



**New Hampshire Commission of Law Enforcement
Accountability, Community, and Transparency**
Remote Commission Meeting via Teleconference
Tuesday, August 4, 2020 at 9:30 a.m.

Commission Members Present: Deputy Attorney General Jane Young, *Chair*; Robert Quinn, *Commissioner of the Department of Safety*; Ahni Malachi, *Executive Director, New Hampshire Commission for Human Rights*; John Scippa, *Director, Police Standards and Training*; Rogers Johnson, *Chair of the Governor's Advisory Council on Diversity and Inclusion*; James McKim, *President of the Manchester NH NAACP*; Sawako Gardner, *Justice of the New Hampshire Circuit Court*; Mark Morrison, *New Hampshire Police Association*; Charlie Dennis, *President, New Hampshire Association of Chiefs of Police*; Ken Norton, *Executive Director, National Alliance on Mental Illness - New Hampshire*; Joseph Lascaze, *Smart Justice Organizer, ACLU New Hampshire*; Julian Jefferson, *Attorney, New Hampshire Public Defender*; Eddie Edwards, *Public Member*; and Ronelle Tshiela, *Public Member*.

Also Present: Fallon Reed, *Chief of Planning and Grants, State Coordinating Officer, New Hampshire Department of Safety*; Kim Schmidt, *Legal Research Assistant, New Hampshire Department of Justice*; Annie Gagne, *Paralegal, New Hampshire Attorney General's Office*; Nicole Clay, *Assistant Attorney General, New Hampshire Department of Justice*; Mark Newport, *Captain, Portsmouth Police*; and Stephany Shaheen, *Police Commissioner, City of Portsmouth*.

DEPUTY ATTORNEY GENERAL YOUNG: And good morning. Good morning, everyone. This meeting is being audio-recorded. I am Deputy Attorney General Jane Young. And pursuant to Executive Order 2020-11, I am serving as the Attorney General's Designee on this Committee.

As always, the first order of business will be a call to order. This meeting of the Commission on Law Enforcement Accountability, Community and Transparency is called to order. This meeting is taking place pursuant to Emergency Order Number 12 and is being conducted remotely.

I'm going to ask each Commission Member online this morning to please identify where they are located and who they are with, if anyone. I will start. My name is Jane Young. I'm at the Department of Justice in Concord, New Hampshire. And with me this morning are Kim Schmidt, Annie Gagne, and Nicole Clay. Is Ms. Tshiela on?

MS. TSHIELA: I am.

DEPUTY ATTORNEY GENERAL YOUNG: Hi, how are you?

MS. TSHIELA: I'm good. How are you?

DEPUTY ATTORNEY GENERAL YOUNG: I'm good.

MS. TSHIELA: I'm at my home in Durham, New Hampshire. And I'm alone.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. Chief Edwards, good morning.

CHIEF EDWARDS: Good morning, Deputy. How are you? Fellow Commission Members, I am at my home in Dover. My wife and other family members are in a different part of the house.

DEPUTY ATTORNEY GENERAL YOUNG: Okay. Attorney Jefferson is restarting his computer. So we will come back to him. Commissioner Lascaze, good morning.

MR. LASCAZE: Good morning, Deputy Young and fellow Commission Members. Joseph Lascaze, Representative of the ACLU of New Hampshire; I am at my residence in Bedford, New Hampshire, and I am alone.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. Director Norton, good morning.

DIRECTOR NORTON: Good morning. Ken Norton, I'm in Penacook, New Hampshire. There are family in the home but not in this room and they will be leaving shortly.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. Chief Dennis, good morning.

CHIEF DENNIS: Hey, good morning, Deputy Young and fellow Commission Members. I'm in my office at the Hanover Police Department, 46 Lyme Road. And I am alone.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. Lieutenant Morrison, good morning.

LIEUTENANT MORRISON: Good morning, everyone. Lieutenant Mark Morrison, I'm located at the Londonderry Police Department. And I'm representing New Hampshire Police Association.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. Judge Gardner, are you with us? I know that she has a Docket. So she is -- she'll be in-and-out of the meeting, I believe, today. President McKim, good morning.

MR. MCKIM: Good morning, Deputy Young and Commissioners, and anyone listening. This is James McKim. I am in my office in Goffstown. My wife is in another part of the house. Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: Okay, thank you. Good morning, Commissioner Johnson. How are you?

MR. JOHNSON: I am well, Deputy Attorney General Young. Good morning, fellow Commissioners. I am Rogers Johnson, Chair of the Governor's Diversity and Inclusion Council. I am in my home office in Stratham. My wife is in the building but not in this room. There's an Engineer present. I'm not sure what he's doing but I think he's building rockets.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. Hopefully, it won't go off during the meeting.

MR. JOHNSON: No guarantees.

DEPUTY ATTORNEY GENERAL YOUNG: Well, that will be exciting for us, then.

MR. JOHNSON: It always is around here.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. Director Scippa, good morning.

DIRECTOR SCIPPA: Good morning, Deputy General. Good morning, Commission Members. John Scippa, I'm at my home in Exeter. My wife is here in a different part of the house.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. Director Malachi, good morning.

DIRECTOR MALACHI: Good morning, Jane. Good morning, everyone. I'm so happy to see everyone's beautiful faces this morning. Ahni Malachi from the Commission for Human Rights; I am at my home in Penacook and desperately trying to finish my coffee.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. Good morning, Commissioner Quinn.

COMMISSIONER QUINN: Good morning, Deputy Young and Commission Members. Robert Quinn, I'm at my office, 33 Hazen Drive in Concord. And I am alone.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. Fallon, do we have a read on where Attorney Jefferson is?

MS. REED: I don't have him yet. But I will let you know, unless he's dialed in by phone. But he and I are emailing back-and-forth. So as soon as I see him, I'll let you know.

DEPUTY ATTORNEY GENERAL YOUNG: Okay. Thank you. The next order of business is the approval of the Minutes. So I know that we have a couple of emails on this. I think that there are some questions about how somebody may have voted, and who was the first or who was the second. So, instead of taking a vote on the approval of the Minutes, what we will do is we will let everybody review them, weigh-in, and then we will go back and double-check the Minutes with the audio. So we will take up the vote of the Minutes on Friday. That seems to make the most sense, rather than eating up a lot of time this morning trying to decipher what's in the Minutes.

President McKim, you did have a change of vote at the end of the meeting. So do you want to put that on the record now and we will reflect it? Your change of vote doesn't affect the outcome. But I just want to make sure that you put it on the record, if that's, in fact, where you still want to be today was to change your vote.

MR. MCKIM: Yes, thank you, Deputy General. I felt that, based on the discussion that we had around potential training topics, I felt it was appropriate for me to abstain from that last vote.

DEPUTY ATTORNEY GENERAL YOUNG: All right. So just to be clear, just the last vote on which section?

MR. MCKIM: The last vote on approving the -- well, the vote on the wording for the training section of the final plan.

DEPUTY ATTORNEY GENERAL YOUNG: Okay, thank you. So I will just sort of give an overview as to where we are today. The Governor responded yesterday and we have an additional 30 days. So, as I indicated to you, we have a game plan going forward. I think, at the end of the meeting, what I'm going to do is share the calendar with you as to where I think we're going to go. Kim will send out a Doodle poll today and we will fill in the calendar, so we will know exactly what we're doing on each day in the path forward, because the goal would be to submit a Final Report on Monday, the 31st.

So, today, we have two speakers that are with us. Mark Newport, Judge Gardner requested that he testify today. He has been with the Police Department for over a quarter of a century. And then, the second speaker is Stephany Shaheen. For planning purposes, Ms. Shaheen is not available until 11:00. So if Mark Newport's testimony is done and all the questions are exhausted, we can just sort of talk about our next steps to make sure that we use our time as efficiently as possible. So that's where we are going today: Mark Newport followed by Stephany Shaheen.

I think that there's nothing else that I need to do before we start that. So, with that, Commission Members, Mark Newport submitted testimony in written form. Mark, are you on the line?

MS. REED: Deputy Young, before we get there, I do have Attorney Jefferson. He's dialed in.

DEPUTY ATTORNEY GENERAL YOUNG: Okay.

MS. REED: So he's on the phone. We won't have the visual. But if you need to do his roll call...

DEPUTY ATTORNEY GENERAL YOUNG: Okay. Good morning, Julian. Could you tell us where you are today and who, if anyone, is with you?

ATTORNEY JEFFERSON: Yes, I am alone in my office.

DEPUTY ATTORNEY GENERAL YOUNG: Okay. And did you hear sort of who we have for speakers today and the fact that we are not taking a vote on the approval of the Minutes because there were so many votes on Friday, we just want to make sure that we have everything correct?

ATTORNEY JEFFERSON: Yes, thank you.

DEPUTY ATTORNEY GENERAL YOUNG: Okay. So, with that, Fallon, is Mark on the line?

MS. REED: Yeah, I just unmuted his line.

DEPUTY ATTORNEY GENERAL YOUNG: Good morning, Mark. It's Jane. How are you?

CAPTAIN NEWPORT: Hi, Jane. How are you?

DEPUTY ATTORNEY GENERAL YOUNG: I'm good. I'm good. I missed not seeing you at Market Square Days this year.

CAPTAIN NEWPORT: It's been a while.

DEPUTY ATTORNEY GENERAL YOUNG: I know. I know it has. Hopefully, I will see you soon. So, welcome. Thank you for coming to testify before the Commission. We have your written testimony, Mark. And the way that this is going, just sort of for expediency purposes, you have three minutes. So, with that, the floor is yours.

CAPTAIN NEWPORT: Okay. So I thank you guys for my time and allowing me to testify. As you can see in my list, I just gave a brief synopsis on topic I'm talking about as state of relationships in law enforcement and the communities they serve. And I have offered a couple of suggestions. And I'll just read this real quick and then I'll just get into -- well, let me give you my background first.

I'm been with Portsmouth Police for 25 years. I started my law enforcement career here at Portsmouth PD. I was both in Upstate New York. My parents moved me to Massachusetts when I was young, grew up in Massachusetts.

I got to New Hampshire, attended the University of New Hampshire, played football there, and, while I was at school, did an internship at Portsmouth PD. When I was up here, you know, being the minority -- my camera's not working. I was having technical difficulties. But I'm African-American, came up here. There weren't too many African-American people up here at that time. And at UNH, I think I graduated in '93 as probably one of maybe 50 out of 12,000. So, New Hampshire was a very nondiverse State and kind of knew the rest of New Hampshire was very nondiverse.

But with that said, I came up here. I got a good education, moved back home for a short bit. Joined AmeriCorps; went to Baltimore, D.C. area. And then, Portsmouth PD contacted me and asked me if I was interested to come back up here for a Police Officer's job, which, at that time, I did.

Never had a desire really to be a Police Officer. But, after doing my internship, I had a good working relationship with the Department. I enjoyed the things I got to participate in, got to go into the Drug Task Force, which ultimately through my career and how I met Jane was working with the Drug Task Force here for Portsmouth PD.

So, with that, I've done Patrol, Detectives, Narcotics. I've had a pretty versed background in my career. And since then, I've gone through the ranks of the Police Department reaching my current position as the Captain, and second-in-command from the Chief. So I've had a pretty good experience and I've had a pretty good experience here in Portsmouth, throughout my law enforcement career.

Getting onto my speech, dating back to community policing, I feel that Portsmouth has always been a leading Agency across the State. We are well-respected and looked upon from other Departments across the State as setting an example on how policing should be. And we've developed a great working relationship with our community by being open and transparent.

Our Officers are being supportive of the community by not only having positive engagement with our citizens, visitors, and businesses, but also by becoming integrated in the fabric of our community. Our Officers are involved with every level of citizen in our City, between youth kids, middle school, high school

kids, adults, seniors. We have more programs that we're able to provide to the community, which gets us interacting with the community and has developed the bond that we have here.

Portsmouth has flourished as a beautiful seacoast community attracting people not only from the State but from around the world and as a tourist destination. People come not only for its rich history, but it's because of its diverse offerings with quality of life which is offered here in the City, due to its safety and comfort provided.

And I feel that the service that we provide here in Portsmouth that we are always getting complimented from people who come and visit our town, and the residents of our town of our Police Department's always visible. People feel safe here. There's no place in the City of Portsmouth at any time, day or night, that you can be at and are in danger of -- should be in fear.

We try to be everywhere. If you ask people in Portsmouth how many Police Officers they think are out on the street at times, they'll tell you it's 15 to 20. And for the most part, we never have more than 5 to 10. So we're very visible and we're very approachable, which has helped build our bond with our community.

Our Department uses a model across the State to help other Departments enhance their relationships with their communities by doing some of the things that we do: developing a partnership with our community and gaining our community's support, as well as to have support needed to create an operating budget that allows our Department to always be in the leading edge.

We're a CALEA Advanced Accreditation. We trained our Officers properly and most importantly provide with the personnel to do our jobs effectively. To be an effective Police Department, you must be able to engage with the community and understand their needs and requests. This comes by providing proactive policing and engaging the community in good times, collaborating and developing positive relationships, so when people are in need and stress, they're comforted by our appearance and not in fear.

Our Department has developed these bonds by hiring the right people, having Officers who care about their community, and having Officers who truly are in this profession because they want to help people. Our Department or any Department across the country is only as strong as their weakest link.

We work tirelessly to try and choose the best Officers we can. As we can now see across the nation a few bad examples can set the communities apart and the country back from all the hard work that's been accomplished.

My advice to the Commission is to enhance relationships between Law Enforcement and the communities by working on reforms to offer a broad scope and not try to be too restrictive in your proposals. Every community in our State is different and what works in Portsmouth, which is a more affluent community and has more resources, is not always going to work in other parts of the State that are less densely populated, that don't have the ability to provide the funding and resources, and offer the same programs and outreach that we're capable of offering.

Across the country, there are discussions of defunding Police Departments. I can't stress enough the adverse effects this would have on Law Enforcement. And it'd only make our jobs more difficult by reducing our ability to do our jobs with less resources, as we deal with more issues involving people with mental-health and addiction issues.

We understand there are issues with the current Criminal Justice System, and there are issues that we cannot arrest our way out of. There needs to be more collaboration and work on ways to send people to treatment and not jail, but there needs to be a system in place to allow that, and the infrastructure in

place with Social Workers and Healthcare Providers, Police Officers are still going to be responding to calls with more people in crisis and need.

Basically what I'm explaining there is there's all kinds of discussions about defunding the Police Departments and switching that money over to Social Workers and addiction recovery centers. But until we have those elements in place, it's very difficult to just stop a Police budget tomorrow without having the resources in place to send that money to. And I mean, there's a shortage of the Social Workers, a shortage on our recovery centers now. The kneejerk reaction of what's going on across the country, I feel, does not pertain to New Hampshire, or especially to the City of Portsmouth right now, and should be well-thought out and a plan put in place before any drastic measures are taken.

In closing, I believe that building partnerships in our communities between Law Enforcement, residents, schools, religious leaders, the business community, and Healthcare Providers will build trust and transparency which will effectively allow systematic change and help create well-thought out legislative changes and reform.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you very much, Mark. So, Mark, the Commission Members now will be able to ask you questions that they have. So I'll continue. Sort of do this through the roll call, but if you have questions, ask them. Don't feel compelled to ask questions, either. But I will tell you that we probably have an hour with Mark before our next speaker is ready.

So, with that, Commissioner Quinn, do you have any questions or comments for Captain Newport?

COMMISSIONER QUINN: No, I'll yield my time, Deputy. I just want to congratulate Mark on a great career. Thank you for participating. And now, for those of you who don't know Mark, I'll just say he has been just an outstanding and overall just a friendly Police Officer to everybody that he's worked with. I know he's worked with many of you. But congratulations, Mark. Keep going, and thanks for what you're doing in Portsmouth and for the State.

CAPTAIN NEWPORT: Thanks, Commissioner.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you.

CAPTAIN NEWPORT: Appreciate your support.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you, Commissioner. Director Malachi, questions/comments?

DIRECTOR MALACHI: I would just simply like to thank Mr. Newport -- or Captain, I should say, Newport for his testimony today. And I don't have any additional comments or questions. Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: Director Scippa, questions or comments?

DIRECTOR SCIPPA: Thank you, Deputy. Good morning, Mark. How are you?

CAPTAIN NEWPORT: Good, John. How are you?

DIRECTOR SCIPPA: I'm doing well. Thank you very much for your testimony today. I was called by a Reporter yesterday from the Concord Monitor who's asking me about recruitment. And the topic of recruitment has come up a number of times here among the Commission Members. And during your testimony, you spoke directly to your Agency prides itself on identifying the very best candidates that you can to hire, because that vetting process makes such a huge difference in the makeup of your Agency and how you interact with the community.

So, from your perspective, as a Law Enforcement Leader in a major Police Department here in New Hampshire, do you have any thoughts on recruitment strategies, particularly to try to reach out to those groups that are underrepresented here in New Hampshire, any thoughts at all?

CAPTAIN NEWPORT: Well, John, those questions are difficult questions. I mean, the answer, there's no short answer to that. Before the current climate in law enforcement, it was difficult to recruit Police Officers. Now, with everything that's going on, it's even more difficult. And with the restrictions that are being put in, it's going to be very difficult to recruit and hire Police Officers of any race, never mind being diverse.

New Hampshire, for minorities, I mean, I've been here 25 years. We have one other African-American Officer in my Department. We've tried to hire more minorities. I've tried to recruit more minorities. It's difficult to get people to come to New Hampshire. And then, you don't know until you get here, and especially on the seacoast here that it's the gem, the quality of life that's in Portsmouth in the seacoast region, which I've realized that quickly when I came up here as a student. And at that time, if you told me I was going to stay up here, I would have told you, you were nuts.

But moving to Baltimore and D.C. and living down there for a short period of time, and seeing the quality of life there, and they're recruiting down there. I remember being down there and walking by a sidewalk and Baltimore PD has tables set up on the street trying to hire people off of the street. But the pay was very low. The work was dangerous. You're taking your life in your own hands down there, whether you're a Police Officer or not.

And I could come back up here to northeast and have a better quality of life, and the pay was better. The environment was better. The quality of work was better. The training is much better. And what it all comes down to is training. I feel like in our region, we are far advanced than other parts of the country, as far as training, and with an emphasis on training.

So just back on the recruitment things, John, with all the requests that they're putting on Law Enforcement, it's going to be very difficult. And all these reforms are trying to be put in place. But I have yet to hear anything about increasing the benefits or the rewards of becoming a Police Officer.

I mean, no one signs up to be a Police Officer to become rich. But when I signed up, or when you are in this job, the benefits are at least I knew, if I could get through a 20-year career of it, I'd be able to live comfortably. I'm not going to be rick and live a lavish life. But I knew I had a goal at the end of the line there, if I could reach there. I could move on. I'd still be young enough to do something else in my life, have a change. I'm currently still here. I could retire. But I love my job. I love where I'm at. I love the people I work with. I love my community. Yeah. And I love coming to work.

So, to find those people is very, very difficult. I mean, and as far as policing has changed. When I got up here, Portsmouth was a blue-collar rough-and-tough town. Policing was very different back then. Today, we're hiring Police Officers that really need to be armed Social Workers. The demands on them are so much different than when you started, or when I started. And it's been a transition.

People have to understand that Police Officers are human beings, just like everybody else. And everybody thinks it's the us versus them. That mentality's been gone. You can't survive in this Police world any longer with a mentality like that. We don't hire those type of people.

We're hiring people that were Mental-Health Workers, Social Workers. Those are the people we're hiring as Police Officers now. But they're hard to find. And there's a lot of competition.

DIRECTOR SCIPPA: Mark, you have provided tremendous insight with your testimony and with your response here. And I echo your thoughts and that is that, in this climate, I fear that really trying to recruit anybody, regardless of race, religious background, any affiliation with any group, it just doesn't matter. It's going to be very, very difficult to attract a lot of high-caliber people into this profession, given where we're at right now. I couldn't agree with you more. It's good to hear your voice. Stay safe and thank you very much for your testimony. I yield my time.

CAPTAIN NEWPORT: Thank you, John.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you, Director Scippa. Chairman Johnson, any questions or comments for Captain Newport?

MR. JOHNSON: Thank you, Deputy Attorney General Young. I have no questions for Captain Newport. I have a comment. I'm familiar with Captain Newport. I'm sure he's familiar with me. Our relationship, I should qualify, our relationship with the Seacoast NAACP, with the Portsmouth Police, I think, is second-to-none. We have good open relationship with Chief Merner.

But to put a fine point on it, the relationship with the Seacoast NAACP with all the Police Departments from Rochester down to Seabrook is, I think, one of the best relationships that anybody could have, in terms of cooperation and mutual understanding. And I think that Captain Newport would echo that, as with just about every Chief in the District. So, if you want to have a picture of what relationships should be, take a look at us. Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you very much.

CAPTAIN NEWPORT: Thank you, Rogers.

DEPUTY ATTORNEY GENERAL YOUNG: President McKim, questions or comments?

MR. MCKIM: Thank you, Deputy Young. And thank you, Captain Newport, for your testimony. I wonder if I could pick up on a line of questioning that Director Scippa stole from me. No, sorry. We think very much alike.

So the question about what would attract Officers of underrepresented demographics, I know it's difficult and it has been difficult. We, as a Commission, have been charged with coming up with recommendations. And it obviously sounds as if having representation on a Police Force, on a Law Enforcement Force of those underrepresented folks would be important.

So, I wonder if I could press you a little bit more. What should we be recommending be done to attract more of the underrepresented population to Law Enforcement?

CAPTAIN NEWPORT: I mean, it's not easy. I mean, UNH is struggling with the same problem to get minority students to come to school up there just to be students. So now you're talking about getting into a profession of law enforcement from a group of people that some may not be too fond of Law Enforcement. But until you actually could see it from the inside-out and look at it from a Police Officer's perspective, I mean, I'm fortunate that can see this from both perspectives.

Like I said before, when I was going to school, I didn't have a desire to be a Police Officer. I was looking more towards to get into Federal Law Enforcement, be an Agent, but not a local Police Officer. I've had bad experiences with Police Officers growing up. I've been stopped for driving while black. I've looked down the barrel of a gun before I was a Police Officer, been in situations where split-second decision, I may not be here talking to you guys right now. I know what that feels like.

