

PORTSMOUTH POLICE COMMISSION
MINUTES OF THE JANUARY 21ST MEETING

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

7:00 PM (Public) – Wm. Mortimer Conference Room, PPD

Gerald W. Howe, Chairman

John C. Russo

John F. Golumb

UNAPPROVED

- I. **CALL TO ORDER:** The chairman called the January 21st monthly police commission public session to order at 7:12 PM.

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

- II. **PLEDGE OF ALLEGIANCE:** Det. Peracchi led the Pledge of Allegiance.

- III. **ACCEPTANCE OF THE MINUTES OF THE MEETING HELD ON:**
December 17th, 2008.

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

Seconded by Commissioner Russo.

On a Roll Call Vote: The board voted to accept the minutes of the December 17th, 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 Auxiliary Officer Christopher Carbonneau to permanent status.

Seconded by Commissioner Russo.

On a Roll Call Vote: The board voted unanimously to appoint Auxiliary Officer Christopher Carbonneau to permanent status.

B. CHIEF OF POLICE

1. Chief Magnant explained that the new city prosecutor was at the meeting to be introduced to the commission. The Chief then asked Captain Ferland to make the introductions. Captain Ferland introduced Attorney Karl Durand, and his wife Joyce. Attorney Durand was a Criminal Justice Studies professor and has also worked as a prosecutor in the Rochester District Court. He comes to us very highly recommended, and we are glad to welcome him to our court office.
2. **Detective John Peracchi** briefed the commission on the role of the polygraph in case investigation. Det. Peracchi explained the type of machine that is now used. He explained what areas of the physiology the machine measures, and how each area is measured and the feedback transferred to the machine and converted to data. The machine measures the involuntary activity of the autonomic nervous system. The machine can override the learned social masking systems that people develop to hide the truth.

It is used in the pre-employment process, to validate confidential informant's information, case investigation. It is very effective in ruling out people in an investigation.

John explained the pre-test, the actual test, and the post-test. In the presence of certain conditions, people cannot be tested on the polygraph; i.e. persons under the influence of drugs or alcohol, expectant women, etc.

The results fall into two categories: A person is 'DI' or Deceptive, or 'Non-DI', which is inconclusive. Det. Peracchi then took questions from the commission.

Chairman Howe asked if a person can be forced to take a polygraph. Det. Peracchi said no. He said a polygraph test is always voluntary, and that this is stressed repeatedly throughout the process.

Chief Magnant emphasized how important the training is. The machine does not indicate whether a person is lying. Therefore, the training of the polygraph operator is crucial. Chairman Howe reminded the attendees that John finished first in his class at the intensive three-month school. John

explained that there are two schools, or models, for polygraph instruction. The school he trained at uses the Royal Canadian Mounted Police model Comm. Russo asked if John thought the courts would ever get to the point of allowing polygraph results to be admitted. Det. Peracchi explained that they are already accepted in many courts. John explained that all other components of the test, except the actual graph results, are already admissible in courts.

Det. Peracchi reported that last year he did about 40 tests. Each testing process takes about 8 hours, start to finish, including the pre and post testing preparatory work, which is quite involved. It is time-consuming to conduct a proper test.

NOTE: Chief Magnant explained that since the city's Crossing Guards were not present for Item #2 on the Agenda, they would each be sent their Letters of Appreciation. The Chief took a moment to talk about their work.

3. Grants and Donations

a. A donation in the amount of \$5,894 from Portsmouth CrimeStoppers, Inc. for the upcoming Citizens' Police Academy. CrimeStoppers' generous donation will cover the full cost of hosting this years citizens' academy, just as they did last year.

Action - Commissioner Golumb moved to accept the donation from Portsmouth CrimeStoppers for the Citizens' Police Academy.

Seconded by Commission Russo.

On a Roll Call Vote: The board voted unanimously to accept the donation in the amount of \$5,894 and forward to the city council for their action.

Chief Magnant asked if Capt. Ferland wished to talk about the upcoming academy. Capt. Ferland said that the next class is starting up on March 4th. There are 25 open spots in the upcoming academy. It is open to interested persons in the CrimeStoppers service area. Anyone who is interested can pick up a brochure which details the classes and contains a registration form.

Chief Magnant took a moment to praise the effective partnership provided by Crimestoppers and local law enforcement.

4. **Financial Report** – Capt. Ferland – Directed the commission’s attention to the fact that there are approximately 54 ways we track expenses, and only about a half dozen of these accounts are showing some type of overage.
5. **Division and Team Reports**
 - a. IT Report – Combined with ECC report; appears in the patrol section
 - b. Records Division
6. **Letters of Thanks and Appreciation from Outside the Department:**
 - a. **Letter of Recognition** from William Quigley, NH Liquor Commission. Mr. Quigley is the statewide coordinator for Drug Recognition Expert (DRE) training. Mr. Quigley wrote: “Portsmouth is, by far, the most goal-driven, organized and devoted, both in dedication and application.”
 - b. **Letter of Thanks** from Sarah P. Maynard, Director of Client Services for SASS. Ms. Maynard praised Officer Andre Wassouf’s kindness and professionalism in dealing with an assault victim.

C. PATROL SERVICES BUREAU:

1. Log Activity Reports
2. ECC/IT Report
3. K-9 Report
4. Auxiliary Monthly Activity Report
5. Personnel Out Sick or Injured
6. Special Events in the City

D. CITY PROSECUTOR REPORT

The Deputy referenced a major child exploitation case where we were able to recover erased images on a defendant’s computer because of the training Det. Mike Leclair had received. The Deputy said he believed that this was a first, at least in New Hampshire.

E. BUREAU OF INVESTIGATIVE SERVICES

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.

At this point, the commission was made aware that the Crossing Guards were in the lobby of the Police Department. Since no motion had been made to close the

meeting, the crossing guards were escorted up to the Wm. Mortimer Conference Room and received their Letters of Appreciation personally.

VIII. MOTION TO ADJOURN

Chairman Howe asked if there was any further business. He then asked Capt. Ferland how the fundraiser for Aux. Officer Sousa went. Captain Ferland indicated that the event was quite successful and very enjoyable.

The Chair reminded everyone that the next meeting was Feb. 18th, and it will be held in the Eileen Dondero Foley Council Chambers.

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

Action: Commissioner Russo moved the January 21st, 2009 meeting be adjourned.

Seconded by Commissioner Golumb.

On a Roll Call Vote: The board voted unanimously in favor of the motion at 7:53P.M.

IX. NEXT MEETING: - February 18th, 2009 7:00 p.m. – Eileen Dondero Foley Council Chambers, Portsmouth City Hall.

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