



**New Hampshire Commission of Law Enforcement  
Accountability, Community, and Transparency**  
Remote Commission Meeting via Teleconference  
Monday, August 10, 2020 at 9:30 a.m.

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**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*; Stephanie Hausman, *Esquire*; and Palana Belken, *Trans Justice Organizer, ACLU of New Hampshire*.

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**DEPUTY ATTORNEY GENERAL YOUNG:** Thank you. Good morning, Fallon. I call it an ambitious schedule. 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.

The meeting for the Commission on Law Enforcement Accountability, Community and Transparency is now 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 to identify him or herself, where they are located, and who, if anyone, is with them. I will start. As I indicated, I am Jane Young. I am at the Department of Justice in Concord. And with me this morning, as usual, are Kim Schmidt, Annie Gagne, and Nicole Clay. So we will start with Commissioner Quinn. Good morning, Commissioner.

**COMMISSIONER QUINN:** Good morning, Deputy Young and Commission Members. Bob Quinn, Department of Safety; I'm at my office, 33 Hazen Drive in Concord. And I am alone.

**DEPUTY ATTORNEY GENERAL YOUNG:** Thank you. Good morning, Director Malachi. How are you?

**DIRECTOR MALACHI:** Good morning. I am well. Greetings, everyone. This is Ahni Malachi. I am at my home in Penacook. And I am alone.

**DEPUTY ATTORNEY GENERAL YOUNG:** Thank you. Good morning, Director Scippa, with the fancy background. How are you?

**DIRECTOR SCIPPA:** Doing well, General. Good morning, everyone. John Scippa, Director, Police Standards and Training, and I am at my home in Exeter. There are other adults in the house, but they are not in this room.

**DEPUTY ATTORNEY GENERAL YOUNG:** Thank you. Good morning, Commissioner Johnson. How are you?

**MR. JOHNSON:** I'm well, Deputy Young. I am Rogers Johnson. I'm in my home office in Stratham. There is no one with me. I'm trying to figure out where everybody went.

**DEPUTY ATTORNEY GENERAL YOUNG:** Probably to the beach, it's beautiful.

**MR. JOHNSON:** Yeah, they didn't tell me.

**DEPUTY ATTORNEY GENERAL YOUNG:** Because you're busy doing God's work. Thank you.

**MR. JOHNSON:** Welcome.

**DEPUTY ATTORNEY GENERAL YOUNG:** Good morning, President McKim. You also have the snazzy background this morning.

**MR. MCKIM:** Yes, good morning, Deputy Young. And good morning, Commissioners. This is James McKim. I am in Lincoln, New Hampshire. And the woods that you see behind me are not too far away from the woods that I hope to be walking through later this afternoon. I am here in Lincoln, in my room. There is no one else in the room. But my wife is elsewhere in the house.

**DEPUTY ATTORNEY GENERAL YOUNG:** Thank you very much. We will try to accommodate your schedule. Thank you. Good morning, Judge Gardner.

**JUDGE GARDNER:** Good morning, Deputy Young and fellow Commissioner Members. This is Sawako Gardner. I'm in Dover District Court. And I will be having to step out shortly, because my Docket is starting up. So, thank you. Have a good day.

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

**LIEUTENANT MORRISON:** Good morning, Deputy Young. Good morning, everybody else. Mark Morrison, I am here on behalf of the New Hampshire Police Association. I am located at the Londonderry Police Department. And I am alone in my conference room.

**DEPUTY ATTORNEY GENERAL YOUNG:** Thank you. Good morning, Chief Dennis. How are you?

**CHIEF DENNIS:** And good morning, Deputy Young. And good morning to everyone else. I'll be in my office at 46 Lyme Road at the Hanover Police Department. And I am alone.

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

**DIRECTOR NORTON:** Good morning, Deputy Young and Commission Members. I'm Ken Norton from NAMI New Hampshire, the National Alliance on Mental Illness. And I'm on Great Cranberry Island in Maine. I am alone. There may be family in the home at a later point in time during the day.

**DEPUTY ATTORNEY GENERAL YOUNG:** Thank you. Good morning, Commissioner Lascaze. How are you?

**MR. LASCAZE:** (No audible response).

**DEPUTY ATTORNEY GENERAL YOUNG:** Oh, no. We're having -- Fallon, can you -- no.

**MS. REED:** I'll try to troubleshoot with him and see if we can get it to work.

**DEPUTY ATTORNEY GENERAL YOUNG:** Okay. We will come back. We will come back. Good morning, Attorney Jefferson.

**ATTORNEY JEFFERSON:** Good morning, Deputy and fellow Commission Members. My name is Julian Jefferson. I'm at my office in Manchester. And I am alone.

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

**CHIEF EDWARDS:** Good morning, Deputy Young and fellow Commission Members. Happy Monday. I am in my home in Dover and my wife is in the other room.

**DEPUTY ATTORNEY GENERAL YOUNG:** Thank you. Okay. We still are having some technical difficulties there. Good morning, Commissioner Tshiela. How are you?

**MS. TSHIELA:** Good morning, everyone. I'm good. I'm at my home in Durham, New Hampshire. And I'm alone. And also, my video's not on because I have to use my phone and it's incredibly distracting when I have to keep touching the screen. So, sorry.

**DEPUTY ATTORNEY GENERAL YOUNG:** No problem, thank you. We know that Commissioner Lascaze is with us, but he's having some technical difficulties. So we will loop back and take his attendance as soon as -- oh, Fallon, is he back?

**MS. REED:** Yeah. Go ahead.

**MR. LASCAZE:** Can everyone hear me?

**DEPUTY ATTORNEY GENERAL YOUNG:** Yes, good morning.

**MR. LASCAZE:** All right. Good morning to all Commission Members. I hope everyone had a great weekend. I'm Joseph Lascaze, representative of the American Civil Liberties Union of New Hampshire. I am working out of Ipswich, Massachusetts today. There are two other residents in this building. But I am alone in this room.

**DEPUTY ATTORNEY GENERAL YOUNG:** Thank you. We will next move onto the approval of the Minutes for the August 7th meeting. The only -- sort of the only question or the addition that I would have is in the first paragraph, when it talks about Mr. Lascaze. And Mr. Lascaze, I think you can clarify this. It said you wanted to inform the Commission that you spoke to a Reporter. Did you speak to a Reporter, or were you contacted by a Reporter? That was my only technical question.

**MR. LASCAZE:** Yeah, I did not speak to a Reporter at all. I was contacted by a Reporter.

**DEPUTY ATTORNEY GENERAL YOUNG:** Okay. So, we will make that edit, so it will read that he was contacted by a Reporter. And we will delete spoken to. We will change that language. So, with that amendment being made, does anyone else have any additions, or corrections, to the Minutes for the August 7th meeting?

(No audible response).

**DEPUTY ATTORNEY GENERAL YOUNG:** Would anybody like to make a Motion on these Minutes? Joseph?

**MR. JOHNSON:** Without objection, so ordered.

**DEPUTY ATTORNEY GENERAL YOUNG:** Oh, who said that? Somebody's not -- so Joseph moved. Okay. So Joseph is the first and Commissioner Johnson is the second. Ms. Tshiela, your vote?

**MS. TSHIELA:** Yes.

**DEPUTY ATTORNEY GENERAL YOUNG:** Chief Edwards?

**CHIEF EDWARDS:** Yes.

**DEPUTY ATTORNEY GENERAL YOUNG:** Attorney Jefferson?

**ATTORNEY JEFFERSON:** Yes.

**DEPUTY ATTORNEY GENERAL YOUNG:** Thank you. Director Norton?

**DIRECTOR NORTON:** (No audible response).

**DEPUTY ATTORNEY GENERAL YOUNG:** Did we...

**DIRECTOR NORTON:** Sorry, yes.

**DEPUTY ATTORNEY GENERAL YOUNG:** Thank you. Chief Dennis?

**CHIEF DENNIS:** Yes.

**DEPUTY ATTORNEY GENERAL YOUNG:** Lieutenant Morrison?

**LIEUTENANT MORRISON:** Yes.

**DEPUTY ATTORNEY GENERAL YOUNG:** Judge Gardner, I believe, has left us. Is that correct? Okay. So Judge Gardner does not vote. President McKim?

**MR. MCKIM:** Yes.

**DEPUTY ATTORNEY GENERAL YOUNG:** Rogers was the second. Director Scippa?

**DIRECTOR SCIPPA:** Yes.

**DEPUTY ATTORNEY GENERAL YOUNG:** Thank you. Director Malachi?

**DIRECTOR MALACHI:** Yes.

**DEPUTY ATTORNEY GENERAL YOUNG:** Commissioner Quinn?

**COMMISSIONER QUINN:** Yes.

**DEPUTY ATTORNEY GENERAL YOUNG:** Okay. And I vote yes with the amendment, thank you. So, we will next go onto the public testimony portion today. We are wrapping up the section on community relations between the community and the Law Enforcement that serves those community [sic].

We have three people who have indicated that they would like to speak today. The first will be Stephanie Hausman. She provided written testimony that you should all have. Kim Cossack, who has not provided written testimony; and Palana Belken, who's from the ACLU. So those are the three individuals that we are aware of.

For any member of the public who would like to speak, please virtually raise your hand. To do that, if you are using a computer or the WebEx app, find your name in the Participation List and hover over your name. When you do that a Raise Hand icon will appear. You are, then, to click on that button, which will place a small hand icon next to your name on the Participation List. If you are calling in, please press \*3. And when you're called on to speak, please state your first and your last name for the record.

And as the Commission agreed last week, what will happen will be that the public testimony will be had. And if there are questions from the Commission Members, those will be sent to Fallon. And Kim and

Fallon, we will go through the list and we will call on people in the order in which they come in. And we will ask your questions, Commission Members. Does that sound good to everyone?

(No audible response).

**DEPUTY ATTORNEY GENERAL YOUNG:** And with that, we will welcome Stephanie Hausman. Good morning, Stephanie. Can you...

**ATTORNEY HAUSMAN:** Good morning.

**MS. REED:** Ms. Hausman, go ahead.

**ATTORNEY HAUSMAN:** I just would like to -- I'm just trying to figure out which camera am I...

**DEPUTY ATTORNEY GENERAL YOUNG:** Yeah, you're good, Stephanie. So we see you.

**ATTORNEY HAUSMAN:** Great, good morning. My name is Stephanie Hausman. I want to thank you, Commission Members, for the important work that you're doing and for providing me this time to speak. I am a New Hampshire Public Defender. But I'm not speaking for or as a Public Defender, but as a New Hampshire citizen. But my work at a Public Defender does form my comments here this morning.

I want to ask the Commission to make recommendations for better and different recordkeeping from Law Enforcement. While better recordkeeping and data collection aren't as compelling as human interest stories about the relationship between Law Enforcement and the communities they serve, they are necessary for us to understand the most important aspect of that relationship, and that is how Law Enforcement interacts with the community, while policing.

Analysis of the data about that relationship will help us explain how we get to the known endpoint of our criminal justice system, which is we know that the Prison has a black population that's four times as high as the percentage of blacks living in New Hampshire. And to illustrate what increased recordkeeping could show, I want to share an experience I had at work.

I represented a black woman who was charged after a motor vehicle stop. Her case was in a unique position. Her conviction had been overturned by the Supreme Court. It was back in the Superior Court, where the State was arguing that the evidence found during an illegal search would have been inevitably discovered.