So, to come into that environment, if I hadn't done the internship here with Portsmouth Police Department, I don't think I would be here. But the experience I had, the Officers at the time who I worked with, I saw things from the Police Officer perspective. And with my background that I had growing up and getting into law enforcement, I think, has made me the Officer that I am. And I'm understanding and I can honestly say I think I'm really good in dealing with people, any type of person, because I have an understanding from both perspectives.

I worked many years in Narcotics. And you see all walks of life through that experience. And there's a lot of good people who have addiction problems. But people also have to remember there's a lot of bad people out there. And we deal with bad people.

Police Officers were trained to deal with bad people. As time has transcended, with all these other issues we have with addictions and mental health, when people don't know who to call, they call the Police. And then, we have to be the resident expert on the scene at that moment making split-second decisions.

Fortunately, here, in Portsmouth, and I think for New Hampshire, we are well-trained Police Officers. And that's the difference between here in New Hampshire and someplace across the States. I mean, you go to some of these metropolitan cities, they get hired. They go to the Academy. And then, they don't receive any more training through their 20-year career. It's on-the-job training on the streets. We don't have that issue here. We're well-above the training skills what's probably the national average.

And then, I can say here in Portsmouth, the State has minimum requirements. We go over and above that on almost every aspect besides not just use of force but driving. Anything and everything, we try to go over and above, because you can't overtrain a Police Officer. And times are always changing.

So, I got a little way off of how you could recruit here. But, like I said, there's no short answer. I mean, you got to try to get people to come up here and see what it's like. And obviously, in this profession, that's not easy.

But we offer ride-alongs. We offer a Citizen's Academy. Now, we are constantly trying to invite the public into our world so you can see perspective of what it's line to be a Police Officer. And it's easier to sit back and Monday Morning quarterback people. We do it, ourselves. But when you're talking about making split-second decisions, and in a daily routine of a Police Officer, you could be going from 0-to-60 back to 0 in an hour, and your body has to transition mentally and physically. And that's not as easy as done as it's said.

And for some places and some Officers, you do that on a daily basis. It's very difficult and it affects the mental health of Officers. People join Police because they want to help people. And with that, you also want to be appreciated for the work you do. And it's a very difficult climate now to recruit people again to come to do this job.

MR. MCKIM: Thank you. So it sounds as if, for you, going through the internship was a turning point for you that kind of let you see what the opportunities were and helped you to think that it could be something you could do. So it does sound as if we should be supporting those kinds of internships and encouraging them for people, and just getting people to come up to New Hampshire to see the State. So, thank you for that.

I wonder if you might also just share your sense of especially when it comes to Law Enforcement in underserved communities, what does good interaction look like? And what does interaction look like that could be improved by something that we might recommend?

CAPTAIN NEWPORT: Well, good interaction is obviously being out in your community and engaging in your community when things are good. If we go into some of our lower-income neighborhoods and shoot some basketball with the kids, we give out pizza tickets to kids who have their bicycle helmets on.

We have a Community Policing Officer, Detective Rochelle Jones. And she's probably if not the best in the State, or the country, she's phenomenal. She's always coming up with programs and engaging our community and our kids. I mean, I could give you a laundry list of all the programs and activities that we do with our community, whether it's seniors, whether it's the low-income people, whether it's high-school kids. We have a program that addresses each and every individual in our City at some point in time.

And in good times, you do that. You build up the relationship. You build up the trust, so that when bad circumstances happen and we have to deal with these people, we come across these people, they trust us. They have faith in us that we're going to make the right decisions.

MR. MCKIM: And what about interactions where you learned how to deal with -- I guess I should first say I'd love to see that list of programs, because it might help us to understand what's possible. But I'm also curious about what interactions you might have had and you, personally, as a person of color, might have had where you learned something that we might be able to take and make some recommendations around.

CAPTAIN NEWPORT: I mean, the specific interactions is like the way I've done my job, the way I was taught, the way I was trained here is every situation I go to, I go and try to put myself in the position of the person I'm dealing with. And look at it from their perspective, and try to understand where they're coming from and the situation that they're under.

And basically what it comes down to is you treat everybody with respect. I treat bad with people with respect. But there's always a point at time that you learn real quick and you get the sixth sense of, okay, this is not a good situation and you need to be the authoritative figure that you are and take control.

But, for the most part is you go. You respond. You deal with the person like you want to be treated, and you treat them the way you want to be treated. And depending on the circumstances and the situation, you have to adapt. And that's just the philosophy that I've always used throughout my career, and what I was trained and how I tell our Officers on how you should act on the streets.

MR. MCKIM: Thank you, Captain. I'll turn the balance of my time over.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you very much. Judge Gardner, is she will us or is she still on the bench? She is not with us. But Lieutenant Morrison, any questions or comments?

LIEUTENANT MORRISON: Yes. Good morning, Mark. Great to hear you again. Thank you very much for taking the time to come in today and speak with us. I, like others, am very proud of serving alongside you in this profession.

Let me ask you a question. Do you feel that Law Enforcement is forced to deal with or address societal issues before there are organized services or programs available?

CAPTAIN NEWPORT: I didn't catch the last part of that Mark. Societal issues that are what?

LIEUTENANT MORRISON: I'm sorry. Well, you mentioned in your testimony and I obviously agree with you that Law Enforcement is oftentimes left to deal with things when nobody else knows what to do. And I just wondered if you could expand a little bit more to talk about whether you think Law Enforcement is forced to deal with these issues well-before there's any organized structure, or services, or anything to address that.

CAPTAIN NEWPORT: All right. Yeah. So, yes, what I said in my testimony is that when people don't know what to call for whatever the situation is, they call the Police. And then, we respond and we're expected to be able to resolve any and all issues. And through time, we figure it out.

But, with all the social issues that are going around, Police Officers are not trained social workers. And depending on the size of your Agency and where you're at, you don't really have the resources to deal with those certain situations. But when all else fails, people call the Police. And the Police have got to come to a resolution, someway, somehow. And that's going to continue.

When I was speaking on that and defunding, because they want to put more money into the societal problems, that's all well and dandy. But you need to have those things in place before you just pull the plug because for most Police Departments right now, we don't have the resources to continue dealing with those situations.

Some Departments are going call to call to call, dealing with real emergencies, not dealing with mental-health issues where we're dealing with the same people over and over, and over that are tying up sometimes two, maybe three Police Officers. Nothing that's earth-shattering or emergency, but they just want to talk. But they're not in the state of mind where they can be left alone, or where we're trying to find resources of where we can send them.

But the hardest part is when you're dealing with people like that that don't want to do what's best for them. It's kind of like you could lead a horse to water but you can't make them drink it. And then, it's just repetitive. And all our communities have them. We deal with them on a day-in/day-out basis. And they draw resources away from all the other activities that we could be doing to helping our community. But no one else knows what to do with them.

We have mental-health patients that even local mental-health centers won't deal with anymore, because they've exhausted all of their resources and they don't know what to do with them. So who's stuck dealing with them? We are. And where do we put them? We don't have a place to put them. Jail's not the place to put them. But, under certain circumstances, we have to deal with them and find a resolution.

LIEUTENANT MORRISON: Thank you. And I completely echo those sentiments. How important is it, do you think, to have an Officer in your Department specifically dedicated to community policing efforts and community engagement?

CAPTAIN NEWPORT: I think it's very important. And like I said, I don't want to pat us on the back too much with our Officer. But you got to have the right person doing it, as well. Detective Jones has been outstanding at her job. She's grew up in Portsmouth. She knows Portsmouth. She loves Portsmouth. She loves people. She's been excellent. And she's helped with our Police Department in building the community support that we have. And she engages with the community. She engages our Officers with the community. And we have senior programs. We have a Cops and kids program. We go into all the elementary schools and do programs with the kids.

When budgets get cut and we get back to what we need to do is respond to calls, those are the positions that disappear, because they're a luxury, although they're a necessity. But when it gets down to the brass tacks, our jobs are protect and serve the people. And that's our first and foremost priority. And everything else outside of that is a luxury. So you pull the money away, we lose the ability to offer those programs and do the things we do that engages the community.

LIEUTENANT MORRISON: Awesome, thank you, Mark. Couple quick questions and then I'll let you be here. But, you mentioned your Agency is Advanced CALEA-accredited. How important do you think the CALEA Accreditation is to your Department's success?

CAPTAIN NEWPORT: Well, I can tell you, before we had CALEA, I mean, many years ago when the State had accreditation, we were State-accredited. But going to the CALEA Accreditation, it sounds big and scary. But now that we've done it, it's not. It hasn't really changed a whole lot of things that we did here.

I mean, it's good because it's a checks-and-balances and makes sure your Policies are up-to-speed and refreshed on a regular basis. A lot of Departments -- and we're one of them -- we had a lot of Policies but we didn't always follow what our Policies were. And through accreditation, you had to checks-and-balance it. You have to prove that you not only have the Policy but that you're following it. That was probably one of the biggest adaptations we had. And nothing major, but it was just like, if you say you're doing it this way, make sure everybody's doing it that way. And it's been nothing but positive for us.

LIEUTENANT MORRISON: Great. And two more questions; the first one is: do you think it's fair to say that part of sort of building community relations includes what you sort of alluded to in your testimony that it includes exposing people outside the building to kind of what happens on the inside of the building, and what Law Enforcement Officers, in general, have to deal with and the reason that we do certain things?

CAPTAIN NEWPORT: Yeah, so you're asking me, bringing people outside of the community into the Police Department. Is that what you said?

LIEUTENANT MORRISON: Yeah, just in general exposing the public to the Department, exposing them to the inner workings of our Agencies and our people, what we do, why we do it. Do you feel that's also a critical part: educating people what we do, just as much as educating Officers on what they need to understand about the people they're coming in contact with?

CAPTAIN NEWPORT: Right, yes, I do. I think that's very important, because many people form an opinion of what our job is, what law enforcement is, based off of what they see on television. And as you know, it's nothing like what you see on TV.

The day-in, the day-out of the grind of being a Police Officer is very difficult and, on a human standpoint, it's very difficult. And people won't see that perspective until you are inside these walls. And maybe you take a ride-along. You go out on the street. You see an Officer make a traffic stop.

What people don't understand is, yes, we do thousands of traffic stops. But you never know who's in that car or what's happening in that car every time you approach it. And I think people take that for granted. So when things go bad, Police Officers, we have a sixth sense. It's becomes accustomed to you, as you do this job, day-in and day-out, that an ordinary citizen may not understand.

It would be like comparing when you're a parent, when you have kids. You just have a sixth sense about a good situation, a bad situation, that's good for your child as they're going out in the world. The first time, you just feel it. And that's how our job is. But it's hard to see that from outside of this world if you've never done and you're not living inside of our work environment.

LIEUTENANT MORRISON: Right; and lastly, would you recommend that this Commission support budget cuts from Police Agencies in any way, shape, or form?

CAPTAIN NEWPORT: No, I think, as I said, I would be absolutely against any type of budget cuts. If anything, our budgets need to be increased. You don't want to have a Police Department that's reactive. You want a proactive Police Department that prevents crime. That's one thing I can tell you here in Portsmouth we strive on is we try to prevent things from happening before they happen. And you can't do that unless you have the resources to do that.

There's a lot of Police Officers, they just go from call to call to call, like you don't have time to think. You're just going from call to service, service, service, service. And you never have time to be proactive. So especially in what's going on now, the current climate with the virus, I mean, if you look across the country, the violence is going up ten-folds across the country. And these Departments are being cut. How is that a good combination?

I mean, I understand the climate and people with their feelings on how Police are. But, do you fear the Police more, or would you rather be a prisoner of society and living in an environment where you can't even feel comfortable walking outside your house? I mean, that's really what it's going to end up coming down to for some of these Departments that are having their budgets drastically reduced.

LIEUTENANT MORRISON: Well, Mark, I couldn't agree more. Thank you very much for your depth of knowledge in this area and your info., and insight on the workings of Portsmouth PD and the Portsmouth community. I appreciate it very much. Thank you. Hope to see you soon.

CAPTAIN NEWPORT: Thanks, Mark, you, too.

DEPUTY ATTORNEY GENERAL YOUNG: Thanks, Lieutenant. Chief Dennis, any questions or comments for Captain Newport?

CHIEF DENNIS: Just briefly, yeah. Thank you, Captain Newport, for your testimony this morning and also for your service to the City of Portsmouth and the State of New Hampshire. It's greatly appreciated. Appreciate your comments; a lot of the Commissioners have already talked a little bit on some of the topics I would mention. So I won't rehash that.

But I just appreciate your testimony regarding community policing, the importance, demonstrating how Portsmouth does that with some of the different programs, and really the importance of building that trust and transparency with your community. So, thank you for your testimony this morning. I yield the rest of my time.

CAPTAIN NEWPORT: Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you, Chief. Director Norton, any questions or comments?

DIRECTOR NORTON: No questions, thank you for your service, Captain.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you very much.

CAPTAIN NEWPORT: Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: Commissioner Lascaze, questions or comments?

MR. LASCAZE: Thank you, Deputy Young. Yes, I do have a few questions. Thank you, Captain Newport, for your testimony today. I just have a couple questions for you. I was taking some notes on what you were saying. And so, I apologize. I'm all over the road. I have ADHD. So just bear with me as I jump from question-to-question, but I promise you I'm going somewhere.

So my first question: Portsmouth isn't a very diverse or ethnically diverse city or town -- I think it's a town -- town. What I would like to know is how would you categorize the relationships that the Portsmouth PD has with community members specifically when it comes to people of color in Portsmouth?

CAPTAIN NEWPORT: I can tell you that I believe we have a very good relationship with people of color. I've been here in the 25 years that I've been in this Police Department. I can't remember too many other -- I can't even remember any specific occasion where we've had complaints of our Officers being racist or treating someone bad based off their background.

Knock on wood, we don't get too many complaints. I mean, I think a bad year here in Portsmouth Police Department would be a maximum of five complaints made about anything against our Police Officers. So our Officers, like I said, it all comes down to hiring the right people. And we stress, treat people like you want to be treated.

Obviously, there's always circumstances and there's always situation where you're dealing with people that may initially try to throw out discrimination measures under those circumstances. But when it's all said and done, if someone gets arrested, if they don't get arrested, at the end of the day our Officers are doing what they're supposed to be doing. And like I said, we have not had too many complaints and we have not had any sustained complaints.

MR. LASCAZE: All right. So you're not aware. Okay. So are you, then, aware of any apprehension for -- how do I say it? Any fear from community members to reach out to the Portsmouth Police, again I'm specifically speaking for people of color, because we've heard on the Commission that there is a fear among the communities of color to reach out to Police Departments. And I was wondering if you felt that that was applicable to Portsmouth.

CAPTAIN NEWPORT: That's applicable everywhere. Yes, it's applicable to Portsmouth. As I spoke about, our Community Officer, Detective Jones, and as Rogers mentioned, we have a good working relationship with our local NAACP. And she's currently in the works of -- she's been working with the Youth Group of NAACP and meeting with some of the youth there and some of the conversations they had about they're speaking about how their fear of the Police are. And she's in the process of putting together programs and situations where our Officers are going to meet these kids. They're going to go get to see us when we're not patrolling the streets, get to meet us as people and have the conversations that we're having today, where they can ask us questions.

So, one program we have is an explorer program, where we take kids in and they learn what it's like to be a Police Officer, and bring them in. And a scenario could be show them what a traffic stop is like and let them see it. And then, put them in our situation in a roleplay mode of you stop the car. And let's see how you handle the situation, so they understand how we do our job and why we do our job. And most importantly is they get to see Police Officers in a different light of as human beings. And it's a job that we do but you don't need to fear us. We're approachable.

I mean, like I said, there, could be a bad egg in any profession. And obviously we're susceptible to that, just like anybody else. But fortunately we've done a really good job at recruiting and hiring the right people.

MR. LASCAZE: Okay. So if you do think that that is applicable to Portsmouth -- and I do hear what you're saying -- I'm wondering. So do you think that body cameras would be a good way, then, to start improving community relations and establishing faith with Law Enforcement?

CAPTAIN NEWPORT: So I can say that we just did a nine-month study on bodycams here in Portsmouth, which we invited people from the community to be a part of that Commission that reviewed body cameras here. And after nine months, that Commission made a decision. They're good for certain Police Departments in certain areas. But as I said to you before, we don't have too many complaints. For the cost of those, we could invest that money in a lot of other programs, more Officers that we felt would be more productive than on bodycams.

I understand what you're saying. But just by wearing a body camera, I don't see how that would improve relationships. There's a lot to body cameras. There's pluses and minuses to it. If our Officers came to us and then said, we want cameras, we would have them. There's a lot of Departments where their Officers want them and they have them. We just feel here, in Portsmouth, and under our current environment, under our needs, under what the citizens of Portsmouth want, that, at this time, body cameras are not a necessity for our Officers here in Portsmouth.

MR. LASCAZE: And Captain, now you said that if your Officers wanted them, you would have them. But does that same sentiment ring true if the community wanted body cameras, that your Department would adopt them, or no? It would still be based on the findings of your Department.

CAPTAIN NEWPORT: No, like I said, when we created a Commission to review it, we brought members of the community in. We had members that were part of the Board that helped make that decision. And those members of the community also, when they got a clear understanding of everything there is involved with body cameras, how they work, the pluses that they provide, the minuses they provide, and the expense of what they cost. The overall decision was, at this time, they didn't feel that there was a need for body cameras in the City of Portsmouth.

It's not to say that that may not change down the road. But I think to have a kneejerk reaction to say every single Police Officer in the country needs to have a body camera on them is not the resolution that people think that you're going to have. I mean, there's a lot of literature and there's a lot of science, and the pluses and minuses of body cameras. And ultimately, it hasn't changed behaviors, which I think a lot of people make the assumption of a body camera's going to change the behaviors. And I think there's been plenty of studies on that that has shown that it doesn't.

MR. LASCAZE: You're right. It might not change behavior. But it might help catch behavior that slips through. I did want to ask you a quick question. When you spoke about the reallocations -- and I'm not talking about the funding. I'm talking about the reallocations portion. I believe the words you used were fine and dandy. And if there were services that were in place for reallocations, but there currently isn't enough services in place. So my question, Captain, is, if there were services in place, then are you saying that it would be good to reallocate resources to Social Services and other Mental Health Groups that would be able to assist Police Officers in handling situations?

CAPTAIN NEWPORT: Oh, I think if there's resources that are available to help to assist us, I mean, I just think it needs to be a collaborative effort and we need to work together, and how that would work. I mean, you're not going to send Social Workers into people's houses that have mental-health issues that are dangerous. You're going to call the Police.

But if you take the funding away from the Police Departments, you may not have enough Police Officers to respond to be able to respond to all those calls. I mean, if you look at Social Services now, between DCYF, the elderly abuse, I mean, they're overwhelmed. Mental Health Agencies are overwhelmed.

I mean, to now say you're going to now respond to daily calls, there's just no mechanism to flip that switch and make it happen any time soon. And then, to join in with Police Officers, I mean, even if we join forces and we work together, you're going to send a Mental Health Worker to us, on all these calls so they can assist. There's got to be a training program in place on how that works and dealing with different situations. It's not just as easy to say, you're a Social Worker. You're assigned to the Police Department today. You go with them; doesn't work like that, not so that it'll work safely.

MR. LASCAZE: All right, thank you. And I guess, to that, you had said when all else fails, people call the Police Departments to handle everything. And what I was wondering is, do you think that people are calling because they just don't know the right services to call? And the Police Departments are the catch-all. You just pick up the phone, call your Police Department to handle the situation.

CAPTAIN NEWPORT: That's part of it. That's a part of it. But some people just think the Police are the end-all. We do everything. We get calls for people who are having a problem with their five- or six-year-old child and say that they're not listening to me. I need you to come here and tell them to listen to me. That's routine, situations like that. And that's where part of the stereotyping or the biases can exist for youth is because we're being called to be their parents. And they see the uniform show up and the parents aren't being parents.

I mean, there's all kinds of social economic issues and that's not a simple answer. We could go on forever talking about that. But what I'm saying is we get calls for a lot of things that people could call something else, or handle, themselves. But the easy, fastest way to resolve the issue is call the Police, because, when you call the Police, you're always going to get a Police Officer.

MR. LASCAZE: All right, thank you. And Deputy Young, I have just one more. I know my time is up, but I do have one more question to go with.

DEPUTY ATTORNEY GENERAL YOUNG: It's no problem. Other people yielded their time, so take your time.

MR. LASCAZE: Thank you. In your testimony at the beginning, you had said that -- and I don't want to misquote you. But you had said that the things going on nationally, you don't really believe that they apply to New Hampshire. And what I wanted to know was, when you said violence is going up in the nation and we need to invest more into the Police Department, but you had said at the beginning, what's going on nationally doesn't apply to New Hampshire, what I'm wondering, is there anything that shows that violence in New Hampshire is going up, as well, in reference to that statement that you had made?

CAPTAIN NEWPORT: So, I guess when I was saying it doesn't apply to New Hampshire, it's not that it doesn't apply to us. But those issues are not happening here. And as far as whether or not violence is going up in New Hampshire, I can only speak on behalf of Portsmouth. I don't know what's going on in Manchester or Nashua, or Concord, Salem, the rest across the State.

I can tell you violent crime in New Hampshire has not spiked like it's been spiking across the nation. But I couldn't give you exact percentages or figured, or anything for that matter.

MR. LASCAZE: Okay. And just to be clear, when you say what's happening nationally is not happening in New Hampshire, can you just expand more? What are you talking about specifically, when you say it's not happening in New Hampshire, because this Commission was made to address racism, implicit bias, and Police interactions with community members? So I'm just curious to know what you're talking about, specifically.

CAPTAIN NEWPORT: So I think basically what I'm talking about there is what kind of triggered all this is what happened in Minnesota. And those issues of Police brutality, of excessive use of force, those types of things, they happen everywhere. And New Hampshire's not exempt to that. But on a national-scale level and working going on here in New Hampshire is our -- like I said back to when I was talking with Director Scippa -- is our Officers in New Hampshire are well-trained. We receive a lot of training.

