

FINAL REPORT

**ORGANIZATIONAL RISK
ASSESSMENT**

POLICE DEPARTMENT

ALLENSTOWN, NH

AUGUST 2015

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REPORT



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CHAPTER 1

PROJECT OVERVIEW

Municipal Resources, Inc. of Meredith, New Hampshire, was engaged by the Town of Allenstown to conduct a risk assessment of the Allenstown Police Department. Assigned to this project were MRI police consultants Neil Ouellette and Bruce MacDougall. Alan Gould was the Project Manager. The assessment involved in-depth interviews with Police Chief Paul Paquette, site visits, and interviews with existing employees, as well as with officers who have left the department within the last two years. There was also a review of relevant statistics, policies and documentation.

CHAPTER 2

DESCRIPTION OF DEPARTMENT

OBSERVATIONS

The Allenstown Police Department provides a full range of police services to its 4,322 residents (2010 Census) through its authorized strength of eleven full-time sworn officers. This number of officers translates to 2.5 sworn officers per thousand residents. This number compares with a national ratio of 2.9 officers per thousand, which according to the Federal Bureau of Investigation is the average for communities in New England with a population of fewer than ten thousand residents. The department provides 24 hour service every day of the year. According to Chief Paquette, the day shift has at least two sworn officers working with one officer on patrol, and the chief, the lieutenant, or the detective sergeant available as backup. The evening shift is usually staffed with one officer and one supervisor on patrol. The supervisor usually works until 1 AM or 2 AM, at which time the overnight patrol officer is on duty alone. This officer relies on backup from the Pembroke Police Department or an Allenstown supervisor coming in to assist from his/her home. The present structure of the organization calls for one chief, one lieutenant, one detective sergeant, one patrol sergeant, one school resource officer, and six patrol officers. The department does not currently utilize part-time officers in any manner. The department is currently undergoing a significant staffing issue as a large percentage of its complement of sworn officers have left the department within the last two years. This situation has led to the chief, the lieutenant, and the two sergeants staffing patrol shifts, while at the same time, completing administrative/management duties and attempting to recruit new officers. The department also has the assistance of one full-time prosecutor, one full-time and one half-time administrative assistant, as well as one part-time custodian.

CHAPTER 3

HIRING AND RETENTION

OBSERVATIONS

The Town of Allenstown has a written hiring policy, #2013-009, which was adopted by the Board of Selectmen on July 15, 2013. It is a town-wide policy which covers all departments. For the hiring of police officers, the policy requires the following steps:

- Approval of the Board of Selectmen to post the position internally and advertise externally
- Application to be completed by applicants
- Review and selection process
- Conditional offer of employment
- Medical examination
- Polygraph examination
- Psychiatric evaluation
- Physical Agility test
- Credit check
- Background investigation
- Vote to hire by the Board of Selectmen

It would appear that this policy, if followed closely, would enable the Allenstown Police Department to select the best possible applicant for an open position. Due to the multitude of steps required to hire a police officer, it would be important for the department to closely monitor the progress of each candidate, and keep the process moving toward the hiring decision.

Unfortunately, over the past two years, six police officers have left the department. It is believed that two are no longer working in the policing field, but four are working for other



police departments. This is a turnover rate of over 50% in a two year span, which has had a dramatic negative impact on the operation of the department. National turnover rates fall in the 11% to 15% per year area. Therefore, in two years, the expected turnover would be in the 22% to 30% realm. Allenstown's turnover over the past two years exceeds these expectations. This situation is exacerbated by officers who are members of the military, requiring leave for training purposes, or potential long-term deployments. At the time of this writing, two officers were on military leave. The lack of police officers to staff patrol shifts has led to the chief, as well as the lieutenant and sergeants to working patrol shifts to maintain coverage.

The remaining officers on the department are currently averaging approximately fifteen hours of overtime per week to sustain a minimum of coverage. This situation is having an economic impact on the department, as well as physical and emotional repercussions on the officers. Chief Paquette reports he is utilizing the salaries of the open positions to fund the increased overtime. He will also have to reduce spending in other areas of the department budget to continue to fund the extraordinary utilization of overtime during the current fiscal year. The chief also mentioned he was concerned about the potential for wearing the officers out with the amount of overtime required for each officer.

Exit interviews conducted by the town administrator with officers leaving the department for other police officer positions cited compensation and lack of good communications as being the main reasons for leaving. When MRI interviewed present employees, as well as one former employee, compensation, the detail rate, communications, and lack of supervision were all given as reasons they might consider or are considering leaving. It should be noted that there are current officers on the department who are considering leaving.

Both the town administrator and the police chief have advocated for a pay scale with step increases based upon years of service. This compensation plan is common in the policing field and in the geographical area. The justification for such a plan is based upon the concept that an officer with ten years' experience in Allenstown has a much higher value to the community than a new officer just graduating from the academy. The fact often mentioned by all police employees is that the hourly rate of an experienced officer is the exact same as a new officer just learning the streets of the community. MRI was told the starting hourly rate for police officers is reasonable. The problem comes when an officer has some time on the job and his pay has no potential to increase. The only opportunity for wage growth is by leaving the Allenstown Police Department. Also mentioned by officers is the disparity in the detail rate when compared with surrounding communities. At the time of this writing, the Allenstown Police Department and a neighboring police department were both conducting a detail rate comparison survey. While these studies were not completed for inclusion in this document, it was quickly determined that the Allenstown rate was substantially below the detail rate of neighboring communities. Since many police officers work a number of details on their days off to supplement their income, the detail rate becomes important.

