

LACONIA POLICE COMMISSION
Meeting Minutes
September 19, 2018
3:00 P.M.

9/19/2018 - Minutes

1. CALL TO ORDER

Chairman Whittum called the meeting to order at the above date and time.

2. SALUTE TO THE FLAG

Commissioner Tarr lead the Pledge of Allegiance.

Chief Canfield requested a moment of silence in memory of City Finance Director Donna Woodaman.

3. RECORDING SECRETARY

Executive Assistant Lori A. Marsh

4. ROLL CALL

4.A. Chairman recognizes Police Commission members present

Chairman Whittum recognized Commissioners present - Chairman Douglas Whittum, Commissioner Thomas Tarr and Commissioner Frank Mello.

4.B. Chairman recognizes Staff present

Chairman Whittum recognized Staff present - Chief Canfield, Captain Graton, Lieutenant Simmons, Lieutenant Butler and Prosecutor Sawyer.

4.C. Chairman recognizes a quorum has been established and there are three Commission members present

Chairman Whittum recognized a quorum has been established and there are three Commission members present.

5. PERSONNEL MATTERS

5.A. Commendations & Awards

No discussion.

5.B. Training

Chairman Whittum recognized Capt. Graton.

Capt. Graton advised there will be three out-of-state schools discussed later under Commission Action.

5.B.i. Orders & Bulletins

No discussion.

5.C. Miscellaneous - Laconia Links

No discussion.

5.D. Resignations/Retirement

No discussion.

5.E. Hirings

Chairman Whittum recognized Capt. Graton.

Capt. Graton advised there are five candidates in the process, all of whom have gone through polygraphs and we are working on their backgrounds at this time, and we are hopeful for a November hiring date. He advised there will also be another physical test on November 6th.

Commissioner Tarr inquired where that leaves us as far as staffing. Capt. Graton advised if all five in the process are hired, it would bring us to level staffing.

Chief Canfield advised we'll actually be over-hired, but there will be a couple of people leaving very shortly after the first of the year.

Commissioner Tarr inquired if any of the candidates are certified. Capt. Graton advised none of them are certified.

Commissioner Tarr inquired about State Police offering some type of financial incentive for people who passed all of their requirements and were hired by them. Chief Canfield advised he is not sure, but will inquire about this. He advised we have considered it here; however, the downside of hiring bonus is unfairness to those recently hired or current employees who have been with us.

Chief Canfield advised that the five candidates in backgrounds right now are very well connected with the area and are very five very good and qualified candidates.

5.F. Promotions/Classification Change

No discussion.

6. COMMAND STAFF REPORTS

6.A. Captain

Chairman Whittum recognized Capt. Graton.

Capt. Graton advised that in reference to updates on the building, the sally port doors have been modified for the transport van. He advised the drying cabinet for evidence with biological matter on it has arrived and some rearranging is being done in the outer evidence room to make a better work flow for processing evidence. He advised the portables ordered were delivered today and Lt. Finogle will be distributing those. He advised the ventilation system for the evidence room and the armory has been approved for sole source for Control Technologies. He advised Kevin Dunleavy from Parks and Rec. will be working with Control Technologies to obtain a final plan together for that and when they will be able to get that started. He advised the CIP for next year was submitted on September 10th and he and Chief Canfield will have the presentation on October 10th. He advised the CIP includes cruisers, a vehicle for the ACO, a request for more Crimeline cameras, interactive use of force equipment and some more computer equipment.

Capt. Graton advised planning is underway for Pumpkinfest and last weekend was Biketemberfest, which went well.

Commissioner Tarr inquired if any law enforcement concerns came of Biketemberfest. Capt. Graton advised none really. He advised there was a small disturbance in front of the Tower Hill after closing on Friday night, which was addressed by Liquor Enforcement. He advised there are some things that can be tightened up with it, but otherwise went really well and there were no major issues at all.

Chairman Whittum inquired how big the crowds were. Capt. Graton advised Friday night at the height there were probably one thousand people in the footprint. He advised Saturday was about the same. Chief Canfield advised Saturday afternoon was busy and maxed out their capacity.

