

# WORK STUDY GROUP RELATIVE TO THE POLICE COMMISSIONERS

October 18, 2021

A meeting of the Work Study Group Relative to the Police Commissioners was held Monday, October 18, 2021, at 7:00 p.m. in the Aldermanic Chamber and via Zoom teleconference.

The Zoom meeting link can be found on the agenda and on the city's website.

Alderwoman Shoshanna Kelly, Chairwoman, presided.

Members of the Committee present: Alderwoman-at-Large Shoshanna Kelly, Chairwoman  
Alderman Richard A. Dowd – Vice Chairman  
Nicholas Dahl, Clerk  
Marylou Blaisdell  
Kendra Smith  
Deborah Novotny  
Kerry Baxter  
Mark Brave (arrived late via Zoom)

Members of the Committee absent: Eva Castillo

Also in Attendance: Mayor Jim Donchess  
Councilor Debora Pignatelli  
Chief Hefferan  
Alderman Patricia Klee  
Alderman June M. Caron  
Alderman-at-Large Lori Wilshire

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## ROLL CALL

## PUBLIC COMMENT

### Chairwoman Kelly

We are going to begin this evening with public comments. I'm going to start in the chamber first. If you have comments on anything that is in the Works Study Group conversation, please come to the mic, state your name, and address, and we will do Zoom after we do in the chamber.

### John Sullivan

Good evening. My name is John Sullivan - 30 Holbrook drive Nashua, New Hampshire. I'm going to speak tonight in opposition to the Police Commission Charter question. It's not for all the reasons you've heard before, but I want to pull back and try to lower the temperature in the room. Regardless of how this vote comes out on November 2, the city is divided over how our current Police Commissioners should be chosen. This question comes into a city already divided over a continuing pandemic and how we should proceed with daily life as well as a national political environment that has only gone to build contempt amongst neighbors. These things are happening because of bad leadership. Good public policy needs sound debate devoid of politics and posturing.

Talking with folks this election season, and while this is only anecdotal, people don't know why we're doing this now. Those in favor of this change will argue this is local control. Nashua's government is set up to represent the people. The Board of Aldermen represent the people. In August, the people spoke and they said let's not do this now. Let's wait and talk more about it. Yet city leadership blew through that and said to the people, I don't care what you think we need to do this anyway. What are we doing? City leadership should be striving to unite this city and not further divide it. If you don't think this is dividing Nashua, you're not paying attention. This question simply being on the ballot is harming Nashua. If I were to walk around town right now and ask 100 people what needs fixing, how we run our Police Department wouldn't even make the top five. Start doing things that unite the city. Stop putting agendas over the public good. It's not the way out.

Mayor Donchess and I are Nashua Rotarians. The Rotary mantra is service above self. In each meeting, Rotarians are asked to recite something called a four way test. Let me state this test Rotarians are asked to abide by and all things we do and say.

### Chairwoman Kelly

Thirty seconds.

John Sullivan

Is it the truth? Is it fair to all concerned? We'll build goodwill and better friendships. Will that be beneficial to all concerned? Now you have to get a 100% on this test. You can't get three out of four and expect to pass. It's all or nothing. Is question #2 building goodwill or better friendships? Is it? Or is question #2 just a chance to notch a win for my side? Leadership should unite, not divide. Great leaders sometimes need to stop back and listen to all sides and maybe hit the pause button because it's not good for the whole but for the few.

Chairwoman Kelly

Your times up.

John Sullivan

When do we want to start breaking the culture of contempt? Thank you.

Chairwoman Kelly

Thank you. I'll have the record show that Mark Brave has joined us via Zoom.

Laurie Ortolano

Laurie Orlando – 41 Berkeley Street. I just have a quick question on format tonight. This is public comment and then there's a discussion involving all the wards. Is that where people can comment as well? I'm just confused on the format.

Chairwoman Kelly

So we're running this as public comment with three minutes each person. If you have questions, your Ward Aldermen can pull them up when we bring the rest of the people to the table to talk.

Laurie Ortolano

So there will be a question period?

Chairwoman Kelly

There will be a question period within this horseshoe, yes.

Laurie Ortolano

Okay but right now this is just three minutes?

Chairwoman Kelly

Yes please.

Laurie Ortolano

Okay, so...

Chairwoman Kelly

Can you just speak right into the mic so we can hear you clearly? Thank you.

Laurie Ortolano

Sure. I don't have anything formally written but I've been out and I've not done a lot of doors. What I've learned from this experience is that the gut feel of this Board and those who voted against it to request that it be tabled or not brought to the ballot, I think was spot on. The voters out there have no clue what this is about. It's very hard to lead an education

campaign when newspaper publications are so limited and the pandemic took its toll on linking people together and getting us out and we still live in this quasi pandemic mode. I think it was a big mistake to see this go on the ballot.

I'm disappointed with the lack of leadership provided by those who voted against it in the chamber to step up and actively campaign and help educate those out in the public on this issue. There seems to be too small a group trying to do that and there's not enough time to do that. By the time this was put on the ballot, we only had months to work an education campaign and as you can see from the turnout at your last meeting for Wards 1, 4, 5, and 6, there weren't many people there. I've been a pretty big critic of city government and I've been accused of being the cause of people leaving the city workers. I don't really think that's the case and my criticisms have been very focused on the leadership of this city. I think we have major leadership issues. Our leaders aren't doing the right things to unite this community and for the greater good of this community and that needs to stop. So I'll have questions as we proceed. Thank you for the time.

Chairwoman Kelly

Thank you.

Sue Newman

Thank you. Hi, Sue Newman - 25 Charlotte Avenue. I really wasn't planning to speak. I just I just want to follow Mrs. Ortolano's comments. When I see signs that say support the police vote no, I think that's a problem also. I may agree or I may not agree that there's not enough information out there that everybody has. But I do know that a lot of people signed the petition to get the question on the ballot. Anybody that I've talked to about it, this is not about not supporting the police. I believe wholeheartedly that you can be totally supportive of our police and still be a yes on this question. Thank you.

Chairwoman Kelly

Anyone else from the chamber? We'll go to Zoom. If you are on Zoom and would like to speak either physically raise your hand or raise your Zoom hand for me, please.

Sonia Prince

Hi. Thank you very much. Mr. Sullivan claims just now that I am aiming to divide with my citizens' petition which is not the case. With all due respect Mr. Sullivan, people with your gender and who look like you have always had a seat at the tables since the beginning of time. I remind you that every city and town in New Hampshire, including nine who are nationally certified with CALEA also have local control. So Nashua is the last one to make this Charter change. Let me correct you, the Board of Aldermen tabled the vote to study the question. So a/k/a, they delayed it.

I do have a question for Chief Carignan and wonder if he travels around New Hampshire with his family at all. I wonder because if maybe you stay in Massachusetts or Nashua only because you feel our city would be in imminent danger if we chose to have our own Police Commission chosen locally, because that's what everybody else does. So I wonder if you feel unsafe when you travel to other towns and correct me if I'm wrong, I believe you live in Litchfield where there is local control there. Do you feel unsafe in your own town? That's all I have. Thank you.

Chairwoman Kelly

Thank you. Anyone else on Zoom who would like to speak? There's lots of people on Zoom. I don't see anyone else so we will move on to the discussion portion of this. We have a number of people in attendance this evening that the committee had requested come so that we can hear some background and ask some questions of you. We have Councilor Pignatelli here. I think we'll start there if you could come and join us at the horseshoe. You can come sit right at the horseshoe. Join the round table. If you could just introduce yourself and looks like you might have something prepared.

## DISCUSSION

- All Wards (1, 2, 3, 4, 5, 6, 7, 8, and 9) and Working Session
- Attendees: Debora Pignatelli, Former Executive Councilor  
Timothy Hefferan, Former Nashua Chief of Police

Debora Pignatelli, Councilor

I do.

Chairwoman Kelly

Okay, go for it.

Debora Pignatelli, Councilor

First of all, good evening Madam Chair and members of the Committee. My name is Debora Pignatelli and I live at 22 Appletree Green here in Nashua. With my 10 years of experience on the New Hampshire Executive Council, I was involved in the process of selecting police commissioners. I think that's why you invited me to address you tonight. Right?

Chairwoman Kelly

It is, yeah.

Debora Pignatelli, Councilor

Clearly no matter what the final outcome of this November's election, all of us and every citizen in Nashua want to have a strong and effective Police Department with unquestioned integrity. The Nashua Police Department has an excellent reputation in Nashua, and Concord, and around the State and beyond. We certainly want it to stay that way.

I think the ballot initiative raises an important question about local control over a significant part of city government and the voters will have their say. As an Executive Councilor, I worked with three governors. Because I had been a longtime Nashua resident and served in various public offices, Governors Lynch and Hassan solicited my advice about Nashua Police Commission members. After I did my due diligence, they went along with my recommendations. I spoke with all candidates who expressed an interest. I was looking for individuals with a long record of civic involvement in Nashua who had excellent reputations and wanted to undertake this important position. It was nonpartisan. I voted for Republicans and Democrats. So did Governor's Hassan and Lynch. When I was in the State Senate, I sponsored and passed a Bill requiring all nominees as judges to go through a public hearing. When I was first elected to the Executive Council in 2004, I initiated a policy of having public hearings for all leaders of our important state agencies, such as our Commissioner of Education, the Attorney General, the Commissioner of Health and Human Services, the Commissioner of the Department of safety, and so on. Those hearings continue and have been recognized as an important part of the process of staffing these key positions. In retrospect, maybe I should have initiated a public hearing process right here in Nashua for Police Commissioners. In any event, I think that Governors Lynch, and Hassan, and I made good choices for this Commission.

Upon the current Governor's arrival in the corner office, things changed. There was no interest in my view on Nashua Police Commission members. That was surprising because I was the Councilor for this district which is District 5, which includes Nashua, and Hudson, Litchfield, and 31 other towns to the west of here. It also was odd and unfortunate, I believe, because I have been a 45 year resident of Nashua, and a longtime State Representative, and State Senator before my election to the Executive Council. I don't think that the current Governor followed a good process when I was there.

