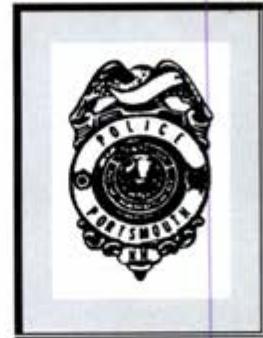


**BOARD of POLICE COMMISSIONERS**  
*of the*  
*City of Portsmouth, N.H.*

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**Chairman John F. Golumb...Commissioner Brenna  
Cavanaugh...Commissioner Wayne Lehman**

*“Providing Citizen Oversight of Your Police Department”*

**NOTICE:** The Police Commission has a dedicated phone number at the police department. You can call the Commissioners at 603-610-7471 and leave a message regarding your concerns, along with your name and a telephone number. The Commissioners will be advised of your message and someone will return your call in a timely fashion. You can also email the Commissioners directly through the Police Department webpage, by clicking on “Police Commission”, and then clicking on any of the Commissioners’ names. You also have the option of emailing all three of them at the same time through a link on the same page.

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**PUBLIC NOTICE OF POLICE COMMISSION MEETING**

**DATE:** September 28, 2015 (Monday)  
**LOCATION &  
TIME:** 6:30 p.m., City Council Chambers, Portsmouth City Hall

The Board anticipates meeting for a non-public session as appropriate under RSA 91-A.

- I. **CALL TO ORDER**
- II. **PLEDGE OF ALLEGIANCE**
- III. **ACCEPTANCE OF THE MINUTES OF THE MEETINGS  
HELD ON: July 15<sup>th</sup> and July 22<sup>nd</sup>, 2015**
- IV. **PUBLIC COMMENT**  
Individual comment is limited to three minutes.
- V. **UNFINISHED BUSINESS:** None.

## **VI. NEW BUSINESS:**

### **A. POLICE COMMISSION:**

1. Personnel items that require action.
2. Individual Agenda Items:
  - a. Commissioner Cavanaugh –
    - i. Portsmouth Housing Authority – Follow-up to Mrs. Ruth Griffin's July 22<sup>nd</sup> meeting comments & questions
    - ii. Pardue investigation update into anonymous allegations against Commissioner Cavanaugh and the author of the anonymous letter.

### **B. CHIEF OF POLICE:**

1. Announcement of Congressional Award from the New Hampshire Delegation.
2. Orientation briefing from city attorney Robert Sullivan.
3. Grants & Donations:
  - a.) A grant from the US Dept. of Justice in the amount of \$10,360.71 has been received for new and replacement bullet proof vests. The grant pays for 50% of new and replacement vest costs. (Anticipated Action: A motion to accept the bullet proof vest grant and forward to the city council for their action.)
  - b.) A funding grant from the US Dept. of Justice Office of Justice Programs in the amount of \$256,152 for the New Hampshire Internet Crimes Against Children Task Force (ICAC). This grant will fund the New Hampshire Task Force for FY '15. The Portsmouth Police Department is the headquarters for the New Hampshire Task Force. (Anticipated Action: A motion to accept the ICAC funding grant and forward to the city council for their action.)
  - c.) A donation from Ms. Dorothy Steere-Doyle in the amount of \$20 in support of the Portsmouth Police Explorer Cadets. (Anticipated Action: A motion to accept the donation from Ms. Steere-Doyle and forward to the city council for their action.)
4. Financial Report
5. Letters of Thanks & Appreciation from Outside the Department:
  - a.) A letter of thanks from Mr. George Dempsey, a Portsmouth resident, for the actions of Detective Kristyn Rogers-Bernier in helping a disoriented woman she spotted on the sidewalk. The lady was ultimately reunited with her family and taken to Portsmouth Hospital.

### **C. PATROL DIVISION:**

This report is included in the commission packet.

**VII. COURT OFFICE REPORT**

This report is included in the commission packet.

**VIII. NEXT REGULAR MEETING**

Monday, October 26<sup>th</sup>, 2015 – Eileen Dondero Foley Council Chambers, City Hall, at 6:00 P.M. - The commissioner's personal work schedules sometimes necessitate changes in the meeting schedule; please check the meetings calendar on the city's webpage as the meeting date gets closer.

**IX. MISCELLANEOUS/OTHER BUSINESS – None**

**X. MOTION TO ADJOURN**

(Anticipated Action: Chairman Golumb will ask for a motion to adjourn the September 28<sup>th</sup>, 2015 meeting of the police commission.)

**NOTICE to members of the public who are hearing impaired: If you wish to attend a meeting and need assistance, please contact Human Resources Director Dianna Fogarty at 431-2000 ext. 7270 prior to the scheduled meeting. Thank You.**

*Kathy Louique*

(Posted on September 24<sup>th</sup>, 2015)

Brenna Cavanaugh, Clerk of the Commission

**PORTSMOUTH POLICE COMMISSION**  
**MINUTES OF THE JULY 22<sup>nd</sup>, 2015 SPECIAL MEETING**

3:30 p.m. Public Session – Conference Room ‘A’, City Hall

John F. Golumb, Chairman  
Gerald W. Howe  
Brenna Cavanaugh

- I. **CALL TO ORDER:** The July 22<sup>nd</sup>, 2015 special police commission public session was called to order at 3:32 p.m. in Conference Room ‘A’ at City Hall.

**Present during the public session:** Commissioners Golumb, Howe, and Cavanaugh, Chief Stephen DuBois, City Attorney Robert Sullivan, Admin. Manager Karen Senecal, Exec. Assistant Kathleen Levesque, members of the public and the press.

- II. **PLEDGE OF ALLEGIANCE:** Commissioner Howe led the Pledge of Allegiance.

- III. **PUBLIC COMMENT SESSION:**  
Public comment is limited to three minutes.

Ms. Jane Zill – 27 Shaw Road: Ms. Zill wanted to comment on the fact that public comment was not on the agenda. Ms. Zill said she has had people ask how they could be in contact with the special investigator regarding Comm. Cavanaugh, and requested the information be posted. She stated the city had just hired a public relations person, and was bewildered as to why the police department would need its own PR person.

Mrs. Ruth Griffin – Richards Avenue: Mrs. Griffin began by saying she had a Parliamentary procedure question, but first wanted to get to a recent survey of one of the housing developments in the city that revealed less than one third of the people living there have computers. She asked how the people in the housing development would find out when the police commission is meeting if one needs to go online or read the paper to know. Many don’t subscribe to newspapers; how could such people know when the city’s meetings are happening, and does the police commission have a fixed schedule of meetings?

Mrs. Griffin turned to her Parliamentary Point of Order question, which was: Since this is a special meeting, would this special meeting constitute the next regular meeting at which one could bring up items for reconsideration, or would the commission have to wait for the next regularly scheduled meeting to bring up an item for reconsideration? Mrs. Griffin turned to Atty. Sullivan for his input.

Before addressing the question, Attorney Sullivan took a moment to acknowledge that Mrs. Griffin is herself a former police commissioner who held that office during a tumultuous time as well, and it was a pleasure to see her present. He went on to explain that Parliamentary procedures are rules, not laws. They are not intended to determine the outcome of deliberation on any given measure. Their purpose to provide for the orderly conduct of business in approaching any issue. He observed the police commission is a bit of a special situation, because it is only a three person body. Every rule or procedure, whether it is reconsideration of motions, rescinding a motion, dealing with an item on the agenda or not on the agenda, etc. can be waived by a two-thirds majority. That means that any time two members of the commission agree to do something, it can be done.

He said that former Commissioner Griffin is correct that the next regular meeting would be the appropriate time to bring something back for reconsideration, and then only by someone on the prevailing side of the original vote. However, bearing in mind the police commission is only a three person body, and any rule can be waived with the vote of just two members, there are really a lot of options, and with just two votes, they can vote to do pretty much whatever needs to be done. A motion to reconsider, which would require two votes to pass, would bring the question back before the commission as though it had never been voted on previously. The commission could then deliberate on it and vote again. A motion to rescind the earlier vote would have the effect of nullifying the earlier vote, and and the commission would have nothing before it for consideration. He said if the commission would advise where it wants to go with something, Attorney Sullivan said he would give his best counsel on how to proceed.

Chairman Golumb then asked if there was anyone else in the public who would like to speak.

Mrs. Griffin indicated she didn't believe the commission had addressed the issue of when they schedule their meetings.

(Mr. Joe Onosco had come up to the microphone as Mrs. Griffin had taken her seat and was asking the question about the scheduling of meetings from her seat.)

Mrs. Griffin asked if the commission has scheduled meetings and when they were scheduled.

