in a public forum. I'd be happy to set up a meeting to discuss this more in depth with you.

3. ACCEPTANCE OF MINUTES:

A. October 2, 2013 - regular meeting

Comm. Winship MOVED to accept the minutes of the October 2, 2013 regular meeting as submitted. SECOND by Comm. McManus and PASSED unanimously.

4. OLD AND UNFINISHED BUSINESS:

There was no old business for discussion.

5. NEW BUSINESS:

A. Accept Resignation - Crime Analyst Chelsey ZeRuth has resigned after accepting another position out of state. She was very qualified and took the position to a new level. She's done a wonderful job for us. Chief Allen said I'm sorry to see her leave. We have interviews set up for next week.

Comm. McManus MOVED to accept the resignation of Crime Analyst Chelsey ZeRuth, with regret, and asked that a letter of appreciation be sent to her. SECOND by Comm. Winship and PASSED unanimously.

B. Policy Update – 42.1.1.5 Investigations, Sexual Assaults and Sex Offender Registrations – Update First Reading

Comm. McManus said this update brings us in line with the policy of the County Attorney. It is a minor update.

Comm. Winship MOVED to place policy 42.1.1.5 into First Reading and to waive the second reading. SECOND by Comm. McManus and PASSED unanimously.

Comm. Winship MOVED to adopt policy 42.1.1.5 as updated. SECOND by Comm. McManus and PASSED unanimously.

C. Monthly Reports

1. Operations. Chief Allen said that we have had ward good meetings this period. Attendance is up in Wards 4 and 6. Some of the candidates running for elected office attended and spoke. There is good interaction with the residents, officers and elected officials.

Officer Blair is settling well into his new role as the Housing Officer. He is attending the homework lab at the Youth Safe Haven doing some mentoring. This is really nice work.

The SWAT Team was activated once this period for a barricaded subject in Dover. The subject eventually took his own life.

The K9 team had four tracks and two drug searches this period. Officer MacKenzie attended and instructed at bloodhound training in Virginia. He is highly regarded as a handler and does lots of work with the Working Dog

Foundation. He's traveled all over, including out of the country for this expertise in K9 handling. It's nice to have him on our team.

Comm. McManus inquired who paid for him to go to Virginia.

Chief Allen said the Working Dog Foundation paid for this. There was no cost to the City.

We had a high volume of calls for service this month. We've seen an increase in priority one calls; these are the more serious calls which require a two-man response. The increase in activity impacts our ability to conduct proactive police work. There are a lot of hours spent on reports and this activity increase takes away from other things, such as response times. We are looking at this closely in preparation for the upcoming budget which starts pretty quickly. We are doing a workload analysis of activity versus the number of officers to handle the work volume. This will allow us to see what we really need for staffing to handle the workload we are seeing.

Chief Allen said one of the training programs he attended at the ICMA with the City Manager, the instructor provided him with some good information that will allow us to use a scientific formula to analyze the workload. I am concerned about the spike and want to look at that closely.

On the support side the investigations bureau had five callouts in October, including for a suicide, an overdose, a burglary and a kidnapping/assault investigation.

We are conducting interviews tomorrow for new dispatch applicants. We have three openings. We have two officers on temporary alternate duty that are filling vacancies in the center to mitigate some of the overtime. That is a double edged sword, because while we can use them in dispatch they are not available to patrol and that impacts patrol resources.

We are getting great reports on the work SRO Murphy is doing at the high school. He is making an impact on the kids with regard to the issue of smoking on school grounds and in the Pines.

The Diversion program had a busy month. Teen Drug court started up this period and Ms. Rodler has set a new pool of jurors. She did some training on drug trends for the school district this period. Nicole is working with the Dover High School on developing a TDC in Dover modeling our program. The first teen night of the year had 221 attendees.

We are still waiting for final confirmation on the ten thousand dollar grant from the State Advisory Group.

2. Administration, Dep. Chief Dumas said that after a review of the October expense and revenue reports we are in relatively good shape. We have two officers on TAD, two in training, one in the academy and two open positions, so we are essentially down seven positions in terms of availability of resources for patrol.

When you configure the comp time liability with the overtime we are about 74% spent. Some of the replacements we do on overtime are contractual and we have to work with it. We will work to get that closer in line.

The backline Ford Focus has been ordered. It will take about 8-10 weeks to arrive. All the new light bars have been purchased and installed. The fleet is looking really sharp.

Watch Guard video sent a service representative up from Dallas to work with us on issues with the DVD's ejecting from the cameras. This is valuable equipment and we've even had to format the replacement cameras they have sent. Sgt. Burke has spent numerous hours trying to resolve this for the department. They have suggested that we don't re use the disks like we have been, and they suggest that we use a specific brand of DVD. They provided us with a three month supply of the DVD's to evaluate and see if this corrects the issue. Technology is changing and moving past the DVD to wireless, so we are keeping an eye on this as there are other vendors out there that provide this.

Officer Danie and Officer Bourque are in the FTO program and daily observation reports are good. Officer Powers is in week seven of the academy and all is going well there too. He is set to graduate on December 20 at 1400 hours.

