



CITY OF CONCORD

New Hampshire's Main Street™

Public Safety Advisory Board Meeting

DRAFT Minutes

October 19, 2020

Call to Order

Councilor Amanda Grady Sexton called the meeting to order at 3:17 p.m.

Board Members Present: Councilor Amanda Grady Sexton (**chair**), Mayor James Bouley, Councilor Candace Bouchard, Lisa Brown, Steve Edwards, Councilor Fred Keach, Councilor Erle Pierce, Councilor Zandra Rice-Hawkins, Pedro Altagracia, Ana McKenna, and Michael Russell.

Board Members Excused: Donald Carter, Carol Hargrove

Approval of Minutes

Councilor Bouchard motions to approve the minutes from August 31, 2020 the motion was seconded by Councilor Erle Pierce.

Minutes are unanimously approved.

Backyard Chicken Referral and Approval of September 19, 2020 sub-committee minutes.

Councilor Bouchard stated that there was a homeowner that had chickens and a neighbor had issues with the chickens and realized that the neighbor with the chickens did not comply with the set back. The neighbor that had the chickens went to the planning board and requested that the ordinance be changed to 5 feet. The Planning Board proposed to the City Council to reduce the set back to 5 feet, however the City Council asked the Public Safety Committee to make a referral in regards to that issue. She said that after much discussion within the sub-committee, it was recommended that a 15 foot setback be applied. She reminded the committee that this discussion is only for properties that have an acre or less.

Mayor Bouley stated that he has spoken with many people and that it seems to be an issue with the inner city wards (4, 5, and 6). He said that those neighborhoods have homes that are very close together and that he feels that when adding things like chickens it adds an additional strain to people in a close proximity. He said that when he spoke to people he found that most people lived in harmony and that the 30 foot setback had worked for a long time. He stated that he feels like in this case, the attempt to solve one person's problem may create problems for other people. He said that he appreciated the efforts that were put in and he wants people to know that the City is not anti- chicken; however should be a consideration for neighbors. He said that the current setback of 30 feet seems to work. He thinks that the City should stay with what it currently has for a setback.

Lisa Brown stated that she has a goal of sustaining a livable downtown and she thinks that a 5 to 15 foot setback is not where the City should be right now. She stated that she applauds the young girl who came forward and made her case to the City Council.

Councilor Rice-Hawkins stated that in the sub-committee she supported reducing the setback to a 15 foot area. She said that she based that decision based on what some of the other New Hampshire Communities were doing. She noted that this setback won't impact people in her district as much as it will impact those in the downtown area of the City. She stated that the reason she supported the 15 foot setback was due to the non-conformity of some of the city lots.

Councilor Pierce said that the planning board had discussed this at length. He said that he agrees that 5 feet is a little too close and could be trouble however he does support a 15 foot setback when chickens are considered as pets.

Pedro Altagracia said that everyone should be very proud of the young girl who advocated in support of the 5 foot setback. He said that he can see more of an impact if the ordinance is pushed to less than 30 feet. He said that he would elect to keep things the way they are due to the city trying to develop the downtown area. He feels that shortening that distance could create an impact on the quality of life of others in that area.

Councilor Bouchard said that chickens can be pets. She commended the young girl who spoke on behalf of changing the ordinance. She stated that the board originally got involved in this issue due to a neighborhood dispute. She said that she is fine with leaving the ordinance at 30 feet, as there haven't been any complaints in regards to the 30 feet setback aside from the person who came forward requesting to change it.

Councilor Grady Sexton stated that she had worked to pass the original ordinance. She believes there is a great benefit to backyard chickens and that having chickens as pets can be very valuable to children. She said that Fran Brown did an extraordinary job advocating reducing the setback. She said that she does have some concerns about scaling back the original ordinance. She said that where so many people are working from home, reducing the setback could create additional conflict. She said that she believes that there is merit to keeping it at 30 feet for now.

Mayor Bouley recommends reporting back to the City Council to keep the existing City Ordinance of 30 feet.

Councilor Bouchard seconds the motion.

The Motion passed 8-3.

