

PORTSMOUTH POLICE COMMISSION

MINUTES OF THE APRIL 23RD, 2018 POLICE COMMISSION MEETING

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

Joseph J. Onosko, Chair
Jim Splaine
Rev. Dr. Arthur Hilson

- I. **CALL TO ORDER:** The April 23rd, 2018 monthly Police Commission meeting was called to order at 4:45 p.m. in the Wm. Mortimer Conference Room of the Portsmouth Police Department.

The following people were present: Commissioners Onosko, Splaine and Hilson, and Chief Merner.

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...”

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

Seconded by Commissioner Hilson.

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

Commissioner Onosko: “Aye.”

Commissioner Splaine: “Aye.”

Commissioner Hilson: “Aye.”

The Commission entered non-public session at 4:45 p.m.

The public session resumed at 5:38 p.m. in the Eileen Dondero Foley Council Chambers in city hall. (An archived video of the meeting is available on the city’s website.)

The following people were present: Commissioners Onosko, Splaine and Hilson, Chief Merner, Admin. Manager Karen Senecal, Exec. Asst. Kathe Levesque, Herald reporter Elizabeth Dinan, members of the public.

II. **PLEDGE OF ALLEGIANCE:** Karen Senecal led the Pledge of Allegiance.

III. **MOTION TO SUSPEND THE AGENDA:**

The Chair asked for a motion to suspend the agenda and move to item 1. under: **'B. CHIEF OF POLICE'**.

Action: Commissioner Hilson moved to suspend the agenda and move to item 1 under: **'B. CHIEF OF POLICE'**.

Seconded by Commissioner Splaine.

On a Voice Vote: The motion passed to suspend the agenda and move to item 1 under: **'B. CHIEF OF POLICE'**.

B. CHIEF OF POLICE:

1. Officer Michael Lyons was sworn in as the 66th full-time Portsmouth Police Officer.

IV. **ACCEPTANCE OF THE MINUTES OF THE MEETING HELD ON:**

March 21st, 2018.

Action: Commissioner Splaine moved to accept the minutes of the March 21st, 2018 Police Commission meeting.

Seconded by Commissioner Hilson.

On a Voice Vote: The motion carried to accept the minutes of the March 21st, 2018 Police Commission meeting.

V. **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 scrolling down to the bottom of the City's home page to "Recent Meeting Broadcast")

There being no public comment, the Chair closed the public comment session.

VI. **UNFINISHED BUSINESS:** None.

VII. **NEW BUSINESS:**

A. POLICE COMMISSION:

a. Commissioner Onosko:

i. Regulations on the Discharge of Firearms in

Portsmouth – At the request of the Chair, City Attorney Robert Sullivan was present and gave the Commission a brief history on the matter of discharging firearms within Portsmouth city limits. He said this subject was the first matter he addressed when he started in his position 36 years ago, and it has come up repeatedly over the course of his tenure. As the city has changed, and population density and location has change and the city as become built-out, this activity has become more of a public safety issue.

The City Attorney read from RSA 159:26, in relevant part, that no political subdivision of the state can regulate any of the matters covered in the statute.

Attorney Sullivan also spoke about police powers relevant to public safety, and noted that the land involved in the most recent incident was city property, and the city has the rights of a landlord in this particular issue.

At the conclusion of the city attorney's comments, Chief Merner added the police department has worked with the city since the incident in question, to have all of the entrances to this parcel of city land posted. He also said that in his opinion, which is not a legal opinion, he did not see a need to be firing a weapon withing the city limits.

Attorney Sullivan concluded by indicating the city manager has the authority to take action in this particular matter.

ii. Citizen Police Academy – The Chair said the Commission believes there is value in more citizens understanding their police department. Having more people go through the Citizen Police Department may also contribute to a more informed pool of residents who may be interested in running for police commissioner in the future. He suggested running a 90-minute to 2-hour event sometime before June 1st.

Chief Merner said he would be more than willing to talk to Seacoast Crimestoppers about putting on a full academy after these informational sessions are complete.

The suggested timetable was to hold the first information session before summer begins, hold one in the fall, and one in the late fall/early winter.

- iii. **Budget Documents on the PD Website** – The Chair wanted the public to know that our budget documents are up on the Police Department website in advance of the Public Hearing on the FY '19 budget on May 2nd, and Police Department work session with the city council on May 9th.

b. Commissioner Splaine:

- i. **Police Commission Meeting Notifications** –

Commissioner Splaine said he developed a proposed process for Police Commission meeting notifications. He expressed his desire for the final process agreed on not to place undue burden on the limited administrative support available to the Commission. He asked Chief Merner if he could put together a working document on this, and the Chief agreed.

- ii. **Police Commission Community Outreach Events** –

Commissioner Splaine referred to the discussion on this from the March Commission meeting. He suggested doing something at the Farmer's Market venue, perhaps on one of the first couple of weekends in June. He said the Commission could contact the City Manager to see if this would be permitted.

The Chair suggest tentatively scheduling something for June 2nd, 2018. Chief Merner added that the Department would be starting up 'Walk with a Cop' again for the season as the weather warms up, and this is another opportunity if the Commissioners want to join in the walk.

