



# POLICE COMMISSION

Manchester Police Department  
405 Valley Street  
Manchester, NH 03103

## MINUTES OF JUNE 3, 2020

## REGULAR MONTHLY MEETING

The Regular Monthly Meeting was held at Manchester Memorial High School on June 3, 2020, at 09:00 hours, attended by:

**Commissioners** Scott Spradling (Chairman), Steven Spain, Manny Content, Eva Castillo **Absent:** Charlie Sherman  
**Police Department Staff** Chief Carlo Capano, Asst. Chief Ryan Grant, and Kim Demers (Secretary)

### 1. COMMISSION CHAIRMAN OPENING COMMENTS

- Comm. Chairman Scott Spradling opened the meeting at 0905 hours, welcoming all those present.

### 2. NOTICES POSTED / APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING

- The Commission was advised by Secretary Kim Demers that the notices had been publicly posted in the Union Leader, on MPD's website homepage, event calendar, and via social media.
- Commissioners approved the minutes for the meeting held March 4, 2020; Comm. Castillo abstained. Although she had attended the March 4 meeting, her commission appointment status had not yet been made official.

### 3. PUBLIC COMMENT

Comm. Chair Spradling observed that only members of the media were present and inquired if any comments reference an issue they would like to bring before the Police Commission.

- **Jeff Hastings**, owner of Frame of Mind photography, a freelance and contract photo journalist and blogger stated that he was in the thick of things during the Black Lives Matter protest on S. Willow Street the night of June 2. He stated that he was impressed with the professionalism shown by police officers at the event in the face of some of the crowd throwing bottles, aiming fireworks at them and being called names.

*There was no one else present wishing to speak; on motion of Comm. Sherman, seconded by Comm. Spain, it was voted to take all comments under advisement and further to receive and file any written documentation presented.*

### 4. DIVISIONAL REPORTS

Chief Capano stated that due to command staff monitoring the Black Lives Matter protest the previous night, which did not conclude until the early hours of this morning, the divisional captains had been excused from the meeting to go home and get some sleep. Therefore, he and Assistant Chief Grant would be providing the Divisional Reports.

**Assistant Chief Grant on behalf of:**

#### **Administrative Division:**

- Due to the COVID-19 pandemic, in March the NH Police Academy sent recruits in training back to their respective departments to continue training remotely. Eight recruits returned to MPD and completed their training on April 24 and are now in the field training program. All are doing well and should be completing training by mid-July.
- Of the eleven new officers hired March 23, the two who were previously certified are in the field training program and should be concluding by the end of June. The other eight recruits are receiving instruction from the N.H. Police Academy by remote training. They are due to graduate August 21, and then will have approximately 10 weeks of field training.
- Training conducted a police test on April 25. From the 30 or so who successfully completed all phases of the exam process, plus pre-certified officer applicants, the department hopes to hire 12 new officers to complete phase two of the 3-year plan to hire 30 officers. To date, six have completed through the polygraph phase and three more candidates are being looked at.
- The department is replacing current Tasers, which are eight to nine years old, with the Taser 7 model. The Tasers have purchased but are slowly being deployed due to the training the officers have to go through. Although the new Taser is similar to the prior model, each sworn member of the department needs to receive training for the new model.
- Building maintenance is going well. The Aramark staff have been doing a great job sanitizing areas during the pandemic.

- The fleet vehicles are used 24/7 and are sanitized three times a week. Disinfection supplies are made available for officers to utilize to wipe down the driver's area before starting a shift.
- Five new vehicles were purchased for use by detectives. Several old vehicles were recycled to Patrol and others were sent to auction.
- The new Records Management System will be implemented soon. Each officer needs to attend a 24-hour training period before the system can go live, which may take a couple of months.

**Questions/Comments/Discussion:**

- Comm. Content enquired if the department had a sufficient supply of personal protection equipment (PPE) for the officers to use. Chief Capano advised that the department always maintains a quantity of PPE for officers, and the pandemic put a strain on the supply, although it never reached a point of running out. Like many others, the PD struggled to maintain facemasks, disinfecting wipes, and hand sanitizer. Donations from the public and private companies helped and then the State EOC provided assistance so that the department could purchase supplies through their vendors.
- Comm. Spradling enquired as to how many officers were afflicted with the virus. Chief Capano advised that just four officers tested positive for the virus and made it through the 14-day quarantine with minimal symptoms. However, several other officers had to quarantine due to exposure to the virus whether from family members or through response to calls for service. MPD staff have been instructed to self-monitor and are required to take and log their temperatures daily prior to entering the building. The low incidence of COVID-19 among PD staff can be attributed to daily disinfecting efforts of the Aramark crew and partly due to MPD utilizing PPE sooner than other agencies.

**Patrol Division –**

- As was already mentioned, 10 trainees in the field training program.
- Officer Baddaoui, who had been out injured since January 2019 returned to full-duty status on June 2, 2020. Officer Toney, out injured since August 18, 2019, returned to light-duty status on June 1, 2020.
- The Traffic Unit has had a bit of reprieve over the past few months as most of the Spring road races, parades, and other city events were cancelled due to COVID-19; they are now gearing up for Fall events. Traffic enforcement was scaled down for a few weeks due to the pandemic, but is now starting back up, with officers wearing proper PPE.

