

PORTSMOUTH POLICE COMMISSION

MINUTES OF THE MARCH 28th, 2017 MONTHLY POLICE COMMISSION MEETING

5:30 p.m. Public Session – Eileen Dondero Foley Council Chambers

Brenna Cavanaugh, Chair
Joseph J. Onosko
Joe Plaia

- I. **CALL TO ORDER:** The March 28th, 2017 monthly Police Commission meeting was called to order at 3:36 p.m. in the Wm. Mortimer Room of the police department for the purpose of going into non-public session.

The Chair called for a motion to go into non-public session under the provisions of RSA 91:A, 3-II (a), “Dismissal, promotion or compensation of any public employee...”, (b), “Consideration of the hiring of any person as a public employee.”, and (c) “Matters which, if discussed in public would likely affect adversely the reputation of any person...”

Action: Commissioner Onosko moved to enter non-public session for the purposes delineated above.

Seconded by Commissioner Plaia.

On a Roll Call Vote: The motion passed as follows:

Commissioner Cavanaugh:	“Aye.”
Commissioner Onosko:	“Aye.”
Commissioner Plaia:	“Aye.”

The motion passed to go into non-public session at 3:36 p.m.

The public session was called to back to order at 5:48 p.m. in the Eileen Dondero Foley Council Chambers. (An archived video of the meeting is available on the city’s website.)

The following people were present: Commissioners Cavanaugh, Onosko, and Plaia, Chief David Mara, Captain of Operations Frank Warchol, Admin.

Manager Karen Senecal, Exec. Assistant Kathleen Levesque, members of the public and the press.

II. **PLEDGE OF ALLEGIANCE:** Captain Warchol led the Pledge of Allegiance.

III. **ACCEPTANCE OF THE MINUTES:**

The Chair asked for a motion to accept the minutes of the February 28th and March 16th, Police Commission meetings.

Action: Commissioner Plaia moved to accept the minutes of the February 28th, and March 16th, 2017 meetings.

Seconded by Commissioner Onosko.

On a Voice Vote, the motion passed to accept the minutes of the February 28th, and March 16th, 2017 meetings.

Action: Commissioner Onosko moved to suspend the rules and proceed with the Swearing-In ceremony for Officer Conell Loughlin.

Seconded by Commissioner Plaia.

On a Voice Vote: The motion passed to suspend the rules and proceed with the swearing-in ceremony of Officer Conell Loughlin.

Chief Mara administered the oath and Conell Loughlin was sworn in as the Department's 64th full-time officer.

The Commission returned to the agenda, and the Chair opened the public comment session.

IV. **PUBLIC COMMENT:** : (The following is a brief summary of each person's comments and represents the speaker's personal opinion. The entire meeting can be viewed online by going to the city's website and clicking "Channel 22", and then clicking on "Archived 2012, 2013, 2014, 2015, and 2016 meetings.")

Mr. Paul McEachern – 70 Dennett Street: Mr. McEachern said he wished to comment on the new Media Policy, although he did not read it. He reminded the Commission that under the city charter, they are the policy makers. He recommended the Commission read the charter from time to time because it contains important information about the Commission's duties of discipline as well as policy. He reminded the Commission they hire the Chief just as the council hires the manager. Mr. McEachern doesn't think the Commission should make the Chief the gatekeeper of media

relations. He said the Chief answers to the commission, not the other way around, although he thought it was a good step to have a media policy.

Mr. Mark Brighton – 285 Union Street: Mr. Brighton thanked the Commission, Chief, and Capt. Warchol for making the police department approachable again without fear of repercussions. He said he came to speak in defense of the Prescott Sisters (metaphorically), and the abuse of the beautiful park they gifted to the city. Mr. Brighton spoke about the excessive drinking in Prescott Park. It was his perception there was no enforcement taking place because it's the "beautiful people" who frequent Prescott Park and its events. He said, nothing happens there, while in other parks people are cited for drinking.

V. **UNFINISHED BUSINESS:** None.

VI. **NEW BUSINESS:**

A. POLICE COMMISSION:

1. Commissioner Cavanaugh

a. Electronic Device Usage During Police Commission

Meetings: Commissioner Cavanaugh said this was a proactive measure so the Commission would have something in place that dictates how Commissioners use electronic devices. If passed, this policy would become Rule #41 of the Commission's Rules & Order.

Action Commission Onosko moved to consider Commissioner Cavanaugh's policy to limit the use of electronic devices at commission meetings.

Seconded by Commissioner Plaia.

On a Voice Vote: The motion passed to bring the draft policy on the use of electronic devices during Police Commission Meetings to the floor for discussion.

Commissioner Plaia felt the Commission should add, "or his or her designee" after the words, 'Chief of Police' in the last sentence of paragraph two of the draft. Both of the other Commissioners agreed.

Action: Commissioner Plaia moved to adopt Rule #41 as presented by Commissioner Cavanaugh, with one

addition at the end of paragraph two, by adding the words, "or his or her designee" after the words, "Chief of Police",
Seconded by Commissioner Onosko.

On a Voice Vote: The motion passed unanimously to adopt Rule 41 as presented by Commissioner Cavanaugh, , with one addition at the end of paragraph two, by adding the words, "or his or her designee" after the words, "Chief of Police".

