

LACONIA POLICE COMMISSION
Meeting Minutes
October 24, 2018

10/24/2018 - Minutes

1. CALL TO ORDER

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

2. SALUTE TO THE FLAG

Chairman Whittum lead the Pledge of Allegiance.

3. RECORDING SECRETARY

Executive Assistant Lori A. Marsh

4. ROLL CALL

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

4.B. Chairman Whittum recognized Staff present - Chief Canfield, Lieutenant Butler and Prosecutor Sawyer.

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

5. PERSONNEL MATTERS

5.A. Commendations & Awards

Chairman Whittum recognized Chief Canfield.

No discussion.

5.B. Training

Chairman Whittum recognized Chief Canfield.

No discussion.

5.B.i. Orders & Bulletins

No discussion.

5.C. Miscellaneous - Laconia Links

Chairman Whittum recognized Chief Canfield.

No discussion.

5.D. Resignations/Retirement

Chairman Whittum recognized Chief Canfield.

No discussion.

5.E. Hirings

Chairman Whittum recognized Chief Canfield.

Chief Canfield advised backgrounds have been completed and offers of employment have been given to five candidates, which will bring us slightly beyond full staff. He advised these candidates will replace our three open positions and then two anticipated vacancies, bring us to full staff. He advised they have been given a November 16th start date and the plan is to have them start, go through the in-house academy, and then attend the Police Academy in January. He advised three out of the five candidates have been accepted into the academy already and it is anticipated the other two will be accepted and be done by the end of April.

Commissioner Tarr inquired if any of the applicants are certified and Chief Canfield advised no.

Chief Canfield advised these five candidates are probably the best he has seen in approximately three years. He advised they are very good quality applicants with very clean background. He noted this is refreshing to see, as we haven't seen this quality in a long time.

5.F. Promotions/Classification Change

Chairman Whittum recognized Chief Canfield.

Chief Canfield advised that with the promotion of Richard Carlson to Sergeant in patrol, there was a process conducted and Sergeant Ben Black was selected for transfer into Detectives as the Detective Sergeant effective October 9th (per General Order included in the packet).

Commissioner Tarr inquired if he was a Sergeant already and Chief Canfield advised he was. Commissioner Tarr inquired if this was just a different bureau assignment and Chief Canfield advised yes. Chief Canfield advised Sgt. Black has been in Patrol for approximately three years as a Sergeant and this opportunity came up in Detectives and he certainly is seeing a different side of the "house" and his eyes are pretty wide open as far as the diversity and difference in police work.

Lt. Butler advised Sgt. Black was somewhat surprised as to how much BCI actually does and he can bring that back to Patrol, as do temporary duty assignments. He advised they leave Detectives with a lot of knowledge, which makes them a better

patrol officer and gives them a better insight as to what actually happens behind the scenes that they may not see otherwise.

Commissioner Tarr inquired if the department has a formal cross training policy or only when there is an opening. Chief Canfield advised it is when there is an opening or vacancy, with the exception of Detectives. He advised two years ago the department started a temporary duty position in Detectives that runs from September to June with the idea of a new person assigned every year. He advised they are then back out in the summer to support patrol.

Chairman Whittum inquired of the length of this assignment. Chief Canfield advised Sgt. Black's assignment is permanent as the Detective Sergeant.

6. COMMAND STAFF REPORTS

6.A. Captain

Chairman Whittum recognized Chief Canfield.

Chief Canfield advised Captain Graton had a last minute meeting that came up. He advised PumpkinFest was very well attended with good crowds and there were no issues as far as police being involved. He advised the budget is on track, as we are at 25% through the budget year and our budget is at 24.217% of actual expenditures, which is slightly below where we should be at. He advised Captain Graton has also been working on the 2019/2020 budget, which is due sometime at the beginning of December.

Commissioner Tarr advised he noticed there is a notation on retirement payouts for Lt. Swett and inquired if this incorporates unused vacation and sick leave. Chief Canfield advised it does. Commissioner Tarr inquired if there are any other elements off that payout and Chief Canfield advised this includes all time accrued on the books that he had built up. He advised that Lt. Swett was grandfathered in 2014, at which time there was a policy change that only half of accrued sick time can be used toward payout.

6.B. Operations Lieutenant

Chairman Whittum recognized Chief Canfield.

No discussion.

6.C. Support Lieutenant

Chairman Whittum recognized Chief Canfield.

