

July 7, 2020

New Hampshire Commission on Law Enforcement Accountability, Community and Transparency.

Dear Commission;

I believe the Commission has held some testimony regarding an early warning system or tracking system for police officer misconduct.

I can address this point from both a personal point of view and as a police union president.

I was a patrol officer with the Nashua Police Department and during the mid 1990's the Nashua Police Department implemented a program that collected citizen complaints regarding certain officers, of which I was one. These complaint's were investigated and even if they are deemed unfounded they were still placed in an officer's personnel file. This collection of unsubstantiated complaints created a hostile relationship between the department and the patrolman's union.

I disagreed with the department's handling of this type of a so-called early warning system and challenged the department's right to place unfounded complaints in a personnel file. This matter was addressed by the Supreme Court of New Hampshire. Anthony J. Pivero v. Clifton Largy, Chief of Nashua Police Department No. 97-342. Decided : December 08, 1998.

I would highly recommend that the Commission review this decision and incorporate it into any of their recommendations. It is far better that both the department's and union's work together to establish such a program. It is more likely that proactive officers will generate more complaints than fellow officers that tend to turn a blind eye towards violations/crimes.

Respectfully submitted,

Anthony J. Pivero
Retired
Nashua Police Department