

PORTSMOUTH POLICE COMMISSION
MINUTES OF THE SEPTEMBER 26TH, 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 September 26th, 2017 monthly Police Commission meeting was called to order at 5:38 p.m. in the 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 Robert Merner, Admin. Manager Karen Senecal, Exec. Assistant Kathleen Levesque, members of the public and the press.
- II. **PLEDGE OF ALLEGIANCE:** Commissioner Onosko led the Pledge of Allegiance.
- III. **ACCEPTANCE OF THE MINUTES:**
The Chair asked for a motion to accept the minutes of the previous meeting.
- Action: Commissioner Plaia moved** to accept the minutes of the July 25th, 2017 meeting.
Seconded by Commissioner Onosko.
On a Voice Vote: The motion passed to accept the minutes of the July 25th, 2017 meeting.
- 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, 2016, and 2017 meetings.”)

Mr. Jim Splaine – 235 Oriental Gardens. Mr. Splaine said as a life-long resident of Portsmouth, he has watched the city police department very carefully. He feels the work Chief Merner is doing to reach out to residents is having a good effect on the community. Mr. Splaine commended the commission as well, and suggested the commission might consider doing a round table-type discussion with the public on a monthly basis. It would provide the opportunity for the commission to come down off the podium and have a more personal, interactive discussion.

Before closing the public comment session the Chair said she generally doesn't comment after the public comment session, but wanted to add that this police commission held a number of round table discussions for input early in 2016. For a good part of 2017, the commission has focused its energies on getting a new chief in place. She agreed the idea should be considered again. Commissioner Onosko added he also thought the round-table discussion format was a good idea.

V. UNFINISHED BUSINESS: None.

VI. NEW BUSINESS:

A. POLICE COMMISSION:

1. Commissioner Cavanaugh:

- a. Citizen Complaints Process – The Chair said the Commission is a resource for citizens who have a grievance against their police department. When a complaint comes in to the Commission, it is passed along to the Chief, who designates an officer to look into it. Commissioner Cavanaugh said she was looking at the new police department website, and noticed there is no mention of the Commission under the 'Citizen Complaint' tab. She said in her view, the Commission exists fundamentally to serve the citizens, and there are some people that are intimidated by the idea of having to go to the police department to lodge a complaint. She said she would like to see information on how to contact the Police Commission as the first choice on the list of instructions for filing a complaint.

Karen Senecal described a possible way the Commission page could be linked to that location in the "Citizen Complaints" page. Commissioner Onosko observed that part of the

website should be set up in such a way, that the individual citizen can decide how s/he wants to proceed and who they wish to contact.

2. Commissioner Onosko:

- a. Cellphones & Driving – The Commissioner said he is still amazed at the number of people who continue to talk on their phone while they are negotiating traffic. He asked the Chief to update the Commission on the status of enforcement of the Hands-Free law in Portsmouth.

Chief Merner said the department has applied for and received grant monies available through the state for Hands Free law enforcement. He said during the period from June to December of 2016, 271 citations were written. This was the initial period after the law went into effect, when people were getting used to the new law, and the police focus was on education. During the period of January through August of 2017, 511 summonses were written, including summonses to a number of people who were being cited for their second offense. The progressive fines for violating this law are quite expensive.

- b. Motorcycle Noise – Commissioner Onosko said that excessive motorcycle noise has been an issue in this town for the full 28 years he has lived here. He described it as very disruptive, very jarring, especially in the down town. He asked the Chief what the police department is doing about motor cycle noise.

Chief Merner said this particular noise issue comes to the forefront during the summer months. The Chief indicated that motorcycle owners can make modifications to the exhaust system which amplify the noise of the bike. He had already directed our traffic patrols to focus on this during August. Additionally, he said we are looking at the latest generation of noise meters, so the department is in a position to hit this issue aggressively and early going into next spring. He said traffic issues remain one of the biggest issues in this city in the minds of residents.

B. CHIEF OF POLICE:

1. Chief Merner publicly thanked Mr. Larry Johnston, Brand Ambassador for New Hampshire McDonald's franchises, for his support of this year's National Night Out. The Chief read the department's thank you letter to Mr. Johnston into the record.

He also gave the Commission some background on a chronic skateboarding problem in the Nathaniel Street neighborhood. One of the Nathaniel Street resident's came into to speak with the Chief, Capt. Warchol, and Lt. Maloney about the problem. She described the lengths she had gone to with the skateboarders and their families to remedy the problem, to no avail. After speaking with her, Chief Merner assigned one of our SROs to the issue, as our SROs do patrol work during the summer while school is not in session. Det. Tim Cashman took this problem on, met with the parents, met with the kids, met with the resident, and was able to bring a good resolution to this issue. The Chief read the thank you note he had received from that same resident regarding the disposition of this matter.

2. Accreditation Update – Chief Merner said as of this morning, the department is 80% compliant on our SOPs, 18% of SOPs are in progress toward compliance, and 2% of SOPs are being re-worked from scratch. We have until April of 2019 to complete this task, but we anticipate we will be in a position to move forward as early as spring or summer of 2018. Chief Merner said he has met with Paul McMillian, who is the regional CALEA manager. The Chief said that up and down through the department, the CALEA process is well underway at all levels. There are many proofs of compliance required by the CALEA process, which can often be quite involved. He said credit goes to Lt. Darrin Sargent, and our Accreditation Manager Jackie Burnett, who are doing yeoman's work on this enormous project as we move forward.
3. Monthly Traffic Data – Stats:
 - Calls for service: From January 1, 2016 to 9:00 a.m. September 26th, 2016, there were 29, 676 calls for service, or 'CADs' (**C**omputer **A**ided **D**ispatch). In 2017 for this same time period, there were 39,620 CADs, which is an increase 9,948 CADs. Of note in that statistic is more than half of that increase in 2017 is in officer-initiated calls; things like building checks, person checks, motor vehicle stops, and the like.
 - In 2016, there were 8,376 MV stops for the entire year.

