

**REPORT**  
**TOWN OF GILMANTON, NEW HAMPSHIRE**  
**ORGANIZATIONAL AND RISK ASSESSMENT**  
**POLICE DEPARTMENT**  
**MARCH 2019**

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# REPORT



**Municipal  
Resources, Inc.**

## **REPORT**

### **ORGANIZATIONAL AND RISK ASSESSMENT**

#### **GILMANTON, NEW HAMPSHIRE**

#### **POLICE DEPARTMENT**

**MARCH 2019**

### **CHAPTER 1**

#### **OVERVIEW**

Municipal Resources, Inc. (MRI), of Meredith, New Hampshire was engaged by DTC Lawyers on behalf of its client, the Town of Gilmanton, to conduct an organizational and risk assessment of the Gilmanton Police Department. This police department review was requested to analyze the manner in which police services are delivered by the Gilmanton Police Department. At the end of this project, the assigned police consultants, MRI President and retired police chief Alan Gould, retired police chief Bruce MacDougall, and active police chief David Kurz was requested to make recommendations for improvement to the overall delivery of police services. This assessment involved multiple in-depth interviews with Police Chief Matthew Currier on the many topics covered by this report. Other department employees were interviewed as needed. This study also included tours of the police facility and extensive reviews of relevant statistics, policies, department documentation, and equipment. Observations made by the consultants are included in this report and led to the offering of related recommendations based upon the experience of the consultants and comparison with national best practices.





## CHAPTER 2

### POLICE DEPARTMENT FACILITIES

#### OBSERVATIONS

The existing police headquarters is part of the Gilmanton Public Safety Complex, which was constructed in 2010 and serves both the Gilmanton Police and Fire Departments. The police entrance is located to the right of the complex with ample public parking in close proximity. A communications tower was noted to the east of the complex. Advertised office hours for the police department are Monday through Friday 8:00AM to 4:00PM and after hours calls are serviced by the Belknap County Sheriff's Department who would contact the officer on-duty or on-call. The building is a nicely proportioned building with three large bay doors for fire apparatus designed to drive through. There is a garage for a single police vehicle to the rear of the facility.

A public vestibule provides access to an administrative assistant during office hours. The administrative assistant was positioned to observe the entry at all times when seated at her desk. A wall that included a large window of safety glass allowed for easy conversation from the vestibule to and from the administrative assistant. Security measures via access devices and video monitoring were observed. It was noted that there was appropriate fire suppression and escape routes that were prominently posted throughout the secured area of the police offices. The administrative assistant's area was tidy and contained a number of lateral cabinets for current records plus 2-years. Due to the small size of the receptionist area, Robin Bonan manages record access by rotating later year files to archives in a secured storage area in the complex while maintaining easy access to those more current files. Her workweek is Monday through Friday 8:00AM to 4:00PM and consists of addressing numerous telephone inquiries and assisting clients who occasionally visit the office for a variety of reasons. Her other duties consist of organizing and delivering correspondence and payroll to town offices, consolidating complaints for court prosecution, ensuring insurance company inquiries are addressed and overseeing records management.

The Chief's office is located immediately behind the desk of the administrative assistant. This office contained several cabinets and a workspace for the Chief. The office was small containing two chairs for visitors to meet with the Chief but could easily offer privacy for residents or others to speak confidentially with the door closed. There was a closet off the administrative assistant's work area that contained the agency's computer server. While this door was open at the time of the visit by MRI, it does offer some security if the door is secured. Continuing past the server room was an area designed for the booking of persons under arrest. The room was of ample size with a desk and accompanying computer facing a bench with a secured bar designed to safely handcuff prisoners during the booking process. However, there was an

immediate assessment of an oddity that MRI found extremely problematic. Inserted into the room was a half wall with folding wood slats that purported to serve as a privacy blind and a stainless-steel sink and toilet. A picture of this deficiency clearly demonstrates the inherent challenge with privacy concerns if a person of the opposite sex utilized this toilet. This arrangement establishes an avoidable litigation risk for the Town of Gilmanston and should be addressed immediately by enclosing this area effectively providing a toilet room with privacy.

Off the booking room was a garage. The day of the MRI tour, a new police vehicle was inside of the garage awaiting transfer and installation of equipment. There were a variety of hand tools and other accouterments associated with a garage. When the MRI team began to express concern regarding the potential of these tools being used in an aggressive manner by prisoners, Chief Currier explained that prisoners are not routinely driven into the garage. Access into the booking room is more routinely used via an exterior door from the parking lot. MRI agrees with this strategy and although designed for use as a "sally port", with so many items that could be engaged as a weapon in close proximity, prisoners should not be in this area.

A report writing room was adequately appointed with counter-top around the exterior wall enabling a well-designed workspace for the staff. Desktop computers were placed along the desk area. Each officer had a small area for their personal items and file space for investigations that they were focused upon. Two locker units were placed back to back with one allowing for individual officers to secure evidence still in their possession, pending submission into the evidence retention system. The other locker was to be utilized when the officer desired to place the item into the evidence retention system of the department. This other locker was a secured temporary evidence locker that had a padlock so that when evidence was placed inside with the appropriate documentation, the padlock could be locked. Only two evidence techs have the key for the temporary locker. Once opened, the item moved to the evidence closet and was logged into evidence.

Completing the downstairs area was a male and female locker room, which were noted as being of sufficient size especially for the agency compliment of personnel. Furniture was dated and in generally good to fair repair and condition. While it is not uncommon to note significant wear and tear on any facility that is utilized 24 hours daily, 365 days a year, there was the general impression that there has been little or no structured maintenance or upkeep of paint, flooring or the overall organization of the facility.

MRI noted that the evidence and property area was secured by a lockset, and the ceilings were of such design that access over the wall by removing ceiling tiles was not possible. Larger items were moved to an upstairs storage area. Upon entering the Fire Department, access to the upstairs area was via a stairway that was mutually shared. A key utilized by Chief Currier opened the door to half of the upstairs storage area. Within that area, a partitioned storage area was also noted. Again, the walls were sufficient, and the ceiling was sheathed with

plywood creating a secure environment. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

## **RECOMMENDATIONS**

- 2.1 MRI strongly urges immediate modification of the existing toilet area by creating a walled and private area for persons to use the toilet. MRI has provided a suggested policy addition that should address security concerns.
- 2.2 MRI strongly urges a review of door locks and tamper-proof plates at all doors. While many tamper-proof door protectors were noted, consideration of deadbolts and other securing mechanisms would be appropriate.
- 2.3 MRI recommends that all supplies, tools and any items that could be used as a weapon be secured in cabinets within the garage area so that it may be used as a "sally-port" for transfer of prisoners into the adjacent booking room.
- 2.4 MRI strongly urges that a strategy be developed to identify the ownership of the number of weapons retained by the agency. In the absence of that identification, the agency should work with the Board of Selectmen to determine an appropriate strategy to rid the town of these weapons.
- 2.5 MRI suggests that a policy pertaining to the oversight of keys to the police facility and other functions within the organization be developed.



## **CHAPTER 3**

### **VEHICLE FLEET & EQUIPMENT**

#### **OBSERVATIONS**

The Gilmanton Police Department currently has a fleet consisting of five cruisers. Based upon the current system of all officers being on-call several shifts per weeks, each officer is assigned a vehicle which the officer is allowed to take home to facilitate quicker responses to calls for service. As long as the department utilizes an on-call system and is staffed with five full-time officers, five appears to be the proper number of vehicles for the fleet. The Town of Gilmanton has four separate written documents covering vehicle use. There is a 1999 “*Vehicle Use Policy*” which allows for officers to take cruisers home but prohibits personal usage and requires wearing of seat belts. A second directive in 2013, “*Policy on Use of Town Owned Vehicle*” did not modify the 1999 policy but rather reiterated the mandatory seat belt requirement as well as limiting usage to town business only. The town’s “*Personnel Policies*” prohibits personal use of town vehicles, smoking in vehicles and use of cell phones. The “*Personnel Policies*” also requires a copy of each operators driving history be submitted annually to the town. The fourth written directive on this subject is the so called “*Directives*” issued to Chief Currier effective January 1, 2018 by the Gilmanton Board of Selectmen. Section 7 of the “*Directives*” reads as follows:

*Generally, Department cruisers shall not be used for personal business. Department cruisers assigned to an on-call uniformed officer may be used for limited personal business with a fifteen-mile radius of the Town of Gilmanton provided such use does not interfere with the officer’s ability to be in the Town of Gilmanton and in route to a callback assignment with 20 minutes of notification.*

Due to the lack of clarity regarding restrictions associated with take home cruisers when reading all four documents together, it may be of benefit for the town to revisit the entire topic. The resulting action could include having the subject dealt with in only one location and rescinding the other existing documents. When questioned about restrictions on the take-home cruisers, Chief Currier did not talk about the three town policies in effect and stated that the restriction mentioned in “*Directives*” number 7 was not in effect.

As the department has two full-time police officer vacancies as of December 2018, one cruiser is temporarily assigned to a part-time officer as a take home car until all full-time positions are filled, and a second cruiser being outfitted with the required equipment is unassigned. All five cruisers are Ford Explorer based Police Interceptors with a shared marking decal design. Two cruisers have emergency light bars on the roof and three cruisers have light bars mounted

inside the vehicle. Chief Currier stated the department was moving toward all cruisers having emergency lighting inside the vehicles. He related the reason for this was a reduction of electrical problems when being mounted inside the vehicle and a perceived advantage for traffic enforcement for conducting traffic enforcement. MRI is unaware of widespread electrical problems with externally mounted light bars. External light bars have been common practice across the country for decades. The "high visibility" of fully marked cruisers with external light bars also enhances the visibility and presence of policing within a community and should not be discounted.

The oldest vehicle in the fleet is a 2013 model with 105,335 miles. The newest vehicle is a 2018 purchase with only 48 miles. The department purchases their vehicles utilizing the state bid rather than leasing them which appears to work well. These purchases are made on an existing schedule of one cruiser each year for two years followed by one year with no purchase. According to Chief Currier this system also appears to work fairly well with the exception that by the time the oldest cruiser is removed from the fleet it has over 120,000 miles on its odometer. Police vehicle purchases are included on the Town Warrant and are generally approved without issue. It has been some time since a requested vehicle purchase was denied.

### **CRUISER INVENTORY**

YEAR	MAKE	MODEL	MILEAGE *
2013	FORD	Interceptor Utility	105,335
2014	FORD	Interceptor Utility	65,880
2015	FORD	Interceptor Utility	34,231
2017	FORD	Interceptor Utility	18,378
2018	FORD	Interceptor Utility	48

\*As of 12/2018

The department does not purchase extended warranty coverage for its cruisers. If repairs fall under the initial warranty, vehicles are returned to a Ford dealer for service. Otherwise, oil changes and small repairs are completed at B Boys Garage in Barnstead. Occasionally an oil change will be done at a Valvoline garage in Laconia for the sake of saving time. Oil changes are scheduled on a regular basis with other maintenance items checked at that time such as fluids and belts. Responsibility for preventative maintenance on all cruisers is delegated to B Boys Garage as the department does not follow a particular maintenance schedule. The interior and exterior cleaning of vehicles is the responsibility of the assigned officer. Individual officer responsibility is the practice of the department and cleaning is mentioned in a policy on Vehicle Operation and Maintenance. The department supplies the required equipment and supplies. On a cold day this past December, MRI inspected two cruisers and found both the

interior and exterior of each could have been cleaner. MRI was told the drain in the garage floor is plugged and washing cars in the garage makes a significant mess resulting in most cars being washed outside which is more difficult in cold weather.

Cruiser repair or damage is reported verbally or through email and reportedly quickly addressed. The department has a cruiser inspection report form which includes a listing of the required equipment, but this form is not currently completed daily. All five cruisers contain the exact same list of required equipment which includes equipment for first aid, vehicle accident investigations, and traffic diversion. Radar units are tested with each use and certified annually. Automatic External Defibrillators, AEDs are inspected for expired pads and dead batteries. The Chief reports that issues with radars and AEDs are brought to the attention of the Chief or Sergeant and attended to in quick order. The police department has a limited amount of supplies to clean body fluid spills in cruisers and sometimes requests assistance from the Fire Department. Gilmanton officers are not trained on the topic of potential exposure to biohazards. Department vehicles taken out of service for safety purposes can have a magnet with the wording "OUT OF SERVICE" attached to prevent accidental usage. Cruiser driving is regulated by language in the Vehicle Operation and Maintenance Policy. The department has a policy requiring seat belt usage when operating a cruiser.

The department issued sidearm is a Glock model 31 which is a 357 caliber semi-automatic pistol. The department has thirteen in its inventory with four presently issued to full and part-time officers and nine spares. There is also one Glock model 33 in the inventory. One officer is a certified Glock armorer who inspects these handguns annually or when a problem arises. Parts are replaced as needed. These sidearms are approximately eleven years old. Chief Currier states the department is satisfied with the operation of these firearms but is studying the potential of adding an upgraded sighting system to enhance accuracy. The Gilmanton Police additionally have five Mossberg semi-automatic shotguns and seven Bushmaster .223 rifles. Each officer is issued one rifle and one shotgun; the spare weapons are kept in the armory closet. The current inventory of long guns also includes five older model Remington Shotguns which are surplus at this time. Only three of the Remington shotguns were present in the armory at the time of the MRI site visit. Two of the Remington shotguns were reported to be still in service as shotgun holders for the newer Mossberg shotguns that have not yet been installed in two of the cruisers. The department has one certified firearms instructor and firearms qualifications are scheduled once per year. Documentation for completed firearms training was reviewed by MRI for the years 2017 and 2018. Additionally, officers carry an expandable baton, Oleoresin Capsicum Spray (OC spray), and a Taser. [REDACTED]

[REDACTED]

[REDACTED]



## ARMORY CLOSET



Officers in Gilmanton wear the standard dark blue two-piece uniform. There are two written policies regarding uniforms, "*Uniforms*" and "*Uniforms and Appearance*". Both policies are in need of updating to capture current uniform usage because the policies have not kept up with changes to the basic uniform. The Sergeant and the Chief do not hold formal uniform inspections. The Chief reports that should a uniform or appearance issue arise, the officer will be spoken to in person. He says such occurrences are rare. Officers have asked the Chief to look into external vests as opposed to wearing bullet resistant vests under their shirts. No decision has been made on this potential change. The current vendor for uniforms is Neptune's in Haverhill, MA, a company utilized by many police departments in New England. The department covers the entire cost of outfitting a new officer; total cost of which is approximately \$2500.00 including the cost of the vest. Officers do not receive a uniform replacement allowance as the department will pay for uniform parts to be replaced on an as needed basis. Officers do not receive a uniform cleaning allowance. [REDACTED]

[REDACTED] The department currently replaces vests based upon the manufacturer's suggested schedule. The department does not currently take advantage of the Department of Justice Bulletproof Vest Partnership Program which could fund one-half of the cost of all new vests purchased from a list of approved vest models.

