

May 24, 2021

The Nashua Police Commission held a public meeting on Monday, May 24, 2021, at the Nashua Police Department.

Members present:

Commissioner James R. Tollner, Chairman
Commissioner Nicholas Dahl, Clerk
Commissioner Matthew Plante
Chief Michael Carignan
Deputy Chief James Testaverde
Deputy Chief Kevin Rourke
Karen Smith, NPD Business Manager
Kathy Breslin, Administrative Project Specialist (acting as recording secretary)

Others Attending the Public Session:

Aldermanic Liaison Lori Wilshire
Aldermanic Liaison Richard Dowd (not in attendance)
Members of the Public

PUBLIC SESSION

Commissioner Tollner called the meeting to order at 5:30 pm. Roll call taken.

APPROVAL OF MINUTES:

- April 26, 2021

Commissioner Tollner made a motion to approve the minutes of the April 26, 2021 meeting. Motion seconded by Commissioner Plante. All in favor.

BUDGET:

Business Manager Karen Smith provided the Commissioners with the following reports:

FY2021 April Expenditure Report:

The average appropriation is 84.6% as of April. Payroll accounts are operating at 84.2%.

FY2021 April Revenue Report:

A copy of the report was provided.

FY2021 Monthly Overtime Tracking by Specific Case Number or Significant Occurrence:

The monthly overtime for April significant occurrences was \$22,596. This included \$5,604 which will be paid from the primary Expendable Trust Fund (ETF) and \$5,708 which will be paid from the ETF account for training.

April Functional Strength:

The Functional Strength, the number of total officers we are down due to vacancies and officers in training or extended leave was down to 8 this month. The prior month was 13. A decrease due to the hiring of sworn vacancies and the ending of officers' FTO training.

FY2021 April Overtime Analysis:

The average weekly overtime for the month of April was \$30,968. This is close to our target range of \$29,000. It should be noted that the overtime figure includes overtime for COVID test and vaccination sites. This total is close to \$60,000 year to date.

April Strength Report:

A copy of the April Strength Report was provided.

Commissioner Tollner wanted it to be noted that the report showed us at full strength with 179 officers on staff. It is something we should be very proud of since not many police departments are at full strength. He complimented the Professional Standards Bureau for all their hard work in filling these positions with a diversified group of officers. Chief Carignan stated that the last time we were at full strength was under Chief Lavoie and that lasted 24 hours. We now have been at full strength for approximately 3-4 weeks. Also for the first time, almost 10% of the officers are female.

This is the first time we are at full strength at 179 officers.

MOTION: Commissioner Dahl made a motion to accept the budget reports. Motion seconded by Commissioner Plante. All in favor.

ACTIVITY REPORT:

Deputy Chief Kevin Rourke reported the following:

Sergeant Goodwin presented the idea of setting up a Safe Exchange much like other police departments in the area like Hollis and Merrimack. Safe Exchange is a program where you set up a few parking spaces that are recorded for sites to have child exchanges and exchange of goods for purchases on EBay, Marketplace, etc. We do have to purchase equipment for this service, but it will not be that expensive.

Booking Officer Bill Silva was recently hit by a hockey puck and has a broken foot. We will be shifting officers around to cover the position.

We have designated officers for traffic enforcement on Main Street for the last 3 months. Recently on May 6th and 7th these officers teamed up with the POP Unit and NH State Police to address motor vehicle infractions such as speed, loud music and loud exhaust. These were the following results:

May 6th:

28 motor vehicle stops
25 warnings
2 summons
2 arrests

May 7th:

42 motor vehicle stops
37 warnings
4 summons
1 arrest

Bodyworn gave a presentation of their body cameras to the Chief, Deputies and Staff last week. We got a quote of \$1.5 million for a 6 year contract, with the 6th year free. I have a meeting with the Mayor on June 8th to sign the contract. Once the contract is signed it will take a few months to get up and running. A company representative has to come in and train the officers and train a full time person to handle the cameras and the data. The contract includes cloud storage for all the data and the cameras will also link to our current CAD (Computer Aided Dispatch) system.

We plan on going to Manchester to see how they use the cameras since they have had the cameras for over a year. Hollis has body cameras and Hudson got the same system and is starting up today.

We plan on having a presentation of the body cameras at the PD for the Commissioners and the Alderman.

Chief Carignan stated that he was able to see the cameras in action during the Black Lives Matter protest last year in Manchester. He was able to see a live feed of the events, which sold him on the product.

