

**HOOKSETT POLICE COMMISSION
PUBLIC MEETING MINUTES
HOOKSETT SAFETY CENTER (MEDIA ROOM)
OCTOBER 16, 2012**

CALL TO ORDER: Chairperson Joanne McHugh called the meeting to order at 6:30pm. She led the pledge of allegiance. Proof of Posting was given to interim recording clerk Jodi Pinard.

ATTENDANCE – POLICE COMMISSION: Chairperson Joanne McHugh, Commissioner Kenneth Scherer, and Commissioner Clark Karolian, Thomas Burke, Interim Police Manager, Captain John Daigle, Sergeant Janet Bouchard

ENTER NON PUBLIC SESSION AT 6:33PM PER RSA 91-A:3,II, (b) :

Commissioner Karolian motioned to enter into non-public session at 6:33pm under RSA 91-A: 3, II, (b) seconded by Commissioner Scherer voted unanimously

- Commissioner Karolian - Aye
- Commission Scherer - Aye
- Chairperson McHugh – Aye

EXIT NON-PUBLIC SESSION AT 6:55PM PER RSA 91-A:3,II, (b):

Commissioner Karolian motioned to exit non-public session at 6:55pm under RSA 91-A:3,II, (b)seconded by Commissioner Scherer Voted unanimously

- Commissioner Karolian - Aye
- Commission Scherer - Aye
- Chairperson McHugh –Aye

Commissioner Scherer motioned seal the minutes per RSA 91-A:3,II, (b) seconded by Commissioner Karolian voted unanimously

- Commissioner Karolian - Aye
- Commission Scherer - Aye
- Chairperson McHugh –Aye

PUBLIC INPUT:

Jim Gorton – 150 West River Road – I am here tonight to submit a right to know request can I just hand it to the commission.

Chairperson McHugh – Accepted the right to know request.

APPROVAL OF MEETING MINUTES:

Commissioner Scherer motioned to accept the public meeting minutes of July 30, 2012, Commissioner Karolian seconded voted unanimously

Commissioner Scherer motioned to accept the public meeting minutes of October 4, 2012,
Commissioner Karolian seconded with the following edits voted unanimously

Page 2: half way down the page- A. Gould response should read “Administration and management of the department to include budgeting and implementation of policies and procedures. Anything that does not require a gun and a badge to fulfill.” Delete “the Commissioner Karolian duties”

Page 3: half way down the page under Commissioner Karolian – should read “open ended” instead of opening

Page 9: last paragraph before non-public second sentence reads “I remind the Commission...” should read “I will remind the Commission”

Commissioner McHugh added the following edits:

Page 7: 7 line down in the public input comments of Marc Miville should read “feel” instead of fell. Further down the page under Commission McHugh “The bid no longer exists” should be deleted

Page 1: Sentence after “Originally we spoke with LGC” should be stricken from the minutes. Primax should read “a contract” instead of contact

MONTHLY REPORTS:

- Police Budget Meeting
 1. Overview of Expenditures –

Chairperson McHugh – In the Professional Services line is that amount because of both bills were paid in one month?

Captain Daigle – Yes that is correct

Chairperson McHugh – The other questions is the Community Service line one

Captain Daigle – That was for supplies for the RAD Program

Overtime Report -

Activity Report – Shop lifting - Sector W1

Captain Daigle – As you look at the report from Sept 2011 to Sept 2012 there are 3 additional shop lifting case. When you look at Aug 2012 to Sept 2012 you can see a decrease of 3 cases.

OLD BUSINESS

A. Salary Survey and Support Staff Hourly Rate Employees

Chairperson McHugh – I was wondering when I had looked it over we did not have Bedford. Is this something we can get?

Captain Daigle – Yes it is.

Commissioner Karolian – Currently in this listing we have Merrimack, Goffstown, Hampton, Exeter, Hooksett, Lebanon, Amherst, Hanover, Raymond, Conway and Berlin. How does Bedford compare size wise with regards to population, Department, calls for service compared to Hooksett?

Captain Daigle – I cannot answer the calls for service but Mr. Burke and I have been discussing Bedford as it is similar to Hooksett and it is something that we can get you.

