



**New Hampshire Commission of Law Enforcement
Accountability, Community, and Transparency**
Remote Commission Meeting via Teleconference
Thursday, August 13, 2020 at 9:30 a.m.

Commission Members Present: Deputy Attorney General Jane Young, *Chair*; Robert Quinn, *Commissioner of the Department of Safety*; Ahni Malachi, *Executive Director, New Hampshire Commission for Human Rights*; John Scippa, *Director, Police Standards and Training*; Rogers Johnson, *Chair of the Governor's Advisory Council on Diversity and Inclusion*; James McKim, *President of the Manchester NH NAACP*; Sawako Gardner, *Justice of the New Hampshire Circuit Court*; Mark Morrison, *New Hampshire Police Association*; 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*; and Nicole Clay, *Assistant Attorney General, New Hampshire Department of Justice*.

DEPUTY ATTORNEY GENERAL YOUNG: Fallon and Maria, are we being recorded?

MS. EKLUND: Yes, I just started.

DEPUTY ATTORNEY GENERAL YOUNG: Good morning, everyone. I am Deputy Attorney General Jane Young. And pursuant to Executive Order 2020-11, I am serving as the Attorney General's Designee. As always, our first order of business is the call to order.

This is a meeting of the -- whoops. Sorry, here I am. This is a meeting of the Commission on Law Enforcement Accountability, Community and Transparency. And it is called to order. The meeting is taking place pursuant to Emergency Order Number 12 and is being conducted remotely.

I'm going to do a roll call and ask each Commission Member to identify themselves by name, where they are located, and if anyone is with them. I will note, at the outset, that Chief Dennis will not be with us today. He had a prior obligation. And James, I think that you also may be in-and-out for that same obligation that the Chief is at. And Judge Gardner, my understanding is that you also may be in-and-out due to power issues.

So, with that being said, I am Jane Young, as I've indicated. I am in Concord, New Hampshire, at the Attorney General's Office. And with me again this morning are Kim Schmidt, Annie Gagne, and Nicole Clay. Good morning, Commissioner Tshiela. Are you on? Do I see you? Yeah. Commissioner Tshiela, are you with us this morning?

MS. TSHIELA: (No audible response).

DEPUTY ATTORNEY GENERAL YOUNG: Send her -- can we get her a message? Chief Edwards, hello.

CHIEF EDWARDS: Good morning, Deputy Young and fellow Commission Members. I am at my home in Dover and I am alone.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. Attorney Jefferson, good morning.

ATTORNEY JEFFERSON: Good morning. And good morning, fellow Commission Members. I am at my office in Manchester, New Hampshire. And I am alone.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. Commissioner Lascaze, good morning.

MR. LASCAZE: Good morning to all Commission Members and Deputy Young. Joseph Lascaze, I am working out of Ipswich, Massachusetts. There are people in the building, but I am alone.

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

DIRECTOR NORTON: Morning, Deputy Young and Commission Members. Ken Norton with NAMI New Hampshire, on Great Cranberry Island in Maine. I'm currently alone, but there may be other family members here later. I have limited bandwidth at a good day on the island. And it seems to be worse today. So, I may be in-and-out or shutting off my video, as proceed.

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

LIEUTENANT MORRISON: Morning, Deputy Young. Morning, fellow Commission Members. I'm Mark Morrison, representing the New Hampshire Police Association. I am located at the Londonderry Police Department. And I am alone in this room.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. President McKim, good morning.

MR. MCKIM: Good morning, Deputy Young and Commissioners. I'm James McKim. I am currently located at the Hilton Inn in Manchester in the Stark Conference Room. At the moment, I am alone.

DEPUTY ATTORNEY GENERAL YOUNG: I thought you had a snazzy new background up in Lincoln. It's very impressive, your abilities. Good morning, Commissioner Johnson. How are you?

MR. JOHNSON: I am very well, Deputy Young. And good morning, Commission Members. I am Rogers Johnson and I happen to be in my home office in Stratham, New Hampshire.

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

DIRECTOR SCIPPA: Good morning, Deputy Young. Good morning, Commission Members. John Scippa at 17 Institute Drive at the Police Academy. And I am alone.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. Commissioner Tshiela, I see you now. Good morning.

MS. TSHIELA: Morning, sorry. My internet, I think they're switching it today. So I switched to my phone. But I am at my home in Derry, New Hampshire. And I'm alone.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. I think we're all having some internet issues this morning. So, all the more reason to have a snappy, quick meeting. Good morning, Judge Gardner. How are you?

JUDGE GARDNER: Good morning, Deputy General Young and fellow Commission Members. I am in Greenwich, Connecticut. I'm alone in the room but there are other family members around the house.

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

DIRECTOR MALACHI: Good morning. It's Jimmy Kimmel's fault. There's not enough in here. Good morning. Ahni Malachi, I am at my home alone in Penacook, New Hampshire.

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

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

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. The next order of business will be approval of the Minutes from the meeting yesterday, the August 12th. Has everybody had the opportunity to look at the Minutes from yesterday's meeting?

(No audible response)

DEPUTY ATTORNEY GENERAL YOUNG: Do I have a Motion to Move Forward the Minutes?

(No audible response)

DEPUTY ATTORNEY GENERAL YOUNG: Chief Edwards, are you?

CHIEF EDWARDS: Sure, yes.

DEPUTY ATTORNEY GENERAL YOUNG: Okay. Do I have a second? And a second from President McKim. So I vote yes to adopt the Minutes of the meetings [sic] from yesterday. Commissioner Quinn, how do you vote?

COMMISSIONER QUINN: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Director Malachi?

DIRECTOR MALACHI: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Director Scippa?

DIRECTOR SCIPPA: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. Commissioner Johnson?

MR. JOHNSON: (No audible response).

DEPUTY ATTORNEY GENERAL YOUNG: That was a yes, okay, thank you. President McKim?

MR. MCKIM: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Judge Gardner?

JUDGE GARDNER: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Lieutenant Morrison?

LIEUTENANT MORRISON: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Director Norton?

DIRECTOR NORTON: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Commissioner Lascaze?

MR. LASCAZE: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Attorney Jefferson?

ATTORNEY JEFFERSON: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Chief Edwards?

CHIEF EDWARDS: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. And sorry, sorry. And Commissioner Tshiela?

MS. TSHIELA: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. So, next order of business is to pick up where we left off yesterday. And then, we can sort of go back and do any cleanup that we want. I know we've had some additions to the Narrative portion, in relation to School Resource Officers.

But where we left off yesterday is on the section. I believe we were on Section IV. So we tried to do a little bit of a redo of Section IV, V, and VI. And I know, Ken, that you also sent us some language about the Mental Health Crisis Teams. And that was sent to everyone. Can we pop Ken's language up on that, please?

DIRECTOR NORTON: Deputy, I did not send that to everyone. I just sent it to you.

DEPUTY ATTORNEY GENERAL YOUNG: Oh, okay. So we will pop it up.

DIRECTOR NORTON: Because it was so late this morning, yeah.

DEPUTY ATTORNEY GENERAL YOUNG: Okay. Thank you for taking your time out of your vacation. We probably ate up most of your day yesterday.

DIRECTOR NORTON: And last night, but...

DEPUTY ATTORNEY GENERAL YOUNG: So, we're getting it up on the screen. So, Ken, we are going to put it up on the screen now. And you can sort of discuss the language that you have. Can we make it a little bit bigger?

ATTORNEY JEFFERSON: Deputy Young, could you forward the email to us, as well?

DEPUTY ATTORNEY GENERAL YOUNG: Yeah, we will have it sent right now. So, Ken, would you like to discuss the suggestions?

DIRECTOR NORTON: Sure. The first one, I mean, I tried to kind of mirror what we've been doing with other areas. And I don't know how inclusive we want to be. And I'm certainly open to any changes that people want to make.

But started off with that -- just the need for expanding the offering of mental health training for Law Enforcement, and that it should include crisis intervention and de-escalation with experience with mental illness. And I mentioned the models of CIT and mental health first aid. CIT is recommended by the 21st Century Policing Report of the President.

And then, also recommended in that Report was the second one about the disease of addiction and training being offered at the Academy. The third recommendation was from the Attorney General's Office regarding S.W.A.T. Teams having special training in de-escalation.

And then, the fourth one, as well, that specially trained Mental Health Professionals should be embedded in S.W.A.T. Teams. I added in the last sentence about -- because there is a provision around confidentiality that would protect those Mental Health Providers.

And then, the fifth one begins to address the importance of peer support in New Hampshire and mentions New Hampshire State Police as a model program. And then, the sixth is suggestion that the University of New Hampshire or other college develop special training for Mental Health Professionals who would work specifically with Law Enforcement, S.W.A.T. Teams, and Mobile Crisis, or whatever to enhance their skill base.

The seventh is also to address training needs for Mental Health Professionals in the State. But this one is more specifically to provide and meet the mental-health needs of Law Enforcement and First Responders, because there's a definite need. And there's a lack of specific training in that area for Mental Health Professionals.

And then, the eighth one is a piece about a mentoring program which I think would address mental health for new Recruits, as well as for retired Officers, and would keep -- provide a Mentor who is not somebody from within their Department who could address their mental-health needs, as well as ethics and other questions, and really try to focus on helping a person get through a career in Law Enforcement, both professionally and personally.

DEPUTY ATTORNEY GENERAL YOUNG: Do any of the other Commission Members have questions or comments about these, are proposed? Commissioner Quinn?

COMMISSIONER QUINN: Did you call me, Deputy Young?

DEPUTY ATTORNEY GENERAL YOUNG: I did.

COMMISSIONER QUINN: Yes, I want to thank Ken for putting this together. I think everything in here is extremely important. It goes to the health and wellbeing of the Officers as well as giving them the necessary tools, not only in the short-term but in the long-term to deal with these evolving and more challenging issues.

I'm sure that we might be able to consolidate some of these. But I think these are very, very, very important. And I want to thank Ken for doing the work. And I don't think we can -- we can't state just how important this is in ensuring that Law Enforcement has what they need for training and has the capacity to deal with these issues, so that we all get the desired outcomes that everyone in this Commission wants. But I want to thank Ken for doing this. And I'm sure that we can maybe consolidate some of these into maybe three bullets. But, thank you, Ken, for doing the work.

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

DIRECTOR SCIPPA: I'm sorry. I had a very difficult time hearing Director Norton. And I don't know if that's across the board or not. Maybe it's on my end, technically. But I do want to echo Commissioner. Ken, thank you for putting this together, and a lot of good stuff.

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

LIEUTENANT MORRISON: Yes, I wanted to thank Ken, as well, for putting these substantive suggestions together. And I'm sure it took a long time. Are these going to be our suggestions, or are these going to be added in the discussion? Or is it both?

DEPUTY ATTORNEY GENERAL YOUNG: So I think that, Ken, I'll let you speak for yourself. But my assumption was that these were recommendations that we were to make. Is that correct, Ken?

DIRECTOR NORTON: (No audible response).

COMMISSIONER QUINN: Deputy?

DEPUTY ATTORNEY GENERAL YOUNG: Ken, can you hear me?

DIRECTOR NORTON: (No audible response).

DEPUTY ATTORNEY GENERAL YOUNG: Ken, you need to unmute.

DIRECTOR NORTON: Sorry, yes. These are proposed recommendations.

LIEUTENANT MORRISON: Okay, thank you. Are we going to discuss them as a whole, or individually, or just sort of take them as they are?

DEPUTY ATTORNEY GENERAL YOUNG: How would you like to proceed? I mean, we can discuss them as a whole. I mean, there's a fair number of them here. So we can -- so I see your hand up, Commissioner Quinn. But I have somebody before you. President McKim?

MR. MCKIM: I was actually just going to comment that I really enjoyed the innovative thinking around the scholarship suggestion. And I wonder if there's language that we could include in a recommendation that suggests the scholarship program as well as other innovative ways to attract and encourage students to follow Law Enforcement as a career, particularly here in New Hampshire. That was my comment.

DIRECTOR NORTON: This is Ken. I did not include that one. I didn't know if it fit here or if it might come under the other category. But people that don't know what President McKim was referencing, it was in one of the recommendations that I made on Tuesday for community. I can grab that and send it to people, if that would help.

DEPUTY ATTORNEY GENERAL YOUNG: Hey, Ken, you are -- you sound like far away and you're pretty quiet when you speak. I don't know if you can get closer to a speaker or just sort of speak a little louder, please.

DIRECTOR NORTON: Sure, is this any better?

DEPUTY ATTORNEY GENERAL YOUNG: That's perfect.

DIRECTOR NORTON: Okay. That the recommendation that President McKim is referencing was something that I sent on Tuesday, I did not include it here. I wasn't sure if it went into the other category that we're -- because it's about hiring. But I would be happy to send that out to people again if that would be helpful.

DEPUTY ATTORNEY GENERAL YOUNG: So, the section that we're on now, community relations, I look at this. This looks like it straddles training. It straddles other. I wonder if this wouldn't be better in the other section as opposed to here, with the community relationship section.

So, this is well done. It's pretty numbered. I just wonder if we should put this in the last section. So I open that up for questions or comments. I think it's critical. I mean, we've talked about this in different groups for a long time. I don't want it to get sort of buried or lost in a section, when it maybe should be a standalone under the other. So I open that up for comment. Ahni, you're all set. Go ahead.

