

**PORTSMOUTH POLICE COMMISSION**  
**MINUTES OF THE JULY 20<sup>th</sup> , 2004 MEETING**

Noon (Non-Public) 1:00 PM (Public)  
Portsmouth Police Department - Wm. D. Mortimer Conference Room

John D. Kelley, Chairman  
William F. Devine  
Gerald W. Howe

- I. **CALL TO ORDER:** The Chairman called the July 20<sup>th</sup> monthly Police Commission Meeting to order at 12:10 PM. The Commission immediately went into non-public session at 12:11 PM. At 1:04 PM the Commission came out of non-public session and re-entered public session, and the Chairman called the meeting to order. *(One cassette tape documenting this meeting is on file for reference).*

**Present during public session:** Commissioners Kelley, Devine, and Howe, Chief Magnant, Deputy Chief Young, City Councilor Harold Whitehouse, Portsmouth Herald Reporter Nancy Chico, Fosters Democrat Reporter Doug Guarino, Administrative Aide Kathe Hoyt

- II. **PLEDGE OF ALLEGIANCE:** Deputy Chief David Young led the Pledge of Allegiance.

III. **ACCEPTANCE OF MINUTES:**

**Action:** Commissioner Howe moved the Board accept the minutes of the meeting held on June 15<sup>th</sup>, 2004.

**Seconded by Commissioner Devine.**

**On a Roll Call Vote:** The Board unanimously voted in favor of the motion to accept the minutes.

- IV. **UNFINISHED BUSINESS:** None

- V. **NEW BUSINESS:**

A. **POLICE COMMISSION:**

1. Personnel Items that Require Action

- a. **Commissioner Howe moved** to appoint Lieutenants Ferland and Puopolo and Sergeants DuBois and Warchol to permanent status effective on their respective July anniversary dates.  
**Seconded by Commissioner Devine.**  
**On a Roll Call Vote:** The Board voted unanimously to appoint Lieutenants Ferland and Puopolo and Sergeants DuBois and Warchol to permanent status.
  
- b. **Commissioner Howe moved** to accept the resignation of Fr. Edward Kelley as primary Chaplain of the Portsmouth Police Department.  
**Seconded by Commissioner Devine.**  
**On a roll call vote:** The Board voted unanimously to accept the resignation of Fr. Edward Kelley with regret.
  
- c. **Commissioner Howe moved** to approve the procurement of a replacement K-9 through the Working Dog Foundation in anticipation of the retirement of K-9 Turbo.  
**Seconded by Commissioner Devine.**  
**On a roll call vote:** The Board voted unanimously to approve the procurement of a replacement K-9 through the Working Dog Foundation.

## **B. CHIEF'S REPORT:**

### **1. Letter and Certificate of Appreciation**

Chief Magnant presented a Letter and Certificate of Appreciation to Sergeant Michael Frost of the Seabrook Police Department for his excellent training presentation on "Wellness", which addressed the unique demands and stresses encountered by professionals in law enforcement. The presentation was made in absentia, as Sgt. Michael Frost was unable to attend the Commission meeting.

### **2. Financial Report**

- a. In Budget Coordinator Karen Senecal's absence, Chief Magnant reviewed the preliminary EOY financial reports and indicated the Department would be turning back approximately \$24,000 to the City. Commissioner Kelley asked if it was a requirement to turn back the money, and the Chief indicated it was. Commissioner Howe asked Councilor Whitehouse if it was a common practice for Departments to be in a position to turn back monies to the City at the end of the fiscal year. The

Councilor said it was not uncommon, and other departments have turned back monies in past years.

### **3. Grants and Donations**

- a. The Portsmouth Police Honor Guard received a donation of \$500 From Mr. Joe Yergeau of Coast Pontiac-Cadillac-GMC, Inc.

**Commissioner Howe made a motion** to accept the donation and forward it to the City Council.

**Seconded by Commissioner Devine.**

**On a Roll Call Vote:** The Board voted unanimously to accept the donation of \$500 From Coast Pontiac-Cadillac-GMC, Inc. to the Honor Guard and forward it to the City Council.

- b. The Portsmouth Police Explorer Post received a donation of \$12 in cash from Mrs. Dorothy Farrar.

**Commissioner Howe made a motion** to accept the donation and forward to the City Council.

**Seconded by Commissioner Devine.**

**On a Roll Call Vote:** The Board voted unanimously to accept the donation of \$12 cash for the Portsmouth Explorers Post and forward it to the City Council.

### **4. Division and Team Reports**

- a. Information Systems

Chief Magnant indicated that the IT department was currently involved in a complex project to upgrade the laptops in the cruisers. The existing hardware is not capable of being updated and has reached the point where the bandwidth and modems cannot run the updated software or accommodate the data passing through it. This has been a time-consuming project. At present, the IT department is working with suppliers of both software and hardware to develop a long-range plan for both types of equipment. Commissioner Devine asked if the suppliers can guarantee that the new equipment and software will remain current for some length of time before they are obsolete. Chief Magnant said the suppliers have given verbal assurances on the capacity for future upgrades, but would not offer any type of written assurance. He said this is the nature of this industry, given the pace of new technology developments. The Chief explained there was not a lot of competition as there are only a few suppliers that can provide seamless coverage in the City of Portsmouth, with no “dead spots” in radio communication. There was a brief discussion on a couple of known providers, and the drawbacks of their products.

