

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 August 1, 2018 at 7:00 P.M. Present at this meeting was Comm. Peters, Comm. Stevens, Comm. Stanley, Chief Toussaint, Dep. Chief Boudreau, Capt. Thomas, Chaplain Cilley and Secretary Warburton, invited guests and members of the public.

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

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

B. Prayer. Chaplain Cilley led the prayer.

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

2. PUBLIC COMMENT:

Human 402 Portland Street noted his concern with how dangerous Rochester has become. He was concerned about the leadership of the Chief of Police and concerned about the police department alienating the citizens. He opined you cannot police a community from within a cruiser. You have to get out and interact and establish relationships. That is how community policing is done and he would like to see more of that.

Christopher Rice Ten Rod Road spoke about a neighbor firing weapons in their back yard, which abuts his property. While he has seen good things in the community such as bike patrols and foot patrols and traffic stops, he wanted to see more community policing engagement in his area.

3. ACCEPTANCE OF MINUTES:

A. June 15, 2018 regular meeting.

Comm. Stanley MOVED to accept the minutes of the June 15, 2018, regular meeting as presented. The motion was SECONDED by Comm. Stevens and PASSED unanimously.

4. OLD AND UNFINISHED BUSINESS: No discussion.

5. NEW BUSINESS:

A. Awards and Recognitions:

Chief Toussaint said I appreciate the family and friends coming out to support these officers on a big night. Law enforcement as a profession is having a hard time keeping people, recruiting and retaining people. Therefore, it is a big deal to celebrate, not one but two officers tonight who have served the city for 20 years.

1. 20-Year Plaque Det. Mangum

Chief Toussaint said that Chris Mangum came to us with three years of experience with the Farmington Police Department. He has been a patrol officer, a field training officer but most of his career he has spent in the detective division. He is one of the MVP's of the Department. He is an outstanding Detective. He knows everyone in town, and if there is a question as to the name of a person, he usually knows. He has a rapport with people and his interview skills are outstanding. He is frequently called for major case investigations. His current assignment is to the drug task force. We certainly hope for many more years of service from Chris.

Chris was presented with a plaque recognizing this achievement.

2. 20-Year Plaque Det. Mundy

Chief Toussaint said that Mike Mundy came to us with experience as a corrections officer. We are glad he moved over to this side. However, that experience gave him value as a patrol officer, field-training officer, a member of the motorcycle unit since its inception and he has been a detective for many years. Mike is also the past president of

the Benevolent Association. His primary focus is crimes against people, including sex offenses. That is a tough field to investigate all the time, particularly dealing with juvenile victims. Mike has had many successful prosecutions over the years and we hope that he continues to serve.

Mike was presented with a plaque recognizing this achievement.

3. Retirement – Steven Bourque

Chief Toussaint said this next moment is bittersweet. Det. Bourque recently retired from the Police Department. He joined us in 2005, with 15 years of law enforcement experience in Somersworth, which gives him about like 28 years of serving the citizens of Strafford County. He has spent most of his time with us, also as a detective working crimes against people. He transitioned a couple of years back into the Internet Crimes against Children Task Force, and doing computer forensics. He has had so much training he is considered an expert in this field. He has seen some tough cases poring of evidence that no one ever wants to see. He has been part of several successful prosecutions both at the local and federal level for these crimes, getting serious jail time for people who seriously need jail time. He has been recognized numerous times. He has presented on internet safety to parents, students, to the citizens academy and the like. He was a firearms instructor for many years and a member of our tactical team. We are certainly going to miss him. He won't be far. He has taken a similar job in a part time capacity with the Sheriff's department, so we will still be able to use him as a resource, we just won't see him on a day-to-day basis.

Steve was presented with a shadow box of a uniform shirt.

B. Oaths of Office – New Officers. Chief Toussaint said these officers have already started and are doing some in house training before heading off to the Academy. Tonight, they take their oaths and are formally introduced to the community. They have all been through an extensive vetting process of interviews and backgrounds and are in a position to do the job and serve the city of Rochester.

Officer Jonathan Labosier – John grew up in Charlton, MA. He lives in Seabrook with his family. Prior to working here, he worked security at the nuclear power plant. He was a member of their tactical team. This is relevant experience for the position.

