

**Rochester Police Commission
Rochester, NH 03867**

Derek J. Peters, Commissioner

David R. Stevens, Commissioner

Lisa M. Stanley, Commissioner

MINUTES OF THE POLICE COMMISSION MEETING

The Rochester Police Commission held their regular monthly meeting at City Hall, Council Chambers on Wednesday, April 3, 2019 at 7:00 P.M. Present at this meeting was Comm. Stevens, Comm. Stanley, Chief Toussaint, Dep. Chief Boudreau, Capt. Pinkham. Secretary Warburton and invited guests.

Comm. Peters was excused.

Chaplain Cilley was excused.

The Vice Chair called the meeting to order at 7:00 P.M.

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

B. Roll Call. The clerk called the roll marking Commissioner's Stevens and Stanley present.

2. PUBLIC COMMENT:

No Public Comment.

3. ACCEPTANCE OF MINUTES:

A. March 6, 2019 regular meeting.

Comm. Stanley MOVED to accept the minutes of the March 6, 2019, regular meeting, with minor corrections to some typographical errors. Comm. Stevens SECONDED the motion. The motion to accept the minutes, with corrections PASSED unanimously.

4. OLD AND UNFINISHED BUSINESS:

A. Union Concerns – status update. Chief Toussaint said we are pretty much done with the list. There are four officers wear testing the outer carrier vests and that will continue before we make any recommendations to purchase. We have one other vendor vest that we want to wear test.

We completed a soft test for the E-Ticketing and the equipment is working. We do need to tweak printer settings.

We are working with the NH State Police on the secure government email to begin sending cases to the County Attorney electronically. We plan to have that operational before our next regular meeting.

Comm. Stanley asked if the vests are something we move forward with, is the money in the budget.

Chief Toussaint said it is not. However, we just closed the bid on the items we planned to buy with the JAG grant money and our estimate was under the bid price. We would have to submit a change request to the JAG office to use the money for something else, but, if approved we could purchase some with JAG money.

The last issue we are making a concerted effort at better communication during the internal investigation process. For instance if an officer is simply a witness or potential witness and we just need a statement getting that information they are not “suspected.” Chief Toussaint said, “I meet with the Union President and Vice President every other week and we are happy with the progress so far.

5. NEW BUSINESS:

A. Oaths. Officer Jacob Coffey and Officer Eric Bilodeau took the oath of office administered by Attorney Andrea Mitrushi. Their families were on hand to take part in this achievement. Both are scheduled to attend the next Police Academy.

B. Year End Report. Chief Toussaint said for those that don’t know, our crime analyst, Alex Freeman is a contracted and embedded employee. She is the primary architect of our compstat report and any time we need a report, crunching numbers Alex does that for us. She is here to review our 2018 year-end report at the request of the Commission.

Ms. Freeman noted the year-end report covers calls for service, police activities and crimes within Rochester in 2018, compared to 2017, and 2013 to measure any trends. The report can help to understand problem areas, crime trends and resource allocations in 2019.

Calls are broken into categories of Priority 1, Priority 2 and Priority 3. Examples of Priority 1 calls could include accident, alarms, and violent crime, burglary and weapon offenses. These require immediate attention and two officers to respond. Examples of Priority 2 calls could include criminal mischief and trespassing, DWI, thefts, juvenile matters and road hazards, and may require two officers. Examples of Priority 3 calls could include ordinance violations; drug

information, noise complaint, lost or found property. They are not as time sensitive and may require just one officer.

There was 3% increase in calls for service compared to 2017, and an 18% increase compared to 2013. The biggest increase was in Priority 3, by 8% from 2017 and 25% from 2013.

We also look at response times. We have improved from 2017 by 4% in Priority 1, 12% in Priority 2 and 16% in Priority 3.

Overall, property crimes are at the lowest point in ten years, and violent crime and drug crime is continuing to decrease.

The Police Department has been working with low staffing levels in 2017 and 2018. That did affect field activities compared to prior years. Even so, there was great improvement compared to 2017, which had some of the lowest numbers in at least ten years.

The summer of 2018 focused on proactive activity in the downtown area after it was determined to be a problem area by citizens.

Chief Toussaint asked Alex to describe what the parameters for the downtown include.

Ms. Freeman said on North Main, from roughly Maple Street and those side streets including Pine, Lafayette, and down as far as the Commons. Portions of Signal Street and then Wakefield Street to the High School.

There was a 21% increase in traffic stops compared to 2017. There was an increase in arrests from stops, and while we are not where we want to be from prior years, there have been actionable improvements.

There was a 6% decrease in accidents compared to 2017. 22% of the accidents occurred in parking lots, specifically Walmart and the Ridge, as well as Rochester Crossing and the Lilac Mall. 19% of the accidents occurred in the downtown.

There was a 22% decrease from 2017 for DWI. Of the 76 arrests in 2018, 56 were for alcohol and 20 were drugs.

Despite the increase in calls for service, there was a decrease in the number of property crimes in 2018. Total property crimes were down 7% over 2017. Crimes counted in this category are shoplifting, theft from motor vehicle, theft of motor vehicle, vandalism, burglary and all other theft. The number of arrests for property crimes increased 9% over 2017.

