



POLICE COMMISSION

MINUTES OF OCTOBER 5, 2016 REGULAR MONTHLY MEETING

Manchester Police Department
405 Valley Street
Manchester, NH 03103

The Regular Monthly Meeting was held at Police Headquarters on October 5, 2016, at 09:00 hours. The meeting was attended by Comm. Mark Roy (Chairman), Eva Castillo-Turgeon, Comm. Steven Spain, Comm. Scott Spradling, Chief Nick Willard, Capt. Jonathan Hopkins, Capt. Maureen Tessier, Capt. Todd Boucher, Capt. Ryan Grant, Lt. Sean Leighton, Lt. Andy Vincent, and Kim Demers (Secretary).

Members of the Public: Keith Webb, Jeff Hastings, Carol Robidoux, and Ryan Lessard.

1. NOTICES POSTED / APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING

- The Commission was advised that the notices had been posted at City Hall, the City Library, as well as on the MPD's website homepage, event calendar, and blog.
- On a motion made by Comm. Spradling, seconded by Comm. Spain, the Commissioners voted unanimously to approve the minutes of the September 7, 2016, meeting.

2. PUBLIC COMMENT

- Keith Webb identified himself as a city resident, with past experience in public broadcasting. Mr. Webb also described himself as a lifelong police scanner listener and explained his attendance at the meeting was to voice his objections to and request a reevaluation of the department encryption of all police transmissions. He does not fault the police for not broadcasting certain situations, but in the past the option was always available to go "coded." Encrypting all transmissions will put the department in the "wrong light," giving a perception of secrecy. In light of negative public perception of the police, transparency is important. Encryption causes a "disconnect" with the public. Though listening to police transmissions is not a constitutional right, it has been a long-standing tradition. Transitioning away from a tradition harms relationships. Listening to police transmissions allows the public to feel connected and empathize with the police responding to calls. Mr. Webb also saw public-access police transmissions as a recruitment tool. Hearing response to calls may draw the interest of someone to the law enforcement profession. Mr. Webb reiterated that he understands that sometimes there is the need for privacy, but there are ways to limit what information is made public, as MPD has done in the past. Comm. Roy thanked Mr. Webb for his comments.
- Jeff Hastings identified himself as owner of Frame of Mind photography, and a freelance and contract photo journalist for New Hampshire and Boston, Mass., area media outlets. He referred to his appearance at the September 7, 2016, commission meeting at which he voiced his concerns reference the MPD's new radio system, specifically with regard to coding transmissions being 100% coded. Since that meeting, he has realized that the decision to go coded had been made months prior, as reflected in the new radio equipment that was purchased for police. He felt that there was a lack of information made available to the board of mayor and aldermen reference the coded transmission decision; highway and fire have open transmissions with their new equipment, only the police do not. Mr. Hastings understands that there is no going back, that as a journalist and citizen he will have to live with what there is. He stated he has made observations over the past 30 days and noted several instances of BEARCAT deployments. He had called the MPD at the occurrence of each incident to obtain information and was told to wait for the press release from the PIO. When that failed to appear, he called again and was told to file a Right to Know request. Mr. Hastings stated that it is not realistic for a city resident living next door to a location where police-related activity has occurred to have to ask for information under the right-to-know law and have to wait five days for the information. Mr. Hastings commented that he understands the Lt. O'Keefe, the department's PIO, has been out, but the department can't stop communicating because the PIO is out sick. Mr. Hastings commented that the department will ask for assistance from the media and the public, but won't reciprocate by providing the media and public with basic information.

Captain Boucher interjected that there have been changes made and that in the absence of the PIO, the Officer in Charge will put out press releases. Mr. Hastings stated that getting the press releases out quickly will be a help, the more the better. He understands the OIC will be inundated with media phone calls when something major happens. He recommended that a media email list should be established so the OIC can let the media know that information will be forthcoming.

Mr. Hastings would like to connect with other cities that have encrypted police transmissions and find out how those cities have dealt with the issue of communicating with the public. In a recent conversation, Chief Willard had stated he would reach out to colleagues and obtain some information. Mr. Hastings has yet to receive that information.

Mr. Hastings also commented that the department's Nixle communications are very inconsistent. The department may go days without any postings and then another day every accident and little incident is posted.

Referring to a statement made by Chief Willard that crime stats would be made available on a quarterly basis, Mr. Hastings inquired when the stats would be made available.

- Carol Robidoux, Publisher/Editor of the Manchester Ink Link newsletter, stated that there should be more consistency with regard to MPD postings on social media venues. She has the impression that the department struggles with what news items should be posted and suggested that the department consult with Comm. Spradling to formulate guidelines for social media postings. The public relies on the media to provide information and it is important to find a solution to elevate the perception of the department's communications with the public.
- Ryan Lessard provided his name and advised he did not want to make any comments, but wanted to observe only.

