

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 7, 2019 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, Secretary Warburton and invited guests.

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 delivered the opening prayer.

B. 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 5, 2019 regular meeting.

**Comm. Stevens MOVED to accept the minutes of the June 5, 2019 meeting.
Comm. Stanley SECONDED the motion. The motion to accept the minutes,
PASSED unanimously.**

4. OLD AND UNFINISHED BUSINESS:

No Discussion.

5. NEW BUSINESS

A. Oaths. Officer Carl Root, Officer Keven Miller and Officer Patrick Flathers took the oath of office for patrol officer administered by Attorney Andrea Mitrushi. Officer Root has 25 years of experience with the NYPD. He will attend the law package at the academy. Officers' Miller and Flathers will attend the full 16-week Academy.

A ten-minute recess was called.

B. Accept Resignations – Officer Lambert and Officer Watt

Comm. Peters noted that Officer Lambert was a member of the Department for about 16 years, and submitted a formal letter of resignation.

Comm. Peters MOVED to accept the resignation of Officer Lambert, with regret. Comm. Stevens SECONDED the motion. The motion PASSED unanimously.

Comm. Stanley MOVED to accept the resignation of Officer Watt. Comm. Stevens SECONDED the motion. The motion PASSED unanimously.

C. Monthly Reports

Comm. Peters said that at the meeting in June we decided to highlight these reports to move the meeting along. Our agenda and packet can now be viewed on line.

1. Operations. Capt. Thomas noted wards 2, 3 and 6 met this period. Some of the topics discussed included trespass and homelessness, speeding on Old Dover Road, which is being addressed with extra patrols and the speed trailer.

Crime statistics were reviewed. Property crimes are up 83%, largely due to thefts from motor vehicles and a spree of bicycle thefts. Residents can impact those numbers by locking their vehicles and removing valuables. On the bicycle thefts some have had the locks cut but the majority were taken from within yards, on porches. There is a contingent of people who roam the city at night. These are crimes of opportunity.

Comm. Stevens asked if a high percentage of the thefts from motor vehicles was due to being unlocked.

Capt. Thomas said that is correct. It has happened where a vehicle window was smashed, but more are due to the unlocked vehicles.

Chief Toussaint added when a window is smashed it is generally due to something of obvious value being left in plain view. Windows are not broken to rummage a glove box.

The K9 unit had seven calls. Three drug searches and four tracks.

Traffic stops dipped which can be attributed to the increase in calls for service, up 250 calls over the previous reporting period. Accidents were also up, largely due to driver inattention.

Comm. Stevens asked if we know what the driver inattention is – is it cell phones and are we still enforcing that.

Capt. Thomas said the use of a cell phone does fall under the category of distracted driving. We are still enforcing the hands-free law. Several people were summonsed during the proactive enforcement we recently did in the downtown.

Chief Toussaint added that not all distracted driving is related to cell phones. It is simply a category. You can be distracted by the radio, adjusting a seatbelt, kids – it is anything that falls under driver inattention.

The new Communication Supervisor started on Monday. There are two backgrounds underway for the open dispatch positions.

Comm. Stanley asked if the Supervisor was an internal candidate.

She was a per diem employee, but previously worked full time in dispatch.

We had pulled the community engagement officer in June to fill shortages in the patrol rotation. We are happy to have him back in the community engagement role.

Captain Thomas said that every officer recognizes that calls for service means we have limited time for proactive work. However, he wants to recognize two officers for recent proactive enforcement initiatives.

Officer Kyle Danie teamed up with four bicycle officers in a proactive enforcement downtown. We were looking to impact the recent problem of bicycle thefts. We did recover a couple of bicycles, interacted with pedestrians and made several field contacts. The community likes to see the officers out there. Overall, this was a very positive thing.

Sgt. Powers teamed up with four Rochester officers and the NH State Police mobile enforcement team to do proactive enforcement for drug interdiction. We netted eight physical arrests and a lot of contact with people. The feedback was positive.

These intensified patrols are done on overtime. However, with the officers just released to solo patrol, they filled some shift vacancies and we were able to cancel some of the posted patrol overtime.