I am aware that other New Hampshire cities have passed charter amendments to return the decision about how police commissioners are appointed to local officials. In my 10 years in Concord on the Council, I have not heard any complaints about these changes. Our Mayor and Aldermen are directly accountable to the citizens of Nashua for what they do in governing the city, including making important budget decisions. For the Governor and Council, there is little accountability on the selection of our police commissioners. I plan to vote in favor of this ballot question because I have more confidence in our local leaders making the right decisions for Nashua than an out-of-town Governor, and out-of-town members of the Executive Council who have little direct connection to Nashua. I'm sure you were hearing from many viewpoints and many people.

Thank you for your service on this Committee and your struggle to do what you think is best for our city. Public Service is very important to decision making and you are surely doing your share. Thank you for listening to my thoughts on this matter. I'd be happy to try to answer any questions.

Chairwoman Kelly

Thank you. I will put that to the Committee for questions.

Alderman Dowd

Just information gathering. When you were on the Executive Council and you were considering people for the position of

Police Commissioner in Nashua, did you have any women applying for that position?

Debora Pignatelli, Councilor

I remember talking to one woman. I don't remember the year. It might have been in the 2012 to 2014 or it might have even been before that. But I determined that she was not a longtime resident of the city and I don't think she was involved in government at all and in decision making. But I understand that we've only had one woman in 100 and so years and I knew Margaret Flynn and she was an excellent Commission member. So I was looking for people not like her because I really don't think there's anyone else like her around, but for somebody who has a long Nashua history and has been interested in Police Commission, maybe attended Police Commission meetings, that sort of thing. So there was one woman that I spoke to.

Alderman Dowd

So all the people that were reviewed were reviewed their qualifications and you selected the best candidate?

Debora Pignatelli, Councilor

To tell you the truth, I didn't have that many people call me and talk to me about the possibility of them serving. If I knew of someone who I thought would make a good Police Commissioner for our city. I reached out to them. Some of them were interested, some not.

Alderman Dowd

Thank you.

Debora Pignatelli, Councilor

But I would have talked to anybody who called and asked to be considered for this important job.

Alderman Dowd

All set.

Chairwoman Kelly

Other committee questions?

Unidentified Female Speaker

Deb do you know - it's been stated many times that Nashua is the last city that doesn't have control over nominations to their Police Commission. Do you know what city in New Hampshire had it prior to us and what precipitated their change to local control versus State control of why that happened?

Debora Pignatelli, Councilor

You know, I don't have a really good history of that. I know there were five cities and four of them eventually chose to have local control. Some of the police commissioners are elected some appointed.

Unidentified Female Speaker

And may I follow up?

Chairwoman Kelly

Go ahead.

Unidentified Female Speaker

As by being on the Executive Council and working through this process, it sounds to me like prior to the current Governor in office, it was pretty nonpartisan as far as who served on this. It was looked at. It was totally nonpartisan approach to

appointing somebody, is that correct?

Debora Pignatelli, Councilor

That's for the way I found it, yes.

Unidentified Female Speaker

Thank you.

Debora Pignatelli, Councilor

You're welcome.

Chairwoman Kelly

Other committee members?

Unidentified Male Speaker

Good evening. Thank you for being here. Just looking for your thoughts on whether you think the firewall between the independent Police Commission and city politics is a valuable thing? Is it good for Nashua citizens?

Debora Pignatelli, Councilor

You know, I'm not sure about that. I think that as close as you can get to local control in making important decisions, it's probably better. When I look at our current administration, we have a very dysfunctional Governor's Council and Governor. I trust our leadership in Nashua to get it right. Also, the leadership in Nashua is responsible to the people. If the leadership does not make good decisions, there's a chance for them to be voted out. But as far as my recollection is, it was never an important decision when I was running for election and it's never brought up when the Governor is running for election.

Unidentified Male Speaker

I do have two follow ups if I could.

Chairwoman Kelly

Go ahead.

Unidentified Male Speaker

Chief Hefferan is here tonight and we'll hear from him. But I was just curious if I mean, you said you're a 45 year resident in Nashua so I assume you were here in the '90s when a number of Aldermen are investigated and three of them ended up in prison. Okay.

Regarding Governor Sununu and your time on the Executive Council, I believe all three - well I actually know all three of the Councilors were reappointed and all three of them had been selected by Governor Hassan. So do you think that might have played a factor into why Governor Sununu didn't reach out and solicit input from you because he was just going to re-nominate the three Councilors at Governor Hassan had nominated?

Debora Pignatelli, Councilor

No.

Unidentified Male Speaker

Okay. Thank you.

Chairwoman Kelly

Other questions from the Committee?

Kerry Baxter

You cited that you don't have faith, basically, in the leadership in Concord to appoint commissioners. There are people sitting behind you who feel that way about the leadership here at the local level and Nashua. So how would Nashua be harmed? How would the citizens be harmed by keeping the current commission system?

Debora Pignatelli, Councilor

You know, I don't know about that but I know that if the city leaders who are elected by the citizens make bad decisions, there's the opportunity to elect other leaders. And that's, you know, part of the political process. If you're elected and people don't like what you're doing, you're accountable. But the State leaders are not accountable for this decision in any way.

Kerry Baxter

Okay. Thank you.

Chairwoman Kelly

Other questions from the Committee? I have a list but I want to make sure everyone out here has their questions answered. Anyone on Zoom?

So I have a few questions and then - you mentioned - let's start a little bit more simply here. I don't think everyone listening knows exactly how it works from when someone is thought to be a potential candidate to when it hits the Councilors. Can you just walk us through what that looks like so that everybody can hear and understand that?

Debora Pignatelli, Councilor

Sure. So right now the way it is, is that the Governor nominates and the Council votes on nominees for the Police Commission, and any other commission, and appointments to State agency heads. The Governor nominates and the Council confirms or doesn't confirm. So every year, I believe, one of the Police Commissioners is appointed, or reappointed, or voted on. So when Governor Lynch and Governor Hassan were in office and the time came for a Nashua Police Commissioner to be nominated, they would approach me and say, you've been in Nashua for a long time who do you think would be appropriate on this important Commission? Because I've been a longtime resident and know a little bit about city government, would think about it and either somebody would call me and say I might have an interest in this, or I would look at very qualified people that I might have a relationship with or might know and ask them if they had an interest in serving on our Police Commission.

Chairwoman Kelly

So to clarify, it has to start with the Governor and then brought to you guys. If the Governor had someone brought to him or her that they didn't feel was qualified, it wouldn't even make it to your desk?

Debora Pignatelli, Councilor

I'm sorry, I didn't understand.

Chairwoman Kelly

Is it because I have a mask on? Is that better? My question was, so to clarify, the Governor is really the first step there. If the Governor felt someone wasn't qualified, it wouldn't go to the Executive Councilors?

Debora Pignatelli, Councilor

Yes.

Chairwoman Kelly

You also mentioned that the process - you didn't love the way the process went with the current Governor. You hinted a little bit about why because you talked about how it worked in the past. Is there anything additional that you would have liked to have seen in terms of coming up with those names?

Debora Pignatelli, Councilor

I'm not sure I know what you mean. But the current Governor was not interested in my recommendation for members of the Police Commission. I think that he wanted to do it his own way and nominate people who he liked or renominate people rather than look for someone else who might be qualified. That's how it went when he was in office when I was there from 2018 to 2020.

Chairwoman Kelly

Okay, thank you.

Debora Pignatelli, Councilor

Does that answer your question?

Chairwoman Kelly

Yeah, I think I was just asking - you've told me like how it went and how it went before. Is there anything additional you would love to see happen as someone who's been a part of that process?

Debora Pignatelli, Councilor

I'm sorry.

Chairwoman Kelly

I'm just wondering like you're telling me what happened? Is there anything additional that you would love to see happen in finding out who those Commissioners could be?

Debora Pignatelli, Councilor

Well I think probably as I said in my testimony in retrospect, I would have liked to have had a public hearing for the public to come in and testify about who was getting nominated.

Chairwoman Kelly

Perfect. Thank you. That's what I was looking for. I don't have any more questions for the Councilor. Is there anyone else in the chamber? I know I said committee. Are there any Aldermen or?

Alderman Lu

I have a question, please.

Chairwoman Kelly

Can you state your name for the record and address?

Alderman Lu

Elizabeth Lu - 17. Roby Street.

Chairwoman Kelly

Go ahead Alderman Lu.

Alderwoman Lu

Thank you. I'm out my son-in-law's house and we couldn't get them on. Yeah, I'll have to change my name there. I apologize for that.

Chairwoman Kelly

I just couldn't recognize you. Sorry Alderman Lu. GO ahead.

Alderwoman Lu

Thank you. If I could just ask Ms. Pignatelli what would local vetting - I think what I'm curious to hear is what questions do we need to ask of prospective appointees to the Police Commission? I understand that you feel that it hasn't gone well this term with Governor Sununu but you might be surprised to know that Mayor Donchess has never consulted me about an appointment either. Regardless, what type of vetting is expected or do you think would be appropriate for someone for this position? Thank you.

Debora Pignatelli, Councilor

Well, I don't know whether I'm qualified to answer that but when I vetted men and women to be on other committees, or members of commission's that we were having in the State, or commissioners for important government, I would want to know whether the individual believed in the mission of the agency they were going to lead, whether they were good listeners, and whether they had integrity, and what their experience might be. So I think some of those things might be some of the things that we might want to ask future police commissioners and I certainly would encourage public hearings. I think giving the public a chance to have a say in who's appointed is a benefit to the citizens.

Alderwoman Lu

Thank you. May I just do a follow up please?

Chairwoman Kelly

Go ahead Alderman Lu.

