

IV. Current State of Relations Between Law Enforcement and the Communities They Serve

Executive Order 2020-11 directs that the Commission shall examine: “[t]he current state of relationships between law enforcement and the communities they serve, and potential steps that can be taken to enhance these relationships.” Executive Order 2020-11, at ¶ 3. (c).

This section of the report describes the current state of relationships between New Hampshire law enforcement and the communities they serve; summarizes public testimony and recommendations on this subject; and sets forth the Commission’s recommendations with respect to improving relationships between law enforcement and the communities they serve.

a. Current State of Affairs

Community Policing

Law enforcement officers and citizens often interact with each other for a variety of reasons, not always related to criminal conduct and investigations. Relationships across New Hampshire between law enforcement and the communities they serve are as unique as the communities themselves. Each law enforcement agency is individually responsible for cultivating a relationship with the community it serves. In New Hampshire, there are no statewide standards, policies, or procedures that dictate how to cultivate a strong working relationship between law enforcement and the individual community.

There are a variety of programs promulgated by law enforcement agencies across New Hampshire designed to engage their communities and help foster strong relationships. The Commission received testimony about such programs including Police Athletic Leagues (PAL), self-defense courses taught by local law enforcement officers, drug take back programs, Touch a Truck, coffee with a cop, National Night Out, citizens academy and police explorers or cadet (youth) academy. The extent of community engagement in and effectiveness of these programs are monitored at the local level by the agencies that provide such programs.

The variety of programming available in New Hampshire was illustrated by the testimony of Lieutenant Carlos Camacho of the Nashua Police Department, Captain Mark Newport of the Portsmouth Police Department, and Major John Marasco of New Hampshire State Police. Lieutenant Camacho, Captain Newport and Major Marasco testified before the Commission and provided written materials that are part of the record.

Lieutenant Camacho spoke at length about training titled “Effective Police Interaction with Youth.” All Nashua School Resources Officers complete this course with the goal of fostering more positive interactions with juveniles, both in and out of school. Additionally, Nashua School Resource Officers are certified and teach a Mirror class which educates juveniles on how to interact with law enforcement officers.

Numerous schools in New Hampshire have a School Resource Officer (SRO) 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 and goals for working with that SRO.

Captain Newport attributed the positive relationship between the city of Portsmouth and its police department to constant engagement with the community with the goal of understanding its needs and requests. Portsmouth Police Department has an officer dedicated to community outreach whose goal it is to foster positive relationships and collaborations with members of the community so that they view the presence of law enforcement officers as a comfort in times of need or stress. Captain Newport attributed Portsmouth Police Department's success in this area to hiring the right candidates with the desired motive of wanting to help people. Portsmouth Police Commissioner Stefany Shaheen echoed Captain Newport's testimony regarding the importance of community outreach in order for the community to feel that law enforcement is an ally.

Major Marasco also attributed his agency's positive relationship with members of the public to proactive community outreach through a variety of initiatives. Major Marasco explained that relationships with various communities were built one and time, many with the goal of law enforcement and the communities understanding each other.

In addition to consistent community outreach, New Hampshire State Police implemented its Fair and Impartial Policing Policy in 2019.¹ When establishing this policy, State Police sought input from community stakeholders. Since its implementation, the policy has served as a model for other law enforcement agencies throughout the state.

There are also programs initiated by various community organizations. New Hampshire Blue and You is a project operated by New Hampshire Listens, which is a civic engagement initiative of the Carsey School of Public Policy at the University of New Hampshire. New Hampshire Blue and You provides an opportunity to connect residents with each other and their local law enforcement agencies in order to form a collaborative relationship geared towards improving the community.

Data Collection and Analysis

Presently, there is no standardized mechanism for quantifying the relationships between each community and law enforcement agency. Each law enforcement agency tracks interactions with members of the public utilizing a records management system, computer aided dispatch system, or other software of their choosing. Currently, law enforcement agencies are not required to collect demographic data, such as race and gender, as it pertains to motor vehicle stops, arrests or other interactions with members of the public. Any data that is collected is maintained locally. There is no statewide ability to collect, maintain or analyze data that is collected.

New Hampshire law enforcement agencies are also responsible for receiving, tracking, investigating and responding to complaints and concerns from the communities they serve. There is no state-wide database to track complaints made to or against individual officers or

¹ Discussed above at ¶ II(a)(ii).

agencies. As previously discussed, the degree to which law enforcement agencies are monitored varies; some law enforcement agencies are accountable to police commissions while others are monitored by their respective municipalities.²

b. Summary of Public Testimony

In addition to the information discussed above, the Commission heard testimony from two members of the public during the session dedicated to this topic. Other individuals submitted written testimony. The Commission received testimony on the topic of relationships between law enforcement and the communities they serve throughout the entirety of its work. Several themes repeated throughout the discussion of community relations. These included the need and function of School Resource Officers and the criminalization of juvenile behavior; legalizing marijuana and making simple possession of any drug a misdemeanor as opposed to a felony; and the collection and analysis of demographic data.

