

CITY COUNCIL WORK SESSION

Police Department Budget

Thursday, May 11, 2006 - 6:30 p.m.

Council Chambers

City Council Present: Mayor Marchand, Assistant Mayor Ferrini, Councilors Grasso, Dwyer, Raynolds, Pantelakos, Whitehouse, Smith and Hynes

Officials Present: John P. Bohenko, City Manager; Dianna Fogarty, Human Resource Director; Judie Belanger, Finance Director; Robert Sullivan, City Attorney; Dianne Kirby, Deputy City Clerk; Police Commissioners Russo, Howe and Kelley; Michael Magnant, Police Chief; Bill Irving, Police Captain; Len DiSesa, Deputy Police Chief; Karen Senecal, Police Budget Coordinator; Felicia Donovan, AIS Manager; and Janet Chaplain, Police Captain.

I. Call to Order

Mayor Marchand called the meeting to order at 6:35 p.m. City Manager Bohenko announced that pages 132, 133 and 134 are switched in the Proposed Annual Budget book. Mayor Marchand turned the meeting over to Police Commissioner Kelley.

II. Presentation - Police Commission/Police Department

Commissioner Jack Kelley stated that the Commission and Police Staff are very aware of the critical financial position of our City and the sentiment of our taxpayers. He also stated that Portsmouth Police Officers care for Portsmouth's homeless to the extent of finding them food, drink or shelter. Commissioner Jack Kelley stated that we are extremely fortunate to have a remarkably capable and efficient police force. He stated that this is thanks to the excellent leadership of our Chief and his staff. He said that public safety is our number one goal. He announced a number of officers, who on their off duty time, devote time to the schools as coaches and leaders.

Commissioner John Russo stated that he has no interest in seeing his taxes go up, but in order for the Police Department to provide a safe environment for the City, the department needs qualified personnel, updated equipment and quality programs.

Commissioner Gerald Howe reviewed how the Police Department budget came about. He stated that the Administrative Staff submitted their budget with a 7.25% increase to the Commission. This figure was deemed unacceptable to the Commission and therefore, the Administrative Staff went back to rework the figures. He stated that they came back to the Commission with a 6.75% increase, which was submitted to City Council on May 2, 2006. Commissioner Gerald Howe urged the Council to listen carefully to the presentation. He stated that the Police Department is now asking for only a 5.83% increase.

Commissioner Kelley turned the meeting over to Police Chief Magnant for a PowerPoint presentation.

Chief Magnant stated that it has been a busy year for Portsmouth. He advised the City Council that although the City Council is concerned with staff levels, he feels they are in line with requirements. He stated that policing is no longer reactive and that police officers are encouraged to be proactive when they are not handling cases. He advised the Council that officer safety is top priority for him, making training very important. He also stated that his officers have repeatedly asked him to make their needs, not their wants, heard.

Chief Magnant reviewed a tape of the booking office of the Portsmouth Police station showing a typical arrest of an intoxicated individual. The tape shows how a simple arrest quickly escalated into a serious confrontation and without the aid of fellow officers, could have lead to a disastrous ending. Chief Magnant then played a dispatch call on a purse-snatching incident for the Council. He stated that the incident involved an 82-year-old woman who had \$562.00 stolen from her purse at the DeMoulas Plaza. He stated the total man-hours on scene for this simple purse snatching was 11 hours and 8 minutes. He stated that the thieves had access to the victim's address, social security card, credit cards, and prescription medication as well as cash. Chief Magnant said that it is essential that the police officer take care of the little things.