DIRECTOR MALACHI: Couldn't hear you there; I think so, too. There's a lot here. And I just think it would be done a disservice if we sort of rushed to try to put it in this section. I do believe it belongs under other. There's a lot of meat here. There's a lot to chew on and digest, and determine what is the most feasible, what's the most reasonable. What is something that can be expected to put on the Standards and Training plate? So I just think it would be better suited in the other section. Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: Ken, as these are your recommendations, what are your feelings and thoughts on that?

DIRECTOR NORTON: I'm kind of mixed, because it's -- this is about the community in a lot of ways, and this is the challenges that we face, as a society, relative to some decisions that we've made around how people with mental illness are dealt with. And that becomes a community issue.

On the other hand, if people want to deal with it separately because they think it will get buried, that's fine. I do think that this is critically important, in terms of both the people with mental illness but also for Law Enforcement, in terms of the amount of time that they end up being asked to respond to people in a mental-health crisis. Yeah.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. Commissioner Quinn?

COMMISSIONER QUINN: Yes, I'll defer to whatever the group wants, whether it goes here or is a standalone. I just want to bring us back. When we ended last night, Deputy, we were about to vote on a few and we were running out of time. And Number IV was where we were looking at the mental illness piece. And I asked maybe Ken could come up with some better bullets.

So whether it stays here or it's a standalone, I think it will allow us to get back on track, because, if my memory's right, that's where we kind of ended last evening. We weren't quite all in agreement on that

piece. Now, we seem to be in better agreement. So I'll defer to you and the Commission on whether it stays here. But I think it gets us back on track to be able to move to the next topic, either which way.

DEPUTY ATTORNEY GENERAL YOUNG: Yeah. No, you're absolutely correct. We had a pretty broad recommendation there that Law Enforcement should utilize existing mental-health resources, such as Mobile Crisis teams, when responding to mental-health crisis. So that's where we left off. And Ken has laid it out in much more detail. So, as I said, I just don't want it to get sort of lost in a section. So I'm also happy to do what the group wants to do. Judge Gardner, you have your hand up?

JUDGE GARDNER: Yes, I would agree that I'll go along with what the group would like. But this section, as I understand it to be, the title is Community Policing, which is a term of art, obviously, and relationship building. And so, I think this might be better off in a different section. There is so much substantive content to the section. And so, I think it might serve us better if it's in the other section.

And I also wanted to mention that, Director Norton, I really appreciate you putting this together. You're on vacation. I'm on vacation. I understand that we'd like to have some time aside from here. But the other portion of this, which is the training for -- or not the training, but mental-health services available for Law Enforcement, I think in the short time that we have been working on this, during a very short timeframe, two or three weeks, there are two Officers who committed suicide. And those are things that we don't hear about publicly but I do hear about. And I have great concern about the mental wellbeing of our Officers.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. President McKim?

MR. MCKIM: (No audible response).

DEPUTY ATTORNEY GENERAL YOUNG: President McKim, do you have your hand up?

MR. MCKIM: (No audible response).

DEPUTY ATTORNEY GENERAL YOUNG: He has stepped away. Ahni, go ahead.

DIRECTOR MALACHI: So -- and maybe this will help us move it along -- what if we split the difference? So, what if we leave -- if we're in agreement with Numbers 14 and 15 under that mental-health section that we started talking about yesterday, what if we leave those there? And then, allude to the fact that there's more, and put the more, which we can discuss of the suggestions that Ken put together, and put the rest of it in other, because what he has, it covers a wide variety of things. So, it's going to talk about training. It will talk about community. And it will end up in the other section, as well. So, I think other may be better. But then we can still put some notes here in the section that we're currently in and then everybody's happy, maybe?

DEPUTY ATTORNEY GENERAL YOUNG: So we could certainly do that. We could leave 14 and 15 as they are. We will put those off. And then, we could drop a footnote and say, see Numbers -- because we

are numbering everything sequentially -- see Numbers X through X for greater detail, or for further recommendations. We could do something like that.

DIRECTOR MALACHI: Yeah, I mean, if that works for everybody, I mean, whatever you guys want to do. But maybe this gets us through the mental-health crisis -- I mean, the Mental Health Teams issue. And then, we can move onto hiring and recruitment. Try to get that done, and then give us an opportunity to work through other.

DEPUTY ATTORNEY GENERAL YOUNG: So we certainly could do that. We could leave Section IV.14 and 15 as they are, drop a footnote. And then, sort of add greater detail when we get to the other section. So if somebody wants to make that Motion, I'll entertain that. So, Ahni, you want to make that Motion? Do I have a second on that Motion?

DIRECTOR MALACHI: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Judge Gardner is a second. So, 14 and 15 will remain as they are. We will put a period at the end of 14. Commissioner Quinn, how do you vote?

COMMISSIONER QUINN: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Can you see? It's on the screen for anybody. Director Scippa?

COMMISSIONER QUINN: I vote.

DIRECTOR SCIPPA: (No audible response).

DEPUTY ATTORNEY GENERAL YOUNG: Director Scippa?

DIRECTOR SCIPPA: (No audible response).

DEPUTY ATTORNEY GENERAL YOUNG: He's coming back. Director Scippa?

DIRECTOR SCIPPA: I am here. I apologize. How can I help the Commission?

DEPUTY ATTORNEY GENERAL YOUNG: Okay. So, where we are on Section IV, as they're written right now, to mental health, I think it's just going to say Mental Health Crisis Teams. So, coordinate Law Enforcement resources and trained professionals. Law Enforcement Agencies should utilize existing mental-health resources, such as Mobile Crisis Teams, when responding to mental-health crisis situations. We're voting on this for right now. I got to save this. And what we're going to do, John, is Ken's detail, we're going to drop a footnote and we're going to have greater detail in the other section, so it doesn't get lost or diluted here.

DIRECTOR SCIPPA: Okay.

DEPUTY ATTORNEY GENERAL YOUNG: So, I mean, I can go through the roll call and come back. And you can look and think about your vote for a minute. Do you want me to do that?

DIRECTOR SCIPPA: Yes, please.

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

MR. JOHNSON: (No audible response).

DEPUTY ATTORNEY GENERAL YOUNG: Why am I having such a hard time today? Commissioner Johnson, have you voted yes or no? Your speaker's...

MR. JOHNSON: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Okay, thank you. President McKim, I know that you stepped out and you came back. Do you know where we are?

MR. MCKIM: My apologies, I did step out. So I did not hear the Motion.

DEPUTY ATTORNEY GENERAL YOUNG: So where we are, we're going to adopt IV with 14 and 15 as written. And then, what we're going to do is drop a footnote and put greater detail in the other section consistent -- we will have further discussion, but fairly consistent with what Director Norton has done. And if you want to take a minute to look at it, I can loop back to you.

MR. MCKIM: Oh, I see that. And this was actually one of the comments I had made. For me, these two seem to be the same. But I'm perfectly willing to vote yes to go along and keep things moving.

DEPUTY ATTORNEY GENERAL YOUNG: Okay, thank you. Judge Gardner?

JUDGE GARDNER: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: You were the second, I think. Lieutenant Morrison?

LIEUTENANT MORRISON: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Director Norton?

DIRECTOR NORTON: No, I think it should be in one place or the other. I think it would be confusing to have it in two places.

DEPUTY ATTORNEY GENERAL YOUNG: Okay, thank you. Commissioner Lascaze?

MR. LASCAZE: I'm actually going to have to vote no, as well. I agree with Director Norton as to the reasoning.

DEPUTY ATTORNEY GENERAL YOUNG: Okay, thank you. Attorney Jefferson?

ATTORNEY JEFFERSON: Yeah, I was trying to speak before we took the roll call.

DEPUTY ATTORNEY GENERAL YOUNG: Okay.

ATTORNEY JEFFERSON: And I'm going to vote no, as well. And the reason is this doesn't really appear to be a section. And we're really not talking about drugs and addiction at all in this. And so, it's going to seem odd in a Report to have this as a title that we've devoted a section to and there's really nothing in it. So I would suggest we just move all of this stuff into other and give it all the time and space it deserves in that space. So, with that, I would...

DEPUTY ATTORNEY GENERAL YOUNG: So what I will say to you, and I think maybe I wasn't clear, we're going to strike drugs and addiction. So it's just going to talk about Mental Health Crisis Teams, because we took the drugs and addiction piece out.

ATTORNEY JEFFERSON: Then, I would still vote no for the reasons I think we should just put it all in other. I mean, to have a section with Mental-Health Crisis Teams with these two sentences that are amorphous don't really seem like recommendations. So, I would agree with Director Norton and suggest we just put it all in other. And it's really for stylistic purposes. Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. Chief Edwards?

CHIEF EDWARDS: Yes. For voting yes on the Motion, yes.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. Commissioner Tshiela?

MS. TSHIELA: I'm going to vote no for Mr. Norton's reasoning.

DEPUTY ATTORNEY GENERAL YOUNG: Okay. So, let me just -- so we need to loop back to Director Scippa.

DIRECTOR SCIPPA: I would -- I'm going to defer to Director Norton's position on this and I will vote no, as well.

DEPUTY ATTORNEY GENERAL YOUNG: Okay. What's our count? I didn't vote.

DIRECTOR MALACHI: I don't think Mr. McKim voted yet, either.

DEPUTY ATTORNEY GENERAL YOUNG: No, I think he did vote yes, correct, President McKim, to move it along? You voted?

MR. MCKIM: I did. And I'm sorry. I did, indeed, vote. But I was actually -- I wanted to make a comment before I had to step out. I would -- but I did vote. So I'm not sure I can change it at this point.

DEPUTY ATTORNEY GENERAL YOUNG: Well, so now I'm wondering if we could just table this and come back to this at the end. I -- we're all in agreement. So I don't want to split vote on this. I think that our issue becomes just where to put it and the best way to put it. So, Ahni, because it was your Motion, do you want to just make another Motion to Table it and come back to it?

DIRECTOR MALACHI: Yes, agreed. We can table this Motion.

DEPUTY ATTORNEY GENERAL YOUNG: Okay. Does everyone agree that we can table it?

CHIEF EDWARDS: Yes.

JUDGE GARDNER: Agreed.

DEPUTY ATTORNEY GENERAL YOUNG: How about this? If I have a no, say no. Otherwise, we will have all agreed and then we can come back to this. Okay. So we're going to table this. The next section that we have up there is hiring and recruitment of Officers.

And so, what we have done is we've put the language that you see under 17, Law Enforcement Agencies should actively recruit and hire Officers that represent a varied demographic. We tried to get everyone's recommendations into one. So, can we discuss the language in 17?

DIRECTOR SCIPPA: Deputy General, are you asking me -- for me to comment on Number 17?

DEPUTY ATTORNEY GENERAL YOUNG: Yeah, questions/comments.

DIRECTOR SCIPPA: I don't have any comments or questions.

DEPUTY ATTORNEY GENERAL YOUNG: Okay, thank you. Eddie, your hand's up.

CHIEF EDWARDS: Yeah, I have to be honest here. I don't like this. It's suggesting to me that this is not already being done. I'm not sure we've heard any testimony or suggestion that Law Enforcement Agencies are not doing this already. This seems a little -- I don't know. It doesn't make a lot of sense to me for us to make this separate recommendation. I think these things are already occurring.

Unless someone has evidence or comments that are different than that, or can point to a specific Law Enforcement Agency or group that's not doing this already, it's just one of those niceties, I think, that people put out there. And I -- it's already occurring. I'm not sure why this is a recommendation.

DEPUTY ATTORNEY GENERAL YOUNG: Joseph?

MR. LASCAZE: Thank you, Deputy Young. I do agree with Eddie Edwards in the sense that Law Enforcement did testify to the facts that they are trying to actively do this, but there is issues with having their Departments accurately reflect the community. And I think that that is really what is trying to be captured here.

And when I look at this, I see what you're saying, Eddie. But, I think that encouraging -- if we change to encouraging Law Enforcement Agency, because Law Enforcement is saying that they're actively doing this. They testified before this Commission. They said they're actively doing this.

But when we look at the Departments, themselves, some Departments are not accurately reflecting the demographics of the communities that they serve. And then, we went into the reasoning of why this is not happening.

So, if we are going to be putting something in here, I think that, yeah, we highlight the fact that Law Enforcement is doing this. But, there's an encouragement for recruiting efforts to have Departments accurately reflect communities they serve, in terms of demographics.

CHIEF EDWARDS: Now, for me, I certainly understand that. And I also understand the challenges that Law Enforcement Officers are facing by things they can't overcome. I mean, they're accurately trying to recruit people. But having a standard that says that you are encouraged to recruit to reflect the demographics in your community doesn't make a lot of sense to me, particular when it's compounded by issues that are beyond your control.

And so, I'll give you a perfect example. I looked at Commissioner Norton's email on School Resource Officers. We haven't gotten to that yet. But there's a line in here that says that uniformed armed Officers create an atmosphere of fear and intimidation. I'm not sure how we can keep suggesting that Law Enforcement -- the demonization of Law Enforcement is my opinion, and then ask Law Enforcement to actively recruit in a State that's more than 90% white, to find recruits that the State of New Hampshire, itself, has trouble attracting people of color into the State and across the State.

So I think Law Enforcement is doing this. I think this is one of those things we add in and we're asking people to do something they're already doing. And there are issues that you pointed out that make this much more difficult. It's because it's difficult to recruit Police Officers to begin with. And then, you add into the -- some of the rhetoric that's being used outside of this Commission broadly. I think it makes it very challenging. And so, I just think this is one of those things that we're sticking in there for what reason, when it's already being done.