3. DIVISIONAL REPORTS

Investigative Division – Capt. Grant:

- A student at West High School brought a .45 caliber handgun to school. The situation was dealt with quickly and appropriately, resulting in a successful resolution of a bad situation.
- Continuing to look for William Maldonado, the suspect in the Beech Street homicide case.
- Due to concerns ref the safety of three children, the department requested assistance from the media in asking for help from the public to locate the McMaster family. Through successful partnership with the media and the public, the family was located. The department has only 237 sworn members, so it is essential to rely on the city residents to offer whatever information they have that will assist with public safety. The information is very much appreciated.
- DVU Det. Flanagan worked on the case of a woman who had her face slashed by a male subject. The suspect has been charged with first degree assault.
- A new American Victim Assistance Program (AVAP) advocate is working in the DV office at district court.
- A new DV victim-witness advocate has been hired to fill the vacancy created by the July retirement of Andrea Clement. The new advocate is expected to start work on October 11.
- An AmeriCorps victim-witness advocate has been hired for the Adverse Childhood Experiences Response Team (ACERT) program. The program has been very successful.
- The department was recently awarded \$450,000 in grant funding to be used to establishment a Family Justice Center. We will begin working on getting that up and running, and currently accepting applications for the Program Director. The YWCA will be handling the hiring process. Lt. Ledoux and Lt. Thompson serve on the YWCA board of directors.
- The department as also been awarded a \$250,000 Human Trafficking grant which will allow funding for a detective designated for investigating human trafficking cases.
- As mentioned at prior meetings, the Evidence Room is near capacity and a large portion of stored evidence is firearms. In the past, Schnitzer scrap medals would grind the guns up at one of its facilities, but can no longer do this. The PD is now looking at Gun Busters, a company in Maine and ATF approved. The company will pick up the guns, take them to their Maine facility, and grind them up under video surveillance. We are currently working on a written policy for the procedure.
- John Faucher was arrested just minutes after a bank robbery on October 3 and was also charged with an attempted armed robbery at the 7-Eleven on Bridge Street on September 28.

Administrative Division – Capt. Hopkins:

- The installation of the CAD system on the cruiser mobile data terminals has been completed.
- The radio conversion will be completed this week; just a few minor issues to work out with Motorola.
- RFP submitted for a new records management system, which will be a two-year project; there have been some demos by vendors.
- A new dispatcher is in the final stage of the hiring process and will most likely begin work the week of Oct. 10. Two more dispatcher candidates are in the hiring process.
- Building maintenance: building in good shape, just some upkeep issues to take care of such as repainting walls and replacing worn carpet tiles. Getting ready for winter.

- Fleet: cars ordered this year are now being delivered. Will need to be painted and outfitted for patrol use. The BMA also approved the addition of ten more vehicles, bringing the fleet complement to 90.
- Training: currently twelve new officers partnered with a field training officer. Two will complete their field training in mid October and ten others will complete field training in mid November. There are two recruits training at the NH Police Academy, scheduled to graduate in mid-December, and who will begin field training in January. The department has 6 police officer vacancies and candidates, the majority pre-certified, are in various stages of the hiring process, with a swearing-in ceremony scheduled for November 14. Hiring certified officers will get them out on the street quicker.

Questions/Comments/Discussion:

- Comm. Castillo inquired about a new prisoner transport vehicle that Capt. Hopkins had mentioned at previous meetings. Capt. Hopkins advised a new vehicle was scheduled for order in 2017.

Community Policing Division – Capt. Boucher:

- The fall schedule of Cops and Kids events at the city elementary schools began on September 20, with two events conducted each week, weather permitting. Only half the schools will be host the events in the fall, the other half will be done in the spring.
- The fall series of senior walks is currently going on, each Monday at 9 a.m.
- Events Community Policing officers participated in during the past month include the Denise Robert vigil on September 1, the 9/11 remembrance ceremony at Smyth Road School, Town of Auburn Old Home Day, where the BEARCAT vehicle was part of a static display, Rimmon Heights watch group fundraiser at the Texas Road House, a disaster drill at the CMC and the annual Crimeline golf tournament fundraiser.
- CP officers also attended neighborhood watch group meetings, conducted Neighborhood Enhancement Team (NET) inspections, conducted various personal safety and active shooter presentations and numerous officer friendly visits, as well as conducted tours of the PD facility for various groups. A presentation reference gangs will be made to city teachers at the request of school administration.
- Officers continue to take a proactive approach to quality of life issues as they arise.
- MPAL conducted a fundraiser at the The Tap House in Hooksett.
- MPAL was able to bring 43 kids to the Loudon Speedway for recent races; this was made possible via a \$10,000 donation to MPAL.

