



CHRISTOPHER T. SUNUNU
Governor

Governor's Advisory Council on Diversity and Inclusion

July 15, 2020

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Attorney General Gordon J. MacDonald
Chair, Commission on Law Enforcement
Accountability, Community, and Transparency
New Hampshire Department of Justice
33 Capitol Street
Concord, NH 03301

Dear Attorney General MacDonald,

We, the members of the Governor's Advisory Council on Diversity and Inclusion ("the Council"), write to inform the work of the New Hampshire Commission on Law Enforcement Accountability, Community, and Transparency. We welcome the Commission's mission to develop prompt, concrete recommendations to improve transparency, accountability, and community relations in New Hampshire policing. As these recommendations are developed, we urge the Commission to give due consideration to the relevant observations and recommendations the Council released earlier this year.

Over a twelve-month period, the Council held 18 listening sessions throughout the state to gather information on Granite Staters' experiences related to diversity and inclusion. State and local law enforcement participated in most listening sessions, and policing was extensively discussed. On January 2, 2020, the Council issued an annual report based on the listening session data. The report contained the following observations regarding law enforcement:

Law enforcement participants discussed efforts their departments were making to build trust with their local communities. Specifically, in the past year, State Police has adopted and implemented a new policy on fair and impartial policing intended to eliminate racial profiling and unwarranted stops.

Some participants shared their personal experiences of racial profiling by law enforcement and disproportionate

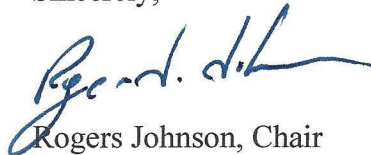
contact with law enforcement in the state, including being pulled over repeatedly by police. Because of her experience, one mother expressed her fear every time her black teenage son drives a car out at night. Some participants also observed that law enforcement departments in New Hampshire have not recruited and/or retained a sufficiently diverse workforce. Participants urged the Council to address instances of disproportionate police contacts and other issues of biased policing, including calling for greater training and accountability for law enforcement.

These observations lead the Council to urge that New Hampshire law enforcement adopt the following recommendations:

- i. The State encourage all police agencies in New Hampshire to adopt, make public, and amply implement policies on fair and impartial policing, including annual training for officers and accountability measures in the event that such policies are violated.*
- ii. When fair and impartial policing policies are adopted at the state or local level, officials ensure adequate communication of such policies to community members.*
- iii. When fair and impartial policing policies are adopted at the state or local level, police agencies enact policies to enable examination of those policies effectiveness. Such policies could include collecting data, including demographic identifiers, on police stops and searches.*
- iv. The State encourage all sworn law enforcement officers to receive ongoing non-bias training relative to matters including but not limited to, fair and impartial policing, mental health issues, substance abuse issues, deescalation, and diversity.*

We respectfully urge the Commission to give due consideration to the above observations and recommendations as it continues its work over the coming weeks. The Council stands ready to assist the Commission with any further assistance or consultation that may be helpful.

Sincerely,



Rogers Johnson, Chair
Governor's Advisory Council on Diversity
and Inclusion

cc: John Formella, Legal Counsel to
Governor Christopher T. Sununu