Officer Timothy Costin is from Swampscott, MA. He recently graduated from the Mass Maritime Academy with a BA in emergency management. He was part of a leadership squad and completed several internships with multiple agencies. He has a brother also in law enforcement in NH.

Officer Thomas Butcher lives in Exeter. As a youth, he was involved in scouting and has achieved recognition as an Eagle Scout. This is a huge deal showing commitment and character. We are happy to have that skill within the police department. He recently graduated from Plymouth State with a BA in criminal justice.

Attorney Andrea Mitrushi administered the oath of office individually to the new officers. Friends and family were on hand to take part in and witness this achievement.

C. Accept Retirement: Officer Steven Bourque

Comm. Stevens MOVED to accept the retirement of Det. Steven Bourque with regret. The motion was SECONDED by Comm. Stanley and PASSED unanimously.

D. Accept Resignation: Officer Jacob Nance

Comm. Stanley MOVED to accept the resignation of Officer Nance with regret. The motion was SECONDED by Comm. Stevens and PASSED unanimously.

E. Monthly Reports

1. Operations. All of the wards met in June, but only Ward 6 met in July. Most wards are moving to quarterly meetings and all are scheduled to meet in September. The wards discussed specific statistics in individual wards, the opiate and mental health issues and the emphasis on downtown patrolling.

The Honor Guard presented the colors at the CHaD football game at UNH. Officers' Benjamin and Robinson were appointed to the unit.

There were 11 K9 calls over the previous two months. Five were tracks and six were drug searches. They also participated in community events including Wings and Wheels and fundraisers for the Working Dog Foundation.

Our proactive activity has improved over this same period last year, despite increased priority one and two calls. Accidents were highest on Farmington Road and the North Main corridor.

We had three restaurants broken into in one night.

On the support side there are currently 75 cases assigned. Over the months of June and July 44 cases were sent to the Grand Jury and all returned true bills. Nine phones were analyzed with the celebrite machine. There were five compliance checks for sex offenders and nine pawnshop compliance checks.

There were four detective calls outs over the reporting period. For a robbery, a homicide and two overdose deaths.

There were 67 police related housing calls this period. We have seen an increase in mental health issues. Off. Blair is working with Community Partners to resolve them. There has been some increased drug activity in one of the housing areas. This information has been shared with the appropriate people.

In Diversion, Nicole has been working with the summer teen travel camps with the SRO's and the Community Engagement Officer. They have been working on the annual National Night Out event.

Lt. Gould has been busy in juvenile prosecution and has filled in for adult prosecution this period. The Explorers were inactive over the summer and will start back up in the fall.

Officer Danie is still doing an outstanding job. He is busy with daily meetings, boards and his normal duties. He, along with Lt. Gould were part of the cadre for the cadet academy in June. He assisted at the City fireworks event and is helping with National Night Out. He hosted an event for the community for working with the hearing impaired. He attended the senior barbeque and senior breakfast, and assisted new officers with firearms training.

2. Administrative. Dep. Chief Boudreau noted that we will not have our final numbers for the fiscal year until September or October. We know we were several thousand dollars to the good. We went to bid for the backline police car, which has been received and is in use.

We have awarded the bid for the new cruisers to Rochester Ford. They were the low bid by about \$8,000 when factoring in the trade value. It has been many years since this bid was awarded locally.

We held our first meeting with 2-Way, Fire, EMS, and IT to talk about radio upgrades. The Council funded that in CIP Projects this year and we are getting that underway throughout the city.

In June, we hosted a 40-hour CIT course that was developed by Sgt. Cost and Lt. Swanberry. We brought in various instructors and put 19 officers, six from Rochester through the course. Our goal is to break even when hosting training. We didn't this time. We had some small adjustments we need to make with instructors. Overall, the program was well received.

How many certified CIT does that give us now?

15-18 members.

Chief Toussaint said that is a moving number as people move to other positions within the agency or leave an agency.

We also hosted a Glock Armorers course and put two officers at no charge through that course.

We are rolling out the new on line training PoliceOne Academy. This has individual log ins with over 140 courses of ½ to one hour long that officers can take. This can help us to meet the annual 8-hour training requirement from Standards and Training.