Chairman Golumb asked Mr. Onosco if he could wait a moment while the Chair answered Mrs. Griffin's question. Chairman Golumb indicated the police commission meeting was the third Wednesday of the month, except for August, when the meeting will be on the 26<sup>th</sup>, and the meetings typically start at 6:00 p.m.

Commissioner Cavanaugh said she thought the commission was going to be starting at five. Executive Assistant Kathleen Levesque said that has not yet been finalized, and the Chair added that we were holding off on that change because we were considering moving the meetings to Conference Room 'A'. Mrs. Levesque indicated the meetings are posted on the bulletin board outside city council chambers, and on the police commission bulletin board in the outer lobby of the police station.

The Chair returned to Mr. Onosco and asked him to please go ahead with his comments.

\*  
Onosco  
Mr. Joe Onosco – 27 Shaw Road: Mr. Onosco asked if going forward, the meetings would be held at 6:00 p.m.. He felt that holding a meeting at 3:30 p.m. in the afternoon is not a democratic process. People are at work and cannot attend. He felt moving the meeting times around is not doing the commission any good. Mr. Onosco also referenced the last minute changes to the July 15<sup>th</sup> meeting agenda that produced some confusion with the agendas and felt that was not doing the commission any good.

There being no other persons who wished to comment, the Chair called the public comment closed, and indicated the commission would move on to the new business on the agenda.

Commissioner Cavanaugh said she would like to have a discussion on the subject brought up by Mrs. Griffin in her comments of how we might be able to make the information about meetings available at public housing locations. She asked if we had a community police officer designated to the housing authority or if the commission might come up with a way to make the information more readily

available to those members of public housing who do not have computers or read the newspaper.

Commissioner Howe felt it would be practical for the on-duty officer to go to the public housing locations and post the meetings.

Chief DuBois said he felt this approach would be a slippery slope, because then it is going to be the people of Gosling Meadows, and then its going to be Wamesit Place, and then into the neighborhoods. He said perhaps a better solution would be to establish a deadline for agenda items and then construct a contact list of people who could receive and disseminate the meeting information in Portsmouth Housing locations. If the commission does go ahead and makes it their internal policy that the deadline is further out than 24 hours, it would build in some time for the notifications to happen.

Commissioner Howe said since we have a good relationship with Craig Welsh (Director of Portsmouth Housing Authority), perhaps he can give us a group of contacts to get the information out.

Commissioner Cavanaugh asked if the city councilors have their packets delivered. Attorney Sullivan said the councilors have several options open to them for the delivery of their packets.

Chairman Golumb said we needed to explore all options. He indicated he felt PHA director Craig Welsh was a good person to start with to see what options are available. Maybe we could look at it from a couple of different options, including Commissioner Cavanaugh's idea.

Speaking from the audience, Mr. Joe Onesko said today's meeting is not online; and the schedule still says August 19<sup>th</sup>. There was some cross-communication among meeting attendees and amongst the commissioners around this general issue and the Chair asked Attorney Sullivan if IT Supervisor Alan Brady was available to come down to the meeting. Attorney Sullivan said that he was, and the request went up to IT for Mr. Brady to come down to the meeting.

In the interim, Chief DuBois said he would like to add a point to the previous discussion regarding getting meeting notifications out to Portsmouth Housing locations. His concern centered on the unpredictability of an officer's schedule once he/she comes on shift, this unpredictability could lead to meeting notifications not being posted in a timely fashion. The Chair asked Chief DuBois

to reach out to the Portsmouth Housing Director to get his input on how the notifications might be done.

IT Manager Alan Brady joined the meeting and addressed questions regarding the IT aspect of postings meetings on the city's website. He explained the sequence of events surrounding the posting of changes to the July 15<sup>th</sup> meeting agenda that took place on the day of the meeting; one of the key items being that he was out of the office.

On the subject of publishing a yearly schedule of police commission meetings, something that has been done for more than twelve years, Alan recommended the yearly schedule come down because there are now too many changes to that fixed document, and it is difficult to keep the document updated. Alan explained some recent webpage changes as well as the benefits of keeping everything in one location on the overall website. This would eliminate the risk of a change being made in one place and not another. The commissioners agreed to have the yearly schedule taken down.

Comm. Cavanaugh then asked Alan to address the issue with last week's multiple agendas. Mr. Brady went into further detail on the convergence of factors that resulted in the final version of the meeting agenda not appearing on the city's website immediately prior to the meeting, although the commissioners each had a copy of the final agenda in their binders.

Mr. Joe's Onosko commented again, re-emphasizing the two different agendas being available; one to the commission, one to the public. He also requested that public comment be available for each meeting so the public can weigh in on things like expenditures.

Chief DuBois asked the city attorney to speak to how the city council puts the agenda together. Attorney Sullivan explained there is a hard deadline for the submission of agenda items, in addition to carefully followed administrative procedures for the assembly of the agenda that basically involves coordination between the city manager and the mayor. He said nothing would get on the agenda at the last second because it would have to go through that process. The Chief suggested the police commission might look at developing similar protocols. Chairman Golumb said perhaps they could look at an agenda submission deadline of 48 hours before.

Commissioner Cavanaugh further questioned why the other commissioners were not informed of the two last minute items added to the agenda. She asked Commissioner Golumb as Chair, to explain why the other two commissioners were not notified of the late additions. Chairman Golumb said that he did not realize the agenda they were sent on Monday was not the same as the agenda they voted on until the Saturday after the meeting when he and Commissioner Cavanaugh spoke. He said he did not have an explanation. Chief DuBois suggested he might be able to explain some of the background on the additions to the agenda. The Chief said the expenses had been sent up to the city, and Judie Belanger, the city's finance director, kicked the three items back to the police department requesting they be approved by the commission. Because the commission was not going to meet again until the end of August, and these were expenses the department did not wish to wait a month to address, they were added to the agenda for the commission meeting later that day. Chief DuBois said the administration has done this in the past, and since the items in question all dealt with things the Chief would be able to speak to, they were added to the agenda. He said however, that if there was a set administrative rule in place establishing a deadline for agenda, i.e. 48-hours beforehand barring an emergency, that whole problem would not have happened.

Commissioner Golumb added one of the reasons the commission is considering moving to Conference Room 'A' is that it is a more user friendly room and lends itself to more community interaction. He asked Commissioner Cavanaugh if he had answered her question. She said she felt the Chief had answered it. Commissioner Howe added that in his long tenure as a police commissioner, regardless of who was on the commission, the goal has always been to look for ways to engage the public and anything that facilitates that he is in favor of. Commissioner Golumb said all three commissioners were in favor of that. He thanked Mr. Onosco and Ms. Zill for their comments and assured them there was no deception intended.

Mr. Onosco responded and said that it can't be the police captain's (Chief's) agenda, it has to be the commission's agenda. Commissioner Cavanaugh apologized to the public for not catching the late items, and explained there is a lot going on right now for the commission, and with the current climate in the city it was important that they rectify the matter. Chairman Golumb apologized for the inconvenience.

Ms. Zill, said it was not simply an inconvenience, it was robbing citizens of the opportunity to participate in the process. She added that the link to be able to

email all of the commissioners was not working. There was some discussion with IT Coordinator Alan Brady, and he said he would add that provision.

After addressing the commission's questions, IT Coordinator Alan Brady left the meeting.

#### IV. NEW BUSINESS:

##### A. Police Commission

Commissioner Golumb turned to the new business items on the agenda. He asked City Attorney Sullivan how to structure a motion to reconsider, or to structure another appropriate motion. Attorney Sullivan said his understanding of the special meeting was to reconsider two votes taken at the last meeting. Commissioner Golumb asked if Commissioner Cavanaugh needed to make the motion, or if he should just entertain a motion to reconsider. Attorney Sullivan said the Chair could just entertain a motion to reconsider by someone from the prevailing side, and both items would be back in front of the commission, and someone would have to make a further motion to deal with each of them.

Commissioner Cavanaugh asked if it had to be the motion that was listed in the agenda. The city attorney said no, it could be any motion you think is appropriate. Commissioner Cavanaugh said that based on the new information we learned today, she was not comfortable with the events surrounding the motions.

**Commissioner Cavanaugh moved** to rescind the appropriation of funds for PR and training for John Gulfoil that was voted on and approved by the commission on 7-15-15.

**Seconded by Commissioner Howe.**

Chief DuBois asked if this was a motion to reconsider or a motion to rescind. Commissioners Howe and Cavanaugh answered, 'rescind'. Chairman Golumb asked if there was any discussion.

Attorney Sullivan indicated now would be the appropriate time for discussion.

**Discussion:** Commissioner Howe directed a statement to the city attorney, saying his understanding was, to 'rescind' means the item goes away. The city attorney answered that was correct. He went on to explain if the motion to rescind passes,

the commission's prior vote is nullified and there is no further business in front of the commission.