And it was that unique posture that made relevant the Arresting Officer's typical practices. And that resulted in my obtaining Reports from this Officer for the seven months that surrounded the stop that was involved in my case.

In my 18 years as a Public Defender, this is the only time when I had been given access to a cross-section of an Officer's work. And I found that experience illuminating. The Reports that I received documented 20 motor vehicle stops in which the Officer interacted with 34 people, drivers and passengers. Of those 34 people, he frisked four people. A frisk is allowed when the Officer has reasonable and articulable suspicion to believe a person is armed and presently dangerous.

So one of the four people that he frisked was the only person who actually told the Officer he was armed. He said that he had a knife on him. And that gave the Officer sufficient suspicion to believe the person was armed.

The other three people that he frisked were the only black and Latinx people he interacted with in those 20 stops. And the reasons he gave in the case I worked on to frisk the two black women in the car were that he was outnumbered by the two occupants of the car. They were coming from Manchester, which was a high-crime area. They acted nervous. And they failed to make eye contact.

But plenty of white people, as seen by all 20 Reports, had outnumbered him, had been coming from Manchester, and had acted nervous and failed to make eye contact. I can believe that the Officer thinks he is policing in an unbiased way and that he only frisks people who pose a danger. But, by looking at a cross-section of his work, we can see that he perceives black and brown people as more of a danger than the white people he interacts with.

This has real impacts on the people being policed. My Client had wanted to speak to the Commission, but we only found out this weekend that today was the day I was going to speak. And so, she wasn't able to make it. But she asked me to express to you her experiences.

She felt violated by the Officer putting his hands all over her to frisk her. And she had a good reason to feel that she was being treated in this way because of his perceptions of her, and not based on what she had done, or the risks she posed. And it decreased her feeling of trust that the Police were there to serve everyone equally. I see that I'm out of time, so I will take questions. I also have some specific recommendations but I don't want to overstep my time. And that is included in my written testimony.

**DEPUTY ATTORNEY GENERAL YOUNG:** Thank you very much, Stephanie. And we did get your written testimony, as well. And it has been posted for a couple of weeks. So, thank you for that. It's nice to see you this morning, too. Hi.

**ATTORNEY HAUSMAN:** You, too, hi.

**DEPUTY ATTORNEY GENERAL YOUNG:** Do we have questions or comments for Attorney Hausman?

(No audible response)

**DEPUTY ATTORNEY GENERAL YOUNG:** Seeing none, I thank you for your time, Stephanie.

**MS. HAUSMAN:** Thank you, all.

**DEPUTY ATTORNEY GENERAL YOUNG:** Fallon, we will now go to Attorney Kim Cossack. Is she on the line?

**MS. REED:** I'm not seeing her. But if she's dialed in via phone, Ms. Cossack, please hit \*3 on your phone. I'm not seeing anything, Deputy Young.

**DEPUTY ATTORNEY GENERAL YOUNG:** Okay, thank you. How about Palana Belken?

**MS. REED:** Yeah, Ms. Belken's on.

**DEPUTY ATTORNEY GENERAL YOUNG:** Okay. Good morning, Ms. Belken. Am I correct that we do not have written testimony from you?

**COUNCILOR BELKEN:** That is correct. And I'm going to send it right after this.

**DEPUTY ATTORNEY GENERAL YOUNG:** Okay. Thank you very much. So, you have three minutes to speak. The Commission Members, to the extent they have questions, will send them into our host. And then, we will ask you those questions sequentially, as we had received them. So, with that, welcome. Good morning, and the floor is yours.

**COUNCILOR BELKEN:** Okay, excellent. Thank you, Members of the Commission, for having me here today. It's really great that this work is happening here in New Hampshire. So my name is Palana Belken. I'm the Trans Justice Organizer at the ACLU of New Hampshire. And over the last two years, I've spent a lot of my time working with Members of the trans and the gender-nonconforming population here in New Hampshire, as well as folks that interact with this population.

And I developed a training titled Being Proactive with Pronouns at the urging of a seacoast Police Department that were looking to better their interactions with trans folks, recognizing that there were times where they felt uncomfortable, or they could tell that they were making somebody else feel uncomfortable. And I'm here to ask the Commission to consider adding something about respectfully interacting with trans folks, which really boils down to pronoun inclusion.

There was an instance not too long after I began this job where there was somebody who was sexually assaulted. And it was reported on as if it was a man who was sexually assaulted. And the Police Report was written in male pronouns and using this person's name on their ID. And they were terrified to consider trying to pursue justice here.

It was just -- it was awful. I mean, I was trying to do everything I could to help them. I was reaching out to news outlets and letting them know, hey, this is some misinformation that got out. And just seeing folks misgendered in sensitive Police Reports, I do strongly consider [sic] the Commission to add something about the idea of being able to share pronouns, or ask folks about them, when they're unsure, because I really think that's where some of the issue comes from.

I've given this presentation now dozens of times. I've given it to Medical Professionals. I've given it to school districts. And I've given it to Law Enforcement. And I hear nothing but great things about folks that are able to incorporate some of these things on their first week, or second week, after taking the training. So, that is it for me. I strongly encourage the Commission to take a look at including something about sharing gender pronouns in their training. And I will yield to questions.

**DEPUTY ATTORNEY GENERAL YOUNG:** Thank you very much. Yeah. Director Scippa, questions or comments?

**DIRECTOR SCIPPA:** Yes, one question. How long is your block of instruction? How long does it take to deliver that block of instruction?



**COUNCILOR BELKEN:** So, I am going to -- with my testimony, I will submit some of those materials. It can take anywhere from 5 minutes to 30 minutes, to an hour, depending on what you want to dedicate the conversation to, or depending how deep you want to go with it. But, at a minimum, you could fit something in just about how to respectfully use this language in five or 10 minutes. It doesn't need to be a full unit.

**DIRECTOR SCIPPA:** Thank you very much.

**DEPUTY ATTORNEY GENERAL YOUNG:** So we have a question from Attorney Jefferson. He'd like you to give us a sense of what is included in your training, if you could just sort of give an overview of that training.

**COUNCILOR BELKEN:** Absolutely; so when I have more time, I like to set folks up with letting them know what all the different words that they may not know are, including what all of the LGBTQIA and so on, and so forth, means.

But, we get into talking about how to respectfully share pronouns. So that includes the questions that you don't want to ask, which are, are you a guy or a girl? Are you a -- and figuring out how does that person like to be referred to. How we navigate when maybe you met someone and you didn't get that out of the way right to begin with, and then you need to backtrack and be like, oh, by the way, I don't know how to refer to you. And that's it, really, just bringing people through different scenarios and showing them how to navigate out of -- or into being an inclusive person.

**DEPUTY ATTORNEY GENERAL YOUNG:** Thank you. We have a Commission Member, Mr. Joseph Lascaze, who's going to ask you his question.

**COUNCILOR BELKEN:** Okay.

**DEPUTY ATTORNEY GENERAL YOUNG:** Go ahead, Joseph.

**MR. LASCAZE:** Thank you, Deputy Young. Hi, Palana. Thank you for your testimony today and showing up. I just had two quick questions for you. The first is about legislation that was passed last year. So we did have legislation passed that added a third gender marker to the New Hampshire Driver's License. So, I wanted to know. Do you think it's important that Police Officers understand what the third gender marker means and why it's important to community members?

**COUNCILOR BELKEN:** Absolutely, especially because just maybe when you're in the heat of a moment, when you're kind of lost in your work, it's very easy to pivot to he and she. And then, where this third gender marker's about using other pronouns, most often they and them, but knowing how to use gender-neutral terms and whatnot.

I will uplift, too, that Joseph mentioned that we had this Bill passed last year. And in 2018, we passed transgender nondiscrimination protections here in New Hampshire, too. So that's an additional piece of legislation that has happened that I think sets us up for this to be an appropriate thing for Police training to be looking at.

**MR. LASCAZE:** All right, thank you. And one last question for you; with the -- and I know you speak to a lot of community members. With all the community members that you speak to that you represent from the trans community, is there a thought that requiring Police Departments to undergo a pronoun training, such as yours, would improve relationships between the trans community and Law Enforcement?

**COUNCILOR BELKEN:** Absolutely, and a big part of this presentation is showing that, regardless of what your understanding is around how somebody lives their life, that being able to understand pronouns is really all you need to move forward with a respectful relationship.

**MR. LASCAZE:** Thank you very much and I yield the rest of my questions.

**DEPUTY ATTORNEY GENERAL YOUNG:** Thank you very much. Palana, we see no additional questions. So thank you very much for joining us today. And enjoy the beautiful, warm day.

**COUNCILOR BELKEN:** Thank you very much.

**DEPUTY ATTORNEY GENERAL YOUNG:** Bye. Fallon, has Kim joined us yet?

**MS. REED:** I do not see her. Just a quick reminder, if she's dialed in by phone, please hit \*3.

**DEPUTY ATTORNEY GENERAL YOUNG:** Okay. Do we have any other members of the public, and we can loop back to see if Attorney Cossack has joined?

**MS. REED:** I'm not seeing any others. But, again, for those that are on through WebEx, or through the WebEx app, just use the raise your hand feature. Or if you dialed in through the phone, if you hit \*3, it'll raise your hand for you. And then, we will be able to unmute you. So, I'm sorry, Deputy. Mr. McKim has a question.

**MR. MCKIM:** Actually, that was a question for Palana. But she's gone. So I'll pick it up later.

**MS. REED:** I can bring her back, if that's okay.

**MR. MCKIM:** That would work for me. But it's up to her -- up to Palana, sorry. Is that right?

**COUNCILOR BELKEN:** I'm back.

**MR. MCKIM:** Thank you. And thank you for your testimony. I'm curious to hear your thoughts on beyond just training on use of pronouns and respectful inclusion, is there anything that we might recommend around Law Enforcement being proactive to -- let's the public know that they are aware of the challenges of being respectful and to ease their minds?

I know people in the -- people of color have this tension, when they see Law Enforcement. And so, we're trying to figure out, how do we proactively reduce that tension? So I'm curious to hear your thoughts from your community, what might be done to proactively reduce that tension.

**COUNCILOR BELKEN:** Yeah, I mean, that's a really big start to it, because, I mean, I just know that I personally always have a fear, especially here in New Hampshire, that there's a very solid chance that if I were to get in trouble with the law somehow and end up incarcerated, that I would probably be incarcerated with men. And that is an insane fear to be thinking about.

And I know a lot of people have that experience. And I know that I think we -- I don't know what the specific number is. But I know that there's at least five or six trans women in the men's Prison. And I know that that is a fear of many in the community and they think, how is it even possible that that happens? I mean, that is certainly a fear there.

This might be a question that I don't have the best answers for. I mean, just a continued dedication to this, some of it seems silly. But the community policing work that they do, where they send Police Officers to a Pride event or something, I know it irks some folks. But then, in some ways, it's a very nice gesture that we're here in solidarity or something. So, that's what I would say about that.

**MR. MCKIM:** Thank you. And if I might, a follow-up, you mentioned trans folks being in Prison. And it seems like there's something there to unpack a little more. And I wonder if you might unpack that a little bit more for us.

