

WORK STUDY GROUP RELATIVE TO THE POLICE COMMISSIONERS

October 21, 2021

A meeting of the Work Study Group Relative to the Police Commissioners was held Thursday, October 21, 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.

Alderman Lori Wilshire, Acting Chairwoman, presided.

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

Members of the Committee absent: Eva Castillo

Also in Attendance: Alderman Patricia Klee
Alderman Linda Harriott-Gathright

ROLL CALL

PUBLIC COMMENT

Chairman Wilshire

Anyone who wants to give public comment has three minutes. You should give your name and address at the beginning of your three minutes.

Laurie Ortolano

Laurie Ortolano, 41 Berkeley Street. I just want to address this Work Group on my concerns with the partisan nature of this issue. You know this was supposed to be a non-partisan issue and I've discovered it's very partisan and the individual making it partisan, in my opinion, is the Mayor in the way he's handled this. I feel the 8 Aldermen who voted against it haven't stepped up to participate in the process of educating the public on why you voted against it and why you said no. I'm tired of looking at an elected body that feels like they have to kiss the ring of this Mayor. It's not serving the city well. I'd like to show you a graph of our city. This is our representative city as of 2020 last year – 43% were registered or affiliated independent; 23% Republican; and 34 1/2 % Democratic but our aldermanic chamber consists of 9 wards and 6 at-large that are 100% Democratic. That process has failed us because it's not representative of the city. The School Board is a little better but not much. Twenty-one of the 24 elected seats are a single party and we are diverse.

I am so disappointed with Shoshanna Kelly and the leadership role she has shown on this group. She won't step up and participate in speaking against this. You left it to citizens and other people running who hung their campaigns on this issue to represent it. You as elected officials didn't lift a finger and I expect much more. So I hope in another week when citizens come out to vote they change the colors of this chamber and the diversity we start to experience is the diversity of our affiliations and our thoughts because I think it's so important in our representation. As a woman who participates in government who held a technical background, I expect more from some of these leadership women because is a spine is a terrible thing to waste. Stand up and use your voice.

Chairman Wilshire

Anyone else wish to give public comment that's here in the chamber?

Sue Newman

Sue Newman, 25 Charlotte Avenue. I'll be brief. I actually agree with a little bit of what Mrs. Ortolano said. I came in after she had started and I heard her talk about the political dimension of this. I agree. It's gotten political but the thing that

jumped out as me was I believe at the end of July when the Chief – and I like the Chief. He seems like a decent man. It was somewhere on social media and I saw all the reasons that this was a bad idea.

Okay with that said, one of the comments that really hit home with me was a person that wrote in there that he was certainly going to support the Chief because he wanted to continue backing the blue. And I'm paraphrasing this. That jumped out at me. Just like what I said the other night, I fully believe that you can back the blue, support the police, and still be a yes. Manchester has a woman on their Police Commission – 5 people. All right. I'm sorry if I wasn't clear – there's 5 people on their Commission as I understand it and there is a woman on there. So I feel badly that like so many things during this time of COVID crazy almost that almost everything has gotten so polarized. You're either for this, or for that, and everybody is fighting with everything. I still think it's a good idea to go forward, get some information from what the voters have to say about it, and again you can support this questions by still voting yes and you're supporting the police at the same time. Thank you very much.

Karen Bill

Before the clock starts, is it okay if I just drop my mask to read this?

Chairman Wilshire

No. If you're going to be in here, you need to have your mask on.

Karen Bill

Okay. All right. So if I pass out or something, well you know CPR right Kerry?

Kerry Baxter

I do.

Karen Bill

Awesome. Okay. Karen Bill, 95 Parnell Place, Nashua. The process of getting question 2 on the ballot this fall has been tainted from the onset. When there is a problem with the decision making process within a company, there should be discussion. Number one - What is the problem? Number two – Is it isolated? Number three – How should it be rectified? Number four – Who needs to be involved? Number five – Does it require a permanent change? Imagine how differently this could have gone if our Mayor and the Police Chief sat down and discussed each of these questions. Imagine collaboration over conflict. Imagine discussion over the decisiveness. Common goals reached instead of a polar opposition and confusion for the voters. It's disturbing that this did not happen. It's disturbing that the Mayor has played the “no woman on the Commission” for over 130 year's card. It's insulting to me.

Was there such an egregious situation that occurred where he said, “Well if there was a woman on the Commission this would have been different.” Really? Why not have all women on the Commission? It's disturbing that no compromise could have been brought to voters with recommendations from our Mayor AND the Police Chief jointly to inform voters about why they thought the process needed changing, enhancing, adding diversity, adding color, adding females. Hey give men a break for the next three years and have all females on it for you know the whole next term. That would have been a real message to the voters of some form of collaboration. Voters could have gotten behind it and support it and maybe even become a part of it. A part of the discussion instead of a tainted process without full inclusion of residents, no discussion around a table maybe even including lay people, and of course education. Who knows. Maybe everyone involved would have embraced and discovered options for a broader, inclusive Police Commission. Or, I found out that it's been working just fine.

Now see that's what happens when minds are open, collaboration ensures, there is actual ideas shared. So I say vote no on Question 2 and let's start...

Donna Graham, Clerk

Thirty seconds.

Karen Bill

...the process all over again correctly. Thank you.

Chairman Wilshire

Anyone else in the Chamber that wants to give public comment? Is there anyone on Zoom that wants to give public comment? Okay, we're going to move on.

DISCUSSION

- Working Session

Chairman Wilshire

Tonight discussion on the working session. We have attendees Mayor Donchess who is not with us, Bill Pease and Andy Lavoie. So if you Gentlemen want to come up and sit around the horseshoe you're welcome to. Good evening. Can you introduce yourself and give us a little background?

- Attendees: Mayor Jim Donchess

William Pease, CALEA Accreditation Manager

Sure. My name is William Pease. I live at 21 Lockmill Drive in Litchfield. I am a retired police officer from Hudson. I retired basically in 2006 after 22 years of service. I was a Captain. I was also an Accreditation Manager. For the last 15 or so years, I've been the Accreditation Manager of the Nashua Police Department and I have also been a contract employee for the Commission on Law Enforcement Accreditation out of Washington - acronym known as "CALEA". I am a Team Leader Assessor. Basically what I do is go around the country and inspect police departments against National Standards to see if they adhere to those standards. I was trying to figure out in 18 years how many police departments I visited locally and nationally. It's over 100. So what I'm prepared to talk about is my perspective on all three of my journeys in law enforcement, as a police officer, as an Accreditation Manager, and as a National Assessor. But first, I forgot, thank you very much for inviting me to this.

Chairman Wilshire

Thank you for coming. I appreciate your expertise and your background.

William Pease, CALEA Accreditation Manager

Well, I'm not that much of an expert, but I'll give you my two cents. I'd first like to comment on my experiences as a police officer in an adjacent community. Like I said, I was 22 years in Hudson and I can't tell you numerous times I interacted with the Nashua Police Department. I spent many years as an investigator and I've worked many cases with - I know you've heard from Chief Hefferan, this gentleman right here. Nashua PD back during my day, okay, was so well thought of that very often I called them directly when I was a police Captain for assistance in investigations, in swat call outs, in training, and internal affairs investigations. That's not uncommon. All around New Hampshire Nashua is called on for their expertise and it doesn't happen by accident. It happens by professionalism, proper training, proper guidance, and proper backing.

The next perspective I want to give - in 2006, I came over here as an Accreditation Manager and I saw very quickly and I've been through six assessments since then with the Nashua Police Department how the agency embraces National Standards. It's part of their culture. They were first accredited in 1990 and from the top down, and I can truly say the Police Commission have been at our assessments, they've offered any support, they've talked to the assessors, in fact all the way down their support. Whatever the agency has needed to adhere to best practices, it gets facilitated throughout the organization.

One of the things I've been proud of that when we do get inspected, it used to be every three years now it's every four years, oftentimes the assessors that come to inspect us, they leave with a care package of our stuff, our rules and regulations, our annual use of force biased policing, pursuit analysis reports because they said, you know, geez, Bill, you guys really do a good job here. I never thought of looking at it this way.

I didn't ring anything did I? Okay

Unidentified Male Speaker

You caught me popping a breath mint. Go got me. I took the mask off for two seconds.

William Pease, CALEA Accreditation Manager

All set?

Unidentified Male Speaker

I'm sorry, I apology. I didn't to ruin everybody's...

William Pease, CALEA Accreditation Manager

Like I said, you're comic relief.

So anyways, I'm not going to just come here as a cheerleader for the Nashua Police Department. I'm going to really give you some perspective that what I've seen inside and outside. One of the things I've seen in the media and I've heard in these meetings that the reason for a potential change is getting more public input. I was confused with that because I've had the pleasure of being involved in public activities. The Nashua community conversation on race and justice. I've been involved in several of those conversations. One of them when our assessment team was here at Nashua South High School, and I believe Ms. Gathright was here as well.

Alderman Harriott-Gathright

Yes I was.

William Pease, CALEA Accreditation Manager

And it was in it was fantastic. I mean you had police officers, police employees, interacting with kids in the high school and back and forth discussions. The team leader assessor - I have a great deal of respect for Deputy Chief Bill Dean from Virginia Beach - he told me in all the departments he assessed - and he's probably more than I have - the collaboration with the community was the best he's seen. The best he's seen. And that's just one example I want to give you about the interaction I've seen with the public. The PAL program, the SRO program, the Boys Club, all the various committees, and I have had the luxury of going around the country and police departments have embraced community policing. They really have. If they want to get on board, they need to but I haven't seen this. I mean we dedicate full-time employees to the public. Getting back to my original confusion, I'm not quite sure how much more can be done. If there is a need in the community, I know the Nashua Police Department embraces it, and takes it on, and tries to help out.