MR. LASCAZE: I hear you on that. Oh, I don't know if -- I hear you on that. And I think that just because something is a challenge, that doesn't mean that we shouldn't go and try to accomplish it, or solve that problem, because if that was the case, then all of the great things that have happened throughout history wouldn't have been accomplished.

We embrace challenges, especially here in New Hampshire, because we are different. And I understand that there is a difficulty in getting Officers of color and from various demographics to be recruited. But there is highly intelligent people out there in law enforcement. And Law Enforcement can work with communities when they rebuild their relationships to bring this about.

And something that you said, I just want to know. I know because I've spoke to you many times, and I know this is not what you mean. But when we say that we shouldn't encourage this or whatnot, it sounds like we're telling the community, well, our Departments don't need to reflect the communities they serve.

And I know that's not what you're saying. But that's how it sounds. It's like the community shouldn't have this, like there's a reason why this is a relationship.

CHIEF EDWARDS: Well, you're correct. That's not what I meant. So if I took it that way, I apologize about that. My point here is when we put something out here that says that we encourage you or you should actively recruit and hire Officers, what does that mean? How does that work?

So, for instance, let me give you an example. If you have two candidates -- one white, one black, one male, one female -- they look -- they're not the exact same candidates, because no two people are the exact same way, but they're pretty close in qualifications. Does this suggest that they should hire the black candidate or the white candidate, or the female candidate or the male candidate?

MR. LASCAZE: So, that's a great question. And I guess that goes back to affirmative action and things like that. I'll say this. And I think that you can specifically speak to this as a recent turn of events. If you're in a position, the most qualified person should be in that, regardless of skin color.

CHIEF EDWARDS: Right.

MR. LASCAZE: That's the thing. However, what I'm saying is we are keeping in mind, when we are hiring candidates, if you can hire a black candidate that is just as qualified and it is going to help your Department accurately reflect the community that they serve, if you can hire a Latino candidate, if you can -- any of them. You heard Commissioner Quinn speak about the help that the Haitian State Trooper has done across the State and the Spanish Officers that he has.

So if you can do that and you see a benefit, why would we not encourage a benefit that is going to help build the relationship between Law Enforcement and the communities that they represent that they already have these preexisting conflicts with? We're trying to bridge that gap there.

CHIEF EDWARDS: Yeah, but to continue to your point and to what -- and that's a perfect example. The Department of Safety create a hiring recruitment for minority Officers long before this Commission ever existed. Many other Departments are already doing this.

My point is these things are already happening. This recommendation is a statement as though this is not happening and we have to encourage people to do something they're already doing. I don't know of any Department. And I'll use Safety for a perfect example. They did these things, so they recognize the benefit. I think all Police Departments recognize the benefit of trying to hire someone.

But I think if you can find a candidate who is qualified and they meet the criteria for your Department, they're going to be hired. I don't see the need for this. I think it's something that's already occurring, because when you say that they're trying to incentivize them or encourage to do something they're already doing, it just doesn't make a lot of sense to me, because it's one of those things I think we're just putting here to say we told you to hire or recruit more minority Officers. It's already happening.

MR. LASCAZE: Okay. So if we said something, though, that we encourage -- so to get to your point, if it was we encourage Law Enforcement Departments to reflect the communities they serve, does that take away that element of making it seem that something is happening which we clearly know is?

CHIEF EDWARDS: I understand your position perfectly on this, Joseph. I just think when we start doing things like this, we can make it worse, because what happens if you're in a small community? I think the black population of New Hampshire is less than 2%.

What happens if you're in a place like Dover, where I live, and they end up having 10 Officers, or they want to have more Officers of color? Any qualified person comes through, they end up hiring that person, whether their Force is predominantly black, Latino, male, or female. I think you have to leave that up to the Departments that are already trying to do this.

I mean, I understand that people want to put that in there so it makes it seem like we're really working on these dynamics and that Law Enforcement has a problem with the community. I don't know if Law Enforcement in the State of New Hampshire has a broad problem with hiring in their communities, they're not reaching out in this communities they're trying to hire.

I think when you compound it with other issues, it makes it much more difficult. I don't think hiring -- I just don't think this type of recommendation is helpful. But I don't want to belabor it. If people are fine with this recommendation, then we can keep it in there. I just think it's a little much to reflect something that's already occurring.

MR. LASCAZE: I hear you. Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you, gentlemen. Commissioner -- so the hands up are Commissioner Quinn, Attorney Jefferson, Commissioner Tshiela, and Judge Gardner. So, Commissioner Quinn?

COMMISSIONER QUINN: Sure, just real quickly, I fully understand and agree with what Chief Edwards is trying to say. I also agree with what Joseph, his position. And maybe if -- and I agree. And Joseph, just to share with you how hard recruiting is, what would really be helpful to me, knowing of an Agency that tries their best and understands the importance of it, but it is hard. It's a challenge. Maybe in 17 it's continued to continued to continue, because they are. As Chief Edwards says, it's important. But we've been doing it for a long time.

But I'll tell you what I was looking forward to with learning is learning some things that we could do that we're not doing that's better. I've met -- before this Commission started, I met with Rogers personally to say help me. Where could we be recruiting these candidates from? Chief Edwards told me his story, from being in the Military and coming up here is how he wound up in New Hampshire.

So, if we all agree it's important, and we all know it's a challenge, and all Chiefs get it. It isn't just us here that understand the importance. What can we do that we're not doing? Can this Commission help Law Enforcement to get to where everybody wants to be, knowing this is not just isolated in New Hampshire?

So, again, I agree. We are trying. But we're not meeting the marks we want. But it's not because we're not trying. But what could we do better? That's what I'd be interested in, in learning from some of you that might have some better suggestions. Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you, Commissioner. Attorney Jefferson?

ATTORNEY JEFFERSON: Yes, I think Commissioner Quinn put it very well, because I think Chief Edwards has a very strong point that the wording is important. If we have a recommendation there that suggests that New Hampshire Police, by and large, are not trying to do this, that is a problem. And that is a problem. We have to make sure we don't send that message, because we have heard testimony that various Police Agencies are trying.

The second point I wanted to make was Director Scippa and I were actually having a conversation about this, going back to data. So how do we know what the actual numbers are? When we were talking about this question was posed to him, and we currently have no idea of knowing that. So I think one thing is beyond anecdotal statements. Having the data, we would know and we would have a starting point to put out there.

So, I would put out there that we put as part of this recommendation some recommendation to collect the data, so that we know what the demographics are of our Law Enforcement Agencies. And then, we can have the conversation, because having the conversation based upon anecdotal statements is not helpful to either side.

But if you have the hard data, that will give you a point to go with. So I would put that out there, as well, for us to consider, that it's important to actually have hard numbers to know the answer to that question. Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you, Julian. Commissioner Tshiela?

MS. TSHIELA: Yeah, so the only problem that I have with a recommendation like this is I feel like people look at it and they think that it's a solution to a lot of overarching problems. And I don't think so. I personally do not think that hiring more diverse Officers is going to help a lot of the issues that we have within the community.

However, when we're talking about community relations, I do think it has some benefit. Diverse children in neighbors, when they see Police Officers who look more like them, they could be more inclined to become Police Officers, when they grow up, which is, I think, a solution to, in the future, hiring more diverse Officers.

However, I think what everyone else said is kind of important. If we word it in a certain way, it looks like -- I'm personally not confident that all Law Enforcement Agencies in New Hampshire are actively trying to do this. That's just how I feel. So if this doesn't apply to them, then they can simply let it fly. But, that being said, I do think it is important to word it in a certain way that makes sure to note that there are some Law Enforcement Agencies who are actively putting in this effort. Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you, Ronelle. Judge Gardner?

JUDGE GARDNER: Yes, I agree. Suggestively put in something about (inaudible) to do something. Other thing we might want to put in there is that (inaudible) that the hiring or recruitment of Law Enforcement is difficult, in general. And I see that every day. I hear about it all the time. And so, maybe it should be something that we recognize the issues in terms of recruitment, how difficult it is, but that we need to explore, for example, how Commissioner Quinn indicated. Maybe explore different avenues of recruitment. But the wording is very important.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you, Judge. Ahni?

DIRECTOR MALACHI: All right, thank you, Deputy Young. Yeah, I'm in full agreement with where everyone is at this point. And there were just a couple of things that rang exceptionally true for me. It is important to have a variety of people in any area.

And to Judge Gardner's point, there was testimony by Commissioner Quinn so many weeks ago. I believe it was Commissioner Quinn. But in the questioning, if they had 100 people complete Applications and by the time you'd go through all of the steps, you might have six people that are left. And of those six, which would be the best six -- they'd pass the background checks; they'd pass psychology checks; they'd pass social media checks. So you're checking biases and all of these things. Then, you're left with a very small pool from which to pull from.

And I think something -- and I've said this before. But something that people are really not taking into consideration which compounds this issue and makes it significantly difficult, too, is the weather. We live in a State that it's the polar opposite of the States in the South. So in the South where you have warm weather the majority of the time, we have the same amount of time that is usually cold. And some people are not interested in shoveling snow. It doesn't matter what you promise them. It just they're not going to come. So there's that to take into consideration.

Now, to Commissioner Lascaze's point, does it mean that you don't -- and Commissioner Tshiela's point -- does it mean that you don't try? No, it doesn't. You do try. You put on the full court press. You let people know the quality of life here is amazing, and, if you're an outdoors person, there are many opportunities to do really cool stuff here. So all of that is great.

But also to Commissioner Quinn's situation, I guess I feel a little disheartened -- maybe that's too strong a word -- that he's at this point now begging Civil Rights Organizations to help with hiring minorities. Why wasn't that a thing 5 years ago, 10 years ago, 15 years ago? I don't know the answer to that question. If there had been maybe more working together, then we may not be there, or we might, just because of the State that we live in, because of the cold weather, and whatever else. Maybe people just haven't realized that New Hampshire is an amazing place to live. So I think that troubles me that we're in 2020 and he's having to really reach out to get more help, as opposed to organizations coming to Law Enforcement at large and saying, hey, let's work together to get more people of color -- Asian, African-American, Hispanic, everybody -- to come here.

And the other thing I thought about, too, is if we make this recommendation, which I think we're going to loosen it up a bit. But if we make it too specific -- so let's take where Commissioner Edwards lives in Dover. If the population of Dover is let's just say 90% European American, I don't know. But we're just going to guess that. Then let's say they had, of the 20 people on the Police Force, let's say half of them were African-American or Latinx. So that's not a fair representation of the population. So do you let those people go? Or do you keep them because they're really good Officers?

I mean, I just throw that little fly in the ointment, but just something to think about, because every community is shaped and looks very different, where you have Manchester and Nashua highly populated with a more broad cross-section of people. And then, you have some of the smaller towns that aren't.

So I don't want us to put ourselves in a place where the unintended consequences of what we're trying to do for the larger cities overshadows and could potentially reverse or take the foot off the gas for the smaller cities to just go forth and hire the best people, look for a variety of people, so you have different ideas. So, that's it. Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you, Ahni. Just while the Commission Members are speaking, we have sort of two different languages up under V now: 16 and 17. 17 is Lieutenant Morrison's recommended language. So, with that, Lieutenant Morrison, you're up next, followed by Joseph, Rogers, and then Ken. So, Lieutenant Morrison, you're up.

LIEUTENANT MORRISON: Thank you. Yeah, I can't stress enough. Like, I was responsible for hiring and recruiting and it is a very tall task to try to attract candidates, in general. And it's gotten harder over the years.

So I am in full support of continuing the efforts that we have already made in this pursuit. And I think that would be enough. As Ahni said, you don't want to take your foot off the gas, which we don't and we haven't. It's going to be a challenge to recruit anybody, much less candidates from minority communities.

But I think, as a recommended goal, which is also consistent with accreditation models, to include these Agencies have to publish a Recruitment Plan, what happens in the Agency to try to recruit minority candidate Officers. So, I think this is a very succinct way of recognizing the efforts already made and that are continually made, and just to support those efforts in the recruitment of people.

DEPUTY ATTORNEY GENERAL YOUNG: Mark, 17, as written now, is your language. Do you have any issue with the language in 16? It just frontloads the recognition that it's difficult to hire and recruit qualified candidates. So we just have that information.

LIEUTENANT MORRISON: I wouldn't be opposed to taking recognizing the difficulty of hiring and recruitment of qualified candidates and adding that at the beginning of 17. And then, we can have it be one bullet, or have it just be Number 16.

DEPUTY ATTORNEY GENERAL YOUNG: Okay.

LIEUTENANT MORRISON: Combine the two. Take that first sentence before the comma. Yeah, add it. And I think that really captures the entire discussion that we've been happening, and the testimony that we've received.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. Joseph, you're up next.

MR. LASCAZE: Thank you. Yeah, I absolutely agree with Lieutenant Morrison on the combination of the two. And I wanted to just make clear that I was not being dismissive of the difficulties and challenges of recruiting for minority communities. And this is to Chief Edwards. And I do agree that wording absolutely is important here of reflecting it. And that's why everyone on this Commission gets paid the big bucks, because you guys all are able to come up with something better. And I did also just want to respond to Director Malachi and say that I wasn't suggesting that Police Officers be fired at all, just because they're -- before I was not suggesting the firing of Officers at all.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you, Joseph. Rogers, question or comment?