Legal Division – Capt. Tessier:

- The Ordinance Violations Bureau recently updated the webpage to include information about the alarm permits.
- 510 sexual offenders currently reside in the city, and year-to-date (as of Oct. 3) Officer Desmarais of the Sexual Offender Compliance Unit (SOCU) has completed 1,784 registrations. Grant funding made available through the U.S. Marshals Service was very beneficial in supplementing the number of compliance checks, The funding did run out in September.
- Juvenile prosecutor Officer Thomas continues to do an excellent job. Currently Officer Thomas uses the morning to prepare for afternoon court sessions. She may have to deal with some scheduling changes in the near future as Judge Emery and Judge Michaels, who currently oversee juvenile court proceedings, are retiring, and no plans have been made known reference replacements.
- The adult prosecutors Lt. Reardon and Officer Pelletier have been getting some good bail amounts. Lt. Reardon was on vacation for a week and Officer Pelletier did an excellent job holding down the fort.
- Working on rewording the department's SOP ref responding to right-to-know requests to reflect a recent court decision that allows for the release of annulled records.
- Currently revising the department's protocol reference preventative detention orders. In the past, the department has utilized preventative detention orders as a means to address mental health issues. However, due to recent court decisions, preventative detentions may only be applied to domestic crimes. In non-domestic situations, officers will have to refer to the department's mental illness SOP for other available options to address mental health concerns.
- In Records, Brian Blais has been working on a right-to-know request from CNN ref the rape kits submitted to evidence. John Buchan is also working on a right-to-know request from Southern N.H. Planning reference Manchester intersection traffic accidents for a study SNHP is conducting.

Questions/Comments/Discussion:

- Comm. Spradling inquired of the timeframe for the retirements of Judges Emery and Michaels. Capt. Tessier responded that she did not have specific dates, but her understanding is that Judge Emery will retire in December and Judge Michaels shortly after.
- Comm. Spradling inquired why CNN would pick Manchester for a rape-kit study. Capt. Tessier advised that MPD was one of several cities included in the study.

Special Enforcement Division – Lt. Leighton:

- Capt. Sanclemente is unable to attend the meeting as he is currently involved in training with the SWAT team at the Sig Academy. The focus of the training is hostage rescue and active shooter. In September, the SWAT team trained with Manchester Fire personnel to conduct ladder training, snipers trained at the Auburn range. Also in September, SWAT team members Officers Florenzo, Jared Yaris and Boyton attended advanced sniper training at the Sig Academy.
- In his roll as SWAT Team Commander, Capt. Sanclemente attended meetings with other city departments re: active shooter response policies.
- The SWAT team had several activations during September, including taking bank robbery suspect Justin Brady into custody, assisting Hooksett PD in response to a shots-fired incident in their town involving a despondent, special needs subject who had fired off 5 rounds from an AK-47. During the incident he was telling SWAT officers to shoot him and threatened suicide. After six hours, MPD crisis negotiator Sgt. Derek Sullivan was able to convince the man to surrender without further incident.
- The Special Investigations Unit is actively working multiple ongoing investigations within the SIU unit and in conjunction with state and federal partners.
- On October 4, Jeanette Hardy pled guilty to drug-related charges stemming from her arrest in 2015. Lt. Leighton reminded commissioners of the 2015 shooting incident in which Hardy was shot in the hand as she entered her Winter Street home. The subsequent investigation revealed Hardy and her husband were running a drug sales operation from the home. A large cache of heroin, worth \$2.2 million, and large amount of cash were uncovered. Hardy's husband is already serving a 17.5 year sentence for his arrest; Hardy will be sentenced at a later date.
- The department was awarded Opioid Reduction Grant funding in the amount of \$400,000, which will be very beneficial in fighting the opioid war.

Questions/Comments/Discussion:

- Capt. Tessier advised that Lt. Leighton is the department's liaison for the Hillsborough County drug court.

