

**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 November 7, 2018 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 and Secretary Warburton.

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 led the 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. October 3, 2018 regular meeting.

**Comm. Stanley MOVED to accept the minutes of the October 3, 2018, regular meeting. The motion was SECONDED by Comm. Stevens. Open for discussion.**

**Comm. Stanley noted one correction on page 3, the sentence is missing the word not. "People should not have to live with nuisance residence nonsense..."**

**With that correction, the motion to accept the minutes PASSED unanimously.**

**4. OLD AND UNFINISHED BUSINESS:** No discussion.

## 5. NEW BUSINESS:

A. Oath of Office – Sgt. Powers. Postponed.

### B. Monthly Reports

1. Operations. Captain Thomas reported that wards one and six met this period. The majority of the issues discussed were drug related and investigations that are ongoing in targeted areas.

The K9 had six calls for the month. Four tracks and two drug searches.

In comp stat our proactive efforts downtown are continuing. Traffic stops have seen a decline attributed to staffing and the concentrated downtown strategy. We have seen a 10% year to date increase in motor vehicle thefts. The majority of them taken without owner consent, which still falls within the theft classification. Two cars were stolen from dealerships where keys were left accessible. We tied one of the thefts to a suspect of multiple burglaries, who was arrested while attempting to burglarize a residence.

There were 31 cases sent up from patrol to detectives. There are 48 cases assigned. There were 18 cases presented to the Grand Jury, all were true bills. There were 340 pieces of evidence logged, 46 returned to owners and an additional 256 pieces destroyed. There were two phones analyzed with the Cellebrite machine, pawn and sex offender checks and 2 call outs.

With regard to the two vacancies in dispatch, we had 25 people take the written test. The Police Chief and Fire Chief will interview the top seven.

There were 22 calls to the housing complexes. The cooler weather seems to have reduced some activity. Six background checks were completed for potential residents. Officer Blair assisted with an eviction, attended a court hearing for an eviction and attended the community partners meeting.

The first teen night of the year had more than 150 attending. Staffing was light, but we managed. The November teen night was canceled due to scheduled work at the gym.

Comm. Stanley inquired how Teen Night is staffed.

Volunteers, members of the Recreation, Police Department and Officers, a command staff member, the K9, and SRO's all staff teen night. If staffing was low, it may have been that someone had other commitments. Dep. Chief Boudreau noted that we usually have a team from the UNH and maybe they were absent. We can find out.

Comm. Stanley commented that Rotary could potentially provide back up if they run into a staffing situation. What is the criteria?

You must be fingerprinted. Rotary volunteers could come and be fingerprinted here.

Captain Thomas noted that there is usually a plethora of staffing between every one. More volunteers are welcome as it is generally a positive experience.

Comm. Stanley noted that she would reach out to Nicole.

Nicole is working with the new County Diversion program. She also worked with Spaulding High School on the new vaping policy and set up educational components around vaping.

In juvenile prosecution, Lt. Gould handled 25 petitions, 5 arraignments, 6 trials resolved by plea, 3 violation hearings, 2 dispositional hearings and three review hearings. One trial found true.

Adult prosecution had 197 new cases with 299 charges. There were 80 guilty pleas, 58 not guilty pleas, and 80 failures to appear, nine cases dismissed by the court and 38 charges not pressed as part of plea agreements. 29 cases were continued with five placed on file.

The open house for the Explorer program had more than 25 turn out for information about the program. That will be a huge success even if we only get half of that number to sign up.

The three SRO's are doing a tremendous job. Teaching the LEAD program is a major role at the schools. It is great to have them active in the programs in the schools.

2. Administrative. Dep. Chief Boudreau said vehicle one is at the dealership and scheduled to be outfitted next week. The two remaining are in transit. We are ahead of schedule compared to prior years.

We were notified on October 30 of a policy change at the academy for ammunition at their indoor range. There was an issue with projectiles bouncing back which necessitated the policy change to using frangible ammo. This is a compressed powder. When it hits it turns to dust. Currently we send the recruits up there with 1250 rounds of lead free ammo costing \$280. The frangible is \$513 per case of a thousand. This will be a significant impact, costing about \$3,000.00 for ammunition.

Comm. Stevens asked if that is the only range they certify at.

Dep. Chief Boudreau said yes, it's at the academy.

Chief Toussaint said that is a problem. We put the money in this budget and we generally spend that in full at the first of the fiscal year.

Comm. Stevens asked if this was a short-term solution.

Dep. Chief Boudreau said no, this is the solution. It is a 40% increase, which is a significant increase.

How do we purchase ammo?

There is a state bid. That price was a little higher than we found on our own through another vendor. It was a very small savings. Every agency buys their own.

Dep. Chief Boudreau said he and Chief Toussaint would be attending the December finance committee meeting to talk about the CIP for the radio upgrade. We have submitted a letter requesting a waiver to the purchasing process to use a sole source vendor. We are continuing to review and to look at where our problem areas are to see if there are adjustments that can be made and see where the estimated pricing comes in. We could design a system that far exceeds what we have, but it is over the allotted cost estimate.

What is the life expectancy?

We are targeting 20 years.

Are there grants for this?

None that we have found, so far.

We can eliminate a couple of sites we were looking at that were good for the future, but they are not critical. When we first starting looking at this we didn't know about the new DPW site, so now we are looking at coverage areas where there are no towers north of the PD. Our current towers are at the PD, on Salmon Falls Road, Chesley Hill and the water tower.

Comm. Peters said the whole system is coming from CIP. Is DPW going into it?

We would look into that.