Another issue I heard in the media was a potential reason for a change was the Nashua Police Department does a good job policing, but maybe not such a good job budgeting. I went back and looked at some of my reports that I've written from across the country and the process that's in place here, the Chief solicits recommendations from his staff. They cannot be just scraps piece of paper, hey, I want this, this, and this. They need to present professional documents, get real live figures, and make a case for why they want this piece of equipment. It then goes from the Police Chief, the staff vets it, it goes to the Police Commission, they vet it, then there's a meeting with the Mayor, and they discuss the reasons what we need. The Mayor then presents his budget to I believe the Budget Review Committee and the Police Department gets a chance to present their needs. Then it goes to the full Board of Aldermen. Then it goes back to the Mayor. So what I've seen across the country that is certainly best practice. There is professional input from the agency and then it also leaves the agency. It goes to Budget Review Committee, which I do know is made up of Aldermen, and it goes to the full Board. Then the Mayor has the right veto power. So I'm not quite sure what else can be done there. I've seen situations where I don't want to use the word "disasters", but in budgets they get where I was from in Hudson, we would present it internally to the Budget Committee, to the Board of Selectmen, then it would go on the ballot. There was a fair amount of times during my tenure that the folks in the town just voted the whole budget down and we were in a default budget. That is a very tough situation to manage a professional city or town. Depending upon the tone of that town or the city, you know, services definitely will get cut. I remember one year of being a police officer, we had to pull a School Resource Officer out of the school. There was nobody there and that was problematic. So I'm not quite sure what our issue is with budgeting because as far as I'm concerned and what I see, we certainly do a very professional job in that area.

One of the things I was asked by one of the Alderman, Alderman Jette, different types of I'd say outside management of

police departments I've seen across the country, and there is a whole bunch. I guess I would say the most common is a police chief reports to a professional city manager, who then reports to a small Council. Sometimes that works if the police and the city manager work well together. Sometimes it doesn't. Okay. I've seen situations of where I'm from a five member board of Selectmen. I've seen a 15 person Council. I've seen reporting directly to a mayor and I've seen something called "a Civil Service Commission", a local Civil Service Commission. The reason I bring this up if we're talking about changing what we have in place, which I can tell you works excellent because you have such a good Police Department and it's been that way for my entire 38 years in law enforcement, this is a model for the State of New Hampshire.

So before you try to fix something that is excellent is only one way I can say it, I can tell you a couple of experiences that I've had with some of the other systems. First, I'll tell you what I experienced in Hudson and I'm gonna say straight out the Hudson Police Department is a very good Police Department. I'm very proud to have served there. There are an awful lot of good people there and there's professional management in the town and in the Police Department. But back in my day, I spent a fair amount of time as a Commander out in the street and I remember for a period of time getting called into actually it was the Captain's office the next day, I work second shift, and the Captain would go Bill we need to know why - one of the Selectmen call the Chief and want to know why three patrol cars were on a motor vehicle stop on Lowell Road last night at nine o'clock. I'm scratching my head and I go well, there was an arrest. A DWI arrest. You're the arresting officer, you have the backup officers has to do the toe slip, and we had a young police department at the time, and a Patrol Sergeant stopped by to make sure everything was okay. Very, very common these gentlemen in the back room, gentleman next to me will agree wholeheartedly. Said well the Selectmen don't want this perception of a police mentality out there. And I have to tell you, I got very frustrated. I was trying very hard to do a good job for the town, for the police department but that was a common type of question I got as a commander, and I did before I thought I should bring this forward. I spoke to another Nashua officer who used to be in Hudson and he had more stories like that.

But what that led to, because I lived it, is I was managing, you know, looking over my shoulder and is one of the Selectmen going to go by? Is a Selectman's neighbor gonna go by? Are they're going to call the Chief? Am I gonna get in trouble? And then it led to the officers hesitating to call for backup. There's only one thing I can say about that, that is so wrong. I am not here saying that this could happen here but there's an example of people directly accessing the command level personnel of the police department with that type of thing. It creates that environment.

Another example, I can give you what I've seen across the country and a town – there actually was a couple. They have this commission called "Civil Service Commission". It's an elected commission and what they do their hiring process - and this amazed me - this commission administers the written tests for a police officer, scores it, then they conduct the oral interviews, and they go to the chief here's your candidates and you can vet them the way you see fit. Now I've been in law enforcement for 38 years. I've interviewed police candidates. I don't know how to interview somebody who's going for an engineering job, or an accounting job, or, let the experts do that. This type of situation that I just presented is, with all due respect to the public – maybe a person in the public can have a seat at the table - but you want your experts for the type of job to do the hiring process. That really concerned me.

So in closing, the reason I brought out those anecdotes is I applaud this committee here because if I understand it, it's taking a look at what we should do. If we need to change anything, or tweak it a little bit, and something this important can't be rushed. It can't be changed on a motion, or maybe I don't quite know why this change is being proposed. The Nashua Police Department truly is one of the best departments in New England.

And just one other thing, last year I got brought back to work during the COVID crisis to help out with some of the requests that were coming nationally, locally regarding the civil unrest that was going on across the country. I was requested to complete analysis on, you know, cars, demographics of people that we use force on, car stops, how we're training. You name it, they were asking policies on it. I didn't really have to do any work. When I say create something, it was already created. We do that in house. I do that and that's part of CALEA Standards. So anything that was asked, I just, you know, perhaps tweaked it a little bit here you go. We were so transparent that Chief had me put some of these things right on our website. I receive calls from the media. Sure, I'll talk you. I can tell you what the demographics of the people we arrest in Nashua. I can tell you I use the force training. I can tell you our citizen complaints. No problem at all and that is so ingrained. It's been ingrained in this Police Department for my entire career and I'm saying my career even over in Hudson. So I'm just hoping and I thank this Committee for taking the time to do this very, very carefully. Please, please don't rush this. Thank you. Any questions anybody has, I'd be more than happy to answer.

Marylou Blaisdell

I assume most police departments do not have to go to CALEA to be accredited, correct?

William Pease, CALEA Accreditation Manager

That is correct.

Marylou Blaisdell

So why does a police department choose to do that?

William Pease, CALEA Accreditation Manager

Well I can tell you the Nashua Police, and the Hudson Police, and other agencies I've sort of consulted for is to adhere to the best practices in law enforcement. The best practices aren't - all due respect to this gentleman right here - it wasn't because Chief Lavoie said we're going to do this. This has been vetted for 40 years. What are the best practices? When I say best practice - best training, best weapons, best detention facility, best report writing, best evidence procedures in law enforcement that if you adhere to them all likelihood you're going to have a very good police department.

Marylou Blaisdell

And I looked at the web or website today to just try to educate myself. I know that Nashua PD is on there with an A accreditation - an A. There were a couple on there that had an AE. Why would a police department get an AE, do you know? I mean there are a few of them that did they do something extra above and beyond or?

William Pease, CALEA Accreditation Manager

Not that I know of, and I apologize. I'll have to take a look at that. The accreditation process they have two law enforcement programs. They have basic accreditation, which is 181 standards. There is advanced accreditation, which Nashua is, is 459 standards. So I'm not quite sure what that is.

Marylou Blaisdell

You also said that, I mean, you filter all sorts of stuff in your position that comes into the PD, do we have very many citizens complaining about police in Nashua - citizen complaints?

William Pease, CALEA Accreditation Manager

In my opinion, I want to say – and we put the number of complaints on our website. It is 12 to 15 and I'm guessing. That's pretty much been kind of the average. When you're dealing with, you know, 100,000 calls for service, that's not too much.

Marylou Blaisdell

And one final question and it's come up a lot in previous discussions and a little bit here about how politics can affect a commission. Do you think under the way our current commission is structured, that there's a lot of political influence?

William Pease, CALEA Accreditation Manager

Not that I know of and I'm pretty much plugged in there. I have not heard that.

Marylou Blaisdell

Okay. Thank you.

Chairman Wilshire

Anyone else have questions?

Nick Dahl, Commissioner

Alright, thank you. Thank you for being here. I think your perspective from visiting over 100 departments and your role as an Assessor is very valuable. I do have one question but before that, I want to follow up on one of Ms. Blaisdell's.

The basic accreditation versus the advance. Do you have a sense of how many - what the breakdown is? Is it 50/50 generally? Is it?

William Pease, CALEA Accreditation Manager

Well I can't say 50/50. If I if I was a betting man, I'd go probably 75% basic, 25% advanced. Again, that's just a ballpark. Ballpark based on assessments that I do and majority of them are basic.

Nick Dahl, Commissioner

Thank you. So what I really wanted to ask you about was on Monday night we had a meeting and one of the Alderwomen brought up the Commission on law enforcement accountability, community, and transparency. She acknowledged she didn't know much about it. She said we should look into that. I've read that report. This is a State committee that got put together. There's 48 recommendations in the report. Has the Nashua Police Department assessed where they stand in relation to us 48 recommendations? And if they have, can you let us know where we stand in regards to those 48 recommendations?

William Pease, CALEA Accreditation Manager

Sure. I don't have a document right in front of me. However, I was asked to testify in front of that Commission regarding that. I want to say at least 75% of those recommendations we were already doing. That was one of the things I was able to testify to. Let's see. Say you do one of the recommendations that you have training on biased policing, training on de-escalation, training on ethics, training on all your weapons. We've been doing that for years, years. Any hiring practices. All the recommendations on the hiring practice. What testing do you do? We do it all. So it really was not a big revelation for us. I had to tweak a few little things, but wasn't overly difficult.

Nick Dahl, Commissioner

Thank you.

William Pease, CALEA Accreditation Manager

Sure.

Alderman Klee

Thank you Madam Chair.

Alderwoman Kelly

Alderman Wilshire I also have a question when you have a second.

Chairman Wilshire

Okay.

Alderman Klee

Again, I will defer.

Alderman Wilshire

No. Alderman Klee you go.

Alderman Klee

I just have a couple of quick ones. One is that you made a comment that we've been CALEA accredited since 1990. Per their website, it said 1991 and that Manchester was 1990. So did we get I'd like some type of temporary accreditation prior to 1991?

William Pease, CALEA Accreditation Manager

Not that I know of. I may be mistaken. How our accreditation works, we're on a cycle where we get inspected in December and we get the award in March. An accreditation perspective, it's the inspection that you go through so that may be my confusion.

Alderman Klee

Thank you. So that would mean that if I looked at Manchester's it says that they're March of 1990. They were probably December of possibly 1989.

William Pease, CALEA Accreditation Manager

Correct. I do remember because I was a police officer at the time. Manchester got accredited before Nashua.

Alderman Klee

My other question is probably kind of related to what Ms. Blaisdell had commented about the As, and the AEs, and so on. When this started 130 years ago and everybody's hands were slapped. There were six cities that were kind of pulled away in, you know, I don't want to say punished, but things were put the way they should be. So then my question is four of those six now have CALEA accreditation - Hudson, Laconia, Portsmouth, and of course, Nashua, and Manchester I think it is. No I'm sorry. Hudson did not have these pulled away. I apologize for that. Hudson and so on have it. Do you believe that they have the same accreditation? And I apologize, I'm literally asking this question I do not know the answer to it. So do you know if the others like Manchester do they have the same level of accreditation that we have or do they have a lesser accreditation?