Comm. Stanley commented that is outstanding. She also commended the Department for sending Sgt. Babine and Officer Danie to other communities to shadow their community policing units.

Capt. Thomas said we are getting different ideas. They also went to Nashua. We want to do this POP unit right.

Comm. Peters noted that the SRO's would be back in the schools shortly.

Capt. Thomas said they would be. It has been great to have them beefing up the patrol shift. The ripple effect is that while on days they kept up with calls, which ensured that second shift did not start the shift with pending calls.

Comm. Stanley asked for clarification on dispatch using run cards. What does that mean?

The Fire Department uses these run cards for various call types, such as a house fire. The cards have information such as intersecting streets, nearest hydrants, notification lists for which trucks respond, whom to call in mutual aid, and in what order for specific assignments. If the Police were to have a major event, we can use the same preplanned cards for notifications. It is a time saver. This concept for police use came from after-action reviews where Officer Arkell of Brentwood was killed. There was a major police response to that scene. It can become difficult to manage for the boots on the ground. This essentially sets up the structure for specific things. For example, the incident we had here over the weekend, the Sergeant was mentally running through whom needed to be contacted and called out. These run cards would help in those situations.

2. Administrative. Dep. Chief Boudreau said that we ended FY19 on solid financial standing, returning more than \$500,000 to the general fund. Those savings coming from salaries and benefits from open positions.

We are moving forward in the hiring process. We still have four patrol openings to fill.

One of the projects we are working on in FY20 is the on line crime reporting software. The version we are currently using is not a force multiplier. It still requires an officer to type a report. We are looking at different programs.

Lexis Nexis has a whole suite on this. We would like to have a page on the website that has predetermined calls that a citizen can file an on line crime report for lower priority calls. Currently these calls can pend for several hours, or even days. If a citizen needs to report someone broke into their vehicle overnight, but there are no witnesses, and they cannot wait for an officer, they can file that report, fill in the information, and upload photos. A supervisor will still review the report and can either approve it or send it back to the reporting party for more information. From there it can back fill into our records management system. This will be a benefit for the citizens to do at their convenience. There are several agencies using this and we want to evaluate their experience before we make a purchase.

Comm. Stevens asked if any of those agencies are in NH. What would be the turnaround time to get this done?

We would be the first in NH to use this. Turnaround would depend on how much work we need to do on the front side. We would have to work with our IT partner.

Comm. Peters asked if it is a one-time cost.

It will be a monthly subscription. They just restructured the plans. What will be helpful is if after evaluation it's found not to be effective for us, we haven't paid for something we won't use.

Chief Toussaint added the safeguard is we set the parameters for what can and cannot be reported. For example, in progress crimes. People also tend to report in-progress things to our FB page, which is not monitored continuously. The event is long over by the time the message is read.

Chief Toussaint said another feature is if you have reported something stolen, and later discover something additional missing, you can add that, rather than having to wait for an officer to come back.

Comm. Stanley said that ultimately this would save officer time, provide customer service and make it simpler for insurance reporting.

Comm. Stevens asked if this would collect data and look at trends for analysis.

Chief Toussaint said once the report is in the system, it is tracked like any other report, so the analyst can see it trending. The report has to be approved by the supervisor before it will upload. The reports by the citizens could be assigned to an officer for additional follow up.

Dep. Chief Boudreau said that Portland, Maine and Revere, Massachusetts are using this software. You can visit their website to get an idea of how the process works. Ours will be similar.

Lastly, an update on the external vest carrier project. We are looking to wear test one from Safariland. There is a lot of adaptability to this model. Chief Toussaint added I like the looks of this model. It is not as militaristic looking as the others we have wear tested.

Our Crime Analyst Alex Freeman left at the end of July. She relocated to Colorado. Our evidence technician applied and Lexis Nexis offered him the position. With his background in law enforcement, he will be a great addition in that role. We now have to find a part-time evidence technician. It has been advertised for 32 hours per week.

Comm. Stevens asked could it be a civilian position.