So, the chokehold, that chokehold, that might have been here when I started as a Police Officer. But it's been decades. I mean, when I went to the Police Academy, they didn't even teach you a chokehold. That's still going on and is taught at some different cities and places across the country. We've been long past that.

And I mean, we don't even use use of force anymore. It's called response to resistance. And that term hasn't even really even caught on too many places outside of New England. I mean, your leading Agencies are getting the training. But for the most part, these big cities, they're underfunded. They're understaffed. They don't have the ability to provide the training that's required to have their Officers perform to their peak performance. And a lot of it's just on-the-job training.

And like I was saying before, those places, they're responding from call to call to call. They're dealing with dangerous people at all times. Living in New Hampshire and fortunately here in Portsmouth, we may deal with a dangerous, violent person very infrequently, whereas in other parts of the country, you could be going to four or five calls like that a day. And imagine what that would do to your mental state.

And then, you could go from visiting a kid in school, shooting some hoops with a kid to a call where shots fired and several people are shot. You go there, respond to that scene, and then you got to go back and deal with my son's not listening to me. He's five years old. Can you tell him to behave? And you have to be able to transition in that, after you just responded to a scene where maybe you saw a five- or six-year-old kid just got shot. Fortunately, in New Hampshire, we don't have to deal with those issues.

MR. LASCAZE: All right, thank you very much. I really appreciate this discussion. And I am all done.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you very much.

CAPTAIN NEWPORT: Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: Attorney Jefferson, any questions or comments?

ATTORNEY JEFFERSON: Yes. Good morning, Captain Newport. How are you doing?

CAPTAIN NEWPORT: Good, how are you?

ATTORNEY JEFFERSON: I'm good. I have a question for you. One of the things that I think about when I think about this Commission and that I heard in your testimony and some of your remarks is that there's some ills in our society that we can't just arrest our way out of. And so, I wanted to pose this question to you and get your thoughts on it.

So, as you know, in New Hampshire, and really around the country, but acutely in New Hampshire, we've had a huge explosion in drug-addiction issues. And the responses to drug addiction, one response is arrest. For the Public Defender Office, it accounts for 28% to 33% of our overall felony caseload: felony possession of a controlled drug.

And I wanted to get your thoughts about, are there any recommendations that you could see for a way that we could shift our approach to drug addiction? So not going after drug dealers, sale of a

controlled drug and any activity that comes with that, but policing drug addiction and drug addicts, do you think there's an opportunity to change that approach at all?

CAPTAIN NEWPORT: Well, I mean, we could. But it's not that simple. It's obviously involving the Criminal Justice System. And I guess kind of like where we have Mental Health Court, where, instead of putting people in court, we got to have the ability to push people into treatment.

Unfortunately, when we're dealing with people, they may have addiction problems. And we know they may not be dangerous or criminal people. But our hands are tied. We only have so many options on where we can put people. And we can't pick up people that we know have an addiction problem and bring them to a recovery center. The only process we have that we're capable of using is to take them to jail and put them through the Court System. There's got to be something put in place where the Court System can transition them to recovery, rather than jail that's not equipped to deal with them.

ATTORNEY JEFFERSON: So, one of the recommendations that I have made, and I'd like to get your thoughts on it as a longtime Law Enforcement Officer here, is felony possession of a controlled drug, does possession of a controlled drug, should that be a felony, where we're equating the active addiction and possessing a controlled drug to the same exact level of charge of sale of a controlled drug? So, do you think it's necessary to have simple possession of a controlled drug be a felony?

And two, to your point of we have to have a different infrastructure, if we reduce these possession charges to misdemeanors, and if we create plenty of paths of diversion so that people don't get criminal convictions, so we're treating it more like a public health issue instead of a criminal issue -- and again simply talking about possession, so actual drug addiction -- is that something that you think is something worth exploring? Do you think it's a good idea, a bad idea?

CAPTAIN NEWPORT: No, I think that's definitely worth exploring. I mean, possession, I think that you have to look at, depends on the quantity of possession. Small amounts, I agree with you, for people that are just trying to take care of their own habit. But if you're charged with possession and you have several ounces, or pounds, depending on what the type of drug is, that may be a different scenario.

We're also having to deal with the people who overdose and die. And their families want to know, why aren't we going after the person that provided to them? And a lot of times, you're dealing with addicts. But there are some people out there that are not just addicts but also are trying to make a living off of dealing drugs and they don't care what it does to people. And sometimes it can be a fine line between addiction and people who are drug dealers.

ATTORNEY JEFFERSON: No, and I would agree with you on that. Yeah. So I'm not talking about large quantities. I'm talking about the classic example of you're walking through a local park. You encounter a person. You see them just buy from somebody. They got two baggies on them. Is there way, under those circumstances, is there a way to improve community relations to say, let's bring this guy or woman to the safe station? Let's give them a Summons to Report to the District Court, and then offer them a Diversion Program? So, do you think that can improve community relations where we're not trying to arrest our way out of the drug-addiction side of it and we're more trying to be community policing and engaging with the community from a public health perspective?

CAPTAIN NEWPORT: Yes, I could definitely agree with that. I mean, diversion would be the perfect way to do it for people with small quantities. But the problem with addiction is even in some, if they don't want to stop, I don't care what type of program you put them in, people can do 30, 60, 90, 120 days, 6 months, and I know 6 months and 1 day they're going to be right back on the street. And they revert right back to it, if they don't want to stop.

So it's not as simple as just dropping them off at a safe place and say get better, and we look forward to seeing you being a productive person in society when you're done. It's not that easy.

ATTORNEY JEFFERSON: No, and I would agree with you there. Trust me. It's a long, torturous process. I mean, I have Clients who repeatedly go into drug addiction programs. Some successfully complete. And even to your point, even when they do complete, there's a high relapse rate.

But I guess my question I'm posing to you is, are we experiencing that same result? So if we're constantly arresting them, charging them with felonies, sometimes they're in jail. Sometimes they're not in jail. Aren't we getting that same result? Don't we come to that same issue of drug addiction and relapses as is very prevalent?

CAPTAIN NEWPORT: Yes, I think I'm getting to where I think where you're getting at. If decriminalizing, not looking so much at what type of drug it is but the quantity of drugs they have, and maybe whether it's a misdemeanor or a violation may be something that could help the situation.

The one good thing about diversion is, if you catch people early enough, you can get those problems addressed. People that may be using that still have a job, still being productive in society that, if they get that one opportunity without having a felony on their record, they can, with the help of services, can get back on the square path.

It's the ones that repetitively are in the program. Those are the difficult ones. And those are the ones that may have trouble with any type of program.

ATTORNEY JEFFERSON: And my last question to you, Captain, is on the question of openness and transparency, what are your thoughts, especially as someone who's been in law enforcement as long as you have and has attained a rank of Captain? What are your thoughts on one of the things we're charged with is to look at: is there a way to reform the way we investigate allegations of Police misconduct? What are your thoughts on creating a statewide Agency that's responsible for investigating allegations of Police misconduct? Do you think that's a model worth exploring, or do you think it should just rest within the individual Police Departments to investigate them and adjudicate them? Or are there opportunities to improve community relations by creating one impartial statewide Agency to investigate them? Just interested in your thoughts on that from your years in law enforcement.

CAPTAIN NEWPORT: I think, I mean, a statewide Agency, that's a tough situation. I guess I would have to see more on how that would work. I mean, theoretically, the Police Standards and Training now can review anybody's certification that's brought in front of them. And ultimately reviewing Police investigations, I think, has to rely on the individual Departments to be able to do their own investigations.

And that's a hard question, to be honest with you. I mean, there's so many moving pieces to that, depending on what types of investigations you're talking about. Serious events now the AG's Office investigates them. The State Police would come in.

So there's so many different levels of Police investigations in improper because that it's a very broad topic. And I don't think there's a quick, easy solution to that.

ATTORNEY JEFFERSON: And I know. And I appreciate that. Do you think it's something worth exploring, to see if there's ways to address somebody from the community saying I believe X Officer committed a misconduct? And the concern is if the person responsible for investigating that is the same Police Department that he works for, do you see the concern from the community's side that people could be skeptical of that being the avenue of investigation with no other alternative for them?

CAPTAIN NEWPORT: I understand that. I do understand that. But even if there's a State Board and everything goes through them, I still think you're going to have from the community's standpoint, you're still going to have people that objectively would say that that Agency's still going to -- there still could be trust issues, I guess, is where I'm getting at, unless you're going to try and say that that State Agency's going to be made up of citizens.

But it'd be very different for an ordinary citizen off the street to be able to have an understanding of all the elements of being a policework without being a Police Officer and understand the background and everything that goes on behind-the-scenes to be able to make those decisions effectively and fairly, I think. I think, for the most part, there's steps in place currently. And there's different Boards and different processes where investigations happen.

The biggest thing is, on both sides, not only for the Admin. side but with Officers' side, that it's handled fairly. And depending on certain Agencies, part of the conversation I know that you guys are discussing is the Exculpatory List and Officers that get put on that. One of the biggest issues with that Exculpatory List for Police Officers is judges that there just needs to be a fair process and an appeal process, because you can get put on that list and not have the ability to make an argument for yourself on what really occurred.

ATTORNEY JEFFERSON: Yes. No, and I agree with you. And so, my final question to you is this. So Judges and Attorneys, the model that we have for Judges and Attorneys is a statewide Agency comprised of Committees that are members of the relevant profession. In the case of a Police Officer, it'd be Police Officers and also members of the community with three different layers of adjudication. So there's an appeals process built in.

Does that sound like a system, something that is worth looking at and exploring? And to your point, that protects the due process of adjudication so that an allegation doesn't mean anything unless it's sustained, so if you have a robust investigation and an appeal process where members of the relevant professional community are on every single level of that investigation and appeal process. Does that sound like a system that could have some benefit?

CAPTAIN NEWPORT: Yeah, I mean it sounds like it definitely has some potential that that's something that could possibly work.

ATTORNEY JEFFERSON: Captain, now, thank you so much for offering your testimony and your time.

CAPTAIN NEWPORT: Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you very much. Chief Edwards, any questions for Captain Newport?

CHIEF EDWARDS: Yes, Deputy. Thank you. Good morning, Mark. How are you? Long time.

CAPTAIN NEWPORT: Hey, Eddie. How are you?

CHIEF EDWARDS: Good. Listen, as one of two black men who actually have the experience of having leadership in New Hampshire's Law Enforcement community, I'm curious to get your thoughts on a couple of things. First, what impact do you think the demonization of Police Officers has had on specifically the recruitment of black people into law enforcement?

CAPTAIN NEWPORT: Obviously, it's having impact. But I mean, I'm not going to say it's just black people that are affected by it. It's going to be anybody that wants to come into this field. I guess, speaking on my behalf, for me, there's a lot of Police Officers who are getting out now just because of the current climate, everything that's going on. But, I signed up for this job to make a difference and try to help people. And for people that have that mentality, I think they're still going to come to the profession. Getting them here to New Hampshire, being a minority, they may want to be in a more diverse culture.

CHIEF EDWARDS: Well, let me ask you a question. Okay. Well, let me ask you a question this way. The reason I'm asking that is because some other discussion the Commission has heard is about specifically recruitment and retention of black Law Enforcement Officers or people of color. And I think I'm just curious to get your opinion specifically about those issues, because when you demonize Law Enforcement, does that impact recruitment?

So, for instance, I know, from my background, many people would say that you've sold out by becoming a Police Officer. Do you think that has an impact on trying to recruit people of color, particularly from the south to the north, to become Police Officers?

CAPTAIN NEWPORT: I think it can. And Eddie, obviously, I know you know that. And I know that. But I think basically what that comes down to is the individual. And if that's a decision that weighs-in your decision to whether or not you want to becoming a Police Officer, then my personal opinion is that maybe they might not be the right fit to become a Police Officer and be able to entail the job and everything that we have to deal with.

I mean, you know, as being a minority in this job, just being a minority in general population, you stick out. So everybody here -- I can't go anywhere in Portsmouth and people don't know who I am, whether I'm on-duty or off-duty. They know who I am.

And you have to have thick skin. And you need to be able to feel comfortable in that environment. And not everybody has that.

CHIEF EDWARDS: I would agree. Last couple questions here has to do with community relations. The community is a pretty broad term, "community relations". So, what is your view of the impact of

community relations from the businessowner, for instance? The businessowner community relations may have a different interest than someone who is suffering from substance use disorder, or someone who is in a minority community, versus someone who is in a white community. What is the community relationship that Portsmouth employs to try to bring the community together around those circumstances?

CAPTAIN NEWPORT: So we have an excellent relationship with our businesses, because we go in our businesses. We identify ourselves. We get to know our businessowners and ask what they can do for them. We have a Business Association that we've had with their Downtown Business Association that we collaboratively have met with. It hasn't been up-and-running lately, because there just hasn't been issues. Where we engage with them, they engage with us. They tell them the problems we need.

Really in Portsmouth, our businesses just want to be able to prosper. And dealing with probably the number 1 complaint that we have, our issue that we get calls for, for businesses, is just dealing with vagrants or people with mental health outside their establishments, or inside their establishments, and working with them to remove people or keep those people outside the business, so their customers feel comfortable in coming in.

CHIEF EDWARDS: All right. Well, is there a different response, though? And what I mean by that, the needs -- and you recognized this -- the needs for the community relationship for businessowners who is concerned about property damage, for instance, would be very different from the needs of someone who you're trying to build a community relationship with, because they may not have the same appreciation for the Police Department, and trying to balance those two interests. What impact does that have on the Police Department?

CAPTAIN NEWPORT: Well, I mean, obviously that's an issue we've had to deal with. And recently with all the protests that have been going on, we were getting numerous calls from businessowners concerned about their property, whether or not they needed to hire Security to protect their businesses, because they're watching TV and they're seeing what's going on nationally and all the destruction.

Fortunately, here, in Portsmouth, we had nothing but peaceful protests. We reassured our businessowners that we were going to be out in full effect. We were going to try to be the eyes and ears everywhere in our Downtown area, and even the businesses that were outside of the scope of the protests. We put more additional -- we were very visible during those events. And we were fortunate that we had peaceful protests and we didn't have any issues.

CHIEF EDWARDS: Okay. And lastly, Mark, I just want to make a comment. You and I have known each for quite a while now and it's always been a pleasure to serve with you. And hopefully I could see you soon. Also, you're absolutely right about Jones. She's one of the best in the State. So, thank you, again, for your testimony today.

CAPTAIN NEWPORT: All right, thanks, Eddie.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you very much, Chief. Commissioner Tshiela, any questions or comments for Captain Newport?

MS. TSHIELA: Yes. Thank you for your testimony. So, my first question is: who made up the Commission on the body camera study, the general makeup, if you're aware, and, if not, where we can find that information?

CAPTAIN NEWPORT: I mean, you could definitely find the information. But I would tell you that the makeup was the Chief, our three Police Commissioners at the time. There was two ranking Supervisors. There was two Patrol Police Officers. And just off the top of my head, there was probably about six or seven citizens of Portsmouth.

MS. TSHIELA: Okay.

CAPTAIN NEWPORT: Some businessowners, some residents, Teachers, it was a pretty good makeup.

MS. TSHIELA: Okay. Sorry, I was going somewhere with this. So, my second point is that earlier you talked about the us versus them mentality. I think you said that you didn't see that in the Portsmouth Police Department. Is that what you were saying, just...

CAPTAIN NEWPORT: What was the beginning of your question?

MS. TSHIELA: You talked about the us versus them mentality.

CAPTAIN NEWPORT: I heard mentality. I didn't hear what you said before that.

MS. TSHIELA: Okay. Yeah. You talked about the us versus them mentality. And so, first off, I just wanted to bring up that there's two kinds of us versus them mentality. There's the us versus them where you recognize the disparity and encourage change against it. And then, there's the us versus them where you just kind of say it's us versus them. The name speaks for itself.

So I assume you were talking about the second kind of us versus them. But, with that being said, were you saying that you don't see that in the Portsmouth Police Department, just clarifying question?

CAPTAIN NEWPORT: Yeah, that is not the mentality of Portsmouth Police Department and us versus them. No, we're all in this together. We need our community as much as our community needs us. Our community has been outstanding in support of us. Only reason why crime is so low in Portsmouth is because we have a very attentive community. They feel comfortable in calling us. We respond. We service their needs. And we have a great working relationship. And you need that to be a successful one, to have a successful city policing and safety. We all have to be in it together.

MS. TSHIELA: Okay. Would you agree or disagree that that could be because Portsmouth is made up of primarily white people and it doesn't have the same racial makeup as do Nashua, Concord, and Manchester? So maybe it exists but you don't see it because of that reason.

CAPTAIN NEWPORT: I don't think race is a factor in that. I mean, there's minorities in our community. I mean, there's not many of them. There's not a lot of them. But I think we have the same relationship with them as we do whether they're white, Asian, any race. I just think there's a general overall trust from citizens of Portsmouth with our Portsmouth Police Department. And they're relationships that we've built.

And like I said, the most important factor of that is we deal daily with our citizens on a good basis. We're very visible in our City, in our Downtown. You won't drive through Portsmouth and not see a Police Officer at some point, in some time.

So, like I said, when we have citizens, and a general question we will ask you is, when people come in and they want to learn about the Police Department, we ask them, how many Police Officers do you think are on the street on a regular basis? And the numbers that we get are, like I said, 15, 20, 30 Officers. We have 35 Patrolmen for 3 shifts. So for the majority of the day, there's maybe on average five Officers to cover the whole entire City. But people think there's a lot more, and that's because our Officers interact with the public. They're visible. And we're good at doing what we do.

MS. TSHIELA: Okay. That's not the point of this. But I would disagree simply because of what I know about the us versus them mentality. And it's super just complicated. And race is a big part of whether that does or does not exist.

But my last -- sorry, actually, before that, Mr. McKim mentioned earlier about a list of the programs and things like that that have worked for the community. I think that would be very beneficial if we could have that, just so that we could recommend things based on that, and possibly implement them in our communities.

My last thing is a comment. So there was a discussion earlier about defunding the Police and that's a conversation that has been driven by the Black Lives Matter movement. And obviously I'm a Representative of the Black Lives Matter movement here in New Hampshire.

It is not lost on us and we recognize the fact that defunding the Police and reallocation is different in each community and in each Police Department, and that depends on the separate localities. And therefore, that is not something that I even brought forward and even discussed on this Commission, because I recognize that that's not a State thing. That's something that has to be discussed on the local levels. So I'm not sure why that conversation is even being had in the manner that it is. Yeah, that's my last comment. Thank you for your testimony, again, and thank you for your answers.

CAPTAIN NEWPORT: Okay, no problem. And I can definitely provide the list to whoever I need to give it to, to get it to you guys.

DEPUTY ATTORNEY GENERAL YOUNG: So, Mark, if you want to just provide the list to Kim Schmidt, we can get it out to the Commissioners.

CAPTAIN NEWPORT: Okay.

DEPUTY ATTORNEY GENERAL YOUNG: Okay. Thank you, Commissioner Tshiela. Judge Gardner, I see that you are back with us. Do you have any questions or comments for Captain Newport?

JUDGE GARDNER: Well, yes, I just want to thank him for agreeing to come on and testify in front of the Commission. I thought that it would be beneficial for everybody to hear from Captain Newport, who's such a great addition to the local Police Department.

Since I have been not in on the conversation, I don't feel comfortable asking a question, because it's probably already been asked. I trust that the Commissioners have all asked the questions that need to have been asked regarding the whole impact of community relations. And I understand I caught some of the parts where Captain had indicated that the Portsmouth Police Department has a good relationship with the community. I do see that it looks like Director McKim has his hand raised. So I'll be happy to yield my time to him. Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you, Judge Gardner. President McKim, question/follow-up?

MR. MCKIM: Thank you. I did have a follow-up, just thinking about Ms. Tshiela's question. I'm curious, as we, of course, need to make some recommendations around improving relationships between Law Enforcement and the community.

For those places where there are people who do not trust Law Enforcement, I'm wondering what you might suggest we recommend to help either prove that there is trust or improve that trust. And I'm specifically thinking about, is there any data, any way that we can gather data? And maybe there's some data that Portsmouth has gathered that proves that the community trusts the Police Department? I'm just curious to your thoughts about how we might go about making recommendations, and whether you have any data that can be used in this regard.

CAPTAIN NEWPORT: Well, I mean, as far as the data, I know we've done as part of the CALEA Accreditation, we had to do a survey in our community and how you feel about the Police Department. So I know we did a survey and that data would be available.

But as far as people who don't feel comfortable, my recommendation to you would be walk into your local Police Department and meet your Police Officers. I can tell you my sister just called me the other day because my niece is seeing all this stuff on TV and thinks Police Officers are bad. And I'm like, what about Uncle Mark? She's like, well, but I'm the exception because she knows me.

But I told my sister is, well, you need to explain to her what's going on. She's like, I have. But, I mean, obviously we're talking about a 5- or 6-year-old, although she's 5 going on 20. But it's as simple as meet your Police Officers. Part of fear is approaching it. And that's maybe easier said than done, and I'm not saying we're just as approachable as anybody else.

Obviously if we're working, like we're dealing with situations, that's not the time to do it. But if you see a Police Officer pulled over on the side of the street, or walking down the street, just approach them and talk to them about what your concerns are. And Police Officers are the same way.

I mean, one thing about Portsmouth is we're very visible in our Downtown and we're very approachable. People come up to us all the time. And some people just fear that or think that we don't want to be bothered. And sometimes maybe we don't want to be bothered. But even our Police Officers, when they don't want to be bothered, they're not going to be disrespectful. They're going to listen to you.

MR. MCKIM: Great, thank you. And I think that's good advice for individuals. This Commission is tasked with making recommendations to the Governor as to what he might do. So I'm curious to your thoughts from that perspective. What should we recommend to the Governor that he do around ensuring that Law Enforcement is trusted and trustworthy?