There was some discussion on if such an event needed to be posted as a meeting. Commissioner Hilson suggested the Commission not have all three Commissioners present, so as not to bring the meeting statute into play, where it would have to be posted as a meeting and minutes would have to

be taken. Kathe Levesque said she would look at the statute.

B. CHIEF OF POLICE:

Before beginning his report, Chief Merner informed the Commission that Officer Don Denman graduated last Friday from the Academy, and would be working with a Field Training Officer starting this evening.

b. Accreditation Update

c. Monthly Traffic Data

d. Grants & Donations:

1. Victim of Crime Advocate Position Grant -

Action: Commissioner Hilson moved to accept the ‘VOCA’ grant in the amount of \$72,043, and forward to the city council for their action.)

Seconded by Commissioner Splaine.

On a Voice Vote: The motion passed to accept the ‘VOCA’ grant in the amount of \$72,043, and forward to the city council for their action.

2. \$800 donation to the Portsmouth Police Explorer Post –

Action Commissioner Hilson moved to accept the \$800 donation in support of the Portsmouth Police Explorer Post from the “Friends of the South End”, and forward to the city council for their action.)

Seconded by Commissioner Splaine.

On a Voice Vote: The motion passed to accept the \$800 donation in support of the Portsmouth Police Explorer Post from the “Friends of the South End”, and forward to the city council for their action.

e. Financial Report

Commissioner Onosko asked Chief Merner about the spike in shoplifting crimes. Chief Merner said property crimes like shoplifting and thefts from cars are clearly related to the opiate and drug addiction epidemic in New Hampshire. He said this was something they are working on in a focused manner. The stat has jumped from 5 or 6 incidents, up to 20-22 incidents at this point in the year.

The Chair asked for an update on the flow of traffic at New Franklin School. Chief Merner touched on a series of steps that have been taken to address this.

VIII. MISCELLANEOUS BUSINESS:

- a. Commissioner Onosko** – The Chair brought two donations forward for acceptance by the Commission:

1. Police Explorer Cadet Academy Scholarship:

Action: Commissioner Hilson moved to accept a scholarship donation in the amount of \$200 from Mr. Jason Page for a Police Explorer Cadet to attend the Explorer Cadet Academy, and forward to the City Council for their action.

Seconded by Commissioner Splaine.

On a Voice Vote: The motion passed to accept the scholarship donation in the amount of \$200 from Mr. Jason Page for a Police Explorer Cadet to attend the Explorer Cadet Academy and forward to the City Council for their action.

2. Elks Lodge Cops with Kids Donation:

Action: Commissioner Hilson moved to accept a donation from the Elks Lodge, of police-themed promotional items and equipment for elementary school children, valued at about \$2,500, in support of Portsmouth's Cops with Kids outreach coming up in June, and forward to the City Council for their action.

Seconded by Commissioner Splaine.

On a Voice Vote: The motion passed to accept the donation from the Elks Lodge, of police-themed promotional items and equipment for elementary school children, valued at about \$2,500, in support of Portsmouth's Cops with Kids outreach coming up in June, and forward to the City Council for their action.

b. Chief Merner – Items

- **Citizen Response to Active Shooter Event, or CRASE Training** has been given to city hall and police civilian employees.
- **Alert Lockdown Inform Counter Evacuate, or ALICE Training** has been done in all Portsmouth schools. Chief Merner made special mention of Detective Navelski, Detective Benson, Officer McCarthy and Officer Werner who conducted the CRASE and ALICE training classes, and have done an excellent job.

Chief Merner told the Commission the Portsmouth Police have trained hundreds of citizens and hundreds of students, teachers, and educators through these programs. We continue to get numerous requests for CRASE training from area businesses and institutions.

- **Advanced Law Enforcement Rapid Response Training, or ALERRT** active shooter training has been given to all Portsmouth Police Officers. We extended the training opportunity to a number of smaller area departments that otherwise probably would not be able to access such training.

The feedback from officers indicates this was some of the best, most realistic scenario training that officers have ever received. Kudos go to Lt. Chris Cummings for the planning and execution of this complex readiness training.

- Lt. Darrin Sargent is attending the FBI National Academy. Only 2% of law enforcement worldwide ever get this opportunity.
- Chief Merner has passed the NH Law Package; he is now a certified police officer in three states.
- Chief Merner has been appointed to The International Association of Chiefs of Police (IACP) Investigative Operations Policy Committee. This is a prestigious appointment as Chief Merner will be involved in setting standards and policy for police investigations worldwide.

IX. MOTION TO ADJOURN:

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

Action: Commissioner Hilson moved the April 23rd, 2018 Police Commission Monthly Meeting be adjourned.

Seconded by Commissioner Splaine.

On a Voice Vote: The motion passed to adjourn the April 23rd, 2018 Police Commission Monthly Meeting at 6:50 p.m.

Police Commission Meeting
April 23rd, 2018

END OF MEETING

Kathe

Respectfully Submitted By Kathleen Levesque, Executive Assistant

Reviewed By Commissioner Hilson, Clerk of the Commission

Arthur L. Hilson