William Pease, CALEA Accreditation Manager

Sure. I mean are you asking me those four communities you just said?

Alderman Klee

Let's start with just Manchester because we're closer in size to them.

William Pease, CALEA Accreditation Manager

Sure. Manchester has basic accreditation

Alderman Klee

They have basic accreditation. Okay. Thank you very much I appreciate that. Would you know but the other ones are so much smaller than us but do you know about the others?

William Pease, CALEA Accreditation Manager

Yeah, sure. Hudson is advanced accreditation. I was the Accreditation Manager when they got accredited. Portsmouth I believe they're advanced, but they may be dropping down. But I would not want to I guess misspeak on that.

Alderman Klee

The other one was Laconia.

William Pease, CALEA Accreditation Manager

Laconia is advanced accredited.

Alderman Klee

I think there's one more. Maybe not. Nope that would be it because then it would be Nashua which we know is advanced. Thank you so much. I really appreciate it.

William Pease, CALEA Accreditation Manager

No problem.

Alderwoman Kelly

Thank you. I was looking forward to you coming and I appreciate you being here this evening. I know it's a hike so. My questions are around, and I think Alderman Klee started to get to this, but maybe we could start just sort of the basics of what goes into a CALEA accreditation and then I'd love to know, and maybe you don't know the answer, but you know how many if at all the way the commissioners are appointed affect that accreditation?

William Pease, CALEA Accreditation Manager

Well I guess two parts to your question. What goes into CALEA accreditation and I guess I can speak to that because I've helped several agencies get accredited. You'll have to look at number one, what you have. What you have for training, what you have for your facility, what you have for your evidence procedures, and then match those procedures or enhance those procedures to the National Standards.

I can tell you this quick story. A friend of mine was a police officer in Florida and they annexed the neighboring community and part of his task was basically create a police department. They created a city and they took an empty building and using the principles of CALEA created a police department. You can literally do that. I mean I could design a detention facility, an evidence room, policies and procedures regarding use of force training, motor vehicle stops, pursuit driving. Heck, even how you keep your records. It basically is a boilerplate on how to create a police department and then continue to run it.

Now after having it over in Hudson in the late '90s early 2000s, I was a Lieutenant and tasked with getting the agency accredited. It's a tremendous amount of work and if you do not have the support from the top down and in Nashua situation from the Police Commission down, it does not work. I can tell you, it's one of the things I'm most proud of my career getting an agency accredited. Way back when I was in high school, there were problems over and Hudson with a strike, and police officers getting arrested, and I remember when I was at the Police Academy, I was told it was the worst department in the State. I'll tell you, I was a 22 year old kid and I was ticked hearing that. I said, you know, I'll be damned. When we did get accredited in the early 2000s, we were one of the best and that wasn't because Bill Pease was there. There was a whole ton of people that made a difference. But if you're working on such a project like accreditation and you're getting micromanaged at say A) a cost because we got to fix the locks of the jail cell, or get a new evidence cabinet, or do this every step of the way, you get derailed pretty quick. The Police Commission here since I've been here, they've been at every assessment. They've asked is there anything we can do. The fact they're showing their support, letting these guys here do their job, it's worth its weight in gold. I hope that answered your question Ma'am?

Alderwoman Kelly

I was on mute. Sorry. I think it serves to get to it and I think that I'll let someone else ask questions. I have a couple more.

William Pease, CALEA Accreditation Manager

Sure, go ahead.

Alderwoman Kelly

Are you saying go ahead to me? Is that okay Lori?

Chairman Wilshire

Yes.

Alderwoman Kelly

Okay so that was helpful in terms of the background there. In your experience what makes for a CALEA police force?

William Pease, CALEA Accreditation Manager

I would say the quick answer is professionalism. When I say professionalism, that you have the right training. You have the right hiring practices that can be backed up. You don't hire somebody because they're friends with the Police Chief, or a Commissioner, or an Alderman, or whatever. You hire them because they went through a validated, exhaustive hiring process, background investigation. When I see a CALEA agency, some of the high liability areas that their weapons are inspected properly, that the training documents are in place. When I first got involved with Alderman, I would see agencies that did a good job in qualifying with the handguns but the shotgun in the trunk some officers didn't even know how to use it. If you're a CALEA agency, well they're trained on that every year. Those weapons are inspected every year by experts. That is vital. That your evidence room is secured properly. Valuable items are stored properly. So I've been trained and I can pick up on just different things that make a police department function.

Now the benefit of Nashua, it's all in place. Interview rooms are properly set up where they're recorded. Tapes are retained. An interview later at night can be watched by another detective for safety reasons. So that's what I look for. It's not just one thing. There are many aspects that makes a police department go.

Alderwoman Kelly

Okay, thank you very much. That was a great answer. Thank you.

Chairman Wilshire

Anyone else have any questions for Mr. Pease? Anyone else on Zoom? Okay, well, thank you, Mr. Pease for being here. We really appreciate your expertise. I think we might have another question.

Deborah Novotny

Sorry Mr. Pease. This is Debbie Novotny. I'm part of the Study Committee regarding this issue and just a question in your experience with helping all of the police departments do the accreditation. As far as the Police Commission goes, how many women are on the Police Commissions that you reviewed?

William Pease, CALEA Accreditation Manager

As far as Police Commissions like what we have, I would be wrong to try to give you an answer on that. The equivalent of sort of who manages the police department outside of the agency, I've seen a fair share of women in whether it be on City Council's, Selectmen where I came from, heck when I when I was a Captain - I'm trying to think. I think there were three or four women on Board a Selectmen that the Police Chief reported to. Again, I do apologize because Police Commissions per se, I don't want to say they're unpopular but I haven't seen as much as, like I said, the most common one is that city manager form of government.

Deborah Novotny

Thank you.

Kerry Baxter

Mr. Pease if you know the answer, are you able to explain some of the differences between the Manchester Police Department's Commissioners and the Nashua Police Department's Commissioners? My understanding is that Manchester may be advisory only. So can you just explain what some of those working differences would be?

William Pease, CALEA Accreditation Manager

Yeah and again, I'd be going on what other people told me Kerry is, yeah, the Police Commission in Manchester is advisory only. Okay. The Police Chief, I believe, reports to the Mayor up there. The Police Commission, I think, it's elected up there. I'm not sure. Completely different down here where as you know, it's appointed by the Executive Council and they are basically the hiring and firing authority of the Nashua Police Department. I do not believe that's the case with Manchester. I do know our Police Commission - I don't want to say they're involved with the day to day operations, but they're plugged in. They let people like the man on my right do their job.

Chairman Wilshire

Are you all said Debbie? I'm sorry, it was Kerry. You're all set?

Kerry Baxter

Yes.

Chairman Wilshire

Okay. Anyone else? Seeing no one. Again, thank you very much for being here. We appreciate your input.

William Pease, CALEA Accreditation Manager

Thank you very much for having me.

Chairman Wilshire

Thank you. Okay, Chief Lavoie.

Andrew Lavoie, Former Nashua Chief of Police

Good evening. My name is Andrew Lavoie, 14 Mallard Point, Merrimack, New Hampshire. I'm a retired Police Chief with the City of Nashua. I worked for the City of Nashua from 1987 through 2019 and spent 2015 through 2019 as the Chief of Police. I'd like to thank Alderwoman Kelly for inviting me tonight and one of the reasons that I agreed to come and speak tonight is because I have a great deal of respect for her. Certainly for Alderwoman Wilshire and for this Committee.

I'd first like to apologize to this Committee. I last spoke on this topic at a public meeting in September. At that time, I stated that the Nashua Fire Department had never had a female Fire Commissioner. I was informed after the fact that they have had only one. I was misinformed on this topic. The fact that they have had only one still made my point. Nevertheless, I was incorrect and once again, I'd like to apologize for my mistake.

I have some prepared remarks that I'd like to share. These remarks and my opinion. In the course of my opinion if I disagree with you, it doesn't mean I hate you. It simply means that I disagree with you. So after please feel free to ask me questions, or kick me out, or any combination of both. Many other guests that I've spoken to that have spoken to this Committee have more than adequately addressed any perceived issues with the current appointment process of the Nashua Police Commission. I've been reading about the issue and watched meetings since this Charter change process began. I would like to address some of the issues that I perceive as important.

I have heard questioning that implies the current Commissioners have complete free rein, and don't answer to anyone, and can't be removed. That is incorrect. To my knowledge the Nashua Commissioners fall under Title I of the New Hampshire Revised Statutes Annotated under Chapter IV which is labeled "State and Government". Section 4:1 is titled "Removal of Public Officials for Cause". This Statute allows the Governor, Attorney General, Executive Council, or the appointing authority of such individual to remove them for cause. In practice, I recall that the Attorney General's Office investigated a complaint of non-police related misconduct by a former Police Commissioner who subsequently resigned. So there is absolutely a procedure in place to remove a Commissioner appointed by the Executive Council and I have seen that in practice.

I have heard and read some of those in favor of this Charter change call the current process "the good 'old boy network" and "the current Commissioners good 'old boys" implying that they're biased against women. Commissioners Tollner, Dahl, and Plante were the Commissioners for most of my four and a half years as the Nashua Chief. During that time and continuing into Chief Carignan's tenure, these Commissioners have promoted more female officers to leadership positions within the Nashua Police Department than all other Police Commissioners combined. Kerry Baxter was promoted twice during that time span, including her promotion to the rank of Captain and a member of my command staff. The Commission is most definitely not biased against women. Like the others, Kerry wasn't promoted because she was a woman, she wasn't promoted to check a box. She was promoted because she was the best choice and had earned it each and every day. That, too, is a credit to this Police Commission and their ability to be free from local politics.

I listened to former Executive Councilor Pignatelli from Nashua the other night. She stated that things in Concord were different than they used to be. That her input wasn't being considered. Yet she admitted that in her entire tenure on the Executive Council over multiple terms, she had never brought a female Police Commission candidate to any Governor.

I listened to a Nashua State Rep speaking via Zoom at a September public meeting. She stated that she was in favor of the Charter change and then started talking about the Executive Council vote on Planned Parenthood. I mean really is this is what we're talking about. What does that have to do with the Nashua Police Commission?

I listened to Alderwoman Klee and Schmidt the other evening lament the fact that only one woman had ever been appointed to the Nashua Police Commission. Both made similar comments regarding current issues and dysfunction in Concord as a reason to change the Police Commission. I mean that certainly is their opinion. I hope I'm wrong but I took what they said to mean that their taste for a Republican Governor and the Republican controlled House, Senate, and the Executive Council is what they were talking about. I took that as their implication that these Republicans were biased against women. Again, I hope I'm incorrect but that's how I took that.