Alderwoman Lu

Thank you. Ms. Pignatelli how many times when you were serving on the Executive Council how many "local" Nashua recommendations did you receive from the Mayor or the Board of Aldermen?

Debora Pignatelli, Councilor

Well one of the people that I convinced or asked to be on this Commission was a former Alderman. I did not necessarily receive recommendations from the Mayor or the Board of Aldermen to my recollection. This was starting in 2004 to 2010. So I don't have a strong recollection from then but from 2018 to 2020, I did not receive any recommendations from Nashua locals nor was my opinion sought as to who I thought would be a good Commissioner by the Governor.

Alderwoman Lu

Just a follow up, please.

Chairwoman Kelly

Go ahead Alderman Lu.

Alderwoman Lu

Thank you. Ms. Pignatelli would that be because these recommendations were being sent to the Governor and perhaps stalled there?

Debora Pignatelli, Councilor

I don't I don't have any knowledge of that.

Alderwoman Lu

I see. Thank you.

Debora Pignatelli, Councilor

You're welcome.

Chairwoman Kelly

Anyone else?

Alderman Schmidt

If I could?

Chairwoman Kelly

Alderman Schmidt, go ahead.

Alderman Schmidt

Thank you so much, Madam Chairwoman. Thank you Councilor Pignatelli. You have done a yeoman's job for us up in Concord. I wanted to tell you, you're so missed, so incredibly missed up there.

I just wanted to say you were you very right what the people of Nashua really want from this in the long run is that we can watch the process. We can be part of the process should we choose but we can also know what's going on. To hear the answers to questions about service, about interest, about knowledge all of this is really important to us. I understand in the year 2013 there was another huge question about the makeup of the Police Commission. Now I haven't had a chance to research this, but I really would like people to take a look and see what that's about. Anyway, thank you very much for letting me speak and thank you again Councilor Pignatelli.

Debora Pignatelli, Councilor

You're welcome.

Alderman Wilshire

Thank you. Just for the record, I did reach out to our Executive Councilor on two occasions regarding the Police Commission. Thank you. Not for nominations but I did reach out a few times to voice my opinion.

Chairwoman Kelly

Thank you Alderman Wilshire.

Alderman Dowd

Yes. As you mentioned, you represented Nashua and several of the small cities west of here. When I ran for the State Senate, I got to visit all those small communities and their local governments are a handful of people. So I'm wondering how many - one of the things that I'd like answered over the time of this committee is how many different ways are there that people are appointing police commissioners in the towns and cities? Portsmouth has an election. Manchester they get selected but their advisory only. The Police Chief works for the Mayor. I'm not sure about the other towns when you go west of here. Do you have any idea of maybe the different ways that they do that?

Debora Pignatelli, Councilor

I don't know. I don't know the answer Alderman Dowd. I'm sorry. I know that some police work directly for the boards of selectmen.

Alderman Dowd

I know in some of those towns the Board of Selectmen is like three people.

Debora Pignatelli, Councilor

Yes.

Alderman Dowd

So it's local control, but it's very selected control. But, you know, I'd like a chance to talk to some of those people to find out pros and cons. I think the more information we have in making a decision like this is more important than expediting something. So thank you. By the way, thank you for all your service and I hope you're not done.

Debora Pignatelli, Councilor

Thank you.

Chairwoman Kelly

Do we have any other questions for Councilor Pignatelli? I would like to thank you for being here and for your service. We very much appreciate it as a Committee and I personally appreciate it. So thank you. We will go ahead and move on. Sorry, I bumped my mic because I'm taking analog notes. Thank you so much.

Okay, so next we have the Mayor and Linda Pintrich. Did I say your name right. I'm sorry. I hope I did.

Linda Pintrich

Hi, my name is Linda Pintrich. Just a quick introduction. I don't have really prepared written statements.

Chairwoman Kelly

Sorry Linda. Can you just do your name and address for the record before you go?

Linda Pintrich

Sure. My name is Linda Pintrich. I live at 59 Farmington Road in Nashua. I've lived in the City of Nashua since 1990. My husband and my two sons grew up here, went through public schools here, and now they're both young men. I am a Professor of Criminal Justice and a Department Chair for the Criminal Justice Department at Middlesex Community College. I am in my 33rd year with the college. I am – and I've said this to everybody I've spoken to about this issue - I am not here to question the integrity of the Nashua Police Department nor am I here to question the integrity of the current Police Commissioners. I happen to know Nick Dahl quite well. I have the utmost respect for him. I've worked with Nick for many, many years because I've been tied in with the PAL organization. Coached in the PAL cross country program here in Nashua since my guys were in elementary school. They're now 20 and 25. So that is not my reason for being here.

My reason for being here is I questioned the process of selecting the Commissioners and the reason why I always asked my ask students, I always tell my students to question things that you don't understand. So one, why are we the only one in New Hampshire that does not have local control? Two - why do we have a process in place that has only had one female Commissioner on the board in 130 years? And for me, I also questioned why the process as we've heard from other speakers isn't more open, public, and transparent. In 2016, I was called by a friend and retired police officer from the City of Nashua who had been asked to put forward some recommendations or a recommendation for a police commissioner. His recommendation was me. At the time, we spoke about it. He inferred that there had been very few to one female Commissioner in the past. So not quite sure how my chances would be but we discussed it and I agreed for me to put my name forward. I was not contacted, nor was I vetted or was I interviewed. So I don't really know what happened to my name or where it went. So that's my personal story and it's probably also why I question the process. I firmly believe that the public, the citizens of Nashua should be involved. I think it should be a more open process. I think we should know more about it. I think we should be able to ask questions about it. I also favor the idea of having more than three commissioners. I think that any time I think with a five member board, you bring more perspectives, more diversity to the board, more different backgrounds to the board. So that's also another reason why I favor it. I'll gladly take questions if you have any.

Chairwoman Kelly

Thank you for being here. Are there questions from the Committee or anyone in attendance?

Nicholas Dahl, Police Commissioner

Hi Linda. I have the utmost respect for you as well. Thank you but I do want to ask. In 2016, I know who the Governor was. Do you remember who the Executive Councilor was at the time?

Linda Pintrich

I do not. I think it was Wheeler but not I do not remember.

Nicholas Dahl, Police Commissioner

I think at the time of that nomination it was still Councilor Pignatelli but I could be wrong. I would just like to say for the record as well that I know that I applied more than once. I never got an interview the first time from Councilor Pignatelli and I know Matt Plante applied more often than I did and he never got an interview from Councilor Pignatelli till the third or fourth time he applied. But I thank you for your willingness to serve and for sharing your opinions.

Linda Pintrich

Thank you, Nick.

Chairwoman Kelly

Other questions from the Committee? It's getting quieter by the minute here. Anyone from Zoom? I just wanna make sure I'm not missing anyone. Ok thank you.

Linda Pintrich

Thank you very much for your time.

Alderman Wilshire

Are you aware that there's also only been one woman on the Fire Department here in Nashua?

Linda Pintrich

On the commission?

Alderman Wilshire

Yes. Were you aware that?

Linda Pintrich

Yes.

Alderman Wilshire

Okay.

Alderman Wilshire

Do you think there's a reason that only one woman has been a Police Commissioner and one woman has been a Fire Commissioner?

Linda Pintrich

I don't think there's one reason. Perhaps women are overlooked or maybe are not nominated as often as males. But I

find it strange to think that in 100 and something years that we haven't had more qualified women that would be willing to serve as commissioners.

Alderman Wilshire

Thank you.

Chairwoman Kelly

We've only had one woman Mayor as well. All right. Anyone else? Okay, thank you so much.

Linda Pintrich

Thank you very much for your time.

Chairwoman Kelly

And then I would like to call up, Chief Hefferan.

Timothy Hefferan, Former Police Chief

Thank you, Madam Chair for inviting me this evening. My name is Timothy Hefferan. I live at 144 Manchester Street in Nashua. Every so often, I think this is the second or third time, this topic becomes available and they wheel me out of mothballs and bring me forward. Mostly it's because of the Aldermen investigation. There's been an awful lot rehashed about that and I'm sure most of you are tired of me talking about it. The reason I continue to talk about it is because I saw firsthand how that investigation could have gone had local control been involved and had people of influence been able to stop the investigation when they wanted it to be stopped.

I'm here this evening to answer questions. I also have other firsthand anecdotal stories that I could tell you that it's not just limited to one aldermen investigation a one off sort to speak from 1983 or 1995. There was an additional allegation within the last 20 years while I was working for the Department. It involved someone of significant political influence in the city, in a serious allegation was made against that individual. I received that information firsthand. During the course of arranging to formalize the allegation by the complaining person, the person of influence became aware of it. I never understood how and expressed extreme anger, distain for the Police Department, and was basically furious that we would entertain this allegation. What ensued shortly after that was this individual, for lack of a better term, got cold feet, and retracted what he had initially said, and refuse to cooperate any further. As a result, our investigation could go no further and it kind of died there. I'm being very vague about the details because clearly nothing ever occurred and I don't want to besmirch anyone's reputation. But my point in bringing that up is that watching the reaction knowing the influence that this individual had, there was no question in my mind that the same effort would have been made with the department had we pursued that particular allegation as far as getting us to stop. It was nice to know at the time that had we continued, we would have been able to do that investigation like the other one without any fear of reprisal or any concern about job action against us because we worked independently for the Police Commission.