We had a shots fired incident in the City today. Several calls came in for shots fired in the area of Bridge Street near the railroad trestle bridge. Witnesses reported seeing a male wearing a green shirt leaving the area with a bag. Officer Perry, with his dog Yukon, were able to locate approximately 20 shell casings and officers made contact with an individual matching the description. The male subject was found with a 380 Luger firearm in his possession. The investigation is ongoing.

Just before the meeting the SWAT team activated 2 members to take the Bearcat to Manchester to assist with a standoff at a hotel.

Deputy Chief James Testaverde reported the following:

Detectives:

Detective Pete Laroche just got back from the Computer Forensic Institute in Alabama. He brought back a device that tracks skimmer fraud devices. We now have the capability to drive around gas pumps and detect if skimming devices have been installed on the pumps. We are determining if the device is simple enough to train other officers within the agency to use.

Detectives went out to Congress Street earlier today in response to a threat with a firearm.

We have been making progress in the April Bailey investigation. We recently recovered physical evidence that is currently at the lab. We are hoping for a break in the case.

Commissioner Plante questioned the large amount of domestic violence calls this month with 164.

Deputy Testaverde clarified the number explaining all types of calls that could be labeled a domestic violence call and stated the number was not actually that large for the month.

Professional Standards:

We recently had a CALEA spot review and we were approved on 167 of our standards.

Legal:

Attorney Katie Muzzy had a big trial to try and get the DRE (Drug Recognition Expert) program off the ground by having Officer Fisher certified as an expert witness for DWI trials. It took weeks of preparation, but they were successful. The Attorney General Representative that was present, praised them both.

Services:

Captain Craig Allard has been working with the Services Bureau to help with the Communications Access Program. We are using a grant to help the hearing impaired in our community. We have taken the free iPad minis we received from Apple and loaded them with software to assist with translation on the streets.

MOTION: Commissioner Plante made a motion to accept the activity reports. Motion seconded by Commissioner Tollner. All in favor.

CORRESPONDENCE FROM THE PUBLIC & OTHER AGENCIES:

Chief Carignan gave the Commissioners an overview of the letters of appreciation received from the public and outside agencies including the following:

- Former Police Chief Tim Heffernan-Officer Michael Boulay
- Bridges-DV Advocate Jennifer Dickinson
- Bridges- Officer Kyle Ingersoll
- Bridges- Officer Scott Seroll
- Hillsborough County Sheriff-Lieutenant Brian Trefry
- Merrimack Police Department-Members of Critical Incident Management Team
- Nashua High School North-Officer Daniel Hayden
- Child Advocacy Center- Officer Ian Theriault
- Rangers BBQ-thank you
- Southern NH Rescue Mission- Officers Joe Fusco and Kyle Schiavone
- Bishop Guertin- Officer Albert Tien

MOTION: Commissioner Plante made a motion to accept the correspondence. Motion seconded by Commissioner Dahl. All in favor

AWARDS:

For the record:

Lions Club Police Officer of the Year for 2020 awarded to the Nashua Police Department.

Lions Club Police Officer of the Year for 2021 awarded to Detective Adam Rayho.

SWORN RESIGNATION:

For the record:

Master Patrolman Michael Yeomelakis effective June 17, 2021.

K9 RETIREMENT:

For the record:

K9 Vorik effective May 3, 2021.

SWORN RETIREMENTS:

Master Patrolman Michael Dore effective August 1, 2021.

MOTION: Commissioner Tollner made a motion to accept the retirement of Master Patrolman Michael Dore effective August 1, 2021. Motion seconded by Commissioner Plante. All in favor.

Lieutenant Robert Giggi effective August 1, 2021.

MOTION: Commissioner Dahl made a motion to accept the retirement of Lieutenant Robert Giggi effective August 1, 2021. Motion seconded by Commissioner Plante. All in favor

CIVILIAN RETIREMENTS:

Communications Technician I Donna Demers effective May 23, 2021.

MOTION: Commissioner Dahl made a motion to accept the retirement of Communications Technician I Donna Demers effective May 23, 2021. Motion seconded by Commissioner Plante. All in favor.

OTHER BUSINESS:

Chief Michael Carignan reported the following:

Deputy Testaverde mentioned the Communications Access Plan earlier. It is a language access program that first has to be set up on our devices and then we have to train our officers.