Chief Paquette was asked what steps he was taking to overcome the pay disparity issue and attempt to retain officers in Allenstown. He responded his biggest tool is to offer training to officers that request it. He determines what type of training each officer would appreciate and attempts to secure that training for the officer. He stated the amount of training offered by Allenstown is more than is found in most area departments. The chief also stated he tried to be flexible with assigning work shifts and tries to accommodate requests based upon the needs of the officers. Given the present staffing challenges, the use of training as an incentive may fail since training either increases overtime costs or results in coverage gaps.

The chief related that the department has only been at full strength once in the last ten years. Officer retention has always been an issue. The chief states the complaints about communications may be a generational issue as he feels that the younger officers seem to want to know a lot more about department decisions than they are entitled to know. This may very well be one of the reasons that “communications” appears as an issue within the department. Younger employees in the work force, millennials for example, do require much more detailed information regarding department operations than did older police officers. This can be very different from how an older generation of supervisors and administrators expect young employees to act. Millennials desire to talk about their work environment, participate and contribute to the decision making process, and receive constant feedback on their progress. Younger officers with this mind set may have expectations that are not being seen by management and thus not addressed. Millennials are also much more prone to change jobs frequently during their career which is a much different dynamic than was found among previous generations of police officers. It is important for police managers to understand and adapt communication style to the needs of the employees.

Chief Paquette maintains communications with his supervisors through weekly staff meetings. It may be beneficial for the supervisors to communicate information from weekly staff meetings to patrol officers during shift briefings. The patrol sergeant meets once each quarter with each patrol officer to review their performance. The lieutenant usually works a schedule that allows him to see all three shifts. Information regarding identified trends, directed patrols, and locations of speeding vehicles are often relayed to officers through the email system. Information is also posted on a board in the patrol room. Officers report for duty fifteen minutes before their shift begins in order for supervisors to review key information.

At the time of a recent interview with Chief Paquette, he was getting ready to grant two officer candidates conditional offers of employment. One candidate is a graduate of a part-time officer academy and is currently working for another department. The second has no prior police training or experience. Two other previously hired new officers are in the middle of their field training program. All four of the recently hired, or to be hired officers, will need to attend the sixteen week academy.

There is an economic price to be paid for a high turnover rate among the town's police officers. You start with what you are losing if an officer from your department chooses to leave and work for another police department. There is the price of his/her original hiring, including the medical, psychological, and polygraph testing. Also to be considered are the hours of the department's time involved with interviewing and conducting a background investigation. Then there is the cost of outfitting and equipping the new officer. A new officer who is not a full-time academy graduate must be sent for a sixteen week academy. The town is paying his/her weekly salary the entire time he/she is in this training. Upon graduation, the new officer is assigned to a senior officer for a multi-week Field Training Program before the officer is allowed to engage in patrol activities as a solo patrol.

As the officer remains in Allenstown, he/she learns the streets and landmarks, as well as the locations requiring police attention. The officer gets to know the residents and business owners, along with their expectations. He/she grows to be comfortable and able in the performance of his/her police functions. This officer is now ready to begin giving a high quality of police service to the community. His/her chances of making serious mistakes have decreased dramatically and he/she becomes less of a risk for the department and the community. Retaining this officer at this point in his/her career is important for the residents served. It takes time, money, and human capital to have an officer reach this plateau. If the officer leaves for another department at this point, the town will have to hire another brand new officer and begin the process all over again. During the first couple years of an officer's career, they are more susceptible to mistakes and are a higher risk for the public. The goal is to have officers who are trained, experienced, able to articulate issues, and can accomplish their duties without having to resort to an enforcement action.

RECOMMENDATIONS

- 3.1 The Board of Selectmen and the chief of police should work together to resolve the identified reasons causing officer turnover as soon as possible to stop the flow of trained officers leaving the Allenstown Police Department.
- 3.2 The Board of Selectmen should consider implementing a step increase pay scale as soon as practicable. A survey of departments competing for Allenstown police officers could be conducted and adjust the scale to make Allenstown more competitive. At the very least, consideration should be given to adding several steps to the current base pay level. The police chief and the Board of Selectmen should also review the detail rates in surrounding communities and modify the town's rate to be commensurate.
- 3.3 The town and the department should consider the utilization of retired officers from surrounding departments who are graduates of the full-time academy. The younger officers in Allenstown could benefit from the veteran officers' experience and would

assist the department when it is dealing with officer openings. Such part-time officers should be compensated in a manner respectful of their training and experience, and be assigned to one or two fixed shifts per week to maximize their interest and effectiveness.

- 3.4 The chief should consider having a department meeting with all staff. The main reason for this meeting would be to address the often heard, but not well defined, communications issue. The chief should determine firsthand what can be done to improve communications within the department by asking “how can we communicate better”. This includes communication up and down the organizational structure. The chief may determine that such meetings are helpful and schedule them on a semi-annual basis.
- 3.5 The Allenstown Police Department utilizes internal email to disseminate a great deal of information. The chief should consider formalizing some areas of shared information by adopting a written directive system that in addition to policies and procedures, and rules and regulations, includes general orders, special orders, training orders, and personnel orders. This type of directive system is considered a “best practice” in policing and conforms to Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA) Standards. All orders would be numbered and available in hard and electronic forms for easy access. Additionally, some type of electronic roll call or a Share Point site, which is free and included with the purchase of a Microsoft sequel server, could be instituted to convey priority communications both at shift briefings and to patrol officers via tablets in patrol cruisers.
- 3.6 The department should include more questions and discussions with officer candidates regarding their long-term goals as part of the pre-employment process to properly adjudge the candidate’s potential longevity in Allenstown.

CHAPTER 4

HIGH LIABILITY POLICY AND PRACTICE REVIEW

OBSERVATIONS

The Municipal Resources team reviewed two disks presented by the Allenstown Police Department and found they contained standard operating procedures, general orders, and rules and regulations. MRI reviewed two policy disks from Allenstown, paying particular attention to high-risk concerns such as police pursuit, use of force, evidence control, internal investigations, and prisoner custody.

