

ROCHESTER POLICE COMMISSION
MEETING AGENDA – February 3, 2021 7:00 P.M.
REMOTE MEETING - VIA TEAMS

1. CALL TO ORDER

- A. PREAMBLE
- B. Opening Prayer
- C. Roll Call by the Clerk

2. PUBLIC COMMENT

3. ACCEPTANCE OF MINUTES:

- A. January 6, 2021

4. OLD AND UNFINISHED BUSINESS:

- A. Policy Updates: Second Reading
 - 1. Policy Standard 1.2.4 Search and Seizure: Second Reading for Adoption
 - 2. Policy Standard 1.3.1 Use of Force to Accomplish Lawful Objectives/Non Deadly Force: Second Reading for Adoption
 - 3. Policy Standard 1.3.1.1 Use of Force Definitions: Second Reading for Adoption
 - 4. Policy Standard 1.3.2 Use of Deadly Force: Second Reading for Adoption
 - 5. Policy Standard 42.1.1.4 Investigations; Willful Concealment (Shoplifting) Complaints: Second Reading for Adoption

5. NEW BUSINESS:

- A. Accept Resignation: Officer Jason Plumb
- B. Monthly Reports
- C. Other

6. CORRESPONDENCE:

- A. Specialist Sarah Bailey is recognized for going above-and-beyond to assist a member of our Project Good Morning program.

7. INFORMATION:

- A. Any other information to come before the Commission.
 - 1. 2020 Year End Reports
 - 2. PSTC Compliance Confirmation

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

- A. RSA 91-A:3 (II-a) Personnel
- B. RSA 91-A:3 (II-e) Legal



City of Rochester, NH Preamble

Good Evening, as Chairperson of the Police Commission, I'm declaring that an emergency exists and I am invoking the provisions of RSA 91-A:2, III (b). Federal, state, and local officials have determined that gatherings of 10 or more people pose a substantial risk to our community in its continuing efforts to combat the spread of COVID-19. In concurring with their determination, I also find that this meeting is imperative to the continued operation of City government and services, which are vital to public safety and confidence during this emergency. As such, this meeting will be conducted without a quorum of this body physically present in the same location.

a.) **Public Input:** Due to the ongoing situation with COVID-19, the City of Rochester will be taking extra steps to allow for public input, while still ensuring participant safety and social distancing. In lieu of attending the meeting, those wishing to share comments, when permitted, with the Police Commission are encouraged to do so by the following methods:

- **Mail:** Becky Warburton/Public Input, 23 Wakefield Street, Rochester, NH 03867 (*must be received at least three full days prior to the anticipated meeting date*)
- **Email** becky.warburton@rochesternh.net (*must be received no later than 4:00 pm of meeting date*)
- **Voicemail** 603-330-7131 (*must be received no later than 12:00 pm on said meeting date in order to be transcribed*)

Please include with your correspondence the intended meeting date for which you are submitting. *All correspondence will be included with the corresponding meeting packet (Addendum).*

In addition to the above listed public access information, the Police Commission will be allowing the public to enter Council Chambers and speak in person during the Public Input portion of this meeting.

In an effort to adhere to CDC guidelines: enter only at the front Wakefield Street entrance and exit on the side closest to the police department and adhere to 6-foot social distancing while inside. Hand sanitizer and facemasks will be available at the Wakefield Street entrance.

Participants will be admitted into Council Chambers one at a time to speak, and will exit directly thereafter. Please note; the seating in Council Chambers will not be available for the public during meetings.

At this time, I also welcome members of the public accessing this meeting by phone. The public can call-in to the below number using the conference code. This meeting will be set to allow the public to "listen-in" only, and there will be no public comment taken via conference line during the meeting.

Phone number: 857-444-0744 Conference code: 843095

Members of the public can also view this meeting live through the City website and click the link for live streaming/video on demand at www.rochesternh.net; or on Atlantic Broadband Cable Channel 26, or Comcast / Xfinity Cable Channel 22 .



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 on Wednesday, January 6, 2021 at 7:00 P.M., via remote broadcast on TEAMS. Participants in this meeting: Comm. Peters, Comm. Stevens, Comm. Stanley, Chief Toussaint, Dep. Chief Boudreau, Capt. Pinkham, Chaplain Cilley and Secretary Warburton.

The meeting called to order at 7:00 P.M.

1. Preamble. Chairman Peters read the City's Preamble for accessing this meeting into the record. He further noted that the Commission will be meeting using the TEAMS method from January to April of 2021.

City of Rochester, NH Preamble

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B. Prayer. Chaplain Cilley delivered the opening prayer.

C. Roll Call. The clerk called the roll marking Commissioner Peters, Commissioner Stevens and Commissioner Stanley present.

2. PUBLIC COMMENT:

No public comment.

3. ACCEPTANCE OF MINUTES:

A. December 7, 2020 regular meeting.

Comm. Stevens MOVED to accept the minutes of the December 7, 2020 meeting as presented. Comm. Stanley SECONDED the motion. The motion to accept the minutes PASSED 3 – 0.

4. OLD AND UNFINISHED BUSINESS:

A. Policy Standard 26.1.1.2 Uniform Appearance. This is a housekeeping change. We put in policy taking out wearing of the turtle neck for winter uniform and made it specific what color t-shirts are acceptable with the uniform. The other change we implemented is an “officer choice” month for the beginning and end of the uniform change over period due to weather, i.e., warm in the day and cold at night. An evening officer wants to wear winter uniform but day shift wants to wear a summer uniform in November, and the reverse in April. Those are the changes to the policy as we discussed last month.

Comm. Stevens MOVED to place Policy Standard 26.1.1.2 Uniform Appearance into a second reading. SECOND by Comm. Stanley and open for discussion.

Comm. Stanley said we need to clarify this. The way the policy is currently written in part 3, “the summer uniform will be worn between April 1 and October 31” is a declarative and definitive statement, which is contradicted by the change in the paragraph below it. Better wording would be that the wearing of the summer uniform will be mandatory, except as described in F below. And to do the same wording for the winter uniform in Part 4.

The motion place the policy into second reading for adoption, as amended, was approved unanimously.

Comm. Peters MOVED to adopt the Policy Standard 26.1.1.2 Uniform Appearance, as amended. SECOND by Comm. Stanley and PASSED unanimously.

5. NEW BUSINESS

A. Policy Updates. Chief Toussaint said there has been a call for law enforcement reform in the County. The Governor created a task force to address this very issue, with specific recommendations to use of force policies in the State of NH. I did a comprehensive review of our Use of Force and found for the most part our policies to be adequate with the requirements we need to be an effective law enforcement agency in this day and age.

During the review there were three areas that required additional attention. There was a specific prohibition of chokeholds, specifically referred to in NH State law under use of force by law enforcement. So one of the changes you will see is banning of chokeholds unless it is deadly force.

Another recommendation for change is the duty to intervene when an officer sees behavior by another officer of any agency crossing the line legally, or violating policy. We did have that already in policy, but it wasn't strong enough. It required officers to report any violation of policy witnessed.

The third addresses no knock search warrants. We also did have this in policy, but it was not overly strong.

Chief Toussaint said with that in mind, I'd like to go through each of these.

1. Policy Standard 1.2.4 Search and Seizure: First reading. Chief Toussaint said that on Page 7 we added language regarding the knock and announce rule.

SEARCH WARRANTS

All searches that do not fall within the exceptions noted above must be conducted using a search warrant. When a Search Warrant is used, officer's shall "knock and announce" their presence. ~~unless a "no knock and announce" warrant has been issued by the justice.~~ *The "knock and announce" rule requires that officers knock and identify themselves and their purpose before demanding entry to execute a search warrant. After doing so, the police must wait a reasonable period of time for an occupant to respond before entering the premises. The purpose of this rule is protect people's rights to privacy in their homes and to prevent unnecessary violence that could result from unannounced entries*

2. Policy Standard 1.3.1 Use of Force to Accomplish Lawful Objectives/Non Deadly Force: First reading. Chief Toussaint said that parts of this are housekeeping, such as adding some of the non-deadly force options that were not specifically listed previously. They reflect the options we have at this point.

In Section B is the requirement that only those less lethal weapons issued by the Department will be authorized.

In Section C addresses situations in a fight for life and the use of improvised weapons, such as a flashlight being used in a non-traditional manner, or other things, but only in dire situations that is justified and documented.

Lastly we address when force must end, which is strengthened with the duty to intervene. This would cover a situation also if out with the SWAT Team on or a mutual aid call.

A. When force is authorized, officers will assess the incident to determine which non-deadly technique, or weapon will best de-escalate the incident and bring it under control safely. Less lethal weapons such as batons, oleoresin capsicum spray, *Taser, pepper ball launcher, less lethal shotguns*, handcuffs, etc., that are issued by the department, after adequate training in their use, may be used or displayed under the following conditions.

B. Only those less-lethal weapons that are issued by the department are authorized for carry either on or off-duty. No other less-lethal weapon will be authorized for carry.

C. When circumstances necessitate, Rochester Police Officers may use whatever tools, weapons, objects or other non-traditional means of defense when department issued tools or weapons are unavailable for whatever reason, unable to be deployed, fail to operate, or are found to be ineffective in the defense of themselves or a third person against the use of force. If used, the officer must complete a report and clearly articulate the need to use the tool as a defensive weapon. (from Less Lethal Policy)

WHEN FORCE MUST END

C. Officers of the Rochester Police Department shall utilize only the amount of force that is reasonably considered as necessary to achieve the lawful objective of the officer. The use of excessive or inappropriate force will not be tolerated. All department personnel shall intervene when they witness or are aware of another officer using excessive, unauthorized, or unjustified force and shall notify their direct supervisor as soon as reasonably possible.

D. Members of the Rochester Police Department also have the duty to intervene and report any uses of excessive, unauthorized or unjustified force by members of other criminal justice organizations.

3. Policy Standard 1.3.1.1 Use of Force Definitions: First reading. Chief Toussaint said this policy outlines the definitions with regard to use of force. Added was #16, the definition of Chokehold and the corresponding RSA.

16. "Chokehold" the application of any pressure to the throat, windpipe, or neck, which prevents or reduces intake of air, or oxygen to the brain. (NH RSA 627:5)

4. Policy Standard 1.3.12 Use of Deadly Force: First Reading. Chief Toussaint said to this policy in section C we added the prohibited use of Chokeholds. In Section D it discusses the duty to intervene and report action by members of other criminal justice organizations. Specifically:

3. The use of "chokehold" as defined in Policy #1.3.1.1 Use of Force Definitions is considered deadly force and is strictly prohibited by officers of the Rochester Police Department except in circumstances where the application of deadly force would be lawful and authorized by department policy.

C. Officers of the Rochester Police Department shall utilize only the amount of force that is reasonably considered as necessary to achieve the lawful objective of the officer. The use of excessive or inappropriate force will not be tolerated. All department personnel shall intervene when they witness or are aware of another officer using excessive, unauthorized, or unjustified force and shall notify their direct supervisor as soon as reasonably possible.

D. Members of the Rochester Police Department also have the duty to intervene and report any uses of excessive, unauthorized or unjustified force by members of other criminal justice organizations.

Chief Toussaint said in our policies we have several important points that are repeated in multiple policies so it is seen, over and over. It is important to repeat and emphasize.

Comm. Stanley commented on the duty to intervene. I'm glad to see you included that.

Chief Toussaint said I agree, it is important. I would like to think that officers would intervene. I know there have been instances of it. Making it part of the policy is important.

5. Policy Standard 42.1.1.4 Investigations; Willful Concealment (Shoplifting) Complaints: First Reading. Chief Toussaint said this policy change is separate from the LEACT group mandates. This was a policy change to reflect how we are doing things these days with regard to shoplifting. We deal with shoplifting a lot. Previously the policy said we had to take people into custody, and bail them. Most all B misdemeanor offenses permit officers to release a person on a hand summons to appear in court. However, they are required to check the criminal record prior to do so, which could elevate the charge to an A misdemeanor or a felony.

Comm. Stevens said this change would save officers time.

Chief Toussaint said we've been doing it this way for a while. We are legally justified. The policy just caught up to us. Shoplifting complaints are a time drain for the officers; so our go to is to release on a summons if possible.

Comm. Peters said these will all come back next month for a second reading and adoption.

B. Three-Year PT Test Requirement: Discussion. The current contract has a clause that officers taking the 3-Year physical fitness test required by PSTC to maintain certification passing at greater than 50% will receive a day off, once every three years. There are only a few of our members who are grandfathered and do not have to take it. Almost the entire command staff, and future command staffs will have to take this test. We wanted to seek the temperature of the Commission, if these members pass this test could they do the same as for the union personnel and receive a day off. There is no cost to us but it is an incentive to maintain and promote unity in the Department.

Comm. Stevens commented that he has no issues with this. If we are doing it for others it is fair, and he has no objection.

Comm. Stanley said the rationale for the union employees was to make up for the day of taking the test. It makes sense to apply to all who take it.

Comm. Peters agreed.

C. Monthly Reports

1. Operations: There have been no RUN or WARD meetings, which will continue during the pandemic; there have been no honor guard events either.

K-9: The K9 team did have five call outs. Four were tracks and one was a drug search. All were in Rochester.

COMPSTAT: Our traffic stops increased this month, and have also increased year to date. Our proactive efforts seem to be increasing as well as we see improved staffing. We may see a dip in this activity with upcoming deployments.

We had a large increase in property crimes, mainly due to shoplifting and thefts from stores. We had hired details for Walmart. One month they had an officer every day. They have a very proactive loss prevention team. This is the main reason for this large increase. That being said, property crimes year to date numbers are still down, and looking good, even with the dramatic increase in shoplifting.

Overall violent crimes are down year to date. We are pleased with our results so far at this point.

Comm. Stanley commented in general on violent crimes, particularly the homicides, we know a couple of them were vehicular. We are showing zero arrests. I thought there was an arrest in at least one of those.

Capt. Pinkham said not all of them get listed as a homicide. It depends on how the computer codes that crime. But we did make arrests in one of those fatal accidents.

Comm. Stanley said the report shows four homicides with zero arrests. I know the report lags so it could be timing. Are you suggesting that the arrest might have been for something other than homicide? It would be good if those matched up.

Capt. Pinkham said that some codes can change between the initial report and the arrest. We work hard to make sure those codes do match.

Chief Toussaint said I do believe it is an issue with the lag on this. We did make an arrest on two of the motor vehicle fatalities, one on Chestnut Hill Road and one on Washington Street. With the reports being behind this should show next month.

The Investigations Bureau has had a busy couple of months. They currently have 82 cases under investigation. There were four call outs this period. There was one back ground. The property taken in and returned in evidence, those numbers are normal.

COMMUNITY ENGAGEMENT OFFICER/PROBLEM ORIENTED POLICING UNIT:

The Community Engagement and Problem Oriented Policing unit has been active, dealing with the thefts we have had. They have proactively gone to different businesses and parking lots where these incidents have been occurring. They are active in the homeless community providing resources and services when locating people, finding who is staying where. There was some proactive work being

completed such as food boxes to housing residents, gifts and a tree to a struggling family. A lot of this had been on the decline due to Covid, but we are doing as much as we can and assisting when we can.

As soon as the POP unit was formed the pandemic hit. So we haven't fully developed the program as we foresee it to be. There has been a lot of good work. They have addressed land lord and property issues, quality of life issues, working cooperatively with area agencies, task forces, drug units or other POP units. They are doing good work and learning a lot, even with current restrictions.

COMMUNICATIONS: Communications the radio cut over went well. We conducted interviews and a background is underway for the open dispatch position.

SCHOOL RESOURCE OFFICERS: The schools are in remote learning for the majority of students. Sgt. Deluca and Off. Jackson had remained in the schools as there are still students in the schools who are unable to effectively work remotely. This has been a benefit and helpful to the schools. Off. Porfido has been assigned to patrol. With the reduced class sizes Off. Jackson has now transitioned over to patrol to help them out.

HOUSING had a decrease in calls for service. Officer Mundy and Sgt. Babine have been proactive, adjusting the hours and days worked monitoring issues, such as trespasses and non-tenants sleeping in stairwells.

Comm. Stanley commented that Sgt. Babine deserves a big Atta-boy for his work in distributing the food boxes. This likely would not have happened without him pushing for it.

Capt. Pinkham said it was greatly appreciated by housing and the residents. The staff all took part in delivering the boxes to those we could. It was a good thing.

Comm. Peters concurred. Rotary and Gather put this together it was a team effort and appreciated by all.

2. Administrative. Dep. Chief Boudreau advised that in relation to the earlier question of statistics showing for homicide, those will show on next month's report. The arrests took place on the 7th and the 9th of December, so it is just a timing issue of when the comp stat report is released.

Two of our three vehicles have been delivered. We are waiting for our trade vehicle to be stripped of equipment. 2-Way is dealing with a Covid-exposure shutdown which will push back the timing of the work by at least a week.

The renovations in the investigations bureau were completed. The original cubicles were 2nd hand from Cabletron. We got the project back on line last month after being pushed off due to Covid and the City spending freeze. The room was stripped to the walls, and Public Buildings painted, replaced carpets, added electrical and data cables for the new work stations. This is all very state of the art. We will buy some new cork boards for their walls.

The radio replacement project cut over was done on December 16. We were already on line for most of it. The Fire side was more involved because they were still using an analog radio system. This is a big change for them which includes a huge reprogramming of all their radios and the mutual aid departments they work with. We are still waiting on some small gear for fire station alerts which will turn on lights and set off tones for calls.

We still have gear for three additional tower sites. The foundation for the tower at the new DPW site can't be poured until spring. That site will probably be brought on line in the fall of 2021. We are still working with Dover for the Long Hill Road tower, and a to-be-built city water tower at Highfields Commons at the top of Dry Hill. This location is the highest point in the City, so we will have good coverage.

We are over the major parts of this project and now it is just smaller things and finish work. The Fire Department is already seeing improvements. They can hear and talk on the portables in Dover where they couldn't before.

Comm. Peters asked if the project is still on track for being finished by the end of the year.

Dep. Chief Boudreau said not by the end of the year, based on the Highfields tower. We have the gear, it will simply be an install once that tower is ready to go.

The mobile dispatch trailer is on order, and it should be arriving soon. We are working with 2-Way and Motorola on interior pricing. We are told that we would be able to park that vehicle in Concord and control the equipment as if we were sitting on top of it. This will have more capability radio-wise than some of the larger command vehicles in the state. It will be impressive to bring this together.

Comm. Stevens asked how many work stations would be in the unit.