Chief Canfield advised we are currently conducting fall firearms training and tonight is the last night. He advised this also included some tactical training, all of which is being conducted at the range and has gone very well.

He advised Lt. Finogle has also been working on several of the grants.

6.D. Investigations Lieutenant

Chairman Whittum recognized Lt. Butler.

Lt. Butler advised it has been busy as always. He advised there has been a lot of training and Det. Horan is heavily involved in firearms training and has taken the lead as Firearms Instructor, which involves switching his schedule around. He advised Sgt. Black is doing very well and is a joy to work with. He advised personality wise he wants to learn everything he can, which is awesome and has given him a little spark also in being able to show someone the ropes.

Chairman Whittum inquired if Sgt. Black is a Laconia resident and Lt. Butler advised yes. Chairman Whittum stated that being a resident gives him extra understanding of the community.

6.E. Legal Prosecutor

Chairman Whittum recognized Prosecutor Sawyer.

Pros. Sawyer advised in regards to the Victim Services Unit, there have been a couple of inquiries about volunteering. He advised Chief Canfield forwarded him an e-mail from someone and he has left a message for that person and hopefully it will come to fruition for another capable volunteer. He advised another young person who recently relocated to Laconia to get some help with services expressed an interest in volunteering. He advised that given his recent sobriety and being a very capable person who has been struggling with addiction, he put him in touch with a variety of people, to include Eric Adams, who may be able to utilize him for Navigating Recovery or one of his programs. He advised he has received a couple of other calls, including one gentleman who is in a long-term recovery and inquired about volunteering in the Victim Services Unit; however, he would only be here for nine months or so in a sober house and he didn't feel that would be a good use of resources in terms of training and getting him up to speed and wasn't a good match. He noted it is nice to have people interested in volunteering at the police department.

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 September 19, 2018 were accepted as distributed.

7.B. Out-of-State School

Chairman Whittum recognized Chief Canfield.

Chief Canfield advised there is one request for the Special Olympics International Conference for Off. Rick Bassett, who heads up our connection with Special Olympics. He advised Off. Bassett coordinates a number of different fund raisers and events for this program, including Fueling Dreams, the Law Enforcement Torch Run, the Winter Special Olympics at Waterville Valley, as well as the Summer Games at UNH. He advised he contributes a lot of his own time volunteering for this program and it's a very special program to us. He advised that due to his interaction with the program, it

is very rewarding, probably more so for us than it is for them. He advised Off. Bassett was asked by the Special Olympics Committee to attend the conference in Las Vegas, which is being paid for by Special Olympics of New Hampshire and he will be attending at no cost, other than coverage for his time for travel and such.

7.B.i. Special Olympics International Conference

On a motion made by Commissioner Tarr, seconded by Commissioner Mello, and passed unanimously, the attendance of Off. Bassett at the Special Olympics International Conference was approved.

8. REVIEW OF MONTHLY ACTIVITY REPORTS

8.A. Department Monthly Highlights

Chairman Whittum recognized Chief Canfield.

Chief Canfield reviewed the enclosed Monthly Activity Report and noted that physical arrests are up slightly. He also noted motor vehicle stops are down considerably, which has been discussed, and can be attributed to a lag in some grant funding, specifically for the STEP Patrols, which will resume next month and hopefully we will see the numbers come back up.

8.B. Monthly Fleet Report

Chairman Whittum recognized Chief Canfield.

Chief Canfield advised the three new cars are in and one is being outfitted at Ossipee Mountain Electronics and the other two are scheduled to go there shortly. He advised the transition will hopefully be completed in the next 6-8 weeks.

8.C. Criminal Investigative Unit Statistics

Chairman Whittum recognized Lt. Butler.

Lt. Butler inquired if there are any questions and noted the report has yet to be updated per Commissioner Tarr's request. He noted there was the addition of "Grand Jury Preparation" at the bottom. He used the example of tomorrow being Grand Jury day and Det. Sgt. Black is in training, so that's 2 (or hopefully 3) Detectives for 48 defendants getting indicted. He stated it takes a lot of work to prepare those cases and takes up a lot of time.

Commissioner Mello noted the sex offender registrations are up compared to last year. Lt. Butler advised some of that is due to some changes in the sex offender laws. He advised some people have been upgraded or downgraded in tiers and some have changed to four times per year now as opposed to twice a year and this will level off eventually once we catch up. He advised we have taken on several additional people who live here and are required to register four times per year.