**COUNCILOR BELKEN:** Yeah, totally. I think that there -- I mean, a lot of the people that end up there, they were disadvantaged, to begin with. But, what are the words that I'm looking for here? The -- sorry, I'm struggling with words on this one right now. Yeah, I'm not sure. Ooh, sorry, you were muted.

**MR. MCKIM:** I was on mute. What struck me was when you mentioned that there are trans people who are in either men or women's Prison and it seems like there's a discomfort there. And I'm just curious to hear a little bit more about whether there are any thoughts as to is that appropriate? It doesn't sound like it. But is it appropriate? Is it good? Is this something we should look at recommending that it be changed to be more appropriate, since we do have this concept of men's Prisons and women's Prisons? Just curious your thoughts about that.

**COUNCILOR BELKEN:** Yeah, it's definitely a negative thing, because ultimately these people's identities become weaponized while they're in Prison, because, from what I've heard, it sounds like a lot of folks just don't really have the background knowledge on who trans folks are, so much so that they think that women are men, by putting a trans woman in a men's Prison. And then trying to just kind of like bounce them from cell-to-cell, trying to give them new rooming situations and thinking that that will solve the problem, when, in fact, it's just kind of like the greater treatment of that person.

And I mean, unfortunately, there are some people who were not treated greatly while they are in Prison. And I mean, I had a call with someone, I want to say, about two months ago. And it was a trans woman who was talking about being dragged naked through a Prison with her breasts exposed, and just how humiliating that was.

So, there's other situations similar to that, where it's just awful to think about going through that. I don't know, being stuck in that situation and then being kind of put on a pedestal and shown like, look, this person's different.

**MR. MCKIM:** Thank you. So any recommendations as to we, as a Council, might recommend to address that?

**COUNCILOR BELKEN:** I mean, I guess that this goes in with the idea of the pronoun training is the bare minimum, but something that's a little more expanded that just gets folks familiar and comfortable with more of the language used, so that they don't feel like they're an outsider, so that they're not coming into it with anger, but coming into it maybe with some understanding, especially because, again, I've been doing this for about two years, and I've been a trans person for longer than that.

But, I feel like when people don't understand something, they can get angry, especially when it's about trans issues. They're just like, there's too many genders now. There's too many whatevers (ph) now. And they get mad and dismissive of it, when it's not going away. It's not going to work itself backwards now. We're only growing and people are feeling more comfortable expressing themselves. So, it would be great if Law Enforcement was able to mirror that.

**MR. MCKIM:** Thank you, Palana.

**COUNCILOR BELKEN:** Okay, thank you.

**DEPUTY ATTORNEY GENERAL YOUNG:** Lieutenant Morrison, questions or comments for Palana?

**LIEUTENANT MORRISON:** Yes, morning, Palana. Thank you very much. I just wanted to confirm. I thought that I heard, in the beginning of your testimony, you said you had been requested to provide training by a seacoast Police Department community. And you've also mentioned that you have provided training for others.

I just wanted to confirm that's accurate, because it seems as though the Law Enforcement community is trying to be proactive. And I just want to make sure that that is and has been your experience.

**COUNCILOR BELKEN:** Yeah, so I've only done this now with two different Departments. But both of them were very receptive to it. And like I said, it was one Department that reached out to me and said, we're -- we are trying to do better. We don't know where to send people when things happen. We have people on the Force that are uncomfortable with some of the language around this and we'd like for them become more comfortable.

But, yeah, once I'm in the door and able to work with them, and put this training on, it usually goes very well. The most recent one was I was requested by the Chief of the Nashua Police to record a presentation, so that he can include in all of his trainings for Staff and for volunteers that are around at the Police Station.

**LIEUTENANT MORRISON:** Okay, great. Thank you so much.

**DEPUTY ATTORNEY GENERAL YOUNG:** Attorney Jefferson, questions or comments for Palana?

**ATTORNEY JEFFERSON:** Yes, Palana, I just had one follow-up question. In regards to your comments about ways to engage with the community, are there any transgender organizations here, so that Police know who to reach out to, if they -- so if there's a trans organization, so that they can go -- Police Officers can go to an event to engage in that community policing, because I would imagine, outside of having some kind of organization, or being invited, it would be difficult to really just kind of engage in this sort of abstract sense.

**COUNCILOR BELKEN:** Absolutely, and usually any other year, there would be so many opportunities to engage. This year is a little bit different. But, yeah, there are quite a few LGBTQ organizations. And they're all kind of for different audiences. There's Seacoast and Rural Outright, which are for teenagers. I think it's specifically like 12 through 21.

There's a lot of support groups in this area. So there's PFLAG. There's Renaissance New England. And almost all of the different organizations that put on -- or I think we have five or six Pride celebrations here in New Hampshire. And all of them kind of have a parent company that puts on -- or a parent organization, rather, that puts on their Pride event. So, if it would be helpful, I could include that in my testimony, just list out everything that I can think of.

**ATTORNEY JEFFERSON:** Yeah, no, that would be great if you can include in your testimony organizations that you think would be most likely to meaningfully connect with the transgender community specifically, I think that would be good for us to know.

**COUNCILOR BELKEN:** Okay.

**ATTORNEY JEFFERSON:** Thank you.

**COUNCILOR BELKEN:** Excellent.

**DEPUTY ATTORNEY GENERAL YOUNG:** Chief Dennis, question or comment?

**CHIEF DENNIS:** Just a quick comment and thank you for your testimony. I just wanted to share I think there's probably more Law Enforcement Agencies out there that are doing transgender training. I know we did a four-hour training about three years ago called I Am Aware. And I want to say it's the same training that was taught at the Recruit Police Academy also. So I know there are other Agencies out there that are doing that training so that we can best react and work with that community. So I just wanted to share that point. Thank you.

**DEPUTY ATTORNEY GENERAL YOUNG:** Thank you, Chief. So, Palana, I think you're free to go again, but stay close to the computer.

**COUNCILOR BELKEN:** I'll be watching.

**DEPUTY ATTORNEY GENERAL YOUNG:** Thank you. Fallon, has Kim appeared?

**MS. REED:** One second. I am not seeing her, Deputy.

**DEPUTY ATTORNEY GENERAL YOUNG:** Do we have any members of the public?

**MS. REED:** I'm not showing any hands raised by anyone.

**DEPUTY ATTORNEY GENERAL YOUNG:** Okay. So we will move onto other business and we will be available if somebody appears before then. So, if we can get out of this meeting timely, that will give you guys a couple of hours to get your recommendations.

So you got to write the recommendations to us by tomorrow. We will put them together. We have a pretty good working draft of the next section that we will send out to you. So I'm going to ask that you send your recommendations to Nicole Clay and to Kim Schmidt. And although they're due by noon tomorrow, doesn't mean you can't get them in earlier. And then, as I indicated, we will have conversation about that. We will get that section of the Report submitted.

For the next section, we have John Scippa, the Attorney General's Office, Professor Sheer, Attorney Malone, Attorney Bissonnette, Attorney Krupski, and Attorney Brian Moushegian. If there's anybody else that the Commission Members would like, could you please send that to Kim and we will make sure that we can fill in the form? James?

**MR. MCKIM:** Thank you, Deputy General. I have just a question. I would be really interested in hearing -- and it may be that somebody on the list can speak to this. But being a technology guy to begin with, I would really love to hear from somebody who is currently in law enforcement, responsible for collecting the data that's currently being collected. I'd just like to get a sense of what their sense of the data is and where they might see some areas that we might recommend changes, either technical or non.

**DEPUTY ATTORNEY GENERAL YOUNG:** So, could anyone on the Commission speak to that, Commissioner Quinn or Director Scippa? Commissioner Quinn, go ahead.

**COMMISSIONER QUINN:** Just a follow-up for James, James, can you just go into a little more detail? What is it your -- explain what data. I'd like to fully understand that.

**MR. MCKIM:** I don't have any specific data in mind. Our charge is to investigate reporting. And reporting means reporting out on data. And so, it's a broad definition of data. It's, in one sense, getting a sense of what we're collecting now and how it's being processed, from the perspective of the person who's doing that work, rather than from the perspective of people who are coming up with what the questions are to ask. I'm just trying to get a more complete picture of the situation and where we might make recommendations.

**COMMISSIONER QUINN:** In regards to data, in regards to which silo are you focused on right now?

**MR. MCKIM:** This is the reporting silo. So this is this last third that we're trying to accomplish, because, when we report, we report on data. I mean, we use data to generate Reports. So, I'm just trying to

get a handle on how that data's collected now from a technical perspective to see if there are any recommendations that we might make.

And also, I asked the question earlier about the analysis of the data. Who's doing the analysis of the data? What kinds of experience, what kind of knowledge do they have in interpreting this data that would give us information as a society that we want to have out of it?

**COMMISSIONER QUINN:** So a follow-up, are you talking stops, arrests, or how we manage internally, like our data that we have to retain whether it's criminal records, or NIBRS, or...

**MR. MCKIM:** Any data, because we're being tasked with making recommendations on reporting overall for Law Enforcement. So, I don't have any -- I'm not trying to drill down to a specific type of data. I'm just looking for overall. And it may be that we need to look at certainly State Police has a way of collecting data and managing that data. Local Law Enforcement Agencies have their ways of collecting that data and analyzing that data to coming up with the Reports. So, we're charged with this broad kind of charge here. And I'm just looking for gathering data in as many ways as possible.

**COMMISSIONER QUINN:** So before I kick it to Director Scippa to speak for his Agency, I will say that I know the Colonel spoke a little bit about the software that we have and the platforms that we use internally. And there are various tools out there. There are different companies that have them.

But we've had some success with that over the past, I'd say, five years-or-so, as we implemented it. But, it kind of collects and there's a lot there that can be done with predictive policing and just kind of documenting internally cases we do, investigations.

But I will share with you. The Criminal Records Bureau, which is housed here at Headquarters, the NIBRS Unit, which is the national reporting on various arrests, I'd be happy later, if you needed a three-minute overview on that, if Deputy Young wanted it. But we could speak to that type of data that's being collected, and again on e-ticking. I could explain what data comes and how it leaves from the Police Officer to the courts and to the DMV. So, I'm happy to share that offline, if you want, whatever works for efficiency. But I will let John speak for his Agency, if that helps.

**DEPUTY ATTORNEY GENERAL YOUNG:** Thank you, Commissioner. Director Scippa?

**DIRECTOR SCIPPA:** Thank you. Really quickly, President McKim, generally the collection of data that we see at the Police Academy is really data with regard to demographics of Officers and the training that those Officers receive, and the certification process, and keeping track of any reports of misconduct, anything like that.

So we would not collect data, per se, with regard to the contacts between Police and citizens. But we would collect the data relative to the Officers, themselves. And I could tell you that, presently, we have no real software at all that captures any of that information. The lack of this software was identified in an legislative audit that was conducted in 2019, and identified as something that absolutely needed to be addressed. I've also put that forth in the recommendations, with regard to training, if you look back on my recommendations, with regard to software.

I was asked, as the Commission began to meet. Somebody asked, well, how many black Police Officers are there in New Hampshire? And we don't even collect that data. So I could not, with any accuracy, provide anyone with an overview of present demographics that make up New Hampshire Law Enforcement. And I think that's something that I should be able to push a button and get that information.