Dep. Chief Boudreau said there will be two dispatch consoles. The front of the unit, where a bedroom typically would be will house two custom consoles. The back half will have phones and gear and be used as a mobile command unit. We anticipate being able to dispatch major events such as fireworks and the fair from that unit.

The majority of the month has been dedicated to inputting data for the FY22 budget for O&M and CIP. The City Manager's mandate was 2%; which equates to just over \$13,000.00 for our O&M lines. We are finishing up our CIP entries and will have some issues and options to present to the City Manager. All in all we are expected to meet the mandate. The budget is due to the City Manager by Friday, December 8, 2020.

Comm. Peters asked that we share a copy of our budget submission with the Commission.

HIRING: Officer Duche` Romeus started on December 7. He completed his academy entrance exam and made the cut for the 184th session. The first 8 weeks of this academy will be remote due to the pandemic. We have set him up in his own space with a door to minimize distractions. We hope the second 8 weeks will be in person. That is to be determined.

TRAINING: There is essentially no training because of Covid. We have completed all of the annual training required by Police Standards. Officer Rummo graduated from his academy courses on December 18. Unfortunately there was no ceremony to celebrate that accomplishment. He is completing some in house training and will be moving to field training next week.

6. CORRESPONDENCE:

The following correspondence was received this period: Off. Gantert is thanked for his attention to a welfare check. Off. Colson is thanked for his attention to a welfare check. Capt. Thomas is thanked for providing assistance to resident who fell sustaining minor injury.

Comm. Stevens said each month we receive position recognition for our people in the field.

7. INFORMATION:

A. Other. Comm. Peters said it's been a very tough 10 months and I want to thank the men and women of the Rochester Police Department and the command staff. We have had to work through a lot of adversities and continue to still function and maintain our professionalism. On behalf of the Police Commission I want to thank the Department for what you do every day and the fine job you do. I do get a lot of calls and comments from people and I also follow Face Book to see what is happening. It's a lot of positive things. Kudos to the men and women of the Department for doing the right things at the right time, all the time.

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

Commissioner Stanley MOVED to enter a nonpublic session at 7:58 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 8:21 P.M. on a MOTION by Comm. Stevens, SECOND by Comm. Stanley SECONDED the motion. The motion PASSED by roll call vote 3 - 0 with Comm. Peters, Comm. Stevens and Comm. Stanley voting in the affirmative

Comm. Stevens MOVED to seal the minutes indefinitely. Comm. Stanley SECONDED the motion. The motion PASSED by roll call vote 3 - 0 with Comm. Peters, Comm. Stevens and Comm. Stanley voting in the affirmative

9. MISCELLANOUS:

Comm. Stevens MOVED to accept the evaluations as presented and to award merit increases for Lt. Aucoin [3.85%], Lt. Bossi [3.85%], Lt. Swanberry [3.8%], Capt. Pinkham [3.65%], Capt. Thomas [3.95%] and Dep. Chief Boudreau [3.85%]. Comm. Peters SECONDED the motion. 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 award the merit change as discussed for Sgt. Cost and award a merit of [3.85%]. 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.

10. ADJOURNMENT:

Comm. Stevens MOVED to adjourn. SECOND by Comm. Stanley at 8:23 P.M.

Respectfully Submitted

Rebecca J. Warburton
Secretary

APPROVED BY COMMISSION:

Policy Standard 1.2.4

Policy Standard 1.2.4 Search and Seizure

Synopsis of Changes: 12/22/2020

Page 7 – discusses the knock and announce rule (formerly the “no knock warrant”) as it relates to executing a search warrant, to protect people’s rights to privacy in their homes and to prevent unnecessary violence that could result from unannounced entries.



Rochester Police Department
23 Wakefield Street
Rochester, New Hampshire 03867
(603) 330-7127

POLICY #1.2.4

SUBJECT: Search and Seizure

NOTE: This written directive is for the internal governance of the Rochester Police Department, and as provided by RSA 516:36, is not intended and should not be interpreted to establish a higher standard of care in any civil or criminal action than would otherwise be applicable under existing law.

Purpose

The purpose of this general order is to establish Department guidelines controlling search and seizure of property and persons consistent with existing law and to establish standard operating procedures for the execution of search warrants against property.

Policy

It is the policy of the Rochester Police Department to “scrupulously honor” citizens' rights against unreasonable search and seizure by following the Fourth Amendment of the United States Constitution and Part I, Article 19 of the New Hampshire Constitution and the judicial interpretation of those documents.

Procedure

Definitions

Fourth Amendment of the United States Constitution: The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated and no warrant shall issue but upon probable cause supported by oath and affirmation particularly describing the place to be searched, the person or thing to be searched, and the person to be seized.

Part I, Article 19 of the New Hampshire Constitution: Every subject hath a right to be secure from all unreasonable searches and seizures of his person, his houses, his papers, and all his possessions. Therefore, all warrants to search suspected places, or arrest a person for examination or trial in prosecutions for criminal matters, are contrary to this right, if the cause or foundation of them be not previously supported by oath or affirmation; and if the order, in a warrant to a civil officer, to make search in suspected places, or to arrest one or more suspected persons or to seize their property, be not accompanied with a special designation of the persons or objects of search, arrest, or seizure; and no warrant ought to be issued; but in cases, and with the formalities prescribed by law.

Prisoner: For the purposes of this directive, the term “prisoner” shall include any person arrested or taken into protective custody.

Probable Cause (as applied to search and seizure): "probable cause exists if the man of ordinary caution would be justified in believing that what is sought will be found in the place to be searched....and that what is sought if not contraband or fruits or implements of a crime, will aid in a particular apprehension or conviction." (State v. Marcotte, 123 NH 245, 248 (1983))



Exigent Circumstances: Exigent circumstances are those that present a compelling need for immediate official action and a risk that the delay inherent in obtaining a warrant will present a substantial threat of imminent danger to life or public safety or likelihood that evidence will be destroyed. Rochester Police Officers shall not rely on this exception if there is time to obtain a warrant.

Search Warrant Exceptions

Generally, Rochester Police Officers should obtain a warrant before conducting a search. The State and Federal Supreme Courts have long expressed a preference that police officers obtain warrants before they act. A search made pursuant to a warrant carries a presumption of reasonableness and the reviewing court gives great deference to the decision of the issuing justice.

Warrantless searches are presumptively unreasonable. The Courts have recognized certain limited and narrowly defined exceptions to the search warrant requirement. Therefore, the burden falls upon the State to prove one of these exceptions when a search is made without a warrant.

Exceptions:

Search Incident to Arrest

- A search incident to arrest should be conducted after the arrest. New Hampshire has strictly construed the requirement that the search be simultaneous with the arrest. The scope of this search is to detect weapons, to seize evidence the arrestee may destroy, or to remove possible means of escape.
- A search incident to arrest includes the arrestee's body and the immediate area within which the arrestee might reasonably gain possession of a weapon, a means of escape, or destroy evidence.
- However, State V. Sterndale states that if a police officer arrests the driver of an automobile, then handcuffs them and places them in a cruiser, they may not search the automobile without a warrant, as it is not sufficiently contemporaneous to the arrest.
- When a person is taken into protective custody, police officers shall limit the scope of their search to weapons and for identification if the person is not known to the officer.

Search of Prisoner

- The transporting officer is legally responsible for the safety and custody of the prisoner being transported. It must never be assumed by the transporting officer that someone else has searched the prisoner. The officer who is assigned to transport a prisoner shall search the prisoner before transporting.
- Prisoners should be searched by officers of the same gender. When circumstances do not allow this, the officer should, when possible, have a second officer present to witness the search. This does not exclude searches made by officers of the opposite sex without a second officer present.
- In those instances when the officer must search a member of the opposite sex, searches will be conducted following established professional standards with the primary importance being the protection of the officer



- Before any prisoner is secured to the bench in the booking room cell, they shall be thoroughly searched. All property found on their person, with the exception of belts, hats, and jackets shall be removed. The booking officer shall inventory the property and list it on the arrest inventory form. All items, except for unlawful weapons, evidence of a crime, or contraband shall be returned to the prisoner immediately upon their release. Upon release, the prisoner must sign for receipt of the property on the personal property form printed from the IMC software. If the prisoner refuses to sign the form, the officer may release the property, but must note the refusal to sign on the form.

Inventory Searches

- During the booking process, Rochester Police Officers shall conduct an inventory search of all prisoners. The purpose of this search is threefold: 1) to protect the property of the prisoner, 2) to protect the Rochester Police Department and its members against unwarranted claims of lost or stolen property, and 3) to protect the officer(s) from potential dangers.
- The inventory search shall include the body and clothing of any person taken into custody, any property they have in their possession at the time of their arrest or detention, including any closed or locked containers.
- For inventory searches of vehicles, see the Searches, MV Inventories and Towing policy in this manual.

Hot Pursuit

- If a felony has been committed in the very recent past and the officer is in pursuit of the suspect, they may pursue the offender into their home and search for them without first obtaining a warrant to do so. The officers may seize weapons, ammunition, and clothes of the type worn by the fleeing felon from within the home. The right to search terminates immediately upon the arrest of the suspect. However, if the officer believes that two suspects may be present, the officer may continue to search for the second suspect, and may seize any of the above listed items found in plain view during that search.
- Absent consent or exigent circumstances, Rochester Police Officers must have an arrest warrant before entering a suspect's home to arrest them for a felony. In addition, the officer must have reasonable belief that the defendant is home before entering the home.

The Automobile Exception

- The New Hampshire Supreme Court does not recognize an automobile exception to the Search Warrant. Because of the State v. Sterndale decision, Rochester Police Officers shall not look for guidance from the U.S. Supreme Court's automobile exception to the Fourth Amendment.
- To search a motor vehicle without a warrant, Rochester Police Officers must have both probable cause and exigent circumstances (defined below).

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Exigent Circumstances

- Exigent circumstances are those that present a compelling need for immediate official action and a risk that the delay inherent in obtaining a warrant will present a substantial threat of imminent danger to life or public safety or likelihood that evidence will be destroyed. Rochester Police Officers shall not rely on this exception if there is time to obtain a warrant.

Probable Cause (as applied to search and seizure)

- "Probable cause exists if the man of ordinary caution would be justified in believing that what is sought will be found in the place to be searched....and that what is sought if not contraband or fruits or implements of a crime, will aid in a particular apprehension or conviction." (State v. Marcotte, 123 NH 245, 248 (1983))

Administrative Searches

- Members of the Rochester Police Department shall not conduct administrative searches as defined by State v. McGann. All searches of this type shall be accompanied by a warrant. This shall not exclude Rochester Police Officers from providing security for authorized agents while they conduct an administrative search.

Plain View

- Rochester Police Officers may seize evidence found in plain view. However, three conditions must be met before the plain view doctrine is applicable: 1) The initial intrusion, which afforded the view must be lawful, 2) Discovery of the evidence must be inadvertent, and 3) The incriminating nature of the evidence must be immediately apparent.
- Rochester Police Officers may enhance their natural senses by using a flashlight, binoculars, etc.; however, they may not take extraordinary measures to see the item.

The "Pat Frisk"

- *Terry v. Ohio* allows officers to stop and pat frisk ***suspects of a crime for weapons if the officer has articulable suspicion to fear for their own safety***. Officers may not conduct a "pat frisk" for any other purpose. The "pat frisk" is not to be confused with a search incident to arrest; the "pat frisk" is a pre-custodial search that is strictly limited for officer safety.

Consent Searches

- A search warrant is unnecessary if consent to the search is given. If a Rochester Police Officer conducts a search with consent, the consent shall be given to the officer *freely, knowingly, and voluntarily*.
- Rochester Police Officers shall not use tricks, duress, or misrepresentation in an attempt to get consent to search.
- Oral consent to search is sufficient; however, written consent should be obtained whenever possible. The following language shall be used for written consent:

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CONSENT TO SEARCH

I, _____, having been informed of my constitutional right not to have a search made of my (premises) (automobile) (person) without a search warrant and of my right to refuse to consent to such a search, do hereby authorize _____ and _____ who have identified themselves to me as law enforcement officers, to conduct a complete search of my (premises) (automobile) (person) situated at (address or location _____). They are also authorized to remove any letters, papers, materials or other property which they may desire, and I understand that anything discovered may be used against me in a criminal proceeding.

This consent has been given by me freely, knowingly, and voluntarily and without threats or promises of any kind.

Date: _____

Signed: _____

Witness: _____ Witness: _____

Whenever possible, Rochester Police officers shall have non-police officers act as witness to the consent.

- A consent search does not require probable cause, only that an authorized individual give consent freely, knowingly, and voluntarily.

Who may give consent to search?

- A landlord, custodian, or manager can give valid consent to search that portion of the building not exclusively leased to the tenant.
- A tenant can validly consent to a search of his apartment for evidence against a landlord.
- An employer cannot give valid consent authorizing the search of an employee's desk or its contents or locker unless a waiver has been previously signed by the employee, but can consent to a search of other portions of the business premises not under the exclusive control of the employee.
- An employee cannot validly consent to the search of their employer's premises unless they are a managerial employee who exercises control over the premises such as a general manager, plant superintendent (or a director or president in the case of a corporation/defendant).
- Husband and wife. When a husband and wife each have equal right of possession and control of their property, either can give consent to search that will be valid against the other. If any property is forbidden to the other, consent cannot be given.
- Co-occupants. Consent of one co-owner or occupant is valid as to the other.
- A person to whom the owner lends a vehicle without restrictions as to use may be able to give consent to permit a search which will be valid against the owner.



IMPORTANT: Officers shall document who provides consent and why they relied on that consent. The person providing consent may limit the time and place of the search. The person giving consent may revoke consent at anytime. If they revoke consent, the officer(s) searching shall terminate their search immediately.

Crime Scene Searches

- The courts have recognized that under the Fourth Amendment, law enforcement officials may enter a location in an emergency. Rochester Police Officers do not need a warrant to enter a location when called to an assault or homicide scene to ascertain a victim's medical condition or to remove the body of a homicide victim. In addition, the Rochester Police may enter and search to determine whether the perpetrator remains on the premises. Officers shall not search any place that suspects could not conceal themselves.
- Once it has been determined that no suspect remains within a location, or a victim's medical condition has been determined (and they have been treated, as applicable), officers shall leave the location and secure it until a warrant or consent can be obtained.
- Rochester Police Officers shall not conduct a complete search without the consent of the owner/occupier or other exception without a valid search warrant.

Limits on the Exclusionary Rule

Good Faith

- If a Rochester Police Officer arrests a person on the basis of a statute which has not been declared unconstitutional at the time of arrest, then evidence seized in a search incident to the arrest will be admissible so long as the officer acted on the good faith belief that the statute was constitutional.
- If a police officer conducts a search in "good faith" reliance upon a statute that authorizes them to conduct a search, then evidence seized will be admissible so long as the officer acted on the good faith belief that the statute was constitutional.
- Additionally, the United States Supreme Court has recognized that the police officer may rely in good faith upon search warrants issued by the judiciary.

Inevitable Discovery

- The United States Supreme Court has held that the Fourth Amendment to the U.S. Constitution does not require suppression of illegally seized physical evidence if the evidence would have been inevitably seized by some legal means. The New Hampshire Supreme Court has not adopted a blanket rule permitting the introduction of this type of evidence, but does apply the principle.

Expectation of Privacy

- Courts have generally held that persons have no expectation of privacy from police surveillance when they engage in activities on public streets, in public parks, or in areas of buildings open to the public. A person has no expectation to privacy when they are in the back seat of a police cruiser. Generally, courts have held that there is no societally recognized expectation of privacy in a public place.

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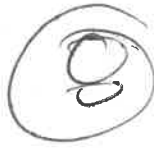
- There is no expectation of privacy in open fields. Open fields are those areas beyond the curtilage that a person owns. A person cannot enhance their expectation of privacy for open fields by posting the property with no trespassing signs.
- A citizen has no expectation of privacy over abandoned property.

SEARCH WARRANTS

All searches that do not fall within the exceptions noted above must be conducted using a search warrant. When a Search Warrant is used, officer's shall "knock and announce" their presence. ~~unless a "no knock and announce" warrant has been issued by the justice.~~ The "knock and announce" rule requires that officers knock and identify themselves and their purpose before demanding entry to execute a search warrant. After doing so, the police must wait a reasonable period of time for an occupant to respond before entering the premises. The purpose of this rule is protect people's rights to privacy in their homes and to prevent unnecessary violence that could result from unannounced entries

Application for a Search Warrant

- Rochester Police Officers may apply to a district, municipal or superior court judge for a warrant to search a certain person or premises for specifically listed property. The application must consist of a written affidavit that may be supplemented by testimony under oath before the judge. The affidavit and testimony must consist of statements of fact from which the judge can conclude that it is more probable than not that a crime is being or has been committed and that specified property, which is evidence relating to the commission of the crime, is now located where the applicant says it is located.
- Rochester Police Officers shall use the search warrant affidavit and application format dictated by the State when applying for a search warrant.
- If the judge determines that there is probable cause, they will issue the warrant.
- The search authorized should be made immediately; if property is found and seized, a return must be completed on the reverse side of the warrant and immediately filed in the proper court and in any case *not later than seven days* from the date of issuance.
- When a warrant is issued, only one copy will be given to the officer by the judge. The officer may photo copy the warrant. *A copy must be given to the person from whom or from whose property, items were seized.*
- Once issued, any police officer may conduct the search as directed to by the applicant.
- If the search is to take place outside the jurisdictional bounds of the City of Rochester, the Rochester Police Officer shall find a suitable assistant from the jurisdiction. A Rochester Police Officer may not be the officer in charge of the search outside the City of Rochester. The State Police do not have jurisdiction in municipalities exceeding 3,000 residents, therefore, they shall not be used by the Rochester Police Department as officers in charge of a search in any case that the population exceeds 3,000 or the population is unknown to the searching officers.



- It is both statutorily and constitutionally required that the search warrant particularly describe the property or articles to be seized. The following items may be seized:
 - ◆ property which is contraband,
 - ◆ property which is stolen, embezzled, or fraudulently obtained,
 - ◆ property designed or intended for use, or which is being or has been used as a means of committing a criminal offense, and
 - ◆ property which is evidence of the crime to which probable cause upon which the search warrant is issued relates, including “mere evidence”.
- A receipt for seized property shall be left with the owner/occupant or, in the owner/occupant’s absence; the receipt shall be conspicuously posted within the place searched by the Rochester Police Department.