I've also heard an awful lot said about other agencies in the State who have had this system and have left it. Back in 1996, the Department decided to create a full-time Internal Affairs Professional Standards Division and it had never been done before. I was the poor soul that they selected to be that individual. I became the least popular person in the Department and I wrote all the policies, created the unit, and then they told me we're gonna send you to every school everywhere in the country. We want you to be the most knowledgeable cop about internal affairs, and employee rights, and investigations, and they sent me everywhere. I went to conferences, seminars, schools throughout the country and after the other day of class, you would join with other internal affairs people from LA, from Texas, from small towns, big towns, and people would just talk. They would tell war stories. Some of the stories I heard from some of the individuals were jaw dropping with some of the types of allegations they were in misconduct, they were investigating, and the monetary damages that those communities were paying out as a result of that misconduct was a staggering. But the common theme was when asked, they attributed most of that misconduct, not all, but this significant amount of it was to poor hiring practices by their agencies. By that they went on to explain that it was as a result of people being hired that had no business being hired. They were being hired because they or their family knew someone. They are the family were benefiting as a result of someone making a phone call, a high placed phone call, and getting someone on the job when they weren't being considered because of merit. I remember that. I remembers hearing some of these stories and I remember coming back to then Chief Cliff Lary and telling him of these people regaling me with these stories and telling him we have no idea how lucky we have it here based on how we do business compared to what goes on around the State.

Part of that responsibility, the Chief of the time told me, I'm going to make it even more fun for you. You are going to be the first full-time guy in the State and you're going to investigate other agencies when they need help. So they started sending me out around the State when other departments either couldn't or didn't want to conduct internal investigations on their own officers. Some of those departments that I went to, the Chief flat out told me when I met with them, I need someone independent because I am controlled by the local selectmen, town manager, or mayor and they won't let me do this, but they did agree to allow someone independent to come in and conduct this investigation. So I saw it firsthand. I heard firsthand from police administrators how they were curtailed in their ability to do what they consider to be the right thing because they couldn't because they had local control that had that power and that influence over them.

I've also heard that it's, maybe we should have this election. We should have the commissioners elected. I know it's one incident but I think it's symptomatic of what occurs an awful lot of times. Back in the mid '90s, there was a man that ran I think he was elected Tom Alciere. He had a long history of being proponent for having the police officers killed and he had that position for a long time before he ran and yet he got elected. I remember it was hard copy at the time or Inside Edition - one of the California news agencies contacted me, flew out here and put me on TV to talk about how they could not believe that a local city of this size, local voters would elect somebody who had that posture in proposed killing police officer. It was actually rather embarrassing. I had police officers from around the country calling in amazed that not so angry at Alciere, but outraged that the voters would overlook this and not do their due diligence and bring this guy in. So when we talk about electing police commissioners, I'm concerned that human nature being what it is that there will be times when there will be people that will not do the due diligence and it may be for good reasons. Maybe they're busy. They have families. They have work and everything else and they don't get a chance to really vet the individuals.

I heard Councilor Pignatelli say something that caught my attention. She said that what bothered her was that the people making the decision on appointed commissioners they were all from outside Nashua. It's been my understanding for 28 years with the Department, that's exactly the way it was designed. That the people making that decision would not be from Nashua. They wouldn't care who was appointed in the sense that they would have no interest in the day-to-day machinations of how the Department works. That was the design of it was that they wouldn't be from Nashua. So I take exception to what she said in that respect. I think that was that was the way it's been and I think that overtime it's morphed into an expectation of something else. But I think that's the way it was set up.

We have books in the Department in the safe that go back and describe how this all came to be. This city was the most corrupt city in the State and that's why this city went to that forum because they tried the old way and they ended up with what so many departments have today, which is a mess. I will also say this, in my time I've spoken to many officers similar to me and you won't hear it publicly. Yes, there are other departments that have left this form of commission. You won't hear it publicly because they'll never talk about it. But I've talked to them firsthand and they'll tell me things. One guy told me that I knew pretty well he said, my wife thinks I'm a raging alcoholic. And I said why? Well, because we have a system where if I want to get promoted, I've got to go to a certain watering hole and I've got to rub elbows with the politicians that go there and if I don't, I'm not going to be considered. I have no reason to question the veracity of this particular individual based on the time I knew him and the seriousness with which he explained his frustration for that. So when we talk about we hear no problems elsewhere, you don't and it's not because they're not there in many occasions, it's because people don't want to talk about it.

I will say in closing here, I have no stake in this personally. I prefer not to public speak at this stage in my life but I feel a sense of responsibility in this. Everybody but Chief Carignan I hired or I recommended for hire. The two Deputy Chiefs, the Captains, probably most of the Lieutenants. They're the heirs of the Department's future and when I hired people and I did the hiring from 1996 until I left in 2007, I sat down with each officer before they were hired and I explained to them what I expected of them but I also explained to them what they could expect from us. One of the high points that I said was that you could come here, it'll be based on merit. You'll be hired based on merit. I don't care who you know. I don't want to know anything about who you might know who your family might know. If you get hired, it's based on your merit and if you work your way through the career and you have upward mobility, it's completely based on merit. All those individuals today are in those positions now because they followed that formula. I can't help but think some of them would be very disillusioned if suddenly that formula which has worked, would suddenly change and I think that I would feel terrible that I suddenly made a promise and a condition of employment to them that has suddenly been taken out from under them. Again, I say this because I've seen it. I've seen a number of things happen as a result of local control and I guess I would offer as a compromise if the citizens of Nashua want to vet potential candidates for that process in Concord, then I'm all for it. But to actually have that control and suddenly have that control over the Police Department - what goes on, what doesn't happen, that bothers me.

We've all seen Seattle. We've all seen what's going on there. Antifa is in Nashua. I don't know if you've heard that but they're here. I don't know that they're here to stay or whether they're just passing through, but amazingly, Antifa, or a faction of it, are in Nashua. Can you imagine - and this is this is just hypothetical - can you imagine, like Seattle, if suddenly we have a Mayor or a Board of Aldermen in place at that particular time that say, similar to the Mayor in Seattle

did, let them express themselves. I think one of the Mayor's said it's the summer of love or something like that, and they just said police stand down, stand down, and let them do what they have to do and express themselves. It's still burning two years later. I am confident if that would have happened tomorrow in Nashua the way the system is set up right now, the Commission would not stand for it. There would be no ability for anybody politically to look at that and say Chief have your officers stand down and we'll just see how this plays out. So I just caution you, there's a lot more - I know it sounds great but there's sometimes unintended consequences of what is being offered here and again as I said back in July, I have yet to hear a compelling reason why we would want to abandon what truly has worked for 100 and something years. That's all I have to say and I'll answer any questions you might have.

Chairwoman Kelly

Thank you, Chief.

Reilly

Thank you for your time Chief. During your tenure as Chief of Police here, and there would be an opening for somebody on the Commission, were you influenced or did you have any influence into who would be put on that Commission or did you feel - were you ever consulted on who should be put on the Commission during your tenure?

Timothy Hefferan, Former Police Chief

Never. I had people call me and asked me I'm interested, what should I do? But I never had anyone ever consult me and I never made a recommendation.

Reilly

Thank you. And I know I've asked this question from the beginning of our study group and I don't feel like I have a good answer and maybe you have some insight. You have just stated that this has worked well for the past 100 years. Why do you feel now there's the need and citizens feel that there is a need for change? Do you have any idea why?

Timothy Hefferan, Former Police Chief

I don't. I'm perplexed as to what this has grown from. I don't know. I can't answer that.

Reilly

And finally, it keeps coming up a lot that we've only had one woman in the history of the Commission and I am all for women serving in any position that they can equally to men, but I think it's part of our job as women to get out there too. How many during your tenure women police officers, I mean, I can you give me a percentage of how many women officers that you had within the Police Department?

Timothy Hefferan, Former Police Chief

It's higher today than it was.

Reilly

Yeah, I'm sure it is.

Timothy Hefferan, Former Police Chief

I think when I first came on, there were probably one or two and I think what I left there will probably 8 to 12 I think. During that time when I was the Chief, I said this I think earlier in the summer, you have to keep that in context with a woman being there. I had various people call me and say what do I do? Some people it was offensive. Do I have to donate money to everybody in order to, you know, get - but I never had a woman asked me. I had tons of men but I never had a woman. So, you know, as Councilor Pignatelli said when asked, I don't think she's had a lot of women express that desire. So it might not necessarily be that we were or someone was discriminating or discouraging women from participating on the Commission, it may very well be that it just wasn't a job that many women were interested in. I don't know. But I think you have to keep that in context as to why there was only one.

Reilly

And I think that a lot of us citizens really had no understanding of how the Commission was formed at all and I think it's something that the majority of citizens in this city we do not understand. So thank you for coming tonight we appreciate it.

Alderman Wilshire

Thank you. I know it to be prove that the Nashua Police Department doesn't do favors and hire someone that maybe I would recommend. I did have a young man in my life who wanted to be a police officer. This was 10 - 12 years ago and you know, he joined the Army Reserves, and he was in the military police unit over in Londonderry, and he worked so hard, and he wanted to be a police officer. He thought that experience might give him a leg up and you know, he never asked me to ask the Chief to hire him and nor would I have asked the Chief to hire him because I know that's not the way Nashua Police Department runs. That's not the way they do business. I think if this referendum passes, that is going to be the way Nashua does business, which is unfortunate. Would you agree with that most voters out there have no idea what the Nashua Police Commission is or does?

Timothy Hefferan, Former Police Chief

I would agree with that. That's what concerns me about this question is I think people will be voting with not really a complete understanding of the impact and it won't happen overnight but mark my words from my observations over my time. It'll be a slow, very steady, subtle deterioration of the way things are done and you won't notice it and most of you will probably have moved on. But boy, you'll lose it over time and it will take forever if at all to ever get it back again. That's what really concerns me and I to your point, I was called when I was Chief I was called by Mayor Streeter and he very politely – it was nothing unethical or wrong with what he was asking but he said, Tim, he said, I've got a constituent of mine his son wants to be a police officer, great kid, great kid. I'd love to see him on the job. I said to him, well that's great Mayor did he take the test. Yes, he did. Well when his chance comes in line with everybody else, we'll do the interview, we'll vet him, we'll do the background check. If he passes muster, fine. If he doesn't, he's going no further. When the kid came in, I interviewed him personally that particular day and I wouldn't have left them alone in my office if I had to go out and answer the phone in the hallway. He had issues and it was nice to know that I could walk him out the door and say it's not going to happen here for you, young man. I walked him out the door and I didn't feel like I in any way had jeopardized my own career because I crossed the Mayor. And just to reinforce that, the Mayor never said it in a way that was unethical, or a threat, or influence. It was just he just wanted to - probably somebody said hey Mayor could you put a good word in for my son. He did that to appease someone and it was left there. But it was just nice to know that I could do what we had always done and I didn't feel like I had to bring this guy in even though he was below our standards.

