

PORTSMOUTH POLICE COMMISSION
MINUTES OF THE DECEMBER 17th MEETING

6:00 PM (Non-Public) – Wm. Mortimer Conference Room, PPD

7:00 PM (Public) - Eileen Dondero Foley Council Chambers

Gerald W. Howe, Chairman

John C. Russo

John F. Golumb

UNAPPROVED

- I. **CALL TO ORDER:** The chairman called the December 17th, 2008 monthly police commission public session to order at 7:00 PM.

Present during public session: Commissioners Howe, Russo, and Golumb, Chief Michael Magnant, Deputy Chief Len DiSesa, Captain Dave Ferland, Executive Assistant Kathleen Levesque.

- II. **PLEDGE OF ALLEGIANCE:** Deputy DiSesa led the Pledge of Allegiance.

- III. **ACCEPTANCE OF THE MINUTES OF THE MEETING HELD ON:**
November 19th, 2008.

Action: Commissioner Russo moved to accept the minutes and place them on file.

Seconded by Commissioner Golumb.

On a Roll Call Vote: The board voted to accept the minutes of the November 19th, 2008 meeting and place them on file.

- IV. **PUBLIC COMMENT:** None

- V. **UNFINISHED BUSINESS:** None

- VI. **NEW BUSINESS:**

A. POLICE COMMISSION:

1. **Personnel Items that require action:**

Action: Commissioner Golumb moved to appoint Det. Christian Cummings to Master patrol status.

Seconded by Commissioner Russo.

On a Roll Call Vote: The board voted unanimously to appoint Det. Cummings to Master Patrolman status.

Action: Commissioner Russo moved to accept the resignation of Dispatcher Sally Hector.

Seconded by Commissioner Golumb.

On a Roll Call Vote: The board voted unanimously to accept the resignation of Sally Hector.

B. CHIEF OF POLICE

- 1. Lt. Corey MacDonald and Ms. Robin Bianchi of Southeastern Drug & Alcohol Services** presented an overview of the new court diversion program that is in place through the Portsmouth district court. This program provides a court alternative for juveniles convicted of alcohol offenses. Ms. Bianchi is the Special Services Coordinator for Southeastern.

Lt. MacDonald opened his presentation by explaining that Chief Magnant has long been an advocate of finding a program like “Prime for Life” to bring into our district court. He explained that most of the kids we see in district court on alcohol offenses are our local kids. Before Prime for Life, they typically would come into adult court and be fined if found guilty. Parents would then pay their child’s fine, the kids would have a mark on their record because they were charged as an adult, and the important lessons of actions can have serious consequences did not get conveyed. The process did not seem to have an impact. Additionally, if the juveniles were in fact struggling with a growing alcohol addiction, there was no provision for early intervention.

After giving a brief history, Lt. MacDonald talked about how the program is working in Portsmouth District court. He then introduced Ms. Bianchi, who gave the commission an overview of the scope of services offered by Southeastern. At the conclusion of her presentation, Ms. Bianchi took questions from the commission.

Commissioner Howe asked what the age parameters were. Ms. Bianchi said there is no specific age focus. The main focus of the program adopted by the district court is the teen-aged population being charged as adults by New Hampshire law. She explained that the decision to offer the program is made on a case-by-case basis.

Chief Magnant added that we could not have put such a program in place without the active support of Portsmouth District Court. The Chief went on to explain that our juvenile court system is a robust system with a lot of services in place. The Chief expressed the feeling that by treating these kids as adults, the state's intention was to send the message that alcohol charges are serious offenses. However, by structuring the law to treat them as adults, these young people are being denied access to the array of juvenile service agencies that might be able to impact their risk behaviors.

Ms. Bianchi gave the commission the background on how the program was adapted for use in Portsmouth. The blueprint came from the program in Merrimack County. She described the curriculum and explained that it is adaptable to whatever the needs/makeup of the group is; i.e. the curriculum can be directed at the misuse/abuse of either drugs or alcohol.

Ms. Bianchi said there is no age group restriction. She described the intake testing and the two levels of the program, as well as the progression and the provision of aftercare. Forty people have gone through the local program through the district court system since its inception last month.

Commissioner Howe asked if they don't complete the 6-week aftercare program, do the guilty charges which are pending come forward. Lt. MacDonald indicated that they do. People in the program are given tools to move forward in risk reduction and harm reduction behaviors, but they are well aware that their sentences are still pending as they go through both the course and the aftercare.

Since Portsmouth broke ground with this program in the region, Rochester, Somersworth, UNH PD, Dover, and Durham have all put Prime for Life programs in place through their district courts. Southeastern is currently working with Exeter and Hampton district court systems to bring them on board as well.

2. Donations:

- a. A donation in the amount of \$100 from K. A. Rollins for the Portsmouth Explorer's Cadets.

Action - Commissioner Golumb moved to accept the donation from K. A. Rollins for the Portsmouth Explorer Cadets.

Seconded by Commission Russo.

On a Roll Call Vote: The board voted unanimously to accept the donation in the amount of \$100 and forward to the city council for their action.

- b. A donation in the amount of \$50 from the Portsmouth Police Relief Association for the Explorer Program.

Action - Commissioner Golumb moved to accept the donation from the Portsmouth Police Relief Association for the Explorer Program.

Seconded by Commission Russo.

On a Roll Call Vote: The board voted unanimously to accept the donation in the amount of \$50 and forward to the city council for their action.

- c. A donation in the amount of \$100 from Hibachi Japanese Steak House in support of the annual spaghetti dinners held for senior residents of the Margeson and Feaster public housing facilities.

