

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 on Wednesday, August 5, 2020 at 7:00 P.M in City Hall, Council Chambers. Participants in this meeting: Comm. Peters, Comm. Stevens, Comm. Stanley, Chief Toussaint, Dep. Chief Boudreau, Capt. Thomas, Chaplain Cilley, Secretary Warburton.

The meeting called to order at 7:07 P.M.

a.) **Providing public access to the meeting by telephone:**

The public can call-in to the below number using the conference code.

Phone number: 857-444-0744
Conference code: 843095

A. Pledge. All participated in the pledge.

B. Prayer. Chaplain Cilley offered the opening prayer.

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

2. PUBLIC COMMENT:

No public comment.

3. ACCEPTANCE OF MINUTES:

A. June 3, 2020 regular meeting.

Comm. Stevens MOVED to accept the minutes of the June 3, 2020 meeting as presented. Comm. Stanley SECONDED the motion. The motion to accept the minutes PASSED unanimously.

4. OLD AND UNFINISHED BUSINESS:

There was no old or unfinished business before the Commission.

5. NEW BUSINESS

A. Accept Retirement Notice – Officer Michael Mundy. Officer Mundy's letter of retirement was read into the record by Comm. Peters, noting his 22 years of service to the City of Rochester.

Comm. Stanley MOVED to accept the retirement notice from Officer Mundy and to thank him for his service. The motion was SECONDED by Comm. Stevens. The motion PASSED unanimously.

Chief Toussaint noted that we are not losing Mike completely. We are losing Tom Blair who has been our part time housing officer for some time. He will be officially retiring and moving out of state, which opens up the part-time HUD position. Officer Mundy has been selected to partially fill that role. So all those years of experience and training are not just going out the door. We can still use those and are thrilled that we can do that.

B. Department of Justice Grant – Mobile Backup Dispatch; Discussion. Chief Toussaint said the City was notified of eligibility for federal funds from the Department of Justice specifically to go towards Corona Virus needs identified in this process. There was a very short window for applying for these funds, which totaled \$89,226.00.

The Deputy City Manager convened a meeting with several department heads to discuss possible uses for this money for the City. One of the areas that has been identified in our All Hazards Mitigation Plan as a weakness in the City's infrastructure is with regard to communications. If we had a problem with our main communication center we have a major problem. They run 24/7 dispatching police, fire and EMS, and all the phone calls that come into that center. Incredibly important. We have been disinfecting the center during the height of the virus and limiting access to the room. Our concern was what if the primary center went down due to illness, how would we continue to operate.

We were somewhat fortunate that when Corona first started we were in the middle of a radio upgrade project. We had this equipment purchased and awaiting installation. We were able to set up a full back up communications center in the Gonic Fire Station. Fortunately we didn't need it. But since then we dismantled that backup location and installed the equipment in the main center.

The virus illustrated the need we had for a backup communications center. So I floated the idea that this is the time to invest in the City's infrastructure and have a full time back up communications center that we can use. The idea was well accepted, and we applied for the grant for that purpose. It went before the City Council where it was voted down. I believe that was because they didn't have enough information to make an informed decision. I went to the finance committee and subsequent to the full council and explained what we were looking to do and they changed their minds.

The project is essentially a mobile trailer; like a modified camper. We will set it up with dispatch consoles, seating, a bathroom, white-boards and things of that nature. If we need for any

reason a backup center we can move this wherever we want throughout the city. In addition to the emergency function it can be used during special events, say the fair, wings and wheels, fireworks, any major event it can be a mobile command post with an incident commander, a dispatcher or two and it takes the stress of the main center.

It is a dual purpose and a dual need. When using it for these other functions the dispatchers are familiar with it, how the pieces operate and no one is looking for a manual to get things going. This is an asset that we will have for years to come. It fulfills a need identified in the 2018 All Hazards Mitigation Plan. Chief Toussaint said this was such an opportunity that he had to fight hard for it. I don't see us having another opportunity to address this need.

Dep. Chief Boudreau will be working on the bid specifications.

Comm. Peters felt it was important to discuss this tonight to that everyone is aware that this is not a police department project it is a city of Rochester project.

Comm. Stevens asked if the Gonic substation was still up and running. Chief Toussaint replied that it is not. We disassembled it and that equipment was installed in the main center as part of the current upgrade.

Comm. Stanley said so this is now approved and moving forward. What other projects competed against this one? The staff met first and determined this is what we were going to apply for?