MR. JOHNSON: Yes, a comment. I've been a Member of the Seacoast NAACP for the last 25 years, since I've moved to New Hampshire. In that period of time, of the 27 communities in the Seacoast, not including the State Police, but, in reality, including State Police, every Agency has repeatedly contacted us to help them with recruiting. It's not just the letters. It's the phone calls that I receive from the various Chiefs.

In regard to that message that all the Commissioners need to hear, this was a serious aspect of the things that they want to do, because they recognize the importance of having minority Police Officers. Now, this is a reality that some people may not agree with. But the Applicant pool in New Hampshire is rather limited.

Therefore, it is incumbent upon the State Government, not necessarily the State Police, the State Government, if it encourages the diversity of its Police Departments, then to go outside of the State and actively recruit. Regardless of what Commissioner Malachi says, you have to go through that step to go out and find these individuals who are willing to come here. You've got to make the effort and the offer.

And that's where we're falling down. We're actually trying to recruit within the State. And if we do that, we're not going to get there. So we need to go outside of the State and find people who are willing to come. And if that means I interview, or offer, to 10 people and get 1 to come, that's 1 more than I had yesterday.

I have made this recommendation to the Governor. I have made it to Will Arvelo and Taylor Caswell. I do believe that this is something that should be recommended to the business community, in terms of putting cash together and sending out what I call Hit Teams to go find people. And I get a lot of people who want to understand this concept, but they haven't pulled the trigger yet.

I think that this is the best way to go. I have been in the process of recruiting Police Officers. We've recruited minority Police Officers for the Town of Newmarket, who the people of Newmarket have come to love so much that they have recommended that he become the SRO, of all things.

This is what we're talking about. Individuals of color who can come into a community and create this type of relationship, I honestly believe that this is something that we should put some effort into, and not just essentially hope that individuals would want to become Police Officers and hope for the best. I'm sorry. That's it.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you very much. Director Norton?

DIRECTOR NORTON: Yes, great conversation. And I appreciate so much of what's been said. I have three comments. The first is that -- and this kind of follows what Commissioner Johnson said. But we focus this on Law Enforcement. And maybe we should be focusing this on communities, that if we want to attract and maintain diverse Police Officers on our Force, the communities should have some responsibility in doing that.

And I think about challenges we've had in the mental-health field recruiting people and essentially selling ourselves. It's not just interviewing somebody, but we're wanting to attract them. That's point number 1.

The second point is I had mentioned the possibility of having some type of student loan repayment program in order to attract Officers, in general. And there might be a way to target that more specifically for areas where we're looking for more diverse representation.

And then, the third would be, again, trying to think outside the box, would some type of mentoring program where somebody was paired with somebody, another person of color that was more experienced Officer, help attract candidates to our State? So, those are my three comments. Thanks.

DEPUTY ATTORNEY GENERAL YOUNG: So, I'm going to continue to go through the list. But as we're doing that, we're trying to sort of capture Rogers' and Ken's thoughts in a bullet, 17. And I know our task is law enforcement. But I think sometimes, as Joseph pointed out, you got to think bigger. And I think we do have the stage here, so we might as well use it while we have it. So we will try to work on a 17 as we listen to the others speak.

So it's Ahni, Mark, and Julian. And then, I think I'm going to ask if we can try to make -- so sort of finalize 16 and 17, and then move onto the next section. But -- and then, yeah, Eddie, you got your hand up before I called it done. So, Ahni, you're up next.

DIRECTOR MALACHI: Okay, thank you. Yeah, and for Joseph, that was a little hyperbole on firing people. I know that's not what you meant at all. But just as something for us to think about as we're looking at the whole picture, when we craft whatever the language is so that we -- so we make sure we're not putting things out of balance.

And I appreciate Rogers' comments. And I guess if I'm understanding, I'm assuming he's talking about the current Governor, which is great. But to that end, I mean, how many other Governors before that has this suggestion been made, if it's a larger than just a local issue?

And I'm pretty sure I know why Commissioner Edwards' hand is up. And he's going to, in great detail, explain to you how many trips to HBCUs, Historically Black Colleges and Universities, he made to do exactly what you're talking about, long before the last four years.

So, I think it is obvious that you're not going to be able to recruit the percentages that are needed of people of color in the State of New Hampshire. I think that's woefully obvious. And other Departments, other Agencies have figured that out. And they're moving outward and doing that.

But, I mean, that's the same thing that businesses are doing. So, law enforcement is a business. I mean, obviously there's more care and strategy involved, because you're dealing with people's lives, versus a salary and a 401K, if you are a large company here in New Hampshire.

So I think this is an across-the-board issue in all work areas, and even if you're in another city that has a more diverse population. At that point, it's not just anyone. You want the best-qualified people for the job.

And I think Ken's suggestion in terms of a Mentor is probably a good idea. But then there's the assumption, I think, in that, that all people of color, based on their ethnic groups, are all the same. So, you could have two Officers paired together that are further apart. And just because they look alike doesn't mean that they are sympatico, for example. It doesn't mean that they're going to work well together.

So, although on the surface that's a great idea, it may be better to have an Officer paired with someone that's going to teach them the best whatever, and then allow them to organically form relationships with other Officers that help them, in terms of feeling great living in New Hampshire, and continuing to live here, raising a family, etc. So, those would be my comments. Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. Lieutenant Morrison?

LIEUTENANT MORRISON: Thanks, I'm just going to try to make a comment and I guess try to keep us from slipping off the cliff of inefficiency that we sometimes fall off of. I wonder, if we're going to really speak to statewide efforts, I mean, that really starts to open up a can of worms.

We've been sort of providing testimony for years about how detrimental the changes to the retirement system have been. There are Agencies all over the State of New Hampshire that now are forced to offer signing bonuses just to get anybody.

So, I think we're really -- like I said, we could go on for hours about the different mechanisms that we could draw people. But this career, in general, is really having a hard time keeping and attracting people, because of a multitude of factors, none of which we can solve here. And I think our best bet would be to provide this recommendation that we continue to try to recruit qualified candidates and sort of move onto the other section.

And not for nothing, but I would also ask everybody to kind of keep this in mind, this general mentality in mind of sometimes just community support is more beneficial than a \$5,000 bonus. Simple appreciation is more valuable to Law Enforcement Agencies than a loan forgiveness for one candidate. We need to keep that in mind, I think. And I know it might sound self-serving, because I am a Law Enforcement Officer. But it really isn't. This is more about the profession.

I'm on the back nine, if you will, in my career, not at the beginning. But we care about this profession so much that we have to recognize the value of it. So I think that we should sort of move along and if a Motion's needed, I'd make a Motion to accept Number 16 and move onto the next category.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you, Mark. We had a couple of other hands up. And I don't see a second on your Motion yet. So we're going to go to Julian, Eddie, and then Joseph.

ATTORNEY JEFFERSON: So, I would recommend that we keep both 16 and 17. We've heard from Commissioner Quinn that it is useful to sort of think outside the box and try to find ways to actively recruit so they have a more diverse pool to serve from. So I think 17 should be there.

I would say, on 17, though, to have 17 just say sort of definitively we need to look outside the State I think suggests that we don't have a diverse population within the State. So I would put a comma to potentially include recruiting outside of the State so that there's not this inference here that we can't draw from the diverse populations. And we do have some diverse population centers throughout this State. So I want to make sure we're not suggesting that we can't recruit from minority populations inside the State. Thank you.

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

CHIEF EDWARDS: Yeah, I just want to make sure this is stated for the record, because I was in active law enforcement for over 25 years. And we actually made an effort when I became the Chief to actually go to Historical Black Colleges to try to recruit people to this State. And these efforts are not lost on me, in particular, because what I don't like is just lip service not the action behind it.

And I think just recently we've seen publicly two qualified African-Americans rejected from jobs in this State for a variety of reasons. People can assign their own reasons to that. But they were rejected. And very little commentary was offered on that by many people. And so, I think if people are serious about this, then we should be serious about it.

We don't want unqualified people in jobs. But when you do have qualified people, then they should be given an opportunity. And I just think things like this, to me, as I said before, I'm going to support what the majority of Commission wants to support, because I think that's important that we speak with one voice.

But I just want people to understand very directly from me that someone who is a black who's lived in this State for over 30 years, who's been in law enforcement, who's been in a variety of different things in our communities, I think a lot of this is lip service, because, when the rubber meets the road, very little is done to make sure this happens. So I just want to make sure people understand where I'm coming from.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you, Eddie. Joseph?

MR. LASCAZE: I think my hand was up from before. I did not mean to have my hand up.

DEPUTY ATTORNEY GENERAL YOUNG: Okay, thank you. And Judge Gardner, and then I will ask if anyone has a Motion. So, Judge Gardner?

JUDGE GARDNER: I was going to second Lieutenant Morrison's Motion. But that's okay.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. So, Lieutenant Morrison, I will go back to you. So, V, hiring and recruiting, are you only moving 16 and not 17?

LIEUTENANT MORRISON: I mean, I'm comfortable with just accepting 16 and 17. So we could just vote on it.

DEPUTY ATTORNEY GENERAL YOUNG: Okay. And Judge Gardner, is your second 16 and 17 as written, under Section V?

JUDGE GARDNER: Correct.

DEPUTY ATTORNEY GENERAL YOUNG: Commissioner Quinn, how do you vote?

COMMISSIONER QUINN: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Director Malachi, how do you vote?

DIRECTOR MALACHI: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Director Scippa, how do you vote?

DIRECTOR SCIPPA: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. Commissioner Johnson, how do you vote?

MR. JOHNSON: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Is President McKim not with us still, Fallon? Judge Gardner was the second. Lieutenant Morrison was the first. Director Norton?

DIRECTOR NORTON: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Commissioner Lascaze?

MR. LASCAZE: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Attorney Jefferson?

ATTORNEY JEFFERSON: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Chief Edwards?

CHIEF EDWARDS: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Noting your comments are noted, so thank you. Commissioner Tshiela?

MS. TSHIELA: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: And I vote yes, as well. And President McKim is absent at this point, as he indicated he would be. So, now we move onto the other section. So, this can -- we will just move it up on the screen in a second. Thank you.

So, what we have in the final section -- I think these numbers are correct, right? Can we -- six -- Section VI, which is the other section, Number 18 is recommended by Commissioner Lascaze, which is pronoun inclusion training. Do we have any discussion on that?

(No audible response)

DEPUTY ATTORNEY GENERAL YOUNG: So what we have done on this one is we have just -- all Law Enforcement Agencies should seek and provide training on pronoun inclusion. We just tried to change the language so it was consistent. Can you do -- there -- so seeing no discussion, do I have -- go ahead, Commissioner Quinn.

COMMISSIONER QUINN: Deputy, I just have a question. So, is there a vision here that there's some training that's approved that would be pushed out and shared with all Law Enforcement? I mean, is that -- I mean, I know we had some discussion on it. We had, I believe, Palanka [sic], I believe, spoke. But is that kind of the plan so that all Law Enforcement Agencies aren't having to come up with their own training curriculum, or -- so I'd just like to understand what that means, before we recommend it. It would

probably be easier for all Law Enforcement if we had an approved training that could be shared with everyone on this topic. So just a question on clarification.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you, Commissioner. Joseph, as this is your recommendation, do you envision? Is there a model that could be followed?

MR. LASCAZE: So, what I can do is I can reach out to Palana about this, as she was the one that testified about this, to see what model she envisioned. But the thing that -- the way that I was seeing this is that Law Enforcement Agencies have, on their own, already reached out. There are several Law Enforcement Agencies that are doing this. So, when I visioned putting this in here, it was to show that they should encourage them to seek and do this. I will -- I'll reach out to her. And I can get back, if we could loop back? If we go to 19 and 20 and loop back, I can get a better answer on that for you.

DEPUTY ATTORNEY GENERAL YOUNG: Okay. I have a couple of hands raised to continue discussion on this. But you can still loop back, Joseph. Ahni, Ken, and then John Scippa; Ahni, you're up.

DIRECTOR MALACHI: I'm good. I think Commissioner Quinn asked my question. And I think Director Scippa's about to do the rest of it.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. John, you're up. Ken, I'll loop back to you, because maybe he'll answer your question.

DIRECTOR SCIPPA: I think the topic, itself, should be discussed and introduced to New Hampshire Law Enforcement. Does it need its own separate training? It sounded to me, when I was able to ask the question during testimony, that this topic can be covered in five minutes all the way up to an hour. And so, I would envision the way that Commissioner Lascaze has put it forth, it certainly touches the topic and leaves flexibility so that Agencies can address it the way they see fit.

At an Academy level, this topic would certainly be brought into the cultural dynamics class, so that, at an Academy level, we could deliver that kind of topic coverage. What I would not advocate is mandatory trainings on a standalone program. It just didn't sound like it had an hour's worth of content delivery. I think that hour's probably more discussion-based. So it would have to be live.

But, as it's written here, I certainly could support the way that Commissioner Lascaze has put that forth. And certainly, at an Academy level, it will be included as part of our rewrite on a cultural dynamics class. And that would be my position from the training point of view. Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. Ken Norton, you're up.

DIRECTOR NORTON: Yes, I just wanted to represent President McKim. I know he's not here right now. But he had sent us an email earlier that said I believe Officers should not "seek" training on pronouns. But training on pronouns should be included at the Academy. So I just wanted to represent that. Thanks.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you for doing that, Ken. Julian?