Commissioner Mello inquired if it is something that we would recommend again next year. Capt. Graton advised yes.

Commissioner Tarr inquired if there were any specific costs to the PD. Capt. Graton advised there was a detail of two officers each night paid by the organizer. He advised there was also one part time officer on duty during the day on regular time, which wasn't covered by detail pay.

6.B. Operations Lieutenant

Chairman Whittum recognized Lt. Simmons.

Lt. Simmons advised the Highway Safety Grant ends at the end of the month. He advised it will start back up in November and we will be submitting everything in mid-October. He advised we have already been accepted for basically the same amount of money for next year as we were this year. He advised school is back in session and Officer Orton is back in the high school and things appear to be going pretty well over there. He advised the high school Homecoming Parade is this Friday at 4pm. He advised with everyone returning to school, overall things went very well, with the exception of some traffic issues at the Elm Street School and Pleasant Street School. He advised Pleasant Street was quite a bit worse due to the road construction going on, but those were worked out.

Lt. Simmons advised Officer Jepsen completes the first part of the K-9 school and Patrol Certification tomorrow and will be back out on the road with the K-9. He advised he has heard nothing but good things about both Officer Jepsen and the K-9.

He advised the Citizens Academy is in week #2, being run by Officer Adams. He advised there are nine people in the class and seems like it will be a pretty good class.

Commissioner Tarr wished to express an observation he made on Court Street today, where they have private contractors doing traffic enforcement. He advised one guy was clearly not paying attention and looking at his cell phone. After some discussion, Commissioner Tarr inquired if this was Busby Construction. Lt. Simmons advised it is a private traffic control company that they hire out and he will reach out regarding this concern. Lt. Simmons advised they will be out there for a while, as it's a three year project. Commissioner Mello advised he had inquired if they had been trained and he was told no. Lt. Simmons advised they do receive training and believes it's a two-week certification process when they get hired.

Commissioner Tarr also inquired if Lt. Swett's duties concerning grants have been parceled out due to his retirement. Chief Canfield indicated yes, advising two months prior to his departure they were divided amongst the three Lieutenants, primarily and Capt. Graton picked up one so they had a period of time to learn from Lt. Swett before he left and get up to speed.

6.C. Support Lieutenant

No discussion.

6.D. Investigations Lieutenant

Chairman Whittum recognized Lt. Butler.

Lt. Butler advised Granite Shield was authorized as of August 21st and they are slowly working on that. He advised they have been very busy with backgrounds and their usual duties.

Commissioner Tarr congratulated Lt. Butler on his promotion and inquired if there is any improvement that can be done on the Criminal Investigative Unit Monthly Activity Report in regards to information that can be shared in a public setting. Lt. Butler advised this has been discussed and he advised some of the things being done are hard to quantify, for instance how many hours an officer spends in court. He advised it's hard to put that in a number. He advised some things were added, such as patrol shifts covered, which is clearly time away from their normal duties, and training hours, which is also time away. Commissioner Tarr advised that within the public context in **which the Police Commission meetings operate, if there was a way to supplement the existing CIU statistical report with some type of "narrative or summary" of unit activities, respecting the fact that most, if not all, activities of the CIU would be considered law enforcement sensitive.** Chief Canfield advised this can be done.

6.E. Legal Prosecutor

Chairman Whittum recognized Pros. Sawyer.

Pros. Sawyer advised he has been dealing with the new Bail Statute for approximately a month now and, as it applies in regards to District Court, it hasn't changed much in terms of how we approach bail. He advised it is very similar with how it was applied before, but just a little bit more formal. He advised the one thing he would say is taking a little bit more time, due to just talking about the Bail Statute, is a lot of back and forth. He advised he has been to a number of bail hearings that are more lengthy. He advised part of this is due to Judge Garner being very methodical and thorough and is a greatly listener and hears from both sides. He advised he thinks it is going well and doesn't see an appreciable difference in terms of how the Laconia District Court does business; however, it's still a work in progress.