**Investigative Division –**

- It has been difficult for detectives to follow up on cases during the pandemic, doing the best they can via phone contact rather than face-to-face. Less urgent cases are now being looked at and investigative processes are moving back to “normal.”

**Legal Division –**

- Records personnel attended training in preparation of switching to the new Records Management System.
- Records is now at full strength with the hiring of Amanda Goodwin on March 23.
- During the pandemic, public access to the building was limited as much as possible, but that was not the case for registering sex offenders, so it was business for The Sex Offender Compliance Unit officers, who completed 185 offender registrations in May and 981 year to date. These are not all new registrations; some offenders are required to register several times a year.

**Chief Capano on behalf of:**

**Community Policing Division –**

- CP officers monitor the 34-36 homeless camps that have popped up in the city during the COVID-19 pandemic. The increase in the number of camps is due to a mass exodus from New Horizons as individuals were concerned of being infected with the virus while in close quarters with others, followed by New Horizons placing restrictions on the number of individuals allowed into the facility. There is also the reality that some people just like to live outside. CP has answered numerous calls reference the camps and since the pandemic hit, the calls have increased. CP officers visit the camps daily and have built up a rapport and gained the respect of many of the inhabitants.
- The pandemic necessitated the closing of the MPAL/Briggs Community Center and all youth programs associated with MPAL. MPAL Officer Levasseur was reassigned to monitor COVID-19 test sites, like the Armory).

- With schools closed, the Gang Unit has been busy directing the city youth to engage in activities not associated with gangs.

**Questions/Comments/Discussion:**

- Comm. Spradling enquired if the public understands the limitations the police are bound by in dealing with the camps. Chief Capano advised there are a lot of people who don't understand that the police are very limited with what can be done reference homeless camps. As long the camps are in a designated "green space" (public use) the police can only take action if illegal activity is taking place. There is nothing governing the camps not being there.
- Union Leader reporter Mark Hayward referenced the orange fencing being set up along Canal Street where a homeless camp had been set up and has since been dismantled. Chief Capano advised that the space along Canal Street is being designated a city park and the orange fencing was set up to block off a work zone for Highway to work at cutting down trees to prepare it as a park.
- Chief Capano advised that the city has been following CDC guidelines which advised against breaking up the homeless camps as it was unknown in doing so would cause a spread of the virus. Now CDC guidelines have eased with regard to the camps and hopefully residents can be transitioned to other facilities such as New Horizons and FIT. St. Casmir church is allowing use as a shelter. The homeless can't be forced to go to the facilities, but once the homeless are advised that current services – port-a-potties and trash collection – will no longer be provided by the city and state, hopefully many will begin using the "indoor" facilities offered by New Horizons and FIT. No one likes seeing the homeless living outside, but there is no legal means to wipe out a camp. MPD has not, will not, and cannot violate the civil rights of these individuals.

**Special Enforcement Division –**

- SWAT has continued to conduct monthly training exercises utilizing outdoor areas.
- Special Enforcement has had a slow down on much of its proactive work since COVID-19 hit, but as of three weeks ago proactive investigations have increased.

**5. COMMENTS FROM ASSISTANT CHIEF GRANT**

- COVID-19 has consumed the PD for the past couple of months, and now the Black Lives Matter events taking place due to the officer involved death of George Floyd in Minnesota is consuming us.
- The great guys and gals of MPD stepped up in a grand fashion to and AC Grant is very proud of them.

**6. COMMENTS FROM CHIEF CAPANO**

- Once the COVID-19 pandemic hit, the department took measures to ensure the health safety of staff members. The public was encouraged to make a phone call report in non-emergency situations that did not require response from an officer. A caller reporting an incident always talked to a police officer who triaged each call for importance. There have been comments that there have been fewer officers patrolling the streets, but the opposite is true. Chief Capano advised he has put more officers/cruisers on the street so that there is an increased police presence/visibility.
- When COVID hit, first responders had no idea how to respond to this unknown. The best anyone could do was follow CDC guidelines. Chief Capano extended kudos to Anna Thomas, the director of the city's Health Department, who has been fantastic throughout in keeping everyone up to date on guidelines to follow.
- Following the horrific murder of George Floyd in Minnesota, the department is now working with protest organizers from Black Lives Matter. Three events have been held in Manchester so far. Chief Capano stated that the Black Lives Matter group has the right to be heard, to protest, to march. He is happy to work with groups who gather peacefully, and he won't worry if streets need to be closed or if a park is used without a permit. MPD will be on hand to maintain safety, but will not hover at peaceful demonstrations. Ronelle, an organizer for Black Lives Matter, has done a great job in organizing peaceful demonstrations.

A protest held on Elm Street at Veterans Park Saturday, May 30, was attended by about 800 people and the group marched peacefully through the city. Following that, a group of 100 or so marched to the Police Department. Quite a few of the individuals, including a group from Antifa, were belligerent but no arrests were made. A moment of silence was held for George Floyd and Chief Capano stated he did speak with group leaders and was able to obtain contact information. The group remained at the PD for a couple of hours and at one point a truck drove up and parked in a nearby lot. The truck occupants and protestors yelled back and forth to each other and at one point one of the truck occupants displayed a gun. Police officers took the two truck occupants into custody.