It can be, and was. This is really about warehousing merchandise, storing it, tracking it and maintaining it. We will need someone with great attention to detail, self-motivated and a self-starter.

We are holding PT test on 8/10/19 for the four open patrol positions. From there we will start the oral board process, get them before the Commission by September and have them ready for the January academy.

D. Other.

(1) Fireworks. Comm. Stevens mentioned the quality of life issue of fireworks before and after July 4. He would like to see if we could possibly have dedicated patrols for two or three days before and after for fireworks issues. I think that is a reasonable solution for citizens.

Chief Toussaint said while some of the issues with the ordinance were addressed one thing that could be beneficial is cooperation from citizens. If we do not see them going off, and no one gives a statement, it goes in the log as a fireworks complaint that says GOA, negative contact. To make a case then we still need citizens willing to get involved, to speak up and provide a statement.

Even with low staffing, we still had the fireworks display. I hope that next year we will be at full or close to full staff. We are working on establishing the POP unit and this is a perfect thing for them to address. We know traditionally the two weeks of July we have problems with fireworks. This might not solve it, but will do more to address it. We have to ask the public to have patience while we retool.

Comm. Peters said the POP unit will have more than enough to do.

Chief Toussaint concurred that there are plenty of issues to address. We can start to look at the root causes of issues rather than continuously putting out small fires. That is the whole concept of problem oriented policing.

Comm. Stanley commented that the issue in East Rochester the citizen is not exactly sure where its coming from, other than it happens between 9-10 P.M. Lt. Aucoin was great in addressing a recent issue in Ward 5, sending officers to a couple of the commercial establishments and the problem has gotten better. There is one more problem area in Ward 1. The complainants understand it is low priority.

Chief Toussaint said I don't like the words low priority. It is important to the caller and it should be. It's not an excuse, but we have to triage calls. It will improve as we move forward.

We have spoken about where we are with staffing. We are starting to see the turn but we still have four to hire. We have three going to the academy in September and we have one deployed. We had the SRO's for the summer, yet many evening shifts are starting 15-20 calls deep. Those calls are cycled down in priority triage. It does not mean that we don't think it's important.

(2). On line Reporting. Comm. Stanley said she has another constituent driven concern. Councilor Gray had brought up the on line reporting. Sometimes it might give the citizens some satisfaction of inputting the report.

Chief Toussaint said the current system we have is not effective. It still sits in a cue for an officer to respond. There were some small windows of time that this citizen was available in this particular incident, and we were not.

Chief Toussaint said that he advised the new Communications Supervisor that one area we need to watch is quality control reviewing the log and making sure procedure is followed. That is not to say it was not in the case. The way the calls work for example is a new call comes in for fraud. We attempt a couple of times to get to it, but with the lateness of the hour, it is moved to a future call, to the opposite side of the screen. We need to make sure this low priority call from yesterday takes

precedence over the new low priority call that comes in today. There are a few factors involved, and most of it is call volume. The citizen was addressed that day. We understand the frustration. The officers are frustrated too.

Comm. Stanley said the on line option would have at least semi-satisfied him.

Comm. Stanley said Councilor Gray also thought about hiring a paralegal on a temporary basis.

Chief Toussaint said we are always open to new suggestions. I don't think a paralegal is viable. They are not a police officer, which is what people want when they call.

Comm. Peters said we do use officers on temporary alternate duty for this purpose.

Chief Toussaint said we do. The officer who missed the academy due to a medical issue has been working through the theft packets with video and suspect information from various stores. When we have officers on light duty, for the most part they are handling lobby complaints and returning phone calls so we get the most efficiency from them.

What about interns?

We have used interns in the past. We didn't have any apply this year.

Comm. Stanley asked who handles the interns.

Dep. Chief Boudreau said it goes through his office. We get students from Great Bay. Some will go to their home agencies, depending on what their needs are.

Perhaps we should be more proactive recruiting interns for things of that nature.

Chief Toussaint replied the issue remains – an intern is not a police officer. They can do some of the busy work, but can't be *that person* (police officer) the public is looking for.

