



POLICE COMMISSION

MINUTES OF OCTOBER 1, 2014

REGULAR MONTHLY MEETING

Manchester Police Department
405 Valley Street
Manchester, NH 03103

The Regular Monthly Meeting was held at Police Headquarters on October 1, 2014 at 09:00 hours. Present were Comm. Mark Roy (Chairman), Comm. Woullard Lett, Comm. William Clifford, Chief David Mara, Assistant Chief Nick Willard, Capt. Jonathan Hopkins, Capt. Carlo Capano, Lt. Maureen Tessier, Lt. Jim Soucy, Lt. Mark Sanclemente, Sgt. Ryan Grant, and Kim Demers (Secretary). Absent were. Comm. Eva Castillo and Comm. David Nixon.

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.
- Commissioners unanimously approved the minutes of the September 3, 2014, meeting.

2. PUBLIC COMMENT

- There was no one from the Public present.

3. DIVISIONAL REPORTS

Special Enforcement Division – Lt. Sanclemente:

- Sept. 3, a ten-month investigation, working with DEA, culminated in 5 search warrants being executed, leading to 9 arrests that took down a large-scale pill distribution ring. Seized during the operation: 3,065 oxycodone pills, 3 vehicles, \$58,500 in currency, and 4 handguns.
- Sept. 3, Street Crime Unit arrested subjects who had a meth lab in the trunk of their car.
- Sept. 11, a search warrant was executed at 301 Amory Street, one subject was arrested on possession of drugs with intent to sell and a quantity of crack cocaine was seized.
- Sept. 17, search warrant executed at 125 S. Mammoth Road – a “nuisance” address from which drugs were being sold. Two were arrested and quantities of drugs and cash were seized. SIU monitors nuisance addresses, and building owners are notified of criminal activity at the locations. The owner of this particular location lives out of state and had no idea of the activity going on.
- The Street Crime Unit targets street-level activity, and over the course of the month 22 known prostitutes were arrested for either prostitution or on charges of illegal substance possession.
- 9/8/14, the SWAT Team did a presentation for the MPD Community Advisory Board ref the Team's role in the PD.
- Sept. 23, SWAT Team tryouts were held. There were seven applicants and following the PT, firearms proficiency and oral boards, five viable candidates remain for consideration.
- Current SWAT Team members had their annual PT and firearms qualifications on Sept. 30.
- Sept. 2, Sgt. Richard Brennan represented the SWAT Team and oversaw an active shooter scenario tabletop exercise at the Mall of NH. The exercise, also with representatives from fire and hospitals, was well received by the Mall.
- Sept. 25, Manchester West High School went into lockdown when a former student, Damian Johnson, entered the school cafeteria and began a conversation with acquaintances. During the conversation, he exposed the butt of a gun he had tucked in his waistband. A student who saw the gun properly reported to school administrators, who informed Det./SRO Kevin Bernard, and followed correct procedure by locking down the school. This triggered MPD and other agency response. The suspect had made his way to a third-floor special needs classroom. The teacher, who knew Johnson, was made aware via social media that Johnson was the reason for the school lockdown. The teacher conversed with him and subsequently called police to advise of Johnson's location. Johnson was subsequently removed from the school without incident.
- Sept. 30, MPD held a debriefing ref the West High School incident, which was a great opportunity to evaluate response by school officials and law enforcement agencies. The West High School incident was a good test of the response system and training.

Questions/Comments/Discussion:

- Chief Mara informed commissioners that after the Sandy Hook, Conn., school shooting incident, MPD met with school principals to discuss a plan of action to address such a scenario in Manchester schools. A mock disaster was conducted that included school administrators, fire and emergency medical personnel and utilized students who volunteered as victims. The drill, video taped and shown on public access TV, showed that MPD was

trained to respond to such an incident. The West High School demonstrated that designating a spot for parents to congregate, where they can be kept informed is essential. Also, the schools will push for parents and students to get a Twitter account to be kept informed. Hopefully this would cut down on the number of calls made to the police department – the PD was inundated with calls on the day of the lockdown.