Commissioner Tarr inquired if that means there are more sex offenders moving to Laconia and Lt. Butler advised responded no. Lt. Butler advised they change and it stays right around the mid 70's all the time and sometimes we get some seasonal people

who come up for a month or couple of weeks and they register here. He indicated it stays pretty consistent.

Commissioner Tarr inquired if one unit member handles the registrations. Lt. Butler advised everyone fills in, but Det. Wholley does the vast majority.

Commissioner Tarr requested a quick overview of the registrations. Lt. Butler advised they have to make an appointment and cannot just show up, as we have too many and some days Det. Wholley will have as many as 5-6 in one day. He advised they get brought into the booking room and photographed. If it's their first time registering, a DNA sample is taken, as well as fingerprints through Live Scan, and a booking photograph is taken so that we have their photograph on file. He indicated a photo gets submitted to the New Hampshire State Police Sex Offender Registry each time they are registered, as sometimes they grow a beard or get new glasses and they look different, so a photo is constantly updated. He advised Det. Wholley reads the form verbatim to the registrant and they have to initial each of their requirements they fall under for the registration. He indicated each one takes approximately 30-40 minutes.

Commissioner Tarr inquired if every police department has this and Lt. Butler advised no. Lt. Butler indicated in some police departments the person just walks in off the street and anyone can do the registration, so there's no ownership in it and they just move on to the next call. He advised unfortunately this results in a lot of errors, such as people living somewhere where the forms says they live, but they actually don't live there and never did. He advised we get them occasionally where someone moves from another Town or City and the form was incorrectly completed or sometimes they are pre-released from prison three weeks prior to actually being released, so as far as we know they are living in Laconia, but they are not and are still in prison and haven't been released yet. He advised there are some issues that Det. Wholley is very good with following up on and the Sex Offender Registry is a simple phone call away, indicating we have always had a very good rapport with this and he is not aware of there ever being an error on our part.

Commissioner Tarr inquired if we are doing more than the law requires and Lt. Butler advised no, indicating we are doing what the law requires and not cutting any corners at all. He advised the law doesn't require a photograph each and every registration, unless there's a change in appearance, but for our own statistics and our own records the more photos we have the better, so we take one each time and it only takes minutes.

Commissioner Mello also noted that knock and talks increased. Lt. Butler advised that is correct and indicated last month it was down because Det. Carsen was away pretty much the whole month and he is now back.

Chairman Whittum asked what the procedure is for someone who fails to register. Lt. Butler advised they have to register within five days and, if they fail to do so, Det. Wholley has a good enough rapport with these people and, if we have a current phone number on file, which we are supposed to have, he will reach out to them. If not, he'll typically go knock on their door. He indicated if they are not there, a warrant can be issued for their arrest. He advised first offense is a Class B Felony, if it's knowingly. He advised it usually depends on the circumstances, such as learning disabled or such, it's just a mistake and they just forgot and is a harmless error. He advised Det. Wholley will give them a warning, as there is no set rule that we have to arrest them and we can charge them either negligently or knowingly. He advised it is not uncommon if it's an

error and they've registered over and over and just are not getting it, they can have a warrant issued for a Misdemeanor as opposed to a Felony. He advised it does graduate, explaining if they are convicted of a Felony offense once, the second one is a Class A Felony, whereas the Misdemeanor isn't committed a first offense and is basically a slap on the wrist. He advised if they do it again or if they knowingly do it, they can be charged with a Class A Felony.

Chairman Whittum inquired if someone from another community moves to Laconia, does the other Police Department contact us and Lt. Butler advised always. He advised if the other department doesn't do so, the Sex Offender Registry will. He advised that we require, which is kind of above the law slightly and voluntary on the registrants part, that if they move into the City we would like to know rather than them moving out of the City. He advised the way the law is written, you only have to register if you are moving out of the City or Town and not in. He advised they would have to register with us if they move to Laconia the next time they are required to register, which could be 3-6 months, which is obviously a problem. He advised we typically will get that form and Det. Wholley will contact them and see if they are willing to do so and they can say no and come down the next time they are required to register, but he indicated he is not aware of there ever being someone who refused to do that. He advised we just start the file and get their picture, so we now know who they are, what they look like, what they drive and so on, prior to their next required registration. He advised Det. Wholley is very much on top of this.

8.D. Monthly Traffic Statistics

Chairman Whittum recognized Chief Canfield.

Chief Canfield reviewed the Monthly Traffic Report statistics.