Commissioner Karolian – Who prepared this?

Captain Daigle – Jessie prepared this report. On the second page we wanted to explain why some of them make sense and some of them don't. This is based upon some of the agencies and some of the job descriptions. It was just to show that we are not always comparing apples to apples.

Commissioner McHugh – Perhaps Tom can answer this, with regard to Bedford, they have a fleet manager is that correct?

Tom Burke – No not any longer. They did have one for many years but that has been delegated to Sergeants.

Commissioner McHugh – Ok. If we could get Bedford in the future.

B. S.O.P. Review (tabled from 9/18/12)

Commissioner Karolian – Before we start on the Os, I have some questions on the A's that I would like clarification on.

A-103 Direction – In the Old Policy the sentence on the second page reads "all lawful orders written or oral shall be carried out fully and in the manner prescribed" and the new policy states "Hooksett Police Department employees shall fully carry out in the manner prescribed all lawful orders" I guess I am asking why did it change, to me it seems to be the same thing.

Commissioner McHugh – I think that question would be better directed at PSSG.

Captain Daigle – You will find that we tried to reduce the language of redundancies in all of the SOP's.

Kym Craven – I do not have these with me as they had been approved previously and I do not have my notes with me but just hearing it out loud I believe it was a passive sentence with a split infinitive. I believe it a grammatical fix.

Commissioner McHugh – That is what I found when I had went through them and basically they are only in our packets is so that we can sign off on them is that correct?

Captain Daigle – Yes, we put these into effect October 1, so they are out there, they have been issued. There was some discussion, some though on did you want to sign off on each individual we have. We have dated them October 1, and when all of them have been completed we were going to come out with some type of statement page stated when they were approved by the commission so we did not put signature lines on all of.

Commissioner McHugh – I just wondered why they were back here, if it was because they needed a signature.

Captain Daigle – They were put in your as if they would need signatures but once I returned from vacation we had further discussion and felt it one page would work.

Commissioner McHugh – It is not a problem for me all long as it says per order of the Hooksett Police Commission and you will take the date it was approved. I do not the feeling of the other commissioners, but to me that would be fine as they were already approved.

Commissioner Scherer – I know that these were approved but in terms of some hurdles that we have encountered in the past in terms of trying to determine what were policies and what were decisions that were made in minutes that we then had to go back and look at in order to find them factual. I think it may be prudent that we actually sign off on them and date them with an effective date. Otherwise there is no evidence at all.

Kym Craven – If I could just state this Commissioner McHugh stated that when you do policies the board has previously stated the approved date and once they are all done the cover packet is where all of you are signing off on. This is what we had presented and decided on. Your final document will be one electronic document with all of your signatures on it.

Commissioner Karolian – A-106 Organizational Chart for the Hooksett Police Department, I do not see Commander anywhere on it.

Alan – The chart is a work in progress and it has to be updated.

Commissioner Karolian – There is verbage in here such as Patrol Division Commander, Operational Commander are these new positions?

Commissioner McHugh – I had brought up the same question last and found that no just different titles.

Alan – On the old SOP's you had the word supervisor but never defined which supervisor. With these changes it will now make it clearer.

Commissioner Scherer – A-106 was never approved. Under section 2 paragraph B had no text and would need to be reviewed. It is not in our packet tonight.

Captain Daigle – It was determined that the B section should not have been in there.

Commissioner Scherer motioned to approve SOP A-106 Administrative Reporting and Reviewing Systems dated October 1, 2012 seconded by Commissioner Karolian voted unanimously

Commissioner Karolian – In SOP A-220 in the old one it refers to professional development administrator and it in the new SOP it was changed to the administrative coordinator is that correct?

Chairperson McHugh – Yes it is

O-102 Weapons Policy – Commissioner McHugh – I just have a general question on page 3-why is the pepper ball system not included in this section.

Captain Daigle – I believe it should be added in.