Prominent Democratic Governor Shaheen, Lynch, and Hassan serves as Governor for 18 years. Neither of them ever appointed a female Nashua Police Commissioner. Were they biased against women as well? I'm sure they weren't just as I'm sure Governor Sununu is not. Governor Sununu has reappointed the same Commissioners that Governor Hassan appointed in reappointed. When Governor Hassan appointed them, there was no outcry. Now because Governor Sununu reappointed them, it's an issue that can only be rectified by changing the Police Commission process. I find that very hard to believe. If this is the case, they and others that feel that way are proving my point that political bias is a very real thing and has no business in this selection of a Nashua Police Commissioner. I have literally lost count of the number of people that have come up to me and expressed their disbelief, their frustration, and their utter disgust at the way this Charter change process has been carried out.

The Board of Aldermen Personnel subcommittee voted to table this issue for further study. The full Board voted against placing the issue on the November ballot in favor of forming this Work Study Committee to discuss the implications and ramifications of such a drastic change and to allow citizens to make an informed decision. However, Mayor Donchess and several Aldermen decided to disregard the will and the decision of the Board and bring forth their petition drive to circumvent the full Board's decision. They did this without attempting to present both sides of this incredibly important issue. It is my understanding of the Board of Aldermen is the governing body of the City of Nashua and as such, is the policymaking entity of the city except where otherwise expressed in the city Charter. I'm not qualified to interpret whether the Mayor's decision violated the Charter language or not. The courts will decide.

What I am questioning is why on earth would the Mayor do this against the decision of a duly elected Board of Aldermen for what is clear to me is absolutely no valid reason. Why would he publicly go against the Alderman? Why even involve them if he knew we would simply ignore their decision? I've heard that Mayor Donchess and some Aldermen have been going door to door soliciting votes for the Charter change. I can't really think of a more pronounced example of local politics being used to influence a selection of a Police Commission. They're literally making my point. The impression this leaves with me and the people who have shared their views with me is that the Mayor can and will do whatever he wants regardless of any interference by the Board of Aldermen.

This proposed Charter change allows the Mayor or President of the Board of Aldermen to remove any Commissioner without cause. I believe that this would even further increase the political influence that the Mayor or Board of Aldermen would have over their Commission picks. I also believe that the provision of the proposed Charter change that requires the Aldermen to approve any Commission candidates, which some have touted as some sort of a backstop to the Mayor having unchallenged selections, is short sighted. Fifteen Aldermen have many, many points of view. Consensus is difficult. I fear that you were looking at this through the framework of today without remembering the past or thinking about the future. It wasn't that long ago when half of the Board of Aldermen wouldn't speak with one another and I was close to arresting the other half for disorderly conduct sitting in the same spots in this same horseshoe. Similarly, what if you get a Mayor has absolute hate and disdain for the police? These are very real possibilities when you involve so many people with so many agendas in the selection process.

I questioned the necessity and political motivation of having to make this Charter change now. Why can't it wait for a proper study to be conducted? I haven't heard one legitimate reason why. With 50% of the population being women, I wholeheartedly agree that the Nashua Police Department should have a woman Police Commissioner wholeheartedly. The solution to that is to contact the Governor and the Executive Council with a female candidate not to change an entire system that has worked for over 100 years. Chief Carignan has publicly stated that he checked with the Governor's office and neither the Mayor nor any member of the Board of Aldermen contacted the Governor with a female candidate for the most recent Police Commission appointment last month. So is it really that important to you? Actions speak louder than words.

In closing, I'm gratified to see and hear many Aldermen say publicly that they have the utmost respect for the men and women of the Nashua Police Department. For the amazing job they do in these extremely difficult times, I have also heard many Aldermen say that they have the utmost respect for Chief Carignan and love the job he has done for the Police

Department and the citizens of Nashua. Two of the Alderwomen that I have heard say this are Alderwoman Klee and Schmidt and I thank them for that. My question to them, however, and to any other Aldermen is this. If you have so much respect for the men and women in the Nashua Police Department and for the job that Chief Carignan is doing, then why won't you listen to him when he's telling you over and over again that this ballot question is not good for the police today and won't be good for the police department tomorrow? Those are the remarks I have. Feel free to kick me out or ask me any questions you like or both.

Chairman Wilshire

Does anyone have questions for Mr. Lavoie?

Alderman Klee

Thank you, Madam Chair. First I'd like to set the record straight. On Monday and at no point have I ever said that we need to put a woman or any particular person on the Commission. I don't say that I never have said that and I don't believe in it. I believe that we should put the best person for the job and the Commission whether we have three or whether we have five. That's always, always been my stance. So I think you just probably misheard something. When I've been asked, I state very emphatically - I do not believe that any one particular person whether it be race, whether it be their matter of choice of sex, or whatever it is, I've never done that.

The other thing is I truly respect you and your opinion. But again, I'd like to clarify it for the public. I have never signed the petition for the citizen's ballot. I have never knocked on a door to push the citizen's ballot. I have never approached a person to speak about this. Have I spoken about it? Yes when I have been asked. I have never pushed it forward.

Andrew Lavoie, Former Nashua Chief of Police

I didn't quote you as the one that did that Alderman...

Alderman Klee

No but you kept saying "Alderman Schmidt and Klee" when you would make your statement and I wrote it down as you said it. So I wanted to make that very clear for the public that I have it and I'll point ever done that. And again, I do respect you. I respect your opinion but I just wanted to correct the record on that. I, at this point, I think that that's all I need to say but thank you so much.

Andrew Lavoie, Former Nashua Chief of Police

You're welcome.

Alderman Dowd

Yes, thank you. Chief Lavoie I've been involved with city government for quite a few years, decades actual. I have been involved in meetings on various subjects relative to the Police Department and the city. I don't want to get into specifics but have you ever had confrontational meetings with the Mayor on subjects of expenditures relative to the Police Department?

Andrew Lavoie, Former Nashua Chief of Police

Well, I'm retired now and I'm supposed to be walking off into the sunset. Quite frankly not answering these questions but let me put it to you - I've worked under as Chief under two Mayors. I'd like to think that as long as its legal conversations that Mayors and myself have in the everyday business affairs of being a department head and speaking to the Mayor, I've absolutely had very pointed disagreements with Mayors. Both Mayors I've worked for so I don't quite frankly know if that's me or them but my job is to advocate for the Nashua Police Department. Yeah we've had many disagreements but we've had many agreements with both Mayors I've worked for. I don't think it's proper to get into, you know, details because to me a lot of that I've never been asked to do anything certainly unethical or illegal because that conversation will last about one second. I think that's just part of being a department head. The Mayor can certainly express his or her displeasure with any of their department heads bringing something to the table they disagree with as certainly with the independence of working for the Police Commission. I certainly can stay strong and explain why that that's not the best way for the Police Department and we can either come to agreement or not and follow the process like we do with the budget. I mean, I've had many budgets that both Mayors have cut that the Police Commissioner had brought forward with my input. Every time the Aldermen have decided to go forward with that and that's how our system is and I think that's a good check

and balance, you know, every time. So I guess that's my long winded answer to say I really don't want to answer too many personal things about that out of respect for the process.

Alderman Dowd

Yeah, I didn't want to get into specifics for that very reason. But it leads to my next question, which is do you think when situations come up relative to expenditures by divisions that it's easier for discussion for police and fire than it would be for division directors that work directly for the Mayor?

Andrew Lavoie, Former Nashua Chief of Police

Oh, I think absolutely. The independence you have by, you know, answering to a Police Commission instead of directly to the Mayor certainly gives you that kind of a buffer. That's certainly doesn't mean you don't keep the Mayor informed of things. But yeah, I don't want to say autonomy because it isn't autonomy because everybody has a boss and the Mayor and the Board of Aldermen control your budget. Every Chief is a genius if he has money and he or she is a fool if they don't have money. I mean, there's really not that many new things. It's just, you know, what you can pay for and what you can do. But yeah, most definitely I was able to advocate for my people. I was able to advocate for what I thought was best for the citizens of Nashua because I worked for a Police Commission and in the way it was formulated rather than if I had worked directly for the Mayor. I mean being a police officer is a little different because, you know, in New Hampshire there's tremendous amount of protection for Police Chiefs but still you directly work for somebody that, you know, can take your job tomorrow for no reason. I would think that would have a less strong Chief. I think that would be an issue for...

Alderman Dowd

Yeah and I didn't want to make this a strong point in this discussion. I just wanted it as a data point so that as part of the recorded discussion so when we're done collecting all this information, that we'll be able to formulate an informed decision regardless of what happens in November and I think that's important.

Chairman Wilshire

All set Alderman Dowd?

Alderman Dowd

Yes.

Alderman O'Brien

Thank you, Madam President. Chief you and I both exited our respected buildings. You the Police Department and I the fire station and we rode off into the sunset unless you did something truly spectacular like I did a run for the Board of Aldermen. But I care about the city and I know you do.

Andrew Lavoie, Former Nashua Chief of Police

Absolutely.

Alderman O'Brien

You know you don't do a career that could possibly take your life and the actions are your duty and then just throw it all away. You have that in your heart and you have it forever. But I'm looking now in your opinion because I think in a lot of items one must really step back and to look at the equation. In my case, 35 years. I think if I was the Chief now or something like that, yeah, I think I would have some modifications to make the thing a little bit better and I think you have in yourself kind of gone over laying at night, you know, thinking about I could have done this and I could have done would have been a perfect situation. But what we have here Chief is a fracture within the citizenry. Some people presenting one thing, you know, and saying that there's a need for change and some people aren't.

But I'm looking for your overview. Do you see any compromise? And I'm relying on your experience that for you to say you worked it, you understand it, you will applied and your administrative position is the system you have over there. Is it 100%? Which would make any changes if just Committee could go forward after the November election? And is it worthwhile to take a look at that? Our goal would always be as Aldermen to try to make all departments more better. But you know I'm asking the question is there a need or you feel quite confident that the system you have right now is more

than adequate to the situation at hand?