ATTORNEY JEFFERSON: Yes, I'm also fine with it, as written. But I would suggest we frontload the sentence so that it's clear that we're talking about having a good relationship with the transgender community, so that it's clear that we've heard testimony from the transgender community and we're making this recommendation in light of that, because it -- if I was just reading this as a layperson, I wouldn't necessarily know that we're specifically reacting to that. Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. Joseph, go ahead.

MR. LASCAZE: Yeah, so I just wanted to circle back for the Commission. And Palana is comfortable with it as Director Scippa had stated, so as he had proposed the model of training of how he had said it. That's what we were comfortable with.

DEPUTY ATTORNEY GENERAL YOUNG: Okay. Give us one second to polish this up. And I'll have you look at it.

(Pause)

DEPUTY ATTORNEY GENERAL YOUNG: So 18 now reads, in order to advance relationships with the trans and gender nonconforming population, all Law Enforcement Agencies should seek and provide training on pronoun inclusion. Yes, Joseph? So, Joseph, do you want to make a Motion to Adopt 18, as written?

MR. LASCAZE: Yes, I would like to make a Motion to Adopt Point 18 of Section VI, as written.

DEPUTY ATTORNEY GENERAL YOUNG: Do I have a...

CHIEF EDWARDS: I'll second that.

DEPUTY ATTORNEY GENERAL YOUNG: Seconded by Chief Edwards. I will do a roll call. Commissioner Tshiela?

MS. TSHIELA: (No audible response).

DEPUTY ATTORNEY GENERAL YOUNG: Okay. Ronelle, are you there?

MS. TSHIELA: Yeah, sorry. I said yes. Mic was just not unmuted.

DEPUTY ATTORNEY GENERAL YOUNG: Okay, thank you. Attorney Jefferson?

ATTORNEY JEFFERSON: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Director Norton?

DIRECTOR NORTON: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Lieutenant Morrison?

LIEUTENANT MORRISON: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Judge Gardner?

JUDGE GARDNER: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: President McKim is still not with us. Is that correct?
Commissioner Johnson?

MR. JOHNSON: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Director Scippa?

DIRECTOR SCIPPA: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Director Malachi?

DIRECTOR MALACHI: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Commissioner Quinn?

COMMISSIONER QUINN: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: And I vote yes, as well. So, I'd like to jump to 20. I think that 20 probably sort of flows from 18. And that's the -- and I think we could probably frontload that language, in order to advance relationships with the hearing impaired community, Law Enforcement Agencies should seek a better understanding of and communication with members of that community, something along those lines. And this is a follow-up to the testimony that we had from Mr. Emerson. Yes, please. Questions/comments? Yeah, Rogers, go ahead.

MR. JOHNSON: Thank you, Deputy General Young. In the community dialogues that we had, all, like, 20 of them all across the State, this was a repeated question that was brought up in many of the meetings. And it's my understanding.

Again, I don't dispute this topic. But it's my understanding that not only the State Police but local Police in certain jurisdictions are aware of this and have taken efforts to make sure that the cards are available so that they can understand what an individual's saying, and are really attuned to this.

So I understand the desire to make sure that it's included in our approach. But I have been told by a number of people in Law Enforcement, and in the communities, that this is something that's already being done.

Again, if this is something that's really important, fine. Put it in here again. But, again, it's my understanding that Law Enforcement is doing this. Now, maybe Commissioner Quinn, I could be wrong. But your predecessor, Commissioner Bartlielmes told me specifically. And I heard from a number of State Policemen who said we're doing this. So, were they wrong?

COMMISSIONER QUINN: So, can you hear me okay, Rogers?

MR. JOHNSON: Yes, sir.

COMMISSIONER QUINN: Yeah, so if you read the recommendation, in order to advance relationships with the hearing impaired community, Law Enforcement have a better understanding of and communication with members of that community, and I'm holding up for everybody the card that Rogers talked about. And this was made available through the President of the New Hampshire Chiefs, I believe at the DMVs. There's a front and a back to it. And the goal was to have it in every Police Officer's vehicle, Sworn Officer in the State. And we can, if there are areas that need them, we can continue to get them.

So, I think there's two issues here. One, Rogers, it's communicating roadside, or if they have this tool. So, yes, you are correct in that we have made some positive strides with the deaf or hard-of-hearing card that we have for Police Officers. But I'm not sure if what the goal is, is to advance that even further, beyond just the card.

So, just to clarify, you are correct. We have made positive strides putting these cards, making them available for every Police Officer. But I'm just not sure what -- I'm not sure if the recommendation is to go beyond that. And I'll defer to the Deputy.

DEPUTY ATTORNEY GENERAL YOUNG: So, Commissioner, can I ask you? Do we know? I know that Chief Dennis had those up and there's a lot of -- do we know if that's being done everywhere?

COMMISSIONER QUINN: I just called my Captain and ask, have they been made available to all Police Agencies? And he said yes. And if you need more, we can get more. So, I can't speak to every individual Department. But this is easy to get this out. I mean, we launched this months and months ago.

DEPUTY ATTORNEY GENERAL YOUNG: Perfect, thank you. Lieutenant Morrison and then Director Scippa. Lieutenant?

LIEUTENANT MORRISON: Yeah, I was just going to say that actually the New Hampshire Police Association and the Troopers Association were responsible for the first running of those, along with the Chiefs. So, it was an effort on the part of Law Enforcement to address this exact thing.

So I'm with Mr. Johnson on the sort of the tenor of this. But, I mean, I guess it's okay if we want to have it in here. But, if we're going to have it in here, I think, to the Commissioner's point, we should maybe put something in there that more cards should be made available, or have something in the lines -- inline with distributing more of the deaf and hard-of-hearing materials.

COMMISSIONER QUINN: I would even add to that, Lieutenant, we can give some to Director Scippa, so that every Recruit gets one, as well. So, we can get more of these, if they're necessary.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. John Scippa?

DIRECTOR SCIPPA: Oh, just to let the Commission know, I'll remind the Commission that we already, here at the Police Academy, Recruit-level training, we dedicate two hours of training to this very topic. And to Commissioner Quinn's point, it is my understanding, and I have yet to confirm it, that we issue one of those cards to each of the Recruits. If that is not my clear understanding of it, then we will be issuing one of those cards to each Recruit during that block of instruction. But I just wanted to make sure that the Commission Members know that that is ongoing right now to President Johnson's point. Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: Okay, thank you. So, we've been going for an hour and a half. We have until 1:30. I don't know that we will use the whole time. But we're going to clean this one up. We're having a little bit of a technical issue here. It's 11:10. I'll give you a break until 11:20. And then, we will come back and we will look at that. Okay. Yeah, Ahni, go ahead.

DIRECTOR MALACHI: Really quickly, if we do keep the deaf and hard-of-hearing language in, maybe it's something like continue to, since these are efforts that are already being done, if we keep it in.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. So, Fallon, is it Fallon and Maria? We are going to take a 10-minute break. Thank you.

MS. EKLUND: I will pause the recording.

(Off the record at 11:10 a.m.)

(On the record at 11:20 a.m.)

DIRECTOR SCIPPA: When we go live, if I could just amend?

MS. EKLUND: We're now recording.

DEPUTY ATTORNEY GENERAL YOUNG: Okay. So, thank you, Maria. So we are now back on. John Scippa, you have a question or comment?

DIRECTOR SCIPPA: I just wanted to amend a statement I'd made just before we went on break. During the break, I ran down to the other end of the building and just checked with the Academy Staff, relative to those placards that are used to help communicate with deaf and hard of hearing. They were brought here for one class and then they haven't been brought back in.

So, it was something that we were doing for every class. That is not accurate. But, going forward, during that two-hour block of instruction, we will be issuing a placard to each one of the Recruit Officers. So I just wanted to clarify that for the record. Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: And we went back and looked at the testimony. And it sound like that the impaired -- the hearing impaired driver may have the cards, as opposed to

Law Enforcement. So I think that we will modify the recommendation to ask that Law Enforcement, when possible, to have those cards and utilize those cards. Joseph?

MR. LASCAZE: Just real quick, I'm wondering, on 19. I thought I heard testimony, I believe, from -- or read testimony from Chris Emerson that hearing impaired should be deaf and hard-of-hearing. That's the correct terminology, that hearing impaired might be offensive to some. So I think so, and I just wanted to point that out.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you.

COMMISSIONER QUINN: Deputy?

DEPUTY ATTORNEY GENERAL YOUNG: Go ahead, Commissioner.

COMMISSIONER QUINN: No, this did go out to Law Enforcement.

DEPUTY ATTORNEY GENERAL YOUNG: Okay.

(Pause)

DIRECTOR SCIPPA: And Commission Members, just to understand, I've already communicated with Commissioner Quinn on this. He put me inline with the -- one of his Troopers that oversees this particular program. So our ability to get those cards has already been addressed. And we will just roll that out with the next Academy coming in.

DEPUTY ATTORNEY GENERAL YOUNG: So, 19 is written. Do we have any further questions or comments on it? Do we have a Motion to Move It Forward, as Written? So, Commissioner Quinn, are you moving it forward?

COMMISSIONER QUINN: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Joseph, are you seconding that?

MR. LASCAZE: Yes.

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

MS. TSHIELA: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. Chief Edwards?

CHIEF EDWARDS: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Attorney Jefferson?

ATTORNEY JEFFERSON: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Director Norton?

DIRECTOR NORTON: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Lieutenant Morrison?

LIEUTENANT MORRISON: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Judge Gardner?

JUDGE GARDNER: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Commissioner Johnson?

MR. JOHNSON: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Director Scippa?

DIRECTOR SCIPPA: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Director Malachi?

DIRECTOR MALACHI: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: And I vote yes, as well. Now, we will move onto 20, which is update legislation to create minimum age for prosecution of children, and limit offenses that create presumption of transferring children to adults -- I probably say should -- to the Adult Court System. So, Julian, this is your recommendation. Do I have any questions or comments on this? Julian, go ahead.

ATTORNEY JEFFERSON: Thank you. So, I put -- so I've created language that I think all Commission Members should have. And so, I'd like to -- and I put it out into two discrete recommendations. So, if we can put that language up there?

And so, to the first one for creating a minimum age for prosecution, we've heard extensive evidence both in the public record, written and oral testimony. We've heard from Lieutenant Camacho, Director O'Neill, Attorney Elbroch, Dr. Becut (ph). Commissioner Edwards has spoken to this issue of finding ways to disrupt to disrupt the pamper/poverty or classroom pipeline.

On the issue of the prosecution of children, young children specifically, we've heard from Manchester Police Department and the Nashua Police Department, which created a good opportunity to look at whether or not this is a real issue that we need to tackle. And we've found that, in the City of

Manchester, we did have 78 prosecutions over a 5 1/2 year period and 14 for felonies. And when you compared that to Nashua for (inaudible), they had no prosecutions for misdemeanors.

So, we certainly have enough of a record to know that this is an issue that exists. And it's also not unique to our State. We've also put into the public testimony articles that were showing from FBI records that over, I believe, it was 30,000 children under the age of 10 were arrested since 2013.

And in essence, as I was preparing for my testimony today, I was going on WMUR just to see if there was any coverage of yesterday's hearing. And I saw on WMUR a story from this week of an eight-year-old child being arrested at school for hitting his Teacher in the stomach, arrested and handcuffed, and booked.

So, we also know that there are States who have already moved on this. We know that there are 12 States who have set a minimum age for prosecution, with two of them having the age of 12 years old. And I believe 10 States having the age of 10 years old, and 1 State having the age of 11 years old. So we certainly have enough body of evidence and testimony in regards to this issue.

So -- and I carefully worded my recommendation. As you know, from my testimony, I suggested a specific age, based upon the data and the science, and the testimony from Dr. Becut. But, I do recognize we shouldn't be drilling down too far. We've created enough of a record now to turn this over to the Governor and the Legislature.

So this is something that is certainly within our charge. Community relations involves how we decide to prosecute our children or not. Police Departments, because these are misdemeanor offenses, in almost all circumstances, are the ones who both initiate and handle the prosecution, either with Attorneys, City Prosecutors, or Detectives.

So, starting with recommendation number 1, I've put the language in there to suggest that the Legislature set a minimum age, and that we recommend that the Legislature, in deliberating upon that, should consider the science and the data concerning child development, brain development, and the child's competency to stand trial, all of which we've heard testimony, both written and orally, from Dr. Becut, Director O'Neill, and myself.

For -- pretty much for the same reasons, I've also done the language very similar to bullet number 2. We've heard testimony about the disparities in SYSC with young African-American and Latino children. We've heard that from Lieutenant Camacho. We also have the data from the written testimony of Director O'Neill. And we also have my testimony on the issue, as well.

So, again, these are recommendations just to say we've heard enough information to say these are two things that we should look at. The Governor specifically tasked us to send this Report both to him and the Legislature. So there certainly was a contemplation that part of our charge was to write recommendations that, if our Political Leaders could take action on. So, for all of those reasons, that's why I'm advancing both of these, and I open it up to deliberation and discussion. Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: Julian, I think that I saw something on a newsfeed about that arrest, too. But that was not in New Hampshire, correct? That was in another State, that child.