Chief Toussaint said at this meeting ideas were solicited for what to use the money for and I happened to be the first to raise my hand and say this was a perfect opportunity for this. Discussion pretty much ended at that point as people felt that was a good idea.

Comm. Stanley asked if we could foresee it being used for a tactical team call out.

Chief Toussaint said that it could, but I don't see those as large scale events very often. We did have one a couple of years ago at the Ridge that lasted several hours. An extended thing, probably. A normal swat not for that length probably not. A preplanned event we could look into it. Any time you break out such equipment it's beneficial.

Comm. Peters said that it could be used for any large scale fire, where a second, third or fourth box is struck. This would be an excellent opportunity.

Chief Toussaint said one of the Council's concerns was that we would be coming back next year asking for a truck to haul the trailer. I have no need for that. The City has plenty of vehicles that can be used to move this and drop it off. Again it is not just Police Dispatch Center, its Police, Fire and EMS. They all depend on the center just as much as we do.

B. Monthly Reports

1. Operations: Capt. Thomas stated all ward meetings are on hold during the pandemic.

The investigations bureau had 21 cases submitted for review. There are currently 67 cases assigned. There were two detective call outs, and one evidence call out. There were two background investigations and one polygraph. There were 367 pieces of evidence logged in, and 44 items returned to owners. We selected two officers to fill vacancies in ISB. Officer Root and Officer Govoni will transfer on August 23 at shift change.

COMMUNITY ENGAGEMENT OFFICER/PROBLEM ORIENTED POLICING UNIT: All POP/CEO members worked shifts on July 3 and July 4 responding to and enforcing fireworks related complaints and ordinances. We responded to more than 60 fireworks related calls for service and issued 15 fireworks related summonses. We were giving warnings previously, and now are setting a new tone. The calls were coming in faster than we could get to them.

Comm. Stevens inquired if we felt using the POP unit for this was a good solution. We had talked about doing this.

Capt. Thomas said yes. If the POP unit wasn't doing that, it would fall to patrol. This allows patrol to focus on all the other calls still coming in to the center. Quality of life issues usually are a lower priority.

The unit continues to build drug cases in problem areas and to look for solutions. We have re-kindled the cross agency meetings with Fire, Code Enforcement and the City Attorney to give us more tools when dealing with problem properties.

Homeless camps have been a focus with follow-ups and getting the Crime Analyst the info needed to map areas and potentially link criminal behavior in the vicinity.

Downtown continues to see positive activity increasing and less criminal behavior occurring, which could be attributed to the outside dining. Officer Danie is problem solving the old Ben Franklin building and has set up a meeting with the owners and a potential business.

COMPSTAT: Field activities have increased from the recent months, and are approximately in line with where they were at this time last year. The majority of traffic stops continue to be focused in the downtown area as well as major routes into and out of the city. Motor vehicle enforcement is still not at the level that it was prior to staffing issues – which have improved – so supervision is working to reestablish a culture of proactive enforcement. Where we can't socially distance officers are using PPE and doing a great job.

Motor vehicle collisions have increased slightly from previous months, potentially due to the lifting of restrictions by the Governor, which has resumed local traffic as well as opening up commuting from the Lakes Region, through the North Main Street/Farmington Road corridor, which shows the highest concentration crashes.

An increase was shown in thefts from motor vehicles. There was one overnight spree in the Fillmore Boulevard area, and there is potentially a connection to Portsmouth, as a wallet stolen from that jurisdiction was recovered nearby. A campsite has been identified in the woods

near that area which could be contributing to the increase in events. A separate overnight spree was identified in the Punch Brook Way area where suspects were identified and will be charged. It is noteworthy that we are down 51% year to date, but as we typically see in these crimes, the victim vehicles were mostly left unlocked. An increase in vandalism was also noted, yet no trends were uncovered. Property crime is down 7% year to date.

Drug offenses are increasing compared to previous months, and are more consistent with this same time last year. Overdoses year-to-date have been trending downwards since 2017. Yet overdose fatalities are increasing. This is potentially due to the abundance of naloxone available to the public, and a possibility that emergency services are not being called for some overdoses and we are only becoming aware of the most serious cases. There has been a change in drug type as well from heroin and fentanyl to meth. Meth users don't typically overdose, but do exhibit other strange behavior.

Violent crime statistics showed a slight decrease for the month, and year-to-date figures are essentially consistent with last year. No trends or issues were identified.