## **RECOMMENDATIONS**

- 3.1 The department should continue the system of tracking cruiser expenses for each cruiser separately. It is possible that a case could be made to eliminate the oldest cruiser in the fleet one year earlier for financial and safety purposes.
- 3.2 Consideration should be given to purchasing the extended warranty at the time of purchase. This warranty will cover some very costly repairs such as transmissions, rear-ends and motors which could devastate the budget of a smaller department if not covered by warranty.
- 3.3 The department should brain-storm ways to keep cruisers cleaner during the cold weather months. Possible solutions could include cleaning out the drain in the garage floor, seeking another garage, or utilizing the services of a car wash.
- 3.4 The Gilmanton Police Department should invest in universal protection supplies and training in order to keep all personnel safe from potential harm from exposure to biohazards. Failing to ensure this safety procedure, a trained outside organization should always be called to perform this service with the potential of reimbursement through court proceedings.
- 3.5 Consideration should be given to equipping each cruiser with an animal snare for the capture of rabid or violent domestic or wild animals. Appropriate training would be required.
- 3.6 A chemical hazard identification book or computer program should be added to every cruiser.
- 3.7 Language should be added to the *Vehicle Operation and Maintenance Policy* to include discussions of cruiser cleaning and cruiser inspection expectations to include daily, weekly, and monthly inspections. Language might also be added regarding establishing a practice of following cruiser manufacturer's suggested maintenance schedule.
- 3.8 Language for the inspection and certification of radar and AED units should be added into the appropriate written directives.

3.9 The department should, in conjunction with the Town, declare the Remington shotguns in their possession to be surplus and sell, trade, or otherwise remove them from the inventory.

3.10 [REDACTED]  
[REDACTED]  
[REDACTED]

3.11 The two written directives on the topic of uniforms and grooming should be merged into one policy and be updated to reflect today's uniform and appearance expectations.

3.12 The department's vest replacement program should be reduced to writing and included in the *Uniform and Appearance Policy*.

3.13 [REDACTED]  
[REDACTED]

3.14 The Gilmanton Police should research the potential for securing funding for vest replacement through the United States Department of Justice Bulletproof Vest Partnership Program.

3.15 The town should consider dealing with the topic of take-home vehicles, including police cruisers, in only one document to simplify and clarify the current policies on this subject. Any Police Department directives on this topic should mirror the town's policies.



## **CHAPTER 4**

### **USE OF TECHNOLOGY & RECORD KEEPING**

#### **OBSERVATIONS**

The Gilmanton Police Department has procured IMC as the Record Management System (RMS) for the agency. IMC is the most used RMS in the State of New Hampshire and often times records are shared via "Cross-Agency" program with area communities due to the popularity of the product. Due to the increase of approximately \$5,000 for the cross-agency software, Gilmanton does not participate in the computerized sharing of data. The server for IMC is stored in a closet area opposite the Administrative Assistant. While dispatching services are accomplished via Belknap County, which also utilizes IMC, the Computer Aided Dispatching (CAD) system has no connection with Gilmanton, which is also a financial obstacle. When Belknap County dispatchers answer calls for service, they assign officers to the call for service with an assigned call number. When the officer returns to the Gilmanton facility to complete paperwork pertaining to the call, that call number is retrieved via a daily activity log and assigned to that paperwork. All of this is accomplished via email. The risk of lost or misplaced information associated with calls for service using this "spoke and hub" method of critical data transmission is high. Similarly, the risk of not accurately/appropriately capturing key statistical data by use of this method of transmission is also high.

The Administrative Assistant who has multiple tasks associated with the department directly oversees record maintenance. The Administrative Assistant also responds to requests for "discovery" from attorneys' whose clients have been criminally charged. She coordinates all pending court matters by ensuring that officer's documents and evidence testing results are available. All insurance inquiries related to motor vehicle crashes as part of the department's statutory obligation to timely responses for public information are addressed by her as well as assisting those who arrive in person at the police facility on Monday through Friday 8:00AM to 4:00PM.

Records are maintained in a series of lateral files adjacent to her work area. Due to the restricted space available, the Administrative Assistant keeps all records for the current year as well as two-years of history. It is reported that each year, the Administrative Assistant culls out the older/outdated files and places them in storage in the attic area of the facility adjacent to the large evidence room. Keys in the possession of the police department secure this area. A form entitled "Request for Police Report" was provided to MRI for review. This request form was adequate for those wishing to obtain a copy of an incident report. When asking about the redaction of the reports leaving the control of the Gilmanton Police Department, the Administrative Assistant described that the redaction of documents was an implied job task.

Once redactions are completed the report is then forwarded to the Police Chief for approval and release. Asked if she had any formalized training regarding 91-A requests, she noted that most of what she had learned was during discussions and/or with the Secretaries Association of the New Hampshire Police Chiefs who meet occasionally to discuss topical issues. A review of written directive 702 "Records and Paperwork Flow" did not contain any reference to release of records, redaction or how requests would be completed. However, policy 314 entitled "Confidentiality", states that it is the policy of the Gilmanton Police to recognize the confidential nature of the work conducted by a law enforcement agency. Additionally, the policy states that agency members will be trained in the proper methods for recording, storing and releasing information related to that work. The MRI team is aware of at least one recent occurrence in which un-redacted official reports were distributed, pursuant to a 91-A request. This resulted in sensitive, confidential information to be released about members of the public. Failure to appropriately screen and redact information from official police records, prior to release, creates an unnecessary risk to the community.

MRI wants to amplify this area of importance as information contained within police reporting systems is extremely sensitive and the release of that information through general requests and 91-A requests must be handled in a very sensitive manner. Given the sensitive nature of information which may become known through the course of normal police work and to protect the public's interest in working cooperatively with the police, the function of releasing information should be taken very seriously with a high level of scrutiny applied that is consistent with the requirements established by New Hampshire and Federal Law. The recent amendment to the New Hampshire Constitution related to the privacy rights of individuals adds a significant amount of risk to the Gilmanton Police Department as related to the collection, retention and release of documents; it is imperative that those with responsibility for this function have initial and repetitive training to reinforce department compliance with applicable laws.

MRI noted that an internet search for the Gilmanton Police Department comes up with a Facebook page that is marked as "Unofficial Page" which is not endorsed or affiliated with the Gilmanton Police Department. It did not display any up to date information nor did it appear that the page was being used to provide residents or visitors with any relevant information. It has become commonplace in the policing profession to engage this media as a venue to interact and communicate with the community. MRI also visited the Gilmanton Police Association Facebook page and found a more active page which includes updated department and Town related information. This Gilmanton Police Association Facebook page should not be a substitute for an official Department Facebook page and care should be taken to not have posts that appear to represent the Town or Department.

## **RECOMMENDATIONS**

- 4.1** Gilmanton Police should conduct a cost-benefit analysis of having Belknap County host the Gilmanton server as well as enacting Cross-agency RMS for possible Implementation in the future.
- 4.2** Policy regarding record management should be greatly expanded to address issues of records retention, release, security, redaction and purging while ensuring appropriate training is provided to those responsible for the function
- 4.3** Formalized training such as that provided by the New Hampshire Municipal Government Association entitled "Right-to-Know Law Workshop for Law Enforcement" should be provided to the agency's Administrative Assistant and any other department member responsible for handling documents related to public information.
- 4.4** Efforts should be made to use an official Gilmanton Police Department Facebook page as a viable communication tool with the community and visitors alike. The Gilmanton Police Association Facebook page should not be used as a substitute for the discussion of Department related matters by members of the Department appearing to act on behalf of the Department. The use of social media should be strictly governed by a Town wide policy adopted by the Board of Selectmen.



## CHAPTER 5

### COMMUNICATIONS

#### OBSERVATIONS

The Gilmanton Police Department maintains radio communications through the Belknap County Dispatch Division, a sub-division of the County Sheriff's Office. Belknap County dispatches for the Sheriff's Department, ten local town police departments, and five other state level agencies. Gilmanton utilizes Kenwood mobile radios in their cruisers, and officers are issued one of seven Motorola portable radios in its inventory. The department carries two older mobile units in its inventory which are serviceable and held as backup units. There are also three desk mounted base units in the police station. Gilmanton utilizes the services of Ossipee Mountain Electronics for radio repairs on an as needed basis. Radio transmissions are sent and received through a series of antennas and repeaters, and the employment of a county owned microwave system. Repeater sites used by Gilmanton would include Prospect Mountain in Alton, Belknap Mountain in Gilford, and Liberty Hill in Gilford. Gilmanton has a radio antennae tower on site. The tower is connected to a generator for backup power and is grounded. The tower is equipped with anti-climb shields. The radio system is not encrypted which means that anyone with a scanner is able to hear all radio transmissions. The system utilized by Belknap County allows for officers to speak with other agencies through interoperability design. Belknap County Dispatch has the capacity to speak with deaf individuals through the 911 system and they have the necessary TDD/TTY equipment at their facility.

Belknap County Dispatch operates on a 24/7 basis and derives its income from the county tax which is leveled on all parcels of property within the county. No additional charges are directed at agencies taking advantage of this service, and there is no written contract between Gilmanton and the Sheriff's Office. Chief Currier reports he and his officers are very satisfied with the level of service and professionalism delivered by the dispatchers working for the County Dispatch Division.

The department also utilizes cellular telephones with Verizon being the carrier. There are five units in use which are paid for through the budget. Each full-time officer is issued a cell phone.

[REDACTED]  
[REDACTED]  
[REDACTED] The department no longer uses pagers.

The major problem seen by MRI with the communications function of the Gilmanton Police Department is its lack of connectivity. Presently each cruiser has a laptop with a powerful

software package. Officers on the road can check on any data which has been previously downloaded onto the laptop or utilize software programs within the confines of the laptop. However, the laptop is not currently able to communicate in real time with the server located at the police station or as a "live" data tool connected with Belknap County Dispatch. For example; an officer may write a report while monitoring traffic at some distant location from the police station. In order to submit that report to the department server the officer must drive the cruiser back to the station and transmit the report through the WI-FI system, download the report through a memory stick, or ask the Administrative Assistant to download the report. Technology is readily available for the cruiser laptops to be directly connected to the department server in real time. The IMC Records Management Software is also fully capable of connectivity once appropriate licensing is attained. Many police departments are successfully utilizing this ability to communicate.

MRI interviewed Sergeant William Wright of the Belknap County Dispatch Center. Sergeant Wright verified the center dispatched for ten police departments in addition to the other agencies mentioned above. Larger police departments such as Gilford and Laconia dispatch their own officers. Belknap County has three dedicated frequencies. Frequency number one is the primary channel and all radios within the shared system of agencies monitor this frequency. If a local agency has a major incident, they can move the radio transmissions to frequency two or three to have a channel dedicated to the incident. One issue with frequencies two and three is the transmissions are effective for line of sight only and are not repeated via the county radio system. While frequency number one is busy, he would not say it was overly crowded with the current levels of use.

When MRI spoke to Sergeant Wright about connectivity issues, he related that Gilmanton had been connected to the county via cell phone air cards in the past. There was some discussion about whether the access justified the cost of the air cards, and as a result, the service was discontinued by the town. Sergeant Wright related that if Gilmanton officers used their laptops to access license and registration data directly rather than over the radio, they would save dispatch time and reduce the utilization of the radio frequency. This would also provide a higher level of privacy since radio use is often monitored by the public. The sergeant related that the county had paid for the software licenses for two laptops and would pay for the licenses for all five Gilmanton cruisers. The only cost to Gilmanton would be the monthly fees to a cellular vendor. Sergeant Wright recommended that the department study the coverage maps of the cellular carriers and choose the one with the best coverage.

A second issue related to a lack of connectivity revolves around the laptops in cruisers not being connected to the dispatch center in Laconia. [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED] This is an inefficient system which is time consuming and clutters the shared radio channel with unnecessary transmissions. [REDACTED]

[REDACTED] Again, technology is in place to have the Gilmanton laptops directly connected to the SPOTS and NCIC systems. Sergeant Wright at Belknap County recommended the department and town research utilization of a capacity of their present IMC software package called "Remote Direct" to solve their laptop connectivity problem. He related that Rockingham County Dispatch was utilizing this technology with success.

## **RECOMMENDATIONS**

- 5.1 MRI recommends the police department and the town research the best method to connect laptop computers in Gilmanton cruisers to the system server located at the police station. MRI recommends the system chosen be funded and implemented.
- 5.2 MRI recommends the police department and the town research the best method to connect laptop computers in Gilmanton cruisers to the state and federal criminal databases. MRI recommends the system chosen be funded and implemented.
- 5.3 MRI recommends studying the feasibility of the Gilmanton Police working directly from the Belknap County IMC platform.



## **CHAPTER 6**

### **WRITTEN POLICY REVIEW**

#### **OBSERVATIONS**

One of the most important components of the management structure of any police department is a set of written directives that guide and direct employees as they deliver services to the community. The policy and procedures manual is the foundation for all of the department's operations, actions, and ultimately determines the manner in which members of the organization conduct business. The written directive system should reflect not only those policies, procedures, rules and regulations internally imposed by the Chief Executive, but should point employees to those written directives from outside regulatory authorities that are imposed on the Gilmanton Police Department as applicable to the expected level of service.

When properly developed and implemented, a policy-procedure manual provides staff with the information to act decisively, regularly, and legally in a manner consistent with industry recognized best practice. It also promotes confidence and professional conduct among staff at all levels of the organization. Ideally, these directives should be readily accessible to each employee so that they may immediately access them for guidance. In today's technologically savvy workplace, having the policies and procedures readily available on agency desktops allows employees access while facilitating ease of periodic updating. As policies are a living document that provide timely guidance and reflect modern policing environments, each should have a review date in order to ensure that they are revised when appropriate and remain relevant. To ensure that each employee has reviewed the directive, there should be a mechanism whereby each staff member signs an acknowledgment of receipt and completion of review.

The value of a sound policy and procedure manual is paramount. Without it, it is virtually impossible to discipline an errant officer and have the discipline imposed survive a legal challenge. The existence of policies, particularly in such high liability areas as domestic violence, uses of force, police pursuits, and harassment, provides a sound risk management commitment that ultimately protects the Town of Gilmanton and its officers against lawsuits and more importantly, the financial implications of losing a lawsuit. Additionally, good policies, when accompanied by regular training and established supervision, help to ensure that the Gilmanton Police are consistent in the way it handles similar situations, regardless of when they are handled, or which officer handles them. Finally, it is appropriate to have transparency in the manner in which the law enforcement services are provided to the Gilmanton community. However, if policies are only in place and there is minimal and/or inconsistent demonstration of adherence, then exposure to litigation and the defense of the organization becomes untenable

at best while public confidence gradually erodes. As this report will highlight, MRI found a number of areas where there is good policy but little or no adherence to the policy, in practice.

As part of the risk management review of the Gilmanton Police Department, MRI was provided existing policies and procedures of the agency, on a CD disc, by Chief Currier. Chief Currier expressed his personal frustration with the state of the current policy manual as he had hoped to develop and implement updated policy, but the host of challenges to oversee the agency was problematic and diverting his time. With that said, the existing policies provided to MRI must be considered the current operating guidelines for the agency absent any updates. The policies provided by Chief Currier consisted of those gleaned from a number of New Hampshire police agencies including Goffstown and Dunbarton, both CALEA accredited at the time. CALEA stands for the Commission on Accreditation for Law Enforcement Agencies, Inc. and provides agencies standards that are considered the best practices. For a small agency, acquiring policies from accredited agencies to use as models is a very appropriate strategy. The writing of new policy is time consuming and wasteful when existing accredited policy can be obtained and adjusted to reflect the policing environment of the Gilmanton community. Those policies observed in the policy manual were signed under the order of Chief Joseph Collins with "Sergeant" Matthew Currier designated as having contributed and/or adjusted all of those reviewed during various years.

As noted, MRI did not extensively review each policy, as the intent was to focus upon select high-liability policies such as use of force, pursuit, evidence, and hiring practices as examples. After reviewing a number of policies that call for some type of action and/or report, MRI requested these documents from Chief Currier to demonstrate compliance with the policy. As a result of the review of the provided written directives and supporting documents received from Chief Currier, or not received, MRI has the following observations:

#### **Use of Force**

The guidelines associated with the use of force against a person are critically important for the overall management of risk associated with the oversight of any law enforcement agency. As noted in Gilmanton Policy 101, "Authority", it is the Town of Gilmanton's Board of Selectmen who grants police authority to the appointed officers. Essentially, this document conveys that risk oversight back to the community with immediate designated oversight by the Police Chief. Hence the community places significant trust in the organization to ensure that force is only used as necessary by a well-designed policy.