The first manual, labeled General Orders, included a lengthy Rules of Conduct document labeled (GO#0001), that contained standard language which is seen in a police departments rules and regulations manual on a multitude of topics including evidence, numerous descriptions of required duty and conduct, with Commission on Accreditation of Law Enforcement Agencies, Inc. (CALEA) chapter notations. The organization of the manual states that the manual may be reviewed, revised, or amended, and superseded by the chief of police; there is no evidence that this has occurred. Rules and Regulations manuals should have organizational charts, which not only provide for a chain of command, but also include up-to-date job descriptions, to ensure that officers appointed to a specific rank or level of responsibility are aware of all of their duties.

Rules and Regulations manuals should also contain up-to-date job descriptions with sufficient specificity to describe areas of responsibility and required actions, so that the employee has a very clear description of his/her expected performance. The Allenstown Police Department's manual contains a document named "Duty Positions" containing a paragraph describing positions within the department, from chief of police to crossing guard. The Allenstown document lacks any date of adoption or revision. In addition, the manual should encompass directives including, but not limited to, responsibility commensurate with authority, employee accountability, legally mandated authority, procedures for dissemination and storage of these directives, and responsibility vested in all categories of sworn personnel and the use of discretion. CALEA Standard 21.2.3, requires that the agency maintain job descriptions, covering all employees, which contain statements of duties and responsibilities for each job within the agency, and are key elements in achieving more effective management and supervision. The previously described document marginally fulfills the required intent of the CALEA Standards, and clearly needs to be updated to reflect the organizational components of today, as evidenced by the existing organizational chart listing James McGonigle as Chief of Police, dated November 15, 2005.

The disk also included another general order which was labeled Professional Conduct GO#0002. This order covered professional conduct and demeanor both on- and off-duty, relationships on

and off-duty, use of alcohol, off-duty arrests, and gratuities. The manual does not conform to the professional guidelines in CALEA 12.2.1 (e). The written directive system does not contain procedures for indexing, purging, updating, and revising directives. This is evident in the Allenstown Police Department's manual due to multiple newly written general orders that address areas under previous written directives that leave the reader to wonder if the newly issued order/policy was meant to supersede the previous directive or is in addition to it; however, multiple required standards are lacking in the newly issued directive that were covered in the earlier version.

RECOMMENDATIONS

- 4.1 Consider merging the rules and regulations document with the professional conduct general order and establish one document with an adoption date.
- 4.2 Create individual job descriptions for each employee within the agency and assign essential tasks and duties consistent with the New Hampshire Law Enforcement Standards and Training Council. Include required duties and responsibilities and include who is responsible for supervising the position within the chain of command.
- 4.3 Update the existing organizational chart to reflect the current Allenstown Police Department's positions, officers, and structure. The department should incorporate a policy and procedure requiring a review and revision of the entire manual at least annually. This can be accomplished by assigning individual policy review to rank and file members across the department. This process may further serve to fulfill a need of the newer generation of officers to participate in matters of the department.



CHAPTER 5

TRAINING

OBSERVATIONS

The Allenstown Police Department's Training Program (GO # 0021, which has no adoption or revision dates) states that it is the policy of the department to operate a comprehensive training program to ensure that all personnel are properly trained to perform their general and assigned duties. Furthermore, this policy outlines the requirements which the department must comply with in accordance with applicable federal and state laws/rules/guidelines. CALEA Standard 33.4.1, requires all sworn officers to complete a recruit-training program prior to assignment in any capacity in which the officer is allowed to carry a weapon or is in a position to make arrests, except as part of a formal Field Training Program. CALEA defines the goal of the Field Training Program to provide the trainee with "on street" experiences following completion of "classroom training", as required by 33.4.1 (Recruit Training). Although, best practices would dictate that newly hired officers complete a structured Field Training Program after New Hampshire Police Academy attendance, Allenstown chooses to perform in-house and Field Training in the areas of use of force, handcuffing, and pepper spray, prior to the academy for officers.

Allenstown Police Department's Field Training Program is defined as a twelve to fourteen week program for officers without law enforcement experience, and acknowledges that the program may be shortened for officers who have already completed a field-training program in another agency, prior to being hired by the Allenstown Police Department. Best practices require that lateral transfers receive a minimum of four weeks field training in their new agency. The policy is very vague regarding a selection process for Field Training Officers (CALEA 33.4.3 (b) and the supervision of Field Training Officers (CALEA 33.4.3 (c)). The Allenstown policy simply states "the officer will be appointed by the chief of police and requires initial FTO training prior to being assigned to the function". Observation indicated that multiple officers are providing field training to newly hired recruits and it is unclear if they have been formally trained in the program. Guidelines for the evaluation of recruits are vague other than stating that tasks and check offs must be completed during the field training program (CALEA 33.4.3 (g)).

In-service training is described within the policy to include annual topics such as firearms qualification, use of force, emergency driving procedures, and legal updates. Biennial requirements include defensive tactics, handcuffing, first aid/CPR, HAZMAT, sexual harassment, OC/baton, and less lethal munitions. The training policy is silent to any requirement for biennial re-qualification for electronic control devices (Tasers), which CALEA mandates. Although remedial training is mentioned within the policy, it lacks specific criteria or consequences if the officer is unsuccessful, except in the case of firearms qualification, which states that the officer may be terminated on a second firearms qualification failure.