CAPTAIN NEWPORT: Well, I mean, I guess recommendations to the Police Officers -- one thing that is very valuable and Lieutenant Morrison asked me this earlier is put the funding available so that every Police Department has a Community Policing Officer, has some way of having some type of community development service where there's some outreach on the Police Department's behalf where they're trying to engage their community.

Like I said, with restricted budgets, we're still not at our full staff from before the Recession, back in the early-2000s. We still haven't got up to our full compliment of numbers. So most Police Departments are still trying to get back to where we once were. And now we're talking about going backwards again. So it's very difficult to do the essential services, never mind get to the luxuries of the community outreach and programming and all the positive relationships, even though that's probably the most important thing that we can do to build trust in our communities.

MR. MCKIM: Thank you. And thank you for your service.

CAPTAIN NEWPORT: Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. Mark, as always, it was a pleasure hearing your voice. And thank you. Have a good day.

CAPTAIN NEWPORT: All right, Jane, thanks.

DEPUTY ATTORNEY GENERAL YOUNG: Okay.

CAPTAIN NEWPORT: I didn't think I could talk this long. You guys got more words out of me than most people get out of me in a month.

DEPUTY ATTORNEY GENERAL YOUNG: Thanks, Mark.

CAPTAIN NEWPORT: I appreciate your time and I feel very fortunate to have this opportunity to speak with you. And good luck.

DEPUTY ATTORNEY GENERAL YOUNG: So, next up we have Stephany Shaheen. Stephany, are you on the line? Fallon, is she on the line?

COMMISSIONER SHAHEEN: Yes, I'm here now. Can you hear me?

DEPUTY ATTORNEY GENERAL YOUNG: I can. Thank you. So, Ms. Shaheen, my understanding is you're going to provide your testimony and then you will supply written testimony after that. Is that correct?

COMMISSIONER SHAHEEN: Yes, it is. Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: Okay. So just so you have an understanding, I don't know if you've been watching the Commission meeting, but the speakers have three minutes in which to make their presentations. And then, each Commissioner gets an opportunity to ask you questions. And your answers are not time-limited. So, with that, I yield the floor to you and say, good morning.

COMMISSIONER SHAHEEN: Good morning. Good morning, everybody. Thank you so much for making the time to hear more about what work we're doing in Portsmouth. And thanks to Judge Gardner for encouraging us to participate in this process.

I've been on the Portsmouth Police Commission now a little less than a year. And for those of you who don't know, New Hampshire has a couple communities that have citizen-elected Commissions. Portsmouth is one of them. So I was elected by our community to serve a four-year term on the Police Commission.

And we've been doing lots of work in the last few months in light of all of the evidence that has come to light about the need to address systemic racism. I just want to say, at the outset, that the recommendations and suggestions I have to share with you, I don't believe, are the end-all, be-all. I think this is just the tipping point. This is just the beginning of an ongoing body of work that needs to be done.

Obviously, there are lots of ways in which we need to be tackling systemic racism in our State and in our communities. And the recommendations we have worked on at the community level in Portsmouth are just the tip of the iceberg and the beginning.

You got hear from Captain Newport about his perspective. One of the recommendations you heard him bring forward, I would say, is contributing to our success in Portsmouth. And that is this notion of having community policing front-and-center in the way in which our Department interacts. Again, I don't think this is the end-all, be-all. But it is a way of getting folks out into the community and connecting with people real-time, not just when things are going bad -- or badly, but connecting people on the streets, in neighborhoods, so that there is a sense that the community and the Police Department is an ally of the community.

So, I have four general suggestions and thoughts about recommendations and how they fit, as you think about what the Governor needs to hear, as a result of this work. And I'll go into more specificity. But the first is the importance of citizen oversight. I think you'll find in communities like Portsmouth, where we have a civilian body that's elected to provide oversight for the Department, to create connection between the City Council and the citizens, and the Department, there's less room for things to go unanswered, for things to go uninvestigated, and for issues not to surface.

So I would say, whether it's a Charter change in communities that actually require a Commission like in Portsmouth, every community could adopt a Civilian Oversight Task Force. And I think more eyes, more engagement on the part of citizens in working with Departments, the better. It's just going to foster more communication. It's going provide greater oversight. It's going to ensure that issues are surfaced

sooner. And so, I would highly recommend, as you think about what recommendations you bring forward, that the role and the importance of citizen oversight is critical.

Second, as I mentioned, the importance of community policing as an approach, I think, is also a really important dimension. And it's one that gets us away from the militarization of our Departments and focuses more on the importance of community connection.

I'm sure you've thought about and have already talked about the importance of Policy review. I know Captain Newport likely talked at-length about our CALEA Accreditation process. But through that process, we were forced to evaluate every Policy within the Department. In light of George Floyd's murder, we went back and looked very carefully at the NAACP's 8 Can't Wait recommendations and have implemented those. So obviously things like banning chokeholds are critically important. I think the NAACP's recommendation is something that you could confidently bring forward as an important thing for Departments across the State to do.

And I think CALEA Accreditation, I don't know if Captain Newport shared, but, as far as I know, only 14 Departments across New Hampshire are accredited. And forcing that process of Policy review and examination through the accreditation process I think is very helpful.

Finally, to me, one of the most critical responsibilities of our Commission and I think of Police Departments and Policymakers, and Municipal Leaders across the State is reevaluating, reimagining what Response Teams look like. So you've probably heard or may have followed some of the great work in Manchester with the ACERT, which is the Adverse Childhood Experiences Response Team. So in the event a young child, or a child of any age, experiences some traumatic event where the Police are called, there's a Response Team that either accompanies or follows up with the family to ensure that the child gets the support and services they need as a result of that experience.

That model, I think, could lend itself very well in a whole host of situations. We had a case very recently that you may have heard about in Portsmouth where a man was having a mental-health episode and went on a crime spree across several communities. And as a result of that, he was let out on bail three times within a 24-hour period and ultimately tried to bomb our middle school. He was not in his right state of mind. He wasn't taking the medications he needed. If we had had a Response Team with mental-health expertise, we might have been able to get him the support he needed before those additional crimes were committed.

So I think this model -- and as we talk about funding priorities, the model of how to imagine and reexamine Response Teams is very important. We can't rely on Police Officers to have all the expertise that's needed to address the complexities that they're facing in our communities. And I think identifying ways to both diversify the people who are responding in the event of certain episodes and crimes, or other crisis, as well as just the background of knowledge, is critical.

We need people who have mental-health expertise. We need people who know how to deal with traumatic events. And having those people on these Teams, I think, could be critically important. It will be critically important moving forward.

So just to summarize, and I'd be happy to take any and all questions, what we have been evaluating as part of our community forum process in the last few months is ways in which we can proactively respond. I think there's more things we can do, as a Commission, to broaden the importance of the civilian oversight role. I think every community would benefit from having a Citizen Advisory Task Force or some kind of civilian oversight body.

I think Policy review is critical right now. And I would lead with NAACP's 8 Can't Wait as a starting point. Having community policing as a priority front-and-center is critical and I think helps us get away from this notion of militarization of our Departments.

And then, finally, and this is, I think, a longer-term vision of how we allocate our funding priorities for our Departments, but I think diversifying the Team that responds to certain crises, whether it's a domestic violence event, whether it's an overdose, whether it's a mental-health issue, we need more expertise within our Response Teams to address the needs that our Departments are confronting. So, with that, I'd be happy to open it up to questions.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you very much. Commissioner Tshiela, questions or comments for Ms. Shaheen?

MS. TSHIELA: I'm going to yield my time. Thank you for your testimony.

COMMISSIONER SHAHEEN: Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. Chief Edwards, questions, comments?

CHIEF EDWARDS: Yes, I do, Deputy. Thank you. Good morning, Stefany. Thank you for your testimony this morning. I just have a couple questions for you. The first is: do you believe there's an implicit bias against Police Officers?

COMMISSIONER SHAHEEN: I don't know how to answer that question. I think it really depends on the person you're talking to. Do I think people in our community are approaching our Police Officers with bias? I mean, I think it probably depends on the person and their lived experience.

CHIEF EDWARDS: Do you believe there's an implicit bias against people of color?

COMMISSIONER SHAHEEN: Again, I think it depends on who you're talking to. Certainly, there are biases that make it very difficult for people of color to feel safe in their communities. And that's unacceptable. And we have to get to the root of why that exists and how to best tackle it.

CHIEF EDWARDS: Okay. As a Police Commissioner, I am curious to your answer regarding a question I asked Captain Newport. And that is: do you think the demonization of Police Officers has an impact on recruitment, and specifically black Police Officers, because one of the recommendations that you pointed out by the National NAACP was to recruit and hire, train, and retention of black Police Officers? So I am curious to know what the impact you feel, as Police Commissioner, that has on recruitment, when Police Officers are demonized as racists?

COMMISSIONER SHAHEEN: Well, I think ultimately there are many factors that are contributing to a lack of diversity among people entering Police Academies. And we have, as a goal, the need to further diversify our own Department. And that speaks not just on the basis of color but on the basis of gender, on the basis of background and lived experience.

So, certainly I don't think the current state we're living in makes it more likely that people of color are going to want to enter the Police Academy. This moment isn't helping us further diversify our ranks within the Department. I think we need to tackle this head-on, because ultimately we know that we can be better at community policing if our Department better reflects the diversity in our community. So, anything we can do to break down these barriers to get people willing to enter the Academy and to have the Academy be providing the kind of training and expertise needed to reflect what folks are currently facing today is going to be critical.

CHIEF EDWARDS: Yes, well, let me clarify my question, because the specific question I'm asking: do you think when there is widespread attack against Police Officers as being racist, does that help with recruitment?

COMMISSIONER SHAHEEN: Well, I would question the characterization that there are widespread attacks of Police Officers as racist. I think we have very real evidence that there is bias in the way certain communities and certain Officers are practicing policing. And that is not helpful.

Is it helpful to have Police Officers in any way, shape, or form demonized as racist? Of course not. So, in order to get a more diversified group of Officers representing our communities, we have to do everything we can to break down the barriers that prevent people from wanting to enter the Police Force. And to the degree that it feels like they're being unfairly characterized as racist, that certainly doesn't help.

CHIEF EDWARDS: Right, okay. And you started your testimony this morning. I think you made a statement to address systematic racism. Do you believe there's systematic racism in Law Enforcement community in New Hampshire?

COMMISSIONER SHAHEEN: I believe that the United States of America at this moment is confronting systemic racism everywhere in a way we haven't faced or been willing to face before. And certainly that spills into policing. It spills into education. It spills into healthcare. We're seeing it on the frontlines of the people most adversely affected by COVID-19. If you can't have adequate access to healthcare, you're facing more severe consequences from the pandemic than someone who has better healthcare.

So, yeah, I think this is a call to action. This is a moment in our country where we have to be willing to look inward at ourselves, at our own privilege. And that certainly is the case here in Portsmouth. And I think it's the case everywhere in this country.

CHIEF EDWARDS: Okay. I really want to kind of focus here in New Hampshire. So we're making recommendations based upon things that we could do here in the State of New Hampshire. So I just want to make sure I understand when you say that there is systemic racism, are you referring to -- and we're talking about policing. So, are you referring to systemic racism here in New Hampshire policing?

COMMISSIONER SHAHEEN: I think there is systemic racism in our country that has to be addressed. I think there is bias that impacts policing. Do I think that every Police Officers in New Hampshire is racist? Of course not. And you're not going to get me to say that we have a problem of systemic racism specifically in our Department or specifically with Police Officers.

But we do have issues related to bias that impact the way we police in New Hampshire and in this country. And they have to be addressed.

CHIEF EDWARDS: Thank you very much, Stefany. I appreciate your testimony and your time this morning.

COMMISSIONER SHAHEEN: Thank you for serving on the Task Force and for this work.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you, Chief. Attorney Jefferson, any questions or comments?

ATTORNEY JEFFERSON: Yes. Good morning, Ms. Shaheen. How are you doing?

COMMISSIONER SHAHEEN: Good morning.

ATTORNEY JEFFERSON: So I want to kind of pick up where Chief Edwards left off, because I think it is important on this Commission that we sort of take this higher view of where Police reforms fits into our overall system. So, would you agree with this that there is -- so racism is a very charged word.

So do you think there is systemic inequalities that have been in this country and in this State for a very long time? And keeping it specific to New Hampshire, here is an example. If I have a child that's born and raised in the inner city neighborhood of Manchester, New Hampshire, which certain segments are as small as like a 20-block radius. Then I have another child born in the neighboring town of Bedford, New Hampshire, that everything about those communities are built to yield different outcomes: education outcomes, addiction outcomes, employment outcomes, property taxes to fuel the level of services that are available; that those systemic inequalities produce a trajectory for a child that they're not going to be able to succeed and they're going to be highly at-risk of having drug addiction, crime, poverty, single-parent household, and that vicious cycle returning.

And that part of how we deal with that is in how we police those communities. Are we over-policing them? Are we not addressing the underlying society ills? And by exploring those issues, not saying that Police Officers are racist, and certainly not that all Police Officers are racist, but that there are systemic inequalities that cause us to use the Police in certain neighborhoods to address problems in different ways, is that something that we should be considering it in that context?

And we don't have to call it racism. And we don't have to say people are racist, but that there are systemic inequalities that have led us to use Police in place of Social Workers, Counselors, School Psychologists, and instead we're policing our way out of the ills of certain communities. And if I could have you respond to that?

COMMISSIONER SHAHEEN: Sure, and I think ultimately the challenge that our Officers are facing, certainly I've seen it firsthand in Portsmouth, and I'm sure Chief Edwards could attest to this, often you're responding in situations where adequate supports for the particular challenge you're trying to confront are not there.

So for example, in Manchester, with Adverse Childhood Experiences Response Team, you have a situation where the Department was seeing that they were often responding to the same households

maybe every so many weeks. And yet, the children that were experiencing the trauma weren't getting the added support they needed in the school.

So, I think this is one of those examples and recommendations that I really do think gets to the heart of how do we structure our Departments? How do we structure the Response Teams and the services that are provided to families and individuals who are in crisis?

And I think, to your point, if you have a Response Team that recognizes that a child that has experienced traumatic events over and over, and over again is more likely to not succeed in school and therefore not likely to advance in their own educational path, and then therefore more likely to get into trouble, themselves, it becomes a cycle. If you can support those children who've experienced trauma and provide reinforcement for them, then the outcomes are better. So, I mean, to your point, I do think there are ways in which we can ensure that our Police Departments are better able to respond to the challenges the individual communities and community members are facing.

ATTORNEY JEFFERSON: And do you think one of the things we should be looking at, as far as improving community relations, is to empower our Police Agencies and Police Officers to collaborate with other community stakeholders, and then make sure those community stakeholders are resourced, so that, when they're responding to a call that there are many options short of arrest, that we can be referring somebody to an Addiction Agency, or having a Mental Health Professional responding to the call. So, not so much defunding the Police but much more putting more tools in the toolbox besides Police Officers only and arrest only.

COMMISSIONER SHAHEEN: Absolutely, and I think the example I gave of the recent crime spree by one individual that resulted in the bombing of our middle school with over \$150,000 in damage to the building, that's a perfect example. If we had had the mental-health expertise on the Team at the time to be able to provide help to that individual, instead of being released on bail after he committed two minor crimes earlier in the evening, he would have been getting evaluation and medical intervention. And he wouldn't have been able to commit that crime, which could have been devastating. It could have cost lives.

So I think that's an example where, with the kind of expertise and reinforcement within our Department to provide evaluation, oversight, and get that person the help he clearly needed, we could have prevented a lot of property damage. And luckily we didn't lose life. But that's a perfect example of where that kind of expertise could have been critical.

ATTORNEY JEFFERSON: Thank you. And thank you so much for your testimony, Commissioner.

COMMISSIONER SHAHEEN: Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you, Attorney Jefferson. Commissioner Lascaze, do you have any questions or comments?

MR. LASCAZE: Yes, I do. Thank you. Thank you, Ms. Shaheen, for your testimony today. I had a question about the Civilian Oversight Task Force that you were talking about. And what I was wondering is, when you suggest that more towns adapt Civilian Oversight Task Force, what authority or specific powers would you recommend that these bodies be given?

And what I would like to know is, do you think that these Civilian Oversight Task Force, that their purpose be exclusively to raise concerns, or voice complaints? Or should they be able to take actions that holds Officers accountable, such as demanding documents to be made public or things of that nature?

COMMISSIONER SHAHEEN: Sure, thank you so much. I love that question. And I think this gets at the heart of where I hope your Task Force will do some more work, because I think communities could really use guidance here.

So, in the case of Portsmouth and Manchester, our Commissions exist because our City Charters say that we have to have Fire and Police Commissions. There's State Legislation that enables this. And the Charter really governs what we can do.

So we provide oversight of the budget and all of the senior hiring and promotional efforts within the Department. So, contract with the Chief and who gets promoted from Sergeant, etc. to Lieutenant and onward.

I do think there have been legitimate questions raised about whether elected Commissions that are responsible for advocating for Police budgets and hiring have enough distance and space, basically, from the day-to-day operation of the Department to provide the kind of oversight and guidance in the event of internal investigations or other complaints that are brought forward.

And I think that's a legitimate question to wrestle with. What's the best structure? Should it be that there is -- I've seen firsthand the value of having the Commission be in a place where we can advocate for funding priorities, for example, with the City Council. But should there be an additional Civilian Oversight Body that's responsible solely for ethics complaints or independent investigations, or internal investigations?

If you look at the example of George Floyd's murder, the man who committed that murder had had 18 complaints brought against him. In our model, one complaint would have been investigated and light would have been shone on that specific complaint in a way that provided public transparency and oversight.

And so, how do you best surface those complaints, bring internal investigations, when appropriate, to light? Make sure the internal investigation's happening with the right set of parameters and guidance. So, I think this gets at the heart of what do we really want out of civilian oversight? And what's the best structure for it?

I could envision, in every community, a Task Force that's responsible for any complaints of any ethics violations, any independent investigations that are triggered, any complaints of bias policing. The ability for citizens to feel comfortable to come forward, we did a community forum in July. And we heard from several members of the community. They didn't feel safe approaching the Police Department with specific complaints about an individual Officer, because they feared retaliation.

So, in that time since, we've had individual community members reach out to the Commission. I think that's a critical function for a civilian oversight body to be able to be eyes and ears, create some distance from the day-to-day work in the Department, and give citizens the sense that they actually have someone they can talk to or raise concerns with, and don't fear the same kind of retaliation that may be feared now.

But I do think this is a critically important question. I'm very glad you raised it. And I hope the Task Force will spend time really teasing out what does this look like? What does civilian oversight look like? What's the best structure for it?

We have this Commission in Portsmouth. And so, by design, that's part of what we're tasked with doing. I do think there are legitimate questions raised about can this Commission, which is also responsible for hiring and firing, and the promotion of Officers, and the budget, create enough distance and autonomy for other types of complaints? And that remains to be seen. We're still digging in on this issue. But I think it's critical and I'm glad you raised the question.

MR. LASCAZE: Thank you. And I do want to echo something that you said about individuals being in fear of bringing legitimate complaints forward due to retribution, and specifically because of bad interactions that they may have had with specific Law Enforcement in the past. And that can mold and shape future interactions in what they feel is a need to reach out.

One last question that I do have for you is about transparency that you spoke about and communities having this fear. Do you believe that having body cameras would be a way to establish more transparency and faith with the community, but also that this would be a way to help Law Enforcement not only hold themselves accountable but to also vet these complaints that are coming? And it could be used both ways: to vet complaints that are coming in from people from the community, as well as vice-versa.

COMMISSIONER SHAHEEN: I appreciate that question, as well. So, I came onto the Commission right as a Citizen Committee had been appointed to start working on this issue of body cameras in Portsmouth. And so, I came in maybe six months into the work that had already started. And I'm happy to share everything we learned through that process, as part of the public record here for the Task Force.

I actually at the time voted not to support investment in body cameras because of our budget challenges we were facing. I think there's opportunity to -- I mean, if money were not a limitation, if costs were not a limitation, would I suggest we have dash cameras for cruisers and body cameras for Officers? I would not argue against that, because I think more information is helpful.

For our community at the time, we actually had an unfortunate reality of our software in our dispatch center was so outdated that we couldn't geolocate as calls were coming in. So the relative tradeoff of investing over \$1 million in body cameras, between data storage and equipment over five years, when we don't even have software in our dispatch center to geolocate as emergency calls were coming in, was a hard tradeoff to reconcile.

I think there are a couple things to consider about body cameras being the end-all, be-all, though. And it's worth noting here. Again, if cost constraints were not an option -- or not a limit, I would favor having more resources. I think there's no harm in having video in cruisers. There's no harm in having body cameras.

One thing to note, people say, well, everybody should wear a body camera and they should have them on all the time. Well, the reality is that's against the law. You can't enter someone's home, say, in the event of a domestic dispute with the camera running, because that person has the right to privacy in their home.

So there are situations where I think the notion of having this body camera and therefore getting all the information people would like to have, in the event of very charged circumstances, it would be nice if that were the case. But I think the reality is that it isn't always the case, because you can't keep the camera on 24/7, A; and the camera doesn't give you the peripheral vision of what's happening in the given circumstance.

That said, certainly the fact that we had video image of what was happening to George Floyd has sparked this critically important debate and hopefully critically important work. So I would never actively advocate against body cameras. I just think the adoption of them as the panacea and therefore giving us all this visibility into what is actually happening in a particular incident is probably not the case.

It's also worth noting, we talked to Manchester, who was piloting bodycams at the time, and two other communities. One was a small rural community that had had them actually and were one of the first. And their position was the Officers felt much more secure having them, because they were often patrolling solo. And then, I think the pilot in Manchester was just underway and there was promising results there, in terms of how the community's responding to them and how the Officers were feeling about using them.

But, all that said, even though we don't have every community using them, we weren't able to find one incident of a legal case where the camera footage ultimately contributed to the Ruling that was rendered in the case. So, just keep that in mind.

Again, I think if resources were not a constraint, the more opportunity, the better. But the reality and in Portsmouth at the time, we were trying to make this decision, which was nine months ago. We didn't have the money at that point to make this million-dollar investment. And as it is, we just went through budget cuts in this last budget cycle back in March. And I think for the foreseeable future, that's going to be harder to make happen, community-by-community, than it will be easier, just because of the budget realities.