The policy was found to be well written and applicable to the Gilmanton policing environment.

[REDACTED]

[REDACTED] The addition of verbiage similar to that below to this section would greatly enhance the existing policy:

[REDACTED]

The policy required a number of reviews and/or documentation as it related to use of weapons, both lethal and non-lethal. All the requested documents were received upon request of Chief Currier. Certified personnel of Belknap County Sheriff's Department accomplish training, which is not surprising due to the size of the Gilmanton Police and the cost associated with having a certified firearms instructor on staff. Documentation of qualifications, firearms and use of force legal requirements, were noted as having been completed annually for 2017 and 2018. This included rifle, shotgun, as well as pistol qualifications. It does not appear that the Gilmanton Police Department updates baton or OC chemical spray training, instead, depending upon training received in basic NH Police Academy drills. It is important to note that the New Hampshire Police Standards Council requires certification from the agency that the agency has completed training with non-lethal weapons once every three-years.

#### Pursuits

[REDACTED]

The procedure was articulate and thorough to reflect the rural policing environment in Gilmanton and also included the roles of supervisors, when not on duty at the time of the event. Additionally, there was noted significant guidance for the Officer in Charge (OIC), Supervisors, dispatchers and other patrol officers. The policy also states the following:

[REDACTED]

This language establishes significant restrictions to the officers. MRI is aware of a Gilmanton pursuit that was initiated in another town while a Gilmanton officer was being returned to his residence in a cruiser by another officer. This pursuit outside of the jurisdictional boundaries of Gilmanton occurred when [REDACTED]

When Chief Currier was queried about this prohibition, he related via email that the "*policies were written in 2007 which is well before the Police Interceptor Utility came out in 2013.*" [REDACTED]



[REDACTED]

Although MRI concurs with Chief Currier's statements that [REDACTED]  
[REDACTED]  
[REDACTED] Unfortunately, this example is the essence of why updating and ensuring policy is so critical for the management of risk. In the absence of that updating, the agency is being guided by policy that deviates from current conditions and is simply not relevant. Based upon further conversation with Chief Currier, the policy was going to be updated immediately so as to eliminate the verbiage associated with "Explorer".

However, this same pursuit that occurred outside of Gilmanton's jurisdictional boundaries was out of compliance with existing policy [REDACTED]  
[REDACTED] When Chief Currier was asked about disciplinary actions against the officers for this policy violation, he indicated that he was sure there was no discipline. However, he felt that the officers may have been within policy [REDACTED]  
[REDACTED]

[REDACTED] This represents a serious policy flaw as all pursuits by definition are high risk. In fact, although the officers terminated the pursuit by discontinuing their sirens and blue light activation, they came upon the vehicle they were initially pursuing, which had crashed off the roadway. This pursuit should have been reviewed for compliance with the policy and appropriate remedial training or discipline should have been provided.

This incident brings the discussion full-circle to poorly conceived policy that had not been reviewed by Chief Currier to eliminate the Explorer contradiction as well as policy language that essentially leaves the door ajar for officers to engage in pursuit even though the clear premise of the policy is stated as:

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

The overt risk of this contradictory policy is to expose the Town of Gilmanton to significant liability in one of the most dangerous aspects of policing, vehicle pursuits.

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] It is

imperative to understand that the use of force to stop a moving motor vehicle has been defined as a 4<sup>th</sup> Amendment Seizure and will be examined as carefully as any other use of force. Additionally, MRI noted that the pursuit policy did not contain guidelines related to requiring a review of each incident by any command personnel. This is a critical management oversight of a most dangerous and risk-laden event. [REDACTED]

[REDACTED] Consequently, if an officer engages in a pursuit, management oversight of the event should require a thorough and extensive review of the officers' actions to ensure appropriateness under New Hampshire law as well as Gilmanton's stated policy. If inappropriate, then remedial training, counseling and/or discipline must also be documented to mitigate the risk involved with an act that is out of compliance. For instance, the pursuit allegedly initiated outside of the jurisdictional boundaries of Gilmanton may be problematic, but no review was required by policy and no determination of error and/or omission by the officer was established. Consequently, no guidance is provided to the officers of the department. No reporting systems were located within the policy reviewed by MRI. The policy should include an annual analysis of all pursuits within the year. This is critical for management of risk regardless of the size of any law enforcement agency including a small agency such as Gilmanton.

#### **Evidence**

Evidence (505) policy should be renamed, "Collection and Preservation" as this policy was found to be focused upon collection and preservation rather than possession and related custody requirements and safeguards. Evidence Security (417) actually addressed inventory, security and access.

Gilmanton Police directive 417 was well written and articulated the serious responsibility of maintaining an integrity laden evidence function. The periodic inspections and/or audits of items in the possession of the Gilmanton Police were precise and efficiently stated to ensure that these important tasks were completed. There is however no documentation that the requirements for audits and inspections have been met.

#### ***A. Bi-annual Inspection***

*A bi-annual inspection will be conducted by the Executive Officer. The following conditions will be checked to ensure compliance:*

*The property management system is in compliance with the procedures outlined in this General Order.*

*Proper accountability procedures are being maintained.*

*Property is properly stored and protected from damage and deterioration.*

*Property having no further evidentiary value is being disposed of promptly upon authorization.*

*The Evidence Room is being maintained in a clean and orderly fashion.*

#### **B. Unannounced Inspection**

*An annual unannounced inspection of the Evidence Room will be conducted by the Chief of Police. Accountability and security procedures will receive primary attention.*

#### **C. Property Inventory**

*An annual inventory of property held by the department will be conducted. This inventory is designed to ensure the integrity of the system and does not require an accounting for every item of property.*

*The annual inventory will be conducted by an officer not routinely or directly connected with the control of property and will be designated by the Chief of Police.*

When MRI requested a copy of the Bi-annual, unannounced inspections as well as the property inventory currently in evidence, Chief Currier, via email stated that there “is no bi annual inspection report from the Executive Officer” and “there is also no report of the unannounced inspections of the evidence room, but they were conducted, just not documented”. Unfortunately, this is an extremely problematic response to an existing policy that states this activity will be accomplished. By not completing the required reports, which are implicitly stated in policy, it essentially establishes that the agency’s policies, while in place, are meaningless to the organization. Chief Currier states that there is no report of the unannounced inspections, yet they were accomplished. Unfortunately, this response is only relevant to a litigant attempting to demonstrate that the Gilmanton Police policies have no meaning without the existence of documentation demonstrating compliance with policy. MRI cannot overemphasize the importance of documentation which demonstrates that the agency actually follows policy. In this policy and a number of other policy deviations, the only fact that the Gilmanton Police are verifying is that they demonstrate an adversity to obedience to their policies and procedures.

## **Selection & Hiring**

***(Note: MRI was prohibited from taking notes during the review of personnel files so the information relayed below is from memory. A number of requests over several weeks to meet with Chief Currier in order to complete a final review could not be accommodated by the Chief)***

The appropriate hiring of police officers is one of the most critically important actions of any police agency. While every agency has variations of process, those reviewed in the Gilmanton directives contained the basic principles for the development of an efficient, effective and fair process that identified those individuals with the best skills, knowledge and abilities to meet the needs of the Gilmanton community. Applied appropriately, the written directives suggest a system dedicated to equal employment opportunities; however, artifacts [or the absence thereof] obtained by MRI do not support the consistent practical application of policy to the recruitment and selection functions of the Gilmanton Police Department.

Once again, MRI found the written directives related to selection are well articulated and essentially mirror that of the New Hampshire Police Standards and Training Council (PSTC), yet they are not being followed. As part of this assessment MRI reviewed some of the most recent background investigations conducted by the Gilmanton Police Department prior to hiring new officers. It appears the Chief has, as a practice, accepted the outcomes of the background investigations conducted by the candidate's prior police department. At least one hiring packet revealed that the Gilmanton Police Department did not conduct a background investigation of a candidate in compliance with PSTC standards as required. Instead, the agency depended almost entirely upon the outdated background accomplished by another agency at the time that candidate applied for employment at that other agency. New Hampshire Police Standards and Training Council rule 301.05 (a) requires the following:

*The hiring authority shall conduct, or cause to be conducted, a background investigation before appointing a person or investing with authority any person elected as a police, corrections or probation/parole officer, notwithstanding that the officer may already be employed by another hiring authority or is already a certified police, corrections or probation/parole officer.*

In spite of the PSTC rule, Chief Currier signed the New Hampshire Police Standards and Training Council's form "I", "AFFIDAVIT OF BACKGROUND INVESTIGATION", (See Attachment 1), which includes a check-off list of requirements for a background investigation. When queried about this error, Chief Currier stated that he did not understand the specific rule or the term "notwithstanding" as it was used in the PSTC rule. Regardless of the understanding of the term "notwithstanding", PSTC Pol 301.05 clearly states that a background investigation "...shall be conducted or caused to be conducted..." In a light most positive to the Gilmanton Police



Department, this would mean at an absolute minimum to verify that the previously performed investigation by another agency had in fact met the standards found in PSTC Pol 301.05 and expand the investigation by conducting a new background investigation for the intervening period. It appears that the signed forms sent to the PSTC prior to hiring may have overstated the extent of the background investigations conducted by Gilmanton. Regardless of the PSTC requirement, conducting a thorough, independent and current background investigation is recognized as an industry best practice.

Additionally, MRI discovered that the agency does not perform psychological exams on the applicants considered for hiring as a police officer even though the selection policy (202) specifically states one will be accomplished. [REDACTED]

[REDACTED] In spite of these statements, Chief Currier did not accomplish a pre-employment psychological examination because the candidate had passed a previous polygraph exam and answered a question that he didn't have any psychological issues. It was noted in the file that a representative of PSTC had been consulted about the necessity of a psychological exam, but it is unknown what that PSTC representative was actually told by Chief Currier in order to offer an opinion about what had been disclosed by a [REDACTED]. The employee ultimately left the employ of Gilmanton due to [REDACTED].

Chief Currier has a history of denying members of the Board of Selectmen full access to completed background checks prior to their voting on a potential candidate's appointment. When the Board insisted on having the personnel files stored/maintained at Town Hall, the files were delivered but sealed, with board members told they could not look at the contents. At a subsequent time when the files were opened, the sections labeled as "Backgrounds" were empty or incomplete. They included a cover page with "Blank paper to prevent see through" written on it and the page following that simply stated, "A complete background investigation was completed in accordance with NH Police Standards in [sic] Training on [name of officer]". This individual passed all aspects of the background, and was recommended for employment with the Gilmanton Police Department. Per legal advice from PRIMEX all Investigatory Files such as background investigation and internal investigations are to be kept locked in the Police Chief's office, and are NOT part of the personnel file." Since the Board is the appointing authority it is imperative that members have sufficient access to background information to make a hiring decision. This is a major obstacle to the filling of the two currently open officer positions and is having a significant impact on the delivery of police services in Gilmanton. This issue must be resolved immediately.

MRI concludes that these findings are extremely problematic, not in adherence to existing Gilmanton directives or rules of the NH Police Standards and Training Council and create significant risk exposure for the Town of Gilmanton. In MRI's opinion, a comprehensive, well documented background investigation is the single most important component of a selection and hiring process.

Additionally, MRI noted language in the "Selection" directive that stated lateral entry candidates "should" possess a current law enforcement certificate, not must. Qualifying language that would enable the hiring of an uncertified police officer within the time frames allowed by NHPSTC for completion of the academy would strengthen the existing directive.

#### ***D. Certificate Required***

*Lateral-entry candidates **should** possess a current law enforcement training certificate and have been employed in the profession within the last 2 years.*

### **RECOMMENDATIONS**

- 6.1 MRI recommends that addition of language in the use of force policy that address when "force must cease" [REDACTED]
- 6.2 MRI recommends that all incidents of force by Gilmanton Police Officers require a separate report entitled "Response to Resistance", which is reviewed for justification under NH law, policy and practices of the agency at each level of the chain of command within a reasonable time frame in the days following the incident. Further, MRI recommends that all Response to Resistance reports be compiled each year for analysis and released to the public through the Board of Selectmen.
- 6.3 MRI recommends that the policy related to pursuits when officers are operating a Ford Explorer be amended to reflect current practices.
- 6.4 MRI recommends that pursuit policy verbiage recognize that [REDACTED]  
[REDACTED]  
[REDACTED] Further, MRI recommends that if physical force is a permitted method of terminating pursuits, officers must be trained in the critical skills needed to perform this dangerous task before it can be used.
- 6.5 MRI recommends that evidence (505) policy should be renamed, "Collection and Preservation" to better reflect the guidelines contained in this policy.

- 6.6 MRI recommends that the policy pertaining to audits and inspections of evidence be followed, and that annual, unannounced and other required audits be completed by persons not assigned as evidence custodians in a timely manner and documented as prescribed by policy.
- 6.7 MRI recommends the rewrite of the fiscal policy pertaining to fees collected for pistol permits to correctly reflect both State law and Town of Gilmanton fiscal regulations.
- 6.8 MRI suggests that the directive related to Selection contain verbiage pertaining to the certification requirements of lateral-entry personnel.
- 6.9 MRI suggests that Gilmanton Police become a member of the Great Bay Testing Alliance to enhance the application pool and to establish a minimum passing grade for eligibility as a Gilmanton Police Officer.
- 6.10 Background investigations for potential Gilmanton officers must be completed in concurrence with PSTC regulations and the guidelines contained in national best practices. Completed background investigation reports must be shared with members of the Board of Selectmen in order for them to make a reasonable decision to appoint the candidate or not.
- 6.11 As noted, this review was designed to focus upon several high-liability policies and provided a snapshot of those reviewed. What is evident to MRI is the absence of proof of compliance by the agency to the written directives and those imposed on the agency by outside regulatory authority. As stated, written directives are only valid when the agency can demonstrate unequivocally that it actually follows them. Unfortunately, time and again, MRI found scant obedience to agency directives, at all levels of the organization demonstrating a lack of leadership. It is critical that an updating of the directive system commence immediately to ensure relevance to the Gilmanton policing environment. Additionally, all staff members should be trained in the policy guidelines with emphasis added regarding the need for adherence to policies. This should be addressed immediately and most critically, Chief Currier, as the CEO of the Gilmanton Police must fully adhere to the directives that he has approved.

## **CHAPTER 7**

### **CITIZEN COMPLAINTS & INTERNAL AFFAIRS**

#### **OBSERVATIONS**

It is critical that there exist solid relationships of mutual trust between a police department and the community they serve. Police rely on the cooperation of community members to provide information about crime in the community and to work collaboratively to develop solutions to crime and quality of life issues. Similarly, community members must feel they can trust the police, which depend largely on police actions that reflect community values and incorporate the principles of procedural justice and legitimacy. If complaints are made against an officer, it is critical that some action by the police department occurs. Regardless of the outcome, the person expressing concern should be advised of the outcome. While New Hampshire law surrounding personnel can hinder the release of Internal Affairs (IA) investigations and relating personnel matters, MRI reviewed directives related to citizen complaints and observed the existence of several IA files.