Search Warrant v. Arrest Warrant

- A search warrant should not be treated as an arrest warrant. The following rules shall be adhered to:
 - Do not arrest in any case except on authority that is independent of the search warrant.
 - In deciding whether, when, and how to arrest an individual in whose possession goods mentioned in the warrant are found, follow the general rules with respect to the right to arrest without a warrant and the need to procure a warrant.
 - If probable cause to arrest an individual exists at the time a search warrant is procured, obtain a separate arrest warrant on the authority of that arrest warrant.

WHEN IN DOUBT, GET A WARRANT!

This directive shall be reviewed annually.

APPROVED: PAUL R. TOUSSAINT
 CHIEF OF POLICE

Policy Standard 1.3.1

Policy Standard 1.3.1 Use of Force to Accomplish Lawful Objectives/Non-Deadly Force

Synopsis of Changes: 12/22/2020

Pages 1 & 2 -

- Types of weapons
- Only those issued by the agency may be used
- Uses of tools, weapons objects or other non traditional means of defense, in the defense of themselves or a third party
- Use only amount of force reasonable to achieve the lawful objective
 - Inappropriate force will not be tolerated
 - Officers shall intervene when witnessing or being aware of another officer using excessive, unauthorized or unjustified force
 - Notify supervision as soon as reasonably possible
 - RPD Officers have duty to intervene any uses of excessive, unauthorized or unjustified force by members of other criminal justice organizations.



ROCHESTER POLICE DEPARTMENT

23 Wakefield Street
Rochester, New Hampshire 03867
(603) 330-7127

POLICY #: 1.3.1

SUBJECT: Use of Force to Accomplish Lawful Objectives/Non-Deadly Force

NOTE: This written directive is for the internal governance of the Rochester Police Department, and as provided by RSA 516:36, is not intended and should not be interpreted to establish a higher standard of care in any civil or criminal action than would otherwise be applicable under existing law.

PRELIMINARY: The value of human life is immeasurable in our society. Police Officers have been delegated the awesome responsibility to protect life and property and apprehend criminal offenders. The apprehension of criminal offenders and protection must at all times be subservient to the protection of life. The Officer's responsibility for protecting life must include his own. It is the policy of the Rochester Police Department that its members use only the amount of force that is reasonable and necessary to accomplish lawful objectives, while protecting the lives of the officers or others.

USE OF NON-DEADLY FORCE

1. Rochester Police Officers are justified in using non-deadly force upon another person when and to the extent that they reasonably believe it is necessary to effect an arrest or detention or to prevent the escape from custody of an arrested or detained person, unless they know that the arrest or detention is illegal, or to defend themselves or a third person from what they reasonably believe to be the imminent use of non-deadly force encountered while attempting to effect such an arrest or detention or while seeking to prevent such an escape. (RSA 627:5)

A. When force is authorized, officers will assess the incident to determine which non-deadly technique, or weapon will best de-escalate the incident and bring it under control safely. Less lethal weapons such as batons, oleoresin capsicum spray, , Taser, pepper ball launcher, less lethal shotguns, handcuffs, etc., that are issued by the department, after adequate training in their use, may be used or displayed under the following conditions.

1. To protect themselves or another from physical harm; or
2. When necessary to preserve the peace, prevent the commission of offense, or prevent suicide or self inflicted injuries; or
3. When making lawful arrests and searches, overcoming resistance to arrest or searches, and preventing escapes from custody.

B. Only those less-lethal weapons that are issued by the department are authorized for carry either on or off-duty. No other less-lethal weapon will be authorized for carry.

~~B. Flashlights and other tools issued by the Department may be used as defensive weapons only in extreme circumstances, and when other traditional department issued weapons cannot be used and would otherwise be authorized for use. If used, the officer must complete a Use of Force Report and clearly articulate the need to use the tool as a defensive weapon.~~

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C. When circumstances necessitate, Rochester Police Officers may use whatever tools, weapons, objects or other non-traditional means of defense when department issued tools or weapons are unavailable for whatever reason, unable to be deployed, fail to operate, or are found to be ineffective in the defense of themselves or a third person against the use of force. If used, the officer must complete a report and clearly articulate the need to use the tool as a defensive weapon. *(from Less Lethal Policy)*

WHEN FORCE MUST END

A. Any force used under the above examples must be both reasonable and necessary, and as soon as resistance has ceased and the person is in secure custody, the use of force must cease.

B. Force shall never be used to “punish” a prisoner for resisting, or as a response to verbal insults, and may only be used to accomplish lawful objectives.

C. Officers of the Rochester Police Department shall utilize only the amount of force that is reasonably considered as necessary to achieve the lawful objective of the officer. The use of excessive or inappropriate force will not be tolerated. All department personnel shall intervene when they witness or are aware of another officer using excessive, unauthorized, or unjustified force and shall notify their direct supervisor as soon as reasonably possible.

D. Members of the Rochester Police Department also have the duty to intervene and report any uses of excessive, unauthorized or unjustified force by members of other criminal justice organizations.

APPROVED: PAUL R. TOUSSAINT
CHIEF OF POLICE

Policy Standard 1.3.1.1

Policy Standard 1.3.1.1 Use of Force Definitions.

Synopsis of Changes: 12/22/2020

Page 2

- Added definition of Chokehold

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ROCHESTER POLICE DEPARTMENT

23 Wakefield Street
Rochester, New Hampshire 03867
(603) 330-7127

POLICY #: 1.3.1.1

SUBJECT: Use of Force Definitions

NOTE: This written directive is for the internal governance of the Rochester Police Department, and as provided by RSA 516:36, is not intended and should not be interpreted to establish a higher standard of care in any civil or criminal action than would otherwise be applicable under existing law.

1. **“Deadly Force”** means any assault or confinement which the actor commits with the purpose of causing or which he knows to create a substantial risk of causing death or serious bodily injury. Purposely firing a firearm capable of causing serious bodily injury or death, in the direction of another person, or at a vehicle in which another is believed to be, constitutes deadly force. (NH RSA 627:9)
2. **“Less-lethal force”** means any use of force that when used is less likely to cause serious bodily injury or death.
3. **“Deadly Weapon”** means any firearm, knife, or other substance or thing which, in the manner it is used, intended to be used, or threatened to be used, is known to be capable of producing death or serious bodily injury. (NH RSA 625:11)
4. **“Serious Bodily Injury”** means any harm to the body which causes severe, permanent, or protracted loss of or impairment to the health of or to the function of any part of the body. (NH RSA 625:11)
5. **“A reasonable belief that another has committed an offense”** means such belief in facts or circumstances which, if true, would in law constitute an offense by such person. If the facts and circumstances reasonably believed would not constitute an offense, an erroneous though reasonable belief that the law is otherwise does not make justifiable the use of force to make an arrest or prevent an escape. (NH RSA 627:5)
6. **“Reasonably necessary”** means an action is reasonably necessary when, based on facts and circumstances known to the officer at the time, a reasonable officer, without regard to underlying intent or motive, would conclude that the action was appropriate.
7. **“Immediate”** as defined by the Meriam Webster's Collegiate Dictionary: 4) occurring, acting, or accomplished without loss or interval of time, (1): near to or related to the present.
8. **“Imminent”** as defined by the Meriam Webster's Collegiate Dictionary: to project, threaten, or is ready to take place.
9. **“Injury”** as defined by the Meriam Webster's Collegiate Dictionary: an act that damages or hurts.
10. **“Use of Force”** is any level of the force continuum past verbal direction, to include perceived threats in which an Officer feels that a subject could possibly pose a threat, and a use of force tool is either used or displayed.
11. **“Critical Incident”** means any incident in which death or serious bodily injury results to any person from the application of deadly force or non deadly force which is caused by themselves or a third party,

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and though the Officer was directly involved, he/she was not the cause of death or injury. This is also to include a serious incident in which an Officer is directly involved in an incident that could cause severe emotional stress.

12. **“Deadly Force Incident”** means an incident in which death or serious bodily injury results to any person from the application of deadly force by or against a law enforcement officer, or when death results from the application of non-deadly force by or against such officer.
13. **“Liaison Representative”** means a person designated by the head of the involved agency and approved by the Attorney General to provide logistical assistance to the deadly force investigation team and to update, as appropriate, the head of the involved agency on the status of the investigation.
14. **“Deadly Force Investigation Team”** means a group of officers, attorneys, or other persons with specialized training or expertise, designated by the Attorney General to conduct an investigation of a deadly force incident. The team may include a senior investigator and senior attorney from the Attorney General’s Office, investigators from other law enforcement agencies, members of State Police Major Crime Unit, and other persons expressly assigned by the order of the Attorney General to assist in the investigation.
15. **“Subject”** any person killed or who received serious bodily injury as a result of the application of force by a law enforcement officer during, or as a result of a deadly force incident, including a person who commits suicide or attempts to commit suicide during the incident.
16. **“Chokehold”** the application of any pressure to the throat, windpipe, or neck, which prevents or reduces intake of air, or oxygen to the brain. (NH RSA 627:5)

APPROVED: PAUL R. TOUSSAINT
CHIEF OF POLICE

Policy Standard 1.3.2

Policy Standard 1.3.2 Use of Deadly Force

Synopsis of Changes: 12/22/2020

Pages 1& 2

- Prohibits use of Chokeholds – except in circumstances where application of deadly force would be lawful and authorized by Department policy.
- Use only amount of force reasonable to achieve the lawful objective
 - Inappropriate force will not be tolerated
 - Officers shall intervene when witnessing or being aware of another officer using excessive, unauthorized or unjustified force
 - Notify supervision as soon as reasonably possible
 - RPD Officers have duty to intervene any uses of excessive, unauthorized or unjustified force by members of other criminal justice organizations.

ROCHESTER POLICE DEPARTMENT

23 Wakefield Street
Rochester, New Hampshire 03867
(603) 330-7127

POLICY #: 1.3.2

SUBJECT: Use of Deadly Force

NOTE: This written directive is for the internal governance of the Rochester Police Department, and as provided by RSA 516:36, is not intended and should not be interpreted to establish a higher standard of care in any civil or criminal action than would otherwise be applicable under existing law.

PRELIMINARY: The value of human life is immeasurable in our society. Police Officers have been delegated the awesome responsibility to protect life and property and apprehend criminal offenders. The apprehension of criminal offenders and protection must at all times be subservient to the protection of life. The Officer's responsibility for protecting life must include his own. It is the policy of the Rochester Police Department that its members use only the amount of force that is reasonable and necessary to accomplish lawful objectives, while protecting the lives of the officers or others.

Use of Deadly Force

A. This section defines the legal use of deadly force by officers of the department.

B. Equipment is issued to sworn officers for self-defense and protection of the public, recognizing that in the performance of their duties they may have to deal with dangerous persons who place them in life-threatening situations.

C. A sworn officer may use deadly force only when he/she reasonably believes that:

1. The use of deadly force may be necessary to prevent imminent death or serious bodily injury to the officer or another person.

2. If the suspect is in immediate flight from a crime involving serious bodily injury, death, or the use of deadly force by the suspect; **AND** The suspect poses a significant threat to the officer or another through his **immediate capability to continue the use of deadly force with a deadly weapon as defined by NH RSA 625:11-V Deadly Weapon** unless apprehended without delay.

3. The use of "chokeholds" as defined in Policy # 1.3.1.1 Use of Force Definitions is considered deadly force and is strictly prohibited by officers of the Rochester Police Department except in circumstances where the application of deadly force would be lawful and authorized by department policy.

D. Before using deadly force against another person, the officer should, **IF FEASIBLE**;

1. Make a reasonable effort to advise the person that s/he is law enforcement officer.

2. Give warning that s/he is going to shoot before doing so.

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E. As used in this policy, "reasonable belief" means when facts or circumstances the officer knew or should know, if true, would in law constitute an offense justifying the use of deadly force. *For example*, if an officer encounters an armed individual; who makes clear (either by actions or words) of his/her intent to cause imminent threat to a life (either to the officer or innocent bystanders), the Officer would have a "reasonable belief" that he/she would be justified in the use of deadly force in preventing said actions from occurring.

F. Deadly weapons shall not be used if other, less drastic means of apprehension are possible. Where firearms are used, officers shall exercise reasonable caution to avoid injury to innocent person they are not seeking to apprehend.

G. No distinction shall be made relative to the age, sex or race when defending against deadly force. Self-defense and imminent threat to life shall be the only policy guideline utilized for employing deadly force.

WHEN FORCE MUST END

A. Any force used under the above examples must be both reasonable and necessary, and as soon as resistance has ceased and the person is in secure custody, the use of force must cease.

B. Force shall never be used to "punish" a prisoner for resisting, or as a response to verbal insults, and may only be used to accomplish lawful objectives.

C. Officers of the Rochester Police Department shall utilize only the amount of force that is reasonably considered as necessary to achieve the lawful objective of the officer. The use of excessive or inappropriate force will not be tolerated. All department personnel shall intervene when they witness or are aware of another officer using excessive, unauthorized, or unjustified force and shall notify their direct supervisor as soon as reasonably possible.

D. Members of the Rochester Police Department also have the duty to intervene and report any uses of excessive, unauthorized or unjustified force by members of other criminal justice organizations.

APPROVED: PAUL R. TOUSSAINT
CHIEF OF POLICE

Policy Standard 42.1.1.4

Policy Standard 42.1.1.4 Investigations, Willful Concealment
[shoplifting] Complaints

Synopsis of Changes: 12/22/2020

Page 1

- Suspects may be released on hand summons at scene, after verifying criminal record, bail conditions etc.

ROCHESTER POLICE DEPARTMENT

23 Wakefield Street
Rochester, New Hampshire 03867
(603) 330-7127

POLICY #: 42.1.1.4

SUBJECT: Investigations, Willful Concealment [Shoplifting] Complaints

NOTE: This written directive is for the internal governance of the Rochester Police Department, and as provided by RSA 516:36, is not intended and should not be interpreted to establish a higher standard of care in any civil or criminal action than would otherwise be applicable under existing law.

PURPOSE: The purpose of this Standard Operating Procedure is to establish uniform procedures for the investigation of shoplifting complaints within the Rochester Police Department.

1. PROCEDURE

A. Officers confronting suspects who are being detained by a merchant for the offense of willful concealment and who have probable cause to believe that the person has committed the offense of willful concealment the officer may arrest the suspect without a warrant (pursuant to 627:8-a, III). ~~and transport to the station for processing and bail.~~ The officer may decide to release the suspect on a hand summons to appear in court (summons pursuant to RSA 594:14) if a misdemeanor, but must review their criminal record, current bail conditions, etc. first—to determine if arrest/bail is more appropriate. If released on a hand summons, the officer will take a photo of the suspect with their department issued phone, so it can be uploaded to the arrest report. ~~Unless extenuating circumstances would dictate otherwise and approved by the shift supervisor, officer should be taking custody of each person and bringing them back to the station for booking and bail.~~

B. The following suspects of willful concealment shall always be brought to the station for processing and bail:

1. Willful Concealment that involves a felony.

C. All juveniles are to be brought to the station and released to a parent or legal guardian.*

- Unless a parent or legal guardian are on scene, in which case the juvenile may be released on scene to them.

~~*NOTE— For 17 year old shoplifters, although charged as an adult, they will need to be brought to the station as a juvenile and released to a parent or guardian.*~~

APPROVED: PAUL R. TOUSSAINT
 CHIEF OF POLICE

JMS
1-22-21

ROCHESTER POLICE DEPARTMENT



PAUL R. TOUSSAINT
Chief of Police

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"Dedication, Pride, Integrity"

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POLICE COMMISSION

DEREK J. PETERS
Chairman
DAVID R. STEVENS
Vice Chairman
LISA M. STANLEY
Commissioner



January 21, 2021

Chief Paul Toussaint
Chief of Police

Chief Toussaint,

It is with much regret that I tender my resignation as a Patrolman with the Rochester Police Department, effective 2/6/21.

It has been an incredible journey, filled with an immense amount of opportunity and personal growth. I appreciate all of the opportunities that were afforded to me, and look forward to putting those to use in my future career. I was lucky to work with the best of the best, and I will always stand by that. Working with the right people, who support each other and legitimately care about each other, make this job bearable.

Thank you for all the years of support and wisdom.

Respectfully,

Officer Jason Plumb

**PATROL DIVISION
MONTHLY REPORT
January 2021**

R.U.N. Program: At this time, due to COVID-19, all RUN meetings are on hold.

RPOA: Lt. Bossi attended the January meeting. Lt. Bossi spoke about keeping an eye on vacant properties to prevent potential thefts or having individuals loitering within. Lt. Bossi briefly spoke about property crime, and about crime prevention tips in relation to theft from vehicles. The majority of the meeting was about leases, terminology in leases and lease structure. There was discussion about the potential of a disorderly house ordinance in Rochester being brought up by city council. City Manager Blaine Cox also joined the meeting to open a door of communication with his office and introduce himself. Lt. Bossi provided his contact information for people to reach him if needed. The next meeting will be on February 4, 2021 at 8am.

HONOR GUARD: There are no events scheduled at this time.

K-9: This month the Rochester K-9 unit responded to a total of six calls for service (three tracks and three drug searches) —all in Rochester. Of the three drug searches, two were just area searches to ensure no drugs were thrown. The last drug search was search warrant of a vehicle. No drugs were located. Of the three tracks, one resulted in locating a female.

CompStat: The majority of traffic stops continue to be focused in the downtown area as well as major roads in and out of the city. Motor vehicle collisions have increased since last month, and parking lot accidents still continue to have high numbers (30 in this reporting period). We had 7 DWI arrests this month. Year to date DWIs are down 23%. The decrease is most likely contributed to early in the pandemic when self-initiated activity was significantly decreased along with the stay-at-home order in effect.

Our property crimes for the month show no trends or rushes of crimes occurring. Burglaries are down compared to last year which could be related to the large amount of people working from home during this pandemic. Thefts from motor vehicles are down from last year which we hope is due to people locking their doors, but we have not found there to be any trends related to this. Theft *of* motor vehicles is up from last year, but a large majority of these cases are friends not returning vehicles borrowed, or rental vehicles not being returned on time. There has been an increase of shoplifting but this is related to the details that were done at Walmart during November/December where there was an officer on scene to immediately apprehend people shoplifting.

Drug offenses compared to last month are slightly lower, but year to date there has been an increase. Many of these drug offenses are discovered by searches incident to arrests, but there is also proactive work involved with several search warrants executed on vehicles. Overdoses and OD deaths are down year to date from the previous year.

Violent crime is down 4% year to date. Simple assaults seems to fluctuate, but there are no trends or patterns related to this. Aggravated assaults are down dramatically from years past. We had a dramatic increase in homicides this year attributed to the several fatal motor vehicle accidents that we had throughout the year where the investigation lead to several negligent homicide charges.