Chief Magnant went on to state that the goals of policing are to reduce criminal victimization, hold offenders accountable, reduce fear and enhance personal security, guarantee safety in public spaces, traffic safety, satisfy customer demands/achieve legitimacy with those policed, use force and authority fairly, efficiently and effectively and use financial resources fairly, efficiently, and effectively. He announced that the Portsmouth Patrol Division handled 9,462 vehicle stops, 2009 summonses, 174 DWI arrests and 346 domestic investigations. He further stated that in calendar year 2004 the Bureau of Investigative Services was assigned 655 felony/misdemeanor cases with 115 cases cleared by arrest and in fiscal year 2005 the Bureau was assigned 615 felony/misdemeanor cases with 172 cases cleared by arrest. He stated that Portsmouth Special Investigations Unit conducts drug investigations including surveillance, drug seizures and arrests and that there were 31 undercover drug buys in 2005 with \$40,000.00 in drugs confiscated. Chief Magnant stated that their Family Services Section has handled 18 abuse and neglect cases, 35 child advocacy center interviews, 72 alcohol compliance checks, 17 elderly investigation, and 80 juvenile prosecutions. Chief Magnant informed the Council that the School Resource Officers have set up twenty-one 90-minute Drug Prevention Classes, attended Celebration Graduation, chaperoned High School Prom, set up monthly meetings "Once You Turn 16", manned the Alcohol Tip-Line, set up Alcohol Drug Recognition Expert Seminars for High School Staff and PTA, performed Hotel/Motel watch, performed Bar Checks with NH Liquor Commission and issued alcohol warning letters. Chief Magnant stated that there have been 19 arrests at the High School. He stated that the Portsmouth Police Department is also required to monitor sex offenders and he cited nine recent cases that they have solved as well as six miscellaneous cases such as graffiti arrests, apprehension of federal fugitive, theft, and robbery cases. He stated that they are now required to monitor the City's critical infrastructures against terrorism.

Chief Magnant stated that Portsmouth has a large seasonal population. He cited figures of 313,000 at Water Country; 61,765 at Strawberry Banke; 187,000 at Prescott Park and 60,000 at the Music Hall. He went on to stated that community policing entails 636 bar checks; 92 liquor licenses with more pending Council approval; 130 child safety seat checks, 72 alcohol compliance checks; zoning compliance, School Resource Officer Drug Abuse Prevention, Traffic & Safety Committee, Technical Advisory Committee, Security Surveys, Sex Offender registration/monitoring. He stated in the downtown area alone, the police department has performed 86 arrests, written 97 summonses, issued 88 summons warnings, performed 383

motor vehicle stops, 120 parking complaints, 168 park and walks, 87 disorderly conducts, 30 fight calls, 51 noise complaints, 54 accidents, 18 lewd, 28 thefts, and 30 traffic problems.

Chief Magnant stated that as Commissioner Howe previously stated, the first budget the Police Department submitted to the Commissioners was a 7.25% increase with their second budget at 6.75% which was initially turned in to the City Manager. He stated that after the public hearing on the budget, he realized that something more had to be done. He stated that he called his staff together and told them that they need to make further cuts. He stated that they worked together and their new plan would mean a 5.83% budget increase. He stated that this new plan would take the Lieutenant position in Personnel & Training, which is presently being temporarily filled by a Captain, would be downgraded to a Sergeant position. He stated that two patrol Captain positions would be downgraded to Sergeants and one Detective Sergeant would be transferred to Patrol. He went on to state that they would add a new Crime Analyst/QA position. He stated that this would reduce the numbers from 17 ranking officers to 15 ranking officers. He stated that the revised budget reduced the submitted 6.75% budget increase to 5.83%.

Chief Magnant stated that there are many future challenges for the Police Department such as City expansion, downtown growth, cybercrime, avian flu & pandemics, chronic homeless, terrorism, critical infrastructures, maintaining technology, and illegal & prescription drug abuse.

III. Questions and Discussion

Mayor Marchand thanked the Police Department for the presentation and stated that he appreciated the job they do for the City. He stated that on the budget document itself, the quality of information and the performance measures, it can be said that no Department has made more improvements and pumped up the quality of the information more than the Police Department. He stated that the Council must decide between what is critical and what is less critical. He stated that, as with the Fire Department, the Council would not be doing a straw vote. He said that the Council would take all the presentations and their notes and make their cuts based on the big picture.

Councilor Hynes stated that before this presentation he thought safety services was not measurable. He stated that quality service is something Portsmouth has had for a number of years and Portsmouth citizens will demand to have quality services to the extent that the Council will need to put all the requests together before forming a budget number. He stated that consideration would be given to quality services and the need for meeting the demands.