Commissioner Howe then said his understanding of to 'reconsider' means it would remain on the table. Attorney Sullivan said it would bring the original vote back in front of the commission. Commissioner Howe turned to Commissioner Cavanaugh and reconfirmed that her motion was to rescind. She answered 'yes'. Commissioner Howe stated that he seconded it.

Commissioner Golumb said he just wanted to have some discussion as to why the commissioners were rescinding the appropriation. Commissioner Cavanaugh said she had no further comment outside her remarks prefacing the motion. The Chair asked what other new information came out at this meeting. Commissioner Cavanaugh interjected the new information that came out was, the IT department received the new information an hour and fifteen minutes before the meeting. Commissioner Golumb continued, suggesting the commission should have some discussion on the merits of the actual appropriation. Commissioner Howe said that was the reason he seconded it, because it was posted late. He said he understood why it wasn't on the posted agenda, but felt the matter could be addressed this way.

At this point someone from the audience asked if the commissioners might speak up as the audience was having trouble hearing them.

Addressing City Attorney Sullivan, Commissioner Howe said the vote to rescind passed, so the item goes away, but he wanted to know if it could be put on the agenda again at a future time.

Attorney Sullivan said to keep in mind the purpose of Parliamentary procedure is to provide for the orderly conduct of business. Once the commission has dealt with an order of business and it is behind you, it's not supposed to come back. Business is supposed to move forward, not go back. So once an item of business has been dealt with, it can't come back in front of you, barring something special happening. The something special might be a motion to suspend the rules; it might, as former commissioner Griffin referred to, be to reconsider an item, but in the ordinary course of business, it couldn't just come before you again. The Chair would rule that out of order.

Commissioner Howe questioned further that if the commission votes to rescind, it's like it never happened. The city attorney indicated that the vote to rescind is itself an action, and quite a final one.

Commissioner Golumb sought clarification that the motion that was on the agenda was to reconsider the appropriation, but now it is being brought forward as a motion to rescind the appropriation.

Attorney Sullivan said the way the pieces fit together on this is, you're required to have an agenda that identifies the pieces of business to be dealt with. Once you have an item on the agenda, then anything that is germane to that agenda item would be appropriate to address. If something is not in any way related to items on the agenda, that item would be inappropriate to address in any way. In this case, a motion to reconsider is on the agenda; a motion to then rescind that same item would clearly be germane to the motion on the agenda, and therefore is entirely appropriate to be brought forward and voted on.

Commissioner Golumb said he was going to put forward for discussion that the commissioners consider the merits of the appropriation for funds. He said he understood about the 3:45 p.m. posting, but he was of the understanding that what was going to be reconsidered tonight was the appropriation of funds, not rescinding the motions. Commissioner Golumb addressed his fellow commissioners saying the motion has been put forward and seconded, but he didn't feel it was an appropriate action. He felt the commission needed to have a dialogue and not just rescind it without a dialogue.

There was a brief silence. Commissioner Cavanaugh said she had no additional comment.

Commissioner Golumb said just for clarification for his understanding, the reason the commissioners are rescinding the appropriation is because the item was posted on the agenda at 3:45 p. and the agenda that we had, the public didn't have, and therefore the commission is rescinding the appropriation. Commissioner Howe said that was why he seconded it. He explained that he seconded it because of the confusion about addressing that, and it wasn't on the agenda that was posted. He said he thought it was unfortunate that it wasn't, he understood why it wasn't, but he thought it could be addressed this way.

**Action: Commissioner Golumb called the question:** All in favor of rescinding the funds?

**On a Voice Vote:** The motion passed by a two-third's majority.

**Commissioner Golumb stated for the record:** "The Chair votes 'no'."

The Chair moved to item two on the agenda.

**Action: Commissioner Cavanaugh moved** to rescind the appropriation of funds for a consulting group to address the city council regarding the deficiencies of the current PPD building, which was voted on and approved by the commission on 7/15/15.

**Seconded by Commissioner Howe for discussion.**

**Discussion:** Commissioner Cavanaugh asked Karen Senecal what the cost was and what the name of the firm was. Ms. Senecal said the cost would be \$3,000 and the name of the firm is McClaren, Wilson, and Lawrie. The commissioner asked if this was the same firm that conducted the space needs study, and Karen indicated it was not. Commissioner Cavanaugh suggested that since Lavallee Brensinger, (the firm that did the space needs study) has already done the work and identified deficiencies in the building at a cost of \$25,000, instead of spending the \$3,000 for the firm that Karen mentioned, why don't we just bring Lavallee Brensinger back since they had already done the space needs study.

The Chairman said this matter was covered with the council at the May budget work session, and asked Karen to speak to the matter. Karen explained it was covered at both meetings with the council in May. The company we used for the space needs study also contracts out for their law enforcement projects because it is a specialized area. What Mr. McClaren would be giving the council has nothing to do with the needs of the department, nothing to do with a space needs study. We asked him if he would come to educate the commission, the council and the public on the specialized needs of a law enforcement facility. He has been chosen by the International Association of Chiefs of Police to provide trainings for law enforcement personnel undertaking such a project because of his expertise in the field. Mr. McClaren has an edited version of the intense 3-day training department personnel attended, and since police staff had already seen what his presentation was like, we thought it would be a good idea to bring him here for the council's benefit, and that is what we put before the council in our budget presentation and in our Q&A period afterward. So this is something that has already been reviewed with the council.

Commissioner Cavanaugh confirmed that it would be one person that would come; that the \$3000 is for him to come here to speak. Karen said that amount is for his fee and travel costs, and she suggested that when you are spending ten to twenty million dollars on a building, investing in an expert to come and inform you regarding all the components that have to be considered, was a prudent investment.

Karen said the presentation would be televised, so the archive of it would become a valuable tool going forward, as this would be a multi-year project. Any new commissioners or councilors could be brought up to speed on the whole project quickly by viewing the presentation made by Mr. McClaren.

Commissioner Howe asked the Chair if he (Comm. Howe) might address the matter. He then said he would have to vote in favor of rescinding it. Attorney Sullivan indicated the motion before the commission is to reconsider. The commissioner corrected himself and said would have to vote to reconsider to be consistent. He voted to rescind on item number one, because it was not on the agenda; item number two was also not on the agenda, and consequently, he would have to follow his heart and soul that motivated his vote on item one.

Commissioner Cavanaugh said Commissioner Howe brought up some excellent points. She said she was not sure how she would be voting on this motion. She then said she will not be supporting this motion for the sake of consistency. Commissioner Howe was unsure of the intent of her statement. Commissioner Cavanaugh said she would not be. Attorney Sullivan spoke up to clear up the confusion. He said the motion before the commission is to reconsider. If this motion passes, then the question of whether or not to appropriate funds for the item listed will be back in front of the commission and that would be the time to take the action just stated.

There was still some confusion among the commissioners as to where things were. Attorney Sullivan suggested this might be a time to call for a vote on the motion to reconsider.

**Action: Commissioner Golumb called the question** to reconsider the allocation of funds for the consulting group to address the city council regarding the deficiencies of the current PPD building, which was voted on and approved by the commission on 7/15/15.

**On a Voice Vote:** The motion passed by a two-thirds majority.

There was some confusion among the commissioners as to where things were in the process, and they looked to Attorney Sullivan. The city attorney explained that the motion was now back in front of the commission, and now would be the appropriate time to take the action the commission had just discussed.

**Action: Commissioner Golumb again called the question** to reconsider the allocation of funds for a consulting group to address the city council

particular consultant would come and would just talk about police facilities. A lot of people don't understand what a specialized facility a law enforcement building is. Mr. McClaren talks about everything from the outside to the inside. He goes all the way down to the configuration of the evidence lockers. This is not a space needs study in any way; it is completely separate. Ms. Senecal said she learned so much at the intensive three-day training. She said that she has been in the police department for a very long time, and she learned so much that she simply was not aware of; things like bullet proof glass needing to be installed so many feet up from the ground to cover whether someone is sitting or standing. There are many intricate components the lay person is simply not aware of that need to be taken into account in the design of a police facility, and that is why they usually cost more than a school or an office building. Mr. McClaren would not be talking about any space needs. It would be an education in these kinds of things so the public understands why such a building is so much more expensive and everybody understands what the money is being spent for.

Commissioner Cavanaugh said she understood about the space needs study, but she still felt the architectural firm that did the study identified deficiencies. Karen said that firm identified what the space needs were likely to be later; i.e. you have storage now literally in a dirt rock room and what a proper storage room would require space-wise. Space needs is completely different than educating the public on what all the different components are that need to be part of a police facility.