Andrew Lavoie, Former Nashua Chief of Police

Well, I mean, I think certainly in the first responder type of work that you and I both spent our most of our adult lives doing, quite frankly, you know, things change weekly let alone yearly. I've been gone, you know, over two years now and, you know, there's many things that I think can always be improved. My opinion is I don't think this Commission or anyone is afraid of any looking at what they do. I think something, you know, if you want to add a Commissioner or something like that or add two commissioners, that's something that certainly can be talked about. But again, the local control, you know, and they keep using words "control", "the local control" where, you know, the people that are against this, you know, I know I word it as being free from local politics. I think that's a very different phrasing. I just think you need to have that separation. Again, everything's my opinion. I've literally walked into the Police Department one time since the day I left. A lot of that had to do with COVID but a lot of it had to do with, you know, it's not my gig anymore and I don't want to be that guy. I want Chief Carignan to be a better version of me. I just think that anytime you have so many people, even if - when I say so many people, you know, if we're talking a Mayor and we're talking 15 Aldermen, you have biases. It's human nature. You may not even know you have biases especially when the wording of the Charter is you can remove somebody without even a reason. That person is going to be beholden to you. I just don't think you can possibly say they're not. I just think that the layers of separation that the current appointment from Concord has, I just think that's a good buffer so I definitely wouldn't change that. I would most definitely, you know, add a female to the board. That's absolutely overdue. But you know, expand the board, add a female but you don't have to change the system to do that. Ask Concord to change it. I mean, you don't change the entire system.

You literally have - you know, I work for a consulting firm. I'm all over New England. You literally have the finest Police Department in New England and one of the finest Police Departments in this country. CALEA literally says that this is a model agency. What that means is they're saying if you're making a police department of this size, that's what it should look like. I don't know what else to tell you. I mean, what are we doing here? I'm not offended you want to take a look at it but the way this process has gone down, and again, I don't know if there's been conversation. I'm out of the loop. I'm reading it in the paper. I'm driving my wife crazy, firing you folks up with on the laptop, no offense. I just don't get it. And again, I've said this before and I'll say it again. Whatever issues you may think you have in the city, the Police Department is certainly not one of them.

Alderman O'Brien

Thank you, Madam President.

Chairman Wilshire

I have a question. Do you think - well you probably know this - when it comes time for the budget and there are things in there like the PAL Officer, the Senior Relations Officer, don't you think those would be the first cut if you had to make cuts in the police budget - the community related things?

Andrew Lavoie, Former Nashua Chief of Police

Yeah, I mean, again, you know, I don't I don't want to put my Chief cap back on because I was trying to get all that to leak out so I could sleep at night actually. We're a very large agency. There's many moving parts but when it comes down to it, it's police work. When it comes down to it, I remember my first few months as Chief. We solved a homicide and a whodunit homicide. We had no suspects at all, no connection to the victim. Oh my god, how are we gonna solve this and through fabulous work by the men and women of the PD, they solved this homicide in like less than 48 hours. That's unheard of. I got a call because I always had a direct line and I got a call from a citizen and he wanted to talk to the Chief specifically. So I'm stretching my arm out, getting ready to rub myself on the back of what an amazing job, how fabulous we are, and all this gentleman wanted to talk about is speeding vehicles on his street. He had absolutely no idea about the homicide, didn't care about the homicide, and you know what I don't know that he should because in his world that didn't exist. In his world, we weren't doing our job and that kind of crystallized things for me as a new Chief that we can have all the bells and whistles.

We can we can have everything but policing comes down to connections. Policing comes down to men and women on the street preventing crime and enforcing laws. All that other stuff is great and it's crucial but it's extra. And you know the PDs I'm guessing - well I shouldn't guess, but when I was the Chief, the Aldermen - it authorized 187 officers. We never went above 179 because we couldn't pay for it. I know the overtime budget was constantly, you know, 500,000 minimum understaffed. So we handled it by attrition. I literally couldn't get to full staff because then I wouldn't be able to pay my officers. So we had to cover things with overtime. I don't want to bore you with all that stuff but, you know, so again the

long winded answer is, yeah, that's all great but it all costs money. When your budget is 94% or 95% payroll, you literally don't have many choices. And yeah those are extra budgets crucial. That's why the Aldermen have been fabulous certainly when I was the Chief. Even when the Mayor made cuts, the Aldermen always realized that, you know, they were crucial for us and we don't ask for a dime that we can't justify. I question any department to come in and trade paperwork with Karen Smith and show that we haven't proven how we spent every plumb nickel in this Police Department.

Chairman Wilshire

Thank you. That that's one of the concerns that I have is, you know, if there's influence on the budget that those would be the areas that would be cut. If people have kids in high schools, they certainly want to have the School Resource Officer available. And the PAL program, you know, that's important to the people in that neighborhood and to the community that it serves. Those things really concern me, you know, so I just thought it would bring that up and ask.

Andrew Lavoie, Former Nashua Chief of Police

Well no, I mean, it's a great point because every police officer that's not on the street is an officer taken away from enforcement and prevention activities because we have no extras. There's no bullpen warming up waiting to come in. You have what you have. I will say this, and I've passed this down to my Deputy Chiefs who certainly one is now the Chief and never forget, it's not your money - ever and I think we've always budgeted like that. Our job is to shepherd this money and it's your money. This is the citizens' money and we don't ever forget that.

Kerry Baxter

Chief, do you recall in the early 2000s one of the attorneys on retainer for the Nashua Police Patrolmen's Association was Attorney Donchess?

Andrew Lavoie, Former Nashua Chief of Police

I do.

Kerry Baxter

And so during that time he was the Patrolmen's Union Attorney or during his time as Mayor, did he ever raise any issues with any of the current Commissioners or raise an issue with the format and how the Commission is made up?

Andrew Lavoie, Former Nashua Chief of Police

None I'm aware of.

Kerry Baxter

Okay.

Andrew Lavoie, Former Nashua Chief of Police

I've never heard that.

Kerry Baxter

Okay and was there ever a time where the agency was accused of not being transparent? Because that's one of the talking points right now is that they want to make this change to the Commission for better transparency.

Andrew Lavoie, Former Nashua Chief of Police

Yeah, I have heard that and I can answer that. Well, I never heard it before. Now I'm hearing that now all of a sudden it's an issue. I can only say when I was achieved, which wasn't that long ago, City Hall got a press release every single day and got an arrest log every single day. Any Alderman has ever called me, I've called them back. I received phone calls when I was on vacation in North Carolina. That was all Alderman Klee and I answered my phone did I?

Alderman Klee

Definitely. Yes you did.

Andrew Lavoie, Former Nashua Chief of Police

10 at night, 11 at night, you know, any major incident myself or a Police Commissioner would call either Mayor. So they knew before it would hit the papers. You know Commissioner meetings are public. Everything in the Police Department is transparent you know nowadays. I don't know where that would come from because I never heard that expressed by the Mayor in the past in any capacity.

Kerry Baxter

Thank you.

Marylou Blaisdell

Thank you, Chief. You stated you served under a couple Mayors. How often did those Mayors attend the Police Commissioner meetings with you? Often were they there, or?

Andrew Lavoie, Former Nashua Chief of Police

Almost never. I can't recall ever - and again, I'm trying to remember. I can't recall, you know, Mayor Donchess ever at one. I believe Mayor Lozeau went through one or two but that was usually to speak with the Commission about budget issues. No, I don't ever remember that.

Marylou Blaisdell

And it sounds like the majority of your career here in Nashua during your tenure in the Police Department has this issue of the Police Commission the way it is currently formed come up before are that you're aware of and if so, what was discussion at that point?

Andrew Lavoie, Former Nashua Chief of Police

Not that I'm aware of. If I could just add, under Mayor Lozeau she and I met every other week in her office just to talk about everything to do with the Police Department and keep her up on things and in addition to our monthly department head meetings. Under Mayor Donchess, that didn't take place and other than the monthly department head meetings.

Marylou Blaisdell

Thank you.

Alderman Harriott-Gathright

Hello, Chief. It's great to see you tonight.

Andrew Lavoie, Former Nashua Chief of Police

It's great to see you.

Alderman Harriott-Gathright

You mentioned that you did not want to work for someone who could take your job today or tomorrow. Can you elaborate a little bit more on that one for me?

Andrew Lavoie, Former Nashua Chief of Police

Yeah, I guess what I mean is because they disagree with me simply out of, you know, I want you to do this and I disagree with it because it wouldn't be something professional for the police to do. I mean it's different, you know, then a supervisor at a regular job saying I need you to do this in the context of your job. I mean, the police are bound by law. The police are bound by ethics that others are not. So you know, the Mayor can, quite frankly, I can work directly for a Mayor and the

Mayor, you know, it wasn't a case in Nashua because that's a promotion. So that's something that you have to have cause. But there's many – I've spoken to and dealt with Chiefs all over New England that, you know, said they've turned down Chiefs jobs because the Mayor or somebody on the Town Council said they want - I want you to get rid of that guy. I want you to fire this this guy. I want you to demote that guy because we've never liked them and they haven't taken the job. I wouldn't work in that environment. And, again, the police are different. We're bound by law.

Alderman Harriott-Gathright

Can I have a follow up? But if you're in that environment and that situation that you just spoke to happened, what then? Would you follow through with whatever this person is telling you to do?

Andrew Lavoie, Former Nashua Chief of Police

If it's illegal or unethical?

Alderman Harriott-Gathright

Exactly.

Andrew Lavoie, Former Nashua Chief of Police

Absolutely not.

Alderman Harriott-Gathright

Great.

Andrew Lavoie, Former Nashua Chief of Police

I'd tell them the pack sand and find another Chief or I'd have a little chat with the newspaper and explain why I'm leaving.

Alderman Harriott-Gathright

Okay, great. Can I follow up?

Chairman Wilshire

Yes.

Alderman Harriott-Gathright

So that's my point. Anything that the Citizens' Petition has said that if anyone is let go for whatever the reasons might be, and I'm not gonna give any hypothetical reasons, but let's say the Mayor wanted to let go of someone from the Chief of Police. We'll use the Chief of Police. That would have to go through the Board. It's not that there's no check and balance on that, so I just wanted the public to know that there is a check and balance.

Andrew Lavoie, Former Nashua Chief of Police

Well, yes certainly. You would still have a Police Commission.

Alderman Harriott-Gathright

Yeah, exactly.

Andrew Lavoie, Former Nashua Chief of Police

Yeah and I would imagine you would have to have a reason.

Alderman Harriott-Gathright

So one more. Okay. You also said that you've never been asked to do anything illegal with either the current Mayor or the

previous Mayor and if you did, they wouldn't have one minute with you basically or two minutes with you. So I say that to say also, that that's the ethics of the Police Department, okay, which we all speak so highly of.