Councilor Whitehouse stated that the Police Department has come in with the smallest percent increase he has seen. He asked where the savings would be by making the Animal Control Officer a 20-hour position. He stated that last year she made \$30,000.00 and this year \$27,000.00. Chief Magnant stated that the Animal Control Officer is not a 20-hour position. There is a period of time in the winter when she only works 20 hours, but it is not a 20-hour position.

Councilor Smith asked if the Council is going to get an amended budget with the 5.83% increase. City Manager Bohenko stated that the Police Department has made a proposal to the City Council to adjust their budget by the amount listed, which would be 5.83%. He said that if the Council accepts this as a Council, they would basically make that adjustment in their bottom line.

Councilor Grasso stated that it is the Police Department's decision as to where to spend the money, the Council can only tell them the bottom line figure they have to spend.

Mayor Marchand stated that there is going to have to be some give and take.

Commissioner Kelley requested if there were any CIP funds that could be cut in order to give the Police some extra funds. City Manager Bohenko stated that CIP is a prioritized list of projects that need to be funded. He stated that the CIP would be looked at.

Councilor Dwyer stated that the cost issues are about the number of personnel. She requested to know what is the net total number of sworn officers? Chief Magnant stated that they would still have the same number of people, what would change is the rank of the officers. Councilor Dwyer asked if the Chief would consider reducing police officers. She stated that Portsmouth has a lot more officers than other areas. Chief Magnant stated that some of it is a reflection of the growth that is going on in the City. Councilor Dwyer asked if he has thought about reducing the positions instead of downgrading them. Chief Magnant said that he had a meeting with his command staff and explained the City's financial problems. He asked them if there is a better way to police the City for less money and still provide the same level of service we do now. He stated that they came up with this new budget proposal.

Councilor Pantelakos asked if he downgraded the positions to prevent layoffs. Chief Magnant stated that he did not want to layoff any officers. Councilor Pantelakos stated that people say we cannot afford our taxes to go up anymore, but public safety is important.

Assistant Mayor Ferrini stated that he appreciates the Police Department bringing in further cuts. He requested if the Police Department had to cut three people, what would be the negative impact. Chief Magnant stated that he could not reduce the ranking officers anymore. He needs all the people he has to provide the level of response time and public safety.

Mayor Marchand asked what the number of sworn officers is as of this date. Chief Magnant stated that the number was 68. He stated that they have two retirements coming up one on July 1st which brings the number to 67 and one on January 1st which will leave them with 66 sworn officers.

Councilor Dwyer asked if there were any planned layoffs. Mayor Marchand said no.

Chief Magnant stated that the flaw in the COPS grant program is that it was initially funded with federal dollars and has decreased down to where it is now locally funded. Mayor Marchand asked how many positions are from COP grants. Chief Magnant stated that 6 positions are from COP grants. Mayor Marchand asked if these positions would have been created if not for the creation of the COPS grant. Chief Magnant stated the intent of the COPS grant was to promote community recognition. He said it was a combination of there was an opportunity for federal money, the rise in City growth and a cultural change within the Department. He further stated that when staffing goes down, overtime goes up.

Councilor Grasso stated she sees that the Police Department is asking for an additional Account Assistant. Chief Magnant stated that he wanted to shift one supervision position to a line officer and have a civilian person do quality control. City Manager Bohenko asked if the Criminal Analysis in his proposal is full or part time. Chief Magnant stated that the position was full time.

Councilor Reynolds stated that he appreciated all the hard work the Police Department has put into preparing this budget, but the people of Portsmouth are adamant about holding the line on the taxes. He asked the Chief to tell the Council what the shift staffing levels are on a 24-hour basis. Chief Magnant deferred this question to Captain Irving. Captain Bill Irving stated the main amount of officers are placed on Thursday, Friday and Saturday nights which are the hot nights. He stated that we have a minimum manning agreement that goes back 25 years for a minimum manning agreement to satisfy safety needs and perform police face service. He stated that from 7:00 a.m.-3:00 p.m. they have 4 officers minimum; from 3:00 p.m.-11:00 p.m. they have 5 officers minimum; 11:00 p.m.-3:00 a.m. they have 4 officers minimum, and from 3:00 a.m.-7:00 a.m. they have 3 officers minimum. He stated that 8 officers are scheduled, but with injuries, vacations, sick, and training, we never have a full shift.