Commissioner Scherer motioned to approve O-102 to be revised as presented to include section C paragraph 5 the pepper ball system from the existing policy to the new policy seconded by Commissioner Karolian voted unanimously

O-110 Mutual Aid – Commissioner Scherer motioned to approve SOP O-110 Mutual Aide effective November 1, 2012 seconded by Chairperson McHugh voted unanimously

O-120 Pursuit – Commissioner Scherer – I have a question with regards removing all of the definitions and terms as to why they are not included?

Captain Daigle -W e felt that once we started going through these that terms are universal in the law enforcement community and that they self explanatory.

Chairperson McHugh – What would you say to such people who are not familiar with the police terms wouldn't terms be helpful?

Captain Daigle – No disrespected intended but definitions for those people would not impact how we do our work.

Commissioner Scherer – Pursuits do expose the town to liability wouldn't it be prudent to define specifically the avenue of escape?

Captain Daigle – I do understand what you are saying and maybe for the more extensive ones maybe we could add some definitions or terms.

Chairperson McHugh – My only issue with some of these are the definitions not being written out. This is probably one of those situations.

Alan – One of the problems with a definition is when you define it you enclose the parameters as to what you can and can't do. In some cases that may be good but in most this may not be the best thing to do.

Commissioner Scherer – If I could just ask a question in terms of defining a pursuit policy inconsideration of what you had indicated and not wanting to define a policy to narrowly

because you have exposure there as well. The indication here in terms of cutting off pursuit it appears it is left to the judgment of the officer unless they get a supervisor on the radio.

Alan – I am sure that there is a section with regards to the supervisor or will be in regards to the person who controls the pursuit. When you look at the policy it states if the Patrol Supervisor is in charge of the pursuit and then if the patrol supervisor is involved in the pursuit then the patrol commander will be in charge of the pursuit and it will continue to follow the chain of command

Chairperson McHugh – In the previous policy these terms were defined and I was just curious as to why we were not doing that this time.

Rick Bailey – In the old policies you could tell that they cut and pasted. You may never know where they came from. This may be more defined in your Roadblock Policy. Please keep in mind that this is a work in progress.

Commissioner Scherer motioned to table SOP O-120 Pursuits seconded by Commissioner Karolian voted unanimously

Commissioner Scherer – Can we please have someone identify where all of the language that had previously been in the policy has gone and into what SOPs?

Kym Craven – If we could have people forward questions to us before the meeting we would be able to bring the policies in question. We would like the opportunity to address those questions for you.

Rick Bailey – We reviewed your old SOP's, updated them and looked at them with a critical eye. Then we looked these over as a team and evolved your SOPs into what you have before you.

O-121 Call Response Protocols – Commissioner Scherer motioned to approve SOP O-121 effective November 1, 2012 seconded by Commissioner Karolian Voted unanimously

O-122 Response to Chemical, Biological, Radiological, Nuclear and Explosive Threats –
Chairperson McHugh – Why was so much language removed?

Rick Bailey – The language removed was due to the department not handling those types of threats.

Commissioner Scherer motioned to approve SOP O-122 Response to Chemical, Biological, Radiological, Nuclear and Explosive Threats effective November 1, 2012 seconded by Commissioner Karolian voted unanimously

O-130 Arrest Procedure – Commissioner Karolian motioned to table O-130 Arrest Procedures seconded by Commissioner Scherer voted unanimously

O-140 Transportation Operations – Commissioner Scherer motioned to approve the SOP O-140 Transportation Operations effective November 1, 2012 seconded by Commissioner Karolian voted unanimously

O-146 Court Diversion & Referrals –

Commissioner Scherer – Did we delete the entire section on juvenile diversions?

Captain Daigle – There is another SOP on that topic.

Commissioner Scherer motioned to approve O-146 Court Diversions & Referrals effective November 1, 2012 seconded by Commissioner Karolian voted unanimously

O-152 Abducted Child Alerts/"Amber Alert Plan" – Commissioner Scherer motioned to approve SOP O-152 Abducted Child Alerts/"Amber Alert Plan" effective November 1, 2012 seconded by Commissioner Karolian voted unanimously

O-160 Notification of Personnel – Commissioner Scherer motioned to approve O-160 Notification of Personnel effective November 1, 2012 seconded by Commissioner Karolian voted unanimously

O-201 Patrol Areas and Assignments – Commissioner Karolian – Last paragraph C regarding shift assignments. Would it be more effective for you to assign a specific officer to patrol the same area for the term of the three month rotation?