These files were noted to be in a locked file cabinet accessed by the Chief who advised that he was the only person with entry. MRI found no tracking of complaints associated with individual officers or by year. Folders were simply retained containing the investigations. The value of a sequentially numbered tracking system serves to prevent manipulation of investigation files. While in a small agency such as Gilmanton, Chief Currier should know if one officer or another is receiving repeated complaints from the community, a viable tracking system would greatly enhance commonalities which could ultimately be the first steps for an Early Warning System. Coupled with other elements of a comprehensive “disciplinary system”, a well-defined, applied and tracked internal affairs process could be included as an integral part of an Early Warning System. An Early Warning System is a management tool designed to identify employees whose work habits and behaviors indicate that intervention may be necessary to avoid conflict; the early warning system is a form of intervention to correct behavior’s before they become an insurmountable problem. Used appropriately, the Early Warning System assists the Chief Executive maintain a healthy and productive work force.

The written directive pertaining to Internal Affairs (311) also requires the following:

*The Department will compile and publish annual statistics based on in its internal affairs records for dissemination to the public and Department members. These statistics will be available through the Chief of Police after January 31 of the ensuing year.*



MRI has not observed this annual statistical publication either through the Town Report or any social media.

## **RECOMMENDATIONS**

- 7.1 MRI suggests that each citizen complaint receive a separate yet sequential tracking number such as 2019-01 that designates year and that this is the first within that year.
- 7.2 MRI suggests the development of an annual report of statistical correlation for all Internal Affairs investigations as required by existing policy and national best practice. This system will allow for a report to be completed and made public in an efficient manner.
- 7.3 MRI recommends that the Gilmanston Police Department develop and implement a written directive governing an Early Warning System.

## CHAPTER 8

### PRISONER HANDLING & MUTUAL AID

#### OBSERVATIONS

From 2015 through 2017 the Gilmanton Police Department averaged 109 physical arrests per year. The department has two related policies. One entitled, *"Arrests"*, and a second labeled, *"Transporting Prisoners"*. Officers have access to handcuffs, ankle cuffs, and flex cuffs.

[REDACTED] Since there is a door located in the booking area that leads directly to the "Sallyport", MRI could see that the original intent of the building design was to have prisoners brought to the booking area from the garage or "Sallyport". The garage is currently utilized for cruiser parking and storage and is not used to bring prisoners into the building. Until the "Sallyport" is made safe by removing stored items and tools, the garage should not be used for bringing prisoners into the station. The booking area has three doors which can all be locked to prevent prisoner escapes. Prisoners are seated on a bench facing a desk equipped with a booking computer. Each prisoner is secured to a handcuff rail with one handcuff with the second cuff attached to the prisoner's wrist. This method keeps the arrestee secure while the often-single officer completes the booking process. Each prisoner is fingerprinted and photographed. Vehicle operators arrested for operating under the influence and agree to submit to the chemical test are transported to the hospital for a blood draw.

[REDACTED] Chief Currier did not have any information regarding how the system worked. [REDACTED]

[REDACTED] It was suggested by MRI that the system should be tested and improved. For the safety of officers, other staff in the building and the public, the facility has gun lockers to secure the sidearms of any officers entering the booking area for safety purposes. The area lacks reminder signs which are recommended by national best practices.

## BOOKING AREA

The Gilmanton Police Station does not have any cells for prisoner detention; instead, the previously mentioned handcuff rails are utilized for temporary detention. Adult prisoners are booked and bailed directly from the station or, when they need to be held, are transported to the Belknap County jail located in Laconia. A one-way drive to deliver a prisoner to Laconia takes around twelve minutes with the complete round-trip time being between thirty and forty-five minutes to deliver a prisoner. Only about ten percent of arrests are not bailed and require transportation to the jail. The ordinary time for a bail bondsman to arrive at the station is between thirty and forty-five minutes.

Juveniles that have been taken into custody for criminal offenses are temporarily detained in the break room until an alternate holding location can be determined. The booking area is covered by closed circuit television monitoring. This camera view can be monitored on three screens within the facility. [REDACTED]



The booking area has a very unique toilet area which has a half wall with folding wood slats that are purported to serve as a privacy blind. Within this area is a stainless-steel sink/toilet combination that is found in many detention facilities. The photo of this area clearly demonstrates the inherent challenge with privacy concerns if a person of the opposite sex utilized this toilet. Unfortunately, this arrangement establishes an avoidable litigation risk for the Town of Gilmanton and should be addressed immediately by enclosing this area effectively providing a toilet room with privacy.

Prisoner belongings are logged in on the booking sheet and kept until the prisoner is released. There are no provisions to keep the belongings secure during their time at the station. Chief Currier reports prisoners do not currently sign in and out for their possessions. This leaves the Department open for claims of missing items, jewelry or money upon being released from police custody.

Digital photographs are taken of persons taken into custody, and these photos are attached to each

prisoner's arrest sheet. Two copies of inked fingerprints are taken with one copy maintained in a file at the station and the second copy forwarded to the New Hampshire State Police who process them and forward a set along to the Federal Bureau of Investigation.

Chief Currier is a member of the town's Joint Loss Management Committee. The police station is included on the list of town buildings visited by the committee on an annual basis looking for potential hazards. No police station issues have been identified by the committee in the last few years according to Chief Currier. The department has a first aid kit and an AED inside the facility. There is access to an eye wash station in an adjacent fire department vehicle bay. Fire department personnel assigned to the ambulance are also available to assist with eye wash incidents such as utilization of OC spray. MRI located two fire extinguishers in the building, and both had been inspected in 2018. The high liability searches associated with arrestees, strip searches and body cavity searches, are restricted through language in the *Booking Policy, 412.1*.

### **Mutual Aid**

Should Gilmanton officers require additional police assistance for arrests or other incidents requiring more officers, mutual aid may be requested from surrounding towns. Such other incidents might include traffic accidents where traffic diversion is required or calls to domestic situations which are often highly charged and potentially dangerous for responding officers. Chief Currier reported that Gilmanton had signed mutual aid agreements with seventeen surrounding communities. The current mutual aid documents were initiated by Chief Currier when he was appointed as head of the department in 2016 and are relatively up to date. These agreements, which may be signed by the chief law enforcement officer of each community are allowed by R.S.A. 105.13. The New Hampshire State Police Troop E in Tamworth and the Belknap County Sheriff's Department can also be depended upon for assistance. Chief Currier relates that Gilmanton works well with the police agencies in neighboring communities. Many of the surrounding departments are of a similar size as Gilmanton, and departments often call upon each other for a second officer to respond to calls. There is a mutual understanding between agencies and officers in the region with all agencies working well together. Several departments have canine units, and Gilmanton would call upon them as needed. Gilmanton participates in a limited fashion in two regional police initiatives, the Belknap County SWAT Team and the Belknap County Drug Task Force. The Chief is a member of the Belknap County Chiefs of Police Association and attends meetings when patrol coverage allows him to leave town.

## **RECOMMENDATIONS**

- 8.1 [REDACTED]  
[REDACTED]  
[REDACTED]



- 8.2 [REDACTED]  
[REDACTED]  
[REDACTED]
- 8.3 A policy to test panic alert buttons on a monthly basis should be instituted and included in a written directive.
- 8.4 [REDACTED]  
[REDACTED]
- 8.5 The department should make inquiry as to the potential of having all prisoners booked by the Belknap County Jail thus eliminating the officer safety issues surrounding the booking of prisoners by a single officer.
- 8.6 The Gilmanton Police should consider posting reminder signs to remove sidearms during the booking of prisoners as required by national best practice.
- 8.7 Prisoner's belongings should be inventoried and secured under lock and key while the arrestee is in custody. Prisoners should be required to sign the inventory form at the time the inventory is taken and again when the property is returned.
- 8.8 The chief of police should try to attend as many meetings of area chiefs of police as possible and institute plans for alternate coverage on those meeting days that take him out of town.
- 8.9 MRI strongly urges immediate modification of the existing toilet area by creating a walled and private area for persons to use the toilet. A second option would be the complete elimination of this area as a prisoner bathroom. However, if the area was made into a "room", the addition of policy for prisoners using the toilet while under arrest may be as simple as the following:

*There is a restroom located within the booking room to allow for timely access to water and a toilet for all prisoners. All prisoners shall be allowed access to water and a toilet only after they have been thoroughly searched. When prisoners are using the restroom, the restroom door shall be kept open or ajar, except when the prisoner is the opposite sex of the arresting officer.*

## **CHAPTER 9**

### **STAFFING, THE PATROL FUNCTION & CALLS FOR SERVICE**

#### **OBSERVATIONS**

The Gilmanton Police Department is headed by a chief of police. Matthew Currier has held the position of chief since 2016. This is a full-time position which is responsible for all activities of the department. The police chief, like all municipal department heads, is responsible to the Board of Selectmen for those functions properly coming under their jurisdiction. The agency currently has one full-time sergeant, and its authorized strength includes three full-time police officers in addition to those positions. As of January 2019, only one of the three officer positions are filled. The department also includes one full-time administrative assistant and one part-time animal control officer.

The sergeant, Casey Brennan, assists the chief with supervisory and administrative duties. Chief Currier estimated that approximately 50% of the work hours of the sergeant and himself are taken up with supervisory and administrative functions. However, both are working positions and are expected to participate in patrol coverage and answer calls for service as primary responders. Gilmanton does not have any fulltime specialist assignments such as detectives or D.A.R.E. officers.

While the department currently carries a small number of part-time police officers on its roster, only one is currently accepting shifts. That one officer had only worked 219 hours in 2018 up to December 26<sup>th</sup>. Usually part-time sworn police officers are full-time officers in near-by communities who agree to work when the needs of the requesting department coincide with their day off schedule from their primary department. While this reduces the amount of time and funding needed to keep them trained, it does severely restrict their availability to work in their part-time capacity. This is true in most small New Hampshire communities, and Chief Currier related it was true in Gilmanton. While it is beneficial to have a solid core of part-time officers to assist when needed, the vast majority of desired coverage needs to be regularly staffed by full-time officers who have their first devotion to their primary department.

Historically when the department is at full strength officers are scheduled to work four 10-hour days followed by three days off. This schedule allows for some overlap between shifts to permit the transfer of information and report writing. With current staffing reduced to three full-time sworn officers and one part-time officer, the chief is working four 10-hour shifts with the two remaining officers working three 8-hour shifts and one 16-hour shift. The present goal is to provide coverage [REDACTED] When at full strength the schedule of the department covers [REDACTED]

██████████ Currently the community has an on-duty officer for sixteen hours per day with an on-call officer available the remaining eight hours. At full strength the department is able to provide ██████████ On-call officers are currently compensated at a rate of \$2.00 per hour. Open shifts caused by illness or vacations may be filled by the part-time officer, over-time, and lastly an officer is asked to be on-call.

Although the 10-hour shift staffing plan allows for some helpful overlap and the officers certainly appreciate three days off per week, this schedule does reduce the total amount of coverage available to the community. Five officers working five 8-hour shifts can provide 200 hours of one-officer coverage in a week. When these same five officers work four 10-hour shifts with two hour overlaps the total number of coverage hours is reduced by minimum of fourteen hours to 186 hours. The loss in coverage, depending on scheduling, could be as high as 20 hours per week. The department will have to decide whether the positive attributes of the 10-hour shift with overlap outweighs the benefit of having an officer on duty an additional fourteen to twenty hours per week.

When assigned to the eight-hour shift schedule, officers work ██████████ Two may be assigned on specific evening shifts when the department has a full complement of officers. Chief Currier was asked, if when two patrols were working, if the town was divided into two patrol sectors. His response was no, that they have not utilized a sector plan for the last ten years. MRI notes that Gilmanston consists of fifty-nine square miles of area and that instituting a flexible two sector plan for the community may be beneficial in achieving increased police presence as well as reduced response times to emergencies.

Most police officers throughout the county undergo an on the job training period after completing the recruit academy. This training period consists of the new officer being assigned to a Field Training Officer, FTO. The FTO is trained in teaching the new officer how to implement what has been learned at the academy. The program includes documentation of the officer's progress and a sign off from the program when the officer is ready to patrol without direct supervision. Gilmanston has a daily observation sheet for new officers and is working on composing a checkoff list as well as an expanded definition of the program in its *Training Policy*. Gilmanston does not presently have a trained FTO among its officers and the chief is looking to send an officer to a PSTC course on that topic.

Patrol officers learn of department expectations through policy statements as well as on the job training. By policy, officers coming on duty are required to read the log from all shifts since they last worked. Additional information, such as new laws, court cases, and other directives are communicated by placement on a bulletin board and then into a three-ring binder for long-term accessibility. Emails or additional reporting on incident reports keep all officers informed of ongoing police business within the community. According to Chief Currier, officers are

encouraged to stop at the school, stores, and ball fields and engage with citizens of all ages. Such encounters are logged as extra patrols. The chief states that, when available, officers respond to fire and ambulance calls to be of assistance. Belknap County Dispatch does keep Gilmanton officers aware of Fire Department calls. Department policy allows for incident reports to be filed up to seven days after the incident. Chief Currier states this policy is to reduce overtime which would be needed to have all reports completed by the end of the officer's tour of duty.

Chief Currier reports that the department utilizes mutual aid on a frequent basis with most assistance coming from the Belmont and Barnstead police departments. The chief estimates that an average response time for a request for assistance from Belmont into Gilmanton would be between [REDACTED] depending on traffic and the distance between the two officers at the time of the call. All officers are knowledgeable about the mutual aid process regarding calling for assistance or their assistance being requested by another department.

Below is a chart of a sampling of some calls for service as experienced by the Gilmanton Police Department. This chart covers the years 2015 through 2018 and is meant only as a sampling. These figures were constructed by the department and represent the data submitted for inclusion in the town's annual report for each of the four covered years.



## CALLS FOR SERVICE

TYPES OF INCIDENTS	2015	2016	2017	2018	NOTES
ARRESTS	102	103	123	99	
ALARMS	106	96	83	98	
ASSAULTS	11	4	4	10	
BURGLARIES	14	5	5	4	
CIVIL MATTERS & CIVIL STANDBYS	44	56	68	53	
DEPT ASSISTS	157	247	282	277	
DOMESTICS	38	37	47	15	
DRUG CASES	7	3	10	8	
JUVENILE CASES	27	37	34	45	
PROTECTIVE CUSTODY CASES	14	13	7	22	
MENTAL HEALTH CASES	11	14	13	16	
MISSING PERSONS	6	9	0	10	
MOTOR VEHICLE ACCIDENTS	46	84	67	28	
MOTOR VEHICLE SUMMONS	88	128	235	208	
NOISE COMPLAINTS	6	23	25	30	
CITIZEN ASSISTS	2	23	32	47	
SUSPICIOUS PERSONS	25	33	36	40	
THEFTS	17	22	17	8	
SEXUAL ASSAULTS	1	2	6	6	
<b>TOTAL CALLS FOR SERVICE</b>	<b>2354</b>	<b>2647</b>	<b>3138</b>	<b>3450</b>	

MRI studied the statistics provided above and notes the crimes of theft and burglary are down dramatically from 2015 to 2018. Reported motor vehicle accidents have also decreased from a high of eighty-four in 2016 to a low of twenty-eight in 2018. It is further noted that reported sexual assaults have increased over the same period which is unfortunate from the victim's perspective but could also be a positive trend as underreporting of this type of crime has been a national issue of long standing. The increased sexual assault numbers may indicate an improved outlook toward law enforcement and the criminal justice system in general. Likewise, the reporting of suspicious persons indicates that citizens are watching out for their neighbors and are heeding the requests of the police to call if they suspect something does not appear right. Lastly, the reported increases of juvenile cases, mental health cases, and persons taken into protective custody speak to the changing environment in which the police are functioning. Officers on patrol in all cities and towns are now not only first responders to these human condition calls but increasingly are acting as first levels of entry into the various agencies and organizations which exist to help the affected individuals.