Mayor James Bouley, Councilor Candace Bouchard, Lisa Brown, Steve Edwards, Councilor Amanda Grady Sexton, Councilor Fred Keach, Pedro Altagracia, and Ana McKenna voted in support of keeping the City Ordinance at 30 feet.

Councilor Earl Pierce, Councilor Zandra Rice-Hawkins, and Michael Russell voted No.

Certification through CALEA

Chief Osgood said that the sub-committee has been unable to meet yet. He said that on October 23, 2020, he and his Command Staff would be meeting with an Engineering Firm in order to discuss a building assessment. He sent the firm the CALEA Standards at their request. He said that will probably be at least a 3 or 4 month project.

Pedro Altagracia asked if they have access to CALEA Standards, and if that had been sent out.

Chief Osgood said that he has not sent it out; it's a very large file and cannot be delivered by email. He said that the latest one that he has is dated 2009 and they are working to see if they can get a better one and possibly a link to the standards.

President's Taskforce on 21st Century Policing

Chief Osgood stated that everyone should have a copy of it, and if they have any questions about any of the action items or recommendations he will review those.

Councilor Rice-Hawkins recommended holding off and focusing on this agenda item in the next meeting in order to stay focused on the topic.

Commission on Law Enforcement Accountability, Community and Transparency

Councilor Grady Sexton stated that the Governor put together a Commission that met for many hours to determine recommendations that are being implemented through either an Executive Order or Legislative Proposals. She said that she expects to see a number of proposals relative to the issues of Law Enforcement Accountability.

Chief Osgood said that he wasn't on the Commission but attended almost every meeting. He said that the entire document impacts Law Enforcement across the state but there are some things that are more specific that he wanted to call out on how CPD will handle them.

Councilor Grady Sexton said that she thinks it would be great to look at the Legislation that was being proposed in the coming year during a future meeting.

Chief Osgood stated that on the 1st page (1A) says that by January 2024 the total mandatory hours for in service training should be a minimum of 24 hours. He said that it is currently 8 hours, however the way that the Concord Police Department is structured is for four, eight hour training days for a year, so all the Officers are getting a minimum of 32 hours of in service training and quite often get more than that. He said that a number of years ago there used to be a service indicator where the number of hours that police officers devoted to training were logged. He said that the department still has the means to do that and would be able to provide that information as part of an annual report.

Chief Osgood said that the Ethics, Implicit bias and De-escalation trainings are going to be incorporated into the curriculum at the Police Academy, so all of the new hires will be getting that type of training. For those

that do not have to go to the Police Academy again, the training will be available at the Academy and the Department will also be starting a new training module beginning on November 1st, where all those courses will be available.

He said that Section Two has a lot to do with the Police Academy itself. He said that over a period of time they are going to look at extending the Police Academy beyond its current 16 weeks. He said he envisions that the Academy will go to at least 20 to 22 weeks over the next half decade or more. He said that historically the Police Academy was funded by traffic tickets. He said that it has struggled with retaining trainers and personnel until the State took over the Academy, and it no longer relies on ticket funding. He believes there will be a lot of changes internally, and hopes that there will be a lot of support towards that Academy.

He referenced #10- the Ethics Instruction. He said that Academy is going to add an Ethics Class to the curriculum, however CPD officers receive Ethics Training before they attend the Academy.

He said in Section 3 (other recommendations) it talks about all Police Agencies being encouraged to pursue CALEA Police Accreditation. He said that policies should be reviewed and maintained consistent with the CALEA Best Practices. He stated that all of CPD's policies follow the guidelines from the CALEA standards and the International Association of Chiefs of Police.

Councilor Rice-Hawkins asked about the November 1 start for the training program was specific to Concord Police or for multiple departments.

Chief Osgood stated that a number of Officers have already gone through 13-14 hours of Implicit Bias Training. He said that the new module was part of a recently accepted "Annual Byrne" Grant. He said that the department is getting a subscription to Lexipol, which is the module that will be used for the trainings. He stated that it appears that in the future the NH Police Academy will also be adopting the same courses. He stated that the Police Academy will also be offering additional trainings to 30 Officers at a time. He said that initially the Concord Police Department will begin this on their own, but will join in with the Academy once they come online.