Commissioner Cavanaugh said the architectural firm the city paid \$25,000 for were the architects for the new Manchester Police Department and the Commissioner had toured that facility. She said it meets or exceeds standards around the country and she is confident they know exactly what they're doing. She said she was not taking value away from Mr. McClaren, but appropriating \$3,000, she felt this architectural firm would be entirely capable of conveying the needed information to the public.

Karen Senecal suggested the commission could vote to rescind the allocation for Mr. McClaren and the department could send out three quotes, and potentially Lavalée Brensinger could be selected.

The Commissioner asked if we would be putting out an RFP. Ms. Senecal indicated we would not. For any cost under \$5,000 we can obtain three quotes. She noted there was no guarantee that Lavalée Brensinger would be the firm selected if we receive approval to build. That process would go out to an RFQ and there would be many firms coming in to bid on that project.

regarding the deficiencies of the current building, which was voted on and approved by the commission on 7/15/15.

**On a Voice Vote:** The motion passed unanimously.

Attorney Sullivan said the question is now before the commission. There was a brief silence. The city attorney suggested someone should make a motion.

**Action: Commissioner Howe** moved to appropriate the funds to have this person come and educate the council, commission, and the public regarding the deficiencies of the current PPD building, which was voted on and approved by the commission on 7/15/15, and what was needed in a new police facility.

**Seconded by Commissioner Cavanaugh.**

**The Chair called the question, "All in favor?"**

**On a Voice Vote:** Commissioner Cavanaugh replied, "I call discussion."

**Discussion:** The Chair asked if there was any discussion. Commissioner Howe said he felt Karen made an excellent point that \$3000 is a small sum to invest in the planning for a 25 million dollar project and \$3,000 is statistically insignificant. The Chair felt it was money well spent. Commissioner Cavanaugh said she agreed with Commissioner Howe, but stated again that we spent \$25,000 on a space needs study and they showed us the deficiencies. She felt that same architectural firm could accomplish what we would be bringing Mr. McClaren in to do. She said spending \$3,000 didn't sit well with her because we already know this facility is not up to standards for a modern police department.

She returned to Commissioner Howe's earlier statement that based on consistency, she is uncomfortable supporting the allocation because of the dialogue surrounding the first motion. She said both votes are just too questionable. She went on to say we've never seen a contract for either of these two motions. If we had the contracts and could look through them and really take a look at the numbers things might have played out differently. She stated she is not supporting a motion to appropriate the funds.

The Chair turned to Karen Senecal indicating he had seen her hand up, and asked if she had anything. Karen responded by saying she just wanted to make it clear this company is not coming in to clarify anything in terms of the space needs study that was done. That was a space needs study which was a separate undertaking. What they did was analyze the existing building and then project out what our needs would be in the next ten to twenty years. That's what that \$25,000 paid for. This

The Chair indicated his understanding was, the information Karen was giving the commission is the same information she gave at last weeks' commission meeting. Karen said that was correct. The Chair also said his understanding from the budget presentation to the council where they first asked for this allocation, was to provide for the education of the council, as they are the ones who will be voting whether or not to approve a new police facility. Karen said yes; at that presentation we mentioned that we had gone to this training, and that we wished get a condensed version of the training for the city councilors.

Chairman Golumb said if there was nothing further, he would like to call the question. Commissioner Howe asked the Chair to state what the motion was that they would be voting on as there had been a lot of discussion.

Chairman Golumb – said the motion is to reconsider...The city attorney indicated that had already been handled. The Chair said the motion was to allocate the money.

There was a brief silence.

**No motion was brought forward; the Chair called the question: "All in Favor?"**

**On a Voice Vote:** There was no response.

**The Chair asked:** "All opposed?"

**On a Voice Vote:** Commissioners Howe and Cavanaugh: "Aye." Chairman Golumb said, "The Chair votes "Aye." Commissioner Howe asked if the Chair's 'aye' meant he was also opposed. Chairman Golumb said no; he meant he was in favor of appropriating the money. The motion to approve the allocation of funds to have Mr. McClaren come and educate the council, commission, and the public regarding the specialized nature of a law enforcement facility which was voted on and approved by the commission on 7/15/15, failed by a two-thirds majority.

Commissioner Golumb turned the meeting over to Chief DuBois.

## **B. Police Chief**

Chief DuBois addressed the subject of the CALEA accreditation process and gave some background leading up to this point. He said a lot of the success of the process depends on having a full time accreditation manager. This was strongly

advised by the chiefs of police who came to speak to the commission at their round-table discussion.

The Chief said we do not currently have someone who can manage the process, and he would like permission to go to the city council and ask for a supplement to the budget to fund a captain to be the accreditation manager. CALEA representative retired chief Paul McMillan said the accreditation manager needs to have the horsepower to accomplish the mission. The Chairman asked when the chief would be wanting to do this. Chief DuBois said perhaps in September. But first he would have to go to the city council to get the approval for this position, because if we can't get this position, he didn't think we could complete the accreditation work. Commissioner Howe asked if this person would be an outside hire. Chief DuBois said it would not be, but the promotion would create a cascading effect, and we would then have to backfill a new line officer. The Chief said he would request a supplement close to \$69,488, which would include the health insurance; if the city manager thinks the health costs could come from the health stabilization fund, the number would be closer to \$50,238.

The Chair sought confirmation of his understanding that if we were not able to get the supplement from the council for this position, then the Chief felt we could not mover forward with the CALEA process because we would not have the full-time person in place to oversee the accreditation standards process.

Commissioner Cavanaugh said she agrees with the Chief the process requires a full time person, but she feels the commission should consider whether or not this is the best way to go. She said she personally would like time to consider whether there is another way to do it. She requested more time to do research and revisit the operational report of a few year's ago that recommended flattening the rank structure. She felt a more prudent approach would be to vote to approve hiring a captain as the accreditation manager at the next meeting, and not at this one, and in the interim to do some research on other possible ways of approaching this.

Commissioner Howe clarified that at this time, Chief DuBois is just asking for permission to approach the council. Attorney Sullivan said that he felt anything that is in line with the Roberts Report and addresses issues highlighted in that report, the council would be open to.

**Action:** Commissioner Howe moved the commission approve the Chief approaching the city council to see if they will support a supplemental

appropriation for the hiring of a captain to manage the CALEA accreditation process full-time.

**Seconded by Commissioner Cavanaugh.**

Chief DuBois motioned that he had a question for the commission. He said if he goes to the council with this question, they are going to want a cost figure before they vote. They are going to want to vote on a specific number. The Chief said that if he gives the council a figure, and the council votes to approve that figure, but the police commission then votes not to authorize that hire/promotion, where does that leave the Chief?

Attorney Sullivan said his advice here is that if the commission approves this motion, and the Chief now has the authority to begin this process, the first step would be for the Chief to approach the city manager, who controls the budget; he added it is called the city manager's budget, and he will have ideas about how the council should be approached on this.

Commissioner Howe said, and Commissioner Cavanaugh agreed, that he thinks it should be the commission that goes to the council. It is the commission that is pursuing CALEA certification, it was the commission's budget, and it should be the commission that goes to the city council seeking the supplemental appropriation, with the Chief present.

Commissioner Golumb asked the city attorney what he thought. The city attorney repeated his counsel that he believes the first step is to approach the city manager on how to approach the city council with this matter. The council will of course appreciate some advance notice that the request is coming. Commissioner Howe said he thought the chief could talk to the city manager, as one department head to another department head.

Chairman Golumb indicated the motion was on the floor. Commissioner Howe said it was, and had been moved and seconded.

**Commissioner Golumb asked: "All in favor?"**

**On a Voice Vote:** The motion passed unanimously to approve Chief DuBois approaching the council to see if they will support a supplemental appropriation for the hiring of a captain to manage the CALEA accreditation process full-time.

Commissioner Howe then asked Chief DuBois to post the contact information for the investigator looking into the anonymous letter regarding Commissioner Cavanaugh on the website. Commissioner Cavanaugh asked if that would be an Alan Brady issue. Chief DuBois said he would contact Alan Brady with the information.

**V. NEXT MEETING:**

Chairman Golumb indicated the next regular meeting is planned for August 26<sup>th</sup>. He said the commission talked about starting at 5:00 p.m., but he felt they should hold off on making a change in the start time for future meetings. The August 26<sup>th</sup> meeting would start at 6:00 p.m.

**VI. MOTION TO ADJOURN**

There being no further business before the commission,

**Commissioner Cavanaugh moved** to adjourn the July 22<sup>nd</sup>, 2015 special meeting of the commission.

**Seconded by Commissioner Howe.**

**On a Voice Vote:** The motion passed unanimously to adjourn the July 22<sup>nd</sup>, special meeting of the commission at 4:52 p.m.