Commissioner Tarr that with passage of the Pre-Trial Services Bail Reform Act, which is now a law, does Belknap County have a seat at the table. He advised he knows they are in the formulation stage about getting data and figuring out how to come up with a pre-trial risk assessment tool. Pros. Sawyer advised he doesn't think that is in place yet. He advised there is a pre-trial services program, which is headed up by Trish Thompson, who is a former Probation and Parole Officer for the State and is now retired. He advised she is working out of the jail for pre-trial services. He advised the Restorative Justice Program used to do that function before she took the position. He advised there isn't a tool in place that he's aware of. He also advised that as of right now, Ms. Thompson is only dealing with Superior Court bail and they haven't opened it up to District Court yet.

Commissioner Tarr suggested the bail practice in Belknap County is pretty much consistent with the way it's been before the law passed. Pros. Sawyer advised that if you look at the Bail Statute, there are certain things, for instance, the biggest one being, which doesn't happen a lot in district court, is you cannot hold someone on bail for a flight risk, unless they can meet that bail. He advised they have to be financially able to meet the bail set. He advised if they are deemed a danger to themselves or the community, then they can be held on bail. He advised similar now as done before; however, now there is a standard of clear and convincing evidence, which has to be established. He advised there was no real standard before and now it's been identified as that level of proof. Pros. Sawyer advised the other slight difference is homelessness and addiction cannot be the sole reason that someone is held on bail. He advised in Belknap County he doesn't believe this was ever done. He advised maybe across the country is might be the case, because they may be struggling with substance abuse issues and you sit in jail until the court date. He advised in New Hampshire, and definitely in Belknap County, he does not see that happening. He advised it is considered and is a part of it and he has made arguments that because of their addiction, they cannot, for whatever reason, comply with bail conditions or protective orders, and their addiction drives their behavior. He advised it is not solely based on their addiction, but there are many people who are struggling with addiction who do not commit crimes. He advised if they do commit a crime, then they don't repeat their crimes, but there are those who are addicted and, for whatever reason, they keep coming before us and we see a lot of those.

7. COMMISSION ACTION

7.A. Acceptance of minutes from previous meeting

On a motion made by Commissioner Tarr, seconded by Commissioner Mello, and passed unanimously, the meeting minutes of August 22, 2018 were accepted as distributed.

7.B. Out-of-State School

Chairman Whittum recognized Capt. Graton.

Capt. Graton reviewed the indicated out-of-state schools.

Commissioner Tarr inquired about the Pennsylvania Accident Reconstruction training that Capt. Graton will be attending and that Off. Howe was to be attending a school for accident investigation as well. He inquired if both Capt. Graton and Off. Howe are working together on those incidents when they occur. Capt. Graton advised they do work together on those types of incidents. He advised for Pennsylvania State Police, you have to have been through at least the beginning class to be able to attend and have a certificate of completion for the first 80 hours of training. Commissioner Tarr inquired if this is more advised and Capt. Graton advised yes. Capt. Graton advised they will actually be conducting some live crash demonstrations and crash data recording and requested anyone interested to sign up, which is outside of the normal hours of the training class. He advised they will be doing some mapping of headlights and investigation of night time visibility and things of that nature which he signed up for in the outside of hours. He advised there are a lot of extra things that can be learned.

Chairman Whittum inquired if there was a motion to accept the below listed out-of-state schools. Commissioner Tarr moved to approve all of the below listed out-of-state school requests, seconded by Commissioner Mello, and passed unanimously.

7.B.i. 2018 iCON IMC User Conference

7.B.ii. Pennsylvania State Police 2018 Reconstruction Seminar

7.B.iii. Five Day Basic Investigation Course

8. REVIEW OF MONTHLY ACTIVITY REPORTS

8.A. Department Monthly Highlights

Chairman Whittum recognized Chief Canfield.