Comm. Stanley asked the cost of this.

We paid just over \$4,000.00 and officers can take as many courses as they would like.

We have all the new officers registered for the 177th Academy. They are doing some in house training currently.

Bridging the Gaps is working with several other entities on National Night Out on Aug 7. There will be food, games, organization booths and support from police, fire and EMS displays. There is a rain date of the 14th.

Bridging the Gaps has been looking for alternative funding as the grant comes to a close, and while they applied for two sizeable grants, there were not selected as recipients. We continue to look for more funds to sustain the program moving forward.

Comm. Stevens asked how much funding is needed.

There is a 1-year extension to use any remaining funds. The program with salary, benefits and programming is about \$125,000.00.

Comm. Stanley commented that this is a valuable program and she hopes funding can be found.

Comm. Stevens asked if there is a possibility to extend the grant, anything on the horizon.

Dep. Chief Boudreau said not federally, no.

Comm. Stanley said the last item under finance and purchasing is a cruiser accident, backed into by a fire truck and insurance hasn't covered the full cost. What is the difference that we are going to have to cover?

Dep. Chief Boudreau stated there was some discrepancy from the damage the body shop found to the amount the adjuster reported. He didn't feel all the damage was from this accident. We are working with Primex on this. We did receive a check less our deductible for \$2536.00; but we received a bill for \$4,800.00.

Comm. Stanley said our budget vs the fire budget, why? They backed into us.

Dep. Chief Boudreau said, our vehicle, our insurance. Further, the check was received in FY18 and the work was started but not finished until into the new fiscal year. So we will be taking that money from this budget. We have discussed with finance and we will monitor this. If at the end of the year, we need an adjustment they will allow that.

C. Other.

1. Speed Trailer. Comm. Stanley noted that she has been by the speed trailer on Ten Rod Road, mentioned in public comment and the display is off.

Dep. Chief Boudreau said it has been turned off purposely, but it is collecting data. We have found people "test" the radar. Therefore, it is in stealth mode. We are able to pull

up the data from the cloud. The older unit currently deployed on Salmon Falls Road does not have the stealth capability and collected data must be downloaded.

For Public safety committee meetings the Dep. Chief said I am able to bring reports that show the number of cars, the high speed, the low speed and the average, where about 85% of the travelers fall.

Chief Toussaint said these trailers are really a force multiplier for us. In the past, a complaint of speed had officers running radar to collect not even a fraction of the data these units can. Speed is one of the biggest complaints we get. It is not efficient to have an officer out there to find the data doesn't support the claim.

Chief Toussaint said this dovetails into discussion he wanted to bring up about the downtown. Several people spoke at the last Council meeting about how "unsafe" the downtown is and my initial reaction is that it is not and I have the data to prove it. However, that does not matter if the perception is that it is unsafe.

We have a limited amount of resources at the Department, as you know. For a long time we have deployed our resources by digging into the data for where problem areas are and this is where we will deploy resources. That is probably why my initial reaction was no, no, this is not the issue in Rochester and I can show you.

Chief Toussaint said we are down personnel again. I have two on long-term injury on light duty; we swore in three officers tonight, who will go to the academy and won't be ready for solo patrol until the spring and I have three openings. So essentially, I am down eight people. Which makes it more critical as to where we deploy resources.

That being said, with the groundswell of concern with the downtown and the safety of the downtown we've decided that proactive time will be in the downtown, from the Commons up to Pine Street and over including Signal Street. Before this, we were working heavily in the Lafayette Street neighborhoods, as that had become a problem for us. While I don't necessarily think this is an effective use of resources, as the demand from the public to feel safe in the downtown they will be seeing more cops addressing minor issues. Some issues were brought up at council meeting such as jaywalking and loitering. Many of the concerns people brought up is not anything illegal, so it is a fine line we have to balance.

The other fine line we have to balance when we pool our resources we get statements like "I haven't seen a cop on Ten Rod Road in a long time." These complaints don't stop so we use technology to determine if there is a problem, when it is happening

and then we deploy resources. Until further notice, at least through the summer, direction has been given to be in the downtown to modify the perception of the downtown.