Respectfully submitted,

Captain Jason Thomas

Rochester Police Department

December 2020 Comp Stat Report



December 2020 Traffic Activities

- Traffic Stops
- Motor Vehicle Crashes
- DWI Incidents
- Traffic Comparisons

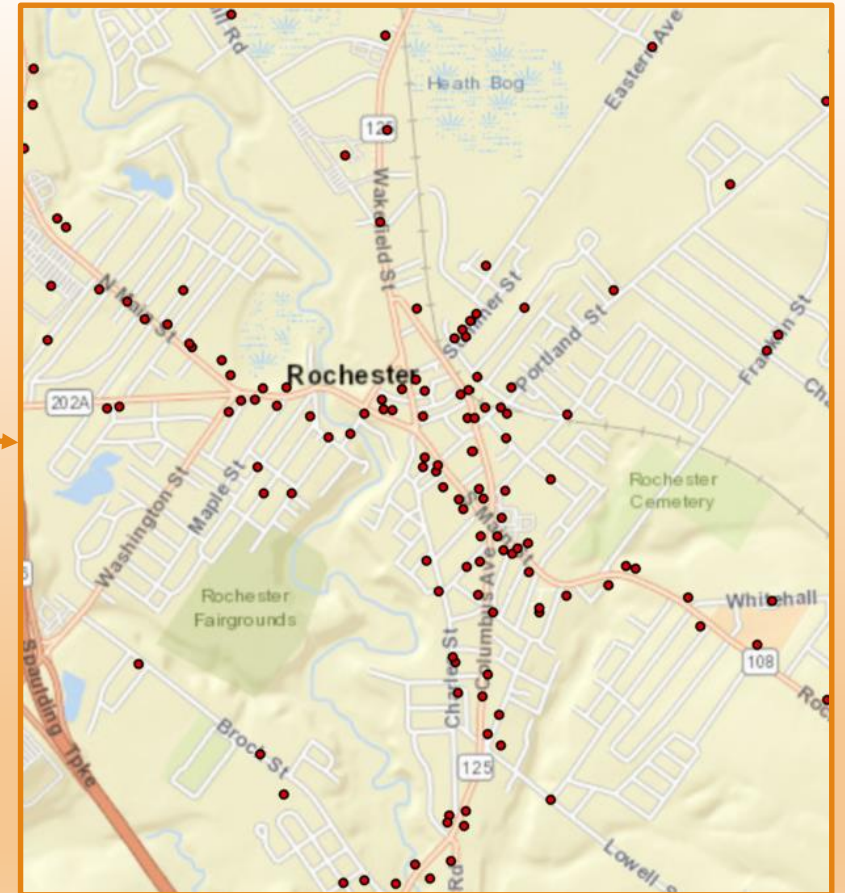
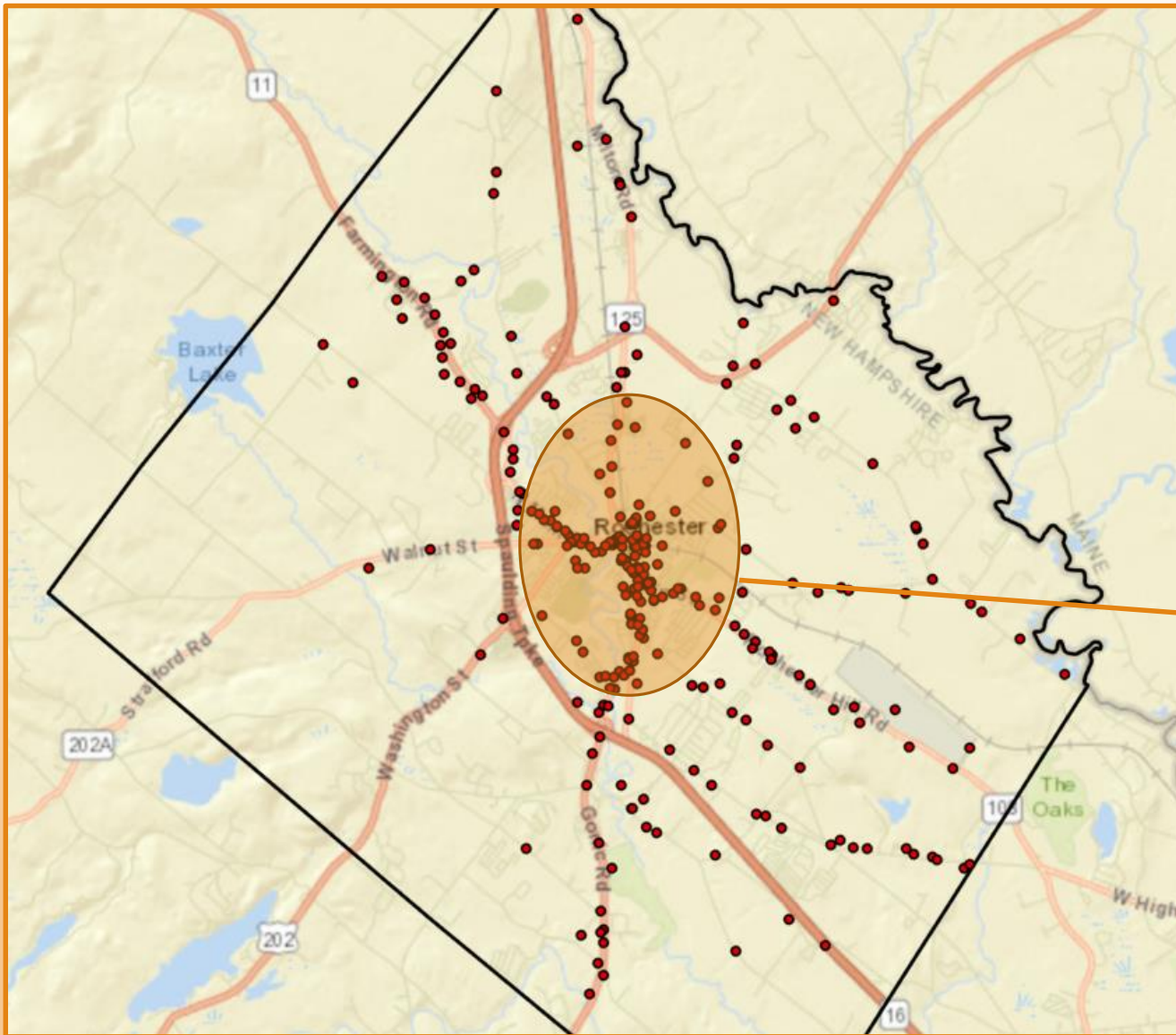
Traffic Stop Breakdown

- 514 Total traffic stops
 - 19 Arrests
 - 14 – traffic offenses
 - 4 Capias/Bench Warrant
 - 1 – On-view offense
 - 23 - Summons
 - 456 - Warnings
 - 16 - No Action

High Volume Roads/Days

Street	Day	Total
COLUMBUS AVE	Sunday	3
	Monday	3
	Tuesday	10
	Wednesday	13
	Thursday	8
	Friday	6
	Saturday	3
COLUMBUS AVE Total		46
NORTH MAIN ST	Sunday	6
	Monday	3
	Tuesday	9
	Wednesday	2
	Thursday	7
	Friday	12
	Saturday	6
NORTH MAIN ST Total		45
ROCHESTER HILL RD	Sunday	5
	Monday	7
	Tuesday	5
	Wednesday	2
	Thursday	7
	Friday	5
	Saturday	9
ROCHESTER HILL RD Total		40
SOUTH MAIN ST	Sunday	6
	Monday	5
	Tuesday	3
	Wednesday	7
	Thursday	5
	Friday	6
	Saturday	7
SOUTH MAIN ST Total		39
FARMINGTON RD	Sunday	2
	Monday	9
	Tuesday	1
	Wednesday	2
	Thursday	6
	Friday	10
	Saturday	3
FARMINGTON RD Total		33

Traffic Stops



Motor Vehicle Crashes

- 102 total crashes

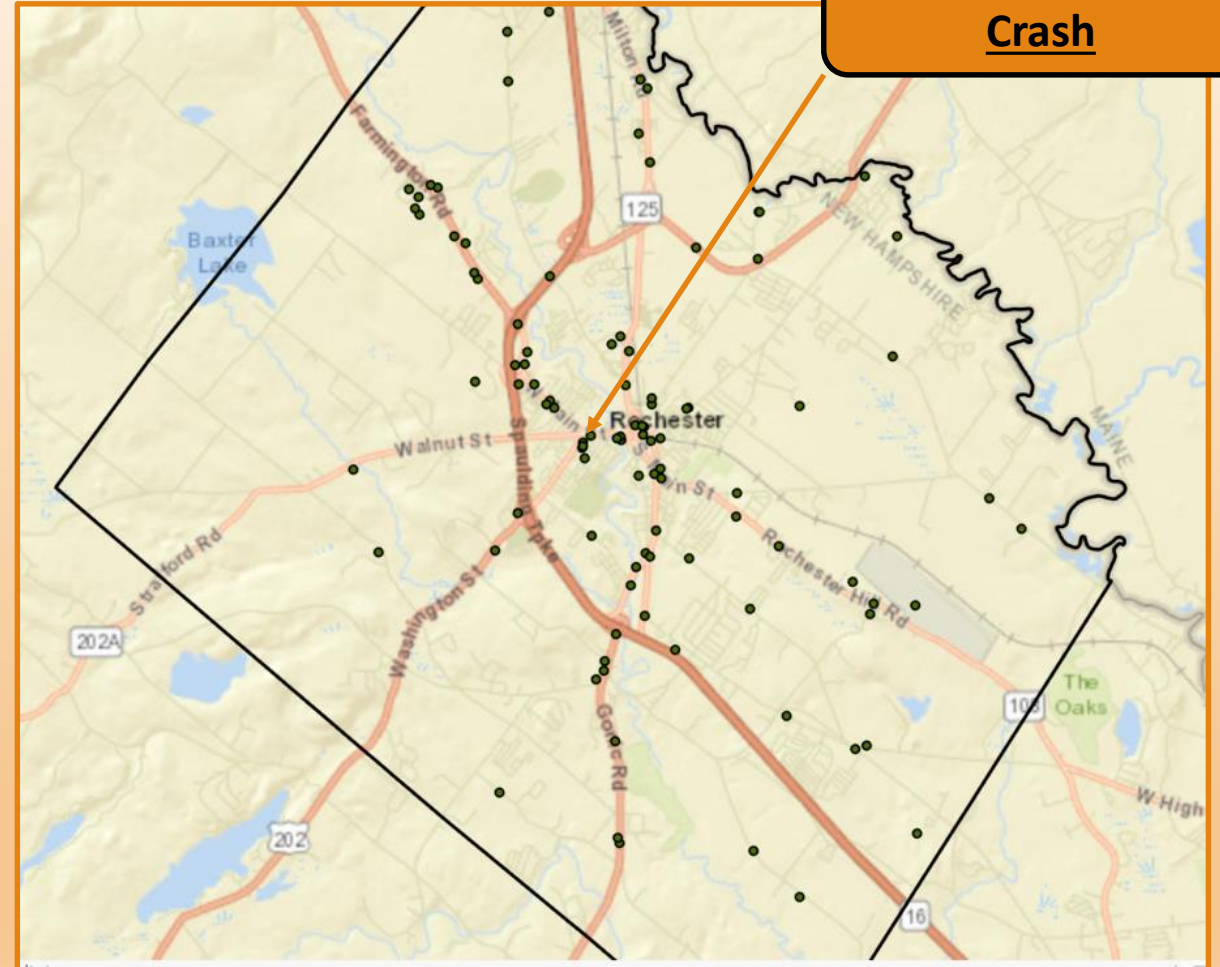
Significant increase from the previous month

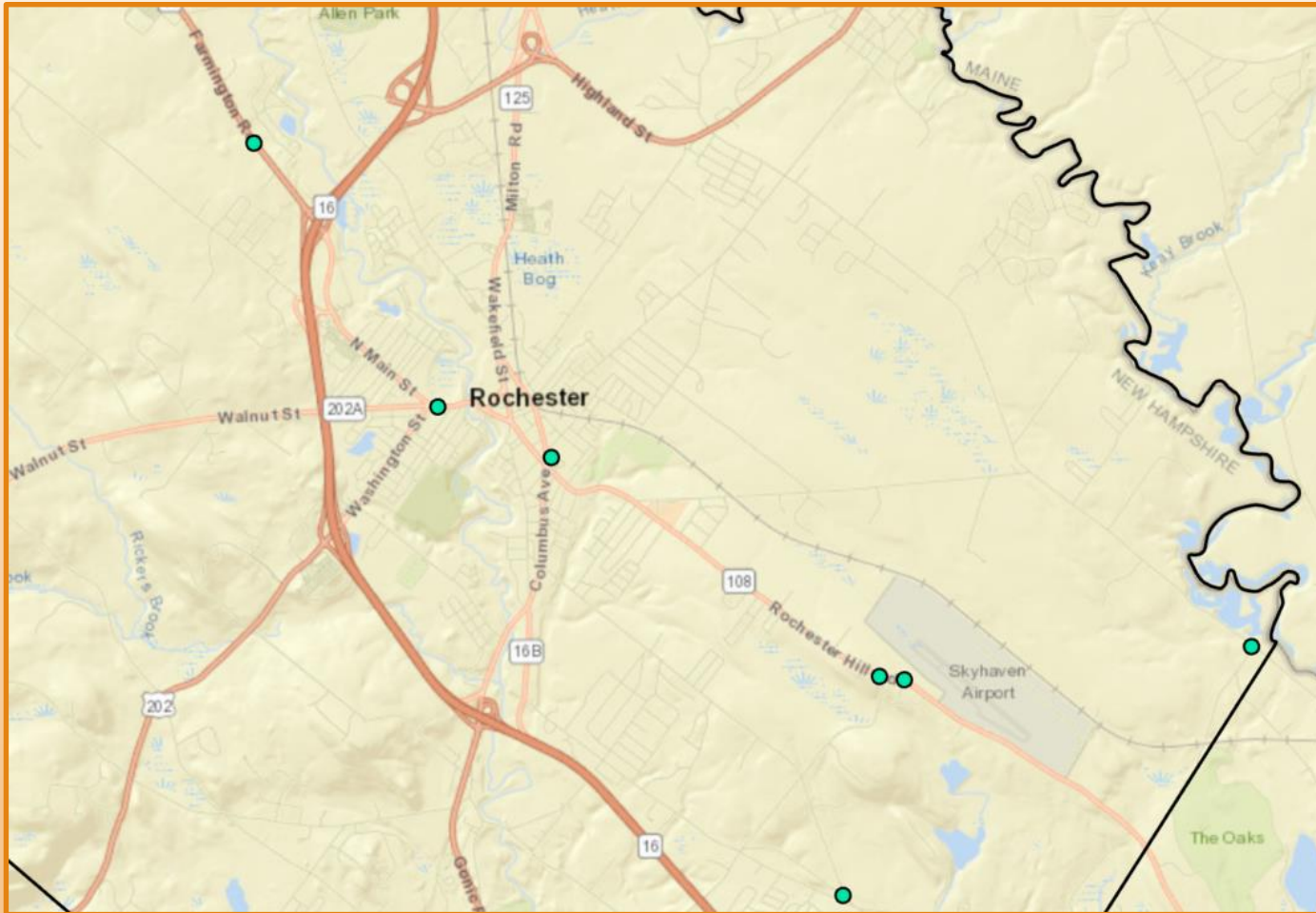
- 1 Fatal pedestrian crash
- 7 Arrests
 - 7 DWI arrests
- 2 Summons Issued
- 30 Parking lot crashes
- 25 Hit & Run crashes

High Volume Roads/Days

STREET	DAY	Total
NORTH MAIN ST	Monday	1
	Friday	1
	Tuesday	2
	Wednesday	3
	Saturday	4
Thursday	5	
NORTH MAIN ST Total		16
FARMINGTON RD	Monday	1
	Thursday	1
	Sunday	2
	Friday	2
	Tuesday	3
	Saturday	3
	Wednesday	4
FARMINGTON RD Total		16
WAKEFIELD ST	Wednesday	1
	Saturday	1
	Monday	2
	Thursday	2
Tuesday	2	
WAKEFIELD ST Total		8
GONIC RD	Wednesday	1
	Sunday	1
	Thursday	1
	Tuesday	1
	Friday	1
	Monday	1
Saturday	2	
GONIC RD Total		8
WASHINGTON ST	Wednesday	1
	Thursday	1
	Monday	1
	Saturday	1
	Sunday	1
	Friday	2
WASHINGTON ST Total		7

Fatal Pedestrian Crash





DWI Incidents

- 7 Total Incidents
 - 7 Crashes (6 Alcohol/1 Drug)
 - 1 Driver admitted to drinking at [REDACTED] in Somersworth

Traffic Activity Comparisons

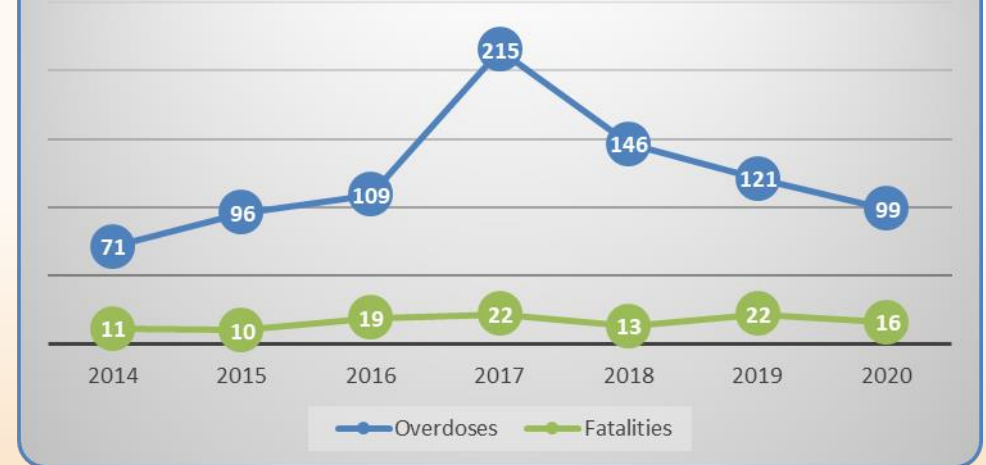
Specific Crimes	Dec-20	Dec-19	%Change	Nov-20	%Change	Oct-20	YTD 20	YTD 19	%Change	YTD 18
Traffic Stops	514	498	3%	836	-39%	330	5554	5447	2%	8055
Arrests from Stops	19	18	6%	35	-46%	22	213	271	-21%	326
Summons	23	6	283%	24	-4%	5	203	227	-11%	490
Warnings	456	457	0%	747	-39%	294	4957	4356	14%	6946
No Action	16	10	60%	28	-43%	8	135	177	-24%	230
Accidents	102	121	-16%	73	40%	81	1009	1113	-9%	1072
Summons from ACs	2	4	-50%	0	NULL	1	14	39	-64%	36
Arrests from ACs	7	1	600%	3	133%	8	60	58	3%	56
Field Interviews	3	6	-50%	8	-63%	12	146	96	52%	129
DWI	7	6	17%	7	0%	10	85	110	-23%	76
<i>Narcotics</i>	1	0	NULL	2	-50%	3	31	29	7%	20
<i>Alcohol</i>	6	6	0%	5	20%	7	54	81	-33%	56
DWI from Accidents	7	5	40%	4	75%	5	37	41	-10%	24