But what bothers me the most, and it didn't when it first came out, but the more and the more I'm hearing is you either feel, or some people feel that if this Petition goes through, all of a sudden the officers are afraid or feel they have too much on them because there's too many eyes locally on them. There's eyes on them locally now and always have been.

Andrew Lavoie, Former Nashua Chief of Police

Sure. Absolutely. I get what you're saying.

Alderman Harriott-Gathright

So I struggle with that.

Andrew Lavoie, Former Nashua Chief of Police

I don't mean that in any way, shape, or form. I mean the police are out there for everybody to see every minute of every day. Excuse me. No, I mean, in my opinion I think it would be a gradual process and I don't think it's anybody afraid of what you're doing because what our officers are doing are what's right and if they're not, we find out about it, change it, and discipline them if they didn't do it.

What we're talking about - well I'll speak for myself again - I'm liberated I don't work there anymore. I just think that it would be a gradual process and over the span of whatever years, I just think that it would get to the point - and this is my opinion, because I've seen it all around – that these cliques type things start getting formed. You want to stay a Commissioner, you got to tell them to do what I want rather than what the Commission, who's supposed to be independent, thinks is right based on what they're being briefed on by the professionals in the field that work for them. That's what I'm talking about. If I've implied that, I certainly didn't mean to that day one all of a sudden there's going to be all this and nobody's going to be able to work or anything like that. I certainly don't mean that. I think it's going to be, you know, over the years and if in fact that happened, and when you have provisions like, you know, a Commissioner can be removed for no reason whatsoever. I mean, in my opinion, that Commissioner is going to be beholden to who appointed them if they want to stay a Commissioner because they know they can just get removed. But no, I certainly don't mean Armageddon is coming overnight.

Alderman Harriott-Gathright

So currently the Commissioners are, I don't want to use the term "beholding", but supposing their overseers I'll put it that way are the Executive Council and the Governor.

Andrew Lavoie, Former Nashua Chief of Police

Correct. Everybody has a boss. I just think, in my opinion, having four people that can affect your future is a lot less chance of, you know, being beholden when you have 15 different agendas plus the Mayor. I think that that's my point. That less is better. Less is always better in my opinion. The more you expand things out, the more you have for all different cliques and all different things of that sort of overtime, in my opinion.

Alderman Harriott-Gathright

Thank you.

Alderman Klee

Thank you, Madam Chair. Chief I'd like to just kind of clarify two things. One is you also made a comment about our - at least my statement - on Monday relative to the parties of Republican and so on. I'd like to clarify that if I was misunderstanding, my comment was that because I am a Democrat, I cannot get through to the Governor's office. That was quite clear and it's well known on there.

As far as it being Republican, I have no issue with that. When I was the Chair of the State Federal Relations and Veterans Affairs Committee, my Republicans on that Committee as well as the other Republicans on my Committee would come to me quite often and apologize for what some of the far people who had a lot of power would do. So that's when I talk about the change up there. It's the power shift, not the Republican versus Democrat, but the power of extremists. And that's the

comment that I made. So for anybody, I apologize for making that Republican versus Democrat because that's not what it was. I was meant to be more of the extremists up there right now which is scary.

Andrew Lavoie, Former Nashua Chief of Police

Sure and I remember you saying something to that effect and as I said in my statement, I hope I'm wrong but I took that and other people I've talked to, took that to mean - and that's when I said. I don't mean to specifically quote just you and Alderwoman Schmidt. It just unfortunately that's what I was on my laptop listening to, you know, on Monday night. So it wasn't let's pick on you two at all.

Andrew Lavoie, Former Nashua Chief of Police

And I never felt that way. I truly respect you and I know you respect me as well.

The other comment, if I may, Madam Chair. You keep commenting that the current or the proposed the ballot question that's there keep saying that the Mayor or whoever could remove for no reason and so on. You do know that they basically took Chapter and verse from what exists now. So if you go to subpart B Related Laws, Chapter One, Subsection A-102 Removal of Commissioners, the exact wording is "the governor with advice and approval of the council shall have full power to remove any commissioner at any time". There's no reason of justification etc., and so on. So when that was originally proposed to the Board of Aldermen and then has subsequently gone on, that is the exact wording instead of saying governor, I believe it says the mayor with the advice and assurance of instead of saying council says the board of aldermen.

Andrew Lavoie, Former Nashua Chief of Police

Well the Statue I read, the first - and I read it today - the first paragraph in it said "with cause". So that's what I quoted.

Alderman Klee

I printed this out today. It's actually our Charter and it's A-102. It does not even say with cause. It just says, "remove any commissioner at any time". I agree. It should say with cause both should say with cause. So for that, I agree with you but I would just wanted to clarify that that is completely different from what we we've - we keep hearing over and over again is that the Mayor could just do without any actually so can the Governor. So. Okay, thank you very much.

Andrew Lavoie, Former Nashua Chief of Police

That's not what I read but.

Mark Brave

Thank you. I just want to add, Chief thank you for joining us today. You had a really great career there at Nashua PD. I just want to add that, you know, last week we had Commissioner Shaheen from Portsmouth and today we have Commissioner Derek Peters from Rochester. So I just want to, you know, let the public know that we have another perspective on how this system is working in another city in New Hampshire. But, again, thank you all for speaking today but I also want to make sure that we allow the public to see another perspective of what's going on. Thank you.

Chairman Wilshire

Anyone else have questions for former Chief Lavoie? Alderwoman Kelly.

Alderwoman Kelly

It's not for the Chief. You can you can go for it. He's had a lot of questions tonight.

Chairman Wilshire

Seeing no one else then. Thank you for being here. We appreciate your input.

Andrew Lavoie, Former Nashua Chief of Police

You're welcome. Nice to see you all again.

Chairman Wilshire

Nice to see you too. Thank you.

Andrew Lavoie, Former Nashua Chief of Police

When I'm not trying to get a budget through you.

Alderwoman Kelly

Yes. I was just going to ask that we actually allow Mr. Peters to speak. I know that Mark mentioned that he was here but I for one as a Committee member and Chair when I'm not exposed to COVID would love to hear from him.

Chairman Wilshire

Well Alderwoman Kelly at the beginning of the meeting, the Mayor came in with six people and said they wanted to speak. I said they weren't on the agenda so I didn't allow them to speak. So now that Mr. Peters is here and he's not on the agenda, I don't think it's fair that I let him speak unless he wants to speak at public comment for the three minutes. I have to be fair.

Alderwoman Kelly

I'm confused why that happened because the Mayor was on the agenda.

Chairman Wilshire

The Mayor was but not the six people he brought with him that wanted to speak.

Alderman Harriott-Gathright

I just have a question. So did you mention to him that those people would have three minutes if they wanted to speak in public?

Chairman Wilshire

Yeah if they're here for public comment yes.

Alderman Harriott-Gathright

Yeah and he refused that?

Chairman Wilshire

He left. Yeah, I don't know why he refused it but I did offer that.

Alderman Harriott-Gathright

Thank you.

Chairman Wilshire

Yup, you welcome. Okay, does anyone else have anything?

Nicholas Dahl, Police Commissioner

So we don't expect the Mayor to show up to speak?

Chairman Wilshire

No. He was here earlier and he left.

Nicholas Dahl, Police Commissioner

Okay. Well where we're at, could I speak?

Chairman Wilshire

You can.

Nicholas Dahl, Police Commissioner

Alright. Well, I really had - me and other people I think had put quite a bit of thought into some things to ask the Mayor. I guess I'll just limit it to I saw an e-mail that he sent out today about the woman being excluded from the Nashua Police Commission. I know he brought an uninvited guest as well on Monday night and we had a speaker that was not on the agenda. As I said Monday night, I have a lot of respect for Linda but I didn't think it was fair that she should be in the horseshoe with unlimited time to get her message across.

That being said, I was gonna ask the Mayor if he had any idea as to why Governor Maggie Hassan did not call Linda Pintrich back. I don't know the answer. I suspect he doesn't know the answer but I did want to ask him that. I did also want to point out that what I would have asked him is that on Monday night Councilor Pignatelli stated that no one, including the Mayor or anyone on the Board of Aldermen, had ever provided her a name during her 10 or 12 years on the Executive Council. I would have liked to ask the Mayor why he never referred any candidates, male or female, to the Governor if he was concerned about how the Committee was appointed. So I guess I'm disappointed that he isn't here to answer questions. I guess I'll leave it at that.

Kendra Smith

I just wanted to speak as one of the Committee members being brought in on this I was in the understanding that we're here to educate the public and be able to get as much information as possible before we vote. So I think it's in the best interest of the Committee to let Mr. Peters speak so that people that are listening or watching later, because I do share this, so that people that cannot attend can watch the minutes later able to hear both sides and not just one side.

Chairman Wilshire

I understand that. The problem is that I told the Mayor because those people weren't on the agenda that they couldn't speak for more than the three minutes during public comment and for me to allow someone else to do that is really not fair so I'm not going to do that. Mr. Peters is more than welcome to speak at public comment but there's a three minute time limit. If I had known or if he had been on the agenda, we would have certainly made that accommodation.

Kendra Smith

So could I ask Mr. Peters a question and then he can answer that? Or would that also be a three minute answer?

Alderman Harriott-Gathright

No. He can speak for three minutes

Chairman Wilshire

He can speak during the three minute public comment because that's what's fair tonight. Okay.

Alderman O'Brien

Point of order Madam President. Unfortunately, I don't think a lot of people understand but we have to follow the rules that we traditionally follow within the chamber. The point is we have to basically go by this, which is Mason's Rules. Basically, it comes down to like the call of the Chair. I want to support Madam President you in making your decision. It's a difficult one. You know, I think that this Committee would like to hear from everybody but rules are rules. I mean this does not stop the committee in the future, if I can make the recommendation, a future inviting somebody to come in and offer testimony as far as their exploratory but just to have people coming in, I think there has to be more of a credence with this so therefore, I support the Chair. Although there isn't the call of the Chair at this particular time but I want to note that Madam President, you are doing it by the Mason's rules for good order of decorum of a body that falls our

Aldermanic rules. Thank you.

Chairman Wilshire

Thank you. Mr. Brave, did you want to speak again?

Mark Brave

Yes, thank you and I want to apologize because obviously, I was not aware that as a Committee member from out of the town of Nashua that, you know, I was tasked with bringing in two members of a different police commission from my area, which one was Shaheen last week and then Commissioner Derek Peters today. I did send an e-mail saying that I did not receive a response yet but when I saw him here, I was excited because it will get a different perspective. But again now that I know that, we'll make sure we scheduled him for a later date. I know we have another meeting next week. It wasn't my intention to just, you know, have them attend without putting them on the agenda but that was not clarified.