Comm. Stanley commented I'm happy to hear you say that because it is not just about safety, it is also a quality of life. She noted her friend who works downtown and her window overlooks the alley, where they have seen lewd, horrific things. Illegal, profane things. So I think a consistent presence, a walking beat, those things won't be as prevalent.

Chief Toussaint said and we will be addressing some minor things. Some people will view that as harassing people. But, standing there shaking hands isn't going to do. We will enforce the law and ordinances in the downtown to hopefully change the perception.

Chief Toussaint said keep in mind this is not additional work. We have a finite number of calls we go over every month, priority one and two calls are still coming in and we are down manpower. So when we have time they have been directed to focus on the downtown. I'm not mandating what they do, but if they see issues relating to quality of life I want them to address it.

Comm. Stanley asked if that would include foot patrols.

Chief Toussaint replied that foot patrols are the least effective because it ties an officer to a specific area. It makes no sense to have them walk the length of Lafayette and then have to walk back to their cruiser if they get a call. A bicycle you can move quickly through an area. We will do it when we can. I want officers out of the cars and making contact with people.

The numbers do not bear out that it's inherently an unsafe place.

Comm. Stanley noted that we have to remember we largely interact with 2% of the population committing crime and the other 98% deserve to see a presence.

Chief Toussaint said I could tell you all day long that it is not unsafe, but if people perceive that it is and are scared to walk to Cumberland Farms, that is an issue.

Comm. Peters asked the status of the JAG money.

The Justice Assistance Grant from last year has been tied up in litigation related to sanctuary cities. We were just notified they have released the money, which must still be accepted by Council. Somersworth Police Department is managing the grant for us, for

5% of the award. We have planned the funds to host a 3-week evidence collection school for our team. Following which they will be certified technicians. This has been one of our weaknesses. We have a basic team. If all receive the same training, they will be able to show up at a crime scene and process it, and defend their work in court.

We were just notified a couple of days ago that we are eligible to apply for this year's grant of \$25,000.00.

2. Commissioner Stanley addressed the public comments made earlier in the meeting. "I personally have every confidence in our Chief and hope the citizens do as well. The Chief is quite competent and I think we need not have any concerns."

Comm. Stevens echoed those comments.

Comm. Peters said he has been on this board for almost five years. He was part of promoting the current Chief to this rank and he would not have if he were not confident in his ability. We are fortunate in the community that we can promote in house. We have very qualified people and do not need to go outside. We work to make sure our people are ready to move up.

6. CORRESPONDENCE:

Correspondence for the month included: Officers' Robinson and Watt initiated CPR at a call, giving the individual a chance at survival. Sgt. Balint identified a suspect vehicle from a burglary and during investigation recovered items. A resident thanks Off. Oswalt for his care and concern after receiving upsetting news. Det. Frechette is thanked by the Saint Charles School for speaking with the students about safety. Lt. Gould is thanked by Chief Blodgett in Middleton for assistance with a juvenile matter.

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 8:18 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 3 – 0 with Comm. Stanley, Comm. Stevens and Comm. Peters voting in the affirmative.

The non-public session closed at 9:11 P.M. on a MOTION by Comm. Stanley. SECOND by Comm. Stevens. The motion PASSED by roll call vote 3 – 0 with Comm. Stanley, Comm. Stevens and Comm. Peters voting in the affirmative.

Comm. Stanley MOVED to seal the minutes indefinitely. SECOND by Comm. Stevens. The motion PASSED by roll call vote 3 – 0 with Comm. Stanley, Comm. Stevens and Comm. Peters voting in the affirmative.

9. MISCELLANEOUS:

Comm. Stevens MOVED to award merit increases on the respective anniversary dates to Off. Frank Porfido (3.4%), Off. Aaron Garneau (2.65%), Off. Michael Brinkman (3.55%), Off. Kyle Danie, (4.3%), Off. Cory Krochmal (3.65%) Off. Thomas Seager (2.3%). Comm. Stanley SECONDED the motion and it PASSED unanimously.

10. ADJOURNMENT:

Comm. Stevens MOVED to adjourn. SECOND by Comm. Stanley 9:13 P.M.

Respectfully Submitted

Rebecca J. Warburton
Secretary