Alderman Wilshire

Follow up. Just a comment actually. I want to thank you for coming out of the mothballs. We appreciate that. And just to let everyone know, the young man I'm speaking up who was a close friend of my family is now a police officer but not in Nashua.

Timothy Hefferan, Former Police Chief

Good. Good for him.

Alderman Wilshire

Thank you.

Chairwoman Kelly

Other questions?

Kerry Baxter

Chief you mentioned that there was an additional investigation where this individual got cold feet and didn't want to move forward.

Timothy Hefferan, Former Police Chief

Yes.

Kerry Baxter

Can you just ballpark the timeframe on that one on what year it might have been?

Timothy Hefferan, Former Police Chief

I thought about it all day today and I think to be safe and not to have anyone start doing math and so forth. I'll say within the last 20 years. I know that's very vague but I don't want to start narrowing it down, then suddenly people start trying to figure out how could it have been this person? Okay this time frame, it's that person. I really don't want to go there because nothing occurred from it.

Kerry Baxter

No, I only asked the question because a lot of people are dismissing the big investigation that you handled as, you know, sort of an anomaly, something that happened a long time ago and would never happen again. So that was the reason from that question.

Timothy Hefferan, Former Police Chief

This was probably at least well between five and 15 years after that one.

Kerry Baxter

Okay. And just one more question, if I can.

Chairwoman Kelly

Go ahead.

Kerry Baxter

There's discussion as far as going from three Commissioners to five. Can you just weigh in on that pros and cons for each?

Timothy Hefferan, Former Police Chief

I thought about it since I first heard it introduced. I have no problem with that. I do agree that maybe five people on a board brings more perspective, more diversity, and I have no problem with that. I have no problem, as I said, with community people, finding people that have interest in doing their own vetting and then if so, then putting it forward, and those people have to have the courage as the current Commissioners did to throw their name out there and get in the ring for whatever happens. I have no problem with any of that. I just have a problem - I think human nature is what it is. If the Mayor appointed someone to - as an example, this is my take on it. If the Mayor appointed somebody to the Zoning Board or the Planning Board and that person - that was a coveted position that person had sought for a while and he or she got on there and suddenly a piece of legislation or something came up and the Mayor made this person or the Board aware that he wished for a desired outcome and that zoning or planning, human nature being what it is, you don't have to answer me but wouldn't you agree that there's a good likelihood that that individual might be willing to assist because of that appreciation and for that gratefulness that they feel for having been appointed by the very person that says, geez, I'd love you support on this? I think its human nature and as a result of that, that's what concerns me about that. If local people start appointing Commissioners and then suddenly those same people that did the appointing call the commissioner and say, hey, remember me, jeez I got Johnny Jones here who would love to be a police officer. Suddenly, the Commission feels like jeez they kind of got me here in the first place. I feel like I owe him something to at least look into it and we're going in a different direction than we otherwise would. So that's kind of why I think human nature is the wildcard in the process.

Kerry Baxter

A follow up on that. You mentioned potential influence for hirings. Hirings are one thing and there's also promotions, which are very important.

Timothy Hefferan, Former Police Chief

Yes.

Kerry Baxter

What are your concerns with regards to influence on promotions?

Timothy Hefferan, Former Police Chief

Well, I guess it goes back to that was part of my promise to the individuals I hired. You were one of those.

Kerry Baxter

Yes, Sir.

Timothy Hefferan, Former Police Chief

And I know as I said before, I know of a Manchester police officer who a long time ago said, it's different up here. It's different. You've got to have support here and there. The Chief works for the Mayor. You've got to have things in line. You won't hear people talk about that, but it's the reality of what it is. I can honestly say, unless it's changed drastically since I left in 2007, I can look you all in the face and say it was not done that way when we were there. We picked people and some people were hurt. We picked what we thought were the best people because who doesn't want to surround themselves with the best people. But when you start getting surrounded by the people that you have available but they weren't the best people in the first place, then suddenly everything starts to degrade and you end up with a different place. Many of the people we hired came from Massachusetts, myself included. I would ask them, why are you here and to a person they would say, I heard I'd get a fair chance up here. Down there it's all in who you know and I don't know anybody so I had always heard that Nashua hires based on standing on your own two feet. That's why I'm here. Massachusetts lost a tremendous amount of good, solid, qualified people over the years to our benefit. So I do think it affects promotion. It affects people's chances for upward mobility or at least the perception in their minds because they'll see somebody get passed by and they'll say, we know that that person knows somebody and it just starts as cynicism and it just changes the atmosphere and the culture.

Chairwoman Kelly

Other committee members?

Alderman Schmidt

Thanks very much and thank you Chief for being there today.

Timothy Hefferan, Former Police Chief

You're welcome.

Alderman Schmidt

Last week, I got a call from somebody who told me that they voted for me and could I fix their parking ticket? I understand uncomfortable questions. It was easy for me to say no. That's what I would expect from anybody who is elected or appointed in the city.

You're 100% right on Mr. Alciere. I believe he had to step down from his position because he was identified as being interested in killing police. That was really scary. You are absolutely right about him.

But you did say that you didn't have any problem with five being on the board. And for a person who would give pressure on one of the members, they would have to put pressure on three to actually make a difference. I think that that's one of the reasons we wanted to move it to five because it would really give us much more stability in anybody putting any kind of pressure on somebody. We all know that people are people and there's good people and there's people who aren't so good. I think that there's one thing very interesting happening in this State, it's the Commission on Law Enforcement and accountability and community transparency. Have you been part of that at all?

Timothy Hefferan, Former Police Chief

I have not.

Alderman Schmidt

It would be an excellent for every excellent thing for everybody to read up on. I know right now they're trying to make some decisions about how to handle problems that they see or that are reported to them with the police. I think having the State manage something like that might take that question away from our worries about local issues.

One more thing, the police are a department of the city. The Commission is the link between the city and the police. They're not the same as the police. They're not members of the police force. They represent the city. Do you understand it or do you agree that that is absolutely necessary that they need to separate themselves and be different and apart from the police force?

Timothy Hefferan, Former Police Chief

I do. It was my understanding during my time that the Commission was autonomous with the Department. They oversaw certain portions of it like the budget. If I was disciplining someone, or hiring, or firing someone, I had to make that recommendation to the Commission. But I always understood that they were my overseer and that they were separate and distinct from what the Police Department itself did.

Alderman Schmidt

One more thing. Do they report to anyone when they see an issue that needs to be addressed? Does the Commission ever get in touch with - I don't know the Mayor or the Aldermen? If there's a problem that they see, where do they take it beyond them?

Timothy Hefferan, Former Police Chief

I don't know. I know they would come to me if they saw something that was or they heard of something that was occurring in the Department whether someone had contacted them. Sometimes the Commissioners get contacted directly by the citizens. They bypass the police. Maybe they don't have trust or whatever, but they contact the Commissioners and the Commissioners would bring some of those issues to myself and expect me to delegate it and look into it. As far as communication with other city leaders, I'm really not sure how they did that.

Alderman Schmidt

I think that would be a very interesting thing to discuss. But anyway, thanks for your time. I truly appreciate having the opportunity to speak with you. Have a good night.

Timothy Hefferan, Former Police Chief

You're welcome.

Chairwoman Kelly

Thank you. Okay, I have a couple questions. Both yourself and Councilor Pignatelli spoke about letting the people vet. Just wondering what you thought that might look like. She mentioned a public hearing but, you know, what do you think might be a good way for people to weigh in?

Timothy Hefferan, Former Police Chief

Well when I say people, I'm not thinking that you could have the entire citizenry vet somebody. But there would have to be a commission and maybe it would be, you know, a committee within the Board of Aldermen, but there would be some kind of a committee that would make that initial vetting of someone that was interested. If you made it too big, I think you'd have it bogged down. I think it would have to be a committee charged with that responsibility that would have to understand and appreciate what goes into the duties and responsibilities of a commissioner. I think it would be a smaller group that would make that decision and then send that forward to the Governor's office or the Councilors but at least pass that initial muster here in the city where they would serve,

Chairwoman Kelly

That certainly seems like some transparency there would be critical. The other piece of the legislation that I'd love to hear you weigh on is the change in how Commissioners could be removed.

Timothy Hefferan, Former Police Chief

I don't know of any that have been removed. It's funny I only know of I think one resigned back in - the last time I weighed in on this which was like 2014, I think a Commissioner resigned voluntarily as a result of a poor decision making at the time. I don't know of any that have actually ever been removed. I don't know that there's even a mechanism in place to do that. So I'm not really sure. I would suspect that the people that did the appointing would have to be the ones that could rescind that somehow. I know, certainly, the police wouldn't have the ability to remove their boss, but I'm thinking probably the Governor and/or his Council would somehow have that ability to retract somebody's appointment if in fact it was good cause.

Chairwoman Kelly

Yeah, just search for your knowledge - I actually pulled it up because it's in front of me here - the piece of legislation that was put forward to us has the Mayor or President of the Board of Aldermen with the advice and approval of the Board of Aldermen shall have full power to remove any Commissioner.

Timothy Hefferan, Former Police Chief

That would be under the proposal that's being put forth now?

Chairwoman Kelly

Yes.

Timothy Hefferan, Former Police Chief

I guess it would stand that whoever was the appointing authority would have the authority to remove that for cause. Yes.

Chairwoman Kelly

Those were my questions.