An analysis of Gilmanton non- self-initiated calls for service for the last four years indicates a consistency of call volume. Calls for service on weekdays are similar for each day and exceed the call numbers on each of the weekend days. Calls during the 4PM to Midnight shift are the highest followed by the 8AM to 4PM shift. Calls during the Midnight to 8AM period is the lowest of the three shifts. Following national and regional reporting trends, Gilmanton reports receiving higher call volumes during the warmer months of May through September with slightly reduced call numbers on either side of the spike period.

## **RECOMMENDATIONS**

- 9.1 The issues between the Board of Selectmen and the Chief of Police, appear to be impeding the hiring of two full-time police officers and should be identified and rectified. The main issue appears to be over what background information can be viewed by members of the Board of Selectmen. Chief Currier related that both sides are working toward an agreeable compromise on this matter. The community needs these two positions filled to more adequately provide police services.
- 9.2 An appropriate number of part-time police officers should be added to work for the Gilmanton Police Department. Their hiring should be contingent upon availability and willingness to work patrol shifts. Selection of part-time officers must include the elements used for the selection of fulltime officers, meet PSTC requirements and include the required background investigation.
- 9.3 MRI recommends the Town of Gilmanton conduct a survey of the rate of compensation paid to officers on-call in departments that utilize that practice. A rate adjustment should be considered if necessary, to remain competitive. The practice of paying the on-call rate when the officer is called in to answer a call on overtime should also be re-visited.
- 9.4 When the department returns to staffing some evenings with two patrols, it should consider the pros and cons associated with enacting a two-sector patrol plan.
- 9.5 As the Gilmanton Police Department approaches the hiring of two new officers, it should take this opportunity to enhance its Field Training Program. At least one officer should be trained in the proper application of this effort through graduation from a PSTC course on this topic. A written directive and a checkoff document consistent with current field training standards should be instituted.

- 9.6 The department should consistently look for opportunities to positively interact with the citizens of Gilmanton. "Park and Talks", delivery of programs in the school, and presence at community events are all a means to engender trust and mutual respect.
- 9.7 The current policy of allowing up to seven days to complete a report is too long and inconsistent with national best practices. Possibly a program to slowly reduce the number of days allowed could be undertaken. Initially, change the policy to five days with its further reduction to three days at some later date. The goal should be all reports are completed before the officer leaves the shift. Overtime should be budgeted to allow reports to be completed on busy shifts.
- 9.8 The department should consider maintaining records regarding when mutual aid is requested in Gilmanton and when Gilmanton officers respond to other communities. Such data would be of value during future discussions of staffing the police department.
- 9.9 When the department achieves full strength staffing, it should re-visit the issue of the 10-hour shift v. the 8-hour shift and the practice of overlapping shifts. The department should make a decision based upon what is the best option for the community.
- 9.10 The Gilmanton Police Department should take notice of the increasing number of calls associated with mental health, public intoxication, and juveniles to sharpen its policies and training in these areas.
- 9.11 Chief Currier should become much more familiar with the PSTC's requirements for police officer background investigations. He should speak with area chiefs and staff at the PSTC to assure himself that he is thoroughly familiar with the elements required to complete the required background investigation. He and Sergeant Casey Brennan should complete a formal training in conducting background investigations. Due to the liability associated with an incompatible hiring of a police officer, the seriousness of this function should not be minimized. An alternative would be to contract a qualified vendor to conduct a PSTC compliant background investigation. Due to the sensitivity and time involved in conducting a proper background investigation, there is an emerging trend in outsourcing this work.

## **CHAPTER 10**

### **INVESTIGATIONS, EVIDENCE & PROSECUTION**

#### **OBSERVATIONS**

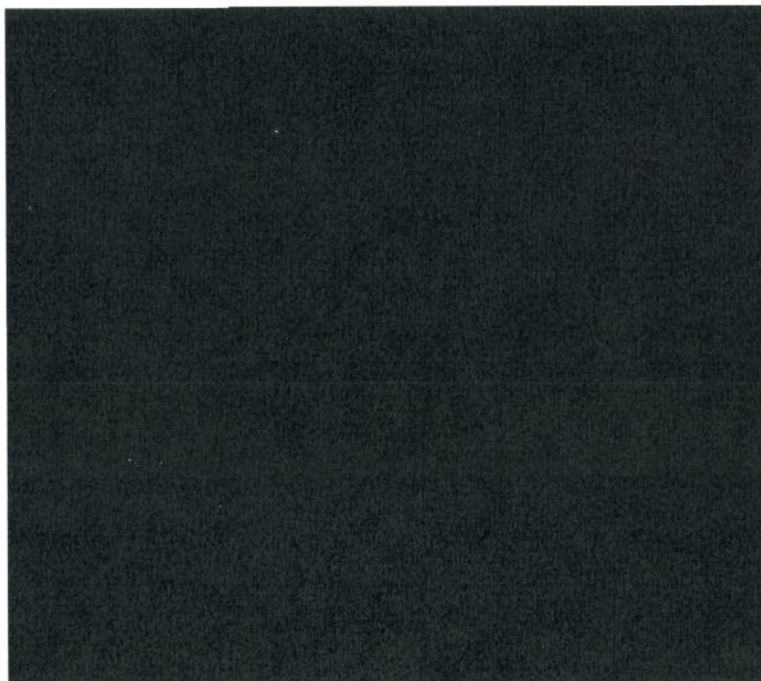
The Gilmanton Police Department does not utilize any special ranks or positions to investigate serious crimes. No officer is designated as a detective. Officers who initially respond to a call are responsible for the case through its final disposition. Very serious cases would receive special attention from the County Attorney's Office, and the department has the ability to call in detectives from The Belknap County Sheriff's Office especially for crime scene searches. Chief Currier recalls that the last time Belknap County was called into town was in 2017 for a burglary case. This investigation led to an arrest. The department does have an *Evidence Collection Policy*, but officers have not received any special training associated with crime scene investigation. Misdemeanor cases are handled at the Laconia District Court with felony cases being heard in Laconia Superior Court. The chief and sergeant oversee paperwork associated with cases generated in Gilmanton. The Belmont Police Prosecutor, Officer Dave Estes, handles Gilmanton arraignments, hearings and trials as well as juvenile cases in court on a contractual basis. Officer Estes is a sworn member with the Belmont Police Department and is not an attorney. Officer Estes deals with violations and misdemeanors and the county attorney's office handles all felony cases. The Town of Belmont is compensated on a quarterly basis for this service. The agreed upon fee for prosecution services in 2019 is \$9500. When interviewed by MRI, Officer Estes related that the arrest reports emanating from Gilmanton could benefit from a closer review process before being forwarded to him for prosecution.

There are two evidence rooms at the Gilmanton Police Station. There is one closet in the patrol room on the first floor and a large enclosed area in the attic of the building. There are lockers with unclosed locks available for the storage of evidence on a temporary basis until taken into the possession of the evidence officer. Presently the one full-time officer is designated as the evidence officer with the chief acting as the backup evidence officer. The primary evidence officer has been trained in the proper handling of evidence. The first-floor evidence room is fairly clean and neat, but the second-floor evidence room needs to be better organized.

Methods to achieve the required second level of security in an inexpensive manner was discussed with Chief Currier.

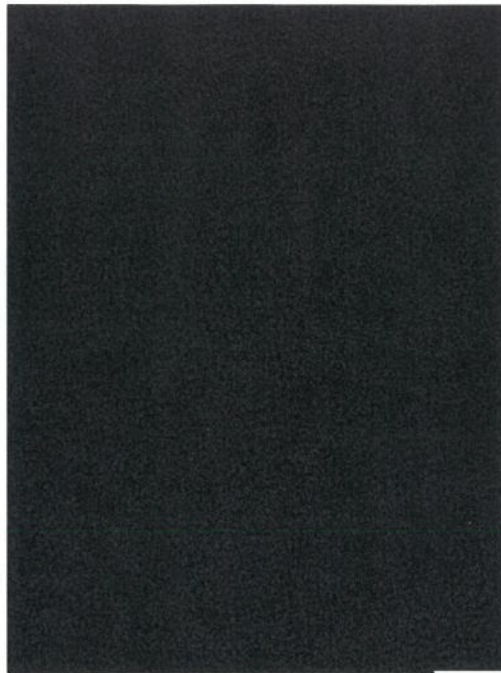


## FIRST FLOOR EVIDENCE ROOM



Policies currently exist regarding the maintenance of the evidence room, but these directives do not fulfill the best practice recommendations regarding inspections, audits, and evidence room logs. Chief Currier reports that the last inventory of evidence was conducted in 2016 when the evidence officer changed. There is no documentation to prove this inventory took place. Best practice requires an annual evidence audit or inventory. Also required is an unannounced inspection by the chief. In this case the chief is one of the two evidence officers, and he would be inside the evidence rooms on a frequent basis. This is akin to auditing yourself. The need to separate the utilization of the evidence room from the oversight of this function points to a recommendation that the chief give up being the backup evidence officer and assign that duty to another officer. No entry log is maintained to track who entered the evidence room and when. There is no job description for evidence officer to enumerate the expectations of the department for the persons given this responsibility. There is no mention in policy regarding how to track and deal with possessed property such as lost and found items which might come into the care and custody of the police department.

## SECOND FLOOR EVIDENCE ROOM



While the evidence room in the attic is fairly large, it is inappropriate for the storage of bulky pieces of evidence such as parts of vehicles or appliances. A long-term solution to this need should be identified. The department does have a small refrigerator designated for the storage of bodily fluid evidence located in the patrol room. This refrigerator does not have a lock, so the chain of custody cannot be guaranteed. In reality there should be a locked long-term storage refrigerator which is always locked and under the control of the evidence officer, and a temporary holding refrigerator for holding such evidence before being taken into the possession of the evidence officer. Chief Carrier reports the department tried to add a hasp and lock to a new refrigerator and ruined the new appliance. There is no written directive regarding the returning of evidence when no longer needed or the destruction of evidence such as drugs which cannot be returned. Property should be returned or disposed of, upon final disposition of a case, pursuant to State and court protocols. More time needs to be dedicated to removal of unneeded items of evidence held in department custody. The department has the evidence module for the IMC software package, but the chief stated the officers had not begun to utilize it properly until recently. A project is underway to move the listing of all evidence to the IMC module in order to generate a proper computer-generated inventory list.

## **RECOMMENDATIONS**

- 10.1 Over a period of years the department should institute a plan to train all officers in subjects associated with the investigation of serious crimes such as interview and interrogation and crime scene investigations.
- 10.2 The attic evidence room should be better organized with cabinets and shelves.
- 10.3 [REDACTED]
- 10.4 The Gilmanton Police Department should embrace and codify in written directives the management of its evidence rooms to include annual audits, entry logs, unscheduled inspections, and a job description for evidence officers.
- 10.5 MRI would recommend that the chief re-assign his current duties as the back-up evidence officer to another officer and concentrate his energies on the administration and supervision of this important function.
- 10.6 The way in which the department deals with possessed property, such as lost and found items, should be incorporated into the written directives of the agency.
- 10.7 A long-term solution for the storage of large bulk items of evidence should be identified.
- 10.8 An enhanced system for the security of refrigerated bodily fluid evidence should be developed.
- 10.9 Additional time and attention should be given to the removal of unneeded evidence from evidence rooms through the process of returning to the owner or documented destruction for items such as drugs and weapons.
- 10.10 The process to properly record all items in evidence into the IMC evidence module should be completed as soon as practicable. Efforts should be made after this inventory list is created to keep it always accurate and up to date.
- 10.11 The chief and the sergeant should meet with the Belmont Police prosecutor and determine how they might improve the quality of arrest reports submitted.

## **CHAPTER 11**

### **TRAINING & EMERGENCY PREPAREDNESS**

#### **OBSERVATIONS**

Providing relevant and timely training to agency personnel should be the goal of any police administration. The benefit to the department, the community and the officers is significant. Well-trained officers provide a highly professional delivery of service as they are more knowledgeable and subsequently self-confident in their decision-making process. Additionally, liability exposure to the Town of Gilmanton diminishes when training is current, relevant and valid. And finally, employees have an opportunity to “recharge their batteries” with new and innovative methods of problem-solving.

After graduation from the New Hampshire Police Standards and Training Academy and before a Gilmanton Police Officer is allowed to patrol solo there is host of Field Training where the officer is accompanied by a senior officer who policy states, must be certified to provide guidance in all of the distinctive attributes of the Gilmanton community. The roadway system, where businesses are located, radio procedures, the department’s record management system and a host of other nuances about providing policing services to the community are addressed. The officers are supported and critiqued via daily observation logs as well as monthly evaluations. Gilmanton officers are subjected to four (4) weeks of Field Training. On an annual basis the New Hampshire Police Standards and Training Council require that each officer receive a minimum of 8 hours of training during the calendar year in order to maintain certification as a police officer. This training is in addition to the yearly mandatory firearm qualifications.

Chief Currier advised MRI that the 8 hours is provided on an annual basis, but that there exists no departmental philosophy as to what that training should focus upon. While the agency routinely ends up “just seeing what’s out there”, recently an officer was sent to Investigating Child Sex Crimes. When MRI inquired if there were many of this type of investigations in Gilmanton, Chief Currier stated that there were not but there are a number of summer camps where the potential for the need of these investigatory skills may be warranted.

When queried about emergency planning and the preparedness of the community by public safety entities, Chief Currier indicated that the Fire Chief has direct oversight of such matters with support from the Police Department. Chief Currier expressed significant cooperation between the departments, and he felt this relationship would serve the community well in all emergency situations that impacted Gilmanton.

#### **RECOMMENDATIONS**



- 11.1 MRI suggests that the Chief develop an annual training goal and objective plan that may better serve the community. All training is valuable, especially in a smaller agency where training should be used as a retention strategy. However, where there are not detectives and patrol officers are expected to perform all functions, investigation procedures, evidence collection and preservation and possibly interview techniques may offer strategies to enhancing officers' responses to more common incidents.
- 11.2 MRI suggests that the directive related to training be updated to better reflect the environment of the Gilmanton Police Department. The directive was found to be outdated referencing attendance at the NH Police Academy as 10-weeks when it currently consists of 16-weeks. Much of the suggested training was better focused upon a larger agency.
- 11.3 The Executive Officer, by policy, is established as the Training Officer. Rather than review what is out there for training, the Executive Officer should discuss goals and objectives and then locate the training that supports those efforts.
- 11.4 Field Training should be reviewed with significantly more documentation of daily observations by the certified FTO. Additionally, MRI would recommend that the 4-weeks of FTO be expanded to at least 6-weeks

## **CHAPTER 12**

### **COMMUNITY OUTREACH & POLICING**

#### **OBSERVATIONS**

Significant national attention has focused upon poor or even illegal police behavior in the police profession. Many police agencies, having taken community engagement for granted, are turning towards community outreach as a way to remind people that police are here to protect and serve. It's not a cliché to state that police officers' goal is to keep their communities safe and one way of showing they care and educating the public is through community outreach. In smaller agencies as Gilmanton, most residents know their officers by first name but the efforts to sustain positive police-community relations remain critical for active crime prevention, officer safety, and successful police-citizen relationships and overall safety of the community.

Gilmanton Police perform a number of community functions such as added Halloween patrols during which designated officers distribute candy to trick or treaters throughout neighborhoods. Often an officer plays Santa Claus during the holiday season. Chief Currier offered that officers routinely stop by and have lunch with kids during school. The summertime offers "Happy Cow" where ice cream certificates are handed to kids observed wearing bicycle helmets or practicing other safety habits. For the older residents, "Good Morning Gilmanton" allows participating senior residents some comfort in their home as they telephone the Gilmanton Police to confirm they are fine. With no call, police officers check the well-being of the residents at their home. This appeared to be a wonderful effort to provide much needed services to Gilmanton's older population. However, MRI noted with concern that the calls were received Monday through Friday by the Gilmanton Police Administrative Assistant. This left Saturday and Sunday without validation of well-being creating a false comfort for those participating in the program.