ATTORNEY JEFFERSON: Correct, that was not in New Hampshire. So what I am saying is we know that this issue exists nationwide. We also know that it exists here. We heard from Attorney Elbroch about a six-year-old being arrested during her time as a Public Defender. You heard from me saying that, in my experience, I see 12-year-olds constantly being prosecuted.

And then, we know that by the Manchester Police data. We've discussed it. There were 92 prosecutions over a 5 1/2-year period, 78 of them being for misdemeanors. That's more than one child a month, age 12 years old, being brought into Juvenile Court for prosecution. We heard from Dr. Becut who said that these children are routinely found not competent to stand trial. And we've also heard from Director O'Neill, as well.

So, we know that this is an issue that exists in our country. And we know that this issue exists here in this State. We also know that we've had at least I think it's 15 States who've already moved forward on setting a minimum age.

So we're not proposing -- this is not proposing anything new or drastic. This is something that needs to be addressed. And we're just putting it out there to say, Legislature and the Governor, please take a look at this and legislate as you deem appropriate. Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. Questions or comments?

COMMISSIONER QUINN: I have a question.

DEPUTY ATTORNEY GENERAL YOUNG: Yes, Commissioner.

COMMISSIONER QUINN: Yeah, Julian, just my only question is this. I'm trying to tie the two issues. I've heard all the testimony and I'm not going to question any of it. But if you could just explain how we tie this and aren't there many other issues that could improve relations? How do you specifically tie this to the Police? I mean, I understand it's a Policy issue. It's something that needs to be addressed at the Legislature. But what's your direct link to our charge here in the Commission?

ATTORNEY JEFFERSON: Sure, that's a good question. And I think it's an absolutely direct link. It is Police Officers who initiate these prosecutions. And it is Police Officers and Police Agencies who prosecute all of these prosecutions.

And part of community relations is how Law Enforcement interacts with the community and how Law Enforcement interacts with children is part of this. So I think this is directly related to our charge. And not only is it directly related, we have received extensive testimony on this issue. So for us to receive extensive testimony, both written and oral, on this issue, and then not to do anything with it would be an abdication of our responsibility.

COMMISSIONER QUINN: Okay, thank you.

ATTORNEY JEFFERSON: Yeah.

COMMISSIONER QUINN: Judge Gardner and then Ahni?

JUDGE GARDNER: So I think that I had already indicated that I would not feel comfortable voting on these two paragraphs. Law Enforcement's role is to enforce the laws. And so, I don't think this is related to community relations, because they're tasked with enforcing the laws that are on the books.

For example, a lot of people don't agree with Marijuana Laws. But that doesn't mean that you should then go and go to -- within this recommendation say, okay, we should revamp all of the Drug Laws, or Alcohol Laws, or any other laws that may have some impact on people.

So I really don't think this is related in this section. As I indicated, this Juvenile Justice issue is a really complicated issue. It's not something I feel comfortable voting on. Although we heard a lot of testimony, I feel like it was not very fair, in terms of presentation. I didn't hear from the Prosecutors or the Attorney General's Office, or perhaps Judges that are involved in this situation. So, I really don't feel comfortable proceeding on these two recommendations.

ATTORNEY JEFFERSON: So, just I'm sorry. If I could just briefly respond to that? So, it's -- so we're not -- so these recommendations are just simply saying, take a look at this. So it's not -- we're not saying what the minimum age should be or whether or not you should do it. We're just saying, take a look at it.

So, I don't see how making these recommendations after receiving all of the testimony on it -- and you heard from the State Agency in charge for children. You've heard from Dr. Becut, who is not part of the Criminal Defense Bar. You've heard from Lieutenant Camacho, who's not part of the Criminal Defense Bar. We've heard about this issue being expressed as a concern that we should address by Commissioner Edwards, who is not part of the Criminal Defense Bar.

So we've heard from a varied amount of people. And we're not making a pronouncement. And we're just saying we've heard enough evidence and testimony to say, Legislature, please take a look at it. So that's -- and I worded it very carefully so that I'm not putting in anybody's assumptions about it. We're just saying we've heard enough evidence that this is something you should take a look at it. So, I was doing that, in part, to address that concern, just to say that this is an issue. It is related to Law Enforcement and how they interact with the community. And this is a way to address it. And it's certainly not unique to our State, because many other States have moved on it. So we're just saying move on it. Do whatever you want to do, Legislature and Governor. But take a look at it.

DEPUTY ATTORNEY GENERAL YOUNG: Judge Gardner, do you have a comment?

JUDGE GARDNER: So, as I look at the recommendations, I know, Julian, you've tried very hard to make it so it's very general. But I still have some issues regarding the language. So maybe it's a matter of tweaking the language. But I still don't know that this really belongs in the whole other section. Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. Ahni and then Joseph; Ahni?

DIRECTOR MALACHI: Thank you. Where I completely agree with Attorney Jefferson that this is something that should be looked at, and I also agree with Judge Gardner in terms of the Juvenile Justice System, just the little bit that we've heard, has layers upon layers of complexity. I also agree with Judge Gardner that this is not appropriate. This is not part of our purview.

What has happened, in my opinion, is that there's been a little tiny hair that has been split with a really big ax of PhDs and Esquires, and everything else that have been brought on to split this little, tiny hair to try to force this into our overall list of recommendations. Now, I agree that the testimony that was

given by the laundry list of people that Attorney Jefferson mentioned was important. Of course, it's important, because it deals with children who are at-large in our community.

The difficulty for me here is, as each and every one of those people that he requested to come and testify, they are requested to testify to support the topic of Juvenile Justice and the desire for Attorney Jefferson to include this in our conversation. So I'm saying two things simultaneously.

Number 1, it is not appropriate at all, nor would I feel comfortable including any language regarding this topic in our list of recommendations in other -- in the other section or otherwise. Number 2, it is a very important topic that deserves its own Commission or community group, or any combination thereof, to look at it, to dissect it, to talk about it, to bring in all of the stakeholders so that there is a fair and equitable representation of all sides of the story. And I would be the first to raise my hand to sit on that Commission with Attorney Jefferson and anyone else.

So I'm not divergent in my mindset on it. I just do not agree that it belongs here. And it's important that it be given its proper weight. This is not the place. I appreciate him wanting to take the time to do this. But this is not the place for it. Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you, Ahni. Joseph?

MR. LASCAZE: I just wanted to say after hearing the testimony on this issue and seeing what Attorney Jefferson is doing and saying, I have to agree with Attorney Jefferson on this in the sense that what the law is on this issue is going to directly impact how Law Enforcement interacts with young people. And I just have a question for the Commission, which is: if our goal -- our charge is to bring about change, recommend changes that will happen here in this State, and if we all agree that this is an issue that's happened, we were aware of an issue, how do we not seem that we're not getting rid of a potential solution to an issue that we're all acknowledging exists?

And that's what I think is being done here. It's just like take a look at this. See what it is. And maybe I'm -- and I agree with Judge Gardner that if it's wording, I don't know where McKim is. But wording would -- if that would bring about the compromise on this, maybe we could take a look at how to make that happen.

DEPUTY ATTORNEY GENERAL YOUNG: Ahni, you have a follow-up?

DIRECTOR MALACHI: I do. So, to that point, I think, if we're looking sort of at the legislative portion, what has not been discussed here -- so there's this assumption that it's strictly Law Enforcement that is arresting children. I mean, obviously Law Enforcement has the power to arrest. But they are using laws that are on the books.

The other part of it that is equally as important, and where I think we fall short if we try to make this recommendation here, no one has discussed the Department of Education and the Zero Tolerance Laws, or Mandates, that are a part of why this whole school-to-Prison pipeline has even happened in the first place.

So it's not wanton Police Officers arresting children, but even some of the testimony that we've heard -- and I'm being hyperbolic when I say that part -- but even some of the testimony that we've heard, we've had people tell us during this time that you have School Administrators requesting SROs to intervene in situations where they shouldn't be. So, I think, to some degree, with the MOU that we are hoping all will

put in place with the SROs, and a very clear set of instructions for the community to be able to see, for the Department of Education/the SAUs to be able to review and work within, that should alleviate a lot of that.

Now, the other part of it is where I feel this is important, and where none of the testimony revealed, because it was sort of moved in a law enforcement direction, is that the Department of Education has to be handled with this. If they are abdicating -- and I'm not saying all are. But by and large, if they're abdicating their role to intervene to help children and not just in-school suspension or out-of-school suspension, but I mean just not, in fullness, helping the students to keep them from being arrested in the first place, then that's another issue. And I think that's where we're missing including this with law enforcement. I think it's much better suited to have a Commission that deals with this and puts all of the stakeholders together, so that things are clearly stated.

And in the written testimony that was submitted, I think it was -- I don't remember right now if it was Manchester or Nashua. But of the 12-year-olds that Attorney Jefferson is speaking of, at least 2 of them were arrested for sexual abuse charges. So that's an important thing to note, not just random 12-year-olds are being arrested, but there are some charges.

Now, if that child is committing a sex act with a younger minor, then there are a lot more issues. And as Judge Gardner so eloquently pointed out, this is a very complex issue. And I think we do it a disservice by making some sort of really broad, overly general recommendations here. And it really does deserve to be drilled down into. But that is another Commission at another time. And it has to include a huge component of this is education, because without those rules, you don't have your school-to-Prison pipeline. Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: So, Julian, I'll let you respond in a minute. Ronelle has her hand up. Eddie, I'd like to say something, and then I'll let you have the last word, Julian, because this is your -- so, Ronelle?

MS. TSHIELA: Yeah, I just wanted to say that I completely understand a lot of the reservations that are happening around these specific recommendations. But I do have -- or agree with Attorney Jefferson. And I think that something he said was important. We are recommending that they look at these things. We are not saying this is what needs to happen. This is what needs to be put in place. But we're saying, look at these things.

There are members of the community who have come forward and have come to this Commission to testify, because they believe that these things are important. And that does, in fact, have a direct impact on the relationships that community members have with Law Enforcement, because it is this -- a lot of the animosity that young children have with Law Enforcement and with the Criminal Justice System is directly linked to this first contact. And Police Officers are the first contact that they have with the Criminal Justice System. So, that being said, as a community member, I do completely agree with Attorney Jefferson. Maybe we can tweak the wording. But I do believe it has a place in this section. Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: Eddie, go ahead.

CHIEF EDWARDS: I just want to say I -- generally speaking, I would try to find a compromise on this. But I think, when I look at this, I've been a Member of the State Advisory Group on Juvenile Justice for well-over 10 years. I was New Hampshire's State Advisor to the President (inaudible) on Juvenile Justice.

This is something that I find to be very important to me, and, as I've often referred to in this Commission, as the classroom-to-Prison pipeline.

And I don't think any Law Enforcement Officers have anything to do with the classroom-to-Prison pipeline in terms of causing or facilitating that. They're carrying out laws. And I think just our discussion here really moves to a place where I have to agree with Commissioner Malachi, that this really should be studied separate from this Commission. We don't have the time to really study it. We don't have all the stakeholders involved. I do think it should be studied. I just don't think we're properly aligned to give it the respect that it deserves in really reshaping our young people's lives, because we are, as I think, disproportionately punishing young people for things that adults do that they're not held accountable for.

So I'm a big advocate for young people being treated fairly throughout our system, and particularly with the information that's developing around brain development, dealing with childhood trauma. There are a lot of things that should be discussed, when we're talking about the Juvenile Justice System. I don't think this Commission is properly aligned to have that discussion.

DEPUTY ATTORNEY GENERAL YOUNG: All right. So I have struggled with this. I think that it's sort of cliché to say, but children are our future. We have to give them as much attention as possible. This Commission is not the vehicle to get that done.

I certainly understand sort of what's transpiring. I think that there needs to be a light that shines on this. I just don't think that this is our place to do it. I'm with Ahni. If we can get a Commission together, I will be there. I have seen sort of all sides of this. But this isn't our task.

We addressed School Resource Officers, because I think that that is more inline with what this Commission is. But to start talking about minimum age for prosecutions and what crimes will have a presumption, I don't think it's there. Murder and sexual assault, I think that we can all say. But there are first-degree assaults. There are other crimes.

I think it gets us way, way off-track. It does a disservice to what our mission is with this Commission. And quite frankly, it does a disservice to what could really be helpful to children. So I -- as I said, I struggle with this, because I think in concept we need to address it. We will be remiss, as human beings, if we didn't. I just don't think that it's this Commission's mission. John Scippa and then Julian, I will let you have the last word.

DIRECTOR SCIPPA: I have sat here and listened to both sides very passionately. And I would offer this as a Motion. Maybe this Commission can recommend strongly that a separate Commission be formed to further review the present state of this situation, with the notion of really giving it its due weight, and listening to all sides who have expertise in this, and coming to a decision.

I could not agree more. I think that this kind of came in as a tangent, almost. And now, we're getting ready to make a big, big decision on something. And I couldn't agree more with the Deputy General. And it's not cliché that kids are our future. And we owe it to the most vulnerable population to give this the weight that it deserves. And I don't think this Commission is the place for that. There's too many layers to this onion.

And I would make a Motion. And I fully support what Commissioner Jefferson is trying to accomplish, unequivocally. I think that this absolutely needs to be looked at. But I think that our recommendation should be that we recommend a separate Commission specific to this topic, so that Subject-Matter Experts can come together, understanding the nuances, as stated by Deputy General, that

there's a lot of crimes that we really should look at. But there's other crimes that are so serious that it's going to need to be dealt with in a different manner. So that would be my two cents on this.