Alderman Klee

Thank you so much and thank you Chief for coming. I know it's not always fun to sit here and be drilled and so on. I'd like to kind of talk about two different things. One is you said that, and this was just a kind of a pulling it out of the air, having a commission or something that would vet and then send the information up to Concord. But with the current proposal with the coming through the nomination through the President of the Board or with the Mayor, it would have to go through our Personnel Committee through the BOA and it would have public hearings and so on. In many respects, wouldn't that be kind of vetting it? You'd have the public input; you would have the Personnel and Administration Committee kind of also talking to them and asking questions. So I didn't know if that is similar to what you were talking about when you were saying a commission or something or were you looking at a different grouping of people?

Timothy Hefferan, Former Police Chief

That would be the same. To me, that would be going right in line with what I'm against. I would be looking for something very informal where someone calls some people and say, I'm interested, and they do a cursory check on them, and then they put it forth, and rely on the Governor's Council and the Governor's office to follow through as they have been for that much time. But what you're describing to me would, in my mind, be kind of what I'm opposed to. Too many city people involved and then you start to decline back into well if you're involved to this point, then you may have the ability to control it further than I'd like to see it. That would be my understanding of how...

Alderman Klee

And I completely understand that.

The other thing that was brought up was about the removal of the Commissioners. The current system states that the Mayor or the President of the Board of Aldermen with the advice of the Board of Aldermen and probably you would feel the same way as you've just spoken to, that they would have to do the removal process. So it wouldn't just be the Mayor could say, for instance, like other appointments that he or she make, I can just remove them for his own reasons and so on. This would have to go through the Board of Aldermen. That is almost exactly verbatim to what the current system is. The Governor would not just come and say to Commissioner Dahl, that's it you're gone. He would have to get that vetted through his Executive Council and depending upon the political climate up in Concord would determine whether or not that would actually happen. So just wanted to clarify that as far as the removal process. I think is very similar to what it is now.

Timothy Hefferan, Former Police Chief

I have no knowledge as I indicated, I have no knowledge of how it has been set up. I would just be I guess as a blanket response, I'm opposed to anything that would involve control locally I guess more than it already is.

Alderman Klee

Okay. Then the next question I have it would just be more of the similar thing. So thank you so much I appreciated it.

Timothy Hefferan, Former Police Chief

Thank you.

Chairwoman Kelly

Other questions?

Alderman Wilshire

I just have a statement not really a question. I believe the political climate is kind of what brought us here. So if that's any indication, I agree that it should not be local. Thank you.

Chairwoman Kelly

Any other questions or comments from the Committee?

Alderman Klee

Thank you. Kind of more in response to President Wilshire's comment. I agree in many respects it is the political climate that brought us here. I know, speaking for myself, people keep saying over and over again, why, why, why, why, why. And it is the political climate that's up in Concord. In my opinion, and I don't really want to insult anybody, but I'm going to speak very frankly, there's craziness going on up there. As a State Rep, I will say I see it firsthand. I see my calling the Governor and getting a name of a person that should be able to answer my question, and he did return my phone call to tell me that he's not the person and gave me another person and that person after six phone calls, still has not returned my phone call, and three phone calls to the Governor. I was really happy to hear at the last meeting I think it was, that the Chief called and was able to get information. So there is very heavy political climate up there more and more. I don't want to say responsibility but more and more are being taken away from municipalities from up there and being on a Municipal and County Government Committee, again, I'm seeing it firsthand and it's scaring me. So I think anything that we can have local control over and where the people do get to speak is extremely important.

I recently was at a meeting where a senior person of the Nashua PD made a comment that when the Governor and Executive Council make their decision, they walk away, and nothing more is done. That told me immediately that our Commissioners as good as they are have no oversight. There's no one that they really have to answer to because no one is watching them. That means the taxpayers' dollars, as little as they are, have no say in it because the Governor and the Executive Council are not watching. So I think everybody that's in place right now, I have no problems with. I have no questions with but as we keep talking, we say what about the next alderman? What about the next Mayor? And we say it over and over again and the truth is, you're right. What about them? What about the next Commission? What if God forbid, there was ever a Tom Alciere that was put on the Commission. You know, that would be scary. But I can see it happening. I'm sorry but I can see it happening. It depends on who's sitting up in a corner office in Concord, and how much they like or dislike Nashua, and that bothers the heck out of me, too. So I guess we see two sides to this coin and I do really appreciate everything that you said. You're spot on with the comments that you make and so on, and I don't question a word of it but I do think there's a flip side of that as well so thank you.

Alderman Jette

Yes, thank you. Hi Chief. It's nice to see you again.

Timothy Hefferan, Former Police Chief

You too.

Alderman Jette

I wasn't planning on getting on but I wanted to clarify something when you when you talk about when somebody asked you about I think Chairman Kelly asked you about the removal process. I just want to point out for everyone's information that under the current system, the Governor with the advice and approval of the Executive Council can remove a commissioner. That's the same thing that is being provided under the proposal that the Mayor and the President of the Board of Aldermen with the approval and advice of the Board of Aldermen could remove a commissioner.

I've been wanting to ask you this question. I really appreciate your service to the city and I have a lot of respect for you. I think when you were Chief the department was very well run and people had a lot of respect for you, as they have with the people who have followed you. But when I've heard you tell the story about that awful situation where there were three aldermen that were convicted of taking bribes, the thought has always occurred to me that you in the Nashua Police Department did it ever - I know that eventually the FBI got involved and the convictions were, you know, federal. The aldermen were convicted by a federal court and went to federal prison. When this thing first started did it ever occurred to you that it was too close and that you should have asked for help from the Attorney General's office or the County Attorney's office? Did that ever occurred to you at the time?

Timothy Hefferan, Former Police Chief

It didn't initially. It was a single allegation of bribery against one alderman. The Chief at the time assigned myself and said pick anybody in the department, and he'll be your partner, and do whatever you have to do to look into this. It was rather straightforward. It was once we developed the information and knew that we had that particular one and of course, that one wanted to put himself in the best light as possible so he began to make suggestions about others. When we looked at these State Statutes for bribery, they had no teeth in them. As a result of that, we knew the - I think he was the acting Attorney General at the time - Jeff Howard and we went up to his office and sat with him and said, can you help us make a recommendation to get us over to the federal process because they've got the Hobbs Act, which has a lot more strength in it. We sensed that we might be going further than just one single alderman.

So it was on our request after having done the investigation into the first alderman, that we sought the assistance of the US Attorney's Office and by extension, there would be an FBI agent assigned with us as a result of that and they did obviously agree to take it. But that's the genesis of how it occurred.

Alderman Jette

Okay, thank you. I said this the same the same thing to Chief Carignan when he talked about your being – I'm not sure "afraid" is the right word to use but concerned, I guess, would be that if the situation were changed that a commissioner, you know, subject to local control would try to, you know, exert some influence on the Police Department. Like the situation you had where as I remember when you told the story that there was some pressure being applied by one or more of these aldermen to stop the investigation. I ran into somebody who is a former police officer in Dover and has gone on. He now works with CALEA going around the country training police departments, evaluating police departments, and I told him of Chief Carignan's concern. This person who worked for Dover, Dover they don't have a Commission. Their Chief is appointed by the Mayor. I told him about Chief Carignan's concern and this individual said, well, that can't happen because it's against the law to interfere with a police investigation. I've since looked up the State law and he's correct. So when this alderman tried to get you to back off, did you consider charging him with violating that law?

Timothy Hefferan, Former Police Chief

I did not and I actually have a newspaper article from April of 1995 in which I was quoted and it was never me that received any these calls for influence. It was then Chief Landry. He made it clear - he called me in and explained to me that he was getting these calls. I've never discussed who the other aldermen were that were making calls but what had happened was after we had finished with the three, we had begun to set our sights on some others. They became concerned and they started making phone calls. Kind of ironic, one of them called the President of the Board, which was one of the ones we had gone after, to try to get him to exert some influence. So I never received any of those calls myself.

I know that Chief Landry said he got these calls. There was nothing illegal. They were kind of put together such as jeez you found the first alderman, can you be happy with that? How far do you want to go with this? It was rather benign, but it was subtle. So there was nothing there that would have actually met the points of the law. So Chief Landry kind of felt at the time it was part of his responsibilities as the decision maker to field those calls. He wasn't intimidated by them. He just understood the kind of calls that were being made and the purpose for them. He called me and told me about them and I remember him saying, Heff you worked for me and you work for the Commission. Go out and do what you're supposed to do. Don't worry about anybody else. That's kind of the way it went, but I never received any of that effort on my own.

#### Alderman Jette

Okay. I also saw that in our ordinances there is an ordinance that prohibits any alderman from trying to directly influence any of the division heads that work for the city. We as aldermen, we have to act as the Board of Aldermen and we cannot go behind the Mayor's back and try to, you know, we have no authority to order any division head much less the Chief of Police to do anything or not do something.

So that kind of brings up another thing. I know that under the current system and as far as I can tell, this would not change if the Police Commissioners - I think you pointed out that the Police Commission is kind of independent. You know, it's separate from the Police Department but it's also separate from city government and is separate from State government. The Police Commissioners have the people keep referring to them as "an independent body". So under this proposal, there's no reason to believe that they would be any anything different other than they would be appointed by the Mayor and the President of the Board of Aldermen with the Board of Aldermen. Under the current system, a commissioner, you know, I suppose a Commissioner could try to exert influence inappropriately and I assume that if they tried to do that, I know when you were Chief you certainly wouldn't have allowed that to happen. I'm sure Chief Carignan wouldn't either. So, can you explain, you know, the way things are now what would prevent a Police Commissioner from trying to do that other than the integrity of the current Chief and the way that the Police Department operates - the integrity of the department? What's different now? What do you fear would be different in the future as compared to now?