So, we are -- on my side of the house, here at Police Standards and Training, that is an absolute necessity. That software, to collect demographic data, to track conduct allegations, any changes in where the Police Officers work, whether they go from one Agency to another, and the ability to deliver online training, which, as we move this forward, it's going to be imperative that my Agency be able to do this to conform to the recommendations that have been put forth so far.

So, I look forward to talking with anybody. I'm actually going to talk with Major Marasco and just hear from him offline about how the State Police are doing it. They may have some pretty strong programs that they're using there that we could adopt. Yes, sir, Commissioner Quinn?

**COMMISSIONER QUINN:** Yeah, and just to add to that, I know that the Major and Director Scippa are talking about it, James, because it's important. We've looked at -- we've identified like a Linguistics Team here at State Police. So, we know which Troopers can speak Russian, Spanish. We've actually -- we have a Trooper from Haiti that has helped.

So, sharing these Police Officers across the State in different investigations has been really helpful. So understanding what tools you have and -- has been really helpful for us. And I know that most Chiefs are willing to share their Officers, if they can help in an investigation. But, I agree with what the Director's saying. It's definitely the direction that we want to be moving into, so we fully understand what we have out there for resources.

**DEPUTY ATTORNEY GENERAL YOUNG:** So, could I ask for a combination of State Police and John Scippa, sort of a second time to come on? We will put you on just to have sort of a brief -- you could have a three-minute chat on what you're doing for data collection currently, sort of a high level. Commissioner, is that okay?

**COMMISSIONER QUINN:** (No audible response).

**DEPUTY ATTORNEY GENERAL YOUNG:** Okay. So we will add that to the schedule, as well.

**DIRECTOR SCIPPA:** Madame Chair, when do you want that to happen?

**DEPUTY ATTORNEY GENERAL YOUNG:** So we have that. We have this nice handy calendar and we will fill you in. We won't put you on the first day. We probably -- we will probably get you in maybe on the 18th. But that's Kim, is trying to juggle a number of schedules. So we will get you on the calendar as quickly as we can so you'll know what day. James, does that help with what you're looking for?



**MR. MCKIM:** I think so, especially as Director Scippa, his response will be for standards which Law Enforcement Agencies across the State are to adhere to. And that piece of the other Law Enforcement Agencies is a piece that I'm wanting to make sure that we're also dealing with, in terms of how data's gathered around misconduct. So, thank you.

**DEPUTY ATTORNEY GENERAL YOUNG:** Thank you. Fallon, have -- has Kim joined us?

**MS. REED:** (No audible response).

**MR. MCKIM:** Mark has his hand up.

**DEPUTY ATTORNEY GENERAL YOUNG:** Okay.

**MS. REED:** No, Kim has not.

**DEPUTY ATTORNEY GENERAL YOUNG:** Okay. So we have a couple of people in the queue. Ken, question or comment, you had your hand up. And then, we will go to Joseph, and then to Mark.

**DIRECTOR NORTON:** Sure, couple of comments and questions. One is to President McKim's questions, I wonder if it makes sense for us to talk about what some of our recommendations might be for tomorrow, so that we are answering questions that we might have, or really seeing who might be the lead for some of these things.

I know data is probably something that we're all thinking of. And it seems like already, just from that last round of questions, that it breaks out in two forms, if there's data related to misconduct. But then, there's this data that's general data that may be relative to community. And we see that overlap, like we saw in the training piece. So that was a question and comment about that.

I think more specific question to Director Scippa is, do you have any information on how many people have gone through the Academy and what their racial demographics are, knowing that they may not still be Police Officers? But does that give us any indication of that?

And then, just last -- and I don't know if this opens up a can of worms. But I thought it might come up under community and didn't come up under community. But we will say that a Member of law enforcement said to me, do we need 240 whatever, Law Enforcement Agencies, in the State? And have we considered regionalizing law enforcement so that there are shared resources for things like data, or smaller Departments, or some of the conversations that we've had relative to accreditation?

And I'm bringing it up now, because I do think it falls under that community category and don't know whether people have any thoughts about that, or whether there have been conversations in the past in the Law Enforcement community about this, or attempts to regionalize, or whatnot. So, I just thought I would bring that up. Thanks.

**DEPUTY ATTORNEY GENERAL YOUNG:** Joseph, question or comment?

**MR. LASCAZE:** Yes, I just had a quick question. It was in regards to President McKim's request for data collection. And so, I'm wondering, myself, if there is -- and I guess this is more of a question for Commissioner Quinn. But it goes back to the data collection that I had spoke about in the beginning.

And I'm just wondering, when an individual is stopped and they get a Ticket, and that racial -- the demographic data is added and it gets sent to the Department of Safety and to the DMV, is there an over -- is there someone somewhere in some basement with a computer that's looking at all of this information from all Police Departments, because if I understand correctly, all Police Departments have to -- whether they're CALEA-certified or not, that information would get sent to the Department of Safety, correct?

**COMMISSIONER QUINN:** The Tickets are going to the DMV, Joseph.

**MR. LASCAZE:** Okay. Okay. So the DMV would then be the place that would have this overall demographic data for every Police Department?

**COMMISSIONER QUINN:** That's if it's being put on the Ticket. And I think there's been a little -- and I think we can address that when we give our presentation. But what we will have to make sure everyone's aware of is what is required and what is not required. Is it required? But, I'll go ahead. Is there like a super data analysis of all this racial data? And the answer to that is no.

**MR. LASCAZE:** Okay. All right. Thank you.

**COMMISSIONER QUINN:** Yeah.

**DEPUTY ATTORNEY GENERAL YOUNG:** Lieutenant Morrison?

**LIEUTENANT MORRISON:** Just briefly, if it would be helpful, I could arrange again for somebody familiar with the CALEA process. I know, in my role, we do collect demographic data on all of our Officers. And it's incorporated into a Recruitment Strategy Report that needs to be generated. And those are standard requirements for any Department that is CALEA-certified.

And even though the number is not great in the State, maybe there's not -- the overwhelming majority of Departments are CALEA, obviously. But those numbers are large. And the Departments that are CALEA make up -- I don't know. I'm guessing a third of the population of Officers in the State of New Hampshire.

So, when you have the accreditation model in place, those things are collected, are analyzed. And Reports are generated upon them. So, I could very easily have somebody speak about the CALEA requirements on those numbers that you were specifically requesting, Mr. McKim.

**DEPUTY ATTORNEY GENERAL YOUNG:** Okay. I think John has a comment, and then we will...

**DIRECTOR SCIPPA:** To James' question, really, I see this as a two-pronged question. The first piece is: are we collecting data and demographics relative to the Police Officers, themselves? And that's one piece of the pie.

And then, I think the second portion of what we're talking about right now is collecting data with regard to every contact that a Police Officer has with somebody in the State of New Hampshire. And I think if we -- I can tell you, from a law enforcement perspective, that would be a massive undertaking, because, in essence, you would have to create some kind of a collection platform that would allow State Police, Manchester, Nashua, those huge Agencies to dump all that information into a collection point. But the same amount of access would have to be available to those very, very small communities that may have one or two Police Officers making up that particular Agency.

So, I think, as a Commission, we probably need to decide what exactly are we trying to capture, in terms of the data. Is it every single Police contact? Is it motor vehicle stops? Is it just Tickets? Is it just arrests? That is going to have huge bearing on trying to collect that data in a way that's going to provide accurate information, because we all know that if we don't collect the data in a universal way, then the data is going to be useless. It's not going to provide us with any real answers. If we just collect data from the State Police, Manchester, and Nashua, and we don't get any data from any of these other Agencies, and certainly data not coming in from north of Concord, that is going to skew those numbers significantly and would not be representative of really what's going on.

So, I guess I'd just offer that. And maybe I'm reiterating what everybody kind of knows, anyway. But I just think that we either have to collect it all exactly the same way, or we have to be very cognizant of the fact that that data is not going to really be representative of what's going on.

**DEPUTY ATTORNEY GENERAL YOUNG:** Okay. Does anybody have any comments or questions to follow up on Commissioner Norton's thoughts?

**DIRECTOR SCIPPA:** Is that relative to consolidation and regionalization?

**DEPUTY ATTORNEY GENERAL YOUNG:** Yes.

**MR. MCKIM:** This is James. I'm looking and I'm seeing Joseph's hand up and Chief Dennis' hand up. And then, I had a follow-up on that.

**MR. LASCAZE:** My hand was not supposed to be up. I'm sorry. I always forget to put it down in the chat box. I'm good for like twice a meeting.

**CHIEF DENNIS:** Same for me.

**DEPUTY ATTORNEY GENERAL YOUNG:** Okay.

**DIRECTOR NORTON:** Me, as well.

**DEPUTY ATTORNEY GENERAL YOUNG:** So, James, was that your -- do you have a question or comment? Or were you flagging their hands up?

**MR. MCKIM:** I actually had a comment.

**DEPUTY ATTORNEY GENERAL YOUNG:** Go ahead.

**MR. MCKIM:** Thank you. And to Director Scippa, I totally agree with your analysis there. And in my experience of doing organizational performance consulting, you do, as a leadership, need to define what are the key questions that you want to have data around, so you can make key decisions as to how you manage the organization.

And in this case, the organization is the State, with its many -- I think as Ken mentioned, the 240-or-so entities and the question of, do we regionalize? So this does all come together in that we need to make some recommendations, I believe, of what data is that we want to have gathered at a State level. And then, once we've decided that, tactically speaking, we need to figure out -- and it's probably not the Commission we here, but we being the Commissioner, Director Scippa, and whoever need to figure out how best to gather that data.

And it may be that what comes into play is the regionalization aspect that Director Norton mentioned. Maybe the various regions have someone who is responsible for kind of managing that data, or making a system available for the smaller Departments, when they generate their Police Reports, to enter some of that data in that regional system, and alleviates the burden of the smaller entities from having to have a system of their own.

There are a number of ways to, as they say, skin this cat. But I think it is our responsibility, as the Commission, to come up with, what are those questions? And let the folks who are responsible for execution come up with better ways to gather that data and to report on it.

**DEPUTY ATTORNEY GENERAL YOUNG:** John Scippa, your hand has been -- you have a comment?

**DIRECTOR SCIPPA:** The -- I guess I would speak to the regionalization and consolidation piece. I've had some direct experience in those attempts as a Law Enforcement Executive, over the course of my career. And ultimately, I will tell you that the greatest advantage to consolidation is that of finances. It saves a tremendous amount of money, if, in fact, you can successfully consolidate and regionalize on different things, not only policework, fire, road maintenance, all of those different areas.

But I will tell you that the biggest detriment -- and I speak from direct experience -- here in New Hampshire, is that it distances the Agency potentially from the community, because now you don't have -- as a community, you don't have your Police Department that you begin to rely on and build relationships with.

And so, the regionalization of policing here in New Hampshire has never been well-received. It's not really well-received in New England, quite frankly. You see it more out west and southwest areas. But it really removes that connection between the community and the people that are policing it. And that's probably the biggest reason why you don't see it here in New Hampshire.

**DEPUTY ATTORNEY GENERAL YOUNG:** Go ahead, James.

**MR. MCKIM:** So, question on that -- and I totally appreciate the notion that having a regional policing force, or Law Enforcement Agency, removes the connection with the community. And I wonder if there's a hybrid kind of model here, where the Law Enforcement Agencies, in terms of the interaction with

the community, remain the structure that they have. But there might be some regional functions that are provided.