DEPUTY ATTORNEY GENERAL YOUNG: Julian, as promised, you get the last word on this.

ATTORNEY JEFFERSON: Thank you. And thank you, both Director Scippa and all other Commission Members. So, I want to make sure this issue gets addressed, and I want to be able to make sure that hopefully we can speak with one voice.

So I am fine with the formation of a separate Commission, and that I would add the language that such a Commission should address these two issues: considering setting a minimum age for prosecution; and considering potential amendments to the Transfer Statute that limits the offenses that create a transfer.

I would say that is a fair compromise that we haven't turned away from all of the testimony we've heard, and also the real concerns that have been brought up from Commission Members here. I was really motivated, in large part, by Chief Edwards' remarks earlier on, and the testimony of Attorney Elbroch, just sort of make sure that I shined as much light on this issue that I could. So, I know it looks like Attorney Clay is drafting the language. And I would be in support of Director Scippa's Motion.

DEPUTY ATTORNEY GENERAL YOUNG: So just give us one second to get it up there. We will review it. And then, I'll ask if there's a vote on it.

(Pause)

DEPUTY ATTORNEY GENERAL YOUNG: Julian, can you review that language? And Ahni, do you have a question?

DIRECTOR MALACHI: (No audible response).

DEPUTY ATTORNEY GENERAL YOUNG: Go ahead.

DIRECTOR MALACHI: So, my question is, instead of it being so specific, why wouldn't we just say for the Commission to review or something about an overall, because, I mean, I think, in essence, that's what Attorney Jefferson is really looking for is an overhaul of the Juvenile Justice System? Am I missing something?

ATTORNEY JEFFERSON: Yeah, no. That's not what I'm looking for. I'm not looking for an overhaul. I'm looking for these two discrete issues to be addressed. The SRO issue that you brought up has actually already been addressed. There is a law that was passed last year that forbids criminal prosecution in Juvenile Court, as long as it's been appropriately handled in the school system.

So, New Hampshire has done a lot of good things. These are two issues that have not yet been readdressed since laws were amended as part of this super-predator myth that Commissioner Edwards and I have been discussing. And so, I would like to keep it there as it is. I think I like it as it's written.

DIRECTOR MALACHI: So, then -- of course.

ATTORNEY JEFFERSON: Yes.

DIRECTOR MALACHI: So, then, if there was a bucket list, these are the last two things on the bucket list?

ATTORNEY JEFFERSON: Correct.

DIRECTOR MALACHI: Okay. I understand.

DEPUTY ATTORNEY GENERAL YOUNG: So, Julian, as written?

ATTORNEY JEFFERSON: As written, I move to adopt Recommendation Number 20.

DEPUTY ATTORNEY GENERAL YOUNG: So, that's -- okay. So let me just -- Mark has his hand up. Go ahead, Mark.

LIEUTENANT MORRISON: I'm just a little uncomfortable with the wording, because this presupposes that the Commission is in favor of those. I think it's fine to recommend that a separate Commission review the present state of the Juvenile Justice Laws. In particular, the Commission should review the minimum age for juvenile prosecutions. And review the Statute that creates the presumption, that -- something. Like, I don't feel comfortable saying that, yes, this should be changed. I feel comfortable saying it should be reviewed. But I don't feel comfortable saying that the Commission says it should be changed.

ATTORNEY JEFFERSON: And Lieutenant Morrison, I'm fine with that. I think the word "review" is fine. I'm completely in support of that.

DEPUTY ATTORNEY GENERAL YOUNG: Okay. So, with this being your new amendment, Julian, you want to move that it's a vote on it?

ATTORNEY JEFFERSON: Yes, I will so move Recommendation Number 20, as written.

CHIEF EDWARDS: Second.

DEPUTY ATTORNEY GENERAL YOUNG: Eddie, do you have a question or are you -- Rogers, do you have a question?

MR. JOHNSON: (No audible response).

DEPUTY ATTORNEY GENERAL YOUNG: Oh, no, your speaker.

MR. JOHNSON: No, a comment. I think I may be the fly in the ointment here, but if we're recommending a Study Commission on this in the near future, chances are that for any potential legislative change, it may not happen until the Study Commission has completed its work, which may not occur until maybe next summer, which means a law change may not occur until the next fiscal year, if there's a financial impact to the State on this. So, essentially, a Study Committee, Julian, may put this thing off for three years. Are you cognizant of that?

ATTORNEY JEFFERSON: So, making some progress is better than making no progress. And however long it takes is however long it takes. I want us to be able to speak with one voice. So, that...

MR. JOHNSON: Okay. I'm making sure that you're aware of that. And so, I'm just saying it. That's all.

ATTORNEY JEFFERSON: No, no. I appreciate it. Thank you.

COMMISSIONER QUINN: Jane?

DEPUTY ATTORNEY GENERAL YOUNG: Go ahead, Commissioner, and then Eddie...

COMMISSIONER QUINN: Yeah, no. This is just for Julian. Julian, do you want to -- so if this is standalone, frontload this so that the reader understands what we're trying to do, as it ties to Law Enforcement with something, whether it's -- and we've all discussed Law Enforcement is just enforcing the laws that are on the books. But is there something you want to put at the beginning of this so that it ties it too? Just a question for either you or Chief Edwards. I mean, I think we all know why we're looking at this and how it ties. But if you just read this, the reader -- it just kind of stands alone, silent.

ATTORNEY JEFFERSON: No, and I agree with you. And all of our other sentences start with in order to advance. So, yeah, I would be fine with starting the sentence off with in order to advance...

COMMISSIONER QUINN: Community relations?

LIEUTENANT MORRISON: A greater understanding of juvenile offenders?

ATTORNEY JEFFERSON: Yeah, I like that. I like that. And thank you, Commissioner Quinn.

DEPUTY ATTORNEY GENERAL YOUNG: Eddie, do you have a question or comment?

CHIEF EDWARDS: Second.

DEPUTY ATTORNEY GENERAL YOUNG: Oh, there you go. Second. So, Julian, as written now, correct?

ATTORNEY JEFFERSON: As written, yes.

DEPUTY ATTORNEY GENERAL YOUNG: Okay. Commissioner Tshiela?

MS. TSHIELA: (No audible response).

DEPUTY ATTORNEY GENERAL YOUNG: Is she there? Ronelle, are you there?

MS. TSHIELA: (No audible response).

DEPUTY ATTORNEY GENERAL YOUNG: Maybe not, okay.

MS. TSHIELA: Can you hear me now?

DEPUTY ATTORNEY GENERAL YOUNG: Yeah, we can hear you.

MS. TSHIELA: Yeah, I'm sorry. Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Okay, thank you. Mr. Lascaze?

MR. LASCAZE: Yes, I do.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you.

MR. LASCAZE: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Director Norton?

DIRECTOR NORTON: Yes, very important issue, thank you.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. Lieutenant Morrison?

LIEUTENANT MORRISON: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Judge Gardner?

JUDGE GARDNER: Yes, and I want to add, Attorney Jefferson, I admire your passion. And if I were a juvenile offender, I would want you as my Public Defender.

DEPUTY ATTORNEY GENERAL YOUNG: Commissioner Johnson?

MR. JOHNSON: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Director Scippa?

DIRECTOR SCIPPA: Yes, and whether I was a juvenile or adult, I'd want you advocating for me.

DEPUTY ATTORNEY GENERAL YOUNG: Director Malachi?

ATTORNEY JEFFERSON: Stick together.

DEPUTY ATTORNEY GENERAL YOUNG: Director Malachi?

DIRECTOR MALACHI: Sharpened steel and yes.

DEPUTY ATTORNEY GENERAL YOUNG: Commissioner Quinn?

COMMISSIONER QUINN: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: And I vote yes, as well. So, we have one other that I believe is Joseph's. Is that correct, Joseph? Is this yours?

MR. LASCAZE: So, this was just a compromise that I was looking to have included between the discussion yesterday -- and I don't know if it was yesterday. Yes, between Attorney Jefferson, I believe, and I think it was Commissioner Quinn. And we were trying to recognize that there is a burden on Law Enforcement, when it comes to responding to these issues. We've heard it from Law Enforcement all over. And we just wanted to make sure that the substance use disorder issue was not being forgotten.

COMMISSIONER QUINN: Question.

DEPUTY ATTORNEY GENERAL YOUNG: Go ahead, Commissioner.

COMMISSIONER QUINN: Just maybe I'm trying -- I don't have both screens going. Didn't Director Norton put something in on his that we're going to look at after that might address this? Just I'm going by memory. I thought Ken had put something in there.

DEPUTY ATTORNEY GENERAL YOUNG: Ken, do one of your eight capture this?

DIRECTOR NORTON: It was the one relative to -- I think it might have been number 2. But it was about training and that came from the 21st Century Policing Report.

DEPUTY ATTORNEY GENERAL YOUNG: Okay. Yeah. It's hard to -- that's a training.

COMMISSIONER QUINN: Okay, I'm sorry.

DEPUTY ATTORNEY GENERAL YOUNG: No, that's okay. We get a lot of paper that we're shuffling around here. Any other questions or comment? Joseph, I guess I don't understand what the services are. Like, I need a little more clarification on that.

MR. LASCAZE: So, just community services that are available; and so, I guess -- well, let me look at this. So...

DEPUTY ATTORNEY GENERAL YOUNG: And while you're looking at it, I guess the question of should we table this and bring it back up when we address Ken's piece?

MR. LASCAZE: I'm okay with that, too.

DEPUTY ATTORNEY GENERAL YOUNG: Julian, I think you had your hand up, as well.

ATTORNEY JEFFERSON: Yes, I was just going to say, yeah, I think Joseph had really put this forward as a result of me advancing my other recommendation. So, I'm fine with just withdrawing it altogether and just -- so, yeah, I'm fine with that, because I think, while this is a good thing, I don't think it's directly tied to Law Enforcement. This is encouraging communities to...

MR. LASCAZE: Yeah.

ATTORNEY JEFFERSON: So, I'm fine, if Joseph is fine, with just withdrawing this altogether.

MR. LASCAZE: Yeah, I'm good with that.

ATTORNEY JEFFERSON: Okay.

DEPUTY ATTORNEY GENERAL YOUNG: So, Joseph, you're asking for us to remove that recommendation?

MR. LASCAZE: Yes, so it -- the -- so dependent on when we get into Ken's section, I guess the whole purpose in this was to make sure that it stated that Law Enforcement shouldn't just be the sole responders to substance abuse disorder crises (ph) or situations. And that was how it's tied to Law Enforcement.

DEPUTY ATTORNEY GENERAL YOUNG: Okay.

MR. LASCAZE: That there should be alternatives to that.

DEPUTY ATTORNEY GENERAL YOUNG: Okay. All right. So we can bring that up in the discussion again. So that takes care of all the recommendations. We've numbered them sequentially from the first set, right? We start these as one, too? We didn't -- I didn't -- okay. So, we will put this in order.

Let me just tell you what James had. So if we can go back to page 3, go back to page -- how about highlight -- can we do anything on the highlighted? So he's on page 3, first paragraph. Got to make it a little bigger for me.

So, James' question is the quote: "For these Reports, race and ethnicity are defined by the Federal Bureau of Investigations." And he wants to know why. We're just -- in that section, we are citing the Statute. So that's what we were doing in that section.

Recommendation 5, he had an issue on, as well. Whoops. Encourage Law Enforcement Agencies, when practical, to dedicate an Officer or Unit to community policing. We already voted. He thought it was vague. But we voted on these. I mean, does anyone have any questions with that? I think he thought 14 was vague, too. Oh, so, never mind. We cleaned up the rest of it. So what we're going to do is we're going to put this in a final draft form. Does anyone have any questions or comments about the Narrative section? We did do a little edit to the Narrative section.

(No audible response)

DEPUTY ATTORNEY GENERAL YOUNG: Yeah. The other technical cleanup that we have to do, thanks to Joseph, is we have to change hearing impaired to the actual language. So we will go back and change that. So what we will do is we will make sure that everything is consistent. We will send it out again. And we will do a final vote on this tomorrow. I'll tell you that we have voted on the recommendations. So we will just do a language cleanup. So I have some questions. Ken, your comment?

DIRECTOR NORTON: My comment was I didn't know if you wanted to include the piece I wrote about School Resource Officers. And so, I have a small edit for that at the end that I think clarifies things a little bit. Send that forward.

DEPUTY ATTORNEY GENERAL YOUNG: We had a section on School Resource Officers, as did Rogers. So let me put both of those up.

(Pause)

DEPUTY ATTORNEY GENERAL YOUNG: So this is our current Narrative about School Resource Officers. It was pretty narrow. So, Ken brought it up yesterday. He sent some suggested language. And then, Rogers also sent language to sort of supersede Ken. So we will put both of these up.

So, just what I would say, sort of as a general, I think I came in sort of in midstream on School Resource Officers. So there was testimony coming in. We waved off testimony from a National Representative of the School Resource Officers and also the Deputy Chief in Nashua. So, I will say that, in my opinion, we didn't have sort of a full discussion about that, because I think we realized that that was not part of our charge. So I would just say that I don't think we had a full discussion on it.

DIRECTOR NORTON: The edit that I sent in was actually proposed by Joseph that notes that we didn't think that it was in our purview to do that. And that's why we moved forward with the two recommendations.