We had a situation last week with a call of shots fired in the area of Kinsley Street. We had to shut the street down, but nothing came of the incident. There was an issue with people posting to social media and Aldermen seeing the post and then contacting myself to find out what is going on. We are trying to get our supervisors to post to the public when streets are closed and there is an incident, but it takes time to process the information. We do not monitor Facebook so my advice would be to go to our website and check the call log or call the station if you have something to report. If an Alderman has a question they can always call the station and ask for a supervisor.

This past weekend we had another incident on Facebook that a person posted a picture of graffiti from a white supremacy group. I received a phone call on Friday afternoon asking me about the posting. We immediately contacted Detective Matt Giftos who works with the FBI on the Joint Terrorism Task Force. He is dealing with the situation, which is the beauty of having these resources by working with the FBI. I also spoke with Jane Young at the Attorney General's office. I am supportive of the individual who posted the picture, but I would emphasize to call 594-3500 or 911 to report the incident rather than using social media that is not regularly monitored.

Commissioner Plante asked if the officers knew where the Chief and Deputies stood on the proposal to change the Police Commission. Chief Carignan stated he is planning on sharing information with the officers on why he believes the Police Commissioners should continue to be appointed by the Governor rather than the Mayor and Board of Alderman. He will be getting this information out shortly.

Commissioner Plante stated that earlier we talked about recruiting and being at full compliment. If there was a new Police Commission how would that change recruiting?
Would it be the same?

Deputy Testaverde stated that he did not think a new Commission would change our method of recruiting. You see the candidates when we have already started screening them, no matter what race or gender. Any officer that we hire is not based on whether they are a female or a minority. We hire the best candidate. Changing the make-up of the Commission will not change how we hire.

Chief Carignan stated that he has spoken with people on the Governor's staff regarding the diversity on the Police Commission. He asked if there was ever a phone call from the Mayor or the Aldermen complaining there was no diversity on the Commission and there has not been. We have had one female on the Commission. The current Commissioners have been appointed by male and female governors from both political parties. I am passionate about this topic. I do not think there is a legitimate reason to change the process of how the Police Commission is appointed and I think it is an abuse of power.

PUBLIC COMMENT:

No comment.

TENTATIVE DATE OF NEXT REGULARLY SCHEDULED MEETING:

- Monday, June 21, 2021, at 5:30 pm.

END OF PUBLIC SESSION:

MOTION: Commissioner Dahl made a motion to end the public session and enter the non-public session. Motion seconded by Commissioner Plante. All in favor

Time: 6:22 pm

NON-PUBLIC SESSION

MINUTES SEALED

PUBLIC SESSION INTO NONPUBLIC SESSION: 6:24 pm

MOTION: Commissioner Tollner asked for a motion by roll call vote to **suspend** the public session and enter non-public session as authorized by:

Item #1:

- A. **RSA 91-A: 3, II (a):** “The dismissal, promotion, or compensations of any public employee or the disciplining of such employee, or the investigation of any charges against him, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted.”

Motion by Commissioner Tollner, seconded by Commissioner Plante.

A roll call vote was taken:

- Commissioner Tollner – yes; Commissioner Dahl – yes; Commissioner Plante – yes
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END OF NON-PUBLIC SESSION:

MOTION: Commissioner Dahl made a motion to end the non-public session and return to public session. Motion seconded by Commissioner Plante. All in favor.

RETURN TO PUBLIC SESSION: 6:45 pm

MOTION TO SEAL RSA 91-A:3 III:

Minutes of proceedings in nonpublic session shall be kept and the record of all actions shall be promptly made available for public inspection, except as provided in this section. ...”

- “divulgence of the information likely would affect adversely the reputation of any person other than a member of the body or agency itself,
- or render the proposed action ineffective,
- or pertain to terrorism...”

Commissioner Tollner asked for a motion to seal the following minutes of the Non-Public session (**Item #1**).

Item #1: RSA 91-A: 3, II (a): “The dismissal, promotion, or compensations of any public employee or the disciplining of such employee, or the investigation of any charges against him, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted.”

MOTION: Motion by Commissioner Dahl seconded by Commissioner Tollner to seal the minutes of the Non-Public Session (**Item #1**) as authorized above. All in favor.

TENTATIVE DATE OF NEXT REGULARLY SCHEDULED MEETING:

- Monday, June 21, 2021 at 5:30 pm
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ADJOURNMENT

MOTION: Commissioner Dahl made a motion to end the public session and adjourn the meeting. Motion seconded by Commissioner Plante. All in favor.

Time: 6:46 pm

Respectfully submitted,

Commissioner Nicholas Dahl, Clerk