Action - Commissioner Golumb moved to accept the donation from Hibachi Japanese Steak House in support of the annual spaghetti dinners held for senior residents of the Margeson and Feaster public housing facilities.

Seconded by Commission Russo.

On a Roll Call Vote: The budget voted unanimously to accept the donation in the amount of \$100 and forward to the city council for their action.

- 3. **Financial Report** – Capt. Ferland – The spike in OT is largely coming because of the vacancies in dispatch. It takes 12-16 months to train a dispatcher, so those numbers won't be coming down quickly, even with the two new hires. The P&T line item is also a bit high, as a result of the recruiting drive to fill the vacancies in dispatch and patrol. Gasoline is also high but should start to reflect the recent lower pricing.

- 4. **Division and Team Reports**

- a. IT Report – Combined with ECC report; appears in the patrol section
- b. Records Division
- c. Accident Investigation Team

- 5. **Letters of Thanks and Appreciation from Outside the Department:**

- a. Letter of Thanks from Alton Police Chief Philip Smith, for Portsmouth Animal Control Officer Patricia Tate's help in researching and revising the Alton Town Dog Ordinance and Department General Orders. Because of the high volume of calls ACO Tate handles in Portsmouth, she was of great

assistance to Alton ACO Scott in sharing her experience on a wide variety of animal incidents and issues.

b. Letter of Thanks from Sexual Assault Support Services (SASS) Director Sarah Maynard for Det. Kristyn Bernier's professional expertise and compassionate demeanor working with SASS and a young assault victim.

c. Letter of Thanks from Attorney Briana Coakley-Hoyt for the actions of Det. Tim Cashman in responding to the unattended death of her maternal grandmother, and his subsequent interaction with her family. Ms. Coakley-Hoyt referred to Det. Cashman as a "true gentleman".

Before moving on to the Patrol report, Chairman Howe asked the Chief to talk about the department's experiences with the ice storm. Chief Magnant responded that we were out straight right from the get-go. He added that anything that could go wrong did go wrong all around town, including the fire in the city's Emergency Operations Center, which required an evacuation of the entire building. Both officers and civilian employees came in to work; some of them leaving their families at home without power to come in and man their posts. Many of them working extended shifts into the night to deal with the aftermath of the storm.

Deputy DiSesa added that our cadet Explorers worked tirelessly 24 to 36 hours to help Det. Munson, and City Health Officer Kim MacNamara to manage the facility. When told they could go, they declined release and stayed on, continuing to help with displaced residents.

Chairman Jerry Howe responded on behalf of the Portsmouth community, saying everyone wants to take their hats off to all our municipal departments, Police, Fire, and the DPW.

The Chief added that we had to evacuate Betty's Dream, which provides housing and care to 20 extremely disabled people. Because of their disabilities, they could not be evacuated to the shelter. Police Officers and Firemen worked on-site for hours to figure out a way to bring heat to one room of the facility so the residents could stay in their home.

C. PATROL SERVICES BUREAU:

- 1. Log Activity Reports** Deputy DiSesa pointed out Personal Injury accidents are down; we feel this is a direct result of rigorous DWI patrols. vandalism has also dropped; again, a result of regular foot and directed

patrols; traffic stops are up, so accidents are down as well. DWI arrests are starting to creep back up because of stepped up patrols.

The Deputy talked about the welcome surprise of our Explorers winning the Special Olympics Community Organization of the Year award. We did not know they had been nominated by the regional coordinator for Special Olympics. The Explorers have been very actively supporting Special Olympics for several years. The Deputy also talked about the spaghetti dinner for the seniors that was hosted by the Explorer Post.

2. **ECC/IT Report**

3. **K-9 Report**

4. **Auxiliary Monthly Activity Report**

5. **Personnel Out Sick or Injured** One officer out injured, hopefully returning to active duty in a few weeks.

6. **Special Events in the City**

First Night on the 31st.

D. CITY PROSECUTOR REPORT

E. BUREAU OF INVESTIGATIVE SERVICES

Deputy DiSesa highlighted a particular case where over the course of the past year, an individual repeatedly called Portsmouth dispatch for the express purpose of harassing the dispatchers. The Deputy noted that some of the calls were quite awful. Using Internet Crimes Against Children technology, we were able to track this person down and make the arrest. He was successfully prosecuted on 41 counts of harassment.

Portsmouth is the state headquarters of the Internet Crimes Against Children Task Force. In that capacity, we were called to assist the Royal Canadian Mounted Police and U.S. Immigration Customs Enforcement with an international case involving the possession and possible sale of thousands of images of child sexual exploitation. This case remains under investigation.

The Deputy referred the Commission to the BIS report for details on this and other cases.

VII. MISCELLANEOUS OTHER BUSINESS – None.

Action: Commissioner Golumb moved to accept the division and team reports and place them on file.

Seconded by Commissioner Russo.

On a Roll Call Vote: The board voted unanimously to accept the division and team reports and place them on file.

Chairman Howe wished everyone watching a safety and happy holiday season.

VIII. MOTION TO ADJOURN

There being no further business before the commission, the Chairman asked for a motion to adjourn.

Action: Commissioner Russo moved the December 17th, 2008 meeting be adjourned.

Seconded by Commissioner Golumb.

On a Roll Call Vote: The board voted unanimously in favor of the motion at 7:40P.M.

IX. NEXT MEETING: - *January 21st, at 7:00 p.m. – Wm. Mortimer Conference, Room, Portsmouth Police Department.*

PLEASE NOTE CHANGE OF VENUE FOR THE JANUARY, 2009 MEETING.

*Respectfully Submitted By Kathleen Levesque, Executive Assistant
Reviewed By Commissioner Russo, Clerk*