Dep Chief Boudreau added that MV thefts are not the typical theft one might think of as seen on television. It is the classification of recording, but the majority are joy riding or taking without owner consent. Some were left running or had keys accessible.

Comm. Stanley asked if unauthorized use was in that.

Dep. Chief Boudreau replied yes. For example kids taking a vehicle without permission. It is the same code so it is lumped into the one category.

We also want to clarify the closure rate in some of the cases. For example, a burglary closure is only that if they are caught in the act. They may be arrested and charged for other offenses, such as receiving stolen property.

In thefts from motor vehicles, of the 120 cases 92% were unlocked. There were only ten that had other damage done to the vehicle, such as a broken window or door damage.

Comm. Stanley commented there were a number of categories at 10-Year lows.

Ms. Freeman responded yes that burglaries, theft of motor vehicles and vandalism were at ten-year lows.

Ms. Freeman noted that violent crimes overall had a 1% decrease compared to 2017. Aggravated assault and simple assault we have made some improvement, but it is not vastly different. Although there have been more domestic violence cases. That is something Det. Frechette is tracking.

Chief Toussaint commented that of the two homicides, one was the Ahearn case, of which there was some outstanding work done by members of this Department putting that case together. The other was the officer involved shooting. At the time this report was printed, the closure rate for these was 50%. An arrest warrant was issued in the Ahearn case this week, so the closure rate for these two homicides is now 100%.

There was a decrease in the number of overdoses, drug related fatalities and Narcan use by officers. There was a decrease in drug crime and drug arrests compared to 2017. Changes in legislation (Good Samaritan Law) explains some of the decrease in cases and arrests over the past two years. Twenty-four of the drug overdoses required Narcan administered by emergency personnel. 55% of the cases occurred in Ward 4 or Ward 6.

Comm. Stevens asked what were the 2017 numbers for Officer administered Narcan? It was 39 in 2017.

Ms. Freeman noted that we do track Narcan use by EMS and Fire, but she only highlighted Police for this report.

Comm. Stanley said this is just overdoses we respond to.

Because we dispatch for Police, Fire and EMS, it would be captured. However, if a friend drops someone off at the ER, we would not have those numbers.

Has it been the same person on multiple occasions?

Chief Toussaint said that we have had several treated on more than one occasion.

Comm. Stevens asked in your opinion, what are the major factors that these numbers are down 33%?

Chief Toussaint said there is a belief that if the drug numbers are down and overdoses are down that the drug problem is gone. With the stimulants we are seeing people using, we are starting to track drug contacts. We go to many calls where there is a disturbance, someone acting “crazy” in the street. That may not fall under the overdose category. Officers may list that as a possible drug event. This is not precise, as some can be confused with mental illness or a combination of both. Tracking this is not going to be as exact as it was tracking overdoses of fentanyl. We are seeing many different drugs; in fact, most in the region are seeing that as well.

Comm. Stevens noted a decline in the possession of drugs since 2015.

Captain Pinkham explained decreases from 2015, there have been a number of changes to laws regarding search and seizure, as well as the Good Samaritan law. Previously a subject of an overdose could be charged, but since these laws went into effect, a subject of overdose is somewhat immune to prosecution. Therefore, these statistics have changed due to legislation changes.

Comm. Stevens said that 159 is still 159 too many, but it looks like there has been some impact.

Chief Toussaint said the encouraging number for me is the drop in the fatal numbers. This is not necessarily a police issue. Yes, drugs are illegal. This is an addiction issue, which needs to be addressed. We don’t want people dying. We may not agree with the choices but this is still a brother, father, son, family or loved one. We want to prevent and assist in any way we can. If that reduces fatalities that is a plus with us.

Dep. Chief Boudreau added that Narcan has been more available also, which helped bring that number down. We may not have responded to calls because family used Narcan. That’s not to say they shouldn’t call us, but if the person is no longer overdosing, they may not. That availability has helped to bring that number down.

Chief Toussaint added that the availability of services, such as SOS, who do a lot of good work with people in recovery; we hope these numbers consistently go down and that starts us out of the trend of this crisis.

Ms. Freeman reviewed the threshold slide showing if areas tracked are normal range, above or below.

The last item to touch on is the proactive hour’s comparison to 2017. We had a 36% increase. We had an average of 24 officers available per week in 2017, and 26 in 2018. This can only improve as staffing improves. It is all represented in the numbers. This is a great way to show what can happen when we have more staff.

Comm. Stevens said this is good for the public to see that police work is complicated and sophisticated and using numbers help us do a better job to target our resources.

It helps show us what to focus on for the coming year.

Comm. Stanley said it is encouraging to see these 10-year lows and closure rates. Kudos to all the officers that are sticking it out.

Chief Toussaint said that this will only get better as staffing improves. Reactive policing is not effective. We want people out there looking to prevent crime, which is so valuable and more effective than taking the call after the fact.

C. Monthly Reports

1. Operations. Captain Pinkham noted that Ward 1 and Ward 4 met this period. There were concerns brought up relative to speeding, heavy truck traffic and drug activity.