Captain Daigle – Whether that is added to the SOP or not I still think it is the duty of the supervisor to make the decision as where the officers will patrol due to unforeseen circumstances.

Commissioner Karolian – I would like to see this done in this department.

Commissioner Scherer – This is for geographic boundaries and sectors. This does not pertain to staff assignments.

Commissioner Karolian – When looking at the reports it says 15 cases of shoplifting for the month of September on the northwest side so I do not see how officers are getting bogged down.

Sergeant Bouchard- I have been speaking with the large box store and attempting to have them call us when they have one shoplifter not 4. This is not the department bogging down calls it is the large box stores that are holding more than one shoplifter at a time. They are making the call when they have more than 1 shoplifter. I am attempting to work with the large box stores to have better communication and encourage them to make the call to the department when they have one shoplifter.

Commissioner Scherer – I stand by my previous statement that this SOP refers to the geographic boundaries and sectors.

Commissioner Scherer motioned to approve O-201 Patrol Areas and Assignments effective November 1, 2012 seconded by Commissioner Karolian voted unanimously

Commissioner Karolian motioned to approve SOPs O-125 Homeland Security Intelligence; O-131 Homeland Security Intelligence; O-145 Arraignment Procedures effective November 1, 2012 seconded by Commissioner Scherer voted unanimously

NEW BUSINESS:

- A. Recording Equipment:** Chairperson McHugh – We have had some trouble with our recording equipment. I have been speaking with the Town as you can see by the backup you have. The town uses a digital recorder or something to that effect.

Captain Daigle – I have business at the Town Hall tomorrow. I can speak with Evelyn and bring it back to the commission as to what exactly the Town uses.

B. P.S.S.G Monthly Report:

Kym Craven – I was not aware there was a meeting until yesterday so I apologize not getting you a report sooner than this evening.

- I know that there were concerns regarding the budget and having a default budget. We have gone through and prorated all of the weeks for the new hirers and tried to figure in all of the raises that will be going into effect.
- We continued with the mentoring process and the report writing pilot program is making progress.
- Refined strategic goals and objectives and officers have taken on different assignments and
- SOP committee met 8 times. SOPs we want to entertain all of your questions so if you could email us those questions before the meeting so that we can answer all of your questions
- Reviewed the draft website with Captain Daigle
- Assisted with the email issues and the phones should be fixed as well so they can receive the emails
- In meetings during the fall we discussed with Commissioner McHugh and Commissioner Scherer about the recommendation of an interim chief. This was not a recommendation that we had made as of late.
- Based on the record keeping and recordings of meeting we suggested possibly some commission policies should be put into place.
- Transition plan is the next and Commissioner McHugh told me you were terminating the contract as of November 15, 2012 and for me to get with the new Police Manager and I did make a point to touch base with him today.

Commissioner McHugh – I think you have to put it in proper the context, with Tom Burke here he will be doing what you are doing so it is a transition.

Kym Craven - When I spoke with Tom Burke he did not seem to have all of the information that we have gathered and was not aware of where we currently are. I would like to schedule a meeting to give him all of the information and put a transition plan in place for this to occur.

Commissioner McHugh – We want him to be informed. Mr. Burke started yesterday and I was hoping to discuss getting him all of the information that has been completed tonight so that he will be able to review it. We certainly want him to be able to access all of the information.

Kym Craven – Because there is not transition plan in place I think we need to set a meeting with all parties so that this will be a seamless transition. This will be my last public meeting with you I wanted to make sure that I brought this up so that we can get this started.

Commissioner Karolian – Was there a plan at the end of your contract to have a transition plan in place even not knowing what our next phase would?

Kym Craven – When I spoke with Mr. Burke he had no transition plan and I would like to just set the meeting and start the process.

Commissioner Scherer – I think we want PSSG and Mr. Burke to construct the transition plan as I do not think that we will have to be overly involved.