MR. LASCAZE: All right, thank you. I really appreciate that. And I will yield the rest of my time.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you, Joseph. Director Norton, questions or comments?

DIRECTOR NORTON: Yes. Thanks so much for your testimony. In your opinion, do you think expanding Mental-Health Mobile Crisis Response Teams and other mental-health community supports would result in less need for Police intervention and more positive outcomes for the individual involved?

COMMISSIONER SHAHEEN: Absolutely.

DIRECTOR NORTON: Thanks. And do you think that Select Boards, as the locally-elected governing bodies in most New Hampshire communities, have the independence and the expertise to provide community oversight for Police Departments? Or should it be an independent entity?

COMMISSIONER SHAHEEN: I really think an independent entity is important, not because I doubt whether individual Select Boards have the capability or the capacity, but just because of the nature of all the different issues you're confronted with as a Select Board. To have the attention and focus, and be identifiable in the community as someone that people can come to, I think it's asking Select Boards to do too much, if you will, to also provide that kind of oversight and autonomy, because Select Boards are also having to decide on budgets, perhaps decide on other things that affect the interactions with the Department.

DIRECTOR NORTON: Great; and you had mentioned that budget piece, which certainly could be a conflict at some point. Yeah. Can you explain what, if any, specific training which you received in your role as Police Commissioner? And do you feel that if there are independent Commissions, what type of training should people receive?

COMMISSIONER SHAHEEN: I really appreciate that question, because my trajectory on the Commission was a little different. I was appointed to serve out a term for Reverend Arthur Hilson who passed away and had to step off the Commission when he became ill. And then, I was elected by the citizens for a full four-year term six months after that.

So, I came in at a kind of odd time. And I was really on my own to navigate and go through the process of learning what I needed to learn. So I asked the Chief at the time for recommendations for what he thought I needed to see and understand. I did several ride-alongs. I met with a Sergeant or Lieutenant in every Department at the Police Department. I spent time in the dispatch center.

And I can tell you. The challenge had been, of course, how do you get at things that are confronting the Department that aren't happening within the Department, right? So, for example, before I came onto the Commission, we had done a review of all the complaints related to unnecessary use of force and a racial profiling, or biased policing.

Now, in Portsmouth, we actually only had one complaint of each in 2018. But does that really mean there was only one incident? Or is that just that there was one person willing to come forward? And how do you get at that? And how do you get at the correspondence and outreach that Commissioner before me might have received to better understand where some of these issues lie?

So my personal experience was that I spent many, many hours in the first three months after I was appointed. I did ride-alongs. I spent time in dispatch. I spent time with Officers to better understand what they were confronting.

And then, I was sort of at a loss for how do I now better understand how the community has interacted? In Portsmouth, I had at least the benefit being on the City Council during the time of the Geraldine Webber, which, for those of you who don't know, is a very high-profile case where a Police Officer had manipulated a senior citizen out of part of her estate that she had signed over to him. And it was a very contentious and difficult set of circumstances for our community. So I had the benefit of having been on the Council and knew who had been active and advocating to address that issue in the community. And so, I looked to reach out to some of those folks, as well.

But training is going to be critical, obviously. And identifying ways to engage people, not just with what's happening in the Department and how the Department runs and functions, but also people's perceptions of what's happening outside the Department, and that's the harder thing to get at, frankly.

DIRECTOR NORTON: Thanks. That's helpful. And then, my last question, from your experience as a Commissioner, do you believe that all reports of Police misconduct should be reported to and/or tracked by Police Standards and Training, or only those after an internal investigation is completed and a determination made at the local level?

COMMISSIONER SHAHEEN: I mean, I think at this point all reports of misconduct need to be tracked and identified. And I think frankly for the people doing the internal investigations, often we're

putting Officers in unfair positions by asking them to do internal investigations over people that they're working with every day.

And I've seen firsthand. We have some of the best, I think, in Portsmouth. And I have confidence that they are doing their very best and using their best judgment. But in general, there have been situations where I feel like we're not really setting them up to succeed. It's an unfair position to put them in.

So, I think the whole realm of how you structure independent internal investigations is really tough. And differentiating internal from independent, and then tracking misconduct, is very important.

DIRECTOR NORTON: Okay. I said that was my last question. But, based on your answer, would you recommend or be supportive of a more regional approach to internal investigations, so that it's not necessarily within the Department that people are investigating each other?

COMMISSIONER SHAHEEN: Yeah, I mean, I guess I don't know if I would designate region versus -- I guess I want to tease out more independent from internal, in part because, for example, we have our S.W.A.T. Team, right? So our Response Team is regional. So would you want, if you've got an Officer who is on the S.W.A.T. Team, in the event of an emergency response, and that same person is involved in an internal -- or an independent investigation within your Department? I could see how that would create complications and challenge.

So, I think teasing out how best to get at how these investigations are independent, as opposed to internal versus regional, and I don't have any great answers on that yet. But this is an area where I think more attention needs to be paid, for sure.

And also just because I think it gives cover to the Officers who are involved, right? It provides some more distance and space from a situation where two weeks from now you could be with that same Officer responding to an event where your life could be at-risk. So, in terms of how you structure a healthy team, I've questioned whether the internal investigation is one that actually works effectively for what we want it to do.

DIRECTOR NORTON: All right. Thanks so much for your testimony and your answers.

COMMISSIONER SHAHEEN: Thanks.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you, Director Norton. Chief Dennis, questions or comments?

CHIEF DENNIS: Thank you, Deputy. And thank you, Ms. Shaheen, for your testimony this morning. Some of my questions have already been asked and followed up on a little bit, especially regarding the makeup of the Police Commission, they're elected, and their time of service, and that type of thing.

You'd mentioned the Special Response Teams. And I may just be unclear. Does that exist in Portsmouth right now, Special Response Teams that respond with the local Agency to mental-health calls or other types of calls?

COMMISSIONER SHAHEEN: It does not. It does not. When I joined the Commission, we began talking about the model of ACERT like in Manchester. And I think this work needs to be accelerated now, not just for adverse childhood experiences or traumatic experiences, but also for mental health. But we have not yet implemented this model in Portsmouth.

CHIEF DENNIS: Okay. But Manchester does have the model?

COMMISSIONER SHAHEEN: Yes, so Manchester has what they call ACERT, which stands for Adverse Childhood Experiences Response Team. And that was structured back, I think, five years ago now, really to address the reality of young children experiencing some kind of traumatic event, whether it's a drug overdose or a domestic violence situation, and then showing up in school the next day with folks at the school not having any context of what the young person had just experienced, and then not getting the supports and services they needed to deal with and cope with what they had lived through.

So, I think this is an interesting model not just for adverse childhood experiences and for young people who experience trauma, but for mental health and other situations where the Department and Police Officers would be aided by Mental-Health Experts, Child Trauma Experts, so that, like the example I gave with this individual who ended up bombing our middle school, where the Mental-Health Expert could intervene and get him the support he needed, as opposed to allowing him to get out on bail and then go and bomb our middle school, because people weren't able to step in and give him the kind of mental-health support he really needed.

CHIEF DENNIS: Thank you for that. I also know a little bit, just from some of the calls that Law Enforcement deals with mental-health issues, many times, even if we take them to a mental-health facility, they're out in less than 24 hours. So just because there's a Response Team that can help deal with that, I don't know that that would always prevent the scenario that you just described about the threat of the bombing at the middle school.

I mean, there's so much work that needs to be done beyond the scope of just how Law Enforcement's involved, just in the mental-health system, itself, of getting people that help that they need. But, again, if we take them, we put them in there because they're a danger to themselves or others, and they're released and back out on the street in less than 24 hours, that problem still may exist.

I certainly heard you speak about community policing and I applaud you for that being a number 1 priority. I think that's a great thing. We certainly realize with accreditation the value that that brings, certainly with the Policy reviews and things like that.

There's been a lot of talk about internal investigations and independent investigations, and things like that. Law Enforcement Agencies have the option -- and I've certainly used the option before -- to refer out to an internal investigation, if I felt it needed to be more independent or more objective, depending on the circumstances of that.

Certainly, if it's a performance-related issue, those are generally ones you're going to handle internally. But certainly an Officer-involved shooting, different things, New Hampshire's different, as the Attorney General's Office is always involved in those. It's not the same in all States. But certainly Law Enforcement has the option to refer that out to another Agency or something like that, if they want to do that. And I'll just refer the rest of my time to someone else. Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you, Chief. I would just note we have about a half an hour left in this session. Lieutenant Morrison?

LIEUTENANT MORRISON: All right, good morning, Ms. Shaheen. Thank you very much for being here today. I actually really appreciate your perspective on some of these issues. And I'd like to ask you. How would you characterize your Commission's relationship with both the community and the Police Department?

COMMISSIONER SHAHEEN: That's an interesting question and I'm not sure I'm the best person to answer it. I would say because our terms are staggered, it often depends on the makeup of the Commission. And I think there have been Commissions in the past that are perceived to be more sympathetic to the Department than less. It really does depend on the individuals.

I think right now, based on what we heard from the community through this forum that we just had on July 14th, people are rightly concerned and they want to know that the Commission's at work to address things like Policy reform. For example, there was lots of enthusiasm for banning chokeholds and making sure we did that, which we have done. And as our Chief pointed out, he's never been taught how to use a chokehold in any of the training he's ever gone through, because that's just never anything that was part of training. It was never something they would resort to, but obviously felt better just making it clear that we don't use chokeholds.

So, again, I think it really depends on the makeup of the Commission. And it depends on how the community's feeling at any given time. I can tell you, during the Geraldine Webber matter, there was lots of outcry within the community, both at the Commission and at the Department.

I think with Chief Mara's leadership and now Chief Merner, people have felt like there's more attention to community policing. There's more engagement and willingness to listen from the community to the Department.

And I think the same is true of our Commission. Our Chair, Joe Onosko, was the neighbor of Geraldine Webber. And that was what motivated him to run for the Commission when he did. And so, unfortunately I think the answer is it really varies and it depends on the circumstance based on what the community's confronting at the time, based on what's happening within the Department at the time, and based on who happens to serve on the Commission.

And that's where I think there's opportunity for greater definition for how civilian oversight can function, because you want a body that people consistently confidently feel is a safe route for them to reach out to, if they have concerns, and is reliably dealing with things like ethics complaints, or complaints of biased policing, or unnecessary use of force, some of these other issues.

LIEUTENANT MORRISON: Okay, thank you. My next question is sort of a more personal-perspective one in that I'm interested to see what your impression was of the Police Department or policing, in general, before you got on the Commission and what it is now.

COMMISSIONER SHAHEEN: Sure, thanks for that question. I really appreciate it. So my grandfather was a Sheriff in Stafford County. And I grew up. I mean, he used to pick me up from kindergarten. And I remember looking at his badge with awe and having him show me the badges that he

had earned from prior terms of service. I have great reverence for the men and women who put their lives on the line every day to protect our communities and keep them safe.

In my time since being on the Commission and frankly in response to what we've seen happen in our country in ways that I think have been more clear to some people than others before now, obviously, I'm concerned about structures we have in place that don't allow our men and women in uniform to do the job they want to do, and also give our certain members in our community a sense that they're not safe, when that's not how they should feel. And with good reason they feel like they're not safe.

So, I don't envy the challenge you all have. I think this is some of the most critically important work facing our country and facing our State at this moment. People have a right to feel safe in their homes and in their communities. And every Law Enforcement Officer I've ever interacted with, that's what motivates them to go into this line of work. This is often, and especially now, very difficult and thankless work.

And I think we want to do everything in our power to ensure that Law Enforcement has the ability to do their jobs effectively. And part of that includes having trust in the community. And I think our community policing model has enabled that to happen in Portsmouth in ways it might not be happening in other communities. I don't think that means we're perfect here in Portsmouth. I think we have work to do, obviously.

But, I admire the men and women who -- I still do. I did, before I agreed to do step forward and put my name into consideration for the Police Commission. And that's what motivated me, in part, to run for the Commission.

But I also saw firsthand, during my time on the City Council, what can happen when there aren't adequate structures in place to deal with things like internal complaints. I mean, we should never have a situation like we did with Geraldine Webber, where we had an Officer take advantage of her. And because he was wearing his uniform, he was in a better position to do that. And that actually adversely affected many of the great Officers in our Department who would never do something like that.

So, having the appropriate structures and oversight in place, I think, makes it better and easier for our men and women in uniform to do their jobs. And I think that includes things like the expertise of mental health.

I appreciated the Chief's point about we could have someone committed and then they're let out in 24 hours. In the case that I referenced, that individual was not taking his medication. His family didn't know he wasn't taking his medication. And had he been hospitalized, he might have been able to start taking medication again. Does that mean he won't turn around and commit another crime two days from now? No, we obviously can't guarantee that. But it could have prevented that bombing that ultimately could have cost lives.

So I think having the expertise and reinforcement where it's needed is critically important. And I hope this Task Force will recommend things like diversifying Response Teams so you have expertise like mental health. And we just hired an Officer who does have training in mental health. So you can find that within the Department, itself. But there could also be some extra reinforcement, I think, that would be useful.

LIEUTENANT MORRISON: Thank you for that. And in your time on the Police Commission, have you noticed the Department resisting being provided extra tools to deal with some of these problems? Or has it really been sort of received with open arms?

COMMISSIONER SHAHEEN: So you heard from Captain Newport earlier. And I can say with 100% certainty that, for example, the very first steps we took after the George Floyd murder were to do things like ban chokeholds. And we did a full Policy review. That was all initiated by the Chief and the Senior Team within the Department. So they've been onboard.

They've been active participants in the debate over body cameras. Again, I think in that case, it was more a matter of the relative expense at the time, not so much about whether they wanted to wear body cameras or not.

And so, I can say confidently that we've had a positive working relationship between the Commission and the Department. The Department has been receptive. They were actively coordinating with protest organizers to make sure things were happening without incident here in Portsmouth. I think you would hear from the protest organizers that they were easy to work with in those cases. So, I can say, in the last few months, it's been very proactive and product working relationship for sure.

LIEUTENANT MORRISON: Okay, thank you. That's been my experience, as well, in my personal setting towards the matter. And just a couple of quick things, and then I'll be done, so we can continue to progress here. Do you think it's safe to say that, as far as budgetary viewpoint on things, you get what you pay for?

COMMISSIONER SHAHEEN: For sure, yeah.

LIEUTENANT MORRISON: Okay. And part of that question goes back to something I asked Captain Newport and if he thought that the Community Resource Officer position is an integral position, and if something like that should be made available if there's a funding stream. Do you think most of the other Agencies in New Hampshire should take advantage of something like that, as part of their community relations strategy?

COMMISSIONER SHAHEEN: I do. And I would say often community relations, I think it sounds more corporate than in real life it actually is on the ground here. So, Rochelle Jones, who's the person who does that work for us -- the Officer who does that work for us in Portsmouth, she's one of the most visible members of the Department. She's out at everything. I mean, obviously in COVID world, events are not happening at the same frequency that they would normally. But still, she's been engaged in all kinds of community organizations. She shows up and she makes her voice and her position known. And she's a trusted ear to people in the community.

I would say also, though, that I think the concept of community policing has to extend far beyond an individual position. It's the way in which we work on the streets in the community every day. It's not just an individual person, but a commitment to engaging in the community in constructive ways.

I see the Chief at things all the time. He was mentoring some young athletes. He would show up at varsity basketball games all the time at the high school. I saw him at Former Executive Councilor and stalwart, Ruth Griffin's birthday party, her drive-by parade last month. So he's as visible as anyone else in the Department. And it has to extend beyond just one position. It has to be a commitment across the Department of what it means to actively engage in the community.

LIEUTENANT MORRISON: Great, thank you very much. And as far as your bomber that you had out in Portsmouth, I think part of the failure in that situation is the Bail Reform that went through preventing him from being held. And although holding people is never always a one size fits all solution, sometimes being able to detain people in a secure environment until they can reach those resources may be better for everybody, including that person, not to mention the community and, in this case, your school that sustained so much damage.

COMMISSIONER SHAHEEN: Absolutely.

LIEUTENANT MORRISON: Sorry, yeah. But I just wanted to say thank you very much for your testimony and your insight, and taking the time (inaudible). Appreciate it very much, thank you.

COMMISSIONER SHAHEEN: Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you, Lieutenant. We have about six more to cover and I know that, Joseph, you want me to loop back to you. So I just, again, want to be cognizant of time. Judge Gardner, do you have any questions or comments.

JUDGE GARDNER: Hi. I just wanted to say thank you, Stefany, for joining the conversation. I think you've covered a lot of ground in terms of your testimony. The only question I had was of the makeup of the Commission. I know that you are an elected Commission Member. And I know that there's some communities that have an appointed Police Commission. So, can you just briefly discuss some of the pros and cons of each? Thank you.

COMMISSIONER SHAHEEN: Sure. Well, obviously I think there's some real merit to having an elected body, because the citizens get to vet who joins that Commission in ways that you don't, if it's appointed. And obviously appointments can often come with political implications, whether we like that or not.

I do think the structure, for us, the Charter and the way the State Law enables our entity, we're a three-member Commission. We are elected on staggered terms, so we don't all cycle off at the same time. We self-appoint our Chair. And they're all four-year terms.

So I do think there's some real merit in having elected positions. But I think, in the near term, because that may require Charter changes within municipalities, there may be other structural things that are hard to enact civilian oversight bodies fast enough. You could imagine a structure where there is a Task Force that is appointed in the near term, as the group is working toward identifying the best structure for that individual community.

Just because I know in Portsmouth and Manchester, I think, are the two that have elected Commissions, almost every community used to, both for Fire and Police. And in most cases, when those Commissions were sunsetted, they had to actually be voted by the community to disband.

So, I assume it'll take some time if the thought is that the recommendation should be for an elected body. It will take some time to get those structures in place. And I would recommend civilian oversight of some kind sooner with maybe a move toward changing the structure of how that works in the future, because I could envision a day where we, in Portsmouth, say, in addition to our elected body as a Police

Commission, we think there should be a Civilian Oversight Task Force that looks at things like ethics complaints, and that there's some independent appointment process for how that works. So I think it really does depend on the scope of what the entity would need to be responsible for.

JUDGE GARDNER: Thank you very much.

COMMISSIONER SHAHEEN: Thank you.

JUDGE GARDNER: I have no other questions.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you, Your Honor. President McKim, questions or comments?

MR. MCKIM: Thank you, Deputy. And thank you so much, Commissioner Shaheen, for your testimony. It is very enlightening. Just a few questions, which are somewhat all over the map, but they do tie together. First question I have -- and I don't know if you know this, but what goals around diversity, equity, and inclusion does the Police Department have?

COMMISSIONER SHAHEEN: So we do have goals. I can share those with you electronically. Ultimately the broad and overarching goal is to have a more diverse Department. And I can tell you with certainty, because we've had several hires recently, that it's been very hard because the people -- I mean, first of all, just to understand, I don't want to get too far in the weeds because I know your time is short.

But the time from start-to-finish of hiring someone who isn't coming from policing in a different community, so a new person, is almost a year from the time they're identified and hired, and get through the Academy, and get through on-the-street training, and then are actually able to work independently. And it's a huge commitment. And it's been really hard to find new folks.

So a lot of the strategy is often trying to hire people way from other communities, which is also not optimal. Bottom line is there aren't enough new people entering the Academy today to yield the kind of diverse Department we would want. And in New Hampshire, frankly, there just aren't as many diverse folks, that are people of color, more women, all the metrics you would look for within other Departments who might be interested in coming to Portsmouth.

So it's a very difficult time to be recruiting new people into the Force. And we just don't have enough people coming through the Academy. But I can share with you what our goal is. I mean, our goal is to have a more diverse Department that better reflects our community. And frankly, I could just say, I mean, from my perspective, it's having more women as much as it is any other metric.

MR. MCKIM: Okay, thank you.

COMMISSIONER SHAHEEN: We have very few women in our Department. And I think diversity across the spectrum -- sexual orientation, color, gender -- will make for a better, more healthy Department.

MR. MCKIM: Great, thank you. I certainly would appreciate seeing those goals and especially any that are more than just what I would call general.

COMMISSIONER SHAHEEN: Sure.

MR. MCKIM: To say more of is great, but that's not really a smart goal, as we say in the goals business.

COMMISSIONER SHAHEEN: Sure.

MR. MCKIM: I am curious, though. You mentioned that you had several hires recently. And I'm not sure we have enough time. But I'd love for the Commission -- I think it would be valuable for the Commission to hear what attracted those people of color who were hired. What was the reason that they said yes to the position. That would be really great to hear. So, if you could include that, too, with whatever you're going to present to us, that would be helpful.

COMMISSIONER SHAHEEN: Sure.

MR. MCKIM: My next question is, in your testimony you mentioned that, through CALEA Accreditation, you've done a review of Policies and Procedures. I'm wondering if you can share with the Commission what you found, what changes were made with regard to diversity that we should help other Departments to look toward, and maybe make some recommendations around.

COMMISSIONER SHAHEEN: So, I would say that the primary focus for CALEA has been on how we respond in specific instances, how you address things like detaining, how you handle things like when you fire a gun. I mean, so, for example, one of the recommendations -- and this was consistent with NAACP's 8 Can't Wait -- is not to shoot a moving vehicle, right, so evaluating that specific Policy.

What I can do -- and I will send this with the other documentation -- is tease out the Policies specific to diversity within the Department and how best to address that. Obviously, some of the things like banning chokeholds, that's part of our Policy review, right? That is a new Policy that's now implemented as part of our operations within the Department. That's not specifically an issue of diversity, but obviously it hopefully addresses some of the concerns about unnecessary use of force that people of color have been subjected to at greater numbers than white people. So, I'll tease that out for you.

We presented it as part of the community forum. We presented information about our latest hires and some of their background. We presented all of the Policy changes we have made in the last three months. And then, we, again, reinforced that we went back and reviewed every Policy as part of CALEA Accreditation. So I can get all that to you in a PowerPoint presentation.