(3). Abandoned Property. Comm. Stanley asked for clarification on abandoned property. This is another constituent driven issue. If the owner is not located, that property is now property of the state.

Chief Toussaint said not necessarily. If an individual finds a lost item, depending on the value, if it goes unclaimed after a period, they can take possession of it.

On a towed vehicle, if an owner cannot be located, the tow company can put a mechanics lien on it. They can apply for a title for that vehicle. Most of them sell the vehicle to defray the cost and that is what happened in this case.

Comm. Stanley said when she read the RSA she took it to mean that abandoned property is the property of the state. The tow company is entitled to recoup costs and they apply for a title, how long is that process. How long do we look for the owner?

This particular vehicle, there was no evidence it had ever been registered. Maine had a record of it several years ago but the man said he sold it years ago and it changed hands several times.

Comm. Stanley said we had an email exchange on July 25, it was unregistered and not reported stolen. We touched base on July 29 and on August 1st advised we would let him know if something comes of it. Then the citizen saw it on Facebook for sale. It seemed extremely fast for that to transpire.

(4) Thank a Police Officer Day. Comm. Stanley noted that the public may nor may not be aware of Thank a Police Officer Day on September 21st. More information can be found on the Facebook page "Thank a Rochester Cop."

(5) Don Chick will be getting some dates for us to come out and do the baseball cards again.

6. CORRESPONDENCE:

Correspondence for the month included: Bob Colwell of Comcast thanks Off. Butcher for doing a good job during an outside detail. Off. Turgeon was thanked for resolving a complaint for a citizen. Off. Plumb is thanked by the family for his response to an untimely death. Specialists Bailey, Drew, Pearce and Ferrari are thanked for their contributions on a medical aid call that led to a life-saving event. Specialist Pearce was selected as the May 2019 Hometown Hero for her dedication to public service. A participant in the recent RAD training thanks officers' Danie and Turner. Specialist Bowley is thanked by a citizen for efficient help during a medical event. Off. Kimbrough is thanked for his participation in events at the William Allen School. Sgt. Smith and Lt. Bossi are recognized for interactions with youth in the community. Lt. Aucoin is nominated (and selected) for Employee of the Month for his involvement with the St. Charles School, organizing events and working with the children. Lt. Bossi is thanked by NH DOT Rail and Transit for assistance with a car and train collision. Officers Garstin, Plumb, and Labosier responding to a welfare check assisted the resident with some tasks they were unable to complete on their own. Off. Danie then also responded and assisted further. Sgt. Miehle is thanked in two separate incidents by citizens for being professional and having a positive impact. Off. Robinson is thanked for his interaction with a citizen. Chief Connolly of Sanford, Maine PD thanks Off. Oswalt for locating a suspect in a theft from that community and recovering some of the property. Specialists Colwell and Brinkman are commended by Off. Gantert for efforts during a busy shift. Off. Kimbrough is thanked for helpful suggestions, which made a difference for a citizen. Sgt. Powers, Off. Butcher and Off. Brinkman are thanked by the family for kindness during an call for an untimely death.

7. INFORMATION:

There was no discussion.

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

Commissioner Stanley MOVED to enter a nonpublic session at 8:13 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 9:18 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 award merit increases on the respective anniversary dates to Off. Alexander Turgeon (2.95%), Off. Aaron Garneau (3%) Off. Michael Brinkman (3.9%), Off. Kyle Danie (4.4%) Off. Cory Krochmal (4.15%) and Off. Thomas Seager (3.6%). SECOND by Comm. Stevens. The motion PASSED unanimously.

Comm. Stanley MOVED to accept the tentative agreement with the NEPBA Local 23 and to forward the same to the City Council. SECOND by Comm. Stevens. The motion PASSED unanimously.

10. ADJOURNMENT:

Comm. Stevens MOVED to adjourn. SECOND by Comm. Stanley 9:20 P.M.

Respectfully Submitted

Rebecca J. Warburton
Secretary

Approved by motion of the Police Commission: 09/04/19