Chief Canfield reviewed the enclosed Monthly Activity Report statistics. He noted motor vehicle stops were significantly down t less than half than the corresponding month for last year. He advised the cause of this is not known, but may possibly be due to the number of traffic enforcement details that were not filled in combination with handling more criminal offenses and more physical custody arrests. He also noted that the number of people taken into custody for intoxication was up twice as much as the corresponding month for last year.

No further discussion.

8.B. Monthly Fleet Report

No discussion.

8.C. Criminal Investigative Unit Statistics

Chairman Whittum recognized Lt. Butler.

Lt. Butler noted the training hours for August were very high and this was due to Det. Carsen's attending a two-week training conference for Celebrite, being the cell phone investigative tool. He advised it is also due to Det. Horan doing the majority of firearms training for the new recruits.

Commissioner Tarr inquired about having sent some employees to knock and talk training last year? Chief Canfield advised yes. Commissioner Tarr inquired if this is something we will be doing more of. Lt. Butler advised most of that would fall on the drug unit and Det. Carsen had been gone for half the month and he hasn't been doing a lot of proactive drug work with everything else they have been doing.

8.D. Monthly Traffic Statistics

Chairman Whittum recognized Chief Canfield.

Chief Canfield reviewed the Monthly Traffic Report statistics.

Chairman Whittum inquired if there are any numbers for stops relative to use of cell phones. Chief Canfield advised he can get those breakdown as far as how many warnings/summons.

8.E. Budget Print-Out

No discussion.

9. CORRESPONDENCE TO AND FROM THE DEPARTMENT

Chairman Whittum recognized Chief Canfield.

Chief Canfield advised there was a thank you from the UNH Police Chief thanking us for our officers' assistance with move-in day, a thank you for Off. Denutte reference a station tour with a child and mother, and a thank you and donation to the Relief Association . for a house check done.

Commissioner Tarr inquired about someone signing up for a house check and, having submitted the paperwork and getting approval, if the department is liable for any incidents that may occur during that house check period. Chief Canfield advised the house check is a reassurance that we will double check on the house to make sure nothing is obviously apparent. He advised there is no guarantee and people who sign up are well aware of this. He advised it is just an added security and, if there is an incident, it may be more readily found and may develop a suspect.

Commissioner Tarr noted this is a good program that he employed some years back.

Chairman Whittum inquired if there is a disclaimer on the form. Chief Canfield advised he will look into having this on the form.

10. CHIEF'S REPORT

Chairman Whittum recognized Chief Canfield.

10.A. Performance Assessment Report Cards

Chief Canfield advised seven Performance Assessment Report cards were received, all of which were A's.

10.B. Overdose Statistics

Chief Canfield reviewed the Overdoes Statistics report and advised the number of overdose deaths is incorrect and we are now at eight, one from the other day.

Commissioner Tarr noted we are running a little ahead and Chief Canfield agreed. Chief Canfield advised the opioid problem has not gone away despite the work we are doing. He advised Lt. Butler worked on the overdose death we had the other day and some leads are being followed up on. He advised certainly these incidents are very tragic and have resounding impacts on everyone and has an impact on our community and our officers who respond to these scenes and we are doing what we can to curb this.

Commissioner Tarr inquired if we are seeing some of the same people over and over again or if they are new people or first timers. Chief Canfield advised he believes it's a combination of both. He advised we certainly see people who overdose multiple times until they are willing and want to reach out and accept help. He advised there is nothing that can be done to help someone who doesn't want help. He advised we also see new people who are overdosing who we are not familiar with as well. He advised we have seen a certain spike in the quality of drugs coming into Laconia and we tend to run in cycles. He advised this past weekend we had three or four overdoses throughout the weekend, where as some weekends we have none. He advised it depends on what variety the heroin is cut with. He advised one of the deaths was due to methamphetamine, which he doesn't believe we've ever seen a methamphetamine death in Laconia that he is familiar with. He advised it's pretty unusual that someone dies from an overdose of methamphetamine, so he's not sure if this is a new trend starting and we will keep an eye on it.

Commissioner Tarr inquired if it's fair to say that most people in these instances are Laconia residents or if they are coming from other places or a combination of both. Chief Canfield advised most are Laconia residents or at least spend most of their time in Laconia.