*Walter*

*Respectfully Submitted By Kathleen Levesque, Executive Assistant*

*Reviewed By Commissioner Cavanaugh, Clerk of the Commission*

*Brenna Cavanaugh*

*Brenna Cavanaugh*

*8/11/15*

**PORTSMOUTH POLICE COMMISSION**  
**MINUTES OF THE JULY 15<sup>TH</sup>, 2015 MONTHLY MEETING**

6:00 p.m. Public Session – Eileen Dondero Foley Council Chambers, City Hall

John F. Golumb, Chairman  
Gerald W. Howe  
Brenna Cavanaugh

\*\*\*AMENDED\*\*\*

**I. CALL TO ORDER:** The July 15<sup>th</sup>, 2015 monthly police commission public session was called to order at 5:00 p.m. in the Wm. Mortimer Room of the Police Department.

**Action:** Commissioner Howe moved to go into non-public session to discuss personnel matters, as provided for under RSA 91-A:3, II (a)(e).

**Seconded by Commissioner Cavanaugh.**

**On a Roll Call Vote:** The motion passed unanimously to go into non-public session to discuss personnel matters as provided for under RSA 91-A:3, II(a)(e).

The Commission went into non-public session at 5:02 p.m.

Chairman Golumb called the public session back to order at 6:20 P.M. in the Eileen Dondero Foley Council Chambers of Portsmouth City Hall.

**Present during the public session:** Commissioners Golumb, Howe, and Cavanaugh, Chief Stephen DuBois, City Attorney Robert Sullivan, CALEA Representative Paul McMillan, Admin. Manager Karen Senecal, Exec. Assistant Kathleen Levesque, members of the public and the press.

**II. PLEDGE OF ALLEGIANCE:** Commissioner Cavanaugh led the Pledge of Allegiance.

**III. ACCEPTANCE OF THE MINUTES OF THE MEETINGS HELD ON:** June 17<sup>th</sup>, and July 1, 2015.

**Action:** Commissioner Howe moved to accept the minutes of the June 17<sup>th</sup> and July 1st, 2015 meetings and place one copy on file.

**Seconded by Commissioner Cavanaugh.**

**On a Voice Vote:** The motion passed unanimously to accept the June 17<sup>th</sup>, and July 1<sup>st</sup>, 2015 meetings and place one copy on file.

#### IV. PUBLIC COMMENT SESSION

Ms. Bess Mosley – 302 Springbrook Circle. Ms. Mosley requested that if it has not already been done, she is asking for an investigation into who sent the anonymous letter making accusations against Commissioner Cavanaugh.

Mr. Arthur Clough – 431 Pleasant Street. Mr. Clough stated: The City claims immunity in matters where the city is sued; this most recent lawsuit was completely avoidable in his view. This lawsuit is a constitutional issue. Mr. Clough said all city officials and sworn officers in service take an oath to uphold the constitution.

Ms. Jane Zill – 27 Shaw Road. – Ms. Zill referred to the “Webber Goodwin debacle”, stating the city lost money in equipment it would have been getting in the original will. She listed the lawsuits that ensued, and felt the management of this matter has been detrimental to the city. Ms. Zill reviewed elements of the details of this matter as she sees them. She urged the commission to take action. Ms. Zill referred to Aux. Officer John Connors being told he was a police officer 24 hrs. a day and therefore couldn’t talk about the matter, but Sgt. Goodwin was told he could have an off duty relationship with Mrs. Webber. Ms. Zill sees a double standard in this.

Councilor Zelita Morgan – 39 Richards Avenue. The Councilor spoke directly to Chief DuBois saying he owed John Connors a public apology. She said this was an opportunity to roll up ones’ sleeves and take the hard steps. This matter is in the hands of the commission to take the right actions, and be part of the solution to this. To act expeditiously but thoughtfully to put processes in place that are sustainable and to speak to the core principles of the community.

There being no other members of the public wishing to speak, the Chair closed the public comment session.

Chairman Golumb turned the floor over to Commissioner Cavanaugh. Commissioner Cavanaugh addressed the public, saying the Commission as a whole requested the investigation of allegations made against her in an anonymous letter. She said the department cannot cherry-pick which allegations they’re going to investigate. The decision to have the letter investigated was not the Chief’s decision; it was the collective decision of the commission. Commissioner

Cavanaugh went on to say the two other commissioners have been professional and supportive of her during this time. She stated specifically that she has not been bullied and both of the other commissioners have been gentlemen.

Chairman Golumb added that he and Commissioner Howe have been supportive and will continue to be supportive. The Chair turned the meeting over to Chief DuBois.

## **B. CHIEF OF POLICE:**

1. Chief DuBois introduced retired police chief Paul McMillan who was at the meeting to present information on CALEA. Commissioner Howe asked what CALEA stood for. Mr. McMillan said it stands for the Commission on Accreditation of Law Enforcement Agencies.

Mr. McMillan said he was in law enforcement for 31 years; he has been a chief of police and is now part of the assessment team for CALEA. He was also a former accreditation manager for the Transit Authority in Boston when they went through the CALEA certification process.

Mr. McMillan reviewed the structure of the accreditation commission and described the types of people who make up the commission. He explained that CALEA has gone completely digital and has partnered with Power DMS to do this. The cost of accessing CALEA documents, the assessment process, etc., is included in the enrollment fee. He added that Power DMS has other document suites available to CALEA agencies for additional fees, and other than making that reference, he was not here to promote them. Mr. McMillan moved to an overview of the process.

**NOTE: The full presentation is available for viewing on YouTube through the city's website.**

At the end of the presentation, Mr. McMillan took questions from the Commission, the Chief, and members of the public.

The Commission recessed the public session for five minutes to vacate the council chambers and move to Conference Room 'A', so the Historic District Commission could start their meeting in council chambers.

The public session of the July 15<sup>th</sup>, police commission recessed at 7:15p. in council chambers. The public session resumed in Conference Room 'A' at 7:20 p.m.

**Commissioner Howe moved** to suspend the agenda.

**Seconded by Commissioner Cavanaugh.**

**On a Voice Vote:** The motion passed to suspend the agenda.

**Commissioner Cavanaugh moved** to discuss an investigation into who sent the anonymous letter which made accusations against Commissioner Cavanaugh. She said we need to demonstrate a zero tolerance for anonymous letters of accusation.

**Seconded by Commissioner Howe.**

**On a Voice Vote:** The motion passed unanimously to discuss an investigation into who sent the anonymous letter which made accusations against Commissioner Cavanaugh.

**Discussion:** Commissioner Cavanaugh said she struggled with the necessity of doing an outside investigation because of the cost involved.

Commissioner Howe felt it would be remiss for us to investigate ourselves. Commissioner Cavanaugh asked the Chief what the investigation would cost. Chief DuBois replied that Mr. Pardue is already doing some things for the city, and is already investigating the matter of the allegations specific to the commissioner made in the letter. He felt the investigation into who actually wrote and sent the letter would be an extension of that work. There was some discussion by the commission on how to frame the motion.

**Commissioner Howe moved** the commission direct Chief DuBois to investigate the source of the anonymous letter.

**Seconded by Commissioner Cavanaugh.**

**On a Voice Vote:** The motion passed unanimously to direct Chief DuBois to investigate the source of the anonymous letter.

Commissioner Cavanaugh said the commission made a decision yesterday to address the issue of how Geraldine Webber died. She said she doesn't understand why the subject of inanition was not on the agenda. The Chair explained he subsequently learned there are some Hippa issues with doing this, and he is waiting for clarification on the boundaries of that.

Commissioner Cavanaugh returned to the issue of why this was not put on the agenda. Commissioner Howe said we certainly are not attempting to keep information from the public.

Councilor Morgan said she felt it was an IT issue where one of the links was updated and the other was not. Commissioner Cavanaugh returned to the matter of the item not appearing on the agenda. Chairman Golumb decided that all future agenda items would be emailed to the Chief's exec. assistant with a 'cc' to the Chair.

**Commissioner Howe moved** to return to the agenda.

**Seconded by Commissioner Cavanaugh.**

**On a Voice Vote:** The motion passed unanimously to return to the agenda.

Chairman Golumb turned the meeting over to Chief DuBois.

Chief DuBois talked about the multi-jurisdictional exercise coming up on July 24th. He explained why it is being kept relatively quiet. The Chief said it has to be as realistic as possible for the responding personnel, and the more information on details is made public, the less spontaneous and realistic the exercise becomes for the first responders. He said he will be doing a press release next week as the date approaches to make the public aware of what will be happening.

Chief DuBois also talked about National Night Out coming up on August 4<sup>th</sup>.

## **2. Donations and Purchase Orders**

**Commissioner Cavanaugh moved** to accept two donations in support of the Explorer Cadets. Twenty dollars from Ms. L. Anderson, and forty dollars from Ms. McNutt.