We are completing the hiring phases for the two officer candidates. Polygraphs, medical and psychological are being scheduled.

We'd like to set up some time this month for the Commission to do interviews to build an eligibility list. That way if we know of anyone planning on leaving we can start the hiring process right away.

We received a recall letter from Ford on the crown victoria's from 2010 to present regarding an issue with the drive shaft. We have seven cars that could potentially encounter this issue. We will work with Granite Ford to schedule review and replacement if necessary.

The Youth Citizen's Academy started last night. The curriculum follows pretty closely the adult citizen's academy. Both the Chief and Dep. Chief attended last night doing introductions, and review of the hiring process, ethics and stress in law enforcement. There are 18 youth signed up. Lt. Gould will look at this to reestablish the Explorer Post.

The bill for the Rochester Fair has been paid in full for both Police and Fire.

6. CORRESPONDENCE:

Members of the Department, including the following were recognized this month. Off. Pendlebury is thanked by a citizen on our face book page for assisting with a criminal complaint that had been filed. Officers' Ouellette, Kusnierz and Porfido are recognized by their supervisors for "above and beyond" work in the prior shift rotation. Off. Funk is thanked by the Middle School Student Council for assisting during a scheduled school dance. Roger Galuska thanks Off. Kimbrough for his response to a call for service. A citizen thanks the Department for good work in apprehending suspects attempting to break into a local business. Off. Aucoin is thanked for his dedication to the breakfast program at St. Charles Children's home. Sgt. Emerson and Off. Kusnierz are thanked for their response to a citizen in medical distress. Mike Provost of Main Street thanks the Department for the assistance with the annual Zombie Walk.

7. INFORMATION:

- Information Other; enclosed with Agenda: No discussion.
- Other.

Comm. McManus inquired if we thought there might be any federal grants in the future to help with hiring?

Chief Allen said that ties into the discussion earlier on the workload analysis. We need to complete that to see where we are. If the Council were to support applying for federal funding we would entertain that, but I don't want to do that until we analyze our needs.

Comm. McManus said the national average says you should have so many officers per population.

Chief Allen said there are a number of ways to look at this, including the population based analysis done by the FBI. We have used that in the past, but I don't think that's the best way to accurately determine your staffing needs. All communities are different and what works in one may not be the best for another. Activity levels needs to drive your staffing levels, that makes the most logical sense, which is why we are doing it that way. I think we will be ready to make that pitch when the time comes.

Full staff in terms of hiring doesn't mean out in the field, boots on the ground, doing the work. As stated previously we have two on light duty, two in training, one at the academy and two openings, which puts us down seven positions for boots on the ground. This significantly impacts our ability to deliver the services we would like to deliver to the community.

Having officers available in patrol and support to target issues like drugs and gangs is difficult when we are seeing significant increase in calls for services, most of those being priority one, the more serious calls, like domestics. Just this past month comp stat showed 100 more DV calls. We've had more burglaries and more accidents this year. These take up resources. We are looking at the activity call data to determine what do we need? We do the best we can with the resources we have. We have to prioritize our responses when we handle these calls. It's a delicate balancing act.

Dep. Chief Dumas added the other side of the call volume is the arrests and paperwork generated. Our biggest need in my opinion is support staff, getting more people there. We have lost folks in past budgets we haven't replaced and its starting to catch up to us. We are fortunate to have discovered things we've missed that we shouldn't have and fortunate we haven't missed more. The volume of paperwork in that office with just 1.5 positions can't be lost in the equation. If we are successful in getting more officers, it generates more. 100 additional calls generates paperwork, files to be created discovery to be sent and all that goes with that in support. Just as important, when looking at more cops is you need the support to handle them.

Chief Allen concurred and said this is a compounding effect in the agency. The work at the boots on the ground level trickles up. Their workload increases with it. We have had our support staff cut in past budget years, and not replaced them. It's just as important to have that staff to handle the workload that comes.

Comm. McManus said we have one more meeting before the change in the commission. Are there plans in the works to open up the third floor?

Chief Allen said we have talked about it, but there are no immediate plans to do so. That is a discussion as we grow as a department. That is in the back of

my mind, when the time comes to look for funds to do that.

8. NON-PUBLIC SESSION: (Pursuant to: RSA 91-A:3)

Commissioner McManus MOVED to enter a nonpublic session at 7:46 P.M. pursuant to RSA 91-A: 3, paragraph II, section A (personnel) and section E (legal.) SECOND by Comm. Winship. The motion PASSED by roll call vote 2 - 0 with Comm. Winship and Comm. McManus voting in the affirmative. The non-public session closed at 8:14A.M. on a MOTION by Comm. McManus, SECOND by Comm. Winship and PASSED unanimously.

9. MISCELLANEOUS:

Following the non public session the Commission took the following action:

Comm. Winship MOVED to award merit increases on the respective anniversary dates to Officer Joseph Rousseau, Officer Matthew Leccacorvi, Officer Geoff Moore. SECOND by Comm. McManus and PASSED unanimously.

10. ADJOURNMENT:

Comm. McManus MOVED to adjourn. SECOND by Comm. Winship at 8:17 P.M.

Respectfully Submitted,

Rebecca J. Warburton,
Secretary