

PORTSMOUTH POLICE COMMISSION
MINUTES OF THE AUGUST 16TH MEETING

Noon (Non-Public) 1:00 PM (Public)
Wm. Mortimer Conference Room, Portsmouth Police Department
John D. Kelley, Chairman
William F. Devine
Gerald W. Howe

- I. **CALL TO ORDER:** The chairman called the public session of the August 16th monthly police commission meeting to order at 1:03 PM. (*One cassette tape documenting this meeting is on file for reference*).

Action: Commissioner Devine moved the commission adjourn from non-public session and re-enter public session.

Seconded by Commissioner Howe.

On a Roll Call Vote: The board voted unanimously to move to public session at 1:03 p.m.

Present during public session: Commissioners Kelley, Devine, and Howe, Deputy Chief Dave Young, Councilor Harold Whitehouse, Foster's Democrat Reporter Doug Guarino, Budget Coordinator Karen Senecal, Executive Assistant Kathe Hoyt.

- II. **PLEDGE OF ALLEGIANCE:** Deputy Chief Dave Young led the Pledge of Allegiance.

- III. **ACCEPTANCE OF THE MINUTES:**

Action: Commissioner Howe moved the board accept the minutes of the meeting held on July 19th, 2005.

Seconded by Commissioner Devine.

On a Roll Call Vote: The board voted unanimously in favor of the motion to accept the minutes and place them on file.

- IV. **UNFINISHED BUSINESS:** None.

- V. **NEW BUSINESS:**

A. POLICE COMMISSION:

1. Personnel Items that require action.

Action: Commissioner Howe moved the board appoint Captain David Ferland to permanent status.

Seconded by Commissioner Devine.

On a Roll Call Vote: The board voted unanimously to appoint Captain David Ferland to permanent status.

B. CHIEF'S REPORT:

Deputy Chief Dave Young conducted this portion of the meeting in the Chief's absence.

1. Letter of Commendation

The Deputy Chief presented a Letter of Commendation to Officers Russo, Black, Kinsman and Lukacz for their response to Portsmouth Hospital on a call involving a man who claimed he had a gun and intended to kill people.

2. Financial Report

Budget Coordinator Karen Senecal reviewed the start of FY '06, indicating that we should be about 7% expended and we are at 6.75%, so we are off to a good start. Commissioner Devine asked for a projection of gasoline costs based upon the first quarter numbers. Karen will develop this projection for the commissioner.

Chairman Kelley asked if the city council receives copies of our monthly reports. Karen indicated that they did and confirmed with Kathleen Hoyt that the councilors get the same packet. Kathleen answered that each city councilor receives the complete line-by-line expenditure accounting that is presented to the commission each month, along with the minutes of the meeting.

3. Grants and Donations

Action: Commissioner Howe moved the board accept the following donations:

- Donation of \$300 from Port City Nissan to the Portsmouth Honor Guard.
- Donation of \$5.00 from Ms. M. McLaughlin to the Portsmouth Honor Guard.

The above monies were raised at a car wash fundraiser organized and sponsored by the dealership.

Seconded by Commissioner Devine.

On a Roll Call Vote: The board voted unanimously to accept the donations and forward them to the city council.

5. Division and Team Reports

- a. Information Systems
- b. Accident Investigation Team
- c. Records Division

Action: Commissioner Howe moved that the board accept the division and team reports and place them on file.

Seconded by Commissioner Devine.

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

6. Letters of Thanks and Appreciation from Outside the Department

- a. Letter of thanks from Mr. Stewart Berman, expressing high praise for the work of Officer Michael Maloney in handling an emotionally charged neighborhood situation.
- b. Thank you note from Mrs. B. Dresser thanking Officer Eric Kinsman for his actions in connection with a vehicle break-in and theft at Water Country. Mrs. Dresser said Officer Kinsman stayed on after his shift to help her complete paperwork, secured passes for her and her family to return under better circumstances, and followed-up by phone helping Mrs. Dresser secure the return of some of her property when it surfaced in another locale.
- c. Thank you letter from Mr. Rich Barsamian of Brooklyn, NY recounting a family visit to Portsmouth for the 4th of July weekend. Mr. Barsamian was very impressed with the approachability, kindness, and professionalism of Portsmouth's police officers, saying that his family felt safe as strangers visiting the city because of the conduct of our officers.

C. PATROL SERVICES BUREAU:

1. Log Activity Reports

Chairman Kelley asked about our monitoring of sex offenders living in Portsmouth. The Deputy briefly explained the parameters of the statute regarding who must register and the maintenance of both public and non-public lists. The police department must monitor all of the persons on both lists. Since history has shown that these people reoffend at a higher rate in towns where they are not closely monitored, the Chief has placed a

high priority on close vigilance of sex offenders living in Portsmouth. This monitoring is the responsibility of the Bureau of Investigative Services. To be effective, the detective with this responsibility must be completely familiar with the background and habits of every registered offender.

Chairman Kelley also asked about runaways. He wanted to know how the decision is arrived at to activate the “Amber Alert” system. Deputy Young explained that protocols and criteria are in place for making that determination. It falls to the shift commander to make the determination and call the state. Once the state is notified, they respond to us without delay. There is no further red tape.

2. FTO Report

3. Auxiliary Monthly Activity Report

4. Personnel Out Sick or Injured

Detective Roth and Officer Bentz are on light duty . Commissioner Howe asked about Officer Bigda’s progress. The Deputy indicated that he is back on full duty.

5. Special Events in the City

We have received many favorable responses to the police department’s participation in National Night Out this year. As with many of the city’s events, this is fairly time consuming for the officer charged with planning our coverage and participation, but it is a tradition and valuable to building community-policing partnerships with residents.

The next large event coming up is the Shipyard Association’s picnic scheduled to be held at the Pease Tradeport.

D. CITY PROSECUTOR REPORT

E. BUREAU OF INVESTIGATIVE SERVICES

VI. MISCELLANEOUS OTHER BUSINESS

In view of several recent articles in the Herald regarding current practices on the use of flagmen at construction sites in the city, Chairman Kelley requested some background on the subject so the commission could answer calls and questions from residents. The Herald articles leave the reader with the impression that the ordinance was the work of a previous Police Commission, and this has been reflected in the questions the commissioners are getting from residents.

Deputy Young confirmed the Chairman’s understanding that the Police Commission is not empowered to draft or implement ordinances. He explained

that the Portsmouth City Council drafted and implemented the current flagman ordinance in the 1980's and it has not been changed since. Current practices are a reflection of a previous city council, not the police commission. The Police Commission does not have authority to directly implement or alter a city ordinance. The police department was not consulted by the paper prior to their writing the series of articles.

VIII. MOTION TO ADJOURN

There being no further business before this commission,

Action: Commissioner Devine moved the August 16th meeting be adjourned.

Seconded by Commissioner Howe.

On a Roll Call Vote: The Board voted unanimously in favor of the motion at 1:25 P.M.

IX. NEXT MEETING: *Scheduled for Tuesday, September 20th, 2005*

Respectfully Submitted By Kathleen Hoyt, Administrative Aide

Reviewed By Commissioner Gerald Howe, Clerk