

Commission on Law Enforcement Accountability, Community and Transparency

Meeting Minutes for June 22, 2020

Meeting held via teleconference at the Attorney General's Office in Concord, NH.

Attorney General Gordon MacDonald called the meeting to order at 1:03 p.m. and reminded participants that the meeting was being recorded. He further noted that the Commission was subject to RSA 91:A right to know requirements.

Members were then asked to introduce themselves and state their present location for the record.

Attorney General Gordon MacDonald - from the Department of Justice with Kim Schmidt, Kate Giaquinto, Jill Perlow and Tracey Riehl

Robert Quinn, DOS Commissioner - Concord, NH

Ahni Malachi, Executive Director, NH Commission for Human Rights – personal residence

John Scippa, Director of Police Standards and Training Council – Concord, NH

Rogers Johnson, Chair of the Governor's Advisory Council on Diversity and Inclusion - tech difficulties- joined at 13:22

James McKim, President of NH NAACP - Goffstown, NH

Sawako Gardner, Justice of the NH Circuit Court - Dover District Court Chambers

Mark Morrison, New Hampshire Police Association – Londonderry PD

Charlie Dennis, NH Chief Association – Hanover, NH

Ken Norton, Executive Director of NAMI – Penacook, NH

Joseph Lascaze, NH ACLU representative – Bedford, NH

Julian Jefferson, Criminal Defense Representative – Manchester, NH

Ronelle Tshiela, public member and BLM organizer - Manchester, NH

Eddie Edwards, public member – Dover, NH

The General concluded that a quorum was present and the meeting could commence.

Governor Chris Sununu spoke of the Commission's 45-day deadline as an opportunity to seize the day and affect positive change. He noted that New Hampshire's law enforcement is the best in the country while there are always opportunities to do even more. The Governor lauded those members of law enforcement who have agreed to work collaboratively and be part of this positive engagement that the Commission seeks to achieve. The Governor remarked that he wants enhancements from the ground up as opposed to top-down directives. He further encouraged every idea be put on the table in order to promote open discussion that will lead to proactive solutions. Governor Sununu highlighted the need for a closer look at law enforcement training and standard operating procedures for the reporting of police misconduct.

Attorney General Gordon MacDonald highlighted the Commission's charge to include the engagement of all relevant stakeholders, while examining the training curriculum and policies that govern law enforcement practices that include de-escalation tactics, diversity training, and use of nonlethal force. He noted the Commission will also examine the reporting of misconduct, community relations and any other relevant subject matter. AG MacDonald reminded the Commission of the 45-day timeline for their final report. The General shared the Commission's page on the Governor's website: www.governor.nh.gov/accountability and the pertinent email address: LEACT@doj.nh.gov.

Senior Assistant Attorney General Jill Perlow presented a briefing on RSA 91:A and the Commission's obligation regarding right-to-know disclosures. Ms. Perlow noted that in keeping with the Commission's mission for transparency that all Commission business must be conducted during meetings in full view of all members and the public.

Senior Assistant Attorney General Perlow further reviewed the basic components that will be posted on the website to include:

- 24 hour advance notice for meetings
- modifications to accommodate the Covid pandemic protocols
- meeting accessibility to the public
- the keeping of meeting minutes to include names and locations of participants

AG MacDonald highlighted police training, procedure for reporting police misconduct and relations between law enforcement and the community as areas the Commission would be examining. The General suggested beginning with police training methods by soliciting input from law enforcement directly.

Chief Dennis, Commissioner Quinn and Director Scippa all agreed to present information at the meeting to be held on Thursday, June 25th at 10:00 a.m. The General requested that participants submit material prior to the meeting so that it may be made available to the public via the website.

Mr. McKim, NH NAACP, suggested that the police training review be done last so that training methods could be reviewed in the context of problems associated with reporting procedures and community relations.

AG MacDonald noted the value in such an approach but suggested the Commission begin with training methods to establish a baseline and then as the Commission examines other areas, they loop back around to police training and curriculum.

Mr. McKim agreed that would be wise to circle back to police training methods after establishing a baseline and examining issues that arise.

Commissioner Quinn asked the Attorney General if it would be acceptable to include Colonel Noyes in the presentation on Thursday. AG MacDonald agreed that it would.

A discussion regarding the scheduling of the next two meetings ensued with final meeting times to include presentations by state police and local police on Thursday, June 25th at 10:00 a.m. and testimony and public participation on Friday, June 26th at 2:00 p.m.

Mr. McKim and Mr. Lascaze both asked about alternative language translation availability such as ASL or Spanish.

AG MacDonald thanked them for their inquiry and replied that the capability was likely available and he would report back at the next meeting.

The General then invited members of the public to make a comment or submit a question. He further emphasized that the public will have ample opportunity to participate in meetings over the following weeks as well.

Mr. Norton of NAMI asked if there was a format for the public to submit questions or testimony.

AG MacDonald replied that a formal notice will be posted on the Governor's website and how the public could submit their testimony in advance. He encouraged the prior submission in order to plan the time appropriately.

Richard from the Derry town council asked if material presented on Thursday would be available prior to the meeting so that it could be downloaded.

AG MacDonald replied that presenters will be encouraged to make those materials available.

Mr. Norton asked if other Commission members would speak about training.

The General clarified that Friday would be the day for testimony by Commission members and the public.

Senator Levesque expressed appreciation for all the stakeholders included in the Commission and commented that good legislation has resulted from collaboration with law enforcement in the past. Senator Levesque expressed concern over the temporary nature of executive orders and asked why legislators from both parties are not involved in the process.

Attorney General MacDonald expressed confidence that valuable concepts for improvement will be presented to the legislature.

Mr. Lascaze asked if Commission members would be able to pose questions on Thursday, and Attorney General MacDonald assured him that they would.

Attorney General MacDonald thanked the members and Fallon Reed, Kim Schmidt and Kate Giaquinto for their assistance. He then made a motion to adjourn until Thursday at 10:00 a.m. The motion was affirmed and seconded and a roll call vote was taken on the motion to adjourn. Votes were recorded as follows:

Attorney General Gordon MacDonald – Y
Commissioner Robert Quinn – Y
Director Ahni Malachi – Y
Director John Scippa – Y
Chairman Rogers Johnson – Y
President James McKim – Y
Justice Sawako Gardner – N/A
Mark Morrison – Y
Chief Charlie Dennis – Y
Director Ken Norton – Y
Joseph Lascaze – Y
Julian Jefferson – Y
Eddie Edwards – Y
Ronelle Tshiela – Y

The meeting was so adjourned at 2:19 p.m.