One interesting note that MRI learned from these discussions on community outreach was the strategy of paying for officer's time as an "outside detail". The Chief described a neighborhood specific Halloween patrol and a Santa program that was created by the police department and funded by the town as an outside detail. Although programs like this can be positive, limiting these types of community engagements to only "paid detail" situations is contrary to the true philosophy of community policing. By way of example, the on-duty patrol officer could be encouraged to engage trick or treaters and hand out candy during his/her regular patrol that evening. Any "outside details" initiated by the police department, at the expense of the town should be approved by the Board of Selectmen. MRI is not aware of the Board approving this practice. As noted in the Fiscal Management Chapter of this report, the operating budget has an outside detail line which is used to pay officers for "town" details. MRI found this unusual as

most police agencies in New Hampshire and elsewhere consider such community engagement activity as simply overtime expended by the department. A “detail” is routinely offset by incoming revenue such as when police provide traffic duties for a construction company that potentially hinders traffic on a town roadway. In these incidents the construction company reimburses the government for the officer’s time, use of the police cruiser and an administrative fee. In the situation of the “town” details, the town is paying a fee to itself for a police cruiser and other administrative charges as if it was an outside contractor hiring the services of a police officer.

## **RECOMMENDATIONS**

- 12.1 In the review of written directives, MRI did not locate any policy pertaining to community engagement. It is suggested that the Chief obtain examples of policies related to community policing, engagement with schools and elderly programs that may offer insight to viable initiatives for the Gilmanton Police.
- 12.2 Develop a mechanism that those persons depending upon the program “Good Morning Gilmanton” can also be addressed on Saturday and Sunday

## **CHAPTER 13**

### **FUNDING AND FISCAL MANAGEMENT**

#### **OBSERVATIONS**

MRI reviewed the recent budgets of the Gilmanton Police Department. All categories of expenses appeared to be necessary and appropriate. The level of expenditures also appeared to be what would be anticipated for a department of this size. A multi-year analysis indicated that each line item is adjusted yearly, based upon the past year's history or an anticipated need for the upcoming fiscal year. The 2018 police budget was \$614,814. This represents a \$73,249, or a 13.5% increase from the 2015 level. Therefore, the police budget increased an average of 3.3% per year over the last four years but may have been impacted by moving some money from the Executive lines of the budget to the Police Department budget. During this same four-year period, the town's municipal budget increased from \$3,458,130 to \$3,756,855, a difference of \$298,725, an increase of 8.6%, or an average of 2.2 % per year. All budget numbers were culled from town reports and verified by the Finance Department. The police department has consistently finished each year in the black and returns unexpended funds to the town at the end of each budget year. Upon careful review of prior year budgets, the 2016 budget year is of concern. In that year certain line items related to full-time staffing were grossly underspent due to full-time vacancies. As expected, there were large over-expenditures in the part-time and overtime accounts. When tallied though, the wage lines were underspent by \$31,437.98 and the Part-time wage, Overtime, and Call Pay lines over-expended by \$28,663.89 leaving a positive balance overall between these accounts of \$2,774.09. In addition, there are a number of other budget lines impacted by the vacant full-time positions such as health insurance and other benefit related lines. In this situation we would have expected to see the bottom line of the police department budget underspent by a significant amount, but instead found the police department budget spent to within .89% (\$4,982.02) of what was appropriated. A further analysis of the 2016 budget reveals that many lines, which are more discretionary in nature, were grossly over-expended. Those budget lines included the following:

Account	\$ over-expended	% over-expended
Dues & Subscriptions	\$ 1,296.90	518.76%
Office Supplies	\$ 724.19	32.19%
Mileage	\$ 415.82	138.61%
Vehicle Repairs	\$ 2,952.73	29.53%
Uniforms	\$ 5,090.21	101.80%
Computer Expense	\$12,319.55	161.67%
Training	\$ 2,490.58	124.53%
Equipment	\$ 6,413.10	213.77%



Of particular concern in these accounts is that a number of large expenditures totaling \$5,277.65 were made from the Equipment line in December, at the very end of the budget year. This included \$3,819 for the purchase of firearms on December 27, 2016 via the use of a credit card in a manner that circumvented the town's purchasing guidelines. More on this purchase can be found later in this report. It does appear that in response to this type of spending in 2016, the Board of Selectmen tightened controls, thereby eliminating similar issues in subsequent years.

## TOWN AND DEPARTMENT BUDGETS

	2015	2016	2017	2018
TOWN OPERATING BUDGET	3,458,130	3,595,682	3,619,690	3,756,855
POLICE DEPARTMENT BUDGET	541,565	551,566	566,224	614,814

The assembly of the annual police budget submission begins with internal discussions regarding anticipated needs associated with department goals. Prices and costs are determined and worked into an initial budget request constructed by the police chief and the administrative assistant. The draft budget moves from the police department to the Office of the Town Administrator who forwards his/her recommendations to the Board of Selectmen. The Selectmen forward the budget with their recommendations to the Budget Committee who make their own recommendations. The budget is then voted upon at the annual town meeting.

In addition to the annual budget, the police department takes advantage of the state funded Highway Safety Grant programs. In 2018, the department was granted up to \$12,562.17 to fund additional traffic patrols through three separate grants. The chief estimated they could use \$9,600 and that amount was approved in the 2018 town budget. The agency actually brought in \$10, 291.74 in repayments for extra patrols through the three grants in 2018. According to the chief the lack of personnel interfered with the ability to utilize the entire amount.

MRI is aware of several incidents in which the police department split a single purchase into multiple smaller purchases to circumvent the town's policy on purchasing authority. In that case, a purchase of \$3,819 was broken into five separate purchases on the same date for \$699, \$699, \$900, \$900, and \$621. The purchase was made from Belmont Firearms on December 27, 2016. This incident appears to be an effort to evade the \$1,000 purchase limit for department heads then in effect and to spend down the account within several days of year end. The department's credit card was used for these purchases. When questioned further by MRI, Chief Currier denied knowing that such splitting of purchases was a violation of any town policy. A

second example of purchase splitting was also on December 27, 2016 with AAA Police Supply for ammo and targets. The total purchase of \$2,976 would have been in excess of the \$1,000 authorization allowed to department heads. In this case the total purchase price was divided into five separate purchases of \$305, \$915, \$160, \$879, and \$717. Clearly, this was a violation of town policy.

The Town of Gilmananton issued an updated purchase order policy effective on May 31, 2018. Under this policy purchases under \$500 do not require a purchase order. Orders between \$500 and \$1,500 require an approval of the town administrator. Purchases over \$1,500 need the approval of the Board of Selectmen.

Chief Currier reported that the department has a credit card account with two cards. The chief has one card, and Administrative Assistant Robin Bonan maintains the second card which is used for on-line purchases. The chief states that using the card secures needed items quicker and at less cost than utilizing some other ordering system. The town reports that the police department has submitted invoices for credit card purchases in the past without attaching the required backup paperwork. This delays payment until original receipts are received by the Finance Department. MRI determined that the Town of Gilmananton does not have any policies governing the use of credit cards, so the subject is not currently authorized, restricted, or governed. One effective way to regulate the use of credit cards is to have one "town" credit card in the possession of a designated person, such as the town administrator or finance director. Anyone wishing to make a purchase with the use of a credit card would need to have that purchase authorized before taking possession of the credit card to make the purchase.

During the course of this assessment it came to the attention of MRI that the apparently well-funded Gilmananton Police Association has purchased items of equipment for the department without going through the process of having the town government accept the donation. Items in question may include automatic external defibrillators, a game camera, Tasers, and night vision equipment. When asked who presently owned the above listed equipment the chief responded that he did not know the answer to that question. RSA 31:95-b authorizes the town's governing body to accept unanticipated funds/property indefinitely once the language found in RSA 31:95-b 1 (a) has been accepted. The town accepted this statute in 1994.

When asked about donations that may be intended for the Gilmananton Police Department, the chief stated that he was not aware of any provision for donations to be accepted, however, upon further inquiry by MRI, the town produced copies of emails from 2017 between Chief Currier and the then town administrator clearly indicating the town's ability to accept donations and the legal process by which the Board of Selectmen could accept donations for the town destined to assist the police department. The ownership of equipment utilized by Gilmananton police officers should be immediately clarified. All such items should be brought

forward by the chief for potential acceptance by the Board of Selectmen. When dealing with high liability equipment, such as Tasers, there is a significant need to identify ownership.

Chief Currier told MRI that the Gilmanton Police Association, of which he is a member and previous president, accepts checks made out to the association and deposits them into one of two accounts. The chief is not aware of any checks ever being made out to the police department or the town. He is unaware as to the reason that donation checks are made out to the association. One association account is for the operation of the association. A second sub-account is for the enhancement of the D.A.R.E. program. The books of the Gilmanton Police Association are not open to the public as this organization is not a part of town government. The accounts of this organization are not audited as part of the annual town wide financial audit. Where programs, such as the D.A.R.E. program are town programs, it is more transparent to move such deposits onto the books of the town. Under the state's municipal donation acceptance law, a public hearing must take place if personal property valued over \$5,000 or a dollar amount over \$10,000 is to be accepted by town government. MRI requested copies of checks deposited to the Association accounts to review. No copies of deposited checks have been received at the time this report goes to print.

The department does have a very small petty cash system for the purchase of postage and similar small purchases. This account is tracked through the use of receipts and is included in the town wide audit. The department does not maintain cash for the undercover purchase of drugs, nor does it maintain any accounts for the purposes of asset forfeiture. There is very little cash handled by the police department. The cost for police reports is set by state statute. Fingerprinting services are provided free of charge to residents and persons working in the community. Cash is accepted for copies of reports and for pistol permits. The administrative assistant issues cash receipts and turns in all cash to the town on a regular basis.

The policies associated with fiscal management were gleaned from Goffstown and Dunbarton policies and found to be following industry best practices. However, one area in this policy that was noted as being a concern by MRI regarded the concealed weapon permit language that spoke of the fees received by the police department being spent by the chief.

**A. Cash Management:**

*Cash for Pistol permits will be kept in petty cash by the Administrative Assistant.  
Pistol permit money, PER NH RSA will be spent by the Chief of Police.*

When asked of this highly unusual directive allowing incoming funds to essentially avoid the oversight of the Gilmanton Board of Selectmen, Chief Currier responded via email on January 2, 2019 that *"There were 41 pistol permits issued in 2018. All the money is sent to Town Hall even*

*though policy says it'll be spent by the Chief. The pistol permit law changed since that policy was written several Chief ago."*

This is yet another example of policy reviewed by MRI that has not been updated to reflect current practices or laws. The challenge with these findings is that the entire policy manual, while noted to be largely relevant and following best practices, becomes unsustainable in litigation judgments if they are not current or being followed.

Bills for police details are sent out by the department administrative assistant and paid to the police department. Payments are then submitted to the finance department. The administrative assistant reports that detail bills are all paid in an acceptable fashion with one exception, a company which is known across the state for delaying payments. This company does always pay but just not in a prompt fashion.

Chief Currier reports the current hourly rate for police details is \$70.00 per hour. This fee is to cover the cost of the officer, the cruiser, and costs associated with the officer's retirement and insurance when applicable. Of that amount \$40.00 is paid to the officer. MRI suggests that the cruiser cost part of the hourly rate be set by utilizing established rates generated by the Federal Emergency Management Agency, FEMA. MRI researched the current FEMA cost calculation and found it to be \$15.69 in 2017, the most recently published figure. This hourly cost is based upon the cruiser being stationary with the engine running as would be the case with a road detail. Research compiled at the national level estimates that one hour of idle time is equivalent to approximately twenty-three miles of driving. Therefore, an eight-hour road detail would amount to the wear and tear equivalent of driving one hundred eighty-four miles.

Gilmanston Police Department Policy 308, "Extra Duty" contains two sections which restrict the number of hours an officer can work in a 24-hour period and in a pay period. This policy was last revised by Chief Currier on August 25, 2016. Section I.C. limits the total number of hours that can be worked by a police officer to eighty in a pay period. This number would include all hours from regular duty, secondary employment, details, and overtime. This number does not include on-call hours. Section II.F. prohibits officers from working more than sixteen hours in a twenty-four-hour period and requiring officers to have eight hours off between shifts.

The "Extra Duty" policy could be enhanced by outlining when a cruiser should be and should not be utilized on an outside detail. Additional topics related to details which could be added to the policy would be when details can be taken, when details can be worked in other communities, charging for transportation to and from details, the working of details not interfering with assigned shifts, the counting and submission of hours worked for payment, as well as any supervision and oversight of the worked performed and the hours submitted for payment. Officer burnout is a legitimate concern when dealing with the extraordinary powers given to police officers and sufficient periods of rest must be enforced.



The only town policy on the number of hours an employee can work is contained in the “Directives” sent from the Board of Selectmen to Chief Currier effective January 1, 2018. Item 5 reads as follows:

*Except for extraordinary circumstances, no officer, including the Chief, shall be on-duty for more than twelve (12) consecutive hours. If such extraordinary circumstances arise, the Chief shall inform the Town Administrator in writing within 24 hours of the circumstances that necessitated such assignment.*

Since the status of the so called “Directives” has not been unquestionably established, it would be well for this topic to be revisited in a town wide policy or police department directive. It should also be noted that the restriction to twelve hours of continuous work in the “Directives” is in contrast with the sixteen hours of continuous work allowed in the “Extra Duty Policy”, 308.

MRI was told there has been a history of officers leaving assigned shifts in Gilmanton to work a detail in a surrounding community or to adjust their shift schedules to accommodate details. It should be remembered that the community, through the Board of Selectmen and the budgetary process establishes the level of police protection it desires. Allowing officers to defer working in Gilmanton until after they have finished a detail in another community for financial reasons is contrary to sound public policy. The Gilmanton Board of Selectmen addressed this issue in their directives to Chief Currier with an effective date of January 1, 2018. One of the seventeen directives ordered that an officer shall not accept an outside detail during their assigned work hours without prior authorization from the Board of Selectmen. Obviously, the police coverage needs of the community should take precedence over an officer working an outside detail to gain a higher hourly rate.

An additional payroll issue identified by MRI is that of police officers being paid for being “on-call”. While the on-call concept is justified and appears to be working well in Gilmanton, MRI did note one element of concern. When an officer is on-call, he is paid \$2.00 per hour. If halfway through an eight-hour on-call ‘shift’ he is called into work to respond to a call for service, the on-call pay is not always stopped. The standard practice should be for the officer to be compensated for on-call duty up to the point he is called into work. At that time his compensation should switch from on-call to overtime. In Gilmanton, in some instances it appears that the practice has been to pay the entire shift as being on-call, in addition to whatever overtime pay is due the officer during that same time period.

In December of 2017, the Board of Selectmen addressed the topic of compensatory time by municipal employees eliminating any existing compensatory time plans then in existence. As a result, all employees, including police officers, with hours of compensatory time on the books were paid for recorded compensatory hours on January 4, 2018. Compensatory time can be an

appreciated benefit from the employee perspective as it allows for time off in addition to regular days off and vacations. However, from a municipal perspective, it amounts to an unfunded liability where hours can be carried forward from year to year without funding to pay for them when utilized. The value of each hour saved as compensatory time has one value when earned and a potential higher value when paid. When possible, it is far better to pay for necessary overtime when earned and modify department budgets to reflect the historical need for using overtime. When interviewed on this topic Chief Carrier acknowledged the end of the compensatory time system and that no internal compensatory time program existed within the department.