**Seconded by Commissioner Howe.**

**On a Voice Vote:** The motion passed to accept the two donations in support of the Explorer Cadets and forward to the city council for their action.

Commissioner Howe took up the matter of the three purchase orders, first asking the Chief if the money was in the budget. Chief DuBois indicated the monies for these expenditures was in the budget.

**Commissioner Howe moved** to approve the purchase order for \$3,000 for Mr. Jim McClaren to come and provide a specialized briefing to the city council on the unique requirements, security and otherwise, of building a present-day law enforcement facility.

**Seconded by Commissioner Cavanaugh.**

**On a Voice Vote:** The motion passed to approve the \$3,000 for Mr. Jim McClaren to come and provide a specialized briefing to the city council on the unique requirements, security and otherwise, of building a present-day law enforcement facility.

Chief DuBois asked if he could clarify this request. He explained he and two other members went to a training hosted by Mr. McClaren's firm. The city council has understandably had questions on a police facility, and we thought there was value in bringing Mr. McClaren out to answer the council's questions. This purchase order approval would allow us to do that.

**Commissioner Howe moved** to approve the two for CALEA. One for \$11,450 which covers the process of accreditation, and the other for \$5,500 which covers the on-site assessment team.

**Seconded by Commissioner Cavanaugh.**

**On a Voice Vote:** The motion passed to approve the two purchase orders for CALEA. One for \$11,450 which covers the process of accreditation, and the other for \$5,500 which covers the on-site assessment team.

Commissioner Howe again thanked Commissioner Cavanaugh for advancing the idea.

**Commissioner Howe moved** to approve the \$4,788 for Public Relations & Training with Mr. John Guilfoil.

**Seconded by Commissioner Cavanaugh for discussion.** Commissioner Cavanaugh asked for more information on this purchase order.

**Discussion:** Chief DuBois explained he attended an FBI training where Mr. John Guilfoil presented a lecture on media and media relations. The Chief gave the commission some information on Mr. Guilfoil's professional background and experience. Chief DuBois said he spoke with him about doing some training for us. Subsequently, Mr. Guilfoil presented training for the ranking officers on media contact and management. The Chief said that during this time period while we don't have a deputy chief, Mr. Guilfoil would be available to us to handle any type of major issue, as far as getting

our message out and managing media inquiries to take some of the burden off of command staff who would be managing the law enforcement aspects of a major issue. The Chief also indicated because he has experience in this specialized field, Mr. Guilfoil understands the commitment to be available around the clock, as well as the unique information restraints connected to potential criminal and public safety events.

Commissioner Cavanaugh asked what period of time the fee would cover. Chief DuBois indicated Mr. Guilfoil operates on an hourly rate.

Commissioner Howe said that at one time, the department had a Community Relations Officer who had media management as part of the position's responsibilities. Having to do away with that position has left a lack of good coverage in several areas and this is one of them. He felt the department should have help getting its message out. Commissioner Cavanaugh asked about aspects of the agreement with Mr. Guilfoil.

**Commissioner Howe called the question** in order to vote on the purchase order for Mr. Guilfoil's services.

**On a Voice Vote:** The motion passed to approve the purchase order for Mr. Guilfoil's services.

**Action: Commissioner Cavanaugh moved** to accept the resignation of Detective Michael Leclair.

**Seconded by Commissioner Howe.** The Commissioner mentioned the work and contributions of Det. Leclair during his tenure here, especially in the area of cyber crime and Internet crimes against children. Commissioner Howe said Detective Leclair was known throughout the state for his skill and expertise in this area.

**On a Voice Vote:** The motion passed to accept the resignation of Detective Leclair. Commissioner Cavanaugh wished Detective Leclair continued success in future endeavors.

**Action: Commissioner Cavanaugh moved** to accept the resignation of dispatcher Jessica Doucette.

**Seconded by Commissioner Howe.**

**On a Voice Vote:** The motion passed to accept the resignation of dispatcher Jessica Doucette.

**Action: Commissioner Howe** moved to accept the division reports and place one copy on file.

**Seconded by Commissioner Cavanaugh.**

**On a Voice Vote:** The motion passed to accept the division reports and place one copy on file.

### 3. Financial Report

Admin. Manager Karen Senecal reported the preliminary year end projection has the department turning money back to the city through good fiscal management.

Ms. Senecal also gave the commission some background on what was being done to try and fill the gap of Detective Leclair's departure. She explained a grant program she is working on with ICAC Commander Det. Sgt. Tom Grella whereby wounded veterans who have been trained to do the highly specialized forensic computer work would be funded to work for the police department for a limited period of time. She explained there are only going to be four such positions funded through this grant, so we may not be awarded one of them, but we may be able to access the work of an intern from the same program under a different provision. Ms. Senecal is looking into that as well. There was some additional discussion about the funding of the grant.

Commissioner Cavanaugh made additional comments about the commission being pushed out of council chambers and having to interrupt their meeting. She then asked where things were with the deputy chief's position. The Chair asked Chief DuBois to speak to this.

Chief DuBois said that at one point there was some conversation about waiting until the Robert's Report came out, and consequently the process was put on hold. The Chief said we could start the process up again at any time, and he would welcome that, having juggled the responsibilities of both positions for the past six months.

Commissioner Howe asked where things left off. Chief DuBois indicated the position was advertised and we received about 40 resumes in response. The Chief suggested it might be prudent to re-contact those respondents to update individual interest and availability. He said the advertising portion is going to take a bit of time, followed by time to cull down resumes and schedule interviews.

Commissioner Cavanaugh asked about how the committee was formed. She felt it was important the union be represented on the committee. She said she wants to avoid allegations of stacking the committee. Commissioner Golumb said the committee comprises a cross-section of business, law enforcement, and community leadership.

Commissioner Cavanaugh asked the city attorney what the proper way would be to put the committee together. The city attorney said he felt that was the commission's responsibility. There was a brief discussion about reviewing the elements of the committee that was previously assembled. The Commission directed Chief DuBois to start the search process up again for the position of deputy chief.

#### V. MOTION TO ADJOURN

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

**Action: Commissioner Howe moved** to adjourn the July 15<sup>th</sup>, 2015 monthly Police Commission Meeting.

**Seconded by Commissioner Cavanaugh.**

**On a Voice Vote:** The motion passed unanimously to adjourn the July 15<sup>th</sup>, 2015 monthly Police Commission Meeting at 8:06 p.m.

*Kathie*

*Respectfully Submitted By Kathleen Levesque, Executive Assistant*

*Reviewed By Commissioner Cavanaugh, Clerk of the Commission*

*Brenna Cavanaugh*

*Note from Commissioner Cavanaugh: pg 657 amended; clarification: No purchase orders were seen by police commission or included in the PC packet. Votes were approved without p.o's.*

**MONTHLY POLICE COMMISSION MEETING  
PUBLIC COMMENT PORTION**

DATE OF MEETING: 7-15-15

Name & Address: Familii  
77 Shaw Road Portsmouth NH 03801  
Topic: Caranagh Investigation

Name & Address: Bess Masley  
302 Springbrook NH 03801  
Topic: Police Comm

Name & Address: ARTHUR BLOUGH  
431 PLEASANT ST  
Topic: PUBLIC TRUST

Name & Address: \_\_\_\_\_

Topic: \_\_\_\_\_

Name & Address: \_\_\_\_\_

Topic: \_\_\_\_\_

Name & Address: \_\_\_\_\_

Topic: \_\_\_\_\_

# United States Senate

WASHINGTON, DC 20510

July 21, 2015

Officer Aaron Stacy  
Portsmouth Police Department  
3 Junkins Avenue  
Portsmouth, NH 03801

REC'D JUL 23 2015

Dear Officer Stacy,

On behalf of Senator Ayotte and Representatives Guinta and Kuster, I would like to congratulate you for being awarded the New Hampshire Congressional Law Enforcement Award in the "Above and Beyond" category.

You demonstrated outstanding courage during the events on March 4<sup>th</sup>, 2015 when you responded to a 911 call for a house fire. Your swift actions that day saved a man's life and showed remarkable fearlessness. Your bravery and commitment to excellence were recognized by the New Hampshire law enforcement community when they nominated and selected you for this award.

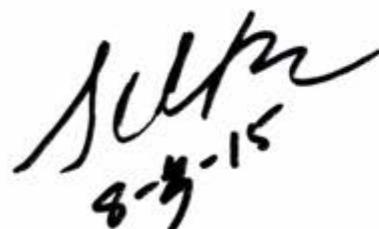
The awards ceremony will take place at 6:00 p.m., on October 16<sup>th</sup>, 2015, at the New Hampshire Police Standards and Training facility in Concord. If you have any questions please feel free to call Chief Vincent Baiocchetti of the awards committee at (603) 387-0779 or Sarah Holmes in my Manchester office at (603) 647-7500.