So, up in the North Country, for example, there might be a regional data collective, if you want to call it something like that, where there are resources -- it's kind of like the county level method. But there are some regional resources shared amongst those smaller communities that allow for them to operate as if they had the resources of a larger community, like a Manchester. That's where my head was going, not really to totally shift the landscape, in terms of Law Enforcement Agencies and how they serve the communities, but just to try to come up with a way of providing resources to those communities that don't have the wherewithal to provide those resources today.

**COMMISSIONER QUINN:** Jane?

**DEPUTY ATTORNEY GENERAL YOUNG:** Yeah, go ahead, Commissioner.

**COMMISSIONER QUINN:** Yeah, James, I think that does take place today. I think if you look in the North Country, the western part of the State, there's a lot of great regional work that's going on in investigations, collaborations. And I think one of our recommendations with all of these community events is really to leverage events and invite a lot of people.

But, in regards to reporting, whether you're a Chief of a large Department or a small Department, I think everybody understands their reporting and their requirements to Police Standards and Training. So, I don't think, from the reporting, it's a -- there's a huge disconnect right now on smaller Departments. And I'd let John weigh in. So, just from my time on the Council, I think everybody knows what their responsibilities are. But the point you make about leveraging, there are a lot of opportunities, as we've discussed, in the community engagement for kind of pulling together and bringing everybody for one shared event. John?

**DIRECTOR SCIPPA:** Yeah, I would just echo the Commissioner's point in the first instance. A lot of regionalization with some resources and assets already occurs. It has been occurring for years. Quite frankly, Law Enforcement in New Hampshire would not be able to function if we did not have these collaborative efforts and these kind of regional resources that are shared.

I can speak again directly from my own experience. We used -- routinely we would partner with the New Hampshire State Police on drug investigations. We would partner with the Drug Task Force. We would partner with different Agencies, if we had crimes that were occurring in different communities perpetrated by the same person. We have Federal resources that we would share.

And routinely, during the day, we would share a Dispatch Center. And so, those Police Officers that were on-duty were all calling into the same Dispatch Center from really the entire County of Rockingham, so we could share information back-and-forth through that Dispatch Center. So those are some of the shared resources that the Commissioner spoke of.

And then, on top of that, with regard to -- we're going to switch now. We went from policework and Police contact. We're going to go back to Police Standards and Training now, talk about the Officers reporting into Police Standards and Training.

Again, to the Commissioner's point, those 230-odd Police Departments are generally inline with what we are asking them to report. It's the collection piece. It's our ability to manage all that information

that comes in. We still use a fax, James, if that tells you where we're at, to get some of these documents. And then, they're filed. There's a piece of paper put in a file. So they're sending it and we are collecting it and managing it as best we can.

But we absolutely and unequivocally have to do a better job, and start to leverage technology to be able to more quickly and more decisively be able to look at that those demographics, track those Officers. So it's not so much the fact that the Police Departments aren't doing it as much as we just have to move into 2020 here. Thanks.

**DEPUTY ATTORNEY GENERAL YOUNG:** Ahni?

**DIRECTOR MALACHI:** Thank you. So, Director Scippa, question; so in our efforts to make recommendations that certainly reflect what the community at-large is interested in seeing, as well as what Law Enforcement needs, would it be reasonable for us to look at the recommendation that you already have that was sort of included in the training portion and/or to look at whatever recommendations you're going to make, as we move forward in the second part of the community, and then, of course, the reporting for the last part, and simply support what you're recommending, since you know exactly what you need?

**DIRECTOR SCIPPA:** Yes, please. Yeah, that would be very helpful. And understand that there's already some steps that our Agency has taken with regard to addressing this. This has been identified not once but twice in two different Legislative Audits as something that needs to be addressed.

So, notwithstanding what the Commission is attempting to accomplish right now, we already knew that we were falling very short in this particular area. And it's been measured twice by an outside Audit. And then, we took steps to start to build out finances and do RFPs to identify those companies that can provide us with the software that we're looking for. So, those moves are still being made. And my hope is, at the end of this Commission Report, I will be in a position to make some requests, going forward. So, any support would be appreciated. Thank you.

**DIRECTOR MALACHI:** So, one last thing; so then if the software and reporting recommendations that would come from you, have we seen those requests in totality, or just as it relates to the two sections that we dealt with? So, in training, there were certainly some recommendations for data collection and getting software to allow for -- we will call it -- remote training, so people could train at their leisure and not physically have to be in a building somewhere.

Have we seen all of the requests? We will put them down as requests for you, that you have. Or are there other ones that will come into play relative to this new section that we're in? What I'm trying to get at is if, in all of the discussions that we've had, if what you're needing is exactly what people are saying repeatedly, then why would we offer anything in addition to what you would recommend, if we're all saying the same thing? We could wordsmith it, certainly. But to belabor a point seems pointless.

**DIRECTOR SCIPPA:** Oh, I'm sorry, because I'm not sure what your question is. But I guess my answer would be the recommendations that I put forth in the training piece would be everything that we would be looking for at Police Standards and Training to address both issues: tracking Officers and delivering online training. So, is that the -- did I answer? Yeah?

**DIRECTOR MALACHI:** I think so. I mean, is there anything new, tracking- or data collection-wise, that you would have in the new section that we're in, that could be added to that? You know what I mean?

**DIRECTOR SCIPPA:** No.

**DIRECTOR MALACHI:** Okay. I've only had one cup of coffee, so please bear with me. So we've already seen the recommendations that you have for the training section, and, as President McKim stated, some areas sort of bleed over into others, right? So some of the training things are -- and you could find some community elements in there, as well.

My question is: the software and/or data collection recommendations that you already put forth in training, which we have already dealt with and sent over to the Governor, that you will be making in community, and that you might be making in the last section that we're headed towards, is it everything that we've already talked about? I mean, is it going to be sort of the same type of recommendation, because my question becomes: if we're all on the same page, then why wouldn't we simply support what you're asking for, as opposed to coming up with a random box of 20 pieces of things that won't help you? I need more coffee, sorry.

**MR. MCKIM:** Yeah.

**DIRECTOR MALACHI:** I think Mr. McKim understands where I'm going. Somebody, I'm on the struggle bus.

**MR. MCKIM:** Yeah, I do understand where you're going and this is a typical conundrum that organizations face as they look to choose software to implement systems. And I think that what -- the software is going to have capabilities to gather data and generate Reports. And it could very well be the case that the software can handle what we need.

What I want to make sure that we're considering here is we've just been talking about this Commission identifying what questions we want to make sure are answered, what data it is that we think needs to be gathered. And since we've not yet come up with those answers, we can't know for sure whether any software can actually provide that data, gather that data, and generate those Reports.

So, while I absolutely will support what Director Scippa is looking to put forth in terms of the recommendations for software, another comment that he made gives me a bit of pause and has for some time, around financing this. We've had this on the books for a while and the funding's been taken away for the last two cycles or whatever. So that's a separate concern.

But, this notion that if we're going to come up with the overall questions that need to have answers, if we don't know that yet, we don't know. We can't say for sure that the software that Director Scippa's looking at is going to be able to address those answers. Could be, we just don't know.

**COMMISSIONER QUINN:** James?

**MR. MCKIM:** Yes.

**COMMISSIONER QUINN:** Yeah, just a comment. I think that if our recommendation is global and says we recommend that PS&T be funded and move forward with an RFI project, and it's done correctly, and I'm sure the Director can outline all the business requirements: training, data collection on new recruits, and all the training statewide, and misconduct, etc., etc. I'm sure that the process will be conducted so that the end result is what our recommendation is. That's what we want. We want to make sure that he has the software and the technology to collect it all.

But I think -- and we've done that here internally. We made a lot of mistakes on projects. But now we have a Project Management Lead. And we get the business requirements. We had over 100 pages of business requirements on our last RMS. So I'm sure -- and the Director's already been speaking offline with our Team over here. So I think if our recommendation kind of puts the gold standard of what we're looking for, that the Director will make sure that the RFI nails it.

**DEPUTY ATTORNEY GENERAL YOUNG:** Ken?

**DIRECTOR NORTON:** Yeah, really appreciate this conversation, because I think that these issues are complex. And to get back to Director Scippa's comments about what can we collect globally as a State, versus just what is our capacity with that, and that, if we're not being consistent in what data we're collecting, then that's obviously a problem.

And I guess part of my thoughts in thinking about recommendations for tomorrow are: what recommendations would we be making for local Departments, in terms of data that they're sharing, relative to transparency in their communities, and engaging their communities, in terms of what hopefully is important dialogue that's so important to move the community together around effective policing?

So there's that statewide piece, certainly, which is very important, which is a couple different pieces. One is the Officer, themselves. One is, then, the general data. But then, there's that local piece, as well, and whether we're making recommendations for local communities and data collection. Thanks.

**DEPUTY ATTORNEY GENERAL YOUNG:** So I will say I'm not sure the data collection goes in this. I get sort of the overall how communities are working together. But I think that the data collection goes into the next section.

And I think you're right. I think we have to first figure out what are we collecting for information. And then, once we collect it, what's the mechanism to feed it into a system to then be able to give out sort of the data that's helpful, right? So you got to know what you want to collect and then the way to get it in.

So, I would -- because this is sort of a weighty issues, that's why it's in the last section -- so, I would think we would not have the data collection questions in this section, that that would come in the next. And I'm happy to put on anybody that you want to discuss that. But we also can't get bogged down into two- or three-days' worth of conversation on the data collection. So, John and then Joseph; go ahead, John.

**DIRECTOR SCIPPA:** I want to spread a little bit of love around a lot of stuff that's fallen on my lap, which I'm very excited about taking on. But President McKim, looking at all the faces here, and clearly you bring the most value to the table with regard to this. Is there a way that you might be able to put something together that could outline very specifically just your thoughts, like, an idea we can look at which we could pragmatically first identify what everyone thinks needs to be collected? And then, number 2, how could we



do that? And I guess I'd just ask you, because it seems like you really make a living doing this. And this might be something that we could all learn from by listening to a presentation from you.

**MR. MCKIM:** I could certainly put something together and share that, sounds like, for the next section is what we're thinking, if that would be helpful.

**DEPUTY ATTORNEY GENERAL YOUNG:** Yes, that would be helpful. Thank you.

**MR. MCKIM:** And it does sound like, as Commissioner Quinn said, there's this process from the State, and obviously that the State has its way of doing things. And that might also be helpful, if, as the Commissioner said, the State goes through this process of procuring software on a regular basis. And the gathering of the 100 page-or-so of business requirements and how that gets processed from the State's perspective might be interesting, too.

So, I suppose I could certainly put something together from my experience, and I also know that the State has its own processes. And I'd probably want to look to Commissioner Quinn to help with just State-ifying (ph) it, if you will, to put that term to it.

**COMMISSIONER QUINN:** We're happy to help. We can weave that in, in a couple minutes-or-less, so I think you'd feel comfortable that there are resources out there to get it right.

**MR. MCKIM:** Great.

**DEPUTY ATTORNEY GENERAL YOUNG:** Thank you. Joseph and then Julian.

**MR. LASCAZE:** Thank you. I'm down to my last two cents, so I want to just toss it in right here. Everyone knows I fully support a comprehensive data collection system in some way, and hopefully we can figure out how it's done. That's all I have to say on that.