Chairman Wilshire

Okay, I apologize for that. Okay is there anyone else that wants to – has anything?

Kerry Baxter

I just want to also say that I'm extremely disappointed that the Mayor chose to leave when he was advised that the folks he brought who are not on the agenda were not going to be able to speak freely and would fall into the three minutes. This if I understand it correctly, this is our last Committee meeting prior to the vote. I didn't get an e-mail that there was a meeting date for next week.

Alderwoman Kelly

That's correct.

Kerry Baxter

So this was our last opportunity to be able to ask him some questions to get a better understanding of why it was he proposed this change and why it was that he proceeded with the Petition after the Alderman voted to table it and send it to a Study Committee. I'm in disbelief that he has left and I think it unfortunately speaks volumes to his leadership at this point.

I also want to say as a female who's had to work hard at the Nashua Police Department and to speak for all the other women who have had to work hard at the Nashua Police Department regardless of their rank, that's him citing the lack of women on the Police Commission as a reason it should change is offensive. There isn't any reason that anybody in this city couldn't have looked into how to get onto the Commission or go about the process. No one came to my house when I was in college to tell me how to be a police officer. It was something I wanted to do and I went out and found out how to do it. Just like when I moved to the city and I needed to put a shed in my yard, I didn't just put up a shed I figured it out. I came down to City Hall, figured out how to get variances, and went through the process like everybody else. I just shake my head at how this is going. I'm not opposed to taking into consideration some changes. Should there be diversity on the Commission? Yeah absolutely but you can't just pick people to be diverse. People have to go through the process like everybody else just like we do with our hiring process at Nashua Police Department. Thank you.

Chairman Wilshire

Thank you.

Nicholas Dahl, Police Commissioner

I'm sorry to - thank you for indulging me. I just wanted to follow on that a little bit. Miss Bill made a comment during public comment about how it would have been nice if the Mayor and the Chief could have sat down and talked about this. I will tell you I was in a meeting on the budget with the Chief, two Deputies, myself, and the Mayor one day. I believe it was in April to talk about the budget. The next day is when the Mayor sent out his e-mail to his e-mail group pushing this.

He didn't have the courtesy to tell us, any of us, the Chief, the Deputies, any of the Commissioners, the Chair of the Commission, no one. It was not the budget meeting he wanted to have. He had asked for 0% and you know he's talking about the police ignored his request to come in at a 0% this year. I could tell you as a participant in that meeting, the Police Chief absolutely told the Mayor, we will come in at zero if that is what you want Mayor, but the Police Chief told him what that would mean for the Department and that meant losing 6 to 10 police officers to come in at a 0%. Over 95% of the police budget is personnel related. The Board of Aldermen approved the budget. They approve all the labor contracts. There's very little wiggle room in a Police Department budget. The fact is, we would have had to lay off 6 to 10 of the most recently hired who also happen to be some of the more diverse officers on the force. We told the Mayor that and that's where we are. We left that meeting no word that he was going to propose this change the very next day. Thank you.

Chairman Wilshire

Nor did the discussion happen with the Board.

Alderman Harriott-Gathright

Just commenting a little bit on what the Commissioner was saying. Even though my understanding of what happened with that whatever meeting they had is that the Mayor wanted that 0% and he did not want to give the Police Department what they wanted and what they felt they needed. Just put it that way. However this Board did and the Budget Committee. So I just want the public to know that no matter what this Board did, what we needed to do for our Police Department as we always do. Thank you.

Chairman Wilshire

Anyone else before we open it up for public comment? Okay.

PUBLIC COMMENT

Chairman Wilshire

Is there anyone that wishes to give public comment? Just so you know, there's a three minute time limit and I need your name and address for the record.

Jim Tollner

Jim Tollner, 1 Sequoia Circle. I'll be very brief. Alderman Gathright –

Alderman Harriott-Gathright

Yes.

Jim Tollner

The Police Commissioners are 100% beholden to the citizens of Nashua. When I sat down with Governor Maggie Hassan and when I also sat down with Governor Sununu, they said that your job is to serve the citizens of Nashua. I heard the same thing from Executive Councilors. So what I would ask everybody in the city is to step back and listen to Maggie Hassan and listen to Governor Chris Sununu because they were able to cross party lines and make decisions that both of them thought were best for Nashua. A Republican Governor in this time reappointed the same exact Commissioners that a Democratic Governor approved years earlier. So everybody out there, this should not be political. I think if you take a page out of both their books, it would benefit Nashua.

I will also say that the President of the Board of Aldermen, myself, and the Chief met with the Mayor prior to all this going on, asked him – asked him probably at that meeting we probably asked him about five times. Can we work together? Could we form a committee? Could we avoid this? It wasn't in the best interest of Nashua. He said I'll go back and check with my group and let you know. Okay. The group that he's talking about wasn't the Board of Aldermen. It was the group that put this Petition together.

When I voted for Jim Donchess two years ago, I voted for a Mayor who I thought would represent everybody in the city.

There were times I said to him before I supported him, said there are gonna be times when we agree and we disagree but that's what it's all about and that's what makes a strong city. So I ask everybody that's out there listening right now and watching this, vote NO on Question 2 on Election Day because it's not good for Nashua today and it certainly will not be good for Nashua in the future. Thank you.

Derek Peters

Good evening. Sorry I wasn't on the agenda. I'll make this as brief as I can. I was a prior Commissioner in the City of Rochester and as of January, I will be again. I'm running unopposed. I've been the Chair for the last five years. We're elected officials. We currently have three Commissioners. We each represent two wards and we do actually have a female on ours. We are the hiring authority. All sworn officers work directly for the Police Commission. That includes the Chief. We negotiate his contract. He has ties to the City Manager and the Mayor but it's ultimately he's responsible to the Police Commission. We all work very well together. We work closely with the Mayor, and the City Council, and the City Manager to make sure that we're all on the same page. That is the most important part is to make sure that we're all on the same page. But ultimately, the Police Chief reports directly to the Commission. We do all the hiring, firing, promoting, demoting, policies, procedures, all are done through the Commission with the cooperation of the Police Department. As for hiring, we do an internal hiring through the oral boards and then they come before the Commission, the Police Chief, and the Deputy Chief, and the five of us sit there and discuss it on whether we want to give a conditional offer or not.

So my background is I was a firefighter in the City of Rochester and retired as the Assistant Fire Chief. So I'm very familiar with how politics works and unfortunately, that's what I see is happening. It's just all about politics and that's a shame. It should be about the citizens that you protect and serve every single day. That's all I have to say. Thank you for allowing me to speak.

Chairman Wilshire

Thank you for being here and I really appreciate you understanding. I appreciate you. Thank you.

Sonia Prince

Thank you. Sonia Prince, 49 Tufts Drive. I'm very disappointed. We were asked to speak tonight a few of us and names were thrown around via e-mail and calls with the Chair of this Committee and that did not happen. We didn't make it on the agenda. So I find that very strange, but whatever. I'll take my time.

Some of the things I heard from Chief Lavoie were very disturbing, especially when he spoke of sexism or he kept mentioning Jan Schmidt and Trish Klee. First of all, I filed that Petition in May before the Bill was even introduced to the Board of Aldermen. So I think that's just a big joke to me when people are talking about other things. So we the citizens exist. We took a legal process. You can ignore it all you want. You can say you hate it. Yeah there's more discussion we need to study. You can say what you want. The law is the law. I filed a legal petition. It is what it is. You don't like it, you go out and knock on 2,100 doors, have 2,100 conversations if you want change because that's what it takes and it wasn't easy. It was very exhausting. In the heat, in the rain, awful weather. I went out every single day. So if you have the gumption to do that and you want change, I'm a feminist. I'm gonna say it straight out. I'm a feminist. I've always been and I always will be. Women need a seat at the table. I love when they said oh, you know, women could have applied. Women could have applied. Even Hefferan said that he was recruited by a police officer. So people are recruiting in the background whether you like to admit it or not, but it is what it is.

I was pretty annoyed when Chief Lavoie said why involve so many people in this process? When he says that, I hear why involved women. When he says less of better, I hear let's keep it the way it is all men. Less is better. No women. That's what I'm hearing. So especially when he addressed Jan Schmidt and Trish Klee in particular and said, "Why aren't you listening to him when he's telling you? He's talking about Chief Carignan. Do we not have our own opinions as women? Are we not valued as much as he is? I mean, we can have different opinions. I didn't agree with the Chief on body cams. We had really tough discussions for three long years. We worked on committees together. I was there when the CALEA came and evaluated...

Donna Graham, Clerk

Thirty seconds.

Sonia Prince

...the police when they came to evaluate at the CALEA at the high school. I organized that event with the Chief. I helped and they talked to me. And yes, their training is wonderful. The training is not going to change. They're not gonna escalate violence because the Commission changed and there might be a couple of women on there and the Board of Aldermen is going to vote for them. So I mean, I just think it's so dramatic. For the police to show up at my home - three police cars led by Robert Lacerda...

Donna Graham, Clerk

Time is up.

Sonia Prince

...and they've never come back since. I think that's a bit much. But anyway, thank you for your time.

Chairman Wilshire

Okay, someone named Dave. We need your name and address for the record. Dave. You're on mute Dave. Okay, we lost Dave so. Did you want to speak Karen?

Karen Bill

Karen Bill, 95. Parnell Place, Nashua. So it's really interesting that I find the Mayor's actions actually for changing the Commission and if somebody said, I'm not going to go finger pointing names and everything else, I don't need anybody to say, I said it, they said it. There was a comment about, you know, the Commissioners could be removed without cause. That's kind of ironic in my book because if that were - I don't care if it's the current wording. If you're going to change something, you think you're changing it for the better but then you're going to say, this is the wording and how it is so that's why we kept it. Well, gee, why change it then? Because the irony is saying that about the Police Commission who oversee police officers who actually uphold justice and can't go without proof and, you know, arrest a person just for the heck of it. So I thought that was pretty ironic and I think that the whole - all the comments that the Mayor is making or this whole campaign to change this in some people's minds would put a thought, why is the Mayor doing this? Is it because there are issues or were there issues and we just don't know about it? I think there's some subliminal things going on there. I think if we were all on a ship, this was the ship of Nashua it would be pretty much like a mutiny. And I'm wondering if the Mayor thinks that if he's saying that he could do a better job, you know, overseeing the Commission. So Mr. Mayor would you like to answer that? Oh, I'm sorry he took his bat and ball went home.