#### Timothy Hefferan, Former Police Chief

To me it goes back to human nature. If someone is being appointed locally, I believe it's natural that that person that's being appointed probably is like minded with some of the individuals that are doing the appointing. If there were an issue that came up, that appointing elected official would have more ability to direct or mold a commissioner to his or her way of thinking. My concern is that it would be more likely that a Commissioner would be willing to listen to the plight of somebody that put them there if they were looking for some support in a particular area, or for where jeez could you shut down an investigation, can you be happy with the one alderman you got in not go crazy and try to, you know, wipe out the entire Board of Aldermen? That would be my concern. It would be the nature of how humans work and it would concern me that they had that local connection and the ability to want to please the person that put them there if that makes sense to you.

#### Alderman Jette

So you feel that under the current system, the Governor not being from Nashua and the Executive Councilor not being from Nashua being from Milford that that provides an extra layer of insulation?

#### Timothy Hefferan, Former Police Chief

I do but largely because it was always has been my understanding from reading some of the history on this that that was the way it was designed. In most instances, the occasion where the Governor was going to be from Nashua were far and few between and as a result, that Governor would not care necessarily about getting his involvement with the local Nashua Police Department nor would most of the Councilors. That was, as I said earlier, that would be my understanding of the attractiveness of it was that it was supposed to have been by people that would not be that would be rather disinterested in what goes on in Nashua day to day rather than having it appointed by people that are in the community, and know people, and come across people, and as a result, find themselves in the business with the law enforcement community. So it is my understanding that was the spirit of how it was first designed to avoid the corruption that was apparently rampant back at the turn of the century.

#### Alderman Jette

Would you feel differently - I know that there's a person from Nashua - former Senator Ayotte, there's talk about her possibly running for Governor. So if she became Governor and there was an Executive Councilor from Nashua would your feelings still be the same or I guess you feel the odds against it are good. Well this is the odds is that you're feeling?

Timothy Hefferan, Former Police Chief

It's hard for me to answer that. I know her. I have the highest respect for her but I think the spirit of this was that nobody was suggesting that it may not happen. I think either Judd Greg or his father was the Mayor of Nashua at one time, I think, during this process as well. So I think it has occurred before and I think they felt strongly about it but yet they were removed and they felt strongly about the system. I am unaware of any deficiencies and how that worked even on that rare occasion when there was somebody from Nashua that was actually, in fact, in Concord.

Chairwoman Kelly

Thank you Chief.

Alderwoman Lu

Thank you. I just wanted to express that - I just want to remind everyone that the concern here is that local politics may adversely affect the workings of the Police Department. I've seen local politics adversely affect the workings of the Board of Aldermen when I've seen this particular Resolution come to its first reading and for the Board of Aldermen to be told by the three most senior people at that meeting that a necessary vote is required. Each one of these people whether they had an agenda for hurrying the public hearing forward while only the proponents were aware of it or not. For some reason though, the honest truth did not come to light at the Board of Aldermen meeting and the fact that a Charter change came in and often or nearly always does involve a committee hearing a committee, you know, vetting it, and then the necessity vote is then brought back if there's a recommendation. I just want to point out that for all of us on the Board, we observe this happening. We observed the Corporation Counsel and the Mayor who have both served as alderman in this situation of a Charter control in which they went through a different process. But when this came up, we were told over and over at that meeting incorrectly with no correction, that this is the way it has to happen.

I believe that's why the Mayor's email address, you know, list got rallied and at that first public hearing, the only people that showed up were people that, you know, were willing to stand behind the Mayor. But at the same time, the Mayor who would be appointing this Police Commission made no effort to correct the record that no this necessity vote is not for, you know, just to put this forward but to send this to committee. In fact, this necessity vote is to schedule a public hearing. I mean and Cooperation Counsel who works for the Mayor did not make that correction. So this was a very politically motivated action and for anyone to not be able to see how politics within a members acting within a single city can you know, exert influence on others. I just don't understand. We saw it happen. Thank you.

Alderman Dowd

Through data point, and I don't know with your background in Internal Affairs before you were Chief or - do all the Police Commissioners go through a formal background check?

Timothy Hefferan, Former Police Chief

Not by the department, no.

Alderman Dowd

They don't?

Timothy Hefferan, Former Police Chief

No. Whatever was done was done outside the department. It did not involve us at least in my time.

Alderman Dowd

Do you think if somebody is being put in some type of control over a police department, that they should have a background check?

Timothy Hefferan, Former Police Chief

I believe so but I assume that was being done in Concord.

Alderman Dowd

Ah so it could have been done in Concord?

Timothy Hefferan, Former Police Chief

Yes. I always had assumed that that was the case.

Chairwoman Kelly

I'm raising my hand to myself. So the current Chief spoke on this and he told us that the background check is done by the State Police and not by the local police.

Timothy Hefferan, Former Police Chief

That would make sense.

Chairwoman Kelly

I was looking through my notes. All set Alderman Dowd?

Alderman Dowd

Yeah, I just wanted to leave you know that somebody could be appointed a police commissioner with some kind of devious background. Hopefully if they have a background check either by the State Police or the FBI, that's not going to happen.

Chairwoman Kelly

Thank you, Alderman Dowd. Alderman Klee did you want to...

Alderman Klee

Actually I think your committee member wanted to speak.

Nicholas Dahl, Police Commissioner

I'll try to be brief. I just kind of wanted to follow on what some of the line of questioning from Alderman Jette where he was talking about it being, you know, a crime to attempt to influence a police investigation. Understood. Is it farfetched to think after listening to you talk about your fears of how the hiring practices and the promotion practices might change that, that could become an issue that, you know, the police officer could potentially be - I don't know- I don't probably don't want to say corrupt, but could be, you know, under the influence of the commissioner that has gotten them hired and promoted. So why wouldn't they maybe do what that commissioner is asking and not refer them for prosecution for interfering with it? Is that totally farfetched or is that a plausible scenario?

Timothy Hefferan, Former Police Chief

It's certainly plausible. I had never taken it to that extent, downstream, but certainly, it's certainly within the realm of what could develop. Yes.

Nicholas Dahl, Police Commissioner

Thank you.

Alderman Klee

Thank you. One clarification. I did look up to see in 2016 who was the Councilor and that was Councilor Wheeler.

Unidentified Male Speaker

What time of year though?

Alderman Klee

He was their - oops, I haven't read here. Hold on.

Chairwoman Kelly

While you look that up, I'll just mention that I did reach out to Councilor Wheeler and asked him to speak with the Committee. I have yet to get a response but just so you know, that former and current

Alderman Harriott-Gathright

He served to 2019.

Alderman Klee

Well he was there from 2015 to 2017. That was his time in service. So 2016 would have fallen right in the middle there. So he was in office at that time. The comment I had was I made a comment about that I called contacted the Governor's office multiple times and the thing that I actually had asked them very specifically was I knew that they'd only done the reappointment, so they wouldn't have done any kind of background check. I did ask them that question whether or not they had or not and if not, how did it happen? Was there an AG, or State Police, or FBI background? And that was the question that no one ever got back to me. That's why when I saw in the minutes that the Chief had gotten an answer, I was very happy that at least they're willing to answer to somebody. Thank you.

Alderwoman Kelly

An interesting question, too, though if you're a commissioner and you get reappointed for 20 years, do you only get that background check at the at the beginning?

Timothy Hefferan, Former Police Chief

It would be my expectation that it would be renewed.

Chairwoman Kelly

At each renewal you get a new background check?

Timothy Hefferan, Former Police Chief

Certainly a lot can change and things can occur if a commission were traveling to another State and New Hampshire may not know what they had been involved in say the Carolinas or something. So I would expect that each time they were up for renewal, a refresher of that background was done again.

Chairwoman Kelly

Has that been your experience Commissioner Dahl?

Nicholas Dahl, Police Commissioner

That's the behind the scenes so to speak. I don't get contacted as part of that background investigation.

Chairwoman Kelly

Okay.

Alderman Kelly

Perhaps the Chief could call.

Chairwoman Kelly

We can we can ask.

Nicholas Dahl, Police Commissioner

I have a highest level top secret clearance from the federal government though. So I think we're good.

Alderman Dowd

That helps.

Chairwoman Kelly

Okay, are there any other questions? Committee members, Alderman, Zoom. Thank you very much for your time Chief, I appreciate it.

Alderman Wilshire

Thank you.

Alderman Dowd

Thank you Chief.

Alderwoman Kelly

It was not the intention to have two public comment periods, but they are on the agenda. So I will call for public comment again if there's anyone who'd like to speak, please come to the mic. No, that's fine. That was my plan.

PUBLIC COMMENT

Jim Tollner

Jim Tollner, 1 Sequoia Circle. I'll be brief. I'll just read a couple things. The process to become a police commissioner is not secretive. As the Mayor and others have stated, he's made some comments about he doesn't know what the process is or it's a secret or process with a whisper and a tap on his shoulder. I think some of the testimony tonight will tell you that that isn't the case. I, myself, got a phone call from Governor Hassan and asked me if I was interested and then I was processed through the Executive Councilors.

Just want to take a second. Last week Alderman Kelly had asked what makes a good Commissioner? I will tell you what I believe makes a good Commissioner. I believe living and investing in Nashua, achieving certain business level, being responsible for employees and budgets, having a proven track record, having strict boundaries, discretion, and limited social media presence, integrity - as a couple people have mentioned tonight, along with the obvious criminal background requirements make a good Commissioner. I think it's a bonus that the people don't know who your Commissioners are. That means no one's strutting around making it about themselves. If there was an issue when people needed to reach out to a Commissioner, all they need to do is go to the website. Simple process - make a phone call or email us. And by the way as Chairman, that happens all the time. I probably get anywhere from eight to maybe a dozen phone calls a month from citizens that have concerns and we address every single one.

There is a place for everybody at the table but some roles require a different energy coupled with confidentiality. It's a balance because it's not about the Commissioner as an individual, it's about the institution. I think no one said it better than Chief Hefferan. Thank you.

