

Wolfeboro Police Commission Meeting Minutes August 15, 2019

Members present: Chairman Steve Wood, Bob O'Brien and Vice-Chair Joe Balboni Jr.

Staff present: Chief Rondeau, Captain Livie, Board of Selectmen Representative Paul O'Brien, and Amelia Capone-Muccio Recording Secretary

Chairman Wood called the meeting to order at 4:00 PM and introduced the Commissioners, staff in attendance and noted a quorum was present.

➤ ***Pledge of Allegiance***

Chairman Wood entertained the Pledge of Allegiance.

➤ ***Public minutes of the June 27, 2019 regular meeting.***

Commissioner Bob O'Brien moved the Wolfeboro Police Commission to table the public minutes of July 25, 2019 to the next meeting. Commissioner Joe Balboni Jr. seconded. Members voted, all others in favor, the motion passed.

Activity Reports

Chief Rondeau reported on the following activity reports for the month:

Incidents: He reported 94 incidents a 42% decrease from last month.

Offenses by month: He reported a decrease in offenses last month.

Arrest status report: He reported 5 arrests for the month, which is a decrease from previous month.

Collisions YTD and Accidents by street name: He reported 15 accidents last month.

Traffic stops YTD and location breakdown report: He reported 331 traffic stops last month and 28 tickets were issued out of those stops.

Personnel Analysis report: The report is a synopsis of each officer's reporting for the month.

School Resource Officer (SRO): N/A

Detectives Report: He provided the Detective's report for review.

Chief's Items

Chief Rondeau reported the Chief's items from the attached memo.

Questions from the Press

None

Commissioner's Items

None.

Board of Selectmen's Representative

None.

Public Comment

Steve Wood stated the Commission received a request from Bree Schuette to inquire on the Departments policies or procedures with regards to immigration. He stated that he agreed to entertain the inquiry but noted that some policy and procedures are beyond the Commission's realm of duty and noted that he will not entertain a debate on the topic today.

Bree Schuette addressed the Commission and stated the following (cut from her written document forwarded to the Recording Secretary):

Thank you so much for giving me the opportunity to speak at Police Commission today and raise the concern of immigrants and our community's treatment of and interactions with the immigrant community. This is clearly a topic of growing concern for many in Wolfeboro, as evidenced by the large turnout of local residents at July's Lights for Liberty event.

Before I go further and get into the substance of my comments, I would like to note my concern that my attendance at this meeting was leaked out to various community members on the other side of the issue who engaged in extremely vitriolic and distorting attacks without understanding the substance of what was going to be discussed here. As a self-identified progressive, I believe that free speech matters. But, as recent events in El Paso have shown us, words matter and words can fan the fires of situations. I would hope that despite political differences we would all recognize that we are focused on protecting the interests and well-being of our community, which brings me to the substance of today's remarks.

First, I would like to underscore the fact that despite rhetoric on this issue an individual who is here in the United States without appropriate documentation is not guilty of any crime. These individuals have simply violated a civil offense ~ their legal situation would be the same as a person who violated local ordinances by not clearing a sidewalk after a snowstorm.

Local police cooperation with ICE is an issue that I originally broached with Chief Rondeau in the winter of 2017. During that conversation, Chief Rondeau seemed to indicate to me that cooperation with ICE would needlessly stretch the department's already limited budget and resources and that it would be a high priority issue.

This, therefore, brings us to three key points:

1. Many cities, ranging from liberal Chicago to more conservative Milwaukee to smaller communities across the political spectrum, have made the decision to codify how they will deal with ICE requests for cooperation. These communities have made the decision not to support ICE on providing resources to support deportation activities -- this is all predicated on the fact that the individual immigrants have not committed a crime by their presence in this country. It is merely a civil offense. Clearly, the conversation and the considerations are dramatically different if the individual has been charged with a felony crime or is on a terrorism watch list (even the state of Connecticut which has the most immigrant friendly and protective law on its books makes carve out exemptions for these rare situations).