MRI reviewed training files during a site visit and observed that Sergeant Tower keeps a training file in her office consisting of sign-in sheets and course descriptions. MRI requested that Chief Paquette provide lesson plans, which would be separate and distinct from a copy of the course presentation or PowerPoint, for in-house training, and he related that he would forward them to us (CALEA 33.1.4 (a)). At the time of this writing, the above described lesson plans have not been provided.

RECOMMENDATIONS

- 5.1 Update the existing training policy or create a separate and distinct Field Training policy to expand on the selection process for FTOs, mandate a minimum four week program for lateral transfers, establish evaluation and supervision criteria for FTOs, and establish guidelines for the skills, knowledge, and abilities to be assessed, taught, or performed, within the FTO Program (CALEA standard 33.4.3).
- 5.2 Update the biennial training to include electronic control devices refresher training and qualification (CALEA standard 1.3.11).
- 5.3 Update the training policy to require instructor certification for those officers conducting in-service training programs and require lesson plan development for all such courses (CALEA standard 33.3.1).
- 5.4 MRI suggests that the prosecutor be more involved in the development of and training on department policies. It is also suggested that the prosecutor have a role in the accreditation process if the agency formally enrolls in the program.
- 5.5 It is suggested that all policies be reviewed annually with all officers as part of a pre-shift briefing process. A pre-shift information sharing and training procedure should be formalized into a written policy.
- 5.6 Having the policies of the Allenstown Police Department meet the standards of the Commission on the Accreditation for Law Enforcement Agencies, Inc., when possible, should be encouraged by the Board of Selectmen and undertaken by the chief of police.

CHAPTER 6

EVIDENCE AND PROPERTY CONTROL

OBSERVATIONS

The property and evidence control function should provide for the security and control of seized, recovered, and evidentiary property, as well as abandoned, lost, or found property in the custody of the department. This is critically important in supporting investigations, in helping to guarantee successful prosecutions at criminal and civil trials, in facilitating the timely return of property to its rightful owners, and establishing the agency's reputation as an honest, reputable agency, worthy of the public's confidence and trust.

MRI reviewed the methods and policies related to how the property and evidence function is handled within the Allenstown Police Department. For the purpose of this section, MRI used CALEA Standards for Law Enforcement as a baseline whenever possible. Additionally, MRI reviewed practices to ensure that the department is following its' own current procedure.

Detective Sergeant Dawn Shea is designated as the Evidence Custodian by all accounts from interviews of Allenstown Police Department personnel, and she has recently changed the procedure relating to the handling of evidence. The only reference to property and evidence contained in the manual provided to MRI was a very brief statement in the Rules and Regulations which describes in very general terms under the Synopsis of Duties, section (E), Care and Custody of Evidence:

Section (1) "evidence seized from arrested persons shall be stored in an evidence storage locker or other secure location designated by the department for that purpose, before and during trial. Following trial or other legal proceeding, the department shall apply to the court for a destructive order."

Section (2) "upon receiving the order, the department shall conduct, or cause to be conducted, the destruction, in the presence of a witness, and shall document the destruction appropriately. The officer conducting or supervising the destruction shall so notify the chief of police and provide appropriate documentation."

Section (3) "officers shall not give away evidence to anyone. Further, officers shall not appropriate any evidence or other property to their own use under any circumstances."

Section (4) "If any citizens refuse to accept returned property that was used as evidence or otherwise acquired by the department, the property shall be disposed of in accordance with applicable New Hampshire law, under the supervision of the chief of police". (See also General Order on Evidence Control.)

MRI has searched the general orders, special orders, and policy and procedures of the Allentown Police Department and has been unable to locate an evidence and property directive. The chief of police, administrative assistant, and Detective Sergeant Shea have been unable to provide it as well. After consulting with Chief Paul Paquette, it was found that the Allentown Police Department lacks any written Property and Evidence policy. Chief Paquette indicated although it is not the best practice, the control of evidence and property is imputed to newly hired officers during the department's field training program. Chief Paquette advised that he has written a new policy and was asked to send it to MRI for review prior to implementation. MRI reviewed the proposed newly written evidence policy and provided the following comments:

The proposed Allentown Evidence Security policy #417 has been reviewed and compared to CALEA Standards, Chapter 84, for compliance to all mandatory standards. Two areas that are vague with respect to the spirit of the standard are as follows and should be addressed for best practices:

- 1). CALEA Standard 84.1.1 (d) requires guidelines for packaging and labeling prior to storage. MRI suggests the incorporation of a flyer or handout describing the proper packaging for specific items like a firearm, blood stained clothing, items that contained fingerprint evidence, along with pictures that describe how officers should package specific pieces of evidence which are not routinely handled.
- 2). Evidence Inspections section X. section (c), Inventory. CALEA Standard 84.1.6 (c) requires an annual audit conducted by a supervisor not routinely or directly connected with the control of property. The Allentown proposed policy states "an annual inventory". MRI suggests it be changed to "annual audit".

With the above listed recommendations, the proposed Evidence Security policy would be consistent with national best practices involving the handling of evidence and property among law enforcement agencies.

CALEA Standard, Chapter 84, contains mandatory standards regarding property and evidence control:

Standard 84.1.1 requires a written directive establish procedures for receiving all in-custody and evidentiary property obtained by employees into agency control, to include:

- (a) Requiring all property to be logged into agency records as soon as possible;

- (b) Requiring all property to be placed under the control of the property and evidence control function before the officer ends his/her tour of duty;
- (c) Requiring a written report detailing the circumstances by which the property came into the agency's possession and describing each item of property obtained;
- (d) Providing guidelines for packaging and labeling property prior to storage;
- (e) Establishing extra security measures for handling exceptional, valuable, or sensitive items of property;
- (f) Requiring an effort to identify and notify the owner or custodian of property in the agency's custody; and
- (g) Establishing procedures for the temporary and final release of property items from the control of the property and evidence function.