- In 2017, there were 8,822 stops from January through August of this year. With close to three-and-a-half months left in the year, we have already exceeded all of last year's activity.
- In 2016: 930 summonses were written; 254 were for speeding, 271 were for violating the Hands Free law.
- In 2017: 1500 summonses have been written to date; 342 for speeding, and an additional 511 for Hands Free.

Chief Merner added that a number of motor vehicle stops have also resulted in arrests for non-motor vehicle-related offenses like narcotics charges, and outstanding warrants.

Some of the other calls for service that we get concern persons who are in crisis. As an example, Chief Merner said just this year alone we've had something like 32+ interactions with a single individual causing disturbances or violations in the downtown. These calls tie up police dispatch and police officer resources. The Chief said we are working with our social service partners regarding this individual, to get a better solution in place to decrease the repetitive calls for a police response for the same problems.

4. Grant: A grant in the amount of \$32,000 has been awarded to the Portsmouth Police Department by the NH Dept. of Safety, Division of State Police, for a Law Enforcement Opioid Abuse Reduction Initiative.

Action: Commissioner Plaia moved to accept the grant of \$32,000 from the NH Dept. of Safety, Division of State Police, and forward to the city council for their action.

Seconded by Commissioner Onosko.

On a Voice Vote: The motion passed to accept the grant of \$32,000 from the NH Dept. of Safety, Division of State Police, and forward to the city council for their action.

Commissioner Onosko commented that we had originally requested \$106,000. Instead, the state awarded \$32,000 to be spread among the five towns that joined together to make the original request for assistance from the state. Commissioner Onosko broke down the math of distributing the \$32,000 to show how little this actually gives each town to address this problem. He said it seems like the state is

just not taking this crisis seriously. Commissioner Plaia commented the reason his daughter is in California getting treatment, is because there is nothing available here. Chief Merner agreed with the Commissioner that this problem is a lot bigger than what can be addressed with \$32,000, and this does not include the collective labor hours that were put into assembling the grant proposal. He indicated employees from five communities worked on this grant proposal.

Commissioner Plaia clarified his earlier comment that he was referring to the wait list in New Hampshire for available services. In New Hampshire the wait list is two weeks minimum, as opposed to being able to get into treatment within 48 hrs. in California. He said while there are resources here doing good work, there are just not enough resources up and running here in New Hampshire in proportion to the problem.

5. Disposal of Old Radio Equipment:

Action: Commissioner Plaia moved to authorize 2-Way, our vendor, to dispose of the equipment on the inventory list included in this meeting packet with the understanding that if 2-Way re-purposes or sells any of these used parts, they will provide a credit to the Portsmouth Police Department.

Seconded by Commissioner Onosko.

The Chair asked for discussion. She said she will not support the motion because she didn't see the list, and didn't want to vote without knowing if we are going to dispose of valuable and expensive equipment.

Commissioner Onosko said he was just going to ask how we would know if 2-Way had sold something.

The Chair asked the motion be amended.

Commissioner Plaia amended the motion and moved to table authorization until the next meeting, for 2-Way, our vendor, to dispose of the equipment on the inventory list included in this meeting packet with the understanding that if 2-Way re-purposes or

sells any of these used parts, they will provide a credit to the Portsmouth Police Department.

Seconded by Commissioner Onosko.

On a Voice Vote: The amended motion passed to table authorization until the next meeting, for 2-Way, our vendor, to dispose of the equipment on the inventory list included in this meeting packet with the understanding that if 2-Way re-purposes or sells any of these used parts, they will provide a credit to the Portsmouth Police Department.

6. Financial Report & Facility Update – Karen Senecal
 - a. Review of the Semi-Annual report was tabled to the next meeting.
7. Letter of Thanks from Outside the Department
 - b. A gentleman (Name Withheld for Family Privacy) sent a note of thanks to Chief Merner for the ‘utmost courtesy and professionalism” shown to him and his family by responding officers, after a wellness check on a family member revealed that family member had passed away the day before while alone at home. The gentleman noted the kindness and understanding they were shown meant a great deal to the family.

The Chair added she had seen a thank you letter from a family to Officer Jack Maloney for his kindness and professionalism in a similar circumstance.

VII. MISCELLANEOUS BUSINESS:

- a. The Chair said she had discussed winter parking issues with Chief Merner and felt he has some really good ideas on this subject. The Chair said she would like this on the next agenda.

VIII. MOTION TO ADJOURN:

Commissioner Cavanaugh announced the next scheduled public Police Commission meeting will be Tuesday, October 24th, 2017. She explained for the months of October and November only, the non-public session would not be held at its regular time of 4:30 p.m. just before the public meeting, because of a schedule conflict.

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

Action: Commissioner Plaia moved the September 26th, 2017 Police Commission meeting be adjourned.

Seconded by Commissioner Onosko.

On a Voice Vote: The motion passed to adjourn the September 26th, Police Commission meeting at 6:27 p.m.

END OF MEETING

Kathe

*Respectfully Submitted By Kathleen Levesque, Executive Assistant
Reviewed By Commissioner Plaia, Clerk of the Commission*

Joe Plaia