Commissioner Mello inquired about driver inattention/distraction and if we can attribute this to telephone use. Chief Canfield advised it could be due to a number of different things, such as driver inattention, that they nodded off at the wheel, that they weren't paying attention and were distracted by looking in the center console, etc. Commissioner Mello advised he sees a lot of them making turns with a cell phone in their ear. Chief Canfield advised certainly when the the Hands Free Law went into effect we saw a huge decline in that and now it's back up there and it's certainly one of the goals of the STEP Patrols.

8.E. Budget Print-Out

Chairman Whittum noted this has already been discussed.

9. CORRESPONDENCE TO AND FROM THE DEPARTMENT

Chairman Whittum recognized Chief Canfield.

Chief Canfield advised we received a nice thank you letter from the County Attorney's Office for our work on a case.

10. CHIEF'S REPORT

Chairman Whittum recognized Chief Canfield.

10.A. Performance Assessment Report Cards

Chief Canfield advised we received a total of five, all of which were A's with the exception of one with poor marks. He advised he attempted to contact this person and received no return call. Commissioner Tarr inquired if this was due to a car accident and Chief Canfield advised it was and that the person was not pleased the other party was not issued a summons.

10.B. Overdose Statistics

Chief Canfield reviewed the Overdose Statistics report and noted the total overdose calls are down.

Commissioner Tarr advised he read an article in the Daily Sun today and there seems to be some disparity between the numbers referenced in the article and our numbers. He recognized they may be counting the incidents the Fire Department responds to in a different way. He used the example that in 2018 we show we've had 75 overdoses up until the end of September, but yet they are showing 43 in a chart today in the paper.

Pros. Sawyer inquired if that was for NARCAN in the paper. Chief Canfield advised it is a difference in reporting methods. He advised our numbers are for total overdoses and their's is reporting just NARCAN administration. He advised aside from that, we have a different picture, because we see every single overdose and every single overdose death. He advised they don't unless an ambulance is called to it. He gave the example of us responding to a residence and the person has already left and has gone by private vehicle to the hospital, if the ambulance doesn't get called, then it's not reported in their statistics, but are recorded in our statistics, because we responded to the house and follow up at the hospital. He advised this is the same with overdose deaths. He advised in the article it was reported there had been 4, when there actually have been 8, but again their statistics aren't the same because we might go to an overdose death where someone has been deceased for several days and the ambulance never gets called to it. He advised we respond and deal with it, so that is why our statistics are probably more accurate.

Pros. Sawyer noted he is not sure if the article is just limited to opioids and NARCAN, because he knows they mentioned NARCAN in the article, but there are other overdoses from medications or methamphetamine, so we don't see just opioid overdoses, but they are predominant. He advised this may be the cause for the disparity, as the question may just be asked about how many NARCAN incidents were responded to. He noted there are other medications given to non-opioid overdoses.

Commissioner Tarr noted it was just confusing to the average reader, because some people can be administered multiple doses of NARCAN for the same situation. He thanked Chief Canfield for clarifying this.

Chief Canfield advised the trend is we are seeing less heroin overdoses laced with fentanyl and we're seeing a lot more methamphetamine, not only in Laconia, but State wide and also Nation wide, as there is a lot more methamphetamine use versus heroin

use. Commissioner Tarr noted there is no medication for that and Chief Canfield agreed. Chief Canfield advised we won't see the overdose deaths from methamphetamine as much, although we did see one this year, which is the first methamphetamine death he has seen ever. Lt. Butler advised it wasn't technically, but was oddly written. He indicated the written cause of death was "overdose - methamphetamine" and then it listed the secondary cause of death as he only had 10% use of his heart. So clearly there were other issues, but if he didn't take the methamphetamine, they were saying he wouldn't have died that day. Chief Canfield advised certainly you don't see the overdoses with methamphetamine like you do with the heroin, where it's laced with fentanyl, as it's usually the fentanyl that is the cause of death and not the heroin. He advised this is not necessarily a good trend, because typically the methamphetamine causes people to become violent and commit crimes, versus the heroin where it's kind of a different state of mind.

10.C. Make-A-Wish

Chief Canfield advised this past Saturday morning he did an escort for 3 year old Gilford boy born with a congenital heart condition and Spina bifida and has had 23 surgeries in his short life. He indicated he came in at 2am and they picked him up at his house with a limousine and gave him a full escort down to the Manchester Airport to travel to Disney with his family.