Tuesday evening, June 2, police monitored a candlelight vigil held at Stark Park that brought about 700 people. The event was conducted peacefully and lasted about an hour. Despite organizers encouraging the crowd not to join more violent factions, a group of about 50 marched down Elm Street and eventually met up with a more violent group gathering on South Willow Street. During this protest, which involved a crowd of 300-500, fireworks were set off in the road and aimed in the direction of police officers, bottles and other items were also thrown at the officers. A subject kicked a police cruiser, spit on it and yelled profanities at officers. The subject was arrested.

Knowing that the demonstration on South Willow Street would probably turn violent, Manchester Police planned for the worst and hoped for the best. The department made sure to have enough resources on hand. With assistance from the Nashua PD, Southern N.H. Tactical Team, N.H. State Police, N.H. Army National Guard, N.H. Air Guard, the Hillsborough County Sheriffs Department, and FBI, the demonstration concluded with no officer or protestor being injured. There were 13 arrests, most for disorderly conduct and riot, but there was one arrest for an arson fire started in a Dumpster.

Chief Capano stated that many measures were utilized to allow a peaceful protest but there were groups that did not want to have anything to do with peaceful activity. The Chief stated that he is proud of his officers' professionalism and restraint during the demonstration. He is thankful for the support of the Mayor and city officials, and is much appreciative for the assistance provided by the other law enforcement agencies, N.H. Guards and FBI.

The department had prepared a playbook for the event, which will now be reviewed to see how the plans can be made better, in preparation of any future demonstrations.

#### **Questions/Comments/Discussion:**

- Comm. Content advised that he observed the events at the Police Department on Saturday, May 30. He felt that both sides handled the situation well, showed respect and listened to what each side had to say. He feels that the protest leaders sharing contact information with the Chief helped in building a relationship that wasn't there before.
- Comm. Castillo stated that she felt Chief Capano's MPD leadership has been great; he is open to communication. People want to share their ideas and just need to be listened to.
- Chief Capano stated that he has spoken with Governor Sununu and provided him with the contact information of the protest leaders. He hopes that by obtaining the contact information he has facilitated a conversation between state officials and the protest leaders.
- Comm. Spradling stated that a community dialog is needed, to which the Chief agreed and advised he would be calling upon Comm. Spradling to facilitate the dialog. Comm. Spradling further stated that he hopes the meeting would set a cultural tone of open eyes, ears and heart that the country can model.
- He commended MPD's actions during the recent events. He further commented that the separate teams worked well together. Chief Capano concurred that having the aid from the other agencies made things easier. He advised that some of the South Willow business owners had hired armed citizens to protect their property, which posed an additional problem for police in having armed individuals behind them.
- In response to questions from Comm. Spradling, Chief Capano advised the catalyst for the violent demonstration was Facebook postings, and that prior to his officers deploying to their duty stations Tuesday evening, he didn't give them a "rah-rah" speech, he just told them their job was to keep the public safe, to protect their fellow officers, and to come back safe. He firmly believes that the department hires great people and the department provides the appropriate training to see them through these events.
- Jeff Hayes interjected that he observed the South Willow Street demonstration from the area of the British Beer Company parking lot. He advised that he was among approximately 150 observers, and there were approximately 500 at the demonstration.

#### **7. RETIREMENTS / RESIGNATIONS**

- Caleb Daniels, Police Ofc, resigned effective 03/10/20, after 7.5 months with MPD.
- Barry Charest, Police Ofc, resigned effective 03/27/20, after 5.5 years with MPD, to return to Weare PD.
- Mary Makris, Admin. Assistant, retired effective 03/31/20, after 31.5 years with MPD.
- Carlo Accorto, Police Ofc, retired effective 03/31/20, after 34.5 as a N.H. law-enforcement professional, 29 of those years with MPD.
- Jacob Yaris, Police Officer, resigned effective 04/09/20, after 6 years with MPD.

#### **8. COMMISSION ADMINISTRATIVE BUSINESS**

Comm. Spradling advised the board that it has been past practice to not hold a meeting in July, and he proposed that the practice continue for 2020. The commissioners voted unanimously to not hold a July meeting.

#### **9. DATE OF THE NEXT MEETING / MEETING ADJOURNED**

The date of the next commission meeting was set for Wednesday, August 5, 2020, at 09:00 hours.

There being no further business to discuss, on motion by Comm. Spain, seconded by Comm. Content, the Commissioners voted unanimously to adjourn the Public Session of the meeting at 10:00 hours and to enter into Nonpublic Session pursuant to RSA 91-A:3, II(c).

#### **10. NONPUBLIC SESSION**

The Commission entered Non-Public Session at 10:10 hours for purpose of discussing personnel matters, which shall remain confidential. No matters were discussed that required a vote by the commissioners.

*The Nonpublic Session concluded at 10:25 hours.*

Respectfully submitted by:  
Kim Demers, Secretary

PC060320