COMMUNICATIONS: Our last trainee was released to solo headset. As of now, we are fully staffed in Communications. The center is still closed to all to maintain social distance and limit exposure.

The new radios were cut over the second week of July. We installed two additional valor CAD systems through 911, which will allow us to map according to the call NH 911 receives in their Centers.

We have officially switched over to the State's CODE Red account and new information for the public to sign up for alerts from our department is available on the Police Department's website. <https://www.rochesternhpd.net>

DIVERSION: Nicole continues to work on the Juvenile Probation Transformation Certificate Program with the State team and given the current climate around racial disparities, the focus of the group is concentrating in making sure the juvenile justice system is accounting for any inequities. Due to current restrictions, the work is slow moving.

Rochester's Diversion program achieved Re-Accreditation for Diversion Programming through 2022.

Nicole presented with the NHJCD Network's Evaluator to the Service to Science team to cross the first stage of Promising Practice and will continue to work in establishing the measures to obtain Evidence –based Practice. Nicole has been asked to present next spring for the DCYF Annual Conference.

Nicole met with the coordinating parties at Strafford County CAP who will be establishing Family Resource Center services in Rochester. As well, Staff has met with the Program Director for Waypoint that oversees their Teen Centers and Street Out-reach, as they

are looking to support these efforts in Rochester. The next steps are establishing a location and funding the plan.

Nicole has been working with Strafford County Addiction Task Force and our Data Analyst in identifying the need for mental health/substance services around suicidality. She is working with the POP Unit to share resources as needed and will work with the County in developing services where there are gaps.

Nicole has been working on mental health resources and identifying screening tools and practices that will assist the juveniles that are in diversion, as there has been an increase in youth presenting with mental illness.

Nicole has also been working with the Strafford County Diversion Program as they work on hiring a new coordinator and work on achieving accreditation.

Nicole has been working with SHS in developing their own restorative justice based program for vaping cases, as these do not go through Diversion. She is also working on identifying counseling resources around LGBTQ populations and suicidality.

Nicole continues to work with the Fire Department and City partners on plans for this fall's National Night Out and Fire Prevention Week possibly to be held October 3rd.

EMD USE: Display and Deploy: One Display Only: One

HONOR GUARD: All HG events that were planned have been postponed, and there are no events scheduled at this time.

HOUSING: There were 28 police related calls. None of the calls presents a pattern or warrant alarm. The activity seems low based on the weather and people being out of doors. We have a request to provide more bicycle helmets at Cold Spring. We continue our community policing approach interacting with the children and giving out free ice cream cards.

The Housing Office remains closed due to Covid-19. Officer Blair regularly checks in with the housing managers. Sgt. Babine continues to provide a presence during off hours. There were six background checks completed for new residents.

They have a request to get more bike helmets.

Comm. Stevens asked where the helmets come from. Do businesses donate them?

Dep. Chief Boudreau said some have been donated, and we have also used highway safety to obtain helmets.

Capt. Thomas said that it is believed some were obtained through our Diversion program and some we have received from the State.

Comm. Stevens asked if a business could donate, either helmets or gift cards for them.

Capt. Thomas said they could. However, even our own bicycle patrol is short on equipment. Everyone is having a hard time keeping stock this year.

K-9: This month the Rochester K-9 Unit responded to 6 calls for service. All 6 calls were for tracks in Rochester.

PROSECUTION - ADULT: Due to limitations in operations being imposed/mandated by the Court, court cases are still being heard in limited numbers.

PROSECUTION - JUVENILE: Juvenile prosecution had 41 petitions, and 1 Diversion. The following hearings were also held: 5 arraignments set for trial, 3 arraignments resolved by plea, 2 show cause hearings, 1 Emergency placement, 1 review hearing, 1 violation hearing, 3 dispositional hearings, 12 trials resolved by plea. There were six motions to impose suspended sentences and a complaint and warrant for bail jumping.

Lt. Gould covered hearings on June 25th for Attorney Mitrushi. She also participated in the training review boards prior to release to solo patrol for Officer Knox and Officer Colson.

RENTAL PROPERTY OWNERS ASSOCIATION: Lt. Bossi was not able to attend the last RPOA meeting due to a scheduling conflict. There is no new information to report. It is unknown at this time if the next meeting will be held in person or via zoom.

SCHOOL RESOURCE OFFICERS: SRO Jackson and SRO Porfido are assigned to Patrol. This has been a tremendous help during these summer months. They will be transitioning back to the schools in a couple of weeks. Sgt. Deluca is assisting with any school related issues for the district.