2. Commissioner Onosko

a. Update on IACP Executive Search/Timeline:

Commissioner Onosko said we received 62 resumes from the open application period of our nationwide search. The IACP recommended 17 semi-finalists. He said one name was dropped from that list, and one name was added. In two weeks the Commission will have another conference call with our IACP representatives which will whittle the list down to six. The six final candidates will come to Portsmouth in the afternoon on April 27th for a full day of interview panels on the 28th. Within a day or two of the interviews, the list will be whittled to 2. The next step would be thorough background investigations, with an offer of employment going to one of the two candidates by mid-May. Our goal is to have the new Chief on board by mid-June. The Commissioner said there were quite a few strong resumes among those who applied. He added that on the 4/28 date, we will have four separate interview panels; the panels will spend up to an hour with each of the six candidates. Currently, the make up of the panels are as follows:

- Commissioners and Chief Mara
- IACP representatives and Chiefs-of-Police from the region
- City Leaders, including elected officials and city department heads
- Community Panel consisting of 8-12 stakeholders.

3. Commissioner Plaia

- a. Adopt additional changes to the Police Commission Rules and Order re: Media Policy: Commissioner Plaia said the Media Policy draft had been posted for public comment along with the rest of the draft, but had not been

incorporated into the final document until now. The Commissioner summarized the content of the draft as well as the intent of putting the rule in place. Commissioner Onosko added that no single commissioner can claim to represent the commission as a majority voice without some sort of public acknowledgement by the other commissioners to that effect. The Chair asked for a motion on the draft media policy.

Action: Commissioner Plaia moved to accept the media policy as written and add it to the Police Commission Rules & Order.

Seconded by Commissioner Onosko.

On a Voice Vote: The motion passed to adopt the draft policy as written and add it to the Police Commission Rules & Order.

B. CHIEF OF POLICE:

1. Swearing In of Conell Loughlin: Chief Mara added that since Officer Loughlin is already a certified officer, the Department will be able to get him out on the street a lot sooner because he doesn't have to go to the academy first.
2. Accreditation Update – Lt. Sargent and Ms. Burnett continue their intensive training, and we are still on track to become an accredited department in 2019.
3. Motor Vehicle Enforcement – Stats for December, January, and February indicate that officers have brought the activity level up and have shown creativity in their enforcement efforts.

Stats:

- # of Motor Vehicle Stops:
 - o 2016: Nov- 876, Dec- 819
 - o 2017: Jan- 1,102, Feb- 991
- # of Summonses:
 - o 2016: Nov- 210, Dec- 150
 - o 2017: Jan- 230, Feb- 216

Commissioner Cavanaugh asked if it would be possible to get a separate stat just for the undercover car. Chief Mara explained the Department did not have the data infrastructure to capture or isolate that information.

4. Grant: Chief Mara spoke about Det. Sergeant Tom Grella's work. He explained that Portsmouth is the grant manager for all the ICAC

grant funds for the state. Sgt. Grella is in charge of the Task Force, and his position is fully funded by the grant. Det. Jacques' position is 80% funded by the grant. Chief Mara briefly explained the work of the ICAC Task Force. The Task Force is in position to receive this additional funding in addition to the federal allocations as a direct result of Sgt. Grella's ongoing efforts. Both the Chief and Sgt. Grella have testified several times before committee on this matter. The Chief said Sgt. Grella is a great advocate, very knowledgeable, and every time he speaks, he educates about the true scope of cyber-child exploitation. We are in a holding pattern, waiting to see how much of the target grant amount ends up being appropriated for the task force from the state budget. The Commission would be accepting this grant, contingent upon the state's approval of funds.

Action: Commissioner Onosko moved to accept the grant in the amount of \$500,000 from the New Hampshire Department Justice for the New Hampshire ICAC Task Force Project Forensic Shield, contingent upon state approval of the funds.

Seconded by Commissioner Plaia.

On a Voice Vote: The motion passed to accept the grant in the amount of \$500,000 from the New Hampshire Department Justice for the New Hampshire ICAC Task Force Project Forensic Shield, contingent upon state approval of the funds.

NOTE: Chief Mara informed the public about the Women's Public Safety Clinic being held at the Police Department tomorrow evening. He said although this class is full, he would like to make this class a permanent thing that we do every six months to a year.

5. Financial Report & Facility Update – Karen Senecal

Commissioner Cavanaugh asked if, for next month's meeting, Chief Mara could have ideas about what the Department may be thinking of purchasing with the donations received from the Webber Estate. The Chief indicated he has already spoken with command staff on this subject.

VII. MISCELLANEOUS BUSINESS:

1. Litigation Update: The Chair briefly updated the public regarding a demand letter for \$21,000,000 received by the commission last year. The city attorney has advised that no lawsuit has subsequently been filed, and the attorney's are in discussion.

2. Commissioner Cavanaugh asked about clothing for the commissioners that could be worn at official functions that identifies them as Police Commissioners. Executive Assistant Kathe Levesque said a vendor had been identified and the Commissioners could now order the garments.

VIII. MOTION TO ADJOURN:

There being no further business before the Commission, the Chair asked for a motion to adjourn.

Action: Commissioner Plaia moved the March 28th, 2017 Police Commission meeting be adjourned.

Seconded by Commissioner Onosko.

On a Voice Vote: The motion passed to adjourn the March 28th Police Commission meeting at 6:40 p.m.

END OF MEETING

MONTHLY POLICE COMMISSION MEETING
PUBLIC COMMENT PORTION

DATE OF MEETING: 3-28-17

Name & Address: Paul McEachern

70 DENNETT

Topic: New Policy re Media

Name & Address: Mark Brighton

285 Union

Topic: Prescott Park

Name & Address: _____

Topic: _____

Name & Address: _____

Topic: _____

Name & Address: _____

Topic: _____

Name & Address: _____

Topic: _____