This raises one of the most important questions: If Wolfeboro Police were faced with that concrete choice, to cooperate with ICE on deporting individuals who solely have an administrative violation what would be the response?

While you think about the answer to this question, let me ask you to think about this analogy. Imagine a law enforcement jurisdiction in North Carolina calls you and says Mr. Smith is staying in Wolfeboro for this summer. Mr. Smith has failed to mow his lawn and we have fined him. We would like for you to arrest him and extradite him to North Carolina what would your response to this be ...

As an economist, I can reassure you that my response would be that this would be a gross misuse of resources and a severe skewing of the cost-benefit equation

2. All statistics indicate that immigrants, no matter what their status, engage in criminal activity at a much lower rate than any other demographic group. Not only do immigrants engage in crime at a lower rate than their native born peers, the communities in which these immigrants live are dramatically safer.

3. And a final point, and here, I am speaking not only from a strong statistical grounding, but also from personal experience ... During the first 18 months that I lived in Russia, I was an undocumented individual. During this time, I was also the victim of severe domestic violence. My immigration status prevented me from going to the police for assistance ~ I lived in terror that I would be deported without my children who had legal and documented status. I no longer trusted the police and this made me even more vulnerable. Statistics bear out my anecdotal experience. In Houston, for example, the number of Latina women who have reported rapes has declined more than 40 percent, primarily driven by fear of police cooperation and coordination with ICE. This is obviously disturbing.

Vulnerable women and children, including victims of human trafficking, are less likely to reach out for assistance and this escalates their vulnerability and compromises public safety.

In conclusion, I would like to end with these three points:

(1) I would like to understand your policies, as a police commission and police force, if ICE were to request assistance tomorrow in enforcing deportation orders ... remembering that as we noted earlier, being undocumented is a civil and not criminal offense.

(2) Despite what some hard liners on the other side of this issue have attempted to say, this is the first step in a long and detailed conversation about what being a sanctuary or safe city is really about and what impact this type of designation would have on the community. It is important to remember that even though the term "sanctuary city" is often used as a broad-based umbrella term, it can be used in very different ways ... respecting each community's individual views and needs.

(3) Following this conversation, our next step is to bring this topic before the Selectmen (and potentially eventually before the town, in terms of a referendum). This conversation with you today is a conversation that is grounded in respect and a recognition and understanding of your essential enforcement role in our community. We would like to understand your positions and be able to address any concerns that you may have to ensure that our efforts are as bipartisan as possible in this initiative ... As part of this, I would underscore to you that the Fraternal Order of Police is increasingly receptive to the concept of "Safe Cities" for many of the reasons that I have outlined above.

Thank you so much for giving me this opportunity today.

DISCUSSION:

Chairman Wood stated that Wolfeboro currently doesn't have a policy or procedure in place with regards to immigration, noting this does not happen that often in Wolfeboro however, Police Officers take an oath of office defend the laws of the State of N.H. and the local laws. He noted over the last 24 years there have only been a total of 12 immigration type interactions, and the point of contact for these type of issues is with Border Patrol. He feels this is a topic for more metropolitan areas.

Ms. Schuette replied she understands his response, but she noted that she herself has been stopped on I93 at checkpoints and noting the proximity of us to the board of Canada and the Town's value of community policing, she questioned the procedures and that it was presented to her that there are financial constraints that would prohibit addressing the issue and that she is just looking to suggest that it may be time to codify the policies now and that grants may be needed etc.

Chairman Wood replied that he's not concerned with the financial aspect as they have mutual aid resources that would address that issue and would work with other agencies if something like this should arise. He noted that the Police Commission does not have the legal right or authority to dictate the Chief of Police on how to run the fiduciary responsibilities or the day to day operations of the Department and other policies and procedures are set forth by the Town Manager and/or the Board of Selectmen.