And I'm happy with it being discussed at a different section. I think that you're right. It could be elsewhere. But, as long as we do get to talk about it, only because I think that in the whole chain of events from the initial contact to the end result of incarceration, we need answers of how disparities are happening, and how we can just correct them, if we're trying to be a better State overall. And that's all I have to say on that.

**DEPUTY ATTORNEY GENERAL YOUNG:** Thank you. Julian?

**ATTORNEY JEFFERSON:** Yes, so a comment and then a question for Director Scippa. So I think we tend to get too far down in the weeds on these things. I think really the only thing we need to address here is: do we think that tracking data around race and gender is important enough, because it can reveal potential disparities, so that we can have a conversation about it? I think that's really the only question.

Getting beyond that, I don't think, is in our purview. I think our purview is just to say, do we think it's important enough that we should recommend that all Police Agencies collect this data so that, if disparities exist, we can drill down further? I think we really stop there, that it's up to everybody else to decide if they're going to take that recommendation and implement it.

And I think we really waste valuable time when we get into RFPs and is it feasible? And how much money will it cost? That's really not our mission. Our mission is just to come together and see if we can speak with one voice on whether or not it's important enough to recommend it.

And Director Scippa, question for you: when we were at the training last week, there was a Police Agency behind me who had responded to the ACLU's request for data. And it seemed like they had collected data. And their data showed that there weren't disparities. I forget what Agency that was. But that might be a good Agency to call, to call a Police Agency who currently does collect data for all traffic stops that they do, so we can understand their process, understand why they do it. That particular Agency, I think, would be unique, because they collect the data but they showed that there was no disparities. So, that might be a good Police Agency to hear from. I just forget what the name of that Police Agency was. Hopefully either you or Joseph knows what Police Agency that was.

**MS. TSHIELA:** I believe that was Dover. But I could be...

**MR. LASCAZE:** It was Dover.

**MS. TSHIELA:** Okay.

**ATTORNEY JEFFERSON:** It was Dover? So that would be my suggestion that we potentially bring the Dover Police Department to speak on why they collect the data, how they collect the data, and that we really don't get too much further into it. We just decide whether or not it's important enough. And then, we recommend it, and we move on. Thank you.

**DIRECTOR SCIPPA:** So, I guess I'm just worried about the details, because it seemed that the Commission was very concerned about details, when we talked about training. And so, forgive me for kind of taking on that same approach, as we come into this piece here.

With regard to that particular Agency, I can almost tell you it's just the fact that the software they use for dispatching and reporting, their RMS, is probably something inline with a program called IMC. IMC is an RMS for Police Departments. And most Police Departments in the State of New Hampshire use IMC. And it forces the Police Officers to fill all those blanks in for any motor vehicle stop, any arrest, and any Summons.

But not every Police Department uses IMC as a record-management system or dispatch system. So, that's why some Agencies can very quickly get that information. And others do not use a dispatch system that can generate those numbers as quickly.

**ATTORNEY JEFFERSON:** Could you reach out to Dover PD, John, and see if they would be willing to give us a short presentation in either our next session, or arguably just under other business at the end?

**DIRECTOR SCIPPA:** Well, I guess to your point, then, Julian, do we want to dial down into the weeds here, because now we're going to be talking about one RMS system that's used by one Police Department? And that record-management system could be very different from the Police Department next to them. So, I can tell you that individually Police Departments use dispatch systems that collect that data. But all of those platforms are different.

**ATTORNEY JEFFERSON:** Yeah. No. And so, the point of them, I think, coming on is just to say, why do you collect this data? How do you collect this data? How do you use this data? And I think part of that conversation will be it's easier for us to collect this data because we're using X system or X software. That makes it easy for us to capture the data. So I think that's part of the conversation.

I just don't think we -- I don't think it's fruitful for us, then, to talk about, oh, well, it's easy for that Agency. But it might be difficult for that Agency. And then, we get into how difficult it might be to implement a recommendation. That's what I'm saying, that we shouldn't really take our space here to have those conversations. Those are conversations for men like you and men and women in law enforcement to decide if they're going to follow through on the recommendation. But I think it might be helpful to hear from Dover, to hear how they capture their -- so that those further conversations can be had down the road.

**DIRECTOR SCIPPA:** I'm happy to give Dover a call and have them speak to their dispatch system.

**ATTORNEY JEFFERSON:** Thank you.

**DEPUTY ATTORNEY GENERAL YOUNG:** James?

**MR. MCKIM:** This is great that this has come up, because this goes back to the question that Director Malachi asked about what Director Scippa's recommendation is around the software and what might not be there. And it sounds like -- and this is kind of a clarification question for Director Scippa -- it sounds like the RMS component, the record-management system or dispatch component, is not something you were focused on necessarily, but that we might want to ensure that -- and going back to what Attorney Jefferson was saying -- we stay up at a high level and define what the questions are we want to have answered. And leave what technology and processes actually execute them in the weeds, that we leave those alone.

But it's going to be instructive, I think, to hear from the Dover Police Department what questions they're asking, what data they're gathering, so we can tell whether we want to recommend that that data -- that same data be gathered across the State. Hopefully, that helps to kind of tie things together.

**DEPUTY ATTORNEY GENERAL YOUNG:** Am I correct that all not Departments use the same data-management system? So that, in and of itself, right there is a -- okay.

**COMMISSIONER QUINN:** Jane, Deputy Young? Deputy?

**DEPUTY ATTORNEY GENERAL YOUNG:** Yeah, go ahead, Commissioner.

**COMMISSIONER QUINN:** Just a comment and to get us out of the weeds, I go back to what Director Malachi had brought up a few phone calls later. Let's make sure we, as a Commission, fully understand what is required by either law or rule in collecting data on race, and then what training do we have? Is it mandatory? Is it not? And how do we ensure, Julian, we're collecting the right data? One, are we required to do it? Two, how do you do it? And three, what is our end?

So I think that is very important for us, as a Commission, to understand. What is the Police Officer required to do? Has he been trained? And does the person who is being stopped, or subject to arrest, have to reveal their race? And so, I just think that's very important.

We can touch that when we bog down. But we need to all be on the same page on that, so we understand what's going on today and what are our recommendations, to make sure that whatever data, the data's accurate. And what does that mean? So, that's all.

**DEPUTY ATTORNEY GENERAL YOUNG:** Okay. Thank you. I think, with that, we have exhausted today's business. Joseph, would you like to say something?

**MR. LASCAZE:** Yes, I would like to put in a Motion right now.

**DEPUTY ATTORNEY GENERAL YOUNG:** Oh, I think James might have a question.

**MR. LASCAZE:** Oh, man. I'm putting it in pre-ahead of schedule.

**MR. MCKIM:** Sorry. Sorry, I just want to make sure. I think the need for me to come up with a presentation has been taken off the table. I no longer need to come up with that. Is that what I'm hearing, based on the conversation started by Attorney Jefferson about us not getting into the weeds?

**DEPUTY ATTORNEY GENERAL YOUNG:** I think that that is correct. I think that what we want is an example of a system that's collecting sort of robust data. That sounds like it's Dover. John is going to reach out to Chief Breault or somebody in the chain of command to see if they would give a brief presentation, which probably frees up Commissioner Quinn and Director Scippa. So we will have sort of one model to go with, while all recognizing that that's Dover and that other Departments don't even use the system that Dover uses. Okay. So now that makes...

**COMMISSIONER QUINN:** General Young, Jane?

**DEPUTY ATTORNEY GENERAL YOUNG:** Go ahead. Go ahead.

**COMMISSIONER QUINN:** Yeah, we're talking two different systems. Most Police Departments have a records-management system. As Director Scippa said, some have different vendors. There's different ones out there. We're in the process now. We've been working for two years to implement our new system. And again -- but that's at the local level. There's CAD systems, computer-aided dispatch, your records management. So, what are you collecting for calls on the radio, dispatching Officers, and then internally?

But what we are also, I think, talking about is ensuring, when we're done, all the recommendations that we're putting on PS&T and Director Scippa's shoulders, that he has the technology there to document and retain all the training. So I think there's two different systems here.

Clearly Dover, it will be useful to hear how their system collects it and if they're required. But, I still think we, as a Commission, have to ensure that our recommendation ensures that Director Scippa has the

technology at PSTC regarding training and Officer conduct that we're asking him to retain. So, that's all, two different systems.

**DEPUTY ATTORNEY GENERAL YOUNG:** Right, so one for Police misconduct and one for collecting data so we know the types of stops that are being made to see -- right?

**COMMISSIONER QUINN:** Yeah.

**DEPUTY ATTORNEY GENERAL YOUNG:** There also could be a cross-reference between there, as well, correct?

**COMMISSIONER QUINN:** Yes. We have a records-management system here. We have a CAD system. But we also have software for internal professional standards to document our cases.

**DEPUTY ATTORNEY GENERAL YOUNG:** Okay. Ahni, Joseph, and then Rogers; so, Ahni, you're...

**DIRECTOR MALACHI:** Okay, very quickly. I don't want mental health to get lost in the fray of data collection. I don't know exactly what that would look like, or whatever. But I'd like for us to make sure we're not missing a demographic.

Every Police interaction is not just with someone of color or a man, or a woman. But there are a couple of demographics here that are a part of it. And when there's quite the percentage -- and I'm sure Ken could speak to that, which actually he's already eloquently done so. But there's quite a percentage of folks that have intersected with the Police due to mental illness.

And I don't know how to quantify that at all. But we kind of don't have to. We can make that general recommendation and let the really smart people figure it out. But I think we need to include that. I will be putting that in my recommendation, when we get to the appropriate section for that. But I just wanted the rest of the Commissioners to think about that, as well. That's it. Thank you.

**DEPUTY ATTORNEY GENERAL YOUNG:** So I'll go through the others. And I know, James, if you're still hanging out there, that I'm not sure your question has been answered.

**DIRECTOR MALACHI:** Your mic cut off, Jane. We didn't hear you.

**DEPUTY ATTORNEY GENERAL YOUNG:** Whoops, sorry. Am I back on now? So, I know, James, we haven't answered your question. So we will get to you. But Joseph and Rogers have comments. So we will let them, and then we will get back to whether you have to get ready for a presentation.

**MR. LASCAZE:** Real quick, I also just wanted to point out for the Commission, the Dover Police is a great example of a Department that collects data. Also, I wanted to point out the Hollis Police Department is another Department that collects this data and they publish it on their website. So, I would be very interested to hear from them, if possible, because they do a great job at this data collection, as well.

**DEPUTY ATTORNEY GENERAL YOUNG:** Rogers, you're up, and then Eddie.

**MR. JOHNSON:** Yeah, to add to that, so does the Regional Dispatch Center for the Amherst Police Department, which collects for Mason, Milford, a number of different towns in that area. Going back to Dover, former Chief Tony Colarusso, when he first came to Dover, noted that there was a disconnect between the Dover Police and the populous of the City of Dover. So he initiated the system primarily to engender a level of support, community approach, outreach to the people of Dover. So you may want to reach out to Tony Colarusso, as opposed to Bill Breault.

Bill Breault will probably tell you why they're doing what they're doing. But Tony Colarusso is the person who started it. And he started it for a completely different reason. So I think you're looking at something. You're hearing something, which was created for a completely different reason. And the only reason why I know this is because I've known what Dover's done over the last, say, 15, 20 years along those lines. So, I don't think that you're -- you may be barking up the wrong tree here, when it comes to Dover.