MR. MCKIM: Excellent, thank you. I think I'm going to thank you again, Commissioner, for your testimony and yield the balance of my time.

COMMISSIONER SHAHEEN: Thank you so much.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you, James. Commissioner Johnson, any questions or comments for Ms. Shaheen?

MR. JOHNSON: Yes, thank you, Deputy Attorney General Young. Good afternoon, Ms. Shaheen. I'm pleased that you were able to present to us. I believe that you were aware that your Community Outreach Officer, Ms. Jones, is working with the Dream Team out of Dover, in conjunction with Police Chief Bill Breault. Apparently the Dream Team, a number of black women are interested in becoming Police Officers. Are you aware of that?

COMMISSIONER SHAHEEN: I am aware of that. Yes.

MR. JOHNSON: That gives you hope, does it not?

COMMISSIONER SHAHEEN: It does. It does.

MR. JOHNSON: And picking up on Mr. McKim's discussion about CALEA, I believe you believe that CALEA is something that every State Agency should hope to attain. Would that be a correct statement?

COMMISSIONER SHAHEEN: Yes.

MR. JOHNSON: Can you give us, as a Commission, an ability to understand how we're going to tell the Governor or the various municipalities how to pay for it?

COMMISSIONER SHAHEEN: That's a good question. I think, ultimately, again, this is where a question about budgeting and prioritizing, and when you're prioritizing what comes into play. In our case, in Portsmouth, we still have fewer Officers than we used to have within the Department than we did in 2008, for example. But the community was so outraged by what happened with Geraldine Webber that there was a commitment made that we would hire a CALEA Policy Director, if you will. And one of our Captains would be responsible for working with her to go through the accreditation process.

Now, there are certainly scenarios whereby that work could be absorbed at a slower pace within communities where there wasn't as much urgency or pressure as we were feeling, although I certainly recognize that probably every community at this point is feeling appropriate pressure. So the question really is a matter of timing. We pushed for the top-level accreditation. There are two levels of accreditation. And we pushed for that within the first year. So, we've achieved this within a two-year window, which is pretty unheard of.

I think recommending to the Governor the opportunity for municipalities across the State to prioritize accreditation is important. Putting a hard-and-fast deadline on how fast that happens, I think would be hard to do without financial incentive to provide some of the resources needed to get through the process.

I mean, it's hundreds and hundreds, and hundreds of Policies being evaluated, rewritten, and then proven that those Policies are followed. So, for example, if we say that a crime scene has to be roped off, right, to prove that you actually adhere to that Policy, you have to, for example, take a newspaper story that shows a crime scene that's been roped off, a recent crime scene, right?

So it's a very involved and time-consuming process. It will be hard for some communities to be as aggressive as we have been in Portsmouth to achieve top-level accreditation. But I think we could make the recommendation -- or you all could make the recommendation that accreditation is important and that

communities should be working toward accreditation. And perhaps there's funding that can support that. Without it, I think it'll take longer. But it's still something that could be done if people prioritized it.

MR. JOHNSON: Thank you for that answer. One of the things that you've said often through your testimony was that you believe that the Police Departments across the State are becoming militarized. I'm from a small town of Stratham. I am very familiar with the Town of Greenland, because it's right next door. I know Chief Tara Reed (sic). I've spoken to her often because we share a border. I have spoken to the Police Chief in Rye.

I don't know how their Departments are being militarized. Do you have some evidence that I could see about small Police Departments in the State becoming militarized?

COMMISSIONER SHAHEEN: No, I'm sorry if you misunderstood or I wasn't clear. I wasn't suggesting that small Departments in New Hampshire are militarized. I was saying that community policing sort of stands as a model, which is different than the militarization of Departments.

So I think that there's been a lot of talk about the damaging and difficult ways in which Departments in the country, not specifically New Hampshire, have been militarized such that it makes it harder for community to engage. And so, I was suggesting that our model of community policing in Portsmouth sort of stands in stark contrast to that. And I think it's a model that is a helpful one and could be implemented statewide.

MR. JOHNSON: So if I understand you correctly, you're saying that overall that that situation exists nationwide, but not necessarily in New Hampshire?

COMMISSIONER SHAHEEN: Right, well, you see it in more urban settings in particular, right, where people criticize Departments for being more militarized.

MR. JOHNSON: I see.

COMMISSIONER SHAHEEN: And I would say that, in stark contrast in Portsmouth, with community policing, I would say people wouldn't characterize our Department that way. And I think community policing, in general, stands in stark contrast to that.

MR. JOHNSON: Thank you, Ms. Shaheen, for your answers. I have no further questions. I yield back my time.

COMMISSIONER SHAHEEN: Thanks so much.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you, Commissioner. Director Scippa, any questions or comments?

DIRECTOR SCIPPA: Thank you, Deputy General. Commissioner Shaheen, thank you very much for your time today and your insight. It really just brings a lot of light to what the Commission has been formed to investigate. And I appreciate your time very much.

You spoke to one topic during your testimony with regard to civilian oversight and investigation of misconduct by the Police. And as this conversation continues, this topic is going to be covered in great depth. And there's going to be a lot of responsibility and maybe changes that are going to fall in the lap of Police Standards and Training, since we're the one who owns those certifications and will have to render decisions relative to whether the certification should stay in place or whether it should be revoked, suspended, or some action taken, right?

So, I'm wondering if you could share with the Commission kind of your perspective as a Police Commissioner in one of the major cities here in New Hampshire. To what degree should the civilian makeup of that Commission be involved with the actual investigation of an allegation of misconduct, because you spoke to the fact that anybody can run for Commissioner and then they're elected by the general population, which certainly should be the way that those Commissions are formed?

But would you agree that that type of action would have to be conducted in a very kind of objective way? And I guess I'm looking for your perspective on it. To what degree should the civilians be involved in the investigation? Should they kind of oversee the investigation? Should they actually do the investigation, just your thoughts?

COMMISSIONER SHAHEEN: I think it's a very important question. And I do not presume that the Police Commission has the expertise to conduct investigations in any way, shape, or form. And I actually think being in a position to have to do that is contrary to what our job is.

That said, I do think it's important that the Commission is involved in the oversight, or the knowledge, of the investigations taking place. I use the example of what happened with George Floyd. And in a situation where 18 complaints were rendered against one Officer, that would never happen in Portsmouth. And it shouldn't ever happen anywhere.

And so, I think the -- but the Commission would not be the ones investigating. They would be the ones being brought the fact that the investigation was happening, that there had been an incident, what steps are being taken to investigate. And then, if something with that same Officer were to happen six months later, or a year later, there's greater oversight.

So, that's what I think is perhaps the appropriate role for a civilian body of any kind with any kind of misconduct allegation, or internal investigation. We're not equipped to do the investigating, ourselves, nor should we.

DIRECTOR SCIPPA: I appreciate that very much and very helpful. And I got to tell you, during my career in law enforcement, I had the privilege to work with the Portsmouth Police Department pretty regularly. And I really have to applaud Portsmouth PD. They're very progressive, professional, a bunch of good people to work with. And if all of New Hampshire could have SROs like Rochelle, we would be the model across the nation on how SROs should be deployed.

COMMISSIONER SHAHEEN: Yes.

DIRECTOR SCIPPA: So thank you very much for your time. And thank you for your testimony and your thoughtful answers. I appreciate it. Thank you.

COMMISSIONER SHAHEEN: Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: Okay. So I'll just tell you we've gone over our three-hour mark. But we have a few more people to get through. And I know, Joseph, I'm going to loop back to you. So, with that, Director Malachi, questions or comments for Commissioner Shaheen?

DIRECTOR MALACHI: Yes, thank you, Deputy General. Before I start, it looked like Joseph was trying to respond to you.

DEPUTY ATTORNEY GENERAL YOUNG: To me?

DIRECTOR MALACHI: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Go ahead, Joseph.

MR. LASCAZE: Yeah, I was going to say my question was actually for Commission Members. So I can just, in the interest of time, I can just email them, ask the question, and then we can have it uploaded, or we can address it at the next meeting, if that's easier.

DEPUTY ATTORNEY GENERAL YOUNG: No, we can do it at the end, Joseph.

MR. LASCAZE: All right.

DEPUTY ATTORNEY GENERAL YOUNG: Yeah.

MR. LASCAZE: All right.

DEPUTY ATTORNEY GENERAL YOUNG: Yeah.

MR. LASCAZE: Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: And then you can make whatever Motion you want at the end, too.

MR. LASCAZE: Oh, you already know.

DIRECTOR MALACHI: Oh, okay. Thank you so much. And thank you, Ms. Shaheen, for being so patient with me. So I do have a couple of questions for you. And please forgive me for reading from my notes. I was writing lots, while you spoke today. You covered a wide variety of topics and a wide variety of areas, things that are specific to New Hampshire, things that are for more urban areas in other parts of the country. So, I thank you for your depth of knowledge.

I did have a question, because I got a little confused, before I get into the actual questions. The gentleman that you spoke about that had mental-health issues regarding the middle school, there was a threat that it was bombed or it was actually bombed?

COMMISSIONER SHAHEEN: No, it was actually bombed.

DIRECTOR MALACHI: Okay, all right. I was a little confused about that.

COMMISSIONER SHAHEEN: He was having some kind of mental-health episode/crisis, and he first committed a crime of throwing a piece of wood through a glass window of one of our area businesses. He was arrested for that crime, was released on bail.

Several hours later, he was arrested by a neighboring town, released on bail. And several hours later, he broke into our middle school and had a handmade bomb that went off that did a tremendous amount of damage to our lobby area. And it was late in the evening. Luckily, no one was injured. And he was apprehended within 12 hours or maybe 24 hours thankfully by some pretty incredible policework, because we didn't know it was him, because he had been arrested one time earlier. But the assumption was not that it was him. So it took some pretty impressive policework.

But, again, this was a situation where, in retrospect, understanding more about the background, had he gotten the help he needed, it might not have happened. And I don't know enough, obviously, for private health information. I don't know enough about his personal circumstance. But I know that he needed medical attention that he didn't get.

DIRECTOR MALACHI: Sure, yes. And it is a stroke of we will call it luck that it was in the evening, although property was damaged and there was much work that had to be done, that no one was hurt. But, even in his confused mental state, we will call it, he was adept enough to move across county lines so that it would make it a little more difficult to catch him. So maybe a Mental-Health Unit would have helped or maybe not. That would have been probably another issue to have Law Enforcement have shared information across that timeframe, which may have made apprehending him or containing him the second time. Maybe that would have helped, so there wouldn't have been the incident at the school in the evening.

COMMISSIONER SHAHEEN: Exactly.

DIRECTOR MALACHI: Who knows?

COMMISSIONER SHAHEEN: Who knows?

DIRECTOR MALACHI: It's a good guess.

COMMISSIONER SHAHEEN: Yes.

DIRECTOR MALACHI: The next question I have -- actually, Chief Dennis did speak about the internal investigations, or Police internal investigations. And yes, I was a little curious about that. So he kind of answered that for me.

You spoke about the difficulty with having Police Officers investigate themselves. And I play a Police Officer on TV. So that is the depth of my knowledge. My pool has gotten a little broader being on this Commission, and I appreciate that.

But my understanding, in general, was that there is an Internal Affairs Division, or some other Agents -- Officers, excuse me, that would be available to do those type of investigations, should they be needed, so that you don't have a situation where you and I are co-laboring in a Police Force and a charge is filed against you, and I'm your friend, or at least we work the same shift, or a crossover shift. And now, I have to investigate you. It could be referred out.

So that was good information. And if it was something you were already aware of, awesome. But it was good information for me to be able to have and I think for the people participating to be able to have. Is that something to your knowledge that Portsmouth has utilized?

COMMISSIONER SHAHEEN: Yeah, I guess I just would challenge the notion. Of course, yes, incidents and investigations can be referred out. The question is who's making the decision about what gets referred out and what doesn't. And when it's not referred out and it's an internal, each Department's structured differently. But in Portsmouth, we have particular Officers who are responsible for professional conduct and would be responsible for doing internal investigations. So, my point really about like I'll use the example of Geraldine Webber, this was an elderly woman who had befriended a Police Officer.

DIRECTOR MALACHI: Yes.

COMMISSIONER SHAHEEN: There were lots of allegations raised, concerns raised before there was this major public outcry. And at the time, there wasn't the independent oversight to tackle what was going on. And that created a huge problem for the Department. It created a problem for leadership within the Department. It created problems with fellow Officers who were, then, brandished unfairly. And it created a mess for the City for years and costs in legal fees, etc.

So, I think the key is being clear about what triggers outside investigation. What hits a threshold that would make it clear that in this instance of misconduct, or in this situation of an Officer-involved shooting, or in this, certain things are going to be referred out? And that, I think, is a gray area that needs some additional work.

DIRECTOR MALACHI: So would you concede maybe that that's something that either there weren't -- if I'm understanding you, it sounds like there were not procedures in place to handle something like that.

COMMISSIONER SHAHEEN: I would say the Decisionmakers at the time, whether it was because they didn't have enough visibility on what was actually going on, or there were other things in process, I don't think it got the sunlight it needed, as soon as it needed it.

DIRECTOR MALACHI: Right.

COMMISSIONER SHAHEEN: And so, as a result, it became much more complicated and messy.

DIRECTOR MALACHI: So, just so that I'm clear, are you thinking that maybe there was something internally, in terms of an investigation, that was happening, but the public wasn't aware of it, or that there wasn't anything happening and there should have been?

COMMISSIONER SHAHEEN: Both; I think there wasn't anything happening soon enough. And then, when it did happen, it didn't happen with enough light on it that aggressive action was taken early enough.

DIRECTOR MALACHI: So, then, other than the Commission, is there something in the Policies and Procedures that would have -- or that could, at this point, correct something like that, meaning that there's some sort of hierarchy as to these are minor things and they stay within? These are the next step up. These get this treatment, etc., that outlines this.

COMMISSIONER SHAHEEN: I think there are probably more Experts within this Task Force that have better knowledge than I in terms of what automatically triggers oversight outside of individual Departments. I can tell you, from my perspective, there's too much gray area relative to what's within the purview of leadership within the Department over an internal versus an independent and when things get referred out, and when they don't.

And maybe there's a lot more clarity on the part of the people who do this every day than I have. But it feels to me like a gray area that could use more attention and specificity. And maybe it exists. But having experienced what we went through in Portsmouth with this particular matter, with the Geraldine Webber matter, there was far too much gray relative to when things should have been investigated, when things were brought to light, how they were brought to light, who they were brought to light with.

And it ultimately resulted in dramatic leadership change. I mean, we had at least three, maybe four Senior Members of our Department leave, retire early, or be terminated because of this incident.

DIRECTOR MALACHI: So maybe a good recommendation could be that Police Standards and Training helps to standardize that process. Or if it is standardized, maybe work to help clarify across the State, so that everyone is aware and is following the rules.

COMMISSIONER SHAHEEN: Absolutely, I think that would be very helpful.

DIRECTOR MALACHI: Okay. Another question, so as far as the Commission goes that you serve on, how do you prioritize your work?

COMMISSIONER SHAHEEN: That's a good question. So we have standard things that are time-sensitive that always get attention. So, for example, if we have a retirement and need to fill a leadership position or make a change within the staffing structure, that takes precedent, because we have certain procedures for the interview and hiring process. So, for example, we know we've just had several retirements announced. So we know we have a lot of this work ahead of us in September.

We each individually have the latitude to prioritize on the monthly Agenda issues that we think are especially time-sensitive. So one of the things I've been actively working on is our infrastructure. Our headquarters is in pretty rough shape. We're in the City Hall building. And our Department's split between the basement and the main floor. And we've had issues of mold and water damage. And so, trying to secure the space where our Department, our men and women in uniform, are working has been one of my priorities.

So, every month, looking at doing a facilities update, understanding what's happening in the office, we just had more water damage after a big, big storm. So some of it is time-sensitive based on what the Commissioners prioritize, given what's currently happening within the Department.

Some of it is Policy-driven. So, for example, when we were evaluating body cameras, we had a Committee that was looking at this. We met every other week. And then, the Committee would report out to the Commission, as its work was being done.

We just went through this community forum in July. We have another one scheduled for October, in light of what's happened in the last three months. So, some of it's time-sensitive and varies. Some of it's a matter of what the Commissioners prioritize. And then, there are the realities of operating the Department and where those things require the Commission to engage, like our budget. The City Council budget just was approved in March. So we were actively working on the budget in the leadup to that.

So that gives you a sense. Some of it is cyclical. Some of it is based on what has to happen with hiring and any kind of internal issues. And then others depend on the individual Commissioners and what they want to address or prioritize.

DIRECTOR MALACHI: And you mentioned before that, when you -- and I believe it was during that interim phase where you were filling in for the Pastor that needed to step away for a little while, before being elected -- that you did some -- and we will call it training. And there are three Commissioners. Do I have that correct?

COMMISSIONER SHAHEEN: Yes.

DIRECTOR MALACHI: And so, of the Commissioners, over time, does everyone receive what we will call the process that you went through? Does everyone receive that training?

COMMISSIONER SHAHEEN: It's a good question. I can't say for certain. It's something that I raised when I first came in. And again, because I was in that interim period, and the Chief was relatively new in his role, and I just said I work better with more knowledge and information. So I'd rather you give me everything you think could possibly be helpful.

And I encouraged my fellow Commissioners at the time, one who had already been on the Commission for a period of time and was the Chair, to join me. And we have a new member who was just elected -- or just was appointed, actually. So he's in the same position, because one of our fellow Commissioners became a City Councilor again, the Assistant Mayor.

So I can say for certain that the training is not standardized. And I'm not certain that it universally applies, as Commissioners cycle on-and-off. And it should. And it should be more. I think I got a very comprehensive understanding of how our Department functions. I had already served on my City Council. I knew how the budget was structured. I understand how the budget priorities work. I'd been part of union negotiations before in my role on the Council, so I had a better understanding of that.

But, for example, nobody was talking about the facility before I came onto the Commission. Well, I spent so much time in the Department meeting with all these different people. And every room I would go in, there would be some water damage or ceiling exposed, or what looked like mold. And you don't understand what's going on, unless you're there and you see it firsthand. I was in the dispatch when I saw that we don't have software that can geolocate effectively when calls come in.

So, my argument and I would say more training, better. The more training we can give, the better. The more opportunity people have to understand how the Department works, the more likely they are to understand where opportunities are to improve, the more ways in which we can engage effectively with community concerns and understanding where those concerns come from, the better likely we are to address them.

DIRECTOR MALACHI: Would you think people are potentially less effective without having -- because of the other opportunities that you have, you have quite a diverse roster of experience. And is that something that would be most beneficial to other Commission Members in Portsmouth, as well as potentially other Commissioners, if there are Citizen Review Boards and such created post this Commission, just to make sure people are informed about what's happening and the types of decisions that they would be assisting with, so that there's a clearer understanding of what the process is, versus what a layperson thinks it ought to be?

COMMISSIONER SHAHEEN: Absolutely, I think the more standardized training that we can ensure everybody has equal access to, the better. And from my perspective, the more training, the better. I think I learned so much. I mean, you think you know, right, because you interact with people and you are relatively informed. And you read the newspaper, maybe, or you interact with community members.

But until I was in there, I mean, I never would have understood. I served on the City Council. I never would have understood how disruptive it is to have a facility that is not functioning and have people exposed to water damage, and have their offices moved every three days because there's a new leak in the ceiling, right? Until you see it, it's hard to really internalize or understand. And that's just obviously a very -- that's a simple example to illustrate the broader point.

DIRECTOR MALACHI: Sure.

COMMISSIONER SHAHEEN: So, yeah, I think the more training, the better.

DIRECTOR MALACHI: All right. And two last points; one, you mentioned the bodycams and I think earlier in your testimony you mentioned, after the study had been done, there was about \$1 million to get things that would have been needed to purchase and etc., etc. Was there any sort of information discussed or provided on the relative upkeep of the body cameras. And was that cameras for the vehicles, as well? Or did the study only focus on bodycams and the software? Were there other elements in that study, as well?

COMMISSIONER SHAHEEN: Sure, yeah. And I'll make sure you guys have all of that, because we did spend a lot of time and we talked to many different Experts. We talked to people who were using them actively who had decided not to use them. And at the time, we were focused only on body cameras, not body and dash cameras, because the assumption was they were going to be more expensive to outfit on top of their outfitting of the body camera, itself.

And one of the big safety measures we thought the dashcams enabled were the geolocation of where an Officer might be so that in the event -- this was one of the scenarios presented to us -- an Officer shows up at a domestic violence call and he doesn't have his body camera on, or she doesn't have her body camera

on, and she enters the house. And she's involved in an altercation and we can't geolocate her, right, because we don't know where the cruiser is.

So, now, we have process that should mitigate that risk, because before you leave the vehicle, you're supposed to call to Dispatch and let Dispatch know where you are. And then, they radio that they confirm they know where you are. So, theoretically, we should know.

But the thought was, if you had the body camera on, you may not need the dash camera in the car for geolocation. But, again, I think everybody said more information is better. If costs were not a constraint, it'd be helpful to have both.

We looked almost exclusively at just the body cameras. And again, I think we didn't really spend a ton of time on, would we have pushback from the Unions? Would people not want to wear them? We got a general feeling that if the Department made the decision to go forward with body cameras that people would be onboard, and we'd find a way to do it. The issue really became -- for me, the issue became a matter of cost at the time, relative to what our other budget challenges were.

DIRECTOR MALACHI: Okay. And as far as the last some questions here, as far...

COMMISSIONER SHAHEEN: Oh, I'm sorry. Just one other point on you had asked about upkeep, so just for people's edification -- and again, I'll send all this to you, but the device, itself, is really not the key cost.

DIRECTOR MALACHI: Oh, yes, thank you.

COMMISSIONER SHAHEEN: What people are worried about long-term is the data storage.

DIRECTOR MALACHI: Yes.