The Gilmanton Police Department currently utilizes one local towing company, Rusty's. There is no written contract with this company. The chief reports that Rusty's does sweep up debris from crashes and the chief is pleased with the performance of the company. The chief reports that the town does have a false burglar alarm ordinance, but the associated fines have not been imposed for several years. Non-utilization of the fines goes back multiple police chief terms. The ordinance, which was effective as of April 7, 1997, allows for two free false alarms per year with a fine of \$150 for each false alarm thereafter. Town Hall is unaware of any authorization to eliminate the fines associated with this ordinance. Chief Carrier expressed mixed feelings on false alarm fines. He understood the need to reduce false alarms but at the same time felt that a resident, who could be fined, was already paying taxes to provide police services.

The department does maintain a department inventory list for the following items: computer equipment, telephones, portable radios, desks, chairs, cabinets, office equipment, radar units, cameras, vehicles, [REDACTED] and Tasers. [REDACTED]

[REDACTED] Although MRI had requested an opportunity, over several weeks, to view the complete inventory of [REDACTED] Chief Carrier was unable to make himself available. Mobile radios were not included in the inventory list.

## **RECOMMENDATIONS**

- 13.1 The town should consider establishing a donation account for the police department to be used for community interaction expenses such as equipment, supplies, and services outside of the annual budget. Individuals or businesses

wishing to make a donation to the police department could then have the option of contributing to a donation account overseen by the town government.

- 13.2 While the town has accepted enabling legislation to accept gifts, the town is encouraged to initiate a formal written process for the receipt of all gifts made to benefit the town. This process could be in the form of a policy instructing department heads of the necessity to have the Board of Selectmen formerly accept all gifts to the town and its departments. Said policy would follow RSA 13:95-b.
- 13.3 Gifts donated to the police department from the Gilmanton Police Association to date should be submitted to the Board of Selectmen for formal acceptance.
- 13.4 The town and the police department should consider reviewing the current hourly detail rate to ensure the rate represents the true cost to the town to provide an officer and a cruiser.
- 13.5 The department should make its equipment inventory more complete by including mobile radios [REDACTED] As mentioned in Chapter 3, if the [REDACTED] are indeed surplus, they should be sold or traded and removed from the current inventory.
- 13.6 The town should consider initiating a formal policy on the utilization of credit cards by town employees. Said policy could describe who will be in possession of the card(s), the ways in which these cards are to be utilized and the necessary back-up documentation for payment by the town. Any credit card invoice submitted for payment minus the required backup paperwork clearly showing the purpose for the expenditure should be held for further explanation.
- 13.7 The town might consider reviewing the current purchase order policy and expanding it to include more direction to department heads on such topics as purchase splitting. Additional training on this topic might also be considered.
- 13.8 The town should revisit the false alarm ordinance written in 1997 to ensure it is written as currently desired. If it is still desired to utilize a fine system, the police chief should be so directed.
- 13.9 Any desired restrictions on the maximum number of hours a police officer can work in a 24-hour period, a week, or a month should be definitively established in a town or department written directive.

## **CHAPTER 14**

### **CONCLUSIONS**

The Gilmanton Police Department has a mission statement which talks about law enforcement in a fair and impartial manner. It was reported to be written around 2006 and the author or authors are unknown. Policing has continued to evolve in many ways, and it is suggested that the department's mission statement be reviewed for possible updating. All department employees should be involved in the construction of the mission statement, and the resulting document should be proudly displayed on the department's web page. While Chief Currier feels the police department has the support of the residents, it would also be of value to conduct a citizen survey to more directly determine what the citizens of the community are currently looking for from their police officers. Additionally, areas in which the police are doing well and those areas that require further effort should be determined.

During the MRI organizational and risk assessment of the Gilmanton Police Department the assigned consultants toured the police station and inspected department equipment. Relevant individuals were interviewed, and a number of documents were reviewed. This process led to a number of observations and recommendations which, if implemented, will improve the efficiency and effectiveness of the police function within the community.

MRI would like to emphasize some of the important topics that could benefit from immediate attention. Among those topics would be that the two open full-time police officer positions should be filled as soon as possible but while maintaining the appropriate selection and background process. Currently three full-time and one part-time officers are providing all the police protection to the community. Under this staffing level the remaining officers are subjecting themselves to burnout, and the community may suffer with an inadequate police presence. However, before these new officers are hired, any frictions between the department and the Board of Selectmen need to be identified and resolved. One point of contention between the Chief and the board is the opportunity for the Board of Selectmen to have access to the background investigations of potential police officers before they vote on hiring. It must be pointed out here that the appointing authority is the Board of Selectmen and not the Police Chief. Past attempts to keep background information from the Board of Selectmen must be discontinued. A primary recommendation would be that the police chief fully understand and recognize the value of thorough background investigations and that the overall quality of these investigations be improved to meet state rules and national best practices. Chief Currier has reported that he and Board of Selectmen members have had talks on this issue and are moving toward an acceptable compromise which would allow the two open positions for police officers to be filled. One officer position has now been open for thirteen months and the second position has been open for five months. The safety and security of the community as well as the health of department officers require this impasse be resolved. Additionally, before any



new officers are taken onto the department, the Field Training Officer program should be enhanced with a policy and lessons based on the most frequently performed tasks and a checklist of such topics being mastered by the trainee. Any field training officer onboarding a new officer should be trained for this important function.

A review of high-risk department policies determined that while the policies themselves were fairly consistent with best practices, they were years of out date and lacking review and revision. A complete review and revision of the entire police policy manual should take place. The revised policies should be signed by the current chief and acknowledged in writing by receiving officers once they have read and reviewed each of the policies and have had an opportunity for questions to be answered. An annual review of all policies by all officers should be incorporated by the department. Now would also be an excellent time to determine if additional policy topics should be included in the manual. Examples would be *"Dealing with Drug Dependent Persons"*, *"Dealing with Individuals with Mental Health Issues"*, *"Dealing with Public Intoxication"*, *"Dealing with Juveniles"* and *"School Violence"*. Other topics in need of a policy review and revision would be the rules surrounding special details. All police officers, as well as the Board of Selectmen, and the public need to be aware of what is and is not allowed. Issues needing written rules include the times an officer can delay his Gilmanton tour of duty to work a detail, who pays for the time motoring between details or the shift and the detail, and how many hours can be worked by an officer in a day, a week, or a month. Lastly the chief and the administrative assistant need to attend a formal training on the *Right to Know Law* to keep the department and the town safe from potential mistakes which could lead to civil suits and negative feelings by the community. The resulting knowledge should be reduced to a written policy in order for all affected individuals to be apprised of the way in which the department will respond to requests for police department records.

As mentioned in the Facility Chapter, MRI has some concern regarding the potential for a civil suit surrounding the lack of privacy associated with the prisoner's rest room. MRI suggests that this area and surrounding policy be revisited. An additional facility issue that MRI considers in need of review is the system of [REDACTED]

The Municipal Resources Police Team would like to thank Police Chief Matthew Currier and the members of the Gilmanton Police Department for their cooperation with this Organizational and Risk Assessment. The Team would also like to offer a major thank you for all town hall employees for assistance in answering a number of questions raised during this project. It was only through such a level of partnership that this project was able to confirm its observations and contribute toward the development of a number of quality recommendations.

## **CHAPTER 15**

### **COMPILATION OF RECOMMENDATIONS**

#### **Chapter 2: Police Department Facilities**

- 2.1 MRI strongly urges immediate modification of the existing toilet area by creating a walled and private area for persons to use the toilet. MRI has provided a suggested policy addition that should address security concerns.
- 2.2 MRI strongly urges a review of door locks and tamper-proof plates at all doors. While many tamper-proof door protectors were noted, consideration of deadbolts and other securing mechanisms would be appropriate.
- 2.3 MRI recommends that all supplies, tools and any items that could be used as a weapon be secured in cabinets within the garage area so that it may be used as a “sally-port” for transfer of prisoners into the adjacent booking room.
- 2.4 MRI strongly urges that a strategy be developed to identify the ownership of the number of weapons retained by the agency. In the absence of that identification, the agency should work with the Board of Selectmen to determine an appropriate strategy to rid the town of these weapons.
- 2.5 MRI suggests that a policy pertaining to the oversight of keys to the police facility and other functions within the organization be developed.

#### **Chapter 3: Vehicle Fleet & Equipment**

- 3.1 The department should continue the system of tracking cruiser expenses for each cruiser separately. It is possible that a case could be made to eliminate the oldest cruiser in the fleet one year earlier for financial and safety purposes.
- 3.2 Consideration should be given to purchasing the extended warranty at the time of purchase. This warranty will cover some very costly repairs such as transmissions, rear-ends and motors which could devastate the budget of a smaller department if not covered by warranty.
- 3.3 The department should brain-storm ways to keep cruisers cleaner during the cold weather months. Possible solutions could include cleaning out the drain in the garage floor, seeking another garage, or utilizing the services of a car wash.

- 3.4 The Gilmanton Police Department should invest in universal protection supplies and training in order to keep all personnel safe from potential harm from exposure to biohazards. Failing to ensure this safety procedure, a trained outside organization should always be called to perform this service with the potential of reimbursement through court proceedings.
- 3.5 Consideration should be given to equipping each cruiser with an animal snare for the capture of rabid or violent domestic or wild animals. Appropriate training would be required.
- 3.6 A chemical hazard identification book or computer program should be added to every cruiser.
- 3.7 Language should be added to the *Vehicle Operation and Maintenance Policy* to include discussions of cruiser cleaning and cruiser inspection expectations to include daily, weekly, and monthly inspections. Language might also be added regarding establishing a practice of following cruiser manufacturer's suggested maintenance schedule.
- 3.8 Language for the inspection and certification of radar and AED units should be added into the appropriate written directives.
- 3.9 The department should, in conjunction with the Town, declare the Remington shotguns in their possession to be surplus and sell, trade, or otherwise remove them from the inventory.
- 3.10 [REDACTED]
- 3.11 The two written directives on the topic of uniforms and grooming should be merged into one policy and be updated to reflect today's uniform and appearance expectations.
- 3.12 The department's vest replacement program should be reduced to writing and included in the *Uniform and Appearance Policy*.
- 3.13 [REDACTED]

- 3.14 The Gilmanton Police should research the potential for securing funding for vest replacement through the United States Department of Justice Bulletproof Vest Partnership Program.
- 3.15 The town should consider dealing with the topic of take-home vehicles, including police cruisers, in only one document to simplify and clarify the current policies on this subject. Any Police Department directives on this topic should mirror the town's policies.

#### **Chapter 4: Use Of Technology & Record Keeping**

- 4.1 Gilmanton Police should conduct a cost-benefit analysis of having Belknap County host the Gilmanton server as well as enacting Cross-agency RMS for possible Implementation in the future.
- 4.2 Policy regarding record management should be greatly expanded to address issues of records retention, release, security, redaction and purging while ensuring appropriate training is provided to those responsible for the function
- 4.3 Formalized training such as that provided by the New Hampshire Municipal Government Association entitled "Right-to-Know Law Workshop for Law Enforcement" should be provided to the agency's Administrative Assistant and any other department member responsible for handling documents related to public information.
- 4.4 Efforts should be made to use the Gilmanton Police Facebook page as a viable communication tool with the community and visitors alike. The use of social media should be strictly governed by a Town wide policy adopted by the Board of Selectmen.

#### **Chapter 5: Communications**

- 5.1 MRI recommends the police department and the town research the best method to connect laptop computers in Gilmanton cruisers to the system server located at the police station. MRI recommends the system chosen be funded and implemented.
- 5.2 MRI recommends the police department and the town research the best method to connect laptop computers in Gilmanton cruisers to the state and federal criminal databases. MRI recommends the system chosen be funded and implemented.



- 5.3 MRI recommends studying the feasibility of the Gilmanton Police working directly from the Belknap County IMC platform.

## **Chapter 6: Written Policy Review**

- 6.1 [REDACTED]  
[REDACTED]
- 6.2 MRI recommends that all incidents of force by Gilmanton Police Officers require a separate report entitled "Response to Resistance", which is reviewed for justification under NH law, policy and practices of the agency at each level of the chain of command within a reasonable time frame in the days following the incident. Further, MRI recommends that all Response to Resistance reports be compiled each year for analysis and released to the public through the Board of Selectmen.
- 6.3 MRI recommends that the policy related to pursuits when officers are operating a Ford Explorer be amended to reflect current practices.
- 6.4 MRI recommends that pursuit policy verbiage recognize that [REDACTED]  
[REDACTED]  
[REDACTED] Further, MRI recommends that if physical force is a permitted method of terminating pursuits, officers must be trained in the critical skills needed to perform this dangerous task before it can be used.
- 6.5 MRI recommends that evidence (505) policy should be renamed, "Collection and Preservation" to better reflect the guidelines contained in this policy.
- 6.6 MRI recommends that the policy pertaining to audits and inspections of evidence be followed, and that annual, unannounced and other required audits be completed by persons not assigned as evidence custodians in a timely manner and documented as prescribed by policy.
- 6.7 MRI recommends the rewrite of the fiscal policy pertaining to fees collected for pistol permits to correctly reflect both State law and Town of Gilmanton fiscal regulations.
- 6.8 MRI suggests that the directive related to Selection contain verbiage pertaining to the certification requirements of lateral-entry personnel.

- 6.9 MRI suggests that Gilmanton Police become a member of the Great Bay Testing Alliance to enhance the application pool and to establish a minimum passing grade for eligibility as a Gilmanton Police Officer.
- 6.10 Background investigations for potential Gilmanton officers must be completed in concurrence with PSTC regulations and the guidelines contained in national best practices. Completed background investigation reports must be shared with members of the Board of Selectmen in order for them to make a reasonable decision to appoint the candidate or not.
- 6.11 As noted, this review was designed to focus upon several high-liability policies and provided a snapshot of those reviewed. What is evident to MRI is the absence of proof of compliance by the agency to the written directives and those imposed on the agency by outside regulatory authority. As stated, written directives are only valid when the agency can demonstrate unequivocally that it actually follows them. Unfortunately, time and again, MRI found scant obedience to agency directives, at all levels of the organization demonstrating a lack of leadership. It is critical that an updating of the directive system commence immediately to ensure relevance to the Gilmanton policing environment. Additionally, all staff members should be trained in the policy guidelines with emphasis added regarding the need for adherence to policies. This should be addressed immediately and most critically, Chief Currier, as the CEO of the Gilmanton Police must fully adhere to the directives that he has approved.

## **Chapter 7: Citizen Complaints & Internal Affairs**

- 7.1 MRI suggests that each citizen complaint receive a separate yet sequential tracking number such as 2019-01 that designates year and that this is the first within that year.
- 7.2 MRI suggests the development of an annual report of statistical correlation for all Internal Affairs investigations as required by existing policy and national best practice. This system will allow for a report to be completed and made public in an efficient manner.
- 7.3 MRI recommends that the Gilmanton Police Department develop and implement a written directive governing an Early Warning System.