10.C. MultiCultural Day

Chief Canfield advised MultiCultural Day was last Saturday and was a very well attended event. He advised Officer Kimtis worked the event and there were no issues.

10.D. tip411

Chief Canfield advised this is a new program rolling out next month and replaces Crime Reporting, which is an on-line version of crime reporting. tip411 is the same thing and enables people to send tips to the police department, essentially replacing what Crimeline used to be. He advised they will be able to send in text messages and pictures, which will go right into our dispatch center and will be routed from there. He

advised in reference to knock and talks, this might enable us to increase these based on anonymous drug tips. He advised this is being used in a lot of other communities and certainly this generation does not pick up the phone and call anonymously and may use this format and this might be a way to generate some additional information specifically for drug investigations or really any other crimes for our patrol officers.

Commissioner Tarr inquired if those are anonymous and Chief Canfield advised they are.

10.E. Full-Scale Exercise

Chief Canfield recognized Lt. Butler.

Lt. Butler advised this is in the final stages and the last couple of meetings are coming up. He advised last Friday was the deadline for outside agencies who wanted to participate and he believes there are around nineteen other agencies in addition to Laconia PD and Laconia Fire. He advised there will be a couple more meetings toward the end to completely finalize the details.

Chairman Whittum inquired where this will be held. Lt. Butler advised at Laconia Middle School.

Chief Canfield advised this will prepare us for an active shooter event, particularly in schools, and this is one of our priorities. He stated this was something we started working on last year to further training our officers by training through table top Command Staff exercises and we did the full scale exercises last year. He advised we're looking to improve on some of the mistakes and some of the weaknesses that we identified last year and improve upon those in this exercise. He advised this is something that has to be on the forefront of our minds and forefront of our training. He advised we will be working in collaboration with our school partners are well.

11. OLD BUSINESS

No discussion.

12. NEW BUSINESS

No discussion.

13. CONFIRMATION OF NEXT MEETING DATE

Due to scheduling conflicts, discussion ensued and the next Regular or Special Meeting date of October 24, 2018 was set.

14. OTHER BUSINESS

No discussion.

15. CITIZEN COMMENTS

Chairman Whittum recognized Dennis Lintz and advised him he has two minutes for his presentation.

Dennis Lintz approached the podium and identified himself. He advised he is a ten year survivor of what has been rated as one of the most dangerous cities in the State of New Hampshire. He advised he is also a voter and voted for the present Commission. He advised they are doing a good job and asking questions he likes to hear. He advised there are some who really wanted to change something that has happened and Mr. Lintz presented the Commissioners with bumper stickers.

Mr. Lintz advised he has previously spoken of things, including the budget and more money spent for education of law enforcement because of the way it has come up and some of the ways officers have worked. He advised the commissioner who sat before said three times how he hates the police. Mr. Lintz advised he never said that. He advised he has been trying to work with the police for a while, because he was a licensed private detective for almost thirty years in this State and a lot of lives have been lost. Mr. Lintz then presented Chairman Whittum with a piece of paper, which he indicated had been written by a graduate of the Belknap County educational system, containing some information about a letter that was submitted by that person in 2011, which disappeared and could have turned the tide of what happened some years ago. He advised every two years he has filed a Notice to Respond, usually on April Fools date, having done it in 2014 and 2016 and 2018 would have been the two year that he would have done it, but as worldwide it's kind of renowned that another person, a Reverend, who not only was persecuted for speaking out, but was actually crucified, so he didn't file one this year.

Chairman Whittum advised Mr. Lintz that his time was up, but as a courtesy he would allow him another thirty seconds.

Mr. Lintz advised he will conclude and thanked the Commission.

16. NON-PUBLIC SESSION (According To RSA 91-A:3, II)

Not necessary.

17. ADJOURNMENT

On a Motion made by Commissioner Tarr, seconded by Commissioner Mello, and passed unanimously, the meeting was adjourned at 3:42 pm.