COMMISSIONER SHAHEEN: And you just can't forecast what's going to happen with data storage after the Contract ends. So the Equipment Suppliers are actually -- it's like they give you the razor and charge you for the blades. And so, the equipment is not the big expense. It's how do you handle responsibly the data storage fees? And that's one thing we just couldn't -- you can't get enough visibility on, because you don't know what will happen when the Contract ends. And then, there's all this cumbersome reality of what you do with it and how you, then, move it to a different location if you have to change the storage provider. So, anyway, that was the answer to your question.

DIRECTOR MALACHI: Yes, okay. Thank you. And as far as the Commission goes -- and I'll just sort of jump into this piece -- I believe you all handle ethics complaints, as well. Or are these specifically community complaints that you handle?

COMMISSIONER SHAHEEN: Well, we're supposed to oversee any complaint or concern raised that's directed at the Department. So, yes, we would handle ethics. The City, as a whole, has an independent Ethics Committee. So if it's something that extends beyond just the Police Department, there's a process through the City's Ethics Committee.

So we have a member of our Commission that's appointed to the Ethics Committee. So I guess it depends on the nature of the complaint.

DIRECTOR MALACHI: Okay. So, for the Police Department, if there's a community individual's complaint, or an ethics complaint, I mean, for the sake of the question, we will just lump them in together. If there's a complaint that's made, would it only come in through the Commission? Would the person report that to the Police Department?

COMMISSIONER SHAHEEN: It depends on what the person's most comfortable with. So I've seen everything from a complaint gets filed with the City Attorney to the Mayor, to the Police Chief, to the School Resource Officer, to a Commissioner. It really depends on who the individual is who's filing the complaint. But there are many ways in which you can register your complaint or make sure your concern is heard.

DIRECTOR MALACHI: So the person has, what, a true choice of forum on that?

COMMISSIONER SHAHEEN: Yes, correct.

DIRECTOR MALACHI: And then, once the complaint is filed -- so if they go anywhere other than the Police Department, does it go through the Police Department, and whatever those Policies and Procedures customarily are for handling such complaints? Or does it skip over the Police Department and goes directly to the Commission for it to handle?

COMMISSIONER SHAHEEN: It would usually be a combination. So, I can give you an example of something that just recently happened after the community forum. Someone brought a concern to one of us on the Commission. We raised it with the Chief. We collectively met in a nonpublic setting initially to see what the merits of the complaint were, what other steps needed to be taken, and tried to get to the bottom of where the complaint originated.

And then, again, depending on the nature of the complaint, it would be brought into the public meeting space, or reported out, depending on, again, what the individual person wants, because I think again this is one of the challenges in this moment: protecting people's privacy and providing transparency, right? So, we really have to default to the individual person bringing the complaint forward about what they want made public and how much of that can be made public. So that's one of those areas where it's a constant challenge between honoring privacy and providing transparency. And we try to walk that fine line as best we can.

DIRECTOR MALACHI: So the transparency about the situation that the community member reported, is that at the end of the process and only if there has been something found to corroborate the complaint? Or is that throughout the process, from the beginning?

So you're the Law Enforcement Officer. I make a complaint. And from the beginning, your name is attached to this complaint publicly. Or is it only after the investigation and the process has taken place is there the balance of the information released?

COMMISSIONER SHAHEEN: Again, I would say it's highly dependent on the nature of the complaint and what the individual person wants. So in this case I just gave you, the person did not want their name disclosed. And they wanted to raise the concern about a particular incident and wanted to see if there was any track record of this happening before. And then, asked if we could circle back if any action was going to be taken, based on what was presented to us.

So I think it really depends on the incident. Obviously in the case of Geraldine Webber, where the issues were so egregious and legal action was being taken, and it involved Commissioners resigning, all of that was public, as it was unfolding.

DIRECTOR MALACHI: Right, yes. I was hoping to cover that. That would have been my guess, if it was something where, outside of the Department, Law Enforcement or the DOJ had to step in, then that would move it into a completely different realm.

COMMISSIONER SHAHEEN: Yes.

DIRECTOR MALACHI: So that would immediately be something that would be disclosed, because the media would pick up on that. And the DOJ would be doing an investigation. But if it was something that is smaller, and not necessarily an egregious situation, meaning that there was an arrest made of that Officer, for me, yes, that moves it into a different category.

But if there were some other situation -- and I guess the point I'm getting to is, if there's a complaint that's made, the person making it has anonymity, if they so choose. Does the Law Enforcement Officer who's being investigated have some form of not anonymity but confidentiality until there's a Finding of something, because if that person's name is put out and there's no merit to it, or there was a misunderstanding of such, then there's no way to sort of claw that back that that person has this complaint? No one's going to look up that it was either unfounded, or there was a miscommunication, or a misunderstanding and that it was solved. So, that would be my question on that. And then, after that, I'm done.

COMMISSIONER SHAHEEN: Yeah, absolutely. Yeah, I think especially in matters that are of a personnel nature, so not necessarily something I would consider a full-blown misconduct claim, but something that would speak to the Officer's ability to do their job, or question whether they had done the job effectively, none of that would be disclosed publicly. I mean, nobody can control what someone says on social media, obviously.

DIRECTOR MALACHI: Sure, right.

COMMISSIONER SHAHEEN: But the Commission would not be actively involved in broadcasting that. And so, yes, it really does vary by the circumstance. But especially in personnel matters, there would be the presumption of privacy and the need to protect this until a full investigation was done, an action was taken. And even then, if action's taken, often the action is speaking for itself as opposed to any specific allegations being presented.

DIRECTOR MALACHI: Very good, thank you very much for the answers and for your testimony, and for being here today. Thank you.

COMMISSIONER SHAHEEN: Thanks so much.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you very much. Commissioner Quinn, any questions or comments?

COMMISSIONER QUINN: I'll be very brief, Deputy Young. Thank you. Thank you, Commissioner Shaheen, for joining us and taking all this time today to answer all the questions. I will just make a couple comments because I think it's very important.

I think that there are a lot of common themes that have come out today. But I'll just echo on a few of the things that you've touched upon and others have, because I think it's important. I think what you've touched upon a little bit is the tremendous investment it takes in these Police Departments, like you witnessed going into the dispatch, the CAD system.

And I think what we've learned is everybody's looking for data. And whether it's in the recruitment stage, the training stage, that these systems that are in, not only in large Departments but in small Departments, any Departments, they're vital to recruiting and training and just the overall management of the Departments. So I don't think that many in the public probably understand just the cost of these, administrating these systems. So, thank you for highlighting that.

The only other thing I'd like to touch upon, I think Captain Newport brought it out, as well. And I know Ken Norton's touched upon it and you have, is I think the training. And there's the CIT Training, the de-escalation training. We will be dealing for the next several years with those that we have substance use disorders and mental illness. And I think that this is going to be very, very critical to put the Officers in a position of success.

And lastly, to build on that, is that the overall, I would say, pace and critical incidents that Officers are dealing with, I think it's important that we also look at their overall health and wellbeing, which we have. We have put a focus on.

But I think Mark brought it up best, and others have, that Police today are very, very busy. And giving them the right tools, the right training to address this -- and I would say this is probably the thing that is the most important. To me, I think is something that would be very high on our recommendation; this training has worked. I know that the State Police have trained 60 Troopers in the CIT Training with the help from Ken. They've brought it out and it has worked. And they have positive outcomes from that training. So, thank you for your time. And I will yield the rest of my time, Deputy Young. Thank you, everybody.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you, Commissioner.

COMMISSIONER SHAHEEN: Thanks.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you, Commissioner Shaheen. I think, with that, you are probably excused from this meeting. Thank you very much.

COMMISSIONER SHAHEEN: Thank you, all, for this important work. And if I can be a resource as you continue, please don't hesitate to reach out. I'll make sure to follow up and get you all the documents we referenced along the way. I'm very grateful for your efforts.

DEPUTY ATTORNEY GENERAL YOUNG: Can you hold on for one second before you leave? I think we have a question.

COMMISSIONER SHAHEEN: Oh, sure.

DEPUTY ATTORNEY GENERAL YOUNG: Joseph, do you have a question?

MR. LASCAZE: Yeah, just based off of one thing that was just brought up at the end, I just had just -- I only have two total questions, that's it. And it's very quick. Just real quick about the Ethics Committee, I'm going to be very blunt. If a community member was raising a complaint that they had been called a racist term by a Police Officer from the City of Portsmouth, would that go to the Ethics Committee that you are speaking about? Or would that complaint go to the Police Department, and then the Police Department would inform the Ethics Committee?

COMMISSIONER SHAHEEN: That's a very good question. And I would defer to our City Attorney. And I'll get you the answer, because we haven't experienced that obviously in my time on the Commission. And I don't want to give you misinformation. So I assume it would go to the Ethics Committee directly. But I want to be sure to give you the right procedural information.

MR. LASCAZE: Okay. And the very last question I had was just a quick question for Chief Dennis, when he was cross -- Chief Dennis, when you were cross-examining...

DEPUTY ATTORNEY GENERAL YOUNG: Oh, Joseph, he's gone. He had to leave at 12:30.

MR. LASCAZE: Oh, my fault, I didn't even recognize that he's gone. Okay, never mind, then. It's fine.

DEPUTY ATTORNEY GENERAL YOUNG: Okay.

MR. LASCAZE: Thank you very much and I will yield my time and put my future Motion in already.

DEPUTY ATTORNEY GENERAL YOUNG: Okay. You be ready, because it's coming soon.

MR. LASCAZE: Great.

DEPUTY ATTORNEY GENERAL YOUNG: Commissioner Shaheen, again, thank you very much.

COMMISSIONER SHAHEEN: Thank you, all. I appreciate your work. And I look forward to following up.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. Okay. So we are now going to share with you a calendar. I told you that it's ambitious. But it's what we have to get accomplished. So we're going to put this up on the screen, I hope.

MS. REED: One sec, is it Nicole? Is she...

DEPUTY ATTORNEY GENERAL YOUNG: Yes, Fallon.

MS. REED: Okay.

DEPUTY ATTORNEY GENERAL YOUNG: Yeah.

MS. REED: All right. She should be all set now.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. Can you blow it up at all? So, as you saw today, we got through Mark Newport and Stefany Shaheen. Friday -- and we're going to have to get through these three people: Mary Georges, that's who Ahni has recommended; Attorney Jefferson, we will get on you; and John Marasco is from State Police. So he will submit a PowerPoint before then as to sort of the community relationships with State Police.

So, then, starting next week, as I said to you at the beginning, Kim is going to send out the Doodle poll for the rest of the month. But this is the schedule that I would like to keep, because we only have 30 days. So next week, we will do public comment for one day. Can we get rid of whatever the gray is?

And then, I'm going to ask you, when the public comment is done, I'm going to ask you for your recommendations, but keep your recommendations to this section: Community Relations. And then, we will get those in. We will send them back out and we will have a meeting to discuss those recommendations. And we will put them in a final draft. So that will be by the end of next week. So, by the 14th, we will have the next section completed, which is the Community Relations section.

Then, starting the week of the 17th, we will have three days' worth of testimony to reporting misconduct. So, John Scippa, you will be back up to talk about the decertification process and how complaints come into Police Standards and Training. Our Office will talk about public integrity investigations, as well as responding to Officer-involved shooting incidents, or deadly force incidents. And we will also bring up EES.

Then, my understanding is that Professor Sher and Attorney Malone want time. We talked to Attorney Malone and she thought that her testimony was best in this section, as did Attorney Sher. So if anyone else has someone for that section, send that information to Kim and we will get them on. Just based on the pace of what we're doing, I would think that John Scippa's testimony and testimony from this Office regarding those three topics that I just discussed would take one day.

Then, I think the week of the 24th, we will probably need a day to discuss again the recommendations, to finalize the draft. Then, we're going to have to address any other topics that we have, with the goal of issuing a final report on the 31st.

So I will tell you that today we extended the meeting to three hours. And even with three hours, we're over by 45 minutes. Is that right? I will also tell you that we were buzzing through Mark Newport's

testimony. So I had somebody up on deck ready to go. And then, we didn't get there. So, it's taking us over four hours to get through two people.

I say that not as a criticism. I just say that as sort of the reality of where we are. And we have 30 days to get this task done. So if anybody wants to comment on this schedule, you're more than welcome to do it. But my goal would be to get the days out and plug in who's going to testify on the days. And my goal would be to get that out to you by close of business tomorrow. So I welcome any questions on this or any comments on this. You can take it down, because I now can't see. Yeah. Questions/comments, Joseph?

MR. LASCAZE: So, do I need to notify the Commission now that I would like to have a member from our Legal Team make a presentation? Do I notify no or do I just send the...

DEPUTY ATTORNEY GENERAL YOUNG: Yeah. No, just send it to Kim. Just give us the topic, Joseph, of what they want to talk about. And we will try to slot them in where appropriate.

MR. LASCAZE: All right, perfect. Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: Commissioner Quinn?

COMMISSIONER QUINN: Yes, Deputy. If it helps, I would offer that Major Marasco could provide a PowerPoint with...

DEPUTY ATTORNEY GENERAL YOUNG: Yeah, we're going to upload it. We have it. We had him ready today. So we will put that up. He was going to finalize it and get it to us. So we will have that prior to his testimony.

COMMISSIONER QUINN: And my comment was if they even need his testimony, if the PowerPoint suffices, then maybe it saves you some time.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you.

COMMISSIONER QUINN: So, I would offer that. And I think if the Commission Members read what State Police has done for community engagement, we could use that time somewhere else. So I'd just offer that up to help.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. Julian, are you saying something? Julian?
Julian?

(No response)

DEPUTY ATTORNEY GENERAL YOUNG: Were you saying something, Julian?

ATTORNEY JEFFERSON: No, no, I'm sorry.

DEPUTY ATTORNEY GENERAL YOUNG: Okay. All right. So it seems like we're all looking forward to get this done by the 31st.

DIRECTOR NORTON: This is Ken. I had my hand up.

DEPUTY ATTORNEY GENERAL YOUNG: Oh, sorry, Ken. Ken, do you like the process? I got a nice calendar down.

DIRECTOR NORTON: I think that the calendar is very helpful. I'm concerned that we, again, saw the reality today that you just mentioned, which is that it took us over three hours to get through two relatively straightforward people. And I'm concerned that even with who we have on deck that we're not going to be able to get through.

I guess one of the other suggestions that I think we need to discuss is we're saying public testimony. But I'm assuming that the only way for us to get through at this point is to close off testimony and to have it be sort of invitation-only via the Commission. And I'm not sure that I'm even comfortable saying that. But if we're going to hold out that we're allowing public testimony when there's just no way, schedule-wise, that we can accommodate public testimony, how do we want to go about doing this?

DEPUTY ATTORNEY GENERAL YOUNG: So let me propose. What if we have public testimony, because I think it's critical to hear from members of the public? I think that there are people out there that just won't contact any of us.

But what if we said we would have public testimony with no questions from the Commission, because that is sort of what bogs this down? And we veered a little off into the next section and I didn't stop it, because I didn't want Commissioner Shaheen to have to come back. But that's a proposal that we could just not have questions from the Committee. We could just take the public testimony, take it in and digest it.

DIRECTOR NORTON: I think that that's a good option. And maybe sometimes what I've seen with the Legislature is that it just goes however long it goes. It goes. And if it's four hours, it's four hours. If it's six hours, it's six hours. And maybe that's what we need to do to just get through the public-input part. And we keep it to three minutes, and we don't ask questions. And we have that one scheduled time. And then, we know we can move on beyond that. We're not going to continue it over multiple days.

DEPUTY ATTORNEY GENERAL YOUNG: So, Ken, if you're willing to make that Motion, take a vote on it that the public testimony will be limited to three minutes' testimony, comment-only, with no questions from the Commission Members, if that's what the Commission -- I mean, I'd defer it to you. This is a Commission. But I'm telling you we have to stay to this 30 days. So my task is to keep us on schedule.

DIRECTOR NORTON: Yeah, this is Ken again. And before I make a Motion, I would like to hear from other Members. But I'm wondering if what we did was pick two days, and one day was going to be for any more public input about community, and then one was going to be for any more public input about misconduct. And we agreed to have it extend as long as people want to testify, and we put out public notice

now that these are those dates. And that we don't ask questions, whether we could get through it in that way and get that public input without bogging us down in the process.

DEPUTY ATTORNEY GENERAL YOUNG: Okay, thank you. So, James, I know you have question or comment, as well as John Scippa. So, James, we will start with you.

MR. MCKIM: Thank you. It is quite a quandary we're in. I guess I'm wondering if we were to simply have three minutes of public testimony for each individual, would there be a way that we, the Commission, could get questions asked, or clarifications? I mean, would we do that offline and bring that knowledge back to the Commission? I'm just curious, because many of the questions are clarifications of the testimony. So I think we need to have a clear understanding of what the testimony is to be able to make recommendations. So that's one of my questions.

DEPUTY ATTORNEY GENERAL YOUNG: Yeah, so you could feed questions to the Chair. But let me hear from John Scippa.

DIRECTOR SCIPPA: Thank you, Deputy General. I guess I wonder if we would be more effective and be able to also kind of balance this with taking care of business back at our own places if we could dedicate two full days a week with lunchbreaks built in. And then, that way, we're working on 16 hours a week, as opposed to maybe 12 hours a week, and then the notion of, well, we're probably going to go over by 45 minutes, or an hour.

I don't know that we might be more effective if we could just dedicate two full days a week to really plow through this. I'm very sensitive to our timeframe, as well. And given the fact that I'm sure there's going to be a lot of people that are going to want to speak to this last topic, I believe that there's going to be a lot of deliberation among Commission Members relative to this topic. And I just wonder if we just need, as a Commission, to be all-in on this, knowing full well that eight hours in a day is a tough ask for many of you on the Commission.

I guess, from my perspective, it just seems to make more sense. Let's buckle down. Let's get it done. And if it's two full days a week, it just makes it easier for me, personally, to plan out the rest of my workweek. Now, I'm kind of, it's almost 1:30. Do I go in the office now? Do I work from home? How much can I get done? And that's just my perspective that I offer. Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: Eddie?

CHIEF EDWARDS: Yes, I would have to agree with Director Scippa. I think if we focus on two days a week, perhaps the full day, I think that would be very beneficial. I also think, to your point, Deputy, having Commission Members submit questions to you during the public testimony for clarifying purposes, because it seems to me this runs long when we ask during the questioning phase. Sometimes they're clarifying questions. Sometimes it's just a statement by the witness. So I think to cut down in the testimony, if you were willing to control the question during the public comment period, and we focus on two days, I think that would be very helpful.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. So, Joseph, you had your hand up for a question?

MR. LASCAZE: No, my hand was not up. I apologize.

DEPUTY ATTORNEY GENERAL YOUNG: Okay, thank you. Ahni?

DIRECTOR MALACHI: And if it's also possible, I know the Doodle poll is going to go out. But if everyone would please consider some evenings, potentially, especially that last week, I have a scheduling conflict for the entire week. So anything after 5:30 is a possibility. But I have a training class that I cannot get out of. So I don't know if that's even doable for anyone.

DEPUTY ATTORNEY GENERAL YOUNG: Yeah, so my only comment on that is, if we're doing eight-hour days, we could start at noon. But we can't start at 5:00 and then do the eight hours then.

DIRECTOR MALACHI: Oh, yes.

DEPUTY ATTORNEY GENERAL YOUNG: Yeah.

DIRECTOR MALACHI: No, not that. If we didn't do the eight-hour days, or if we needed for our deliberative purposes, if we did evenings across a week, not so much for the testimony part, so that we could do that during the day, as we've been doing, or a combination thereof. But for our deliberative portion, as we're getting into the final haul, and of course that is the week I have a training class, of course.

DEPUTY ATTORNEY GENERAL YOUNG: Yeah, that's the week. What if I said Tuesdays and Thursdays 9:00 to 6:00, just standardize it?

DIRECTOR MALACHI: Yeah, that's fine, or three days, or whatever. I'm flexible.

DEPUTY ATTORNEY GENERAL YOUNG: Ronelle, do you have to leave at 4:00 a number of days? I'm just trying to be cognizant of people's schedules.

MS. TSHIELA: No, my scheduling is kind of -- it sucks, to put it simply. I just have different meetings at different times. And I'm just looking at my calendar. And I don't even want to put in my timeframe.

DEPUTY ATTORNEY GENERAL YOUNG: So, only because...

MS. TSHIELA: I am kind of glad that we're ending on the 31st, though, because I'm a student and that's when I start classes.

DEPUTY ATTORNEY GENERAL YOUNG: Oh, well, okay. So, yeah, we need to get it out. So, I mean, that just gives us time in between. It gives us the weekend to get stuff out. The majority rules, but I'm just wondering if Tuesdays and Thursdays don't make more sense. James? Oh, no, James. Oh, lost him.

MR. MCKIM: Sorry, can you hear me now?

DEPUTY ATTORNEY GENERAL YOUNG: And get Julian after that. Yeah.

MR. MCKIM: Thank you. I like the discussion. The calendar, the scheduling is challenging. I wonder if one thing we might throw into the mix is limiting having a person in front of us for only an hour, or maybe it's 45 minutes. But maybe we pick some amount of time that we have someone in front of us. And if everyone gets to ask their questions, great. If they don't, that's just the way it is. We've gotten enough hopefully testimony from the folks in front of us.

And that also it is a little bit better for the people who are testifying, because we had people sitting on the hotseat for over an hour. Just wanted to throw that potentially in the mix, and it might help us to get through more public testimony faster.

DEPUTY ATTORNEY GENERAL YOUNG: I tried that today and I failed miserably. I really tried. Julian?

ATTORNEY JEFFERSON: Yes, so, speaking of taking all two full days, 9:00 a.m. to 6:00 p.m., during a workweek, that's going to be almost impossible for me. So that'll be very challenging for me to accommodate. So if we go to that, I'd just have way too many court appearances. And I will have to step in-and-out and I'm fine with that. But I just want to be honest that I likely cannot do that.

I'm very much supportive -- actually, hold on one minute -- very much supportive for the public comment testimony for us not asking any questions of the public comment. I think it makes sense to continue to ask questions of people who are Subject-Matter Experts. So I would continue with that, because I think there is great value in us asking questions of Police Officers and Police Commissioners, Criminal Defense Attorneys, whoever the people are who practice in the Criminal Justice System.