Sincerely,



Jeanne Shaheen  
United States Senator

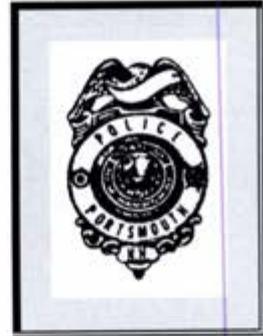
CC: Chief Stephen DuBois, Portsmouth Police Department.



8-9-15

*BOARD of POLICE COMMISSIONERS*

*of the  
City of Portsmouth, N.H.  
September 28<sup>th</sup>, 2015*



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*Orientation briefing from City Attorney Robert Sullivan*



**1. Registration**

1.1 [Agency Information](#)

1.2 [Agency Contacts](#)

**2. Application**

2.1 [Application Profile](#)

2.2 [Manage Application](#)

2.3 [Review Application](#)

2.4 [Submit Application](#)

2.5 [Mandatory Wear Policy](#)

**3. Payment**

3.1 [Bank Information](#)

3.2 [Print Bank Form](#)

3.3 [Manage Receipts](#)

3.4 [Payment Request](#)

3.5 [Payment History](#)

**4. Status**

4.1 [Current Status](#)

4.2 [LEA Status](#)

4.3 [Application History](#)

**5. Personal Information**

5.1 [User Profile](#)

5.2 [Change Password](#)



**BVP HELP DESK**

(Toll-Free 1-877-758-3787)

[← NIJ Standards](#) [↕ Glossary](#) [↕ BVP Manuals](#) [→](#)

**Application Profile**

Participant	PORTSMOUTH CITY
Fiscal Year	2015
Number of Agencies Applied	0
Total Number of Officers for Application	89
Number of Officers on Approved Sub-Applications	89
<u>Unspent BVP Funds Remaining</u>	\$11,053.94
Unspent BVP Funds <u>Obligated for Vest Purchases</u>	\$7,074.00

**Sub-Application Profile**

Fiscal Year	2015
<u>Vest Replacement Cycle</u>	5
Number of Officers	89
Zylon Replacement	0
<u>Emergency Replacement Needs</u>	0
Stolen or Damaged Officer Turnover	0

**Application Details**

NIJ#	*Quantity	Unit Price	Extended Cost	Tax Shipping and Handling	Total Cost
AXII	27	\$786.00	\$21,222.00	\$0.00	\$21,222.00
<b>Grand Totals</b>	<b>*27</b>		<b>\$21,222.00</b>	<b>\$0.00</b>	<b>\$21,222.00</b>

**Award Summary for FY2015 Regular Fund**

Funds Type	Eligible Amount	*Award	Date Approved	Status
Regular Fund	\$21,222.00	*\$10,360.71	08/11/15	Approved by BVP
<b>Grand Totals:</b>	<b>\$21,222.00</b>	<b>\$10,360.71</b>		

**Bulletproof Vest Program  
Pays 50% of New and Replacement Vests**



Department of Justice  
Office of Justice Programs

Office of the Assistant Attorney General

Washington, D.C. 20531

September 21, 2015

Chief Stephen DuBois  
City of Portsmouth  
1 Junkins Ave  
Portsmouth, NH 03801-4554

Dear Chief DuBois:

On behalf of Attorney General Loretta Lynch, it is my pleasure to inform you that the Office of Justice Programs has approved your application for funding under the FY 15 Internet Crimes Against Children Task Force Invited in the amount of \$256,152 for City of Portsmouth.

Enclosed you will find the Grant Award and Special Conditions documents. This award is subject to all administrative and financial requirements, including the timely submission of all financial and programmatic reports, resolution of all interim audit findings, and the maintenance of a minimum level of cash-on-hand. Should you not adhere to these requirements, you will be in violation of the terms of this agreement and the award will be subject to termination for cause or other administrative action as appropriate.

If you have questions regarding this award, please contact:

- Program Questions, Jacqueline O'Reilly, Program Manager at (202) 514-5024; and
- Financial Questions, the Office of the Chief Financial Officer, Customer Service Center (CSC) at (800) 458-0786, or you may contact the CSC at [ask.ocfo@usdoj.gov](mailto:ask.ocfo@usdoj.gov).

Congratulations, and we look forward to working with you.

Sincerely,

A handwritten signature in cursive script that reads "Karol V. Mason".

Karol Virginia Mason  
Assistant Attorney General

Enclosures



Department of Justice  
Office of Justice Programs  
**Office of Juvenile Justice and  
Delinquency Prevention**

**Cooperative Agreement**

PAGE 1 OF 9

1. RECIPIENT NAME AND ADDRESS (Including Zip Code) City of Portsmouth 1 Junkins Ave Portsmouth, NH 03801-4554		4. AWARD NUMBER: 2015-MC-FX-K026	
2a. GRANTEE IRS/VENDOR NO. 026000715		5. PROJECT PERIOD: FROM 07/01/2015 TO 06/30/2016 BUDGET PERIOD: FROM 07/01/2015 TO 06/30/2016	
2b. GRANTEE DUNS NO. 073976706		6. AWARD DATE 09/21/2015	7. ACTION Initial
3. PROJECT TITLE NH ICAC Task Force		8. SUPPLEMENT NUMBER 00	
12. SPECIAL CONDITIONS THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).		9. PREVIOUS AWARD AMOUNT \$ 0	
13. STATUTORY AUTHORITY FOR GRANT This project is supported under FY15(OJJDP ICAC Task Force) Pub. L. No. 113-235; 128 Stat. 2130, 2195		10. AMOUNT OF THIS AWARD \$ 256,152	
14. CATALOG OF DOMESTIC FEDERAL ASSISTANCE (CFDA Number) 16.543 - Missing Children's Assistance		11. TOTAL AWARD \$ 256,152	
15. METHOD OF PAYMENT GPRS			
AGENCY APPROVAL		GRANTEE ACCEPTANCE	
16. TYPED NAME AND TITLE OF APPROVING OFFICIAL Karol Virginia Mason Assistant Attorney General		18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL Stephen DuBois Chief	
17. SIGNATURE OF APPROVING OFFICIAL <i>Karol V. Mason</i>		19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL	19A. DATE
AGENCY USE ONLY			
20. ACCOUNTING CLASSIFICATION CODES FISCAL FUND BUD. DIV. YEAR CODE ACT. OFC. REG. SUB. POMS AMOUNT X F MC 70 00 00 256152		21. PMCTGT0158	

**\*\*IN THE INTEREST OF PERSONAL AND BUSINESS I.D. SECURITY, WE NO LONGER PHOTOCOPY PERSONAL AND BUSINESS CHECKS TO SHOW GRANTS, DONATIONS, ETC. RECEIVED BY THE DEPARTMENT.**

1. Donations:
  - a.) A donation in support of the Portsmouth Police Explorer Cadets as follows:
    - i. \$20 from Ms. Dorothy A. Steere-Doyle

Mayor Lister  
Portsmouth City Council

REC'D AUG 4 - 2015

August 5, 2015

**Re: Detective Kristyn Bernier**

Mayor Lister  
City Councilors

I am writing to acknowledge Detective Kristyn Bernier outstanding police work. Her training and experience possibly helped save a persons life. The incident took place approximately two weeks ago. I did not know the Officers name until today. I would have written sooner. I witnessed from afar some of what took place. The person she helped was one of my neighbors.

The Police received a call for an individual who apparently was lost and confused, that person was on Bartlett St. at the time, blocks away from home. When Detective Bernier caught up to the person she immediately recognized that she was in some sort of distress (possible stroke or a seizure) she asked the person where they lived. The person could not remember where they lived. She convinced the person to get in the Police Car. She drove around the neighborhood to see if the person could locate the house. They find the house and the significant other. Detective Bernier recommended to the family member to call an ambulance. They opted to take her themselves to the ER.

The actions and recommendations by the Detective possibly saved the persons life there were no indications earlier that indicated any physical or mental health issues. The diagnoses was a Brain Tumor. Had no prior symptoms of any kind.

The neighbors and friends are very great full to Detective Kristyn Bernier. A job well done!!!!