Standard 84.1.2 requires that all in-custody property and evidence is stored within designated, secured areas. The standard suggests that some property such as money, precious metals, jewelry, firearms, and drugs, by their very nature, require extra protection.

Standard 84.1.3 requires that secure facilities are provided for storage of in-custody or evidentiary property during periods when the property room is closed.

Standard 84.1.4 requires that a written directive requires that only authorized personnel have access to areas used by the agency for storage of in-custody or evidentiary property.

Standard 84.1.5 requires that records reflect the status of all property held by the agency.

Standard 84.1.6 requires the following documented inspections; inventory and audits shall be completed:

- (a) An inspection to determine adherence to procedures used for the control of property is conducted semi-annually by the person responsible for the property and evidence control function or his/her designee.

- (b) An inventory of property occurs whenever the person responsible for the property and evidence control function is assigned to, or transferred from, the position and is conducted jointly by the newly designated property custodian and a designee of the CEO to ensure that records are correct and properly annotated.
- (c) An annual audit of property held by the agency is conducted by a supervisor not routinely or directly connected with the control of property.
- (d) Unannounced inspections of property storage areas are conducted as directed by the agency's chief executive officer.

Standard 84.1.7 requires that final dispositions of found, recovered, and evidential property are accomplished within six months after legal requirements have been satisfied.

MRI evaluated the Allenstown Police Department's practice as it relates to the custody and control of evidence and determined that the process officers utilize for handling and storing evidence and property is in compliance with many of the CALEA Standards. Observation confirmed that the department has an evidence processing area in the basement, which contains evidence packaging and processing equipment, along with numerous storage lockers to secure evidence on a temporary basis, so officers can secure active case evidence and retain control of it, until processing and packaging is completed. Final secure storage of evidence is secured in storage lockers and a padlock within it is secured, while Detective Sergeant Dawn Shea retains the keys for the permanent lockers.

It should be noted that although Detective Sergeant Shea is designated as the evidence processing and control officer, Allenstown patrol officers have received specialized training in crime scene search techniques encompassing a six hour class which included latent fingerprint recovery and impression casting, as they are encouraged to follow through on their cases thereby enhancing their professional development and job satisfaction.

The department has both temporary and long-term secure refrigerated evidence holding capability, as well as a secured evidence storage safe, which belonged to a bank previously housed in the facility. Observation of the safe found that it was organized and the Crime Star records management system was able to track the location of evidence stored in the safe, as well as evidence transmitted to the lab for processing. Significant findings included the lack of audits on the evidence safe, along with failing to conduct a full inventory when the previous evidence custodian resigned and Detective Sergeant Shea took over. Unfortunately, this situation could have serious consequences if anything is found to be missing in the future due to the lack of an inventory.

RECOMMENDATIONS

- 6.1 The Allenstown Police Department should consider contacting a New Hampshire law enforcement agency, which is Nationally Accredited by the Commission on Accreditation for Law Enforcement, and seek to obtain an evidence and property policy and procedure that can be tailored to the needs of the department, while maintaining all the required standards.

- 6.2. The department should immediately undertake a full inventory of the evidence and property room.

CHAPTER 7

FINANCIAL CONTROLS

OBSERVATIONS

In reviewing the financial control at the Allenstown Police Department, we sought to review budget preparation, execution, and the auditing and control of expenditures.

Monitoring budget expenditures is perhaps one of the most important administrative functions of a public CEO. If a line item is 3% or 4% overspent the first month and no corrective action is taken, it can easily be over-expended by 36% at the end of the fiscal year. For this reason, line item accounts need to be reviewed independently on a monthly basis. For the purpose of this section, MRI reviewed the internal controls in place to ensure that they are appropriate and in line with governmental standards.

Allenstown is no different than most communities in that the municipality sets the accounting, purchasing, and oversight rules for each department. Budget functions such as payroll, purchasing, and contracting come under written municipal rules, and standardization across town departments allows for control, review, and reconciliation. The Allenstown Police Department does not receive any cash. Residents coming to the police station with cash are directed to town hall where the cash is accepted and a receipt issued for use at the police station. A function that is unique to police departments is the need to access cash for undercover operations such as narcotics investigations. Departments that conduct these types of operations need to have a “Confidential Funds” policy in place.

Chief Paquette advised that although the department does not have an independent fiscal management policy, he follows the Town of Allenstown Financial Transaction Policy, which was adopted on March 3, 2009, and revised on October 6, 2014. Although, the town’s policy deals specifically with petty cash, it mandates that the Board of Selectmen must approve the establishment of a petty cash account at the departmental level, and once approved by the board, the town’s finance director and the department head must establish a base petty cash amount. No petty cash amount is included for the police department, nor is a petty cash account maintained by the department.

The Allenstown Police Department’s policies and procedures manual is silent to any written directive regulating the purchase and procurement process for departmental equipment and supplies, as well as monthly accounting balances of expenditures, which are required by CALEA, Chapter 17, Fiscal Management and Agency Owned Property. Chapter 17 contains four mandatory standards applicable to a small sized agency, which include:

Standard 17.3.1 requires a written directive governs procedures for the requisition and purchase of agency equipment and supplies to include at a minimum:

- (a) specifications for items requiring standardized purchases;
- (b) bidding procedures;
- (c) criteria for the selection of vendors and bidders;
- (d) procedures for the emergency purchasing or rental agreements for equipment; and
- (e) procedures for requesting supplemental or emergency appropriation and fund transfer.

Standard 17.4.1 requires the agency has an accounting system that includes approval of each account and, at a minimum, provisions for monthly status reports showing:

- (a) initial appropriation for each account (or program);
- (b) balances at the commencement of the monthly period;
- (c) expenditures and encumbrances made during the period; and
- (d) unencumbered balance.