Laurie Ortolano

Laurie Ortolano, 41 Berkeley Street. You know we started this process off and when this Petition came forward, I was told as a citizen we'd be able to ask questions and get answers before we had to vote on it. I'm remiss to understand what questions and answers we've been able to ask. I came to two ward meetings and you didn't allow questions. I don't even understand that. It's nice that you get to ask questions but since the citizens have to vote on it, we should be able to ask questions. When I send e-mails, particularly to the Aldermen who made the vote, I don't even get a response back nor do other citizens. So everyone in my opinion has been irresponsible with this from the elected body. Miss Klee and Miss Newman really disturbed me in their comments about, you know, this should just go on the ballot and let the people vote. Miss Klee didn't have anything to do with it. She just kicked the process off. It was completely irresponsible. Once she kicked it off did she pull back and say, whoa wait a minute, this is way too involved? I shouldn't back this. Nope, she let it roll and got right on board and all of it seems to be based on fear of what's going on in Concord. This very political partisan environment up there. You know, she explained that as a Democrat, she hasn't been able to get through to the Governor's office.

Well as a citizen in a nonpartisan city in three years, I've never gotten through the Mayor's office. That's interesting. Let's worry about the partisan politics we have going on down here and I'm not the only citizen. We have an autocratic, vindictive Mayor. I did not vote for him the last time and I would never vote for him again. He needs to move on and he has taken a position to do something with this Police Department. It's completely irresponsible. It's just ridiculous. I received the text today and there's a small group of us going out working very hard at getting information out. One of the people doing footwork today said lots of good conversations today with people doing yard work. They really don't know what's going on with the police. Kind of scary. Yup, that's what I had found.

And what really disturbs me as well is when I see an e-mail in a very nonpartisan city that is a nice picture of the Mayor and the candidates on the steps. Let's keep working for a better city. Vote for your Democratic team on Tuesday, November 2.

Donna Graham, Clerk

Thirty seconds.

Laurie Ortolano

Jim and Vicki Donchess. Let's all of us get a black permanent marker out and put an X through every one of these faces and make certain we do not vote for these candidates on November 2 because this is far too partisan, and it needs to stop, and it starts with the Mayor. He takes your voices away and you as Aldermen are kissing his ring too much. Thank you.

Sue Newman

Sue Newman, 25 Charlotte Avenue. Just for some levity. Mrs. Ortolano and myself walked up the stairs together. So anyway for what that's worth. Can I just say I am here in an unofficial just a concerned citizen capacity. I came late to this whole thing but when I became aware of a Petition to change the process for the Police Commission, I agreed with it. The biggest thing that I learned in helping get some signatures for the Petition was that nobody knew how the Police Commission was put together in the first place. This is gonna sound ridiculous. I consider myself more or less, no more, well informed than many people. But as I told Commissioner Tollner a few nights ago when someone first asked me about the Police Commission did I know who was on it? I believe my exact words were, "I know former Alderman Tollner is on it because I voted for him". No. We don't vote for our Police Commissioners. That was probably the biggest thing that I learned. People had no idea.

I'm used to - I guess I wanted to say something about the temperament in the room. Having been to recent School Board meetings that you guys are - this is like (inaudible) in here, but awareness is certainly heightened. We're up against no daily newspaper but there's social media all over. So various opinions get thrown around. I'm sorry that in many parts of the discussion has gotten personal but we have to move on.

I just want to make a comment. The political dimension of a yes vote or a no vote on the ballot question always comes up. I thought Alderman Jette did a fine job the other night when he made a reference - What if there is a Governor from Nashua - and I'll just say, what if there's Executive Councilors from Nashua or have relatives? So I think we need to trend meaning that they always brought up 30 years...

Donna Graham, Clerk

Thirty seconds.

Sue Newman

...when there was a problem. There still can be problems, human nature, but we move on. Thank you.

Chairman Wilshire

Thank you. Anyone else from the public?

I just have one thing. I would like to request that we forward the questions that were brought up by the Commissioner and by the Committee to the Mayor and ask if we couldn't get a response from him by Tuesday. I'd like to have the response forwarded to either myself or Alderwoman Kelly so that we can get them out to the committee.

Alderwoman Kelly

I was going to say the same thing Lori.

Chairman Wilshire

Okay. Thanks Sho. Comments by the committee.

REMARKS BY THE COMMITTEE

Nicholas Dahl, Commissioner

I can't help myself tonight. I'm sorry.

Chairman Wilshire

That's okay.

Nicholas Dahl, Commissioner

One other thing that I wanted to bring up tonight and it just happened again in public. At the very end after someone had been warned that they had 30 seconds, they dropped a nugget about three police cars showing up at their home and then done, right. So there's an implication, you know, I don't know what she's trying to imply.

That same person did the same thing Monday night, spreading hearsay, about a former Commissioner suggesting that this former Commissioner had a contract work on police vehicles, and that he was inappropriately using the sidewalk outside his business, and was making threats to people if they wanted to make any changes to that. I would just like to go on record that people have spoken with that Commissioner this week. He unequivocally denies that he has ever worked on a Nashua police vehicle and he would like to point out that he owns the land that the sidewalk is on outside his business. So he's free to do what he wanted with that sidewalk because it was his property. I would just ask people, I know there's a tendency to, you know, you hear something you want to share it because you think it's relevant but I would just ask people to maybe stop and consider, you know, do I know this to be a fact or am I just throwing it out there because I think it serves my interests. I think it does a great disservice to anyone that's listening to us. I think it does a great disservice to people that are named as potentially doing something wrong and I just really don't think it adds anything to the argument. Thank you.

Chairman Wilshire

I couldn't agree with you more.

Alderman Dowd

Yes. Just a couple things. One, and I believe it's driven by RSAs, but our local elections are nonpartisan. Yes, I know both parties have been ignoring that fact for some time now and it's unfortunate. The one thing that's been fairly clear from the Board of Aldermen's perspective is there's never any politicking done in the chamber. And someone that spoke in public comment in the beginning who's running for office ignored that completely and I don't think that is right. It's always been the policy of the Board and the city, especially if you're running for office that nothing come up politically to try and enhance your position going into the election. To me, that's unfair, it's out of line, and shouldn't be done. So I think that ought to be brought up somehow.

The other point is this particular question on the police is to some degree partisan and to some degree nonpartisan. I mean there are people on both sides politically that are advocating one way or the other. So I would hate to see people try and influence people by not engaging in all the facts. If we can get to the general public, look at these meetings, look at the information that's available, and particularly when you're getting ready to go to vote, make sure that you do your homework and not just listen to somebody that's knocking on your door and advocating what their position is. All right. Just wanted to say that because I know that I've been on the Board with people from both parties and it was always the policy no politicking in the chamber. Thank you.

Alderwoman Kelly

Thank you, President Wilshire. I also wanted to start by thanking you for serving as interim Chair this evening in my absence. I knew it would be easier to have someone who was physically present. So thank you for doing that.

Chairman Wilshire

You're welcome.

Alderwoman Kelly

I did just want to comment on a few things - just more organizational and instructional in terms of this. I think there was a comment that we as Aldermen should be out with our positions on this and that we should be educating the public. I feel strongly that that's not our job. Our job is to take care of what's in front of us, think through it thoughtfully, hear from our constituents, and make decisions. It's not my job, or your job, or anyone on this Committee's job to be putting specific opinions out there and I especially feel as the Chair that it's really critical that I stay as neutral as possible because I am very committed, like I said in the beginning, to hearing from both sides of this issue to make sure that we're doing the community due diligence and really having this discussion openly and honestly.

I also just wanted to talk about just organizationally. There seems to be some confusion about, you know, when people are on the agenda and when they are not. So I would like the Committee to know that our next meeting is on November 4th and if there are people that you would like to speak at that, I especially would like to see Mr. Peters come back if that's amenable to you. I know you came already and I know your time is precious. I will make sure that your name is on the agenda. I would invite the Mayor back as well to make sure that we hear his side of this as well in terms of - to your point Lori, there were a lot of people with questions that didn't get them answered this evening.

Alderman Harriott-Gathright

I just have a question like this through you to the Chair. I think that someone had mentioned that they thought there was a meeting next week, but then someone else and she just clarified that it's the following week, I believe. I think it would, because it seemed like there's some questions that need to be answered, you know, I would just recommend that you guys call a meeting next week. I don't know how that works or who does that but you know, and I'm very serious about that.

Alderwoman Kelly

If I could respond Lori. Thank you. I think that's a great idea. It's been especially tough to get chamber time with special meetings, etc. We've just had so much going on that's why these dates were picked. I'm happy to look at it if that's the will of this Committee but I know from Donna and I having in previous conversations that the space and time was very limited in the chamber.

Chairman Wilshire

It is very limited. Anyone else have any comments? Okay. Alderman Dowd.

Alderman Dowd

Yes and just a couple things. I just want to clarify the reason that I'm not there person this evening is because I may have been in close contact over a week ago with somebody that came down with COVID and I've been tested. I have no symptoms but in abundance of caution, I did not want to be there in person this evening.

The other thing is we have our next meeting on the 4th. There are a number of meetings that day relative to the middle school project. We're going to be doing the rededication of Fairgrounds in the afternoon and we are going to be having a Special Joint Special that evening so that the people that traveled from Maine and everywhere will all be here for one day and reduce travel costs. So I don't know how that's going to work out with this meeting because there are a couple of us anyways - at least three of us I think that we'll have a conflict. So we need to discuss that Alderman Wilshire.

Chairman Wilshire

There are four of us actually.

Alderman Dowd

I'm sorry Linda.

Chairman Wilshire

Okay. There are no other free nights. Our schedule is completely full. So we will have to look at what's going to

happen. I mean, we may have to cancel it.

Alderman Dowd

The Joint Special is going to be very short. So if we wanted to have this meeting later, that would work.

Alderwoman Kelly

I'd be open to that.

Chairman Wilshire

Okay. We'll work that out. Thank you and thank you for Shoshanna. Okay. Mr. Clerk, do I have a motion?

ADJOURNMENT

MOTION BY NICHOLAS DAHL TO ADJOURN, BY ROLL CALL

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

Yea: Alderman Kelly, Alderman Dowd, Nicholas Dahl, Marylou Blaisdell, Mark Brave,
Kendra Smith, Deborah Novotny, Kerry Baxter, Alderman Wilshire, Alderman O'Brien 10

Nay: 0

MOTION CARRIED

The meeting was declared adjourned at 9:12 p.m.

Donna Graham, Committee Clerk