- Comm. Lett advised that, through his association with the NAACP and due to the level of concern, he attended the arraignment of Damian Johnson the following day.
- Chief Mara stated that the media had been advised that Johnson had not made any direct threats, but just showing a handgun in the school was perceived as a threat. Lt. Sanclemente stated that though it was hurtful to the parents to see their child's face broadcast by the media, it did send a message that situations such as this are dealt with in a serious manner.
- Comm. Roy, on behalf of the commission, extended a thank you to everyone who responded to the West High School incident. He received accolades from the Sheriff's Department ref the PD's response.
- Chief Mara advised that on any given day, there could be 5 SWAT Team members on duty that can make a quick response to an incident.
- Chief Mara stressed that West school administrators did a great job. They conduct 8-10 lockdown drills a year. Due to their diligence, this lockdown went flawlessly; the kids did what they were supposed to do. The teachers are to be commended for their efforts.

Administrative Division – Capt. Capano:

- Communications is working to fill two dispatcher vacancies. One candidate is nearing completion in the background phase and hopefully over the next few months the unit will be brought to full complement.
- Capt. Capano provided a handout of year-to-date Part I crime statistics, with comparison to 2013 statistic over the same January - September time period. The comparison showed reductions in total violent crime and property crime categories, which Capt. Capano credited to the Hot Spot initiative and the hard work of all divisions.
- Crime Analyst Officer Matthew Barter and Det. Sgt. Ryan Grant are spearheading an Urban Violence group, meetings of which gather the ideas and information from multiple agencies.
- Training Unit: 14 recruits hired in July are now attending the N.H. Police Standards and Training academy. The 4 recruits hired Sept. 22 are receiving in-house training – this week is firearms.
- A Sergeant Promotional Exam will be administered on Nov. 5, and an entry-level police officer exam will be conducted on Nov. 8.
- The Training Unit wrapped up the mandatory annual use of force training.
- Capt. Capano is monitoring building maintenance and dealing with problems as they arise. Harvey Construction is addressing issues that have surfaced as part of their final punch list.

Questions/Comments/Discussion:

- Chief Mara advised that the department has been awarded a \$600,000 COPS grant which, with matching funds from the city, will provide funding for 5 new officers. The grant is for three years, with the stipulation that the department will retain the five hires for an additional year. The grant will go before the CIP committee with final approval by the Board of Mayor and Aldermen on October 7.
- Chief Mara informed the commission that the department is authorized for a sworn complement of 232. Although the department is making every effort to hire officers, the PD is having a hard time keeping up with the number of retirements and resignations. He anticipates the city retirement incentive will have a big impact on the sworn number as the June 30, 2015, retirement deadline approaches.
- Comm. Roy surmised that by May 31, 2015, the department would know the number of retirements due to the incentive. Chief Mara stated the business services officer continually projects who is eligible for retirement, who will more than likely retire, and the costs of the retirements to the department.
- Comm. Roy inquired if the entry-level officer exam had been posted. Capt. Capano advised the information has been put out to various media outlets. The application closing date is October 26, and to date 15 applications have been submitted to HR. Per past experience, he expects a good number of applications to be submitted the last two weeks of the application period. Chief Mara recommended to Comm. Lett that the NAACP meet with Training to discuss ways to draw minority candidates.
- Comm. Clifford inquired if the promotion incentive would offset the retirement incentive. The chief said it could go either way.
- Comm. Roy inquired if there was a Lieutenants Promotional exam scheduled. Capt. Capano advised that the department discontinued that process several years ago. Chief Mara advised that by the time someone reaches a lieutenant promotion stage, captains have a pretty good idea of a candidates' supervisory abilities and submit a Promotional Potential Report on the each candidate. To an inquiry from Comm. Roy, Capt. Capano confirmed that a lieutenant and captain promotional candidate must have served a minimum of two years as a sergeant or lieutenant, respectively.