## **Chapter 8: Prisoner Handling & Mutual Aid**

- 8.1 [REDACTED]  
[REDACTED]  
[REDACTED]
- 8.2 [REDACTED]  
[REDACTED]  
[REDACTED]
- 8.3 A policy to test panic alert buttons on a monthly basis should be instituted and included in a written directive.
- 8.4 [REDACTED]  
[REDACTED]
- 8.5 The department should make inquiry as to the potential of having all prisoners booked by the Belknap County Jail thus eliminating the officer safety issues surrounding the booking of prisoners by a single officer.
- 8.6 The Gilmanton Police should consider posting reminder signs to remove sidearms during the booking of prisoners as required by national best practice.
- 8.7 Prisoner's belongings should be inventoried and secured under lock and key while the arrestee is in custody. Prisoners should be required to sign the inventory form at the time the inventory is taken and again when the property is returned.
- 8.8 The chief of police should try to attend as many meetings of area chiefs of police as possible and institute plans for alternate coverage on those meeting days that take him out of town.
- 8.9 MRI strongly urges immediate modification of the existing toilet area by creating a walled and private area for persons to use the toilet. A second option would be the complete elimination of this area as a prisoner bathroom. However, if the area was made into a "room", the addition of policy for prisoners using the toilet while under arrest may be as simple as the following:

*There is a restroom located within the booking room to allow for timely access to water and a toilet for all prisoners. All prisoners shall be allowed access to water and a toilet only after they have been thoroughly searched. When prisoners are*

*using the restroom, the restroom door shall be kept open or ajar, except when the prisoner is the opposite sex of the arresting officer.*

## **Chapter 9: Staffing, The Patrol Function & Calls for Service**

- 9.1 The issues between the Board of Selectmen and the Chief of Police, appear to be impeding the hiring of two full-time police officers and should be identified and rectified. The main issue appears to be over what background information can be viewed by members of the Board of Selectmen. Chief Currier related that both sides are working toward an agreeable compromise on this matter. The community needs these two positions filled to more adequately provide police services.
- 9.2 An appropriate number of part-time police officers should be added to work for the Gilmanton Police Department. Their hiring should be contingent upon availability and willingness to work patrol shifts. Selection of part-time officers must include the elements used for the selection of fulltime officers, meet PSTC requirements and include the required background investigation.
- 9.3 MRI recommends the Town of Gilmanton conduct a survey of the rate of compensation paid to officers on-call in departments that utilize that practice. A rate adjustment should be considered if necessary, to remain competitive. The practice of paying the on-call rate when the officer is called in to answer a call on overtime should also be re-visited.
- 9.4 When the department returns to staffing some evenings with two patrols, it should consider the pros and cons associated with enacting a two-sector patrol plan.
- 9.5 As the Gilmanton Police Department approaches the hiring of two new officers, it should take this opportunity to enhance its Field Training Program. At least one officer should be trained in the proper application of this effort through graduation from a PSTC course on this topic. A written directive and a checkoff document consistent with current field training standards should be instituted.
- 9.6 The department should consistently look for opportunities to positively interact with the citizens of Gilmanton. "Park and Talks", delivery of programs in the school, and presence at community events are all a means to engender trust and mutual respect.



- 9.7 The current policy of allowing up to seven days to complete a report is too long and inconsistent with national best practices. Possibly a program to slowly reduce the number of days allowed could be undertaken. Initially, change the policy to five days with its further reduction to three days at some later date. The goal should be all reports are completed before the officer leaves the shift. Overtime should be budgeted to allow reports to be completed on busy shifts.
- 9.8 The department should consider maintaining records regarding when mutual aid is requested in Gilmanton and when Gilmanton officers respond to other communities. Such data would be of value during future discussions of staffing the police department.
- 9.9 When the department achieves full strength staffing, it should re-visit the issue of the 10-hour shift v. the 8-hour shift and the practice of overlapping shifts. The department should make a decision based upon what is the best option for the community.
- 9.10 The Gilmanton Police Department should take notice of the increasing number of calls associated with mental health, public intoxication, and juveniles to sharpen its policies and training in these areas.
- 9.11 Chief Currier should become much more familiar with the PSTC's requirements for police officer background investigations. He should speak with area chiefs and staff at the PSTC to assure himself that he is thoroughly familiar with the elements required to complete the required background investigation. He and Sergeant Casey Brennan should complete a formal training in conducting background investigations. Due to the liability associated with an incompatible hiring of a police officer, the seriousness of this function should not be minimized. An alternative would be to contract a qualified vendor to conduct a PSTC compliant background investigation. Due to the sensitivity and time involved in conducting a proper background investigation, there is an emerging trend in outsourcing this work.

## **Chapter 10: Investigations, Evidence & Prosecution**

- 10.1 Over a period of years the department should institute a plan to train all officers in subjects associated with the investigation of serious crimes such as interview and interrogation and crime scene investigations.
- 10.2 The attic evidence room should be better organized with cabinets and shelves.

- 10.3 [REDACTED]
- 10.4 The Gilmanton Police Department should embrace and codify in written directives the management of its evidence rooms to include annual audits, entry logs, unscheduled inspections, and a job description for evidence officers.
- 10.5 MRI would recommend that the chief re-assign his current duties as the back-up evidence officer to another officer and concentrate his energies on the administration and supervision of this important function.
- 10.6 The way in which the department deals with possessed property, such as lost and found items, should be incorporated into the written directives of the agency.
- 10.7 A long-term solution for the storage of large bulk items of evidence should be identified.
- 10.8 An enhanced system for the security of refrigerated bodily fluid evidence should be developed.
- 10.9 Additional time and attention should be given to the removal of unneeded evidence from evidence rooms through the process of returning to the owner or documented destruction for items such as drugs and weapons.
- 10.10 The process to properly record all items in evidence into the IMC evidence module should be completed as soon as practicable. Efforts should be made after this inventory list is created to keep it always accurate and up to date.
- 10.11 The chief and the sergeant should meet with the Belmont Police prosecutor and determine how they might improve the quality of arrest reports submitted.

## **Chapter 11: Training & Emergency Preparedness**

- 11.1 MRI suggests that the Chief develop an annual training goal and objective plan that may better serve the community. All training is valuable, especially in a smaller agency where training should be used as a retention strategy. However, where there are not detectives and patrol officers are expected to perform all functions, investigation procedures, evidence collection and preservation and possibly interview techniques may offer strategies to enhancing officers' responses to more common incidents.

- 11.2 MRI suggests that the directive related to training be updated to better reflect the environment of the Gilmanton Police Department. The directive was found to be outdated referencing attendance at the NH Police Academy as 10-weeks when it currently consists of 16-weeks. Much of the suggested training was better focused upon a larger agency.
- 11.3 The Executive Officer, by policy, is established as the Training Officer. Rather than review what is out there for training, the Executive Officer should discuss goals and objectives and then locate the training that supports those efforts.
- 11.4 Field Training should be reviewed with significantly more documentation of daily observations by the certified FTO. Additionally, MRI would recommend that the 4-weeks of FTO be expanded to at least 6-weeks

#### **Chapter 12: Community Outreach & Policing**

- 12.1 In the review of written directives, MRI did not locate any policy pertaining to community engagement. It is suggested that the Chief obtain examples of policies related to community policing, engagement with schools and elderly programs that may offer insight to viable initiatives for the Gilmanton Police.
- 12.2 Develop a mechanism that those persons depending upon the program "Good Morning Gilmanton" can also be addressed on Saturday and Sunday

#### **Chapter 13: Funding and Fiscal Management**

- 13.1 The town should consider establishing a donation account for the police department to be used for community interaction expenses such as equipment, supplies, and services outside of the annual budget. Individuals or businesses wishing to make a donation to the police department could then have the option of contributing to a donation account overseen by the town government.
- 13.2 While the town has accepted enabling legislation to accept gifts, the town is encouraged to initiate a formal written process for the receipt of all gifts made to benefit the town. This process could be in the form of a policy instructing department heads of the necessity to have the Board of Selectmen formerly accept all gifts to the town and its departments. Said policy would follow RSA 13:95-b.

- 13.3 Gifts donated to the police department from the Gilmanton Police Association to date should be submitted to the Board of Selectmen for formal acceptance.
- 13.4 The town and the police department should consider reviewing the current hourly detail rate to ensure the rate represents the true cost to the town to provide an officer and a cruiser.
- 13.5 The department should make its equipment inventory more complete by including mobile radios [REDACTED] As mentioned in Chapter 3, if the [REDACTED] are indeed surplus, they should be sold or traded and removed from the current inventory.
- 13.6 The town should consider initiating a formal policy on the utilization of credit cards by town employees. Said policy could describe who will be in possession of the card(s), the ways in which these cards are to be utilized and the necessary back-up documentation for payment by the town. Any credit card invoice submitted for payment minus the required backup paperwork clearly showing the purpose for the expenditure should be held for further explanation.
- 13.7 The town might consider reviewing the current purchase order policy and expanding it to include more direction to department heads on such topics as purchase splitting. Additional training on this topic might also be considered.
- 13.8 The town should revisit the false alarm ordinance written in 1997 to ensure it is written as currently desired. If it is still desired to utilize a fine system, the police chief should be so directed.
- 13.9 Any desired restrictions on the maximum number of hours a police officer can work in a 24-hour period, a week, or a month should be definitively established in a town or department written directive.



## **CHAPTER 16**

### **THE PROJECT TEAM**

#### **PRINCIPAL IN CHARGE AND PROJECT MANAGER**

**Alan S. Gould, President and Chief Operating Officer**, is a graduate of Saint Anselm College with a BS degree in Criminal Justice. He is certified as a Public Manager by the American Academy of Certified Public Managers and has completed numerous management and leadership programs including the Babson Command Training Institute and the FBI's LEEDS program. He is recognized for his creativity in community policing and his leadership in promoting ethics in the law enforcement community. Mr. Gould began his public sector career with the Salem, NH, Police Department where, during 21 years, he served at all ranks of the Department. He served as Chief of Police in Rye, NH, where, upon retirement from law enforcement, he was appointed and served as Town Administrator until joining MRI in 2008. Mr. Gould served as the Ethics Instructor at the New Hampshire Police Academy for 15 years and has been an instructor of college courses in Criminal Code, Criminal Investigation, Report Writing, Constitutional Law, and Juvenile Delinquency. Among his many community involvements, Alan served as an initial incorporator of two non-profit organizations; one addressing family violence and visitation issues, and the other established to help seniors remain in their homes as they age. He continues to serve as Deputy Emergency Management Director in the coastal community of Rye, NH, located within the Seabrook Nuclear Power Plant's Emergency Planning Zone. In addition to his responsibilities as MRI's Chief Operating Officer, Mr. Gould manages most of the company's public safety projects including operational studies and "internal" investigations. Mr. Gould also specializes in recruitment/selection processes for executive level municipal positions and has completed dozens of processes for top management positions throughout New England.

#### **PROJECT TEAM MEMBERS**

**Bruce A. MacDougall** received a Bachelor of Arts Degree in American Government from Boston University and a Master of Science Degree in Criminal Justice Administration from Northeastern University. Chief MacDougall has received professional training through the Federal Bureau of Investigation's Law Enforcement Executive Development Seminar Program and is a graduate of the Police Executive Research Forum's Senior Management Institute for Police. His police career began as a summer special police officer in Barnstable, Massachusetts and continued as a provisional full-time officer in Wakefield, Mass. He moved to the Methuen, Massachusetts Police Department where he rose through the ranks from dispatcher to chief of police including ten years as the Commander of Field Operations. As Chief for 9 years, he was responsible for

the planning, organizing, staffing, directing, and administering a department of eighty-four sworn officers and sixteen civilian staff members. At the time of Chief MacDougall's service, Methuen was a diverse community of 44,000 citizens, with a total department budget of seven million dollars. MacDougall has been an Instructor of Criminal Justice at Northern Essex Community College and an Instructor of Constitutional Law for the Massachusetts Criminal Justice Training Council. In addition to teaching, Chief MacDougall has been involved in over one hundred and eighty police and correctional consulting assignments, including being assigned as interim police chief numerous times in Massachusetts and New Hampshire. He is experienced in conducting internal affairs investigations, organizational assessments, and completing evidence audits. Chief MacDougall is a certified assessor for the Massachusetts Police Accreditation Commission and has experience in preparing departments for assessment. He has been a member of a large number of promotional assessment centers and executive selection teams. From 2006 to 2008, Chief MacDougall served as the Director of the Massachusetts Police Leadership Institute in Lowell, Massachusetts. He is Past President of the Essex County Chiefs of Police Association and past Vice-President of the North East Massachusetts Law Enforcement Council.

**Chief David L. Kurz** obtained a Bachelors Degree in Criminal Justice from the University of Southern Maine, is a graduate of the FBI National Academy 153rd Session and has served in law enforcement since 1974. Chief Kurz previously served as the Chief of the Gorham, Maine Police Department and the Deputy Director of the Maine Drug Enforcement Agency, Maine Department of Public Safety. Since 1996 Mr. Kurz has served as Chief of Police for Durham, NH, where he is responsible for the supervision of a CALEA accredited full-service police agency committed to a customer-oriented delivery of services functioning in a university community. Chief Kurz is one of 12 chiefs appointed by the International Association of Chiefs of Police to an Advisory Group assisting IACP in the formation of training and client needs assessment that may be unique to smaller police agencies in the United States. Chief Kurz is one of 6 police managers instructing with the IACP through the Bureau of Justice Assistance "Leading by Legacy" program that provides management and leadership skills to rural police agencies throughout the nation. He has published seven articles for the IACP Police Chief magazine and Big Ideas for Smaller Agencies focusing upon Strategic Planning, Alcohol Enforcement, Promotional Process, Effective Performance Evaluations, Leadership and New Technology Acquisition. Deemed as a subject matter expert, Chief Kurz routinely conducts national training seminars for IACP focusing upon strategic planning and personnel management while assisting IACP with management studies of law enforcement agencies. Chief Kurz is a Team Leader for the Commission on the Accreditation for Law Enforcement Agencies, (CALEA) Inc and has reviewed the policies and procedures of over 50 police agencies seeking national accreditation and recognition. He was recently profiled by CALEA for his engagement and leadership in the accreditation process. He has worked with the United States Department of Justice on several initiatives including the National Summit on Campus Public Safety and is a member of the Bureau of Justice Assistance Law Enforcement Leadership Initiative Training Steering

Committee as well as assisting the US State Department develop sexual assault protocol for use by the Egyptian government. Additionally, Chief Kurz is a “peer reviewer” for the Byrne Criminal Justice Innovation Programs offering his expertise on law enforcement grant applications submitted to the Department of Justice. Most recently Chief Kurz was cited in President Obama’s 21st Century Policing Task Force Report designed to strengthen community policing within the United States.

# ***ATTACHMENT 1***



**Municipal  
Resources, Inc.**



## COUNCIL FORM "T"

### AFFIDAVIT OF BACKGROUND INVESTIGATION

Name of Applicant \_\_\_\_\_  
(PRINT OR TYPE NAME)

In accordance with Police Standards & Training Council Pol 301.05 (c) 1 - 10, a background investigation has been conducted on the above-named applicant for employment with this agency, in the following areas: (check boxes)

- |      |  |                          |
|------|--|--------------------------|
| (1)  | Military Records   | <input type="checkbox"/> |
| (2)  | Documents, including driver license, high school diploma and birth or naturalization records                               | <input type="checkbox"/> |
| (3)  | The National Crime Information Center  | <input type="checkbox"/> |
| (4)  | All local police files, and police files in all communities where the applicant has lived or worked                        | <input type="checkbox"/> |
| (5)  | State motor vehicle records in each state where the applicant has lived or worked  | <input type="checkbox"/> |
| (6)  | Schools attended within the past 10 years  | <input type="checkbox"/> |
| (7)  | Past and present neighbors, spouses, and landlords   | <input type="checkbox"/> |
| (8)  | Acquaintances and character references, and fraternal and social organizations the applicant belongs to or has belonged to | <input type="checkbox"/> |
| (9)  | A personal inquiry with the applicant's present and past employers for the past 5 years                                    | <input type="checkbox"/> |
| (10) | Any other sources of information which the above contacts show to be important   | <input type="checkbox"/> |

Signature of Hiring Authority (no stamp) \_\_\_\_\_

Date: \_\_\_\_\_ Name and Title: \_\_\_\_\_  
(PLEASE PRINT)