Chief Rondeau agreed with regards to immigration, the Department defers those to the Federal Government, it's not in their authority. He noted that in the past anytime an issue has arisen they have not had a problem with the Federal Government sending in their agency to address the matter and it has only happened a handful of times.

Ms. Schuette stated that there is discussion to present a referendum to label Wolfeboro a "safe city" and would the Department be actively opposed to that and what would they do to help?

Chief Rondeau replied that the Wolfeboro Police Department would not take a position on such and can only say the Department is respectful of its community members and visitors and address crimes against the law.

Ms. Schuette questioned why they would not be proactive on the matter.

Chief Rondeau replied he feels it would be difficult to craft a policy regarding this because he doesn't see any issue, the Department hasn't had an issue in the last 23 years he has served and doesn't see any future issues. The Department's job is to address crimes against the law and if a crime occurred relative to an immigrant they would forward it to the Attorney General's office for guidance like they have always done.

Ms. Schuette stated she is not trying to be negative, and note that the last two years with this discussion has had a different tone than the last 23 years. She thanks them for all their work and feedback and the goal is to make the community as safe as possible.

Chairman Wood thanked her for her input and hopes that they have satisfactory answered her questions and concerns.

Robert Brennan, resident and retired Chief of Police from California, addressed the commission to state he would hope that those who commit crimes would be arrested.

Chairman Wood replied that yes, if someone was hear illegal and committed a crime it would be dealt with in the proper procedure, but noted he does not wish to debate the two sides of the topic.

Gary Schuette, resident and former teacher in Minnesota clarified that they are not "illegal", they are "undocumented" and no one is saying those who have committed crimes can't be arrested and the Department can't do their job, they just want to trust they are following the letter of the law.

Charlene Seibel questioned the 100 mile radius of I.C.E., the CDP?

Chief Rondeau replied that he is unfamiliar with the checkpoint legal requirements, but noted that Border Patrol and I.C.E. have jurisdiction anywhere in the State.

➤ ***Right to Know Request***

Chairman Wood noted they have received a Right to Know request from Terry Tavares, of the AFSCME Union for a copy of the current NE Police Benevolent Agreement and Pay Matrix.

It was moved by Bob O'Brien and seconded by Joe Balboni Jr. to authorize Chief Rondeau to forward such documents to Ms. Tavares as requested. Members voted, all in favor, the motion passed.

➤ ***Board of Selectmen Representative***

Selectmen O'Brien stated CIP reviews began last week, the Police Department briefed their proposals and Central Dispatch is in need of an updated console that has reached the state of unable to repair, the Department is working on stockpiling any spare parts until it can be replaced.

Being no further business before the Commission, Chairman Wood entertained a motion to adjourn.

Commissioner Joe Balboni Jr moved the Wolfeboro Police Commission to adjourn at 5:19 PM. Commissioner Bob O'Brien seconded. Being none opposed, the motion passed.

Respectfully submitted,

Amelia Capone-Muccio

TO: Wolfeboro Police Commission

FROM: Dean J. Rondeau
Chief of Police

SUBJ: Chief's Items (July 2019) for 15 August 2019 Commission Meeting

DATE: 09 August 2019

Non- Public: I have two items for Non-public Session under Personnel.

BUDGET:

The Command Staff conducted two (2) internal FY 19 budget reviews this past month (July 2019) and one meeting with the Town Manager and BOS members regarding Police Budgetary matters. I am happy to report all is well and we are still tracking straight and true as of 1 Aug 2019. So far, we are coming in at just over 5 percent underspent for the end of the 31st week of the FY 19 Budget in Police and approximately 4 percent underspent in Dispatch. We have started our FY 2020 budget construct as of 6 August. Once I have added in some changes to the budget, I will call for a meeting of our Budgetary Team, (Myself, Captain Mark Livie, Sherri Moore, Selectman Paul O'Brien, Budget Committee members Thomas Bell, and Matthew Planche. We will then begin to construct the Police FY 2020. As I said earlier, strong budgetary controls have allowed us to enjoy our good status thus far thus far. More to follow so stay tuned....