Property Crimes

All Incident Reports												
Specific Crimes	Dec-20	Dec-19	% Change	Nov-20	% Change	Oct-20	YTD-20	YTD 19	% Change	YTD 2020 Closure Rate	YTD 2019 Closure Rate	YTD 18
Burglary	8	7	14%	9	-11%	4	60	100	-40%	12%	19%	89
Shoplifting	33	27	22%	59	-44%	37	292	196	49%	65%	104%	259
Theft from a Building	9	11	-18%	3	200%	10	126	189	-33%	18%	30%	211
Theft from M/V (including Parts)	15	9	67%	21	-29%	11	122	236	-48%	2%	4%	187
All Other Theft	13	10	30%	14	-7%	25	191	174	10%	6%	5%	148
M/V Theft	3	2	50%	7	-57%	4	51	34	50%	10%	18%	48
Vandalism	28	27	4%	51	-45%	39	427	385	11%	22%	36%	430
Total Property	109	93	17%	164	-34%	130	1269	1314	-3%	22%	36%	1372
Arrests												
Specific Crimes	Dec-20	Dec-19	% Change	Nov-20	% Change	Oct-20	YTD-20	YTD 19	% Change			YTD 18
Burglary	1	1	0%	2	-50%	0	7	19	-63%			12
Shoplifting	28	17	65%	45	-38%	24	189	203	-7%			205
Theft from a Building	1	2	-50%	0	0%	0	23	57	-60%			25
Theft from M/V (including Parts)	1	0	NULL	0	0%	0	2	9	-78%			8
All Other Theft	2	0	NULL	1	100%	1	11	9	22%			15
M/V Theft	0	0	0%	1	-100%	1	5	6	-17%			13
Vandalism	8	6	33%	9	-11%	7	96	139	-31%			141
Total Property	41	26	58%	58	-29%	33	333	442	-25%			419

Drug Incidents

Overdoses/Fatalities by Year



All Incident Reports

Specific Crimes	Dec-20	Dec-19	% Change	Nov-20	% Change	Oct-20	YTD-2020	YTD 2019	% Change	YTD 2020 Closure Rate	YTD 2019 Closure Rate	YTD 18
Possession	19	14	36%	24	-21%	17	185	150	23%	50%	79%	170
Drug Events	13	3	333%	15	-13%	12	116	119	-3%			34
Overdoses	10	10	0%	5	100%	9	99	121	-18%			146
Fatal Overdoses	2	5	-60%	3	-33%	0	16	22	-27%			13
Total Drug	44	37	19%	47	-6%	38	416	412	1%			363
Arrests												
Specific Crimes	Dec-20	Dec-19	% Change	Nov-20	% Change	Oct-20	TYD-20	YTD 19	% Change			YTD 18
Possession	10	7	43%	11	-9%	8	92	119	-23%			149

Violent Crimes

All Incident Reports												
Specific Crimes	Dec-20	Dec-19	%Change	Nov-20	%Change	Oct-20	YTD 20	YTD 19	%Change	YTD 2020 Closure Rate	YTD 2019 Closure Rate	YTD 18
Homicide	1	0	NULL	0	NULL	0	5	0	NULL	60%	NULL	2
Robbery	1	0	NULL	2	-50%	2	20	11	82%	55%	64%	17
Aggravated Assault	5	6	-17%	2	150%	0	30	61	-51%	50%	61%	78
<i>from DV*</i>	1	5	-80%	1	NULL	0	14	23	-39%	86%	74%	41
Simple Assault	29	38	-24%	18	61%	35	384	387	-1%	47%	60%	467
<i>from DV*</i>	20	28	-29%	9	122%	15	198	200	-1%	67%	72%	256
Total Violent	36	44	-18%	22	64%	37	439	459	-4%	53%	96%	564
Arrests												
Specific Crimes	Dec-20	Dec-19	%Change	Nov-20	%Change	Oct-20	YTD 20	YTD 19	%Change			YTD 18
Homicide	2	0	NULL	0	NULL	0	3	1	200%			0
Robbery	1	0	NULL	1	0%	2	11	7	57%			9
Aggravated Assault	1	4	-75%	1	0%	0	15	37	-59%			48
<i>from DV*</i>	1	3	-67%	1	0%	0	12	17	-29%			19
Simple Assault	15	19	-21%	8	88%	11	181	234	-23%			224
<i>from DV*</i>	14	17	-18%	6	133%	9	133	144	-8%			119
Total Violent	19	23	-17%	10	90%	13	210	279	-25%			281

Domestic Violence Related Calls

December 2020

Misdemeanor – 28

Felony - 5

90F* - 14

2020 Monthly Comparison

2020 Monthly Comparison



* denotes Domestic Disturbance

3-Year Comparison

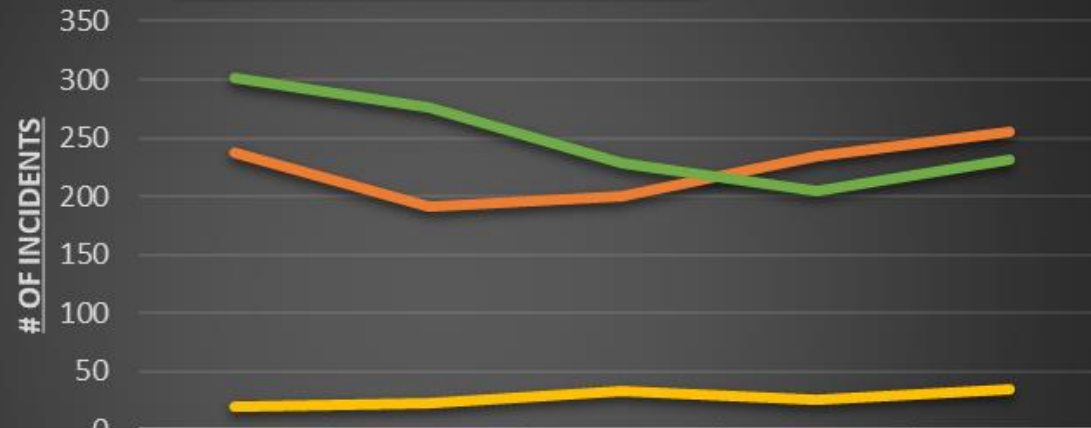
3 Year Comparison



* denotes Domestic Disturbance

Domestic Violence Related Calls, (cont.)

5- Year Comparison



	YTD 2016	2017 YTD	2018 YTD	2019 YTD	2020 YTD
Misdemeanor	238	191	200	235	255
Felony	20	23	33	26	34
90F *	301	276	229	204	232

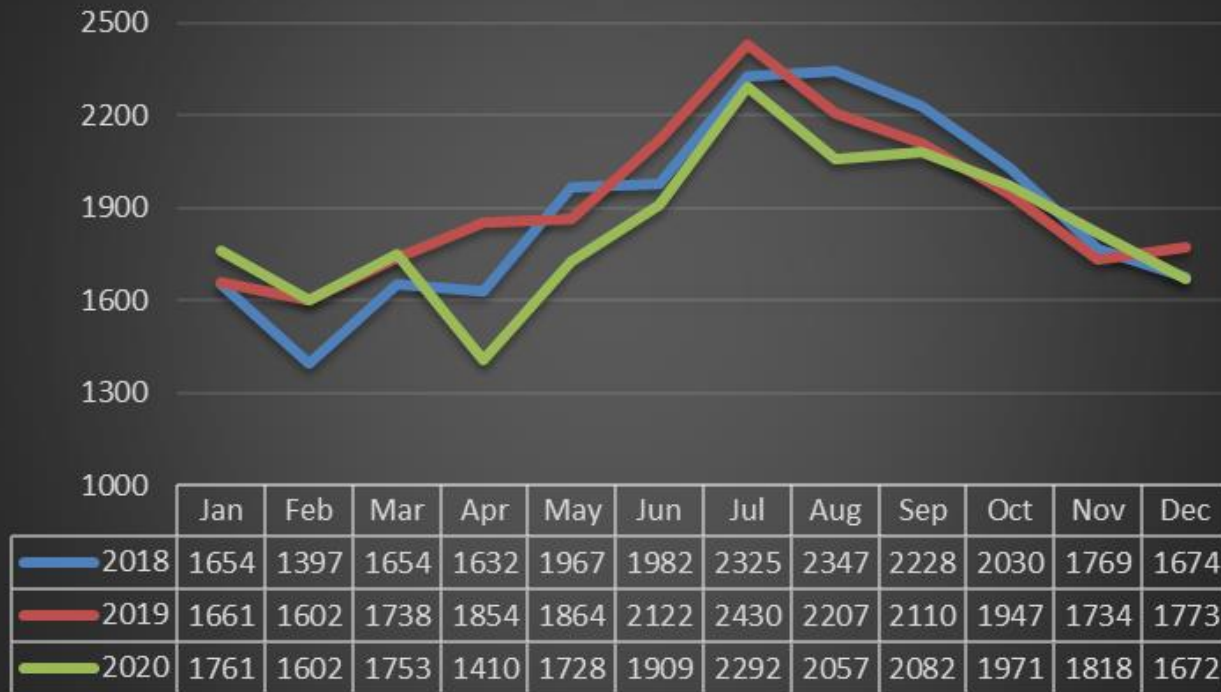
* denotes, Domestic Disturbance

Threshold

Crime	Monthly Average	Normal Range	Current Month	Activity Level
Accidents	85	69-101	102	Moderately High
Traffic Stop	725	375-1075	514	Normal
DWI	7	5-10	7	Normal
Robbery	2	0-3	1	Normal
Aggravated Assault	5	3-8	5	Normal
Simple Assault	38	29-46	29	Moderately Low
Burglary	8	4-12	8	Normal
Shoplifting	24	15-33	33	Moderately High
Theft from Building	17	10-24	9	Moderately Low
Theft from MV	15	7-24	15	Normal
MV Theft	3	1-5	3	Normal
Vandalism	35	27-43	28	Normal
Possession	16	10-21	19	Normal
Crime	Monthly Average	Normal Range	Current Month	Activity Level
Violent	45	35-55	36	Normal
Property	120	92-148	109	Normal

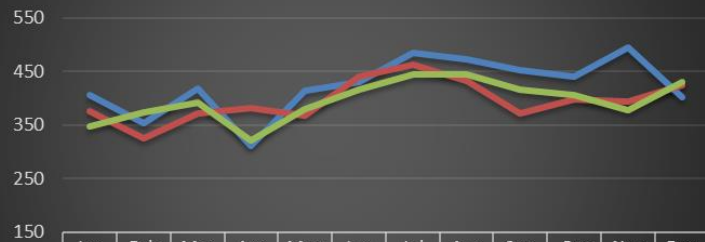
Calls for Service 2018 v 2020

3-Year CFS Totals by Month



Calls for Service by Priority

Priority 1 CFS 3-Year Comparison by Month



	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2018	407	354	418	312	415	431	486	473	453	441	495	403
2019	376	325	372	383	368	440	463	433	371	399	395	424
2020	348	375	392	322	381	417	444	444	416	406	379	430

Priority 2 CFS 3-Year Comparison by Month



	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
2018	757	666	795	871	984	967	1114	1202	1136	1013	800	801
2019	812	750	874	914	964	1093	1198	1133	1131	993	844	834
2020	896	770	871	731	838	933	1069	1037	1102	1021	929	781

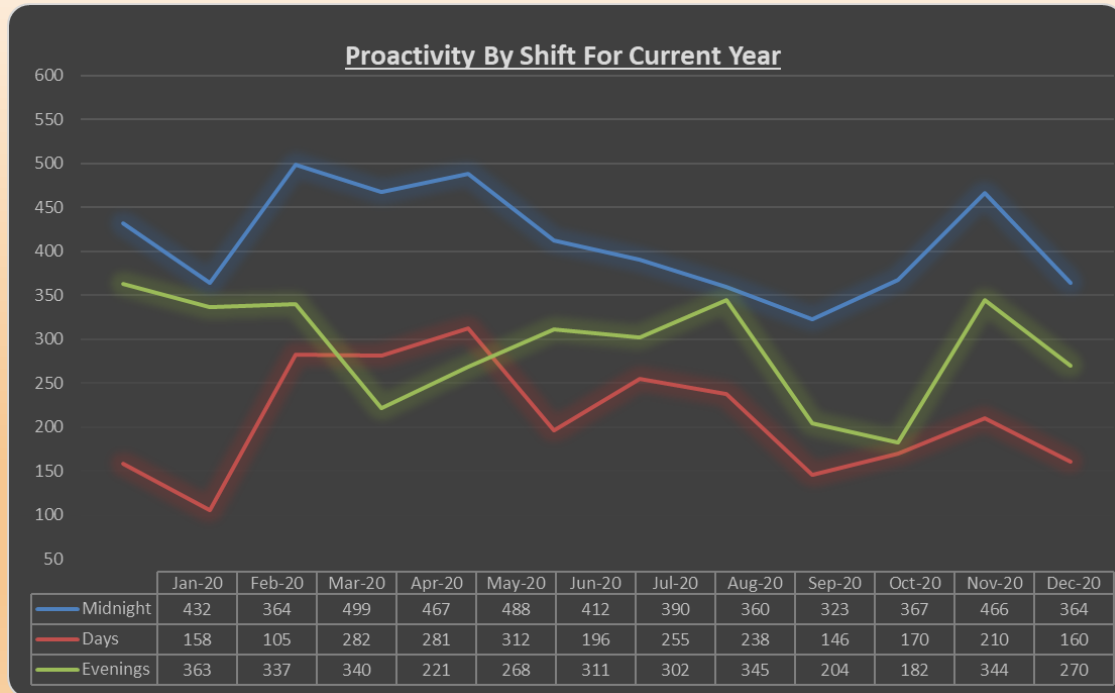
Priority 3 CFS 3-Year Comparison by Month



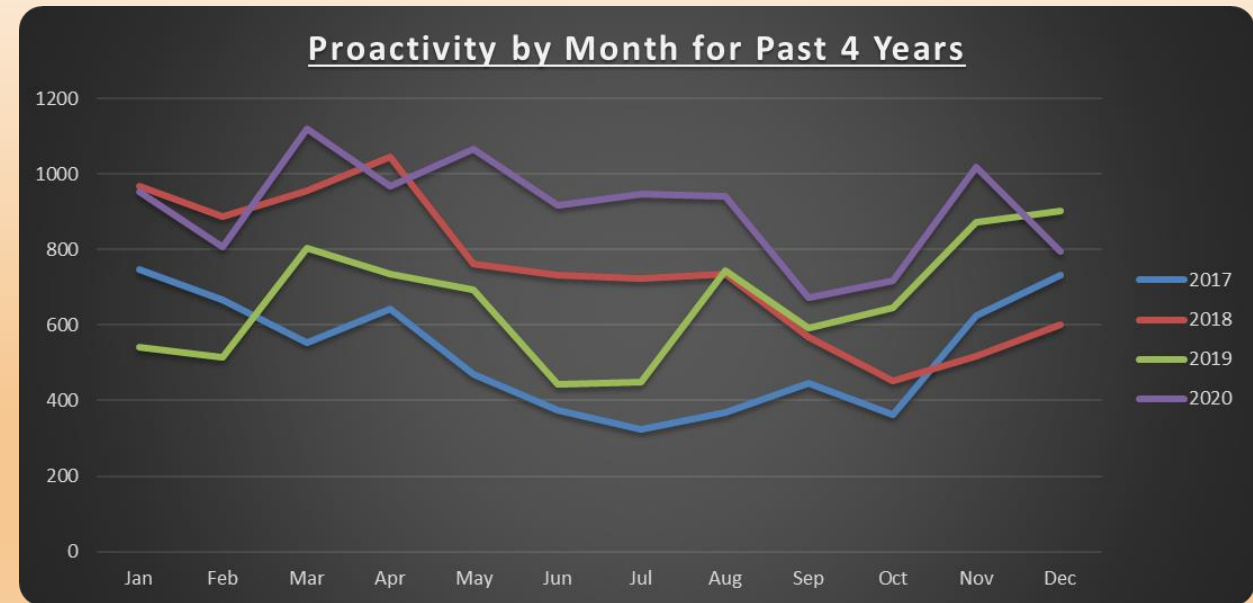
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
2018	490	377	441	449	568	584	725	672	639	576	474	470
2019	473	441	492	557	532	589	769	641	608	555	495	515
2020	517	457	490	357	509	559	779	576	564	544	510	461

Proactive Hours by Shift

Monthly Comparison 2020



4-year Comparison by Month





**SUPPORT SERVICES DIVISION
MONTHLY REPORT
JANUARY 2021**

INVESTIGATIVE SERVICES BUREAU (ISB):

- 29 TOTAL CASES SENT TO ISB FROM PATROL OR DETECTIVE GENERATED
- 59 TOTAL CASES BEING INVESTIGATED CURRENTLY
- 15 cases presented at Grand Jury (Virtual)
- 15 true bills
- 3 phones analyzed with Cellebrite
- There were 3 callouts during this period (Assault and 2 OD Deaths)
- 0 Evidence callouts
- 3 Polygraph examinations
- 1 Background investigations
- 0 Sexual offender compliance checks
- 5 Pawn shop compliance checks

EVIDENCE:

- Number of pieces taken in: 236
- Number of pieces returned: 34
- Number of pieces destroyed: 22

COMMUNITY ENGAGEMENT OFFICER (CEO) and POP UNIT:

- The POP Unit has been continuing with some ongoing drug and has been working with DEA, NIU and Rockingham County Sheriffs Units on several problem locations in the city.
- POP and CEO have been looking into several cases of thefts from motor vehicles over the last few months and have been collaborating with other nearby agencies as well.
- The POP Unit organized a night of making attempts on active warrants, resulting in 10 arrests.
- The CEO has been working with a local business regarding an ongoing issue with thefts of wood.
- POP and CEO have been working with and assisting Patrol on cases
- Officer Danie had been doing as much virtual CEO things as he can and has been trying to stay in communication with some local businesses.