In Comp Stat, field activities are up. Calls for service were down during the colder weather. There are no major concerns related to property or violent crime.

The Honor Guard presented the colors at the CHaD hockey game. We are very proud of the professionalism of our unit.

Lt. Bossi attended the Rental Property Owners Association meeting, discussing crime prevention tips.

The K9 had three tracks and two drug searches, all in Rochester. They also attended Teen Night.

Comm. Stanley noted that Ward 5 will meet on April 17, 2019 at 6:00 P.M. at the Holiday Inn on Route 11.

There were fifty cases sent up to investigations from Patrol. There are currently 71 cases assigned. There were 15 cases presented to the Grand Jury, and all were True Bills.

There were 209 pieces of evidence taken in, 77 pieces returned to owners and an additional 367 pieces destroyed. Det. Rousseau has been filling in during the absence of the evidence technician.

The Communications Center is currently at full staff. One specialist was released to solo headset this period and two remain in training. All of the Dispatchers participated in call handling of domestic violence calls with Det. Frechette, the County Attorney and Haven. We are training three new FTO's in dispatch to get them more involved.

The Community Engagement Officer wears many hats and does many things. He recently attended LEAD training in New Jersey; when patrol is short-staffed, he takes calls. He is working with another officer on a RAD (rape aggression defense) training class.

The Juvenile Prosecutor and all of the school resource officers also attended LEAD training in New Jersey. They came back with some good material. They all attended Teen Night.

Officer Jackson and Officer Danie are training the Explorers in scenario simunitions.

B. Administration. Dep. Chief Boudreau stated that the outer vest carriers are being wear tested prior to us making a recommendation for purchase. All reports so far have been positive.

We opened the bid for the weapon lights. Only two of the five bids were for the whole package. We expect to see some savings on these over the original estimate.

We are 75% into the fiscal year and just under 70% spent. The projection was completed today and after our review, we will share it with the Commission. Most of the savings are in salaries and benefits from open positions.

The three officers at the recruit academy are doing well and scheduled to graduate on April 26. We are looking forward to getting them back and through the in house training and then into field training. One of the officers still needs to complete a test before getting certification.

Will this officer go through graduation?

Yes and we have had this happen before. We will get some extra tutoring as they have put in the time and we have made a big investment so we want to support them in whatever way we can.

Officer Costin and Officer Butcher were released to solo patrol, which will help with staffing levels.

While we continue to look for certified officers, we do have four recruits heading off to the Academy in May.

Our insurer, Primex provided some workplace harassment training for all of the people in our building.

We have an intern from Great Bay College doing a 120-hour internship with the Department. She is from Rochester. She is assigned to patrol and we are rotating her through the different aspects of the Department to give her an overall perspective of the agency. Having interns is a great recruitment tool.

We registered to take part in the next DEA Drug Take Back Day on April 27, 2019 from 10AM-2PM. We will set up in the parking lot. This is a great tool to getting unused and unwanted drugs out of circulation, limiting potential misuse.

6. CORRESPONDENCE:

Correspondence for the month included: Officer Marvin and Officer Hatch were nominated for Officer of the Year. Off. Kimbrough was recognized for his performance during a medical aid call. Off. Krochmal and Off. Williams-Hurley were thanked for their handling of a welfare check. Off. Moore is recognized for his effort in aiding a civilian with sobriety. Spec. Brinkman is recognized for her handling of a call for a suicidal subject. Spec. Colwell, Holman, Ferrari, Bailey and Pearce are recognized for their support of the Sanford Regional Dispatch Center during a fatal fire in Berwick, Maine. Capt. Thomas is thanked for covering a shift during low staffing to prevent ordering an officer.

Comm. Stanley thanked Captain Thomas for the initiative in filling the shift to alleviate some of the burden on the patrol staff.

7. INFORMATION:

A. There was no discussion.

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

Commissioner Stanley MOVED to enter a nonpublic session at 8:08 P.M. pursuant to RSA 91-A:3, paragraph II, section A (personnel) and section E (legal.) SECOND by Comm. Stevens. The motion PASSED by roll call vote 2-0 with Comm. Stanley and Comm. Stevens voting in the affirmative.

The non-public session closed at 8:25 P.M. on a MOTION by Comm. Stanley. SECOND by Comm. Stevens. The motion PASSED by roll call vote 2-0 with Comm. Stanley and Comm. Stevens voting in the affirmative.

Comm. Stanley MOVED to seal the minutes indefinitely. SECOND by Comm. Stevens. The motion PASSED by roll call vote 2-0 with Comm. Stanley, and Comm. Stevens voting in the affirmative.

9. MISCELLANEOUS:

Comm. Stanley MOVED to award merit increases on the respective anniversary dates to Sgt. Marc Cilley (4%) and Sgt. Anthony Deluca (2.88%). SECOND by Comm. Stevens. The motion PASSED unanimously.

10. ADJOURNMENT:

Comm. Stevens MOVED to adjourn. SECOND by Comm. Stanley 8:27 P.M.

Respectfully Submitted

Rebecca J. Warburton
Secretary