Commissioner Kelley asked if our current obsolescence is slowing things down in the cruisers. The Chief indicated that it was, and was causing the laptops to lock-up in some cases. One of the change factors is the encryption software required to insure secure transmissions. As it becomes more and more sophisticated it takes up more and more space.

**b. Accident Team**

Chief Magnant noted the change of command for this special team. After many years of outstanding leadership, Capt. John Yerardi has resigned as commander of the Accident Team, citing a growing list of competing responsibilities. Lt. Dave Ferland is now team commander. Lt. Ferland is one of the original Accident Team members. The Deputy indicated that another experienced team member, Sgt. Warchol, has been brought back to the team as well.

The brief discussion of motor vehicle accidents and causes prompted Chairman Kelly to commend the Department for its rigorous enforcement of liquor law compliance to keep underage drivers from drinking and driving and for its aggressive posture towards all DWIs. The statistics for the recent Field Sobriety Checkpoint were reviewed: 233 motor vehicle stops, 6 arrests (5 DWI's 1 Drug Arrest).

**c. Records Division Report**

**Commissioner Howe made a motion** to accept the Division and Team reports as presented and place them on file.

**Seconded by Commissioner Devine.**

**On a Roll Call Vote:** The Board voted unanimously to accept the Division and Team reports and place them on file.

**C. PATROL SERVICES BUREAU:**

**1. Log Activity Reports**

Commissioner Howe noted an increase in weapons violations. Deputy Young explained these are often a result of other events, such as drug arrests and are rarely a stand-alone event of someone displaying or brandishing a weapon.

**2. Communications Center Report**

Installation of the new phone system is anticipated for August.

**3. FTO Report**

**4. K-9 Report**

The Deputy reviewed the change of command at the K-9 Academy and their move from Center Strafford to their new facility at the Pease National Guard base. Lt. Ferland, as founding instructor, has stepped down after years of tireless work to establish this premier training facility for working dogs. Upon completion of oral board examinations, Officer John Usher of Dover PD has been appointed to succeed Lt. Ferland as Head Trainer at the K-9 Academy.

**5. Auxiliary Monthly Activity Report**

**6. Special Events in the City**

Pleasant Street will be closed this coming Friday as per last summer. This is one of four planned closures of Pleasant Street. All four are being sponsored by Pro Portsmouth. There are numerous other street and outside events scheduled to take place through the course of the summer.

**7. Officers Out Sick or Injured**

At present, the Department is at full strength.

**D. CITY PROSECUTOR REPORT**

**E. BUREAU OF INVESTIGATIVE SERVICES**

The Deputy reviewed the activity of the Bureau of Investigation. The Deputy spoke to the latest heroin overdose death; this brings the total of recent cases to five. Though we are still awaiting the toxicology tests, the strong indications are this death too, is linked to a heroin overdose.

The Chief noted the Department's SIU has been working with the DEA on the recent arrests in the Murder-for-Hire conspiracy. Chief Magnant indicated this is an extensive and very complicated case.

**VI. MISCELLANEOUS/OTHER BUSINESS**

Motorcycle Noise – Chairman Kelley noted the excellent job done by the Department and the Seacoast Motorcycle Noise Coalition in addressing the current disparity between existing noise legislation and the enforceability of same. As the Deputy's office receives motorcycle noise complaints from residents, he has encouraged them to get involved directly with the legislature, to convey the sense of urgency and the seriousness of the problem. Commissioner Kelley indicated he did not have a sense of whether or not the state representatives from our district besides Representative Maryanne Blanchard, who came and addressed the Commission on this subject in June, were aware of the scope of this problem.

The next item of other business concerned the PSNH telephone poles, particularly the one on Marcy Street near the Children's Museum. Chairman Kelley voiced his

concern that it was just a matter of time before a pedestrian is struck by a car as the vehicle negotiates the pole which is actually in the street. The Deputy said it is a PSNH issue, and to date, they have refused to move the pole.

Commissioner Devine inquired about the City's ability to withhold pole permits as a means to effect action. Councilor Whitehouse responded that pole permits only apply to new installations.

Chairman Kelley asked Deputy Young to convey to Assistant Mayor Alex Hanson, who sits on the Traffic & Safety Committee, that this issue needs to be addressed and to inquire what can be done.

Chairman Kelley asked what will happen to the twenty-five to thirty cars that are now parked in the Armory parking lot when they can no longer use the lot, and will this volume have to be absorbed by the street parking. The Deputy did not have this information.

Councilor Whitehouse suggested the Portsmouth Explorers look into a fundraising idea involving "caution" statues, made of plastic, that warn motorists of children at play.

## **VII. MOTION TO ADJOURN**

There being no further business before this Commission,  
**Commissioner Howe moved** the July 20<sup>th</sup> meeting be adjourned.

**Seconded by Commissioner Devine.**

**On a Roll Call Vote:** The Board unanimously voted in favor of the motion at 1:40 P.M.

## **VIII. NEXT MEETING: Tuesday, August 17<sup>th</sup>, 2004**

*Respectfully Submitted By Kathleen Hoyt, Administrative Aide  
Reviewed By Commissioner Gerald Howe, Clerk*