Explorer Post: No meetings were held this period.

2. Administrative. Dep. Chief Boudreau noted that the bid for front line cruisers is scheduled for opening on August 6. The backline cruiser bid, despite being sent to seven different vendors received just one bid, from Rochester Ford. They have the vehicles on the lot.

During the month of July, there were several purchases over the \$5000 threshold, including annual contracts such as Verizon, Eversource, 2-Way, IMC, Lexis Nexis, and the Taser 60 payment.

This month the Bureau of Justice notified us of eligibility for the FY2020 JAG grant for \$25,634.00. The City Manager approved our request to apply. There are no local matching funds. We are discussing projects for this funding in technology or equipment. The application must be in by August 19.

Comm. Stanley asked what the parameters the purchase has to fall within.

Dep. Chief Boudreau said the JAG grant is pretty broad. It can be used for technology, training, or backfill of overtime for training or equipment. We have looked at CIT training to pay for the training and overtime that comes with replacing officers attending the training.

Comm. Peters asked where are we with the 2019 JAG grant. Has that been fully expended?

Dep. Chief Boudreau stated that we purchased the outer carriers with that money. Everyone has been sized, and ordered, but with COVID they are looking at a 3-4 month backlog to obtain the items. We allocated all that money toward the vests.

Comm. Peters said so all of the 2019 award is spent?

Dep. Chief Boudreau said it is not all spent. But it was all allocated toward the vests. If there is any surplus, we can request a reallocation of that money for other projects from the Bureau of Justice.

Chief Toussaint said my priority for this 2020 JAG money is CIT training. Crisis intervention for all officers is a critical thing. We have established a CIT training approved by NAMI, it's a one week course. Its expensive backfilling the shifts. We have also gotten through in the past with instructors donating their time. We can't go to the well too many times. We want to use this money to pay a mental health professional to present this program.

Chief Toussaint said I would really like to get at least ten additional officers trained using this money. I think we can host the program. We can chip away and have a significant number of our people trained in this. It goes hand in hand with the climate in this country right now the importance of de-escalation and handling mental health in a more efficient and safer way. I really want all of our sworn officers to be CIT certified.

The second thing I am looking at is the community policing role being more accessible to the community. The bicycle patrol is a big hit. We increased the unit by 10 people, but have not increased the number of bicycles for a long time. We need to beef up that equipment to be more effective.

Chief Toussaint said I think we have some good established needs for this money that are timely based on national discussion.

Radio Upgrade. Dep. Chief Boudreau said that work on the radio replacement project continues. We dismantled the backup center at the Gonic Fire Station and all that equipment has since been installed in the radio room and in dispatch. We cut over in July to the new equipment and all of that is currently operational. We are moving on to site work at the water towers. Plans and specs were submitted to the water department as we have to install new cabinets and gear at those locations. The three water towers we expect to be up and running in September. We are looking to tie in to a site in Dover at one of their towers. We have also worked with the water department on specifications for the anticipated water tower at Highfield Commons on Hussey Hill. That will be next year.

We hope to have the foundation in for the tower at DPW next month. It won't be on line until the DPW building is complete.

Comm. Stanley that is a lot of moving parts, so, great job.

Dep. Chief Boudreau there have been some hiccups, but it's been smooth, overall. This is a microwave system. There have been some issues with the receiver and repeaters, more for fire than for us. These systems use phone circuits, which we do not own. It is outdated copper technology and the cables degrade. It is not high on the fix list. This system will take the phone lines completely out of it. In addition we will build in dark fiber back up at the Chesley Hill and DPW sites. This is a robust system. There is a lot of redundancy built in. It should serve us well for the next 20-plus years.

FORFEITURE SPENDING: There was no forfeiture spending this period.

HIRING: The background and paperwork has been completed for Officer Rummo who will start August 9. He is candidate 72 of 67 slots available for the academy. In order for him to make this session, five other candidates would need to fail the physical agility test. The second background is still active.

TRAINING: It appears that the next scheduled police academy will take place at the facility, with a very different format. In service trainings hosted at the academy look like they will not be held through the remainder of 2020.

Officers Matt Kimball, Nicole Knox and Brendan Colson all successfully completed their field training program and have now been released to solo patrol.

Sgt. Cost identified several training modules in our online training through Policeone Academy for CIT officers to enroll in for annual required 8 hours of CIT training. Throughout the month, officers have been working on completing the online training towards these hours.