COMMUNICATION CENTER - DISPATCH:

- The Communications Center is waiting on some radio equipment for the Fire Dept in order for the radio project to be completely done.
- The Mobile Dispatch Center has been delivered and is being housed at DPW until 2-way is available to pick it up to bring to their facility to outfit.
- A conditional offer was made to a potential new dispatcher who is currently in the background process with Detectives. Pending the results of the background investigation she will be begin training sometime in mid-February. The addition of this dispatcher will bring Communications Center to full staff.
- Dispatchers have been assisting the ACO and PEO with researching older warrants and summons.
- Dispatchers have taken on new tasks, such as updating hydrant books, autism awareness books, as well as a “how to” binder on items they do not perform on a regular basis.

JUVENILE PROSECUTION/ SCHOOL RESOURCE OFFICERS/ EXPLORERS

Juvenile Prosecution: The below numbers are not typical as a result of the reduction of cases being presented by the Court

New cases:

3 Petitions
2 Diversion
0 CHINS
0 Motions To Impose Suspended Sentences
0 Motions to Bring Forward a Diversion Agreement for Sentence
0 Completed investigation
0 Show Cause/Case Status Hearing
0 Emergency Placement AND/OR Arraignment
4 Arraignment (set for trial)
0 Arraignments (resolved with a plea)
2 Arraignment rescheduled, MTC, FTA
1 Review hearings
3 Violation hearings
6 Trials resolved with a plea
0 Trials with True (guilty) verdict
1 Trials either FTA or MTC
0 Dispositional Hearing
0 Competency Hearing
0 Motion Hearing
1 Motion to Reconsider Court Disposition

Completed Investigation District Courts Cases:

- 5 Motions to Impose

MISC

- 23 hours: doing District Court/Prosecution work typically done by an Administrative Assistant

SRO highlights: ***All schools went to remote learning after the Holiday Break due to Covid restrictions and the Middle and Elementary Schools returned to in person learning January 19th. The High School is scheduled to return to in person learning February 1st***

High School: Officer Jackson

- Officer Jackson worked in the Patrol Unit for the month of January and will return to the High School on February 1st.

Middle School: Sgt. Deluca

- worked with 68 hours of hunger program
- worked with guidance and DCYF regarding investigations
- several in-home checks on at risk youth who are not attending school
- dealt with issues with students still at school during remote-learning
- assisted with distribution of food bags
- rode the bus several times to investigate complaints made

Elementary School (9): Officer Porfido

- Officer Porfido was re-assigned to Patrol when the schools went to remote learning.
- Returned to SRO duties January 19th.

Explorer Post: Officer Jackson

- No meetings with Explorers due to Covid-19 restrictions

DIVERSION PROGRAM/TEEN DRUG COURT

- The official roll out of the Juvenile Probation Transformation kicked off with a state-wide Conference call held with the Transformation Team, Annie e Casey Foundation Tech team and invitees ranging from law enforcement, judges, prosecutors and defense attorneys, service providers and diversion programs, and Juvenile Probation. The roll out was to educate folks on the overall perspective around data and research demonstrating why the need for diversion and why probation transformation was essential. Next will be 7 sessions held each Friday for the affinity groups to conduct question and answer sessions. Then the hard work of formulating the Proposal into action starts, with the Diversion Network's Annual Summit.
- Staff continues to work with the Strafford County Diversion Program to train and prepare their newly hired Coordinator.
- Staff continues to work on an on-line training series for Diversion programs and with the State-wide "NH Race and Equity LE/CJ Workgroup on developing appropriate and effective trainings around cultural diversity, awareness and anti-bias.
- Staff has continues to work with South Dakota/Nebraska/Ohio/Michigan on diversion services, and on the Service to Science: Evidence-Based designation as well as working with Vermont on how they fund state-wide diversion and to fund alternative means of funding for our State.
- Staff continues to work with the Strafford County Public Health Network and other community partners on putting out a month long ACES training series for working with our community's youth.

HOUSING:

- There were 15 Police related Calls for service this past month.
- Officer Mundy has been active with the housing residents and managers dealing with tenant issues.
- Wyandotte has been an area of concern with transient people getting in to the stairwells during frigid nights. Officer Mundy was able to locate 2 people from photos taken and trespassed them from the property.
- Sgt. Babine and Officer Mundy continue to provide coverage and presence during off hours and weekends.
- Sgt. Babine and Officer Mundy have been walking through buildings and doing vehicle patrols, which has provided great interaction with the residents.
- Officer Mundy, Officer Danie and Sgt. Babine provided a socially distanced luncheon for a child that resides in Cold Spring. This child has an interest in police operations and benefits from positive influence. This was a big success and we hope to plan an outing at Cold Spring during the summer to promote positive interaction between the police and the residents.
- There were 6 new background checks performed on potential new residents.

Respectfully Submitted,

Captain Todd Pinkham
Support Services Division

ADMINISTRATIVE MONTHLY REPORT

January 2021

Financial/Purchasing

- We received all of the new frontline cruisers. We are still currently waiting on outfitting, due to covid-19 conditions at the outfitter they are behind schedule.
- Radio Replacement Project-There are no big updates for the system, we are working out some issues with station alerting and firefighter notifications as the system which was previously in place is not functioning to the level it needs to with the new system. I have also been notified the foundation for the DPW tower has been poured, once it cures we will look to schedule the tower to be assembled and raised.
- Mobile Dispatch Backup-We took delivery of the trailer this month. It is being stored at DPW. We are waiting on some pricing and designs from Motorola for the radio gear. Once this is in place we will order and schedule the installation.
- The overall costs of the external carrier purchase came in under estimate, so there were some savings. We requested to reallocate those funds to purchase pullover style jackets that will be worn under the carriers. The grant office approved this reallocation. We will move forward with that purchase.
- During the month of December, there was one purchase over the \$5000 threshold for ammunition.
- We are at the halfway point of the FY21 budget year and all of our operational lines are in a good position. Overall, in our O&M lines we are 52% spent and some of the most watched budget accounts are in very good position at this point of the year.
- The FY22 budget along with all supporting documentation was submitted to finance. We do not have our date yet for when we will meet with the finance department and city manager.

Training/Hiring

- During the month, all officers completed the annual required Taser training.
- Officer Rummo has now entered phase one of the field-training program and is assigned to the midnight shift. He will be moving to phase two starting February 14 and we are currently charting his release to solo patrol at the beginning of April.
- Officer Duche Romeus will have completed his first four weeks of the recruit academy on January 29. Thus far, the arrangement we have for his remote learning has worked well.
- We hosted a two-day Taser Instructor course and secured two seats for our instructors at no cost to the City. The response to the course was good so we will be looking to host an additional instructor level course in July. If the class fills, we will again garner two seats for our officers at no cost to us.
- We have begun our new hiring process with the physical agility testing and first round of interviews. We currently have five candidates to bring before the Commission for interviews.

Respectfully Submitted,

Gary Boudreau
Deputy Chief of Police



Expense & Revenue Reports

01/27/2021 16:39
rhonda.young

CITY OF ROCHESTER
JANUARY FINANCIALS

P 1
glytdbud

FOR 2021 07

ACCOUNTS FOR: 1000 GENERAL FUND	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENC/REQ	AVAILABLE BUDGET	PCT USED
12010053 PD ADMINISTRATIVE SERVICES							
12010053 511001 SALARIES - FULL	643,447.00	.00	643,447.00	397,594.50	.00	245,852.50	61.8%
12010053 511002 SALARIES - PART	105,645.00	.00	105,645.00	63,390.70	.00	42,254.30	60.0%
12010053 511003 SALARIES - EARL	.00	.00	.00	.00	.00	.00	.0%
12010053 511004 SALARIES - HOLI	.00	.00	.00	.00	.00	.00	.0%
12010053 511005 SALARIES - OUTS	214,479.00	.00	214,479.00	129,736.64	.00	84,742.36	60.5%
12010053 511099 SALARIES - ADJU	23,371.00	.00	23,371.00	.00	.00	23,371.00	.0%
12010053 513001 OVERTIME - REGU	.00	.00	.00	.00	.00	.00	.0%
12010053 513002 OVERTIME - TRAI	.00	.00	.00	.00	.00	.00	.0%
12010053 513004 OVERTIME GRANT	.00	.00	.00	.00	.00	.00	.0%
12010053 514000 EDUCATION INCEN	9,000.00	.00	9,000.00	5,192.10	.00	3,807.90	57.7%
12010053 516000 LONGEVITY	3,550.00	.00	3,550.00	3,150.00	.00	400.00	88.7%
12010053 521100 HEALTH INSURANC	65,069.00	.00	65,069.00	39,424.99	.00	25,644.01	60.6%
12010053 521200 DENTAL INSURANC	1,656.00	.00	1,656.00	974.12	.00	681.88	58.8%
12010053 521300 LIFE INSURANCE	1,401.00	.00	1,401.00	915.01	.00	485.99	65.3%
12010053 522000 SOCIAL SECURITY	14,262.00	.00	14,262.00	8,465.67	.00	5,796.33	59.4%
12010053 523000 RETIREMENT CONT	250,485.00	.00	250,485.00	129,162.01	.00	121,322.99	51.6%
12010053 523300 RETIREMENT STAT	.00	.00	.00	.00	.00	.00	.0%
12010053 525000 UNEMPLOYMENT CO	.00	.00	.00	.00	.00	.00	.0%
12010053 526000 WORKERS' COMPEN	79,117.00	.00	79,117.00	.00	.00	79,117.00	.0%
12010053 528001 DISABILITY INSU	3,645.00	.00	3,645.00	2,272.62	.00	1,372.38	62.3%
12010053 531002 STIPEND	.00	.00	.00	.00	.00	.00	.0%
12010053 532001 STAFF DEVELOPME	19,351.00	.00	19,351.00	5,654.00	.00	13,697.00	29.2%
12010053 532200 CONTRACTED SERV	73,942.00	.00	73,942.00	73,668.74	190.80	82.46	99.9%
12010053 533003 PHOTO DEVELOPME	300.00	.00	300.00	.00	.00	300.00	.0%
12010053 533004 MEDICAL SERVICE	3,910.00	.00	3,910.00	954.00	1,414.00	1,542.00	60.6%
12010053 533005 ANIMAL DISPOSAL	1,000.00	430.00	1,430.00	630.00	800.00	.00	100.0%
12010053 533009 LEGAL	.00	.00	.00	.00	.00	.00	.0%
12010053 533010 LABOR NEGOTIATI	.00	.00	.00	.00	.00	.00	.0%
12010053 533011 ANIMAL BOARDING	4,000.00	.00	4,000.00	1,985.00	2,015.00	.00	100.0%
12010053 534001 STATE FEE COMPU	.00	.00	.00	.00	.00	.00	.0%
12010053 541100 WATER/SEWAGE	3,430.00	.00	3,430.00	1,414.50	2,015.50	.00	100.0%
12010053 543001 VEHICLES MAINT	35,000.00	.00	35,000.00	15,241.66	3,216.86	16,541.48	52.7%
12010053 543002 EQUIPMENT MAINT	56,110.00	.00	56,110.00	43,797.53	11,179.65	1,132.82	98.0%
12010053 543500 INSURANCE CLAIM	5,000.00	.00	5,000.00	2,000.00	.00	3,000.00	40.0%
12010053 544200 RENTAL OF EQUIP	400.00	.00	400.00	.00	400.00	.00	100.0%
12010053 544500 LEASE COPIER/PR	14,748.00	.00	14,748.00	14,594.23	.00	153.77	99.0%
12010053 544900 RENTAL OF OTHER	.00	.00	.00	.00	.00	.00	.0%
12010053 552001 FLEET INSURANCE	10,282.00	.00	10,282.00	.00	.00	10,282.00	.0%
12010053 552002 PROPERTY INSURA	4,038.00	.00	4,038.00	.00	.00	4,038.00	.0%
12010053 552003 GENERAL LIABILI	25,394.00	.00	25,394.00	.00	.00	25,394.00	.0%

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CITY OF ROCHESTER
JANUARY FINANCIALS

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FOR 2021 07

ACCOUNTS 1000	FOR: GENERAL FUND	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENC/REQ	AVAILABLE BUDGET	PCT USED
12010053	552004 OFFICERS LIABIL	41,763.00	.00	41,763.00	.00	.00	41,763.00	.0%
12010053	553000 COMMUNICATIONS	43,118.00	-430.00	42,688.00	19,836.67	3,665.34	19,185.99	55.1%
12010053	553400 POSTAGE FEES	8,050.00	.00	8,050.00	4,084.63	25.03	3,940.34	51.1%
12010053	554000 ADVERTISING	500.00	1,000.00	1,500.00	368.59	1,000.00	131.41	91.2%
12010053	555000 PRINTING AND BI	4,000.00	.00	4,000.00	103.27	326.99	3,569.74	10.8%
12010053	556000 TUITION	.00	.00	.00	.00	.00	.00	.0%
12010053	558000 TRAVEL	6,100.00	.00	6,100.00	.00	.00	6,100.00	.0%
12010053	561003 OFFICE SUPPLIES	5,473.00	.00	5,473.00	2,037.32	7.01	3,428.67	37.4%
12010053	561005 PUBLICATIONS	2,250.00	.00	2,250.00	1,049.50	180.10	1,020.40	54.6%
12010053	561006 AMMUNITION	25,974.00	.00	25,974.00	732.37	6,130.00	19,111.63	26.4%
12010053	561008 VEHICLE SUPPLIE	11,030.00	.00	11,030.00	4,007.89	253.71	6,768.40	38.6%
12010053	561009 TRAINING MATERI	350.00	.00	350.00	.00	.00	350.00	.0%
12010053	561010 CLOTHING	57,501.00	.00	57,501.00	9,862.77	10,020.11	37,618.12	34.6%
12010053	561032 OTHER OPERATION	16,885.00	.00	16,885.00	1,751.82	6,103.05	9,030.13	46.5%
12010053	562200 ELECTRICITY	60,000.00	.00	60,000.00	29,041.66	26,458.34	4,500.00	92.5%
12010053	562400 HEATING FUEL	7,500.00	.00	7,500.00	2,969.23	3,385.31	1,145.46	84.7%
12010053	562600 VEHICLE FUEL	77,549.00	-1,000.00	76,549.00	19,295.46	861.50	56,392.04	26.3%
12010053	573200 NEW VEHICLES	.00	.00	.00	.00	.00	.00	.0%
12010053	573401 ADMIN EQUIPMENT	1,500.00	.00	1,500.00	272.25	.00	1,227.75	18.2%
12010053	573900 OTHER EQUIPMENT	15,786.00	.00	15,786.00	1,405.89	8,041.80	6,338.31	59.8%
12010053	581000 DUES AND FEES	2,920.00	.00	2,920.00	775.00	1,267.00	878.00	69.9%
12010053	581100 DONATION EXPEND	.00	.00	.00	.00	.00	.00	.0%
12010053	589003 SEIZED PROPERTY	.00	.00	.00	.00	.00	.00	.0%
12010053	589004 SEIZED PROPERTY	.00	.00	.00	.00	.00	.00	.0%
12010053	589005 DARE CONTRIBUTI	.00	.00	.00	.00	.00	.00	.0%
12010053	589006 DARE CONTRIBUTI	.00	.00	.00	.00	.00	.00	.0%
12010053	589007 CITY WIDE PROGR	15,750.00	.00	15,750.00	2,394.81	971.94	12,383.25	21.4%
12010053	589100 LLEBG 102 RECEI	.00	.00	.00	.00	.00	.00	.0%
12010053	589101 LLEBG 102 FEDER	.00	.00	.00	.00	.00	.00	.0%
12010053	589102 LLEBG 102 CITY	.00	.00	.00	.00	.00	.00	.0%
12010053	589113 LLEBG 115 RECEI	.00	.00	.00	.00	.00	.00	.0%
12010053	589114 LLEBG 115 FEDER	.00	.00	.00	.00	.00	.00	.0%
12010053	589115 LLEBG 115 CITY	.00	.00	.00	.00	.00	.00	.0%
12010053	589130 COPSMORE 032 RE	.00	.00	.00	.00	.00	.00	.0%
12010053	589131 COPSMORE 032 FE	.00	.00	.00	.00	.00	.00	.0%
12010053	589132 COPSMORE 032 CI	.00	.00	.00	.00	.00	.00	.0%
TOTAL PD ADMINISTRATIVE SERVIC		2,076,031.00	.00	2,076,031.00	1,040,207.15	89,929.04	945,894.81	54.4%
12012453 PD PATROL SERVICES								
12012453	511001 SALARIES - FULL	3,356,576.00	.00	3,356,576.00	1,776,414.48	.00	1,580,161.52	52.9%