Commissioner Karolian – I am not sure what this transitional plan will consist of as Mr. Burke also is here temporarily. Mr. Burke will then assist with the transition to a new chief so I am not sure how involved this plan needs to be.

Kym Craven – Some time ago we had come to you to address some of the employee concerns and I would like to follow up with that as well as this was tabled in July.

Mr. Burke – I have every intention of meeting with every employee one on one. I would like to interact with all of them so I get a face to face and see what their concerns are. If PSSG could shed some light on the issues that would be fine but, I would really like to have the SOPs completed. The Captain and I had a 5 hour conversation yesterday and Captain Daigle and I are on the same page.

Commissioner McHugh – When discussing the employee concerns I would think we need to follow the chain of command and I believe the employees need to follow the chain of command. I think if there is not resolution then they should come to the commission. I believe the proper way to go is to follow the chain of command.

Tom Burke – I believe that is the way to go but I believe Captain Daigle and I can address all of the employee concerns. Captain Daigle and I are on the same page when it comes to these types of issues.

PSSG – It took us a little bit of time to build trust with the employees and no offense to Mr. Burke but they do not know him and I don't believe they will go to him and voice concerns regarding the commission.

Commissioner McHugh – I think they need to go to Mr. Burke and that way they can move forward. I hope you can understand that it is the right approach to follow the chain of command. If you have concerns did you bring them to the Captain?

Kym Craven – Yes I went to the Captain but the Captain could not address all of the concerns as they pertained to the commission.

Commissioner McHugh – I am unclear about employee issues that have not been addressed as they are supposed to go to the Captain. If there are still issues that have not been resolved then we can discuss them tonight or we can set up a meeting.

Commissioner Karolian – Mr. Burke has made it clear that he wants you to work on as much of the SOPs as much as you can and I understand he will determine what services that he needs from you on the transition.

Commissioner McHugh – I think that SOPs are important and you can certainly have a meeting with Tom Burke. He can meet with you and move forward from there.

C. New CIP Item:

Commissioner McHugh -Captain Daigle is looking to remove the proposed CIP Plan from the table.

Captain Daigle - What we found is the direction we are moving in with regards to technology in cruisers having the ability of dumping information wirelessly when you pull into the station. So we were contacted by the vendor today and the wireless will not be ready to rolled out. So when that portion is removed the total amount falls under the CIP amount. This is the reason for withdrawing it from CIP.

D. Manifest:

1. Expenses and Payroll September 2, 2012 thru October 11, 2012

Commissioner McHugh -The commission will be getting clarification as to how the manifest is being processed.

Commissioner Scherer – If the head of the department has the authority to sign up to \$2,000 and anything above the \$2,000 is pre-approved then I am confused as to why we need to sign it after.

Captain Daigle- I will be looking in that and get back you with an answer

Commissioner Scherer – Captain Daigle can you verify that no aftermarket brake parts are being used on the police cruisers

Commissioner Scherer motioned to approve Expenses and Payroll September 2, 2012 thru October 11, 2012 in the amount of \$228,917.39; \$48652.25 in expenses; \$180,265.14 in payroll seconded by Commissioner Karolian voted unanimously

E. S.O.P. Review

O-101 Use of Force – Commissioner Karolian – I go from old to new and under section V page 6 under the new policy under Non Deadly section A2 the last word is “and” it should be identical to the state law. If we are referencing the AG Manual I think it should be referenced.

PSSG – We will look at that and get back to you.

Commissioner Karolian motioned to table SOP -101 Use of Force seconded by Commissioner Scherer voted unanimously

O-103 X26 Advanced Taser – Commissioner Scherer motioned to approve SOP O-103 X26 Advanced Taser effective November 1, 2012 seconded by Commissioner Karolian voted unanimously

O-161 Media Relations and Public Information-

Rick Bailey – You had many different sections when we first began this process so we talked about this. Then we decided we would separate the divisions and the divisions will fall underneath a Bureau. There are two Bureaus Patrol and Operations. Patrol has no divisions as of today.