Councilor Keach asked if Chief Osgood has noticed a shift in the Police Academies philosophy over his 30 year career. He asked whether the Academy is more academically focused and less of a "boot camp" mentality. He also asked who oversees the Police Academy and provides it with guidance as to what their standards should look like.

Chief Osgood said that the Police Academy is run by a Director and their staff. He said that the Police Academy is overseen by the NH Police Standards and Training Council. He said there are two city police chief's on the council, two town police chief's, the Attorney General, the Director of State Police, a sitting Judge, a couple civilians, the Director of Corrections and the Chancellor of NHTI. He said that there are about 15 members on the committee.

Chief Osgood said that he has seen an increased focus on Academics at the Academy and less of a boot camp mentality. He added that due to COVID-19, they are not staying overnight at the Academy. He said he feels it's a little more relaxed and more of a learning environment today than it was 30 years ago.

Mr. Altagracia asked what the name of the council was that oversees the NH Police Academy,

Chief Osgood answered the NH Police Standards and Training Council.

Chief Osgood stated that #20 is about reporting and investigation into Police misconduct. He said that it is going to require Police non-criminal and Internal Affairs Investigations be retained at a minimum for a period of 20 years. He added that the Police Department already does that, as that is the law. He said that they had found out that some other departments do not hold those files for that long due to some of their Collective Bargaining Agreements. He said that has not happened in Concord. He said that that 20 year period just got reduced a few years ago and that it was previously 50 years.

He said that #21 encourages all Law Enforcement Agencies to use Body and Dash Cameras. He said that this has been discussed with the Committee in the past. He stated that the Police Department is going to be doing a test and evaluation of both Body Cameras and Dashboard Cameras. He said that the company will be at the Police Department on November 12th and 13th in order to outfit two cruisers and 4 officers to do a 30 day test and evaluation of the system. He said that he will brief the Committee about the progress in the next meeting. Chief Osgood noted that this is the same system that the Manchester Police Department has used, and that there are also several other NH departments that are looking into doing a test and evaluation of this product.

Mr. Altagracia asked if there was any other Police Department in the State of NH that are already using the cameras or is there any specific product that is being recommended from other groups such as the Association of the Chiefs of Police.

Chief Osgood answered that there are some smaller departments that have been using body cameras. He said that Manchester just started using them. He said that there are only three main competitors that use similar technology, and that the company that is used by Manchester is superior to the other companies that have similar products. He said that prior to the next meeting he will send Committee meetings three videos that are produced by the company that CPD is working with.

Councilor Keach asked Chief Osgood to discuss how body cameras in general tend to help out the police officer and to corroborate that what has been written in a report by the police officer is often times accurate. He stated that he has heard that more often than not a body camera does not indict the officer or get them into trouble.

Chief Osgood said that he has Police Officers that have come from other departments who have worn body cameras in the past and are advocating wearing them. They say that they feel uncomfortable not having them on because they can be used for their protection and often times validate an officers behavior when a complaint arises.

Councilor Keach said that he thinks that more often than not the cameras can help the Officers do their jobs more effectively and give them the credibility that they deserve.

Mayor Bouley asked Chief Osgood to discuss the "price tag" of the cameras.

Chief Osgood said that they are expensive and that he would bring it to the full council. He expects that it will be in the area of \$650,000.00 to \$1,100,000.00 over a five year period. He said that there are a lot of

considerations that will need to be made and that he thought it would be important to at least do the trial and evaluation.

Mayor Bouley asked if the department would need a full time person on board to maintain them and keep them “going”

Chief Osgood said that there would probably be the need for someone who could devote a good portion of their entire work week into maintaining the system.

Mayor Bouley asked how many Officers the Department could add for \$1,000,000.00.

Chief Osgood answered about ten.

Councilor Grady Sexton said that there certainly is an astronomical price tag that is associated with the system. She feels that it is important to look at projections in terms of reducing liability by having camera footage. She noted there would be certain considerations that would need to be made in order to protect the privacy of victims of crimes and that it would be interesting to see what types of recommendations these companies have in terms of ensuring that victims have the protections that they need.