- Comm. Roy requested the Commissioners to attend the CIP Committee and BMA meetings on October 7 to lend support in favor of approving the COPS grant funding.

Patrol Division – Capt. Hopkins:

- 10 patrol officer vacancies, one officer out injured, and a couple officers on light duty.
- 6 officers still need to qualify for rifles.
- Based on research and a proposal done by Officer Eric Knight, the department is acquiring new vests to be worn over current bulletproof vests. The new vests are made to stop rifle rounds and will provide officers with one more layer of protection. A vest will be stored in the trunk of each cruiser and can be donned by an officer who may be first at the scene of an active shooter scene.
- The K-9 Unit is currently down one handler/canine team and the retirement of another canine is expected in January. Two new handlers will be identified and will attend the Boston K9 Academy next year.
- Traffic Unit: very busy with road races and community events.
- The Honor Guard increased its complement from seven members to sixteen. There are four sergeants and 12 officers assigned to the Guard, on a voluntary basis. One sergeant oversees the scheduling of team members to attend and represent the department at functions/events within the city and around the state. Each of three teams has one sergeant and four officers. There will now be enough members to provide substitutes if necessary. Uniforms have been ordered and are in the process of being tailored.
- The new transport wagon is on the road and five cruisers are expected to be replaced with Ford Explorers.

Questions/Comments/Discussion:

- Comm. Clifford inquired if a K-9 Handler takes on another dog when the first dog is retired. Capt. Hopkins advised that occasionally a handler will take on another dog, but most often the officer decides to move on to something else.

Legal Division – Lt. Tessier:

- Legal is preparing for the onset of video arraignments, which begin October 7. There have been various meetings with the court and the jail to iron out some issues. Lt. Tessier is cautiously optimistic that everything will go smoothly. The new procedure puts pressure on the Legal staff to get paperwork to the court by 8 a.m. each day.
- Attended a conference with Chief Mara reference a new “felonies first” initiative at superior court. As of September 2016, anyone charged with a felony offense will have his first court date at superior court. This does away with the current procedure of arraignment at district court and having the case bound over to superior court.
- The Sex Offender Compliance Unit continues to be busy. Juvenile Det. Solari has been working with SOCU Officer Caldwell on a case involving child porn found on the computer of a registered offender. Officer Caldwell has also been working with the Welfare Department on a case involving an offender on Manchester’s list of offenders required to register who has applied for benefits in Connecticut.
- The SOCU meets with homeless/emergency shelters and other homeless program agencies to educate staff about the laws and requirements of sex offender registration.

Questions/Comments/Discussion:

- Comm. Roy inquired if the video arraignment process will save on time and manpower of transporting detainees to court. Lt. Tessier advised that it will save the jail and Sheriffs department time, but doesn’t affect MPD. The PD’s primary concern is getting paperwork to the court on time, and the PD prosecutor has to get to court earlier. It’s a matter of changing the way of doing business and in the end should make the system more efficient.

Community Policing Division – Lt. Soucy:

- CP officers are busy with several program to include the Youth Leadership Academy, a cultural diversity program organized by Nabil Migalli and Comm. Eva Castillo, which has 19 student participants and runs for 6 weeks, and the Citizens Police Academy, a nine-week course from Oct. 1 – Nov. 26, which has 20 adult participants.
- The Coffee with a Cop program is going well and a site at the Mall of N.H. will host one of the events in the near future.
- The Fall schedule of the elementary school Cops ‘n’ Kids events has begun, and barring inclement weather necessitating postponements, the department will visit eight of the city’s elementary schools. Also at the elementary school level, Officer Rondeau conducts the Eddie Eagle gun safety program for grades K-2.
- The fall series of Senior Walks has begun, with each walk drawing 50-75 senior participants.
- CP officers have been monitoring the city parks and recently made two trespass arrests at Bronstein.
- MPD spends considerable time monitoring vacant/abandoned buildings. A CP officer is assigned to the City’s NET team, which conducted five building checks last week.