**DEPUTY ATTORNEY GENERAL YOUNG:** Thank you. James?

**MR. MCKIM:** Thank you. So, that's an interesting thought there. I guess I'd like to hear from Rogers if he sees any value in having the Dover folks come in to share at least what they're doing today. And it may not be reflective of the original purpose. But it does sound as if it's relevant to what we're discussing.

**DEPUTY ATTORNEY GENERAL YOUNG:** Rogers, you have the floor.

**MR. JOHNSON:** Okay. The short answer is that the reason why something took place was based on a desire to reach out to the community and make sure that the data was available to explain to them that something wasn't happening, as opposed to what the population had believed. Tony was familiar with that, coming from Brooklyn, which I always give credit for New York City Police Officers coming to New Hampshire, New England, and bringing their ideas from the big city.

Having said that, the process by which they probably took this program wasn't geared toward the purposes that we're using it now. However, the end game may be relevant to what we're trying to do. But you need to go back and ask the originator, Tony -- like I said, Tony Colarusso. He's at Wentworth-Douglas. You may be able to get a clearer answer from him than you would from Bill Breault, who's the current Chief of Dover. And John, you know where he is.

**DEPUTY ATTORNEY GENERAL YOUNG:** John, you were next with question or comment, followed by Chief Edwards, then Joseph.

**DIRECTOR SCIPPA:** I guess to kind of circle back and have any one Agency come in about their dispatch software that they purchased is -- I don't see how this is going to be helpful. I think it makes more sense to understand that there are a number of different vendors out there that sell software to help Police Departments dispatch themselves and to initiate recordkeeping.

And it is really a function of checking a box when they're on the side of the road with regard to collecting data. And that data may be their age -- the age of the person they're dealing with, the race of the person they're dealing with, the gender. But that's captured through the software. You can't go by it. You

can't skip over a box, depending on what software you have. That data gets pushed into the system. And regardless of what vendor you're using, you can generate reports.

I think probably what's, I guess, presenting itself as kind of an issue is: does everybody collect that same data? And then, how is it shared with the community? I think that's where the shortfall is, that Police Departments -- I can tell you right now -- are routinely collecting this information. It's a matter of sharing it.

If you talk to most Police Departments, they can use their software for their dispatch services to thread out age, race, gender, the reason for the stop, and how the stop was resolved. That -- on the systems that I am used to -- and I'm speaking from my own experience -- you can vet that without any question at all, with almost all software that is being used, regardless of vendor. So I don't know that -- is it fair to have any one Police Department come in and pitch the vendor that they use for their software? The end of the day, we're just checking boxes and collecting it.

**DEPUTY ATTORNEY GENERAL YOUNG:** Chief Edwards?

**CHIEF EDWARDS:** Yes, I hate to be the one who keeps pounding this issue, but this is really another example of where CALEA is. If you look at the Police Departments that was just mentioned -- and I think Director Scippa is moving the Academy towards CALEA standards -- these Departments you're referring to -- Dover, Hollis -- these are all CALEA-accredited Agencies. Every Agency that is CALEA-accredited is required to collect data, does not matter the software. They're required to collect the data.

They're also required to push that data out to the community. That's the point that we're talking about. Doesn't really matter the software; it matters the Agency standards. Now, if we want to make a recommendation that Agencies follow that CALEA model about collecting data and publishing an Annual Report that they're required to publish, that would be fine.

So whether it's Dover, who's been a long-term CALEA Agency, Nashua, Hollis, you can go down the list. All of these Agencies are doing the exact same thing. And they may be using different software to accomplish that task.

**DEPUTY ATTORNEY GENERAL YOUNG:** Thank you. So, Joseph, James, Julian, and Chief Dennis. Joseph?

**MR. LASCAZE:** Yeah, I think that the record-management system that's used really is irrelevant. I think that it goes back to the point that we're in the community relations section right now. And I understand that, as Mr. Johnson had pointed out, the Dover Department might have intended to start -- had intended the program being used for the purpose that Johnson stated.

However, it's -- that still sounds like community relations to me. If it was started to disprove disparities that were happening, that's still to improve community relations. And that's the point of this is that this software or the data collection, itself, is a tool that is being used to improve the community, as a whole.

We can't sit here and act like the community isn't saying that people of color are being targeted, and that there is all types of discrimination targeting that's happening to many different community members. It's not just people of color.

So, this -- if this is about improving community relations, I think that a recommendation for this is where we stop at. It's not the intricacies of it. It's just that this is something that's being recognized by Law Enforcement as a whole as a tool that improves community relations.

**DEPUTY ATTORNEY GENERAL YOUNG:** Thank you, Joseph. James?

**MR. MCKIM:** Thank you. I support what Commissioner Lascaze just said, and I think do go back to what Attorney Jefferson kind of brought us up a level. I think the recommendation to hear what Dover is doing was not to have them talk about the software, but to have them talk about what data they're gathering, because we, as a Commission, have been saying we want to make recommendations about what data should be gathered.

And then, I heard Chief Edwards just mentioning CALEA. And Lieutenant Morrison's also mentioned it. And maybe the question that we should be examining is: what are the questions that CALEA -- the CALEA standard dictates need to be asked? What kind of data should be gathered? And do we find that sufficient? Or do we think that there should be more data, or different information, gathered for our New Hampshire situation?

I think that's where we are is looking at those questions. And maybe CALEA's the right way to approach it to get at those answers as to what questions we should recommend, what data we should recommend be captured.

**DEPUTY ATTORNEY GENERAL YOUNG:** Thank you. Julian?

**ATTORNEY JEFFERSON:** Yes, so, yeah. I was -- so I wanted to be clear that I was not asking that Dover or Hollis, or whomever we bring on, it's for the purposes to talk about or promote their software. And something that Director Scippa said, I think, was very illuminating. He said that most Police Agencies that he is aware of already have a dispatch software system that currently can capture this data and report out this data. So if there's not a concern there, then I think we just make the recommendation and see if enough of our Commission Members agree. And it seems like there is unanimous support, or maybe there isn't.

But I think it also probably belongs more in community relations than it does in Police misconduct, because we're not saying that data shows Police misconduct. We're just saying that data is important to reveal if there is any disparities, and then to drill down of where those disparities exist.

So I think that is more into either community relations or just other business at the end. But because we're having such a fruitful conversation on it now, maybe it makes sense just to make a recommendation now that we think it's either important enough and we should mandate that all Police Agencies do it. And if there's legislation that needs to enable that, then we put that in the recommendation, too. To the extent that the Governor or the Legislature needs to take any actions to enable this requirement, then we put that in there, too.

So, I would be supportive of tackling it now or at other business. I don't really think it's a Police misconduct issue. So I don't think it makes sense to really put it in the next section. So I think it would either be now or other business. Thank you.



**DEPUTY ATTORNEY GENERAL YOUNG:** So, if you want to do it now, how do we get sort of just the high-level detail we need to make the recommendations?

**COMMISSIONER QUINN:** Jane, Deputy?

**DEPUTY ATTORNEY GENERAL YOUNG:** So, wait a minute, Commissioner. John Scippa had his hand up first, and then we will get to you. But I know Chief Dennis and Mark also have their hand up. So, John, I will go to you.

**DIRECTOR SCIPPA:** Okay. It sounds to me -- and many of the Commissioners have kind of gone back to this -- so as a Commission, do we recommend that every Police Agency make every effort to follow the data collection and reporting to their community, as outlined in CALEA standards? Is that the best way to address this? And then, let them use whatever collection system they use, and be able to push that information out, and leave it more local than trying to take this on at a State level. I don't know if that's kind of a good way to address this and allow for flexibility for each Agency to do it the way that they're going to need to do it.

**DEPUTY ATTORNEY GENERAL YOUNG:** Chief Dennis?

**CHIEF DENNIS:** Chief Edwards talked a little bit about what I was going to say. But it is the CALEA standard for accreditation to collect arrest data and traffic stop data for race and gender. They also use that in a use-of-force analysis that they do annually, too. So it covers not only traffic stops where that data's used. It's also used in their use-of-force analysis that they publish annually, those Departments that are accredited.

The majority of Law Enforcement Agencies in the State do use IMC. But there are other RMS vendors that are throughout the State. Some are robust. Some are kind of antiquated, especially if you get into some of your smaller Agencies that may have just a software that's not very robust. But certainly IMC does allow you to catch that data of what we're talking about. Thank you.

**DEPUTY ATTORNEY GENERAL YOUNG:** Thank you, Chief. Lieutenant Morrison?

**LIEUTENANT MORRISON:** Thank you. This sort of also touches on a conversation I had with Joseph about the Department of Motor Vehicles not including the demographic data that we really want to capture on our Licenses. I think moving to that primarily as an identifier would really open up a lot of data collection, because so much of what we do is centered around licensing and driving, or contacts for people where we identify people through Licenses. So, to have that demographic data available on Licenses will automatically allow for a robust collection of contact information and demographic information. And then, I'm just in support, sort of exactly what we've just framed, collecting demographic data in conjunction with arrests and other contacts, consistent with the CALEA model.

**DEPUTY ATTORNEY GENERAL YOUNG:** Thank you. Commissioner Quinn, and then we will go to Chief Edwards, and then Attorney Jefferson.

**COMMISSIONER QUINN:** Yeah, real quick, I just think that the Commission -- this is really important that we understand before we make any recommendations. What is being collected? What isn't being collected? What forms is this race data on?

We've been working really hard, too, for the past couple years to get all local Departments up on the e-ticketing. So we've been pushing that out. But right now, some are submitting tickets electronically. Some are still in paper.

So I just want to make sure that if we want to wait, I think that the Commission would probably be better prepared to make recommendations, if you put -- because it is complicated. We have NIBRS, the National Based Incident Reporting System [sic], where we report all crime to the FBI. So, I just -- we've got tickets. We've got Arrest Reports. We've got fingerprint cards. There's a State card. There's an FBI card.

So, what is it that we're doing today? I think we need to understand that before we even begin to make any recommendations. And I full agree with what John Scippa said about the reporting. That's easy. It's there. And I agree with Chief Edwards on the CALEA standards. But the landscape is not as clear, I think, for everyone. So we're more than happy to do a quick little update on that. And I think it does relieve James of his extra homework.

**DEPUTY ATTORNEY GENERAL YOUNG:** Chief Edwards?

**CHIEF EDWARDS:** I'll bypass. Commissioner Quinn just kind of summed up what I was going to say.

**DEPUTY ATTORNEY GENERAL YOUNG:** Thank you. Julian?

**ATTORNEY JEFFERSON:** Yeah, I'll bypass, as well.

**DEPUTY ATTORNEY GENERAL YOUNG:** James and then Joseph.

**MR. MCKIM:** So, I want to thank Commissioner Quinn for alleviating the work that I almost had. And I totally agree that it, I think, is important for this Commission to understand what he was just describing, that there are these different kind of capture vessels. And I don't want to get into the weeds there, either. But it sounds as if there are ways that this data is being captured and placed into systems.

And I guess I don't know how much we need to understand what all the systems are. But to Commissioner Quinn's point, what data is actually being captured now? And then, for us to make recommendations on what additional information we think should be captured, that seems to be where this Commission should focus.

