

PORTSMOUTH POLICE COMMISSION
MINUTES OF THE JANUARY 20TH, 2016 POLICE COMMISSION MEETING

1:00 p.m. Public Session – Wm. Mortimer Conference Room, Police Department

Brenna Cavanaugh, Chair
Joseph J. Onosko
Joe Plaia

UNAPPROVED

- I. **CALL TO ORDER:** The January 20th, 2016 special police commission meeting was called to order at 1:00 p.m. in the Wm. Mortimer Conference Room at the Police Department.

Present during the public session: Commissioners Cavanaugh, Onosko, and Plaia, Chief Mara, Portsmouth Herald reporter Elizabeth Dinan.

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

III. **NEW BUSINESS:**

A. POLICE COMMISSION:

1. Commissioner Cavanaugh asked the other commissioners if they had any points they wished to bring to the table to be addressed in this and future work sessions.
 - a. Commissioner Plaia: Rules and Order for the Police Commission
 - b. Commissioner Cavanaugh: Going through SOPs for the department; Chief Mara will have copies for the next meeting. Fixing a new regular meeting date.
 - c. Commissioner Onosko: Adding additional work sessions because of CALEA accreditation and starting the process of identifying a new permanent chief, and a number of procedural issues.

Discussion of fixing the second meeting during the fourth week of the month, for a 2-hour meeting, sometime after 5 o'clock that would included the ability to video tape or telecast the meeting. The Chair suggested fixing the time of the second meeting at the first meeting.

Commissioner Onosko indicated the tasks for the second Tuesday include determining the date and time of the meeting for the fourth week.

Discussion of:

- when the agenda should be ready for the Chief's executive assistant;
- handling direct contacts from citizens via email;
- responding to citizen issues as individuals and as a commission;
- a clear process for citizens to make a complaint;
- reviewing department SOPs.

Chief Mara briefed the commission on the visit from the NNEPAC team. NNEPAC stands for Northern New England Police Accreditation Coalition. The team did a tour of the key areas in the station, including evidence and the holding cells and dispatch, and spoke with officers and civilian employees. Chief Mara had requested this site visit as one of our first steps toward the CALEA process. The visiting team members had favorable things to say during the debrief at the conclusion of their site visit. Chief Mara went on to say that in his first month here as a transitional liaison, speaking to personnel and doing ride alongs, he was impressed with the caliber of people working here. He told the commission they have a good department here. Some things needs tweaking, but they have a good department.

Commissioner Cavanaugh returned to her concern about handling citizens' complaints properly as an individual commissioner and as a commission. There was extensive discussion on this as well as on development of an SOP addressing citizen's complaints. Chief Mara indicated there is already an SOP in place that he can bring to the next police commission meeting. All agreed there should be something up on our website that explains to the public how citizen complaints are handled, so people will know exactly what they can expect.

The next discussion covered getting emails from the public and being included on the department wide list serve so the commissioners are aware of certain civic events. Chief Mara indicated there would be certain emails that would not be appropriate to include the commission on. He said he would look into this idea.

The chief also assured the commission that when an individual is no longer employed by the department, their electronic permissions are terminated, even though their names might continue to appear in certain list serves for a period of time.

The commission recessed for a five minute break at 1:30 P.M. The commission resumed the public session at 1:35 p.m. in the same location.

The meeting resumed with Chief Mara returning to the matter of the handling of citizen complaints. The Chief said the responsibility for thoroughly investigating citizens' complaints is part of the work of the police department. If after an investigation is done and a finding is made, the citizen still feels he/she wants further redress, the mechanisms are already out there for a citizen to pursue, such as going to the attorney general's office. Chief Mara cautioned that providing a path for a citizen dissatisfied with the outcome of an investigation to then take the matter to the commissioner changes the police commission into a citizen review board, and he did not feel that was necessary or advisable.

A particular email scenario that had just occurred was brought up by the Chair; in the ensuing discussion, without making any specific references, it was decided the commission needed to seek the advice of the city attorney on how to communicate among commissioners on an urgent issue that does not appropriately involve the chief of police, so as not to violate the Right-to-Know law.

The next topic was the subject of non-public meetings and non-meetings. Commissioner Plaia felt there was no reason why the public could not know what the general topics were that were going to be discussed in non-public. All the commissioners were in agreement.

Regarding media-inquiries – All commissioners felt they should be free to voice independent opinions. All agreed that a clear distinction should be made by each commissioner that they are not speaking for the commission, but as individuals. There was some discussion about drafting a position statement. It was decided such a document was not necessary.

In summary, Commissioner Plaia indicated the matter of the SOPs would be left in the hands of the Chief to manage their review, bringing the appropriate portions to the commission.

There was a general discussion on format and content for a set of Rules and Orders for the police commission. Chief Mara suggested the commission might reach out to the Nashua police commission, as they have similar powers.

Commissioner Plaia talked about the National Association for Civilian Oversight of Law Enforcement, or NACOLE. The Chair advised him the Portsmouth Police

Commission had just become members of that organization, and the other commissioners could get the login information from Kathe Levesque to gain access to their website.

The commission agreed to review and mark up the sets of Rules and Order they have from Portsmouth and from Rochester so the commission could actually begin assembling a draft document for Portsmouth.

Commissioner Onosko referenced addressing procedures for conducting a search for a permanent chief of police. The Commissioner said he is getting the feeling the citizens would like us to use an outside search firm rather than do it ourselves. Commissioner Cavanaugh said she felt that conversation should be an agenda item for the public session in February.

Onosko referred to the last item on his agenda for this meeting, saying he would like to suspend the rules so it could be discussed as part of this meeting. While not stating the actual item, the Chair said she thought it would be better if instead of suspending the rules today to take up the matter, it was on the February regular business meeting agenda.

The last item referenced pertained to steps going forward in the CALEA process. The Chair suggested this could be a standing agenda item that the commission could give a progress report to the public on every month.

IV. NEXT MEETING: The next police commission meeting is scheduled for Tuesday, February 9th, 2016. The regular business portion of the meeting is anticipated to begin at or about 5:30 p.m. after a non-public session.

V. MOTION TO ADJOURN

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

Commissioner Onosko moved to adjourn the January 20th, 2016 meeting of the police commission.

Seconded by Commissioner Plaia.

On a Voice Vote: The motion passed to adjourn the January 20th, 2016 police commission meeting at 2:31 p.m.

Kathe

*Respectfully Submitted By Kathleen Levesque, Executive Assistant
Reviewed By Commissioner Cavanaugh, Clerk of the Commission
Brenna Cavanaugh*