Captain Daigle - In all of the old SOPs it always rank or a person by name. While going through all of these we made the decision to change this. That way no ranks were mentioned so that in the future we would not have to go back and change the SOPs due to position changes.

Commissioner Karolian motioned to approve O-161 Media Relations and Public Information effective November 1, 2012 seconded by Commissioner Scherer voted unanimously

O-202 Change of Shift Duties – Commissioner Karolian motioned to approve O-202 Change of Shift Duties effective November 1, 2012 seconded by Commissioner Scherer voted unanimously

O-212 Missing Person Investigation – Commissioner Karolian motioned to approve O-212 Missing Person Investigation effective November 1, 2012 seconded by Commissioner Scherer voted unanimously

O-213 Protective Custody – Commissioner Karolian motioned to approve SOP O-213 Protective Custody effective November 1, 2012 seconded by Commissioner Scherer voted unanimously

O-304 Probationary License- Commissioner Karolian motioned to approve SOP O-304 Probationary License effective November 1, 2012 seconded by Commissioner Scherer voted unanimously

O-305 Parking Enforcement - Commissioner Karolian motioned to approve SOP O-305 Parking Enforcement effective November 1, 2012 seconded by Commissioner Scherer voted unanimously

O-312 Illegal Transportation of Alcohol- Commissioner Karolian motioned to approve SOP O-312 Illegal Transportation of Alcohol effective November 1, 2012 seconded by Commissioner Scherer voted unanimously

Rick Bailey – This was a collaborative effort with a lot of different people. We involved almost every part of the department

ITEMS FOR THE NEXT AGENDA:

S.O.P Review (tabled from October 16, 2012 Meeting)

O-120 Pursuits

O-101 Use of Force

PUBLIC INPUT:

Todd Lizotte – 21 Post Road – The only question I have is if I could get a copy of the strategic plan in terms of I was looking through the PSSG Report and I can come to the Safety Center to review if necessary

Rick Bailey – The Strategic Plan is not complete. As soon as it we will get it to the commission.

Commissioner McHugh – We will get a copy to you Todd once is it completed.

ENTER NON PUBLIC SESSION AT 10:04PM PER RSA 91-A:3,II, (a) & (c):

Commissioner Scherer motioned to enter into non-public session at 10:04pm under RSA 91-A:3,II, (b)&(c) seconded by Commissioner Karolian

- Commissioner Karolian - Aye
- Commission Scherer - Aye
- Chairperson McHugh – Aye

EXIT NON-PUBLIC SESSION AT 12:03PM PER RSA 91-A:3,II, (a) & (c):

Commissioner Karolian motioned to exit non-public session at pm under RSA 91-A:3,II, (b)&(c) seconded by Commissioner Scherer

- Commissioner Karolian -Aye
- Commission Scherer -Aye
- Chairperson McHugh – Aye

Commissioner Scherer motioned seal the minutes per RSA 91-A:3,II, (b) & (c) seconded by Commissioner Karolian

- Commissioner Karolian - Aye
- Commission Scherer - Aye
- Chairperson McHugh – Aye

Line Item in the Budget

Tom Burke – The education line has not been utilized by the CBA and now we have a Sergeant who is seeking her Bachelors Degree on her own. I feel we should be able to reimburse other than those employees in the CBA.

Commissioner Scherer – The shift bidding only went into effect in July which was told to the command staff that would now be used because of the shift bidding.

Commissioner Karolian motioned to table the issue until the next commission meeting seconded by Chairperson McHugh voted unanimously

Commissioner Scherer motioned to increase the pay grades for the sworn non union personal sergeant such as pay grade A - \$29.30 pay grade B- \$30.20 per grade C-\$31.15 seconded by Commissioner Karolian voted unanimously.

Commissioner Scherer motioned to approve the promotion of Jake Robie to Sergeant effective Monday, October 22, 2012 seconded by Commissioner Karolian voted unanimously

Commissioner Karolian motioned to adjourn the meeting at 12:13am seconded by Chairperson McHugh voted unanimously

- Commissioner Karolian - Aye
- Commission Scherer - Aye
- Chairperson McHugh – Aye