- The Citizen Survey has been completed and awaiting the information to be compiled from 362 responders. The information will be reviewed as well as turned over to the Accreditation Manager.

Questions/Comments/Discussion:

- Comm. Clifford requested that commissioners be provided of a schedule of MPD events, such as scheduled dates of senior walks, Cops 'n' Kids school visits, and dates of Coffee with a Cop events,
- Comm. Roy inquired about the policy for city Nixle alerts, he stated he was inundated with alerts from police and fire during the West High standoff. Chief Mara stated he could not speak for other departments, but the PD puts out alerts ref important events and road closures due to community events. Comm. Clifford inquired as to how to sign up for the alerts and Chief Mara advised him to sign up via the PD's website.
- Comm. Roy inquired if drug issues continue in the parks. Lt. Soucy advised the problem continues, but not as extensive as during the Spice issues over the summer.
- Comm. Clifford inquired if the Spice issue was over. Lt. Soucy advised that there are still issues. The fire department still gets occasional calls of overdoses.
- Chief Mara stated that, ref the Spice issue, Ald. Levesseur has been representing the City and one of the Spice-selling stores. Representing both sides is a conflict of interest. Additionally, Ald. Levesseur has handed out his aldermanic business cards to people in Bronstein Park advising the individuals to give him a call should police officers approach or harass them ref the park ordinance, indicating that he could provide legal representation for them, again a conflict of interest. Chief Mara read an excerpt from the **City Charter: Article IX. Standards of Conduct, (e) Conflict of Interest.** – "No city official shall participate in the decision-making process of any matter in which the official or a member of the official's immediate family has a direct personal or financial interest. Any official who believes such an interest exists shall disclose such interest and shall not participate in the matter further. In the event any other official believes an official has a conflict, such conflict shall be disclosed to the city clerk who shall make a record of it. If the official does not believe such a conflict exists, the board of mayor and aldermen, or school committee if the official is a member of the school committee, shall make a determination and if it finds a conflict exists, the official shall not participate in the matter further, or the appropriate board may refer the matter to the Conduct Board." Chief Mara said it is a clear conflict of interest.
- Chief Mara further advised that Ald. Levesseur, on his public TV show, displayed a misrepresentation of the proposed sign for the "Lock It or Lose It" campaign. The sign to be installed in neighborhoods was shown at an Aldermanic meeting, to include Ald. Levesseur, but he showed a made-up sign that falsely represented the sign. The aldermen approved the sign, with the exception of Ald. Levesseur, who insulted victims for not knowing to lock their cars. Additionally, Chief Mara said that the erroneous sign Ald. Levesseur misrepresented on his show caused confusion among aldermen because it was completely different than the one shown to them during the board meeting.
- Comm. Lett inquired why the "Lock It or Lose It" campaign was so controversial. Chief Mara stated that Ald. Levesseur is making it controversial. The campaign is based on a similar campaigns used across the nation, publicized on billboards and TV shows. Chief Mara said that the "Lock It or Lose It" campaign is an internationally award winning crime prevention that officers in the department showed initiative to present to him for consideration, so the controversy Ald. Levesseur is trying to create is a disservice to those officers. Chief Mara provided copies of both signs (the one presented to the BMA and the one falsely represented on Ald. Levesseur's show) to the commissioners. Comm. Clifford stated his intent to take up the issue at City Hall. Chief Mara stated he has addressed the issue with the City Solicitor, who has advised that there is nothing the solicitor's office can do.
- Comm. Roy inquired if the aldermen were subject to the City's workplace harassment policy. Chief Mara stated that aldermen are subject to the policy and read an excerpt from the **City Employee Handbook** ref **Prohibited Conduct under the Workplace Violence Policy.** The third bulleted item states, "Verbal abuse or harassment by any means or medium (including but not limited to: using intimidation tactics making malicious, false and harmful statements about others, making threats, sabotaging another's work, stalking others, etc.)."
- Comm. Roy recommended that the commissioners attend the Oct. 7 BMA meeting as a show of support for MPD.