Laurie Ortolano

Laurie Ortolano, 41 Berkeley Street. I just want to comment regarding the hurrying of the process. I think that was a real issue here and I think there was a lot of political motivation in bringing forth this Charter change the way it was brought forth. I don't think proper policy was followed or practice in the past. I don't know why Mayor Donchess and Attorney Bolton told the Board that this was the process that was followed and that deeply concerns me. Alderwoman Klee's comments about the political climate in Concord also really concerns me because I think we have quite a challenging political climate right here in Nashua and we should focus on it locally.

You know one of the things and problems I do see is I don't like to see aldermen or alderwomen who serve in Concord sitting in this circle because their influence on what they see in Concord is driving too many decisions locally and I don't

think they're balanced. So I think we have plenty of political problems right here in this city and I am less worried about Concord and more worried about Nashua.

As far as committee appointments down here, our process for appointing to committees, and vetting it, and allowing the public to know how these citizens get appointed and what their backgrounds on is not existent. The case in point was the Board of Assessors. I applied. The Mayor never acknowledged my application. Truthfully looking back at it, I think I was qualified for that job. I was a woman. I could have done that job well with my engineering background, I was worthy of a response from the city and I got nothing. Not at all and with multiple phone calls and resends on the application, there was still no acknowledgement. So I know how this Mayor plays the game and he does play a game and I don't want that game played with commissioners.

Regarding hiring practices that the former Chief just spoke about, I think he said that poor hiring practices was what results in lawsuits and litigation that he was party to when he was listening to other departments as he was traveling. I couldn't agree with him more and I think the hiring practices of the Nashua Police Department are standards that are hard to come by in any other department. There's a level and an excellence there that's unprecedented. When you look at the hiring practices in City Hall, I don't think you could go much lower. So there's a stark contrast there. Who you know matters and the less you know, the higher you go and that's why we have so many problems in City Hall. We promote Directors and Managers that have no resumes to support it, put them in charge of six or eight departments, say hey they can work 80 hours a week. They're awesome...

Chairwoman Kelly

Your time is up.

Laurie Ortolano

...and they're not doing it. I don't want a Mayor who operates under those hiring practices to hire or be part of the hiring process for Commissioners. Thank you.

Alderwoman Kelly

Thank you.

Sue Newman

Yes, Sue Newman, again, 25. Charlotte Avenue. My question I guess is for the Chair in this committee as a totally process question. No matter which way the question is resolved by the voters in the election, what happens with this Committee? So if it's yes, we do something and if it's no, we do something else? Maybe you haven't gotten that far yet to make it to decide that. I don't know. That's my question to you. Thank you.

Chairwoman Kelly

I'll answer. We as a Committee have committee meetings set up through the end of the year. I mean our goal is to talk through this as we were asked to by the process of the Board of Aldermen. You know the petitions out there. We understand that it's out there but it's not really within our purview. We're trying to get as much information out there as possible, which is why we've had more meetings the first couple of weeks here to really try to have each side be able to talk through some of these parts. But we still we have committee meetings till the end of the year. I don't think I can answer that until we see what happens on November 2<sup>nd</sup> and the Committee will meet after that. Did someone want to weigh in on that? Okay. I thought I heard something. Okay.

Sonia Prince

Hi thank you. I just want to reiterate with Alderman Trish Klee said. I just did a quick Google search for...

Chairwoman Kelly

Sonia could you state your name and address for the record.

Sonia Prince

Sonia Prince, 49 Tufts Drive. Executive Councilor Wheeler did serve from 2015 to 2019. Pignatelli was 2012 to 2014. So

just clarifying that.

I did hear some things about, you know, political and criminal of people and political places but I do believe that have been some police commissioners who were appointed with possible shady path but because of some court docs that were sealed, we will never know. It's all hearsay but there were some former commissioners who for instance, on the local car garage and had the contract for police cruiser repairs who paved over a sidewalk one year behind Riverwalk Café and aldermen and alderwomen were threatened that if they said anything they would be ticketed, which also Mayor Lozeau had a similar experience on a different topic. And then we had duckgate, of course, and that person stepped down. So there has been some, you know, shady things happening on all sides. So politics is everywhere regardless of what you think.

And the Chief did make it really clear last week at the Study Committee that he would still prosecute any popular citizen or person of influence if the evidence showed a need to investigate regardless of their position at the Board of Aldermen. He said it would just "be uncomfortable and make them a little nervous". But you know what, I'm sure they'd be nervous if they had to investigate a family member or somebody close to them that they really liked. So it is what it is, they still have to do their job. Their job is to uphold the law.

Chief Hefferan mentions no real evidence in regards to the no name person of influence. He claimed wouldn't cooperate with a past police investigation as an example he gave and it went nowhere he claimed. So that's kind of hearsay. But he did mention that when he did consider or get a call from the Mayor, who is a political influence about his son applying for a job, he did not hire the son who applied which is the same professionalism that we would expect would be used if the police have to investigate any person of influence regardless of the local control appointments being local.

Chairwoman Kelly

Time is up.

Sonia Prince

And just a reminder, the Police Department is the largest chunk of our city government budget and they answer to the people. So that people do deserve representation, local hearings, accountability. They should be vetted by the 15 elected people at the Board or elected by all Nashua voters. But a lot of people I talked to at every door...

Chairwoman Kelly

Your time is up.

Sonia Prince

...were actually surprised that we had three Police Commissioners. They all thought we just had the one. Did she said time?

Chairwoman Kelly

Yes.

Sonia Prince

Oh, sorry. Thank you.

Chairwoman Kelly

Thank you. Anyone else? Okay. Remarks by Committee. Anyone from the committee like to make remarks? I heard something. There's one more hand, did I miss someone? I'm fine to go back.

Matthew Gouthro

Yes, thank you. Thank you so much – for - I'm sorry, I, I just don't think he saw that I had my hand up.

Chairwoman Kelly

I saw it up and then I saw it back down so I thought maybe you had changed your mind. Go ahead.

Matthew Gouthro

It's the buttons. I'm sorry. I'm not used to doing a lot of this on Zoom. So I appreciate you allowing public comment on this. And for the record, I'm Matthew Gouthro, 104 Fawn Lane in Nashua.

So I was disappointed to see the Mayor's e-mail out concerning this topic. I think it's funny that he can boast about the bond rating when it comes to taxpayer dollars, but he can't boast about Nashua being recognized as the third safest city in the nation. I think everyone needs to understand that when the Mayor refers to what Nashua citizens want, we should take note that less than 2.7% of the voters here in Nashua sign this petition. It's a far cry from the 10% for a change to our city Charter.

It's also important to know that the language on the ballot question doesn't even match the petition that was used to place this question on the ballot. This is how extremely rushed this process was. This Mayor is not looking for local control. He started this initiative after his attempt to cut the police budget failed and his veto was overruled by you the Board of Aldermen. What the Mayor is now looking for is total control. For example, there's no mention of what the criteria would be used to remove a sitting police commissioner or what criteria they would use to appoint someone to that position either. In total, a meager amount of signatures were obtained for a ballot question that doesn't match what the petition says and the ballot inquiry simply has more questions than answers. That's why you our Board of Aldermen voted to table this Charter amendment until a more thoughtful question could be presented to the voters. I thank you for doing that and I thank you for the work that you are doing here in looking at this instead of being rushed. This should be more thoughtfully looked at and presented to the voters. Thank you so much.

Chairwoman Kelly

Thank you. We are back to remarks by committee member. Alderman Dowd

REMARKS BY THE COMMITTEEAlderman Dowd

Yeah, just a couple of things. One - Board of Ed budget is by far the highest budget by order of magnitude and the police and fire are pretty close. I have a little knowledge of that being the Budget Chair.

The other thing is and the question was asked what happens if it passes or doesn't pass in November 2<sup>nd</sup>? One thing if it does pass, there still has to be a process worked out and that we could get into how do people get asked to be commissioners, do they get a background check. There's a huge amount of process that would have to be involved and someone through the Board of Aldermen will have to set that up so.

Chairwoman Kelly

That's a good point. Thank you, Alderman Dowd.

Nicholas Dahl, Police Commissioner

I'd like to add one thing if I could. Thank you. I just also want to point out that yes, the Police Department may have a \$32 or \$35 million budget, but the Police Commissioners do not have any control over that. The Board of Aldermen do already. We certainly make suggestions to the leadership at the Police Department but I can tell you in the six years I've been a Commissioner, it's never been let's spend more money. Thank you.

Chairwoman Kelly

Other Committee comments? Second bite. All right Alderman Dowd.

Alderman Dowd

One last thing. It was brought up that the Board of Aldermen restored the monies that were cut for the police budget. That's true but what we did is we restored the money to the budget that would allow them to keep the same exact services they had in 2019 or 2020. That was critically important for the safety and welfare of all the citizens in Nashua.

Chairwoman Kelly

If I recall, we also changed one of the line items to a CERF account to accommodate for that.

Alderman Dowd

Yes.

Chairwoman Kelly

Yeah, I can't remember off the top of my head but I believe that was the change. Okay. If there are no other comments by Committee members, I just want to say thank you to everyone who attended, who brought forth public comment, for all former Councilors, the Chief who were giving of their time to this important issue.

Alderman Klee

Madam Chair may we just make a comment?

Chairwoman Kelly

Alderman Klee.

Alderman Klee

My husband just texted me that the Red Sox had another Grand Slam. I just had to share that.

Chairwoman Kelly

Can we go home now? Do I have a motion?

Alderman Wilshire

Not okay.

Chairwoman Kelly

Seriously, it wasn't thinking about til you said that. Do I have motion?

ADJOURNMENT

**MOTION TO ADJOURN BY UNIDENTIFIED FEMALE SPEAKER, BY ROLL CALL**

A viva voce roll call was taken which resulted as follows:

Yea: Alderman Kelly, Alderman Dowd, Marylou Blaisdell, Mark Brave, Kendra Smith,  
Deborah Novotny, Kerry Baxter, Nicholas Dahl 8

Nay: 0

**MOTION CARRIED**

The meeting was declared adjourned at 9:05 p.m.

Nicholas Dahl, Committee Clerk