Patrol Division – Lt. Vincent:

- Advanced Law Enforcement Rapid Response Training (ALERRT) sessions have been approved by Homeland Security for December and possibly February and April. The upcoming training dates will be for new recruits and to conduct joint training sessions with surrounding town police departments.
- The Warrant Team has made 104 arrests to date, on 16 activations. There is approximately \$1,500 left of the grant funding.
- The extra officers on the street provided by the trouble car initiative were instrumental in providing proactive patrol activities during busy hours. The initiative will continue into October, as funding allows.
- Traffic Officer Harrington trained the school crossing guards and is working on filling a few slots.
- Completed the NH Highway Safety Agency grants for FY 2017 and it appears the department has been approved for all grants.
- Traffic Unit is managing the hit-and-run accident caseload, which has increased approximately 55 percent in 2016.
- There were six big races/events during the month of September that the Traffic Unit assisted with. There are six more races scheduled for October. Sgt. Goodman is doing an excellent job of overseeing the races.
- A sobriety checkpoint was held on September 8, resulting in two arrests.
- Commercial motor vehicle enforcement with NH State Police was conducted on September 13.
- Officer Tyler and Sgt Knight are attending K9 training school in Boston. The K9 Unit has new uniforms on order, which should be arriving in the near future.
- Two officers are on active military duty: Officer Stone's one-year activation will conclude in the spring of 2017, and Officer Swinson's two-year activation will conclude in the summer of 2017.
- Officer Catano will be out approximately four months due to an injury she sustained off duty.
- Awaiting the completion of field training assignments of 12 officers. Two previously certified officers will complete in mid-October and ten non-certified will complete field training in mid-December.

Chief Willard:

- Assistant Chief Capano is attending the FBI National Academy in Quantico, Va., and will be returning to duty at MPD in December.
- Competed in a taco eating contest to benefit the Child Advocacy Center, which took place at Marguerita's the evening of October 4. The contest was MPPA vs. MAPS; Chief Willard represented MAPS, which was the losing team. Marguerita's generously donated 20 percent of all dinner order proceeds to the CAC.
- Traveled to Quantico, Va., in September at the invite of the DEA. The DEA is instituting an initiative called DEA360 which is a program to education children and the community about the dangers of heroin use. The program has already begun in four pilot cities and Manchester has been selected to be one of four more cities

to initiate the program. Specifically, sixth graders and parents will be the focal group for the educational program.

- The BMA ratified police union contracts last night which will cause some funding issues. The department was flat funded in the FY2017 budget, creating a \$300,000 shortfall that had to be made somehow, but the pay raises specified in the ratified contracts will cause an even larger shortfall for the department. Chief Willard stated that there will be no police layoffs, and he will seek to maintain a full complement of officers.
- Invitations have gone out for a Fallen Officer memorial reception to be held October 12. The reception will celebrate the lives and police careers of Officer Ralph Miller and Officer Michael Briggs, whose 40th and 10th end-of-watch anniversaries occur this year. Members of the Miller and Briggs family will be attending.
- MPAL hosted the 9th annual Footrace for the Fallen on October 2, the actual anniversary date of the murder of Officer Miller. Prior to the race, Chief Willard presented bib numbers 119 and 83, representing the badge numbers of Officer Miller and Officer Briggs, respectively, to family members of the officers.
- On October 5, Chief Willard, Capt. Tessier, and Capt. Begley attended the parole hearing of Cleo Roy, the murderer of Officer Miller. Roy, at the age of 15, was sentenced to 50 years to life in prison. He has been granted parole, having just completed 40 years of his sentence. He had previously been denied parole five years prior. Roy will be residing in the north country of N.H. and will be on parole for life. His parole stipulates that he cannot enter the city of Manchester, nor can he have any contact with the Miller family.

Questions/Comments/Discussion:

- Comm. Castillo inquired as to the status of Officer Briggs' murderer, Michael Addison. Chief Willard advised Addison is still incarcerated pending an appeal in the appellate court.

4. RETIREMENTS / RESIGNATIONS

- Officer John Hare, hired July 18, 2016, resigned effective September 28, 2016.

5. SELECTION OF CLERK OF THE COMMISSION

- Commission Chairman Mark Roy advised of the need to select a Clerk of the Commission, to fill the vacancy created by the completion of term of former commissioner Bill Clifford effective September 15, 2016.

On a nomination made by Comm. Spain and seconded by Comm. Spradling, the commissioners unanimously voted Comm. Castillo to the position of Clerk of the Commission.

- Commission Chairman Roy also advised of a commission representative vacancy on MPD's Sick Leave Bank Committee. Comm. Spain volunteered to represent the commission on the committee.

6. NON-PUBLIC SESSION

There was no Non-Public Session.

7. DATE OF THE NEXT MEETING / MOTION TO ADJOURN

The date of the next monthly commission meeting was set for:

WEDNESDAY, NOVEMBER 2, 2016, AT 09:00 HOURS

There being no further business to discuss, Commission Chairman Mark Roy adjourned the meeting at 10:30 hours.

Respectfully submitted by:
Kim Demers, Secretary

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