Investigative Division – Sgt. Grant:

- Crime stats reflect the hard work of detectives and department.
- Burglary Unit Detective Jean Roers retired and hopefully her position will be filled as soon as possible.
- Investigators travelled to Florida actively chasing down leads ref the whereabouts of Matthew Dion, suspect in the double murder of his parents.
- Suspects were quickly developed ref the robbery that occurred in the parking lot of the Holiday Inn. One suspect has turned himself in.
- The Juvenile Unit is involved with the Cops 'n' Kids events and working with CP and school principals establishes the schedule of dates for the school visits. The SROs assigned to the area middle school attends the events. The events are well received.

- The Juvenile Unit is investigating incidents in which three juveniles were tattooed without a parental consent.
- All detective personnel responded to assist with the West HS incident on Sept. 25.
- Along with crime analyst Officer Barter, Sgt. Grant has organized an Urban Violence initiative. Meetings include representatives from various agencies and community organizations to discuss problems within the community, ways in which to deter the violence and then providing outreach to the affected community. The initiative was started in response to the violence between members of two rival gangs over the summer, which morphed into a bigger problem. The Urban Violence group has discussed ways to get the two gangs together on friendly terms. Playing basketball together has been one way that the two factions can put their differences aside.

Questions/Comments/Discussion:

- Comm. Lett stated it is important to develop a good rapport with young people, and playing basketball is a potential way to go, but also hopes other partnerships can be developed to provide a broader spectrum of programs for the young people.
- Comm. Clifford commented that the owner of Spider Bite was arrested in a DEA drug bust and inquired if the establishment was still operating. Lt. Sanclemente advised that the business was still open.

Asst. Chief Willard:

- The Police Department Support Staff (PDSS) union has filed a formal grievance with the NH Dept. of Labor ref eliminating the employment of a full-time custodian position to switch to Aramark. The grievance will be posted for 30 days. Aramark saved money in the budget, while increasing more work hours.
- The department recently presented awards to personnel, which is a testament to what officers face on a daily basis. There was some controversy reference the presentation of awards for the homicide incident that occurred on the West Side in February 2014. The mother of Chris Gagnon, the homicide victim, was appreciative of the moment of silence held during the awards ceremony.
- The Warrant Impact Team did a great job, through the team's efforts, 110 dangerous wanted subjects were arrested.
- AC Willard praised the career of Detective Jean Roers who retired September 30, after 25 years of service to the department and the city. She first served in Patrol, served as K-9 handler for 10 years with two canine partners, and most recently served as a detective with the Burglary Unit of the Investigative Division.
- The department will honor the memories of Officer Ralph Miller and Officer Michael Briggs by holding graveside ceremonies on Oct. 2 and Oct. 17. This year marks the 38th and 8th end-of-watch anniversaries, respectively, of these two MPD fallen officers.
- Sunday, Oct. 5, MPAL will hold the 7th annual Footrace for the Fallen. All fallen officers will be honored, with a special presentation to the widow of Officer Stephen Arkell.
- The department is due for reaccreditation this year. A mock onsite assessment is scheduled for Oct. 3, with the official onsite assessment scheduled from Dec. 7-10. Accreditation Manager Greg Murphy did a great job seeing the department through a successful accreditation process three years ago and has been working diligently to see the department is once again successfully reaccredited.

Chief Mara:

- Chief Mara advised all topics he wanted to discuss had been covered during the divisional reports.
- He commented that he hopes to hire 15-20 officers off the next entry-level test.

4. RETIREMENTS / RESIGNATIONS

- There were no retirements or resignations announced over the past month.

5. DATE OF THE NEXT MEETING

The date of the next commission meeting was set for:

WEDNESDAY, NOVEMBER 5, 2014, AT 09:00 HOURS

There being no further business to discuss, the meeting adjourned at 10:15 hours.

6. EXECUTIVE SESSION

The Commission entered Executive Session at 10:15 hours. The content of the session shall remain confidential.

Respectfully submitted by:
Kim Demers, Secretary