Chief Osgood responded that NH has a pretty solid RSA governing the use of body cameras and what can and can't be released. He said that he also noticed that there had been an LSR filed about funding for body cameras. He said that he hasn't seen the language. He said that the Department is also looking at sources for funding as well.

Councilor Rice-Hawkins said that she understands that part of the costs of body cameras is in regards to storage and properly going through that footage for any Right to Know requests. She asked if there was any information on that portion. She also asked if this would be the type of activity that the “Edward Grant” from the DOJ would help with.

Chief Osgood said that the Byrne Grant that the Department gets yearly is only about \$20,000.00 and a portion of that could be applied, it does not cover it completely though. He said that this particular system has a redaction mechanism to it. He said that people's faces, license plates and other identifiable features could be redacted out of the video.

Mr. Edwards commented that he agrees with what the Mayor had said in regards to price tag of the body cameras. He asked if there are other things that could be provided to the Department for that amount of money in place of the cameras.

Chief Osgood said that the next topic was Community Relations/Data Collections. This is in regards to making demographics available in relation to gender and race for arrests, citations, motor vehicle stops. He stated that the Department will make attempts to include that as part of the Annual Report, especially for arrests because the department has that documentation.

He said that #25 states that Law Enforcement Agencies should submit to the Department of Safety. He stated that CPD already does that.

He stated that #22 talks about the Exculpatory Evidence Schedule. He said that the Department does not have any current employees on that schedule.

Chief Osgood said that #26 is in regards to the definition of Community Policing. He said that the particular definition was adopted by the International Association of the Chiefs of Police in September of 2019. He said that all definitions generally have the same theme. He said this particular definition comes from an Academic Professor and was written in 1992. He said that although it is not recent it is still relevant to policing today. He noted that the Department has the definition printed, framed and hung it in the Training Room and the Roll Call Room.

He said that #27 talks about having an Officer who is dedicated to Community Policing and Engagement. He stated that CPD already has a Community Services Division and a dedicated Community Services Officer.

Chief Osgood said that #28 is in regards to getting involved with Community Stakeholders and NH Blue and You. He said that the Department has held a NH Blue and You. He said that they do not have a Police Athletic League. In regards to the "Mirror Project" the Department is sending Officers to a "Train the Trainer" Program within the next couple of months. He said that the Department does have a Citizen's Police Academy and that members of the Council have participated in that.

He said that #30 is in regards to Public Safety and Public Service Announcements. He said that he feels that the Department does a good job with the campaigns with either Concord Television or some other avenue.

Councilor Rice-Hawkins said that she is not familiar with the Mirror Project and asked the Chief to explain what it was.

Chief Osgood explained that it is similar to D.A.R.E except it targets a different age group, specifically 8th graders. He said it takes a lot of training to be a facilitator/trainer. He said that they take a group of 8th graders and tell them that they are the Police Officer in the scenario, and the Police Officers are the 8th graders. The facilitators then create a scenario where the police officers need to act like the 8th graders and the 8th graders need to create a dialog in order to resolve the scenario. He said that they have found this to be an eye opening experience for the kids, and that it is very positive.

He said that they are also trying to incorporate another program for 16 year olds that revolve around driving situations.

Councilor Keach relayed that he used to be a D.A.R.E Officer in Portland, Maine and that although he didn't feel that the program itself was effective, he did find that having a police officer build a relationship with the children was beneficial and important.

Mr. Altagracia attested that he had found the "Mirror Project" to be a great tool that was used by the Nashua Police Department (during his past employment for the City of Nashua, NH). He said there is also data to support the effectiveness of this program and that if he comes across it he will forward it on to the board.

Councilor Grady Sexton stated that she will consult with Chief Osgood in order to schedule the next meeting in November, where the board can continue to discuss the Commission on Law Enforcement Accountability,

Community and Transparency, the President's Task Force on 21st Century Policing, as well as any updates to CALEA, and the Body Camera information.

The meeting was adjourned at 4:30 p.m.