Recordings of all of the Commission's hearings are available on its website: governor.nh.gov/accountability. In addition, members of the public submitted extensive written materials. Those are also available on the Commission's website.

i. Specific Recommendations Submitted by the Public

Members of the public made the following specific recommendations for improvements and reforms with respect to relationships between law enforcement and the communities they serve:

1. Law enforcement agencies should provide periodic updates/reports to inform the community of the agencies' activities and ongoing efforts.
2. Create and employ alternatives to law enforcement responding to and dealing with non-criminal matters such as mental health crises and substance abuse.
3. Legalize cannabis/marijuana.
4. Decriminalize all drugs.
5. Adopt fair & impartial policing type policies and communicate those policies to the community.
6. Re-allocate resources from law enforcement officers in schools to counselors and social workers for children.
7. Provide opportunities for members of the public to communicate and have positive interactions with law enforcement officers.

² Discussed above at ¶ III(a).

8. Law enforcement agencies should initiate conversations with members of their communities in an effort for each side to learn about and understand the other in order to improve the relationship.
9. Remove School Resource Officers from schools.
10. Better define the role of School Resource Officers and mandate specialized training.
11. Provide more funding to law enforcement agencies that have an officer designated to community policing.
12. Children ages 12 and under should not face criminal prosecution.
13. Simple possession of every drug should always be misdemeanor.
14. Require data collection of demographics for all interactions between law enforcement agencies and any member of the public.
15. Training on the topic of respectful interactions with trans and gender non-conforming (TGNC) population and pronoun inclusion.
16. Increase training in order to improve the relationship between law enforcement agencies and the hearing-impaired community.

c. Commission Recommendations

The following is a non-exhaustive summation of topic areas:

I. Data Collection

- a. Gather and publicize data on demographics
 - Recommended by: Mr. McKim, Mr. Lascaze, Mr. Norton, Ms. Tshiela, NH DOJ
- b. Collect data in accordance with CALEA standards
 - Recommended by: Director Scippa
- c. Law enforcement agencies should publish annual report on biased-based policing.
 - Recommended by: Chief Edwards
- d. Include race on NH Drivers' Licenses
 - Recommended by: Mr. Lascaze, Lt. Morrison
- e. Recommend CALEA certification
 - Recommended by: Lt. Morrison

II. **Community Policing**

- a. Dedicated community policing officer/unit
 - Recommended by: Mr. McKim, Judge Gardner, Lt. Morrison, NH DOJ
- b. Encourage use of community relationship building efforts such as NH Blue & You and the Mirror Project.
 - Recommended by: Mr. McKim, Director Malachi
- c. Community Go-Between
 - Recommended by: Mr. McKim,
- d. Law enforcement agencies should publish/advertise community events.
 - Recommended by: Mr. McKim, Commissioner Quinn
- e. NH CALEA agencies should be listed as the Community Policing standard and resource.
 - Recommended by: Chief Edwards
- f. Public Service Announcement (PSA) campaign to educate the public about police.
 - Recommended by: Chief Edwards
- g. Recommend law enforcement agencies adopt definition of Community Policing as set forth by IACP.
 - Recommended by: Chief Dennis
- h. Create/encourage culture to empower individual officers to engage in community policing
 - Recommended by: Chief Dennis, Commissioner Quinn
- i. Recommend law enforcement agencies work collaboratively with public agencies, non-profits, community stakeholders.
 - Recommended by: Chief Dennis, Commissioner Quinn, Mr. Norton
- j. Recommend law enforcement agencies establish ongoing officer training, at all levels, regarding community policing and supporting supplemental programs.
 - Recommended by: Chief Dennis
- k. Increase intern opportunities and create regional citizen police academies.
 - Recommended by: Commissioner Quinn
- l. Implementation of Police Athletic Leagues (PALs) where appropriate.
 - Recommended by: Director Malachi

III. **School Resource Officers**

- a. Remove SROs from schools
 - Recommended by: Mr. McKim, Attorney Jefferson
- b. Standardize training for SRO, including annual in-service hours
 - Recommended by: Director Scippa, Judge Gardner, Lt. Morrison, Director Malachi, Attorney Jefferson
- c. MOU for SROs
 - Recommended by: Director Scippa, Judge Gardner, Mr. Lascaze, Mr. Norton, Lt. Morrison, Ms. Tshiela
- d. FTO program for SROs
 - Recommended by: Judge Gardner

- IV. Mental Health Crisis Teams, Drugs and Addiction**
- a. Coordinate law enforcement response with trained professionals
 - Recommended by: Mr. McKim, Mr. Norton
 - b. Fundamental re-imagination of ways to deal with drug addiction, including reducing all simple possession charges to misdemeanors.
 - Recommended by: Attorney Jefferson
- V. Hiring/Recruitment of Officers**
- a. Work towards recruiting and hiring more diverse candidates.
 - Recommended by: Judge Gardner, Mr. Norton
- VI. Other**
- a. Pronoun inclusion training
 - Recommended by: Mr. Lascaze
 - b. Update legislation to create minimum age for prosecution of children and limit offenses that create presumption for transferring children to adult court system.
 - Recommended by: Attorney Jefferson
 - c. Better understanding of and communication with members of the hearing-impaired community.
 - Recommended by: NH DOJ