Officers assigned to our crime scene unit all took part in a 3-day review training here at the department in preparation for their upcoming certification test in August.

D. Other.

1. On-Line crime reporting: Comm. Stanley asked how the on-line crime reporting is going. It's been up for a few months.

Dep. Chief Boudreau stated that it is being used. We did have some hiccups following a recent IMC update because things weren't backfilling the way it should

Capt. Thomas said once a report submitted on line is approved by a Lieutenant, the patrol captain gets an email. They come in pretty regularly.

2. HB1645. Comm. Stanley inquired into any policy updates that we may be working on in line with new legislation recently signed by the Governor in HB1645 which addresses duty to intervene, chokeholds I know we don't do. But other areas written into the statute I don't think we address in policy.

Chief Toussaint said I don't think it's specifically addressed that way, but in the standards of conduct there is a requirement if an officer or an employee observes any violation of policy or of law they are required to report this to their supervisor.

Comm. Stanley said we ought to just verify that it complies with what the statute now says because there is specific language and time frames in the new statute.

Dep. Chief Boudreau said we address this during annual use of force training. As a use of force instructor I do stress and talk about this. We have the duty to make sure that we are policing each other with this. There are countless episodes throughout the country you can see, sometimes, we are human too, and our emotions can sometimes get the best of us in heated situations. We have a duty to protect the public and to make sure that we are protecting each other.

Comm. Stanley said she just wants to make sure that our policy is accurate relative to the new state law. I'm sure there is going to be more coming. The commission has been given an extension of 30 days to report findings and recommendations back to the Governor.

6. CORRESPONDENCE:

The following correspondence was received this period: Sgt. Benjamin is recognized and recognizes members for extraordinary teamwork on June 6 when seven priority emergency calls were received in 53 minutes. Recognized are: Specialist Brinkman, Officer Brinkman, Specialist Colwell, Officer Crawford, Officer DeCost, Officer Knox, Officer Williams-Hurley, Officer Alexander, Officer Govoni, Officer Kimball and Officer Riddle. Officer Coffey is thanked for his professionalism during the course of an arrest. Officer Root and Sergeant Cilley are thanked for their calming demeanor following a burglary investigation. Dep. Chief Boudreau is thanked by Principal Roy for assisting in planning in coordination of graduation ceremonies for the class of 2020. Officer Marshall is thanked for his professionalism on a traffic stop. Officer Brinkman is thanked for stopping by a home hosting a birthday party for a young child.

7. INFORMATION:

Comm. Stanley reminded people of our third annual recognition of National Thank a Police Officer Day the third Saturday of September. This year will be held on September 19. Please hang festive blue lights and decorations in recognition of all they do.

Comm. Stevens said that the Country is going through a lot right now, in the City, the Schools and individual citizens. So we thank all the professional out there, including our police department who is doing an amazing job keeping everyone safe. Doing all we can to keep our own staff safe. Sometimes you don't get recognized with everything going on.

Comm. Peters concurred saying he hears all the time how professional officers were and how polite they are. A citizen who writes a thank you letter for an officer being professional following a traffic stop for speeding (even though it was a warning is a credit to the leadership. I appreciate them being out there day in and day out.

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

Commissioner Stanley 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.) Comm. Stevens SECONDED the motion. The motion PASSED by roll call vote 3 - 0 with Comm. Peters, Comm. Stevens and Comm. Stanley 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 3 - 0 with Comm. Peters, Comm. Stevens and Comm. Stanley 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. Peters, Comm. Stevens and Comm. Stanley voting in the affirmative.

9. MISCELLANEOUS:

Comm. Stanley MOVED to accept the evaluation reviews for Off. Michael Brinkman (top of grade), Off. Aaron Garneau (top of grade), Off. Patrick Flathers and Off. Keven Miller both in their first 24 months. And to award per the collective bargaining agreement a merit track advancement on the respective anniversary date to Off. Carl Root to merit track 7, Off. Frank Porfido to merit track 8, Off. Thomas Seager to merit track 4, Off. Kyle Danie to merit track 5 and Off. Cory Krochmal to merit track 8. Comm. Stevens SECONDED the motion. The motion PASSED unanimously.

10. ADJOURNMENT:

Comm. Stevens MOVED to adjourn. SECOND by Comm. Stanley 8:26 P.M.

Respectfully Submitted

Rebecca J. Warburton
Secretary

APPROVED BY COMMISSION: 09/02/2020