The town's financial policy requires all fees for firearms licensing, accident reports, and police reports to be paid at town hall. Private detail payments are coordinated by town hall as confirmed by processing problems related to paying the officer's overtime rate as opposed to private detail rates on a recurring basis, which came to light during our telephone interview of employees. CALEA Standard 17.4.2 requires a written directive govern the maintenance of all cash funds or accounts where agency personnel are permitted to receive, maintain, or disburse cash, and includes, at a minimum:

- (a) a balance sheet, ledger, or other system that identifies initial balance, credits (cash income received), debits (cash dispersed), and the balance on hand;
- (b) receipts or documentation for cash received;
- (c) authorization for cash disbursements, including CEO authorization for expenses in excess of a given amount;

- (d) records, documentation, or invoice requirements for cash expenditures;
- (e) persons or positions authorized to disburse or accept cash; and
- (f) quarterly accounting of agency cash activities.

Standard 17.4.3 requires a written directive govern procedures for an independent audit of the agency's fiscal activities.

RECOMMENDATIONS

- 7.1 The Allenstown Police Department should compile written directives, either solely or in conjunction with the Town of Allenstown, to mandate the above-stipulated required standards, which are recognized as best practices for financial administration of law enforcement agencies across the country.

CHAPTER 8

CITIZEN COMPLAINTS AND INTERNAL INVESTIGATIONS

OBSERVATIONS

The Allenstown Police Department has an Employee Discipline policy (no number attached, adopted October 25, 2005) and states that the Rules and Regulations policy describes the process for citizen complaints. After reviewing General Rules of Conduct (GO # 0001, adopted October 6, 2005) it fails to describe the process for citizen complaints or internal investigations, consistent with the Commission on Accreditation for Law Enforcement Standards, Chapter 52.

CALEA Standard 52.1 requires that all complaints against the agency or its employees be investigated and specifies:

- (a) the type of complaints to be investigated by line supervisors;
- (b) the type of complaints that require investigation by the internal affairs function; and
- (c) the type of complaints to be reviewed by the internal affairs function.

Although the Employee Discipline policy speaks to who can issue specific types of discipline to employees, it lacks detail on the process which the agency follows when a complaint is initiated by an external source, as opposed to the lengthy list of required duties and behaviors of officers. The policy further lacks documentation for the position responsible for internal affairs matters having the authority to report directly to the chief executive. CALEA Standard 52.1.2 specifies the time limit for completing internal affairs investigations, with provisions for extensions (CALEA Standard 52.1.4). There is no mandate advising when employees are notified that they have become the subject of an internal affairs investigation. The agency issues the employee a written statement of allegations and the employee's rights and responsibilities relative to the investigation (CALEA Standard 52.1.6). The written directive requires the agency to maintain a record of all complaints against the agency or employees, and to protect the confidentiality of these records by maintaining them in a secure area (CALEA Standard 52.1.10).

The policy lacks any type of early warning system to identify employees experiencing difficulty or personal problems before the employee exhibits behavior or conduct, which cannot be addressed with the employee by any other means than separation from the department.

RECOMMENDATIONS

- 8.1 Create an internal affairs policy, which includes all the previously described mandatory standards required by the Commission on Accreditation for Law Enforcement, Chapter 52.

CHAPTER 9

VEHICLE USAGE

OBSERVATIONS

A review of the Allenstown Police Department's Pursuit Policy 404.1 was conducted and found to be in compliance with CALEA's Standards Manual for Law Enforcement 5th edition. Additionally, Allenstown Police Department's vehicle usage policies were reviewed, specifically: Cruiser Operation and Maintenance (404, adopted November 11, 2010), and Operation of Law Enforcement Vehicles (GO # 008, adopted October 10, 2005). The two policies are disparate relating to several of the Commission on Accreditation for Law Enforcement requirements regarding:

CALEA Standard 41.2.1 requires that a written directive establish procedures for responding to routine and emergency calls and include guidelines for use of authorized emergency equipment. GO #008 provides specific detail regarding responding to emergency calls for service, and it specifically establishes code one (routine) through three (emergency) responses, identifying responsibility for their assessment and determination at both the patrol and dispatch level. Cruiser Operation 404 fails to code responses, and only provides a general definition for routine and emergency calls for service. Neither policy speaks to any supervisory responsibility regarding responding to calls, except in the case of a cruiser being involved in a collision.

CALEA Standard 41.2.2 requires a written directive governing pursuit of motor vehicles. Although the Allenstown Police Department has a pursuit policy that meets required standards for best practice, the required supervisory intervention is impossible for it to be followed due to a lone patrol officer who is scheduled from 01:00 to 07:00 hours each day, unless a formal written agreement with the Merrimack County Sheriff's Department were to be written and agreed to, establishing supervisory control of police pursuits.

CALEA Standard 41.3 requires that vehicles used in routine or general patrol service, whether conspicuously marked or unmarked, must be equipped with operational emergency lights and a siren. GO # 008 states "unmarked or low profile vehicles may be used for special assignments such as stakeouts, spotting aggressive drivers, or plainclothes or administrative purposes, or if an marked unit is temporally out of service. If used for emergency runs, they shall be equipped with wig-wag alternating headlamps, blue emergency lights visible from front and rear when activated, and sirens". GO # 404 requires all unmarked cars be equipped with radios, sirens, flashing lights, marker lights, and blue lights.

CALEA Standard 41.32 requires that a written directive specifies the equipment to be included in every patrol vehicle and establishes a system to ensure replenishment of supplies for operational readiness. Although GO # 404 speaks about vehicle checks prior to service, it only requires that fuel, oil, tire inflation, lights functioning, siren, and radio be checked, and is silent to equipment relating to the standard. Department personnel were unable to describe or locate any equipment and supply directive for review, except a cruiser check sheet, which officers complete at the start of their shift.