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CITY OF ROCHESTER
JANUARY DISPATCH FINANCIALS

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FOR 2021 07

ACCOUNTS FOR: 1000 GENERAL FUND	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENC/REQ	AVAILABLE BUDGET	PCT USED
12030153 DISPATCH CENTER							
12030153 511001 SALARIES - FULL	508,610.00	30,085.00	538,695.00	315,744.79	.00	222,950.21	58.6%
12030153 511002 SALARIES - PART	2,000.00	.00	2,000.00	346.17	.00	1,653.83	17.3%
12030153 511004 SALARIES - HOLI	18,785.00	.00	18,785.00	16,185.12	.00	2,599.88	86.2%
12030153 511012 SHIFT DIFFERENT	.00	.00	.00	6,059.44	.00	-6,059.44	100.0%*
12030153 511099 SALARIES - ADJU	.00	.00	.00	.00	.00	.00	.0%
12030153 513001 OVERTIME - REGU	34,000.00	.00	34,000.00	13,570.19	.00	20,429.81	39.9%
12030153 513002 OVERTIME-TRAINI	10,000.00	.00	10,000.00	56.00	.00	9,944.00	.6%
12030153 516000 LONGEVITY	1,850.00	.00	1,850.00	2,102.94	.00	-252.94	113.7%*
12030153 521100 HEALTH INSURANC	123,012.00	.00	123,012.00	65,903.89	.00	57,108.11	53.6%
12030153 521200 DENTAL INSURANC	3,100.00	.00	3,100.00	1,705.74	.00	1,394.26	55.0%
12030153 521300 LIFE INSURANCE	1,153.00	.00	1,153.00	619.74	.00	533.26	53.8%
12030153 522000 SOCIAL SECURITY	41,025.00	.00	41,025.00	25,704.67	.00	15,320.33	62.7%
12030153 523000 RETIREMENT CONT	64,037.00	.00	64,037.00	38,868.13	.00	25,168.87	60.7%
12030153 525000 UNEMPLOYMENT	.00	.00	.00	.00	.00	.00	.0%
12030153 526000 WORKERS' COMPEN	841.00	.00	841.00	.00	.00	841.00	.0%
12030153 528001 DISABILITY INSU	5,248.00	.00	5,248.00	3,106.35	.00	2,141.65	59.2%
12030153 532001 STAFF DEVELOPME	3,300.00	.00	3,300.00	.00	.00	3,300.00	.0%
12030153 532200 CONTRACTED SERV	.00	.00	.00	.00	.00	.00	.0%
12030153 533004 MEDICAL SERVICE	.00	.00	.00	.00	.00	.00	.0%
12030153 533010 LABOR NEGOTIATI	.00	.00	.00	.00	.00	.00	.0%
12030153 534001 STATE FEE COMPU	4,500.00	.00	4,500.00	.00	4,500.00	.00	100.0%
12030153 534003 SOFTWARE MAINT/	.00	.00	.00	.00	.00	.00	.0%
12030153 543002 EQUIPMENT MAINT	33,880.00	.00	33,880.00	8,746.88	5,438.05	19,695.07	41.9%
12030153 544500 LEASE COPIER/PR	.00	.00	.00	.00	.00	.00	.0%
12030153 552003 GENERAL LIABILI	2,757.00	.00	2,757.00	.00	.00	2,757.00	.0%
12030153 553000 COMMUNICATIONS	500.00	.00	500.00	495.26	.00	4.74	99.1%
12030153 554000 ADVERTISING	68.00	.00	68.00	.00	.00	68.00	.0%
12030153 556000 TUITION	.00	.00	.00	.00	.00	.00	.0%
12030153 558000 TRAVEL	2,000.00	.00	2,000.00	.00	.00	2,000.00	.0%
12030153 561003 OFFICE SUPPLIES	1,250.00	.00	1,250.00	262.62	83.98	903.40	27.7%
12030153 561010 CLOTHING	1,300.00	.00	1,300.00	1,110.37	99.80	89.83	93.1%
12030153 561032 OTHER OPERATION	2,500.00	.00	2,500.00	410.98	131.87	1,957.15	21.7%
12030153 573401 ADMIN EQUIPMENT	3,125.00	.00	3,125.00	740.44	.00	2,384.56	23.7%
12030153 573900 OTHER EQUIPMENT	.00	.00	.00	.00	.00	.00	.0%
12030153 581000 DUES AND FEES	469.00	.00	469.00	345.00	.00	124.00	73.6%
TOTAL DISPATCH CENTER	869,310.00	30,085.00	899,395.00	502,084.72	10,253.70	387,056.58	57.0%
TOTAL GENERAL FUND	869,310.00	30,085.00	899,395.00	502,084.72	10,253.70	387,056.58	57.0%
TOTAL EXPENSES	869,310.00	30,085.00	899,395.00	502,084.72	10,253.70	387,056.58	

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CITY OF ROCHESTER
JANUARY DISPATCH FINANCIALS

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	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENC/REQ	AVAILABLE BUDGET	PCT USED
GRAND TOTAL	869,310.00	30,085.00	899,395.00	502,084.72	10,253.70	387,056.58	57.0%

** END OF REPORT - Generated by Rhonda Young **

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CITY OF ROCHESTER
JANUARY REVENUE

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ACCOUNTS FOR: 1000 GENERAL FUND	ORIGINAL ESTIM REV	ESTIM REV ADJSTMTS	REVISED EST REV	ACTUAL YTD REVENUE	REMAINING REVENUE	PCT COLL
12011 POLICE CITY REVENUE						
12011 400403 AMUSEMENT PERMITS	.00	.00	.00	.00	.00	.0%
12011 400407 PISTOL PERMITS	-1,766.00	.00	-1,766.00	-1,280.00	-486.00	72.5%*
12011 402110 INCOME FROM COPY M	-5,698.00	.00	-5,698.00	-2,144.93	-3,553.07	37.6%*
12011 402111 OUTSIDE SECURITY S	-285,500.00	.00	-285,500.00	-177,066.89	-108,433.11	62.0%*
12011 402112 OUTSIDE DUTY ADMIN	.00	.00	.00	.00	.00	.0%
12011 402115 ALARM FEES	-5,241.00	.00	-5,241.00	-620.00	-4,621.00	11.8%*
12011 402120 WRECKER SERVICE IN	-1,650.00	.00	-1,650.00	-1,650.00	.00	100.0%
12011 402121 DOG SHELTER & TRAN	-1,888.00	.00	-1,888.00	-1,600.00	-288.00	84.7%*
12011 402122 DOG FINES	-13,088.00	.00	-13,088.00	-9,151.00	-3,937.00	69.9%*
12011 405201 COURT FINES	-5,790.00	.00	-5,790.00	-5,103.86	-686.14	88.1%*
12011 405202 PARKING TICKETS	-6,041.00	.00	-6,041.00	-1,620.00	-4,421.00	26.8%*
12011 405203 EXCESS ALARM PENAL	-2,000.00	.00	-2,000.00	-100.00	-1,900.00	5.0%*
12011 406201 MISCELLANEOUS REVE	-10,386.00	.00	-10,386.00	-955.00	-9,431.00	9.2%*
12011 406209 POLICE RESTITUTION	-283.00	.00	-283.00	-192.84	-90.16	68.1%*
12011 406210 WITNESS FEES	-6,770.00	.00	-6,770.00	-40.00	-6,730.00	.6%*
12011 406216 HOST TRAINING FEES	.00	.00	.00	.00	.00	.0%
12011 406299 INSURANCE CLAIM RE	-17,378.00	.00	-17,378.00	.00	-17,378.00	.0%*
TOTAL POLICE CITY REVENUE	-363,479.00	.00	-363,479.00	-201,524.52	-161,954.48	55.4%
12012 POLICE STATE REVENUE						
12012 402116 DRUG GRANT NEW HAM	.00	.00	.00	.00	.00	.0%
12012 402117 HIGHWAY SAFETY GRA	.00	.00	.00	.00	.00	.0%
12012 402118 PEDESTRIAN GRANT	.00	.00	.00	.00	.00	.0%
12012 402119 DWI GRANT	.00	.00	.00	.00	.00	.0%
TOTAL POLICE STATE REVENUE	.00	.00	.00	.00	.00	.0%
12013 POLICE FEDERAL REVENUE						
12013 402113 LLEBG GRANT	.00	.00	.00	.00	.00	.0%
12013 402114 JUSTICE DEPARTMENT	.00	.00	.00	.00	.00	.0%
TOTAL POLICE FEDERAL REVENUE	.00	.00	.00	.00	.00	.0%
TOTAL GENERAL FUND	-363,479.00	.00	-363,479.00	-201,524.52	-161,954.48	55.4%
TOTAL REVENUES	-363,479.00	.00	-363,479.00	-201,524.52	-161,954.48	

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CITY OF ROCHESTER
JANUARY REVENUE

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	ORIGINAL ESTIM REV	ESTIM REV ADJSTMTS	REVISED EST REV	ACTUAL YTD REVENUE	REMAINING REVENUE	PCT COLL
GRAND TOTAL	-363,479.00	.00	-363,479.00	-201,524.52	-161,954.48	55.4%

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CITY OF ROCHESTER
JANUARY FINANCIALS

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FOR 2021 07

ACCOUNTS 1000	FOR: GENERAL FUND	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENC/REQ	AVAILABLE BUDGET	PCT USED
12012453	511002 SALARIES - PART	50,192.00	.00	50,192.00	29,669.78	.00	20,522.22	59.1%
12012453	511003 SALARIES - EARL	101,200.00	.00	101,200.00	37,550.68	.00	63,649.32	37.1%
12012453	511004 SALARIES - HOLI	149,535.00	.00	149,535.00	97,309.06	.00	52,225.94	65.1%
12012453	511099 SALARIES - ADJU	1,566.00	.00	1,566.00	.00	.00	1,566.00	.0%
12012453	513001 OVERTIME - REGU	108,546.00	.00	108,546.00	79,967.32	.00	28,578.68	73.7%
12012453	513002 OVERTIME - TRAI	28,940.00	.00	28,940.00	10,039.58	.00	18,900.42	34.7%
12012453	513004 OVERTIME GRANT	.00	.00	.00	.00	.00	.00	.0%
12012453	514000 EDUCATION INCEN	17,000.00	.00	17,000.00	9,922.68	.00	7,077.32	58.4%
12012453	515001 ON CALL	.00	.00	.00	3,750.00	.00	-3,750.00	100.0%*
12012453	516000 LONGEVITY	16,000.00	.00	16,000.00	6,000.00	.00	10,000.00	37.5%
12012453	521100 HEALTH INSURANC	506,862.00	.00	506,862.00	243,830.38	.00	263,031.62	48.1%
12012453	521200 DENTAL INSURANC	12,487.00	.00	12,487.00	6,437.50	.00	6,049.50	51.6%
12012453	521300 LIFE INSURANCE	666.00	.00	666.00	1,490.34	.00	-824.34	223.8%*
12012453	522000 SOCIAL SECURITY	53,323.00	.00	53,323.00	28,448.06	.00	24,874.94	53.4%
12012453	523000 RETIREMENT CONT	1,060,427.00	.00	1,060,427.00	562,611.13	.00	497,815.87	53.1%
12012453	523300 11539 RETIREMENT	.00	.00	.00	.00	.00	.00	.0%
12012453	525000 UNEMPLOYMENT CO	.00	.00	.00	.00	.00	.00	.0%
12012453	526000 WORKERS' COMPEN	.00	.00	.00	.00	.00	.00	.0%
12012453	528001 DISABILITY INSU	418.00	.00	418.00	.00	.00	418.00	.0%
12012453	532001 STAFF DEVELOPME	.00	.00	.00	.00	.00	.00	.0%
12012453	533003 PHOTO DEVELOPME	.00	.00	.00	.00	.00	.00	.0%
12012453	533004 MEDICAL SERVICE	.00	.00	.00	.00	.00	.00	.0%
12012453	533005 ANIMAL DISPOSAL	.00	.00	.00	.00	.00	.00	.0%
12012453	533011 ANIMAL BOARDING	.00	.00	.00	.00	.00	.00	.0%
12012453	543001 VEHICLES MAINT	.00	.00	.00	.00	.00	.00	.0%
12012453	543002 EQUIPMENT MAINT	.00	.00	.00	.00	.00	.00	.0%
12012453	544200 RENTAL OF EQUIP	.00	.00	.00	.00	.00	.00	.0%
12012453	544900 RENTAL OF OTHER	.00	.00	.00	.00	.00	.00	.0%
12012453	553000 COMMUNICATIONS	.00	.00	.00	.00	.00	.00	.0%
12012453	553400 POSTAGE FEES	.00	.00	.00	.00	.00	.00	.0%
12012453	554000 ADVERTISING	.00	.00	.00	.00	.00	.00	.0%
12012453	555000 PRINTING AND BI	.00	.00	.00	.00	.00	.00	.0%
12012453	556000 TUITION	.00	.00	.00	.00	.00	.00	.0%
12012453	558000 TRAVEL	.00	.00	.00	.00	.00	.00	.0%
12012453	561003 OFFICE SUPPLIES	.00	.00	.00	.00	.00	.00	.0%
12012453	561005 PUBLICATIONS	.00	.00	.00	.00	.00	.00	.0%
12012453	561010 CLOTHING	.00	.00	.00	.00	.00	.00	.0%
12012453	561032 OTHER OPERATION	.00	.00	.00	.00	.00	.00	.0%
12012453	562600 09529 VEHICLE FU	.00	.00	.00	.00	.00	.00	.0%
12012453	573200 NEW VEHICLES	.00	.00	.00	.00	.00	.00	.0%
12012453	573401 ADMIN EQUIPMENT	.00	.00	.00	.00	.00	.00	.0%
12012453	573900 OTHER EQUIPMENT	.00	.00	.00	.00	.00	.00	.0%
12012453	581000 DUES AND FEES	.00	.00	.00	.00	.00	.00	.0%
TOTAL PD PATROL SERVICES		5,463,738.00	.00	5,463,738.00	2,893,440.99	.00	2,570,297.01	53.0%

01/27/2021 16:39
rhonda.young

CITY OF ROCHESTER
JANUARY FINANCIALS

P 5
glytdbud

FOR 2021 07

ACCOUNTS FOR: 1000	GENERAL FUND	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENC/REQ	AVAILABLE BUDGET	PCT USED
12012553	573900							
	OTHER EQUIPMENT	.00	.00	.00	.00	.00	.00	.0%
12012553	581000							
	DUES AND FEES	.00	.00	.00	.00	.00	.00	.0%
12012553	589007							
	CITY WIDE PROGR	.00	.00	.00	.00	.00	.00	.0%
TOTAL PD SUPPORT SERVICES		417,396.00	10,035.00	427,431.00	237,774.21	.00	189,656.79	55.6%
TOTAL GENERAL FUND		7,957,165.00	10,035.00	7,967,200.00	4,171,422.35	89,929.04	3,705,848.61	53.5%
TOTAL EXPENSES		7,957,165.00	10,035.00	7,967,200.00	4,171,422.35	89,929.04	3,705,848.61	

01/27/2021 16:39
rhonda.young

CITY OF ROCHESTER
JANUARY FINANCIALS

P 6
glytddbud

FOR 2021 07

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENC/REQ	AVAILABLE BUDGET	PCT USED
GRAND TOTAL	7,957,165.00	10,035.00	7,967,200.00	4,171,422.35	89,929.04	3,705,848.61	53.5%

** END OF REPORT - Generated by Rhonda Young **

79 12-31-20



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Vice Chairman
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Commissioner



To: Capt. Todd Pinkham
From: Communications Supervisor Keri Devine
Re: Recommendation for Personnel Folder
Date: 12/28/20

Captain Todd Pinkham:

It was brought to my attention by fellow Communications Specialist and a Project Good Morning member that Communications Specialist Sarah Bailey went above and beyond her role as a dispatcher by assisting a Project Good Morning member in a time of need. She heard one of our members was in need of groceries during a trying time of Covid and the holidays. Sarah went above and beyond to not only pick up grocery necessities for this PGM member but delivered them to her home. This member was extremely thankful and professed her gratitude to Sarah Bailey's kindness.

Please place this recommendation in Sarah Bailey's personnel folder for going above and beyond her job responsibilities.

Sincerely,

Keri L. Devine

Keri L. Devine
Communications Supervisor

2020 YEAR END REPORTS

- **AFFIRMATIVE ACTION PLAN**
- CONFIDENTIAL INFORMANTS
- CRISIS INTERVENTION TEAM
- CRUISER ACCIDENTS
- INTERNAL AFFAIRS INVESTIGATIONS
- INVESTIGATIONS BUREAU
- JUVENILE DIVERSION
- K-9
- **MOTOR VEHICLE PURSUITS**
- **RACIAL BASED PROFILING**
- RECORDS AUDIT
- STRAFFORD COUNTY REGIONAL ACCIDENT RECONSTRUCTION TEAM
- **STRAFFORD COUNTY REGIONAL TACTICAL OPERATIONS UNIT**
- **USE OF FORCE**
- pending completion



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PAUL R. TOUSSAINT
Chief of Police



January 26, 2021

To: Chief Paul R. Toussaint
From: Captain Todd Pinkham
Re: 2020 CI File Audit

Chief,

In review of policy 42.2.7, Confidential Informants and Intelligence Gathering, this memo serves as the 2020 year-end report regarding the intelligence files maintained by the Rochester Police Department.

Section 4, subsection F, outlines a reporting procedure for **Authorized Access Only** files maintained by the Support Services Division Commander. As of this writing there are no **Authorized Access Only** files being maintained by my office.

Section 5, subsection C, outlines a procedure maintained by the Support Services Commander for those individuals suspected in being involved with OC (organized crime). As of this writing there are no files being maintained by my office for those individuals suspected of being involved in OC.

Section 5, subsection F, states that intelligence files will be audited every five years, or as required. There are no files being maintained in this capacity. The next audit (5th year) is scheduled for 2022, but as already noted, we have no files maintained in this capacity.

Section 5, subsection G, outlines procedures for purging information from our intelligence files. There was no information purged from our intelligence files in 2020.

Section 9, subsection B, outlines the procedure utilized by the Rochester Police Department in the use of confidential informants (CI) files. In 2020, there were two new cooperating individual signed into the program.

Section 9, subsection C, requires that the Support Services Commander maintain a master file containing the names and assigned numbers for each individual. A CI log is on file with the CI files dating back to 2008. All CI files are maintained in my office with the accompanying log. Each file listed on the log from 2008 is accounted for in the master file.

Section 9, subsection D1, states that the Support Division Commander shall maintain inactive CI files for a period of 6 years. We currently have CI files dating back to 2008. For the years dated 2008 – present, all files are accounted for, and secured within my office.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Todd Pinkham", with a long horizontal flourish extending to the right.

Captain Todd Pinkham
Support Services Division

Just
1-29-21



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Crisis Intervention Team Year End Report

The Rochester Police Department responded to a total of **502** calls involving mental illness for the calendar year of January 1, 2020 through Dec. 31, 2020. **This is a significant increase of 24% over last year.** It is important to note that last year's total response to such calls was 405, and the previous year was 409. One could speculate on reasons for the sharp increase, such as stress caused by the pandemic or improved recognition by officers, however we do not have true evidence to explain the data.

There were 3 completed suicides this year. This is the same figure as last year, and a decrease from 9 the previous year. The means for the 2020 suicides were carbon monoxide asphyxiation, hanging, and gunshot.

Type of Call

There is some overlap in the below statistics as an individual may make multiple threats.

Subjects brought to services: **225, which is a 10% decrease from last year's figure of 252.** This year's increase is consistent with the 2018 figure, which was a significant increase over 2017.

Homicidal/Threatening others: **22, which is a decrease from last year's figure of 35.**

Mental Health calls without a specific threat of self-harm or harm to others comprise the remaining calls.