Sincerest appreciation

George Dempsey  
Neighbor

Detective Krystin Bernier

*OK Joe  
8/15/15*

Crime Comparison Report For the period ending 07/31/2015

Group A Crimes Against Persons

Crime IBR Category	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Kidnaping/ Abduction	2015	1	2	3				2						8
	2014				3			1						4
	Pct	n/a	n/a	n/a	n/a			+100%						+100%
Forcible Rape	2015	1	2	2	1		1							7
	2014	3		3	2	2	2							12
	Pct	-67%	n/a	-33%	-50%	n/a	-50%							-42%
Forcible Sodomy	2015					1								1
	2014													
	Pct					n/a								n/a
Forcible Fondling	2015				1	1	2	1						5
	2014			2	1		1	3						7
	Pct			n/a	0%	n/a	+100%	-67%						-29%
Aggravated Assault	2015	7	2	3	1	2	1							16
	2014	6	1		3	1	2	1						14
	Pct	+17%	+100%	n/a	-67%	+100%	-50%	n/a						+14%
Simple Assault	2015	11	13	15	10	21	33	22						125
	2014	20	14	16	23	14	18	18						123
	Pct	-45%	-7%	-6%	-57%	+50%	+83%	+22%						+2%
Intimidation	2015	16	7	7	5	10	6	10						61
	2014	18	11	10	7	7	12	11						76
	Pct	-11%	-36%	-30%	-29%	+43%	-50%	-9%						-20%
Incest	2015													
	2014			1										1
	Pct			n/a										n/a
Statutory Rape	2015							1						1
	2014	1		2										3
	Pct	n/a		n/a				n/a						-67%
Total Crimes Against Persons	2015	36	26	30	18	35	43	36						224
	2014	48	26	34	39	24	35	34						240
	Pct	-25%	0%	-12%	-54%	+46%	+23%	+6%						-7%

Filters/Options Applied

Date Used Report Date used

Time Period

Crime Comparison Report For the period ending 07/31/2015

Group A Crimes Against Property

Crime IBR Category	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Robbery	2015	1	1				3							5
	2014						2							2
	Pct	n/a	n/a				+50%							+150%
Arson	2015					1								1
	2014					1								1
	Pct					0%								0%
Burglary/ Breaking and Entering	2015	2	3			6	2	7						20
	2014	3	1	5	2	5	5	3						24
	Pct	-33%	+200%	n/a	n/a	+20%	-60%	+133%						-17%
Extortion/ Blackmail	2015			1										1
	2014													
	Pct			n/a										n/a
Larceny (pick-pocket)	2015	1				1								2
	2014													
	Pct	n/a				n/a								n/a
Larceny (purse snatching)	2015													
	2014		1			1								2
	Pct		n/a			n/a								n/a
Larceny (shoplifting)	2015	14	10	5	10	6	6	2						53
	2014	10	8	9	4	5	8	7						51
	Pct	+40%	+25%	-44%	+150%	+20%	-25%	-71%						+4%
Larceny (from building)	2015	13	6	12	13	10	9	3						66
	2014	20	7	12	15	14	7	11						86
	Pct	-35%	-14%	0%	-13%	-29%	+29%	-73%						-23%
Larceny (from motor vehicles)	2015	5	2	4	7	7	5	11						41
	2014	6	9	12	7	5	7	18						64
	Pct	-17%	-78%	-67%	0%	+40%	-29%	-39%						-36%
Larceny (of motor vehicle parts)	2015		1	1	3	3		1						9
	2014	2		1	1	2	1	1						8
	Pct	n/a	n/a	0%	+200%	+50%	n/a	0%						+13%
Larceny (all other)	2015	6	2	7	2	6	4	18						45
	2014	5	6	6	12	12	12	7						60
	Pct	+20%	-67%	+17%	-83%	-50%	-67%	+157%						-25%
Motor Vehicle Theft	2015	2	1	2	2	2	3	1						13
	2014			2	1		4	1						8
	Pct	n/a	n/a	0%	+100%	n/a	-25%	0%						+63%

Filters/Options Applied

Date Used	Report Date used
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Crime Comparison Report For the period ending 07/31/2015

**Group A Crimes Against Property**

Crime IBR Category	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Counterfeit/ Forgery	2015	1		1	1	1	3	4						11
	2014	4	1	4	4	1	2	1						17
	Pct	-75%	n/a	-75%	-75%	0%	+50%	+300%						-35%
Fraud (false pretense;swindle)	2015	4	3	4	5	6	5	2						29
	2014	6	3	4	3	2	3							21
	Pct	-33%	0%	0%	+67%	+200%	+67%	n/a						+38%
Fraud (credit/debit card;ATM)	2015	4	1	4	1	5	3	6						24
	2014	2	2	5	1		4	10						24
	Pct	+100%	-50%	-20%	0%	n/a	-25%	-40%						0%
Fraud (impersonation)	2015	3	1	8	18	5	4	4						43
	2014	1			3	3	2	1						10
	Pct	+200%	n/a	n/a	+500%	+67%	+100%	+300%						+330%
Fraud (wire)	2015						1							1
	2014													
	Pct						n/a							n/a
Embezzlement	2015			1			1							2
	2014				1	2								3
	Pct			n/a	n/a	n/a	n/a							-33%
Stolen Property	2015	1		2	1	2		1						7
	2014	4	3	4	4	1		1						17
	Pct	-75%	n/a	-50%	-75%	+100%		0%						-59%
Destruction of Property/Vandalism	2015	11	5	16	16	25	31	25						129
	2014	34	17	18	18	19	30	23						159
	Pct	-68%	-71%	-11%	-11%	+32%	+3%	+9%						-19%
Total Crimes Against Property	2015	68	36	68	79	86	80	85						502
	2014	97	58	82	76	73	87	84						557
	Pct	-30%	-38%	-17%	+4%	+18%	-8%	+1%						-10%

**Filters/Options Applied**

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Crime Comparison Report For the period ending 07/31/2015

**Group A Crimes Against Society**

Crime IBR Category	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Drug/ Narcotic Violations	2015	4	9	9	10	4	6	10						52
	2014	6	6	13	9	10	16	16						76
	Pct	-33%	+50%	-31%	+11%	-60%	-63%	-38%						-32%
Drug Equipment Violations	2015				1									1
	2014		2											2
	Pct		n/a		n/a									-50%
Pornography/Obscene Material	2015							1						1
	2014							1						1
	Pct							0%						0%
Prostitution	2015		1											1
	2014		1	1										2
	Pct		0%	n/a										-50%
Assisting/Promoting Prostitution	2015													
	2014							1						1
	Pct							n/a						n/a
Weapon Law Violations	2015			1	1									2
	2014	2												2
	Pct	n/a		n/a	n/a									0%
Total Crimes Against Society	2015	4	10	10	12	4	6	11						57
	2014	8	9	14	9	10	16	18						84
	Pct	-50%	+11%	-29%	+33%	-60%	-63%	-39%						-32%

**Filters/Options Applied**

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Time Period

Crime Comparison Report For the period ending 07/31/2015

Group B Crimes														
Crime IBR Category	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Bad Checks	2015	1		2	1		1							5
	2014			3		1								4
	Pct	n/a		-33%	n/a	n/a	n/a							+25%
Curfew/Loitering/Vagrancy	2015													
	2014							1						1
	Pct							n/a						n/a
Disorderly Conduct	2015	7	2	6	2	3	8	3						31
	2014	5	2	4	10	6	9	4						40
	Pct	+40%	0%	+50%	-80%	-50%	-11%	-25%						-23%
Driving under Influence	2015	2	5	3	4	6	5	5						30
	2014	3	4	7	6	3	2	4						29
	Pct	-33%	+25%	-57%	-33%	+100%	+150%	+25%						+3%
Drunkenness	2015	8	7	11	14	11	10	16						77
	2014	4	12	6	11	20	12	12						77
	Pct	+100%	-42%	+83%	+27%	-45%	-17%	+33%						0%
Family Non Violent Offenses	2015	1	2	3	2	2	1							11
	2014	1		1		1	2	3						8
	Pct	0%	n/a	+200%	n/a	+100%	-50%	n/a						+38%
Liquor Law Violations	2015	1	4		2	1	4	4						16
	2014	2	2	2	2	1		4						13
	Pct	-50%	+100%	n/a	0%	0%	n/a	0%						+23%
Runaways (under 18yr old)	2015	3	2	1				1						7
	2014	3		3	2	2	3	3						16
	Pct	0%	n/a	-67%	n/a	n/a	n/a	-67%						-56%
Trespass of Real Property	2015	1	3	1	8	6	3	4						26
	2014	7	2	3	8		3	7						30
	Pct	-86%	+50%	-67%	0%	n/a	0%	-43%						-13%
All Other Offenses	2015	34	17	17	27	20	15	16						146
	2014	29	20	28	22	16	31	24						170
	Pct	+17%	-15%	-39%	+23%	+25%	-52%	-33%						-14%
Total Group B Crimes	2015	58	42	44	60	49	47	49						349
	2014	54	42	57	61	50	62	62						388
	Pct	+7%	0%	-23%	-2%	-2%	-24%	-21%						-10%

Filters/Options Applied

Date Used	Report Date used
Time Period	