DEPUTY ATTORNEY GENERAL YOUNG: Yeah, thank you, both. So the question for the group would be: leave it as it is, adopt Ken's language, or adopt Rogers' language? Julian, you have a question or comment?

ATTORNEY JEFFERSON: I would vote to adopt Rogers' language. I think Deputy Attorney General brings up a good point. We indicated that we weren't going to dive deep into the issue. So I think it really

captures the essence of what Ken is saying that we've heard both positive and negative. But it doesn't delve into a lot of detail. So I like Rogers' statement, as a fair compromise.

DEPUTY ATTORNEY GENERAL YOUNG: Joseph?

MR. LASCAZE: Yeah, I have to agree with Director Norton on this in the sense that we heard testimony on both sides of the fence on this. We did hear it. And while I am not suggesting that we try to paint a picture that -- in a negative sense, but we heard direct testimony. And not only that, we heard from Commissioner Tshiela on experiences that are going on with School Resource Officers in New Hampshire.

So, I think that, for those communities, especially the ones that come from the socioeconomic backgrounds where these relationships aren't as positive as other areas of the State, I think that if we do not include this language that accurately reflects what we heard, I think, then, we are going to appear to be dismissive of those people who are experiencing these things. And I don't think that anyone on this Commission wants to be dismissive of the community concerns that we've heard from both sides. So I think that we need to have a fair balance in there. And I think Director Norton's achieved that.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you, Joseph. Ahni?

DIRECTOR MALACHI: Were you just reading my mind? So, whereas I agree that we have had testimony to some degree on both sides, we did not give the School Resource Officers, their Representative, an opportunity to give any testimony. So, I mean, it's like leaving out the star witness and listening to everyone else.

It doesn't lessen the personal (inaudible). It doesn't make it any less important, the experiences that she's had and/or experiences that she relayed to the rest of the Commission. I think the way that we had it originally is the better format for it, because what it does is it allows us to mention that in our recommendations -- in the Narrative portion. And then, leave it at that. And we get into a bit more of the specifics inside of the actual recommendations versus painting a picture in a particular narrative that really does not give enough weight to both sides.

The public has sent in testimony. And those are included in the public testimony bullets. So there's obviously some deference given to the public. I think all off it is already included. To add the lengthy narrative, I really think it skews and slants the topic to a handful of communities that may have this situation, although that is important, right, because that's the experience that's there.

But I believe in our recommendations, we, as a Commission, as endeavoring to clean up. So to encourage the communities that are doing this well, keep doing what you're doing. The ones that are not, this is what you need to do to fix this. And I think it also goes hand-in-hand with education. And that's certainly a different topic.

So, I would be in favor of leaving it the way we have it in the narrative. We have gone into great detail inside of the actual recommendation. And I don't think it leaves anyone uncovered, so to speak. I think it brings to light what all of the conversation that we've had. Thank you.

DEPUTY ATTORNEY GENERAL YOUNG: Judge Gardner, then Chief Edwards, and then Mr. Lascaze, I'll go back to you. So, Judge Gardner?

JUDGE GARDNER: Yes, I would have to agree with Director Malachi. And we are going to get really back deep into the weeds on this one, if we have to go through all of the points set forth. And I don't think anyone disagrees with what the testimony indicated. That's part of the record. So, I think keeping it short and sweet is probably a better way to go. Thank you.

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

CHIEF EDWARDS: Yes, thank you. I think I agree with Commissioner Malachi on this and Attorney -- I think Attorney Jefferson was recommending Commissioner Rogers' language. I prefer that we keep the language we already have.

I have some real concerns about Commissioner Norton's language here. And while we have had perspectives, and that doesn't diminish those perspectives or experiences in a way, but we've heard testimony. And he has language in here that suggests things that have not been stated in the record, not from any conclusive standpoint, that we can make a recommendation of putting that information out. I just think it does a disservice to the entire conversation.

I'm particularly troubled by the one that speaks about the school-to-Prison pipeline, that black and brown students are disproportionately represented in the Juvenile Justice System, and alluding to that is caused by SROs. I think we have to be very careful again about language and what we're trying to push. I think that's very harmful for those folks. We've heard testimony from Lieutenant Camacho that was counter to this, working in Manchester and Nashua, specifically, where those two cities represent our greatest source of diversity for the State of New Hampshire. And so, I don't think this is appropriate language. I would prefer that we stick to what we already have in our document.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. Joseph, I'll let you get the last word on that. I would say that I would agree. Where this was not part of our mandate, we did address it. We made a recommendation. I think to put all this in the narrative is not helpful, because we did not, again, have a full discussion on this. We moved off.

And so, to keep this Commission moving, I waved off people that were in the queue to speak. And so, I think to put this in here, to put in part of it with not having a full opportunity to vet this issue, also does a disservice to this issue.

So, I agree with those who have said that as it's written is probably the proper way to go. But, Joseph, I will let you have the last word. And then, I will take a Motion to vote on either current language, Rogers' language, or Ken's language. So, Joseph, the floor is yours.

MR. LASCAZE: Thank you for that. So, just in closing real quick, that's fine. I just wanted to point -- can we have the original language as it's written right now, because I just wanted to make sure also that it wasn't implied that there was a consensus among -- okay, so to imply that there was a consensus among Commission Members about whether or not SROs should remain in school. And so, that was just part of that being there. Recognize the recommendation is not going to be made to remove them, but just wanted that there that there wasn't a consensus on that subject.

DEPUTY ATTORNEY GENERAL YOUNG: Yeah, we tried to make these as neutral as possible. So, certainly, Joseph, look at this language.

MR. LASCAZE: Um-hmm [yes].

DEPUTY ATTORNEY GENERAL YOUNG: Numerous schools in New Hampshire have a School Resource Officer embedded in the day-to-day activities of the school. Currently, there is no mandated classroom or Field Training Programs for an Officer to become an SRO. As with individual communities, each school that has an SRO also has unique needs involving working with that SRO. So, to me, that's pretty content-neutral.

MR. LASCAZE: Oh, absolutely. I thought that there were -- I'm sorry. I apologize. I thought there was a part where it was saying that there was a consensus among Commission Members, because I was looking at the language that -- from Ken Norton and Rogers. So that's -- there being a local -- hold on. I'm sorry. I'm working with two screens. Let me just pull that up.

DEPUTY ATTORNEY GENERAL YOUNG: Take your time. We're working with five screens and 1200 pieces of pages.

MR. LASCAZE: The two proposed language changes that were up that were just on the screen, can we get those back up? I think it would be faster that way. Okay.

DIRECTOR MALACHI: If I can jump in, Joseph, I know what you're looking at.

MR. LASCAZE: Okay.

DIRECTOR MALACHI: Ken's language, the last paragraph says there was a consensus among LEACT Commission Members.

MR. LASCAZE: Okay, yeah.

DIRECTOR MALACHI: Maybe that's what you're looking at. And that was Ken's original.

MR. LASCAZE: Yeah, that's what I'm looking at. And I just wanted it stated in the suggested one that I had put there that there wasn't, on the issue, itself, of SROs. So, okay. Thank you. I appreciate that.

MR. JOHNSON: Yeah, Joseph, I make no suggestion whatsoever that there was anybody who consented on one way or the other. I just made a basic statement saying we heard both. And it should be a local issue. Again, as things go, the original statement is fine. If not the original statement, then mine, either way they're both benign.

MR. LASCAZE: Okay, thank you.

DEPUTY ATTORNEY GENERAL YOUNG: And the Narrative is just a description as to where we are now. So, I have a -- how about this? Do I have a Motion to Leave the Narrative as Written? So that would be first by Chief Edwards, seconded by -- or do you have a question, John Scippa, or are you seconding it?

DIRECTOR SCIPPA: (No audible response).

DEPUTY ATTORNEY GENERAL YOUNG: Your mic's off, John. Oh, we lost John.

DIRECTOR SCIPPA: I apologize. I will second it, if I can just ask for one little, tiny change. And it would be in addition to the second statement. It says currently there is no mandated classroom or Field Training Programs for an Officer to become an SRO. If we could just add currently in New Hampshire there is no mandated classroom or Field Training Programs, and then I would second it.

DEPUTY ATTORNEY GENERAL YOUNG: So, Eddie, you made the first. Are you okay with that? So we will add in currently in New Hampshire?

CHIEF EDWARDS: (No audible response).

DEPUTY ATTORNEY GENERAL YOUNG: Eddie, I'm sorry. You were muted. Now you're unmuted. Eddie, do you move this now as written?

CHIEF EDWARDS: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: John Scippa, you second it?

DIRECTOR SCIPPA: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Okay. I vote yes. Commissioner Quinn?

COMMISSIONER QUINN: (No audible response).

DEPUTY ATTORNEY GENERAL YOUNG: You're -- no, you're muted. You're muted. I didn't get any of that.

COMMISSIONER QUINN: I vote yes. Should it be there are no mandated, as opposed to is? Just clean -- you can clean it up after. But I vote yes.

DEPUTY ATTORNEY GENERAL YOUNG: Yeah, you're right. That is the correct verb. There are, yeah, because it modifies programs. Yeah, thank you.

CHIEF EDWARDS: School choice.

DEPUTY ATTORNEY GENERAL YOUNG: Director Malachi?

DIRECTOR MALACHI: With all the subject and verb agreement and there is available in New Hampshire, yes.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. Director Scippa was the second. Commissioner Rogers -- Johnson, oh, sorry. Commissioner Johnson?

MR. JOHNSON: That's okay. I still am in the neighborhood. Outside of maybe a comma splice after Hampshire, yes.

DEPUTY ATTORNEY GENERAL YOUNG: Well, there should be a comma after currently, with a comma.

MR. JOHNSON: Yeah, currently, in New Hampshire, there's no mandate.

DEPUTY ATTORNEY GENERAL YOUNG: Yeah.

MR. JOHNSON: Anyway, yes. I don't care.

DEPUTY ATTORNEY GENERAL YOUNG: We will do spellcheck before we send it out to you guys tonight. Judge Gardner?

JUDGE GARDNER: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Lieutenant Morrison?

LIEUTENANT MORRISON: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Director Norton?

DIRECTOR NORTON: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Commissioner Lascaze?

MR. LASCAZE: Yeah.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. Attorney Jefferson?

ATTORNEY JEFFERSON: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. Commissioner Tshiela?

MS. TSHIELA: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Okay. So we will get this cleaned up. We will get it out to you. Please review it. We have, I think, voted on everything we could vote on. So I really don't want to go back over tomorrow and plow the same ground. I'd like to take a vote and then move on.

John Scippa, you're going to be up to talk about what happens in the decertification process. Kim, do we have anyone else lined up for tomorrow? And we also have Robin Malone on. So I would like to -- when we have public members on, I would like to get them up and ready to go, and not have to hold somebody to a weekend. As you know, when you make these presentations, it takes a lot of work. So I'm sure Robin would appreciate if we could get her on-and-off. Any questions or comments?

MR. JOHNSON: Point of order.

DEPUTY ATTORNEY GENERAL YOUNG: Yes, go ahead.

MR. JOHNSON: A question.

DEPUTY ATTORNEY GENERAL YOUNG: Yeah, go ahead.

MR. JOHNSON: Commissioner Gardner, where exactly are you in Greenwich? Old Greenwich, Riverside, or Kisco (ph)?

JUDGE GARDNER: I have no idea.

DEPUTY ATTORNEY GENERAL YOUNG: That's the train route.

JUDGE GARDNER: It's my sister's house.

MR. JOHNSON: What?

JUDGE GARDNER: So it's kind of near probably like 5 minutes away from Downtown Greenwich.

MR. JOHNSON: Okay. Then you're in Greenwich proper.

JUDGE GARDNER: Okay, all right. You're familiar with the area?

MR. JOHNSON: I used to live there.

JUDGE GARDNER: Oh, all right. Nice.

MR. JOHNSON: Oh, yeah, very nice.

DEPUTY ATTORNEY GENERAL YOUNG: Joseph?

MR. LASCAZE: All business is done. I would like to put a Motion in right now that we get ready to go over these recommendations so we can fly through tomorrow.

DEPUTY ATTORNEY GENERAL YOUNG: Okay. And we have an hour to spare. So that's good. Do I have a second? Ahni is the second. So, I also, to end this meeting, vote yes. Commissioner Quinn?

COMMISSIONER QUINN: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Director Scippa?

DIRECTOR SCIPPA: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Commissioner Johnson?

MR. JOHNSON: No, I want to keep going.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. Judge Gardner?

JUDGE GARDNER: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Lieutenant Morrison?

LIEUTENANT MORRISON: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Director Norton, so you can get back to your vacation?

DIRECTOR NORTON: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Attorney Jefferson?

ATTORNEY JEFFERSON: (No audible response).

DEPUTY ATTORNEY GENERAL YOUNG: (Inaudible) yes? Thank you.

ATTORNEY JEFFERSON: (No audible response).

DEPUTY ATTORNEY GENERAL YOUNG: Chief Edwards?

CHIEF EDWARDS: (No audible response).

DEPUTY ATTORNEY GENERAL YOUNG: All right. And Commissioner Tshiela?

MS. TSHIELA: Yes.

DEPUTY ATTORNEY GENERAL YOUNG: Thank you. Hopefully, we will get through this section and move onto the almost-final section. Thanks, everybody. Have a good day. Enjoy your vacations, those of you that are on vacation. Bye.

(Meeting adjourned.)