But I agree that the value of the community is just for them to tell us things. So I'm fine with that and I would support a Motion on that. Those are my two comments. Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: Ahni, did you have a comment, and then Commissioner Quinn?

DIRECTOR MALACHI: Just yes, I agree with that. I mean, it's how do you question someone about a charge that they've made against a Police Officer and they're sharing that, which would obviously be something that's emotional or those-type issues? How do you question that without sounding ridiculous?

DEPUTY ATTORNEY GENERAL YOUNG: Commissioner Quinn?

COMMISSIONER QUINN: I agree with what Julian said. And I'd go one step further. Even if we, Commission Members, want to inquire from an Expert Witness, as long as Kim has given us the contact, we

may not have to do it that time. We can always reach out and contact them offline, if we had something that could wait.

So I think we are the solution here. And I think that we're managing our time better. We're getting better each call. But, yeah, I think that's the key here. So I would agree with that up until what Julian said -- with what Julian said.

DEPUTY ATTORNEY GENERAL YOUNG: All right. So I'll make two proposals, because I have a 2:00 that I have to go to. So we could either go the John Scippa route, which are two days, eight hours a day. Or the alternative is, we could send out the Doodle poll and we could do some combination to get us to 16 hours.

So we could do two eight-hour days, or we could do four four-hour days. We could do 9:00 to 1:00. I know, Julian, it's brutal with the schedule. But we have to get -- I think 16 hours is probably -- and if somebody wants to make a Motion that each speaker gets no more than an hour, then you're going to have to sort of sort it out amongst yourselves who's going to ask the questions.

And I will try to sort of spin it around so not everybody -- first person doesn't always get to ask the questions. But I think we just have to have just a little more discipline. Ahni?

DIRECTOR MALACHI: Commissioners, would we be in agreement to having Jane ask the questions for us? We could email Jane or Kim and then she just ask those questions, versus us asking them. Or how do we feel about that, to limit the time?

DEPUTY ATTORNEY GENERAL YOUNG: Go ahead, Joseph.

MR. LASCAZE: Well, two things on that is one, even if they submit written testimony, based on their oral testimony, we might have different questions. So it's not like we would be able to know them ahead of time.

And if we did email all the questions to Deputy Attorney General Young, then I think that puts her in the same position as us all asking the questions timewise. So, I don't know. But I do think that having multiple days, less time, is better than two eight-hour days, where my mental resources start draining after the 3 1/2 hours. So, yeah, I would support it.

DEPUTY ATTORNEY GENERAL YOUNG: We could do Monday, Tuesday, Wednesday, Thursday. And we could do a couple of mornings and then a couple late-afternoons. I think we're all in agreement that we're not going to limit the public testimony, because it's important to hear from the public. And that the Commission Members are not going to ask questions of public, those can go in. So that seems like everybody's in agreement on that, correct? So does somebody want to make that Motion? We will take a vote on it. And that will be the -- oh, Eddie, do you have a question?

JUDGE GARDNER: I have a question.

DEPUTY ATTORNEY GENERAL YOUNG: No, I think Eddie -- oh, and Judge Gardner has a question.

CHIEF EDWARDS: No question, I think I was going to make a Motion. But I think Director Scippa beat me to it. So I'll second it.

DEPUTY ATTORNEY GENERAL YOUNG: So he'll be a first. You'll be a second. But Judge Gardner has a question. Go ahead, Your Honor.

JUDGE GARDNER: I just have a quick question. Are we limiting the number of minutes for those public testimony for two minutes or something?

DEPUTY ATTORNEY GENERAL YOUNG: So we will take that up next, because that was a good idea to limit that to an hour. But we will take that up next. So this vote is that we will not limit the number of public members that can testify. They will be limited to three minutes' testimony, three minutes only, and that the Commissioners will not ask questions. If they have questions, they'll funnel them through to either Kim or Fallon and I will ask the questions. And maybe even that, we put a five-minute limit on. So each person, the most they're going to get is eight minutes. Does that sound fair?

(No response)

DEPUTY ATTORNEY GENERAL YOUNG: Okay. So, John, you want to make that Motion and articulate that back?

DIRECTOR SCIPPA: Let me see if I could put all those facts into play here. I would make a Motion that, moving forward, any person with public testimony will not be asked any questions by the Members of the Commission, and that people who offer public testimony will be limited in time three minutes.

DEPUTY ATTORNEY GENERAL YOUNG: And three questions, no more than how many minutes?

DIRECTOR SCIPPA: Oh, okay. So we are going to ask these folks...

DEPUTY ATTORNEY GENERAL YOUNG: Oh, no, I'm going to ask the questions. But it's going to be limited other five minutes, right?

DIRECTOR SCIPPA: That is correct, as stated, yes.

LIEUTENANT MORRISON: From Subject-Matter Experts only, right?

DEPUTY ATTORNEY GENERAL YOUNG: Yeah, yeah. These are just public members. These are just public comments. Yeah. Eddie, do you want to second that?

CHIEF EDWARDS: I second that Motion.

DEPUTY ATTORNEY GENERAL YOUNG: Okay. Well, I think I'm going to vote yes on that. Commissioner Quinn?

COMMISSIONER QUINN: I vote yes.

DEPUTY ATTORNEY GENERAL YOUNG: Director Malachi?

DIRECTOR MALACHI: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Commissioner Johnson?

MR. JOHNSON: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: President McKim?

MR. MCKIM: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Judge Gardner?

JUDGE GARDNER: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Lieutenant Morrison?

LIEUTENANT MORRISON: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Chief Dennis has left. Director Norton?

DIRECTOR NORTON: I'm confused.

DEPUTY ATTORNEY GENERAL YOUNG: Okay. That's okay.

DIRECTOR NORTON: Are we asking any questions of the public, or are we only asking questions of the so-called Subject-Matter Experts?

DEPUTY ATTORNEY GENERAL YOUNG: So this is just on the public. And if you have questions for public testimony, you will feed them into Kim. And they will be asked by me, up to five minutes.

DIRECTOR NORTON: Okay. Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Commissioner Lascaze?

MR. LASCAZE: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Okay. Eddie was the second. Commissioner Tshiela?

MS. TSHIELA: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Okay. So now, Subject-Matter Experts -- oh, sorry, Julian. Sorry, Julian?

ATTORNEY JEFFERSON: I vote yes.

DEPUTY ATTORNEY GENERAL YOUNG: Subject-Matter Experts, so there was some discussion about Subject-Matter Experts. They will still have the three minutes. The Commission Members can ask questions. But there's a hard stop at one hour. Does somebody want to make a Motion on that? President McKim?

MR. MCKIM: I will move that for Subject-Matter Experts coming before this Commission that their verbal testimony be a summary of their written testimony. And that their testimony in front of us be limited to three minutes; and that the questioning by the Commission be limited to one hour overall.

DEPUTY ATTORNEY GENERAL YOUNG: And so, as it stands right now, each Commission Member gets three minutes to ask questions with unlimited testimony. That would stay unchanged, correct, with a total cap of an hour?

MR. MCKIM: With a total cap of an hour and I'm now contemplating about whether we limit the response time of the Experts, as well, because I'm not sure we -- I think part of what we're challenged with is that the responses to our questions are also taking quite a bit of time.

DEPUTY ATTORNEY GENERAL YOUNG: Commissioner Quinn?

COMMISSIONER QUINN: And Jane, just this, too, questions, should we limit comments? If you don't have a question, in other words -- yeah.

DEPUTY ATTORNEY GENERAL YOUNG: Yeah, I mean, it's lovely to thank people, but we just got to pick it up.

COMMISSIONER QUINN: So, I agree with that. And maybe if you're the last one and your question's been asked, then you've had no question. But I've been guilty of that, making a comment. So I think we refrain from the comments. If you have a question, you have a question. If your question's already been asked and answered, then yield your time. I will yield mine.

DEPUTY ATTORNEY GENERAL YOUNG: It's okay not to ask a question, too. There's nothing wrong with not asking a question.

DIRECTOR NORTON: This is Ken. I wonder if we might be more efficient if we took a half a hour to process questions that we have before we hear from the Experts, so that we can focus what our concerns are on the area where we feel like we need more information.

DEPUTY ATTORNEY GENERAL YOUNG: James?

MR. MCKIM: And normally I would value that. But I'm finding that I'm coming up with so many of my questions based on the testimony that's been given -- based on the verbal testimony that's been given, not based on the actual written testimony. I'm not sure I'd be able to, in that 30-minute period before the testimony, come up with the questions that I'd want to ask.

DEPUTY ATTORNEY GENERAL YOUNG: Julian?

ATTORNEY JEFFERSON: So, I think I'm uncomfortable with drawing this arbitrary one-hour limit for our witnesses. I don't think there's been any -- and people can correct me if I'm wrong -- I don't think there's been any -- when we're done with the witnesses, say that person wasn't a valuable witness that we questioned and that we got information from. And during that back-and-forth deliberation, we've heard things.

So it seems like we'd be creating a one-hour deadline that we haven't felt like people have been testifying before us, or the questions that we're asking, or the responses that we're getting are not all valuable things to inform our deliberation process. So I think we should leave the rules of nonpublic testimony as they are, and just proceed.

Or if we're going to set this one-hour deadline, or some deadline, that there needs to be some flexibility, because, I mean, just creating an hour out of thin air, it's not related to anything. So I would be uncomfortable with that.

DEPUTY ATTORNEY GENERAL YOUNG: So how about limiting each Commissioner's question to no more than three?

ATTORNEY JEFFERSON: I would be okay with that.

DEPUTY ATTORNEY GENERAL YOUNG: And that's questions, sort of not categories of questions. I mean, I'm trying to keep the train moving. And nobody's wasting time. Don't get me wrong on that. But I mean, we have a deadline that we have to meet. Everybody's busy. I do not want to lose Commissioner Tshiela because she's going back to classes, nor do I want her not to go to classes for this.

So we have to just stay on this train. But I also get, by 5:00 last week, my eyes were pretty fuzzy and I couldn't remember some of what we said. So then, we have to kind of go back and correct it. So you do reach a saturation point, too. I understand Joseph's point on that. Go ahead, Joseph.

MR. LASCAZE: I was wondering, then, maybe if what we did was a hybrid of that where each Commissioner, they ask a set amount of questions and then it move to the next one. And then, if there was time at the end, if someone didn't ask questions, or time was yielded, then we can go back to ask additional questions within that timeframe that was allowed, doing it that way. I just think that a problem with limiting questions of Subject-Matter Experts is it allows things to be misconstrued, or it's very possible that only a portion of an answer gets heard and a narrative gets ran with that, because there wasn't time to really explain or flesh it out.

But I do hear what you're saying that we need to move it along. And you know me. I'm down for moving things along and ending them. So I just think, though, that maybe we could do it that way, where

ask questions, move to the next. If no one asks a question, or they yielded their time, then we can circle back.

DEPUTY ATTORNEY GENERAL YOUNG: Oh, go ahead, James.

MR. MCKIM: So, I'm curious. Do we need to get clarification during our meeting? Or can we get clarification on a question that we have from an Expert Witness outside of the meeting and have that response brought back to us?

DEPUTY ATTORNEY GENERAL YOUNG: I think as long as it comes back to the Commission, but, John, you have your hand up.

DIRECTOR SCIPPA: To go along with Joseph's suggestion, I think this might make sense, and to kind of couple with what you had said, Attorney General. Maybe each one of us gets three questions. And if we only ask two, then we yield our third question. And so, if there's certain Commission Members that have more than three questions, I can kind of pass my question onto the next Commission Member, if that makes sense.

It keeps it tight in terms of asking questions. And at the same time, we're not going to feel compelled to ask a question. And we can certainly field one or more of our questions to another Commission Member who may have more. Maybe that's a more equitable way and efficient way to do it.

DEPUTY ATTORNEY GENERAL YOUNG: Okay. So does somebody want to make a Motion on that, to limit the number, not limit time, but each Commission Member would ask no more than three questions, knowing that if somebody else yields their questions, they could pick those up?

ATTORNEY JEFFERSON: I will make that Motion.

MR. LASCAZE: Just real quick, is it based on questions or is it based on time?

DEPUTY ATTORNEY GENERAL YOUNG: Questions, you get to ask three questions. So you still have three minutes, but you get to ask three questions.

MR. LASCAZE: Can we up that to four, then, four questions? Because three questions in three minutes, I think everyone on average has got at least five questions in before their time ran out. I would at least up it to four, if possible.

MR. MCKIM: Do we have...

DIRECTOR MALACHI: So, if we're sharing, Joseph -- so if we're kind of sharing questions, so there may actually be a time that I won't have questions. And Ronelle may have six. So I'm sharing, you know what I mean? So we've been good.

MR. LASCAZE: All right.

DIRECTOR MALACHI: We've been good about handing over time. I'll try to even be better. So, there's that.

MR. LASCAZE: All right. I'll keep my piggybank open for you.

DIRECTOR MALACHI: Okay.

MR. LASCAZE: You can send them over to me and I'll put them in there.

DIRECTOR MALACHI: I can do that.

MR. LASCAZE: Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: James, you have a question?

MR. MCKIM: It may be that it was just addressed. But I was wondering. Do we have a sense of how many questions we've been asking over time? I mean, has it been an average of three per person? Or do we have a sense of whether it's been more or different? I'm just trying to make a databased decision rather than just a general kind of feeling decision.

DEPUTY ATTORNEY GENERAL YOUNG: Yeah, I mean, I can tell you time not necessarily questions. But the time is really -- the Jack Bauer clock does nothing for anybody. I mean, that just sort of runs and it's just gone.

But I'm going to have to try to hold you to the clock a little bit more. So I mean, we can maybe look at that. But we're not close on time.

MR. MCKIM: And the reason I ask that is because I think we're in a quandary here as to whether we shorten the overall amount of time for a witness, or whether we shorten the number of questions. And I'm looking for some way to determine which is the best approach.

DEPUTY ATTORNEY GENERAL YOUNG: Eddie, I'll go to you and then to Ahni.

CHIEF EDWARDS: Well, not to belabor this too much longer, because I know you have a 2:00 that you're running close to.

DEPUTY ATTORNEY GENERAL YOUNG: I do.

CHIEF EDWARDS: I just think if Commission Members kind of raise their hand if they have a question, I know that's a little bit more work on your end, administratively, trying to keep track of who raised their hand. But it seems to me that it's better, so that people don't feel pressure. And I know some people probably feel like they don't feel pressure.

But I just think, when we go through the roll call, people feel pressured somehow to come up with a question. So if people would raise their hand, I think that would cut down on it, because when we have a

free-flowing conversation, there's only about six or seven Commissioners that ask questions. And so, I think that that'll limit a lot of discussion.

DEPUTY ATTORNEY GENERAL YOUNG: So do you get to raise your hand more than once? So if you get your hand up and you get your five questions, do you get to raise your hand again?

CHIEF EDWARDS: No.

DEPUTY ATTORNEY GENERAL YOUNG: I mean, that's just an order for me so it's not...

CHIEF EDWARDS: Oh, sure. So, for instance, if I raised my hand and I was the first Commissioner to ask questions, then I think, out of respect for my fellow Commission Members, I should kind of withhold my questions at that point and not belabor the issue.

I think we all want to get things in. But I think sometimes when we eat up too much of the clock, that puts pressure on that other Commission Member, as well, not to ask questions or things like that. So I think we just have to be mindful of that, a little bit more respectful of the time.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. Ken, you have your hand raised.

DIRECTOR NORTON: Yeah, I just want to come back to the question of whether it makes sense to have a date certain for public hearings so that the public knows what day it is, and that we agree that we're just going to continue until everybody's done so that we know that -- and they know that they're going to be heard that day, and we know that, at the end of that, that we're going to be done with public testimony.

DEPUTY ATTORNEY GENERAL YOUNG: Yeah, and that's what I plan to do, Ken, with the Doodle poll. That's why I have it in those dates.

DIRECTOR NORTON: Okay.

DEPUTY ATTORNEY GENERAL YOUNG: And I'll pin those dates down. That's my goal is to get that calendar back out tomorrow with the dates.

DIRECTOR NORTON: And then, we will announce that to the public?

DEPUTY ATTORNEY GENERAL YOUNG: Yes, yeah. It'll go up on the website.

DIRECTOR NORTON: Okay.

DEPUTY ATTORNEY GENERAL YOUNG: So we will know what day is general public. And then, if you want to fill in with additional Subject-Matter Experts, we can put those in on those days that we have.

DIRECTOR NORTON: Yeah.

DEPUTY ATTORNEY GENERAL YOUNG: But, yes, that was absolutely the goal.

DIRECTOR NORTON: Great, thanks.

DEPUTY ATTORNEY GENERAL YOUNG: You're welcome. Okay. So the last Motion that I had was Julian. So, Julian, why don't you say it again, or we can move off it?

ATTORNEY JEFFERSON: And I liked Chief Edwards' point, as well. So I'll make this Motion. So I will motion that each Commission Member be limited to three questions, with the under -- four? Okay.

DEPUTY ATTORNEY GENERAL YOUNG: Joseph wanted four.

ATTORNEY JEFFERSON: Okay, four questions with the understanding that questions can be yielded to other Commission Members, and that we don't have to do it in the roll call. We can just simply raise our hands. And if we don't have any questions, then we don't raise our hands. That's my Motion.

DEPUTY ATTORNEY GENERAL YOUNG: Do I have a second? Joseph, do you second that?

(No response)

DEPUTY ATTORNEY GENERAL YOUNG: Okay, thank you. Commissioner Tshiela, how do you vote?

MS. TSHIELA: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Okay. Chief Edwards?

CHIEF EDWARDS: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Julian, Joseph, Director Norton?

DIRECTOR NORTON: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Lieutenant Morrison?

LIEUTENANT MORRISON: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Judge Gardner?

JUDGE GARDNER: Well, I have a problem with it, because I just think it's going to be hard for you, Deputy Young, to keep track of whose hand goes up first and all of that. I just don't think it's the most efficient way to deal with the questions. But maybe you can talk to that.

DEPUTY ATTORNEY GENERAL YOUNG: So, I mean, we're getting them. So I've been fairly organized, I think, through this process. If it becomes unruly pretty quickly, I'll let you know and we will go back to this way.

JUDGE GARDNER: Okay. And so, with the caveat that we can always go back so that Deputy Young can deal with it more efficiently, so yes with that caveat. Thanks.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you for looking out for me. President McKim?

MR. MCKIM: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Commissioner Johnson?

MR. JOHNSON: I'll only take three. Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Okay. Director Scippa?

DIRECTOR SCIPPA: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Director Malachi?

DIRECTOR MALACHI: Yes, and it would be it's even better if we type in the chat, if you can't see us or something, because Fallon does a really good job of letting you know it's us. So, maybe that's another way to do it.

DEPUTY ATTORNEY GENERAL YOUNG: Raise your hand in the chat is what I'm being told. And we will get to you.

DIRECTOR MALACHI: Okay. Oh, mine is weird. I still can't raise it in the chat. But, okay. Yes. And my answer is yes.

DEPUTY ATTORNEY GENERAL YOUNG: Okay. Commissioner Quinn?

COMMISSIONER QUINN: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Okay. And I vote yes. So the last, I think that I've heard, is we're probably going to send out a Doodle poll with four-hour blocks. And we will try to do 16 hours a week, so four four-hour blocks. Okay.

MR. MCKIM: With some evening potentials.

DEPUTY ATTORNEY GENERAL YOUNG: Yes, not Friday evenings. Okay. Any other questions before Joseph? He's poised, ready to go.

MR. LASCAZE: I'm ready.

DEPUTY ATTORNEY GENERAL YOUNG: All right.

MR. LASCAZE: I'm ready.

MS. REED: Deputy Young, it's Fallon. Just real quick logistics, if it's okay. Whether you raise your hand in the system, send me a jabber or send me a text through my cellphone, or send me a note on the chat feature, I will get you all. And then, Kim and I work behind the scenes and make sure that Deputy Young knows that. So, don't worry. We will get you one way or the other. And I'm glad, for the record, that I don't have to do the timer anymore, because I clearly was slacking on that sometimes.

DEPUTY ATTORNEY GENERAL YOUNG: John Scippa, do you have a question?

DIRECTOR SCIPPA: Just a quick comment for all the Commission Members who are planning on attending the training tomorrow, Chief Noble Wray, who is the gentleman who's delivering the training, is literally stuck in Milwaukee in an airport, based on the storm that's coming through. We have not been able to maintain contact with him in the last couple of hours. We're under the impression that he's on his way here.

So I would ask any of the Commission Members to please just watch your email tonight so that we can confirm that the Chief will be here tomorrow to deliver the training. And if not, we will send out a notice that Chief Wray could not make it. And then, we will reschedule. And I apologize. But it's the tropical storm that's coming in that's going to affect this. Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. Joseph, what would you like to say?

MR. LASCAZE: I would like to put in a Motion that we adjourn this meeting right now for the rest of the day.

DEPUTY ATTORNEY GENERAL YOUNG: Do I have a second?

MR. MCKIM: Second.

DEPUTY ATTORNEY GENERAL YOUNG: Oh, John Scippa had his hand up first.
Commissioner Quinn?

COMMISSIONER QUINN: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Okay. Director Malachi?

DIRECTOR MALACHI: I'm laughing, yes.

MR. JOHNSON: Are you talking to me? Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Yes, thank you. You said yes, thank you. President McKim?

MR. MCKIM: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Judge Gardner?

JUDGE GARDNER: Yes, and don't forget to eat before your meeting.

DEPUTY ATTORNEY GENERAL YOUNG: Oh, I know. Thank you. Lieutenant Morrison?

LIEUTENANT MORRISON: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Director Norton?

DIRECTOR NORTON: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Attorney Jefferson?

ATTORNEY JEFFERSON: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Chief Edwards?

CHIEF EDWARDS: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Commissioner Tshiela?

MS. TSHIELA: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Yes, okay. And I vote yes, too. See you Friday, guys. Bye.

DIRECTOR MALACHI: Love you all in a non-sexually harassing way. Have a good afternoon.

(Meeting adjourned.)