Method reported to be used at time of call

Increases and decreases are compared to statistic of prior year incidents.

Edged Weapons	30, decrease from 48
Overdose	41, increase from 39
Firearms	11, identical to last year
Jumping	1, decrease from 3
Hanging	9, increase from 8
Drowning	0, decrease from 1
Traffic	9, increase from 2
Carbon Monoxide	1, decrease from 0
Police	2, increase from 0
Blunt Object	3, increase from 0

Other or unspecified means of causing harm comprise the remaining instances.

Lethal Weapons still present upon arrival

There were 15 cases where weapons were still present upon police arrival. This is an increase from 14 the previous year.

Respectfully Submitted,



Andrew Swanberry
Lieutenant



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January 20, 2021

To: Chief Paul Toussaint
From: Capt. Jason Thomas
Re: 2020 Year End Report – Cruiser Accidents

Chief Toussaint,

In 2020, we had 3 cruiser accidents. This is the lowest number we've seen in the past 8 years. Here is a breakdown from the past 8 years:

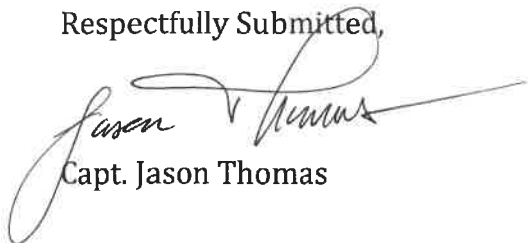
- 2020 - 3
- 2019 - 6
- 2018 - 6
- 2017 - 4
- 2016 - 8
- 2015 - 13
- 2014 - 6
- 2013 - 6

All three accidents in 2020 involved different officers. All three I would classify as minor damage. No department vehicles were involved in any major accidents. Here is a breakdown of the three accidents:

- A detective in a back line car, backed into a telephone pole. No damage to the pole and minor damage to the Ford Fusion.
 - Patrol Sergeant handled the report
 - Detective was counseled
- A POP officer in a Ford Focus was rear-ended by another driver. Slow speed and no damage to the Focus.
 - Support Sergeant handled the report
 - No violation by the officer
- A patrol officer was making a u-turn (performing his duties), and struck a curb damaging a wheel/tire.
 - Patrol Sergeant handled the report
 - Verbal counseling to the officer

None of these accidents were during emergency driving. For the past 8 years, we have had a total of 52 cruiser accidents which is an average of 6.5 per year. In 2020, we were well below that. I do not see anything concerning in 2020 that would prompt me to change any standard practice—especially since our vehicles are driven 24/7 365.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Jason Thomas", with a long horizontal flourish extending to the right.

Capt. Jason Thomas



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January 21, 2021

To: Chief Paul Toussaint
From: Capt. Jason Thomas
Re: 2020 Year End Report – Internal Affairs Investigations (IA)

Chief Toussaint,

In 2020, we had 16 Internal Investigation (IA) cases. We conducted and completed 13 Internal Investigations. One is still pending on a dispatcher—being handled by Capt. Pinkham. Two additional cases are still pending waiting on their criminal court case to be adjudicated prior to starting the IAs.

The average cases per year, from the below 10 years, is 37.5 cases a year. For the past two years now, we are well below that.

It should be noted of the 16 this year; one was from a 2016 arrest where the complainant has unsuccessfully filed multiple lawsuits, and two different IAs are from the same complainant.

Here is a breakdown of total IAs for the past ten (10) years:

- 2020 - 16
- 2019 - 12
- 2018 - 31
- 2017 - 28
- 2016 - 28
- 2015 - 64
- 2014 - 38
- 2013 - 48
- 2012 - 44
- 2011 - 66

For 2020, of the 13 Internal Investigations completed—here is the breakdown of how they were initiated:

- 5 - were department initiated
- 11 - were citizen initiated

➤ Two of these are still pending due to their court case

The overall breakdown of the Findings of these IAs are as follows (please note, one IA can have several “charges” as in multiple policy violations per complaint—which is why the tally will be high):

Sustained – 16

Unfounded – 8

Not Sustained – 2

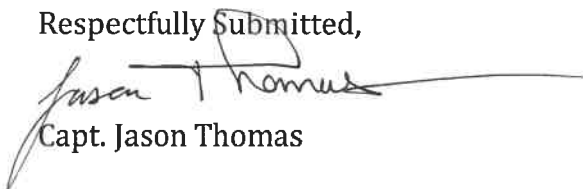
Exonerated – 14

Still Under Investigation or pending Court – 3

I would only consider 1 of the 13 investigations to be serious. That had to do with cruiser operation while driving code 3 (no accident—just the manner of the cruiser operation). This officer was sustained on 4 different categories, and served a one-day suspension.

I feel all supervisors have done well holding personnel accountable, and dealing with progressive discipline appropriately such as Counseling’s and/or Remedial Training’s when applicable.

Respectfully Submitted,



Capt. Jason Thomas



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PAUL R. TOUSSAINT
Chief of Police

PTK



January 26, 2021

To: Chief Paul R. Toussaint
From: Captain Todd Pinkham
Re: 2020 Year End ISB Report

Chief,

The following is the data for ISB for 2020;

Number of new cases assigned in the division:

- **444** new cases
- **835** cases carried
- **69.58** cases average **per month being investigated**
- Due to court related shutdowns and limited operations due to Covid 19, we presented **86** felony cases to Grand Jury.

Other Activity:

- We had **49** callouts over the past 12 months. These callouts included offenses, but are not limited to, Homicide, Manslaughter, Overdose Deaths, and other untimely death investigations, as well Robberies, Sexual Assaults, Aggravated Assaults, Arson investigations, as well as DV and Child related calls and other criminal acts.
- We conducted **7** polygraphs and **8** backgrounds this year.

Evidence:

- We took in **5410** pieces of evidence this year
- Purged **1199** either through returning the items or destroying them.
- The number of items taken in increased from 2019, yet the number of items purged/returned decreased, however that decrease was the result of certain limitation and circumstances pertaining to the evidence room due to the Covid-19 pandemic.

Breakdown of personnel:

Total Detectives: 8

- 2 Crimes Against Persons
- 2 Crimes Against Property
- 3 General
- 1 DV

Experience:

- 1 detective has 20 years
- 1 detective has 17 years
- 1 detective has 15 years
- 1 detective has 14 years
- 1 detective has 11 years
- 1 detective has 6 years
- 1 detective has 1 year with RPD but 25 with NYPD
- 1 detective has 1 year with RPD and prior experience with Northwood

Respectfully submitted,



Captain Todd Pinkham
Support Services Division



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PAUL R. TOUSSAINT
Chief of Police

January 26, 2020

To: Chief Paul R. Toussaint
From: Captain Todd Pinkham
Re: 2020 Year End Juvenile Diversion Report

Chief,

Below is the year end data for juvenile diversion submitted to me by Nicole Rodler.

2020 Yearly Updates:

1. Trainings – Most of which were virtual due to Covid 19 pandemic:
 - Coming Together to End Homelessness Summit 3/5/20
 - RX Drug Abuse & Heroin Summit 2020 4/14-16/20
 - Search Institute’s Communicating about Developmental Relationships
 - Gangs and Human Trafficking 4/29/20
 - Understanding and Combating Cyberbullying and Digital/ Online Hate 4/27/20
 - Resilience & Youth Trauma trng 5/20/20
 - Integrating Suicide Prevention into the SBIRT Model 5/18/20
 - Police One Cultural Awareness & Diversity Courses 6/30/20
 - Bullet Proof Mind 7/6/20
 - Race & Resiliency Talks 9/8/20
 - Carsey Institute’s Race & Diversity Conversation 9-11/2020
 - Recognizing & Responding to Youth Suicide Risk during COVID-19 9/23/20
 - 17th Annual NH Suicide Prevention Conference 11/12-13/20
 - Impact of Substance Use on the Developing Adolescent Brain 11/17/20 & 12/10/20
 - Substance Use Interventions for Adolescents and Transitional Age Youth 12/15/20
 - Supporting Children & Youth in the presence of Loss & Trauma
 - CJIS Security Awareness Trng 12/22/20

2. What certifications do you hold and briefly explain what they are for?

- Certified Recovery Support Worker- renewed until 2022- used for the work I do with juvenile’s around substance use and their recovery, as most cases I see have a component of use to them per assessment.

3. Boards/Organizations that RPD/Juvenile Court Diversion representation is part of:

- Board Chair NH Juvenile Court Diversion Network- the accrediting body for all diversion programs in NH and sharing of best practices amongst all programs
- Strafford County Public Health Network: Prevention Leadership Group and Addiction Task Force: Sit as a representation of our Dept and CRSW on the TF, and PLG connects to all prevention work we do in Rochester
- Governor’s Commission on Alcohol and Other Drugs- Opiate Task Force: sit as Juvenile Court Diversion representation and as part of Law Enforcement recovery services
- NH State Law Enf and Crm Justice Race & Equity Work group: sit as juvenile justice representation
- NH State Probation Transformation Team: Juvenile Court Diversion representation

4. Projects accomplished over the past year and are on-going efforts:

- Working with Waypoint on bringing in a homeless youth and at-risk of homelessness day center that will be combined with CAPS Family Resource Center- providing much needed coordinated services for our youth & families.
- Juvenile Probation Transformation: working to increase diversion referrals across the state and develop equity in our juvenile justice system! Developing an assessment process and shore up all diversion options around NH.
- Prevention work that has been done with Strafford County Public Health Network: on-going services that we have brought in to local partners such as the trauma –informed care series around ACES work with juveniles and families.

Age	Total
7-11	0
12	0
13	1
14	0
15	2
16	3
17	2
18	
Total	8
Gender	
M	5
F	3

Offenses:	
Drug Related Offense	3
Disorderly/Reckless Conduct	3
Willfull Concealment/Theft/Burglary	1
Threatening/Simple Assault/Domestic Violencec	1
Completion Status:	
Successful	4
Returned to Court	2
Declined/opted out	2
Open at Year's end	2

Not
1-29-21

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PAUL R. TOUSSAINT
Chief of Police

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PWT

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January 29, 2021

To: Chief Paul Toussaint
From: Officer Keith MacKenzie
Re: 2020 Year End Report – K9

Chief Toussaint,

This year the Rochester K9 Unit responded to a total of 57 calls for service. Of the 57 calls, 53 were tracks, and 4 were drug searches.

As I look back over the year, I obviously noticed a drastic decline in drug searches. This past year we have not participated in any school searches because of the COVID pandemic. This past year also saw a decline in officer initiated activity, again based off of limited public contact with the pandemic. As the "rules" of canine drug searches have taken a rather conservative approach to deployment here in New Hampshire and more importantly Strafford County, I need to honestly analyze each deployment of the narcotics canine. I certainly still see a need for a trained narcotics canine in law enforcement, but it is not as common as when I first began this position in 2003 based off the new restraints. I look forward to working with our Street Crimes Unit to utilize our narcotics canine as they become more established with the City's drug issues.

As for tracking, I feel this has been a productive year. We have had a lot of good finds during the course of the year. K9 Gunner continues to enjoy his job and does it well. Being the second handler of Gunner I feel very confident with his abilities and our working relationship. Looking to the future of K9's in law enforcement my opinion, along with others in this profession, agree that tracking is the most secure discipline of all. You will always need a well trained K9 to locate the missing child, or elderly patient along with locating suspects of crimes.

Looking towards 2021, Officer Hatch will be transitioning into the position. Officer Hatch has been training with us on a weekly basis and has been doing well. I look forward to working with Officer Hatch and getting him a puppy to start the transition.

This year we hope to get things back to normal so that we can get to community events with the K9's and especially Teen Nights.



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PAUL R. TOUSSAINT
Chief of Police



January 25, 2021

To: Chief Paul R. Toussaint
From: Captain Todd Pinkham
Re: 2020 Records Audit

Chief,

I tasked Elizabeth Green with locating nine (9) items from reports. The plan was to make sure the current process for retaining records was 100% accurate and in working order. The following cases were researched and eight (8) of the nine (9) proper documents were located, 88%.

1. Research and Locate 13th Pistol Permit issued in 2020. – Located
2. Locate housing check for 20-1137-OF. Located
3. Locate bicycle registration #0447 – Not Located.
4. Locate CDR consent form from fatal accident 20-249-AC - Located.
5. Locate pistol permit for Scott K Clark - Located.
6. Locate 2020 bicycle registration for E Parks – Located
7. Located housing check for R Lugo – Located
8. Located the pistol permit issued on 5/6/20 – Located
9. Locate all motor carrier reports from 2020 – None found in IMC and none in file folder

After not finding bicycle registration #0447, I tasked Green with locating all 2020 bicycle registrations, to which she successfully located. She advised that registrations are sometimes completed and entered by other members of the department and someone may not have been aware to save the original paperwork after the sticker was provided and entry into IMC was made. I also had Green show me where all files are kept and I inspected them to make sure they appeared organized, which they did. I did not observe any obvious issues.

Respectfully submitted,

Captain Todd Pinkham
Support Services Division

Strafford County Regional Accident Reconstruction Team

Annual Report
2020



Prepared By: Deputy A. Winkler

Date: January 20, 2021

CALL-OUT SUMMARY

The Strafford County Regional Accident Reconstruction Team has responded to, or assisted in, a total of twelve crash investigations. The callout details are as follows:

Date	Location	Description
1/7/2020	New Durham – King’s Highway	Single Vehicle into a Tree
3/3/2020	Rochester – Old Dover Rd.	Single Vehicle Rollover – several injured occupants
3/12/2020	Milton – White Mountain Highway	3 car crash with a fatality
3/21/2020	Rochester – Farmington Rd.	Serious P/I Single Vehicle vs Pedestrian
4/17/2020	Rochester – Highland St.	2 Vehicle Fatality and Serious P/I
6/21/2020	Rochester – Maple St.	Single Vehicle Into a Pole - Serious PI crash
7/1/2020	Rochester – Hansonville Rd.	Single Vehicle, Pedestrian Fatality
8/22/2020	New Durham – Henry Wilson Highway	Serious PI M/C collision
8/22/2020	Rochester – Chestnut Hill Rd.	UHaul Box Truck into a Tree – Passenger Fatality
9/19/2020	Rochester – Washington ST.	Dodge Journey Minivan vs. Pickup – Dodge Journey Occupants Deceased
9/24/2020	Durham – Packers Falls Rd.	Single Vehicle Fatality
12/26/2020	Rochester – North Main St.	Pedestrian Fatality

Lee:	0
Rochester:	8
Barrington:	0
Milton:	1
Farmington:	0
Rollinsford:	0
Somersworth:	0
Middleton:	0
Durham:	1
Strafford:	0
New Durham	2

We are pleased to see that there are at least 4 crashes investigated that resulted in the culmination of appropriate charges. We are also pleased, and confident in saying, that the other crashes investigated documented the scenes and evidence to protect the innocent, which includes persons directly involved in the crashes, as well as the municipalities in which the crashes occurred.

It should be noted that Team Membership is limited to representatives from only 4 of 12 agencies (SCSO is not listed for obvious reasons). Many of our crashes happen often in jurisdictions that don't have members on the team. We would like to increase our membership in general, including adding representative members from those agencies.

TRAINING

This year training was pretty limited due to the COVID concerns, amounting primarily to at scene training. Several of our team members were able to attend a remote Pennsylvania State Police Accident Reconstruction Seminar, which was done via Zoom. It proved to be very informative, although definitely not a substitute for live training in person.

CHANGES

There are no major changes to report from the year 2019 to 2020. Officer McNulty has since changed his employment from Farmington Police Department to New Durham Police Department, thankfully remaining on the team as a valued member. Otherwise, in general, the team structure remains the same, with the same operating procedures, which have been working well for the team as a whole.

EQUIPMENT REQUESTS

A budget for the team continues to be a consideration. We would still like to update some of our equipment to the latest technology, which is generally quicker, less man power intensive, and over-all more comprehensive. Considerations for equipment are scanners and the accompanying software and laptop, and some minor general items, such as a light meter, current software licensing upgrades, and some team identifiable clothing for callouts and meetings.

A renewed effort will be made for funding options, in hopes that we can make those upgrades.

FINANCES

There is currently \$116.64 in the non-profit treasury account with Holy Rosary Credit Union. The year 2020 marked the five-year renewal of our non-profit status, which is at a cost of \$50, which accounts for the difference in the bank account balance from last year to this year.



Chief David P. Cahill
Chairman

State of New Hampshire
POLICE STANDARDS & TRAINING COUNCIL
ARTHUR D. KEHAS
LAW ENFORCEMENT TRAINING FACILITY & CAMPUS
17 Institute Drive — Concord, N.H. 03301-7413
603-271-2133 FAX 603-271-1785
TDD Access: Relay NH 1-800-735-2964



John V. Scippa
Director

January 26, 2021

Chief Paul Toussaint
Rochester Police Dept.
23 Wakefield St.
Rochester, NH 03867

RECEIVED
JAN 29 2021
OFFICE OF THE CHIEF
ROCHESTER POLICE DEPT

Dear Chief Toussaint:

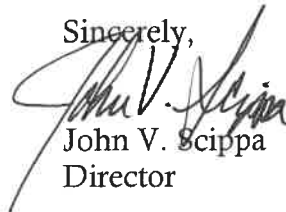
On behalf of Police Standards & Training Council, this letter confirms we are certifying that the Rochester Police Department meets certain eligibility requirements set forth by the U.S. Department of Justice, for discretionary federal grants. The Rochester Police Department is qualified to receive federal grants for three years from the date of this letter.

Pursuant to Section 2 of the Presidential Executive Order on Safe Policing for Safe Communities, dated June 16, 2020, Executive Order No. 13929 (the "Executive Order on Safe Policing"), the U.S. Department of Justice's discretionary grant funding is only available to state, local, and university or college law enforcement agencies that have obtained (or are in the process of seeking) credentials certifying that they meet certain standards on use of force. The Executive Order on Safe Policing empowers the U.S. Attorney General to designate independent credentialing bodies — including Police Standards & Training Council — to certify that a law enforcement agency meets the conditions of eligibility for federal grants.

Following our review, we have determined that the Rochester Police Department meets the conditions for certification. Accordingly, Police Standards & Training Council will include your agency going forward within our database of certified law enforcement agencies. On or before January 1st each year, we will provide the name of each certified law enforcement agency to the U.S. Department of Justice.

If you would like to discuss further, please do not hesitate to contact me either by email at John.V.Scippa@pst.nh.gov or by phone at (603) 271-1793. Thank you very much.

Sincerely,


John V. Scippa
Director