Councilor Hynes stated that he would like the Mayor's approval to shift from statistics. He further stated that instead of picking it apart we should wait until we have the numbers with the other departments and average those out against the number we think the taxpayer can pay. Mayor Marchand stated that this is the appropriate time to get all the information and ask the questions.

Councilor Whitehouse asked if a master patrolman retires at \$53,700.00 do you hire at a lower rate. Chief Magnant stated that they do hire at a lesser rate but, that it is getting harder and harder to attract quality patrolman. Councilor Pantelakos stated that the Police Department has 66 personnel position, but they only have 63 filled. Chief Magnant stated that you always have people that retire and it takes about a year to get quality people. Councilor Pantelakos stated that the City pays a lot of County taxes do we have access to assistance from the County Sheriff like for Market Square day. Chief Magnant stated that the County also has staffing problems, but they are helpful in that they have taken over transporting Portsmouth's prisoners.

Councilor Smith thanked the Police Department for going back and cutting their budget. He requested if the Detectives and Family Services are on all shifts. Chief Magnant stated that they have not had them available at all times. He stated that he staggers their hours. Councilor Smith asked if when they are called in at night are they paid overtime. Chief Magnant stated that overtime is low for the Protective Services Division because he can regulate their hours.

Councilor Dwyer stated that the Department might see a savings in overtime by staggering your full staff. She said the average overtime is one day a week. She asked if changing shifts would reduce overtime. Chief Magnant stated that because of contracts they have to look at overtime every three months and can redeploy people when needed.

Assistant Mayor Ferrini said he does not want the COPS grant thing to become a red herring inappropriately. He requested if the Police Department would have wanted the officers without the COPS grant. Chief Magnant stated that was correct. Mayor Marchand asked the Chief if he would want those COPS grant positions. He stated that one of the flaws of the program is that it allowed communities to let their forces creep up without having to feel the financial burden and then they stopped paying for it. Chief Magnant stated that the growth of the police force mirrors

the growth of City development. City Manager Bohenko stated that the goal was to get five more officers for Pease District. Former Chief Russell wanted to phase in five officers to cover the Pease issue.

Councilor Pantelakos stated that she is constantly going back and forth to Concord and she hears that Portsmouth is first in many areas and this makes her proud, but she also knows that the people that live here need help with tax relief and the only way she sees this happening is by cutting back in personnel. She stated it is not something she would want to do, but something they may have to do.

Councilor Whitehouse stated that the item in the budget regarding the fleet stated that there was a \$30,000.00 increase in gas. He asked if they are using Public Works to fill their gas tanks. City Manager Bohenko stated that the high gas and electric prices cause the increase. He further stated that when his office put out the word that there is going to be a shortfall due to the energy crisis, the Police Department stepped up and said they would make it up in their existing budget. He stated that because of this, we did not have to come back to the Council for a supplemental appropriation.

Councilor Whitehouse stated that the budget shows that you are replacing five cruisers. He asked if there would be a cost savings if they only replaced four cruisers. City Manager Bohenko stated that it is not worth it to service the older vehicles. Repairs cost more than the new vehicle. He stated that it is important to replace police vehicles often.

Councilor Smith stated that the Portsmouth Police Drug Unit collected \$45,000.00 in cash or vehicles. He asked the Chief what happens to that money when the case is over. Chief Magnant stated that it is very complex. The Federal Government has people who look at how many agencies are involved, how much time was spent per agency and they come up with a formula to divide the money. He stated that we do get drug money, but it is important to understand that we need to focus on the little crimes against our City residents and leave the drug crimes to the Federal Government. There is not a lot of money in drug cases.

Councilor Dwyer stated that the Chief has referred to updating technology. Chief Magnant stated that they didn't put it into the CIP because they were receiving grants for updating their technology, but after 911, the grants that went to upgrading technology are now being focused on homeland security. City Manager Bohenko stated that they are going to try to add technology for the Police Department to the City's CIP.

IV. Adjournment

At 8:45 p.m., Mayor Marchand closed the meeting.

Respectfully submitted by:

Dianne M. Kirby, Deputy City Clerk