CALEA Standard 41.3.3 requires a written directive which specifies the requirements for the use of occupant safety restraint devices in every vehicle. GO # 404 requires seat belt use for all occupants of the police vehicle, excepting those passengers who cannot wear a seatbelt due to medical issues and thereby mandating supervisory consultation. It is silent, however, to the issue of child restraint systems, car seats, and booster seats. GO # 0008, on the other hand, does require the use of child restraint systems requiring that they be transported to the scene if required prior to transport.

CALEA Standard 41.3.8 requires the agency to have a written directive establishing policy and procedures if they deploy in-car audio or video systems. The Allenstown Police Department has deployed in-car video systems in the past; however, a recent employee interview indicated that the equipment is no longer functioning and therefore is unable to be used at this time. If the department purchases new equipment, a written directive should be established describing situations for use, tape security and access, tape storage, and retention schedules.

RECOMMENDATIONS

- 9.1 Update the policy and ensure that it mandates that all vehicles used in routine or general patrol service, whether conspicuously marked or unmarked, must be equipped with operational emergency lights and siren.
- 9.2 Update the policy to include a list of required equipment to be carried in each cruiser and a requirement that the contents be checked on a regular basis to ensure that supplies are replenished and in a state of operational readiness.
- 9.3 Consider merging GO # 404 and GO # 0008 and include mention that passenger restraint systems are required for prisoners and identify circumstances when this requirement can be waived, if so desired.

- 9.4 Implement a policy which covers in-car audio and video systems if the department repairs or replaces existing equipment to include the previously described mandated bullets relating to use, tape security, access, storage, and retention schedules.
- 9.5 Prohibit policy pursuits if only one officer is on duty at the police department or implement a Memorandum of Understanding delegating supervisory control of police pursuits to the Merrimack County Sheriff's Department when only one officer is on duty in Allenstown.



CHAPTER 10

USE OF FORCE

OBSERVATIONS

A review of Allenstown Police Department's high liability policies and procedures was conducted as part of this study. The Firearms and Deadly Force general order (GO# 0023, adopted October 10, 2005) was reviewed, along with Hand Held Oleoresin Capsicum Spray general order (GO #0009, adopted October 11, 2005), and Response to Resistance (410, issued January 26, 2012), and Firearms (410.1, issued January 26, 2012). Areas of concern relating to the Allenstown Police Department's use of force policies include there are four separate policies in addition to the rules and regulations that deal with the use of force within the agency. It is very cumbersome and confusing for officers to try to digest and remember multiple policy statements as they attempt to make split second decisions in the field. Modern police departments generally utilize one policy that covers all aspects of force authorized to be deployed by a police department. The current Allenstown policies lack the incorporation of escalation and de-escalation of the force continuum within the policy. The use of Taser or Electronic Control Weapons was not included within the above listed policies, although they are listed as authorized weapons within the Response to Resistance policy. Conflict was noted between the policies regarding issued and approved weapons.

The Firearms and Deadly Force General Order (GO#0023) indicates that firearms will be issued to all full-time and part-time members. Firearms 410.1 states that the approved issue duty firearm is the Glock 21 SF 9 Slim Frame, but the policy later speaks of all firearms carried in the course of department related duties, will be approved by the chief of police. The duty firearm is defined as the firearm that a member will carry while engaged in scheduled department activities such as on-call duty, shifts, extra details, training, etc. The next paragraph, Firearm Quality, states that approved duty and off-duty firearms whether issued or personally owned, must be of the highest quality.

The following CALEA mandatory standards do not appear to be covered within the above described in the Allenstown Police Department policies relating to Use of Force:

CALEA Standard 1.34, Less Lethal Weapons, requires a written directive governing the use of Electronic Control Weapons (Tasers).

CALEA Standard 1.3.5 requires that a written directive specifies procedures for ensuring the provision of appropriate medical aid after use of lethal or less lethal weapons, or other use of force incidents as defined by the agency. This topic is only covered by the Response to Resistance, 410 IV, bullet (C), which states if a person complains of injury or it is obvious an

injury has occurred, then officers will render appropriate aid and activate Emergency Medical Services system as soon as possible.

CALEA Standard 1.3.9 requires only weapons and ammunition issued and authorized by the agency be used by agency personnel in law enforcement responsibilities, the directive shall apply both on and off-duty and must address:

- (a) types and specifications of all lethal and less lethal weapons approved for use; lacks concentration of Oleoresin Capsicum (OC).
- (b) types and specifications of ammunition approved for use; lacks specification in approved weapons ammunition only specifying “jacketed hollow point configuration”.

CALEA Standard 1.3.11 requires annual use of force refresher training in addition to range qualification, and biennial less lethal training.

CALEA Standard 1.3.11 (d) requires that if the department authorizes neck restraints or similar weaponless control techniques with a potential for serious injury, it is included in the annual in-service use of force curriculum.

RECOMMENDATIONS

- 10.1 Consider combining the policies and procedures relating to the deployment of force into a single Use of Force policy.
- 10.2 Include the use of electronic control weapons within the use of force policy, addressing both initial and refresher training on the weapon.
- 10.3 Include in the use of force policy statement that officers are required to immediately render medical aid to individuals after lethal, less lethal, or other force is deployed as soon as it is safe to do so.
- 10.4 Include the types/concentration of Oleoresin Capsicum (OC), which is authorized for use by officers.
- 10.5 Include the types, caliber, grain, and jacket of approved ammunition to be utilized by officers both on and off-duty.
- 10.6 Include language in the use of force policy, which requires annual refresher training on the use of force policy in addition to firearms qualification and low light range training.