Chairman Whittum noted this is the kind of thing that should be in the paper and Chief Canfield agreed and indicated he would send that to them.

10.D. Full Scale Exercise

Chief Canfield advised this past Saturday we conducted the Full Scale Exercise at the Laconia Middle School, which is a culmination of a two year training program, but specifically a year that we have worked up to this exercise, conducting individual training for officers. He advised we did a Table Top Exercise for command and control of the incident and then this Full Scale Exercise simulating three different scenarios involving an active shooter at the Middle School. He advised we use the schools, because we want the familiarity of officers, but the techniques and training received out of this could be used in any type of active shooter incident anywhere. He advised it was conducted with all of our law enforcement and emergency responder partners, so we had representatives from a good portion of the other agencies throughout the County from police agencies, the Fire Department, and the school department. He advised he is very appreciative of the funding we received to conduct this training through Homeland Security and the takeaways we received from this are by far good and we'll look at it and improve upon it once we receive the after action report. He advised our goal is to look at doing another one next year if we can secure the funding. He advised he would also like to specifically thank Lt. Butler for his efforts in coordinating not only the exercise itself, but the approximately 100 participants and working with all of the various agencies to make it happen, as well as the grant support and planning that lead up to it.

Commissioner Mello noted that he thinks it went very good and security was great. He indicated he was impressed with the whole situation.

Lt. Butler also recognized that Tom Swett also had a big hand in this exercise.

Chief Canfield also noted that he has been working with the Laconia Schools regarding ALICE Training, which is a new topic as far as not doing the lockdowns in the schools and moving to the program called ALICE, which empowers students and staff members to take action. He advised that what was seen in Newtown was that students and faculty just stayed in their classrooms and didn't move and, for lack of a better term, waited to be executed. He advised the ALICE program allows them to take other action, such as if the shooter is at the other end of the building, to make the decision to leave and get out or to counter if possible. He advised they have done two informational nights over the past couple of days at the Middle School and the Woodland Heights Elementary school, which were attended by a large number of parents and they were able to answer their questions. He advised there are a few more scheduled and this is a really good partnership between all of the agencies in Laconia and believes this is something to be really proud of here in Laconia, because it's seen as tightly knit.

Commissioner Tarr inquired if the police department, and in particular Chief Canfield, have the ability to receive information about incidents that have occurred around the country in terms of what went well and what didn't go well and what were some of the lessons learned and some of the takeaways. Chief Canfield advised he does receive all of the after action reports from the majority of the active shooter incidents across the country and believes there were 36 of them last year. He advised he does read those and his goal for next year for when we do this Full Scale Exercise is to take the actual fact patterns from a school shooting like what happened in Parkland in south Florida and take that exact incident and model our Full Scale Exercise after it, as he would like to incorporate some of the school stuff into it. He advised they have done a lot of security upgrades and they have integrated this ALICE training. He advised he would like to put the full gamut into that and put into that the exact scenario.

10.E. Evidence Room Remodel

Chief Canfield addressed the update to the outer evidence room remodel and advised we are still continuing to work on that. He advised we have the drying rack and it should be in place hopefully this Saturday. He advised Dennis Ashley is going to come in and work on that with him and hopefully it will be wrapped up soon.

11. **OLD BUSINESS**

No discussion.

12. **NEW BUSINESS**

No discussion.

13. **CONFIRMATION OF NEXT MEETING DATE**

The next Regular or Special Meeting date of November 21, 2018 was confirmed.

14. **OTHER BUSINESS**

No discussion.

15. CITIZEN COMMENTS

Dennis Lintz approached the podium and identified himself as a resident of Laconia. He advised he would like to speak not only to civilians, but to the military personnel present, noting there are actually four on the panel and four in the civilian section. He advised back when he was a medic in the Army, he had to do the phlebotomy for the discharge physicals for a lot of the "junkies". He advised the military discharged these people because they were unreliable, not trustworthy, and just a myriad of reasons they couldn't use them. He inquired why the police department use these kinds of people as their sole source of information. He indicated that he included in his Notice to Respond that he firmly believes this is the reason why the crime rate has risen in this area, because no one pays attention to the people who actually try to come forward and prove, and even demonstrate, what has happened here. He inquired why the police department totally rely on these kinds of people for their absolute information. He advised two months ago he turned in an 8"x10" full color glossy photo with circles and arrows and a paragraph on the back by Arlo Guthrie. He inquired if the Commission got a chance to see that and indicated it's just another document that disappears.

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 3:37 pm.