Chief Toussaint said we never had a real budget. It's a project that needs to be done. Two-Way gave us a rough estimate of cost. So, with only an estimate, to say we are over budget is not exact. It's over estimate is what it is.

Comm. Stanley asked if we scale back, could those other pieces be plugged in, in the future.

They can. DPW is not set to be at their new site much before the year 2020 into 2021. We can purchase the equipment and have it ready to go, and add the tower later.

Dep. Chief Boudreau said in hiring and training, the two officers at the academy are in week ten and doing well. We have four recruits starting on November 18; all have been registered for the January academy.

Chief Toussaint reviewed where we are with staffing. We have two at the academy. Once they graduate, they will have 12 weeks of field training. We have four going to the January academy and then they will have 12 weeks of field training over the summer. That is six positions not answering calls.

In addition to that, we have had three retirements or resignations including Sgt. Balint, and Det. Mangum will retire at the end of this month. He will be going part time to the Sheriff Department. That is 23 years walking out the door. Officer Seckendorf has also left to go full time with the Sheriff as a K9 officer.

In January, we get the two additional positions funded by the Council.

In addition to that, we still have one officer on administrative leave since the shooting; one officer is scheduled for surgery next week that will put him out for several weeks. Our part time evidence technician is scheduled for surgery in January, and we have an officer going on military deployment in January.

Staffing levels, response times and proactive work are down and this is why. These are hard numbers. We are critically low on staffing right now. The concern is the remaining people will be burned out. The calls for service are not going away and we are doing our best to push through it.

Can we look to fill some with part time positions?

People going to part time are not looking for a job answering calls on the street. They have done that. Further, we would have to create new positions.

Many are leaving for part time positions because they must be in place by January 1. The available work hours after that date are reduced by an act of the legislature if they work for another retirement contributing municipality. Moving forward, those grandfathered into positions here are the SRO Sgt., the Juvenile prosecutor, the Evidence Technician, Housing and Training. After January 1 if any of those people currently here leave, I'm not going to be able to fill those positions at the same number of hours and I won't be able to get the work done in those hours.

Where we need bodies is on the street. This is a tough labor market in every job.

Chief Toussaint said the other thing to consider and we discuss this every year is the under-funded overtime line that is made up through attrition in the salary line. We are really going to go over on overtime this year.

Comm. Peters said until we get back to staffing and continue to grow to cover gaps like this so it is not as painful.

Chief Toussaint added that we are handcuffed in being to implement new or innovative things when we are struggling just to answer calls. The men and women are treading water.

Comm. Stanley noted it was surprising to see that many people turn out to test for dispatch.

Comm. Peters commented that with the Academy going down to just three sessions per year, you lose the opportunity to train an additional 68 people annually.

Chief Toussaint added that all Departments in the state are looking. There is so much completion we have to be right on top of hiring people. The most recent Great Bay test there were 102 testing. 67 met our minimum requirements and we invited them to the physical agility test. Only four showed up. All of them passed that test and are scheduled for oral boards. We were not the only agency with a PT test on the 6<sup>th</sup>.

Comm. Stevens asked how often Great Bay tests?

They test three times per year. Everyone that is part of the alliance can pull from that list.

Comm. Stanley inquired about accessing exit interviews of officers. Do we do them or does HR?

Chief Toussaint said we do them.

Comm. Stanley asked if the Commission could see those at some point.

In just the past year we have lost nine full time officers to either resignation or retirement. Several have gone to the Sheriff's Department. Some positions are simply more attractive. They are not generally leaving for pay. Sometimes it is better benefits. The state health plan is better. The Sheriff's Department is Monday through Friday, no nights or weekends.

This is instructive for us looking forward.

The most significant training we had this period was the three-week evidence school.

Bridging the Gaps was granted the no cost extension for six months, to March of 2019 for the salary for the coordinator to wrap up the grant. Moving forward as to where we are going, Julie presented to the Community Development Committee. A nonprofit has expressed an interest in taking over the whole program.

Although the weather was poor, the drug take back day went well and the DEA reported that we collected 208.6 pounds of unwanted medications.

C. Other.

Comm. Peters noted that with Veteran's Day just a few days away that it is important that we thank our Veterans and recognize those that served our country.

## **6. CORRESPONDENCE:**

Correspondence for the month included: Sgt. Balint recognized the initiative, teamwork and professionalism demonstrated by Officer's Alexander, Oswalt, Plumb, Seager, Turgeon and Watt for safely resolving a fireworks complaint, which morphed into a multi-arrest situation. Sgt. Miehle is recognized for kindness and dedication where instead of pursuing an arrest he donated a bicycle to a person who in possession of Sgt. Miehle's own stolen bicycle when it was found that he purchased it from another person and was not involved in the theft.

## **7. INFORMATION:**

A. There was no discussion.

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

**Commissioner Stanley MOVED to enter a nonpublic session at 7:38 P.M. pursuant to RSA 91-A: 3, paragraph II, section A (personnel) and section E (legal.) SECOND by Comm. Stevens. The motion PASSED by roll call vote 3 – 0 with Comm. Stanley, Comm. Stevens and Comm. Peters voting in the affirmative.**

**The non-public session closed at 8:28 P.M. on a MOTION by Comm. Stanley. SECOND by Comm. Stevens. The motion PASSED by roll call vote 3 – 0 with Comm. Stanley, Comm. Stevens and Comm. Peters 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. Stanley, Comm. Stevens and Comm. Peters voting in the affirmative.**

**9. ADJOURNMENT:**

**Comm. Stevens MOVED to adjourn. SECOND by Comm. Stanley 8:29 P.M.**

Respectfully Submitted

Rebecca J. Warburton  
Secretary