PERSONNEL:

Officer Chris Dustin and Benjamin Church are getting ready for their respective Police Academy PT test's scheduled for 19 August.

Operations:

In terms of Police investigations, and prosecution, July was a heavy month for the Wolfeboro PD. The PD is still working on some major investigations and major prosecutions. I expect that these matters will persist into the early fall. In terms of Police Prosecutions; this past month we saw twenty-eight (28) defendants who responded to twenty-nine (29) Charges. Of those twenty-nine (29) Charges, eighteen (18) plead or were found Guilty at trial; and two (2) were Null Prosed one because the defendant and victim reached a civil agreement; and the second due to the death of the victim/witness; Nine defendants (9) agreed to have their cases Placed on File (POF) pending good behavior for six months or more, with diversion, education, and restitution component(s) added to their sentences. The conviction rate this past month is 96.6 % with approximately \$4587.00 dollars in fines, penalties and restitution meted out-crime does not pay.

Dispatch: Under matters of concern this past month, Wolfeboro Central Dispatch sustained a major and near catastrophic failure of a mother board, part of the Dispatch console. We have taken steps to remediate the problem and repairs are underway. I will continue to keep all our officials updated on this important repair issue.

Speed issues continue to be a problem in our community. Please pay attention to the posted speed limits on our Town roads-speed complaints represent some of the most common quality of life issues we receive at the PD. Please be courteous of your friends and neighbors and don't speed. We will be monitoring our roads very carefully-if you are speeding-please slow down, the life you save may be your own-thank-you!

That being said: The Department is continuing its enhanced speed enforcement operations in the following areas: Forrest Road, Cotton Valley and College Road areas, Beach Pond Road with a focus on the area between Pine Hill Road and North Line Road, Center Street, North Main Street, 109 East, Bay Street and Sewell Road. The reason for these speed enforcement operations is due to citizen complaints and data collected and analyzed by our radar trailer We will continue our efforts in these areas until we are sure that the speeds have come down. If you travel these roads, please be mindful of the speed limits. As a remainder, we just arrested a speeder who was doing 75 in a 30 MPH zone on North Main Street-a word to the wise-don't speed.

BUDGET: Straight and true (about 5 percent under spent as of 8/01/19) and about 4 percent underspent for Wolfeboro Central Dispatch. However, please be reminded that we still have approximately six (6) months left in the Town's Fiscal Year and anything can happen, and we have had some major repair bills in Dispatch for the console. The next update will be in the Third Qtr. during the October Police Commission Meeting

Police:

Officer Benjamin Church has started OJT with our Officers. This is designed to get him ready for the rigors of the Academy.

SGT Strauch – Conducted K-9 Training

Senior Patrolman Llewellyn – attended SRO training (meeting) in Concord

Dispatch: None

OUTREACH AND MATTERS OF INTEREST:

Both the Captain and I conducted a Department Staff meeting to put out new guidance.

Both the Captain and I met with concerned citizens regarding a wide range of issues and community involvement topics

The Captain spoke on Wolfeboro Community TV this past month with guest speaker Principle James Reilly.

The Captain and I continue to be regulars at the Men's Breakfast meetings each month.

The Department participated in the "Touch A Truck" event at the "Nick Fest"-all went well.

The Captain and or I continue to attend all the BOS meetings.

The Captain continues to be part of the Master Planning process, the Technical Review and Joint loss committees.

Lastly, please be our guest on Coffee and Connections with the Chief.

Safety Tip of the Month: Pets in Automobiles. As summer wears on, let's all be cautious of our furry friends. Leaving pets in automobiles in this weather is very dangerous. Even on mild summer days, the temps inside the vehicles get extreme. Many of our furry friends have thick coat, they get hot quickly faster than you and I. Let's all be mindful of their safety. Please don't leave your pets in hot autos-thanks.

Captain's Items