**DEPUTY ATTORNEY GENERAL YOUNG:** Thank you. Joseph?

**MR. LASCAZE:** I just wanted to say I support what Lieutenant Morrison has said. We had had a conversation about demographic data being added to Licenses. And I believe that it removes one spot of contention that may happen between Law Enforcement and community members, when they interact, for Law Enforcement to have to ask the individual to identify what race they are could be problematic.

And leaving it up to the Officer to decide a race, I think, is also problematic. And the really why I say that I -- several months ago, I was pulled over by a Police Department from a neighboring Police Department. And at the end of the interaction, the contact -- the Field Contact Report that was generated for the lane violation stated that I was white. And I'm clearly not white.

And so, I do believe that having that information on the License would be able to stop situation from happening. But also, it would be make it so that this was -- I see Dr. Malachi's making me laugh. So, I'm sorry. But this would be one way that we could make sure that it was accurate information that was also being collected and reported on.

**COMMISSIONER QUINN:** Deputy?

**DEPUTY ATTORNEY GENERAL YOUNG:** Go ahead, Commissioner.

**COMMISSIONER QUINN:** Yes, just real quick. I reached out to the DMV Director, just to share some information. She is unaware of any State that does have race data on the License. And we follow strict AAMVA Guidelines on our Licenses. So, that was just a little information that I wasn't completely aware of. but she was unaware of any State that does it. So, just to share that.

**DEPUTY ATTORNEY GENERAL YOUNG:** Oh, we got a -- so I saw hands go up. Chief Dennis, Eddie, Ahni, James. Chief Dennis? Chief Dennis, are you there?

**DIRECTOR MALACHI:** You broke up some, Jane.

**DEPUTY ATTORNEY GENERAL YOUNG:** Chief Dennis, are you there?

**CHIEF DENNIS:** I'm sorry. I couldn't -- I was trying to look something up at the same time to say. But, just to follow up on Lieutenant Morrison's, I was kind of wondering and considering the same thing. It certainly is challenging for Law Enforcement sometimes to ask these questions to people. I think, as we've become a more diverse community, sometimes it's challenging to see.

I can give an example where one of our Officers made an arrest and listed the guy as white. Him and his Attorney were very upset, because he's Hispanic. And the Officer's telling me. He goes, he looks as white as I do. And so, it is challenging for us sometimes to even make those guesses to how someone identifies, not only in race but also in gender. So, that's all I have. Thank you.

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

**CHIEF EDWARDS:** I was going to say, on the issue of race, we really -- we're really talking about ethnicity, not race. Race is white, black. That's not where people are responding to. If you look at the Census Bureaus, they collect information on ethnicity, because people are allowed to self-identify their ethnicity or race in some cases. And sometimes people are mistaken.

The best example of that is one that's used often is the Big Papi. Some people believe Big Papi is black. And he's not. So, I think if we're going to go down this road, we get into the weeds again. But if

we're going to go down, we really need to understand what we're talking about, what data we're collecting, because I can certainly see if we're putting race not ethnicity on a License, that that'll cause more problems.

**DEPUTY ATTORNEY GENERAL YOUNG:** Thank you. Ahni, and I'd just remind the Commission Members, Fallon -- I'm getting some direction from Fallon, we're having feedback. So if you're not speaking, could you mute your mic? Ahni, you're up.

**DIRECTOR MALACHI:** Thank you. So, Commissioner Quinn, so when you checked with the DMV Director, yes, the data that we're looking at, or the demographic data, is currently not being collected. However, does that mean it cannot be collected? And if it can be, then is it ethnicity versus race? Or I guess my question is: can we do this? I mean, we do -- New Hampshire does a bunch of stuff differently than other places. So, maybe we're the first. I don't know.

**COMMISSIONER QUINN:** Yeah, so currently it's not on the License. So there's two different things. There's tickets. The ticket data that comes through, some put it on there. Some do not, Officers. That's what we've found.

But then the Driver's Licenses; so, whether it's ethnicity or race, right now it is not on ours or any others. So, it would take a major change. But it hasn't come up in the last several years. So it would take a law change. I'd defer to Deputy Young on that, but...

**DIRECTOR MALACHI:** Okay. Yeah, that was my question. Would it just take a change in process? Or would it take a change in State Law to allow for that specific demographic information to be included on a Driver's License?

**COMMISSIONER QUINN:** I'll have to give you that, whether it's Administrative Rule or Law. I'm not sure just now. I'd refer to Deputy Young on that. I can get you the answer.

**DEPUTY ATTORNEY GENERAL YOUNG:** I know what I don't know. James, and then Rogers, and then Joseph.

**MR. MCKIM:** Thank you. Dr. Malachi asked my question. Could it be done? And I would love to hear the response as to how we should -- what the recommendation we should make as to get it done, and whether it's to change law, or whether it's to make administrative change. So that was my question.

**DEPUTY ATTORNEY GENERAL YOUNG:** And you want that on Licenses. Is that -- Ahni, is that what your hope was?

**DIRECTOR MALACHI:** Yes, so we've had a variety of conversations about this over time, separately, as well as with the group. And because it would just alleviate a lot of things, if it's on the Driver's License; so if the Officer's making a stop and they have your License, they're collecting everything else. It would already be there, because if it's a contentious stop, I may not want to say that. So now, somehow it'll end up being a negative that this particular Officer may not have collected ethnic demographics. And so, is that a slight towards the Officer? Is it just that the person was upset at the point

of being stopped and just didn't give the information? And it also kind of makes it weird. Hi, ma'am, how do you identify? That's just strange. So, if it's on a legal document there, then it just makes it easier.

**DEPUTY ATTORNEY GENERAL YOUNG:** Rogers, question/comment?

**MR. JOHNSON:** Yes, I have a comment. I've just been offline for a minute because I distinctly remember a conversation that I had with Tony Colarusso in Dover -- I'm going back to Dover -- a number of years ago. Dover doesn't use RMS to gather data on its overall interactions with individuals. They use something called Crystal Reports. They use that separate from the RMS, in conjunction, if you will. And because of that, which they've been using since 2000 -- they've been CALEA-certified since 1988 -- it gives them another tool by which to use, in order to deal with the public. So, the reality is, is that, does everybody then use an RMS system plus Crystal Reports to get to the information that everybody's asking for?

So, what I'm trying to say is that trying to use Dover as a lynchpin for everyone to say that this is an approach we could use probably doesn't make sense. I'm, again, giving you this information, because I just distinctly remember having the conversation about 10 years ago along these lines, because I was curious. And Tony Colarusso told me. And you could take it for what it's worth.

**DEPUTY ATTORNEY GENERAL YOUNG:** Thank you very much. Joseph?

**MR. LASCAZE:** Two things; so I'll just quickly respond to that. So if Mr. Johnson's concerns with the Dover Department and their use of the data records-management system is a concern, can I then suggest that we hear from the Hollis Police Department? I know that their Reports are definitely used to improve community relations. And their Reports are used for the transparency of the Department and to show the great work that the Hollis Police Department is doing in the community. So, I'm also happy to hear from them on their data records-management system and how it's used and why it's used.

As far as the other topic, I wanted to just respond to Commissioner Quinn real quick. I do believe that the North Carolina Department of Motor Vehicles does have a spot for race on their Driver's Licenses. So I just wanted to throw that out there.

And if no other places do have it, as the first in the nation State, we should be the first State also to do this, right? We're already claiming that. Let's just be the first to just keep it going. Keep all these changes going. Let New Hampshire be on the map for that.

**COMMISSIONER QUINN:** Deputy?

**DEPUTY ATTORNEY GENERAL YOUNG:** Yes, Commissioner?

**COMMISSIONER QUINN:** Yes, just to end it to make sure that we get it right, I've got our Team doing some research to see whether this would be a rule change or require some legislative oversight. And there are some strict requirements that we follow now, our AAMVA on our Licenses.

But I'm happy to work through our Team internally and our Legal Counsel at the AG's Office to make sure that whatever I provide to the Commission is accurate. So maybe we can -- I'll have that done and come up with some sort of a Memo for the Deputy, to answer your question.

**DEPUTY ATTORNEY GENERAL YOUNG:** Thank you.

**COMMISSIONER QUINN:** Thank you.

**DEPUTY ATTORNEY GENERAL YOUNG:** Any other questions/comments? Do I have a Motion? Joseph?

**MR. LASCAZE:** Yes, I am putting in a Motion.

**DEPUTY ATTORNEY GENERAL YOUNG:** It's about speed.

**MR. LASCAZE:** Yes, I would like to put in a Motion that we adjourn for the rest of the day. It's gorgeous outside right now. We can enjoy it.

**DEPUTY ATTORNEY GENERAL YOUNG:** I know. Too bad you have to spend the day doing your recommendations.

**MR. LASCAZE:** Well, we can do the recommendations outside, right?

**DEPUTY ATTORNEY GENERAL YOUNG:** Okay.

**MR. LASCAZE:** We have laptops. So I make that Motion, then.

**DEPUTY ATTORNEY GENERAL YOUNG:** Okay. It's seconded by Director Malachi. Okay. I got to get my list. So I will run through the list. I vote yes. Commissioner Quinn?

**COMMISSIONER QUINN:** Yes.

**DEPUTY ATTORNEY GENERAL YOUNG:** Director Scippa?

**DIRECTOR SCIPPA:** Yes.

**DEPUTY ATTORNEY GENERAL YOUNG:** Commissioner Johnson?

**MR. JOHNSON:** Yes.

**DEPUTY ATTORNEY GENERAL YOUNG:** President McKim?

**MR. MCKIM:** Yes.

**DEPUTY ATTORNEY GENERAL YOUNG:** I think that Judge Gardner is still not with us. She has her session. Lieutenant Morrison?

**LIEUTENANT MORRISON:** Yes.

**DEPUTY ATTORNEY GENERAL YOUNG:** Chief Dennis?

**CHIEF DENNIS:** 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:** Okay. Goodbye. Enjoy the beautiful hike, James. It looks gorgeous.

**MR. MCKIM:** Thank you.

**DEPUTY ATTORNEY GENERAL YOUNG:** Bye.

**MR. MCKIM:** Take some pictures.

**DEPUTY ATTORNEY GENERAL YOUNG:** Okay. See you guys Wednesday. Get in those recommendations, okay? Bye.

**LIEUTENANT MORRISON:** And quick question.

**DEPUTY ATTORNEY GENERAL YOUNG:** Oh, yes. Go ahead. Oh, boy.

**LIEUTENANT MORRISON:** Just for you; I'm going to not be able to make Friday. It's -- if I have somebody sit in for me, would they need a link to do that?

**MS. REED:** Yeah, Lieutenant Morrison, if you send me their email, I will give it to them, so that when they log in with their email, they'll be able to get in, no problem.

**LIEUTENANT MORRISON:** Okay. All right. That'd be great. Thanks, Fallon.

**MS. REED:** Sure thing.

**LIEUTENANT MORRISON:** Sorry to put you on the spot, Jane.

**DEPUTY ATTORNEY GENERAL YOUNG:** No, it's okay. I thought it was Ken, sorry.

**LIEUTENANT MORRISON:** Also, I have the same color hair, the same voice.

**DEPUTY ATTORNEY GENERAL YOUNG:** Yes.

(Meeting adjourned.)