- 10.7 All officers should carry Tasers and Pepper Spray and should be trained in their use before being assigned to patrol duties.



CHAPTER 11

PRISONER HANDLING AND HOLDING

OBSERVATIONS

For the purpose of this section, MRI reviewed current policies, rules and regulations, and compared them to actual practice in the handling of prisoners. Additionally, MRI reviewed the capacity of the current facility to handle prisoners safely and in accordance with national best practices. Finally, MRI considered the security of the facility in handling prisoners.

MRI reviewed the Allenstown Police Department's Detention Procedures (GO # 0011, adopted October 10, 2005), which clearly states: "This interim policy is designed for the unique circumstances of the present police station located at 16 School Street, in the basement of the municipal building". The policy further states that the detention facilities at the Allenstown Police Station are intended to be a temporary holding facility. The policy describes classifications of prisoners to be held in the facility, the types of offences for which juveniles can be held in a secure cell, as well as the fact that juveniles cannot be held in the cells anytime an adult female or male arrestee is being held in the facility. The policy fails to describe any medical or suicidal screening process, asking/determining that the prisoner is injured, or the designation of personnel to make any determination that a prisoner is in need of medical attention, nor how that situation is to be handled. The policy requires the officer to secure his/her firearm and prohibits weapons within the booking area.

In practice, it was determined that the Allenstown Police Department's Booking process does include a section on observations including observation of pain/injury, obvious signs of infection, under influence alcohol/drugs, depressed/despondent, irrational/mentally ill, mentally retarded, small/frail/weak, body lice/crabs/scabies, naive/unsophisticated, agitated/uncooperative, or have any obvious body deformity. The Merrimack County Detainee Request Form also makes inquiry as to a prisoner's attempt or threatened suicide, injuries or health problems, mental health issues, afforded opportunity for a telephone call, and any victims that the inmate should not have contact with. The department should incorporate these questionnaires into a written directive as previously suggested.

The Booking and Inventory Search Policy (GO # 0013, adopted October 10, 2005) does address searching the arrestee and securing property from the arrestee, which could be a danger to the arrestee, other prisoners, and the facility, prior to placing them into a holding cell. An effective policy should include photographing and fingerprinting prisoners, safety and sanitary inspections, medical care of prisoners, telephone calls, meals, and evacuation procedures, along with the New Hampshire law governing arrestees and their constitutional rights. (CALEA, Chapters 71 and 72; General Laws of New Hampshire). The Booking and Inventory Search Policy

includes a section on strip and Body Cavity Searches; however, it does not specifically define each type of search consistent with best practices. The policy articulates that a warrant should be sought for a body cavity search unless exigent circumstances are present which would require permission from the chief of police or executive officer. Although the policy requires that a medically trained individual should be present, a better requirement would be that all body cavity searches conducted on the authority of a warrant, issued by a judge, should be conducted at a hospital facility by trained medical staff. It is unlikely that this could be accomplished safely at the Allenstown Police Department, due to the number of officers on duty at certain periods during a twenty-four hour cycle.

Based on the policy and procedures, rules and regulations, and standard operating procedures, there is no formal policy or procedure to address the arrest, search, handcuffing, and transport of prisoners from the scene of the arrest, until they reach the detention facility. The department's seatbelt policy does not address the use of occupant restraint systems for arrestees as previously noted.

Allenstown prisoners are transported to the police station via cruiser, while separated from the officer with a Plexiglas partition. Cruisers drive into the sally port area, which has an overhead door operated by code access, to make the space secure from the public, and prevent the escape of a prisoner. There is a video camera in the sally port, so that officers and the secretary, who sits at the front desk, can view the garage. There are firearms' lockers at both entrances to the booking area, which is locked and controlled by the officer's key-card access.

The Allenstown Police Department's practice is to require the officer to remove and lock both their firearm and Taser in the gun lockers. If a prisoner was to overpower the officer inside the booking room, they would not be able to escape from the booking room without the officer's keycard, and the garage door does not have an open/close button, instead a code is needed to open the door. This control system is especially important as the sally port is utilized for mass arrests as a holding area, thereby preventing arrestees the opportunity to flee from custody. The booking room is audio and video recorded, and signs indicating this fact are posted. It should be noted that the Allenstown holding facility is a temporary holding facility and does not have beds within it. Each cell contains only a toilet and a sink. The cells have a solid door with an observation port to enable officers to view the prisoners, as well as video feeds to enable the secretary to view the prisoner from her position. When questioned, it was discovered that the secretary receives no training in suicide prevention, nor does the State of New Hampshire require Suicide Prevention Training for police officers.

A significant finding while inspecting the holding cells was that both the light and fire detection system was covered with a wire mesh, which is a potential suicide threat due to the ceilings being low enough for a 5'10" person to reach this mesh, and the ability to place a string, piece of clothing, cloth, etc. is prevalent. It is unknown by personnel if the fire detection system in the holding facility is a combination heat and smoke detector system or not. The department

should have their fire department and building inspectional services inspect the fire detection system and upgrade it to a combined detection system if needed.

There is a video camera inside the booking area and interviews provided information that the officers have two way radio communication between the booking area and the Merrimack County Sheriff's Department, who are able to open a live video feed, if a request for assistance is received. Additionally, it was communicated by the administration that officers have a panic or emergency button on their radio to summons assistance if needed, especially on the midnight shift, when the officer is alone, contiguous police agencies possess keycard access to the department. This availability was not universally known by the rank and file within the agency and therefore, requires policy implementation to assure all officers are aware of this emergency assistance procedure.

RECOMMENDATIONS

- 11.1 Update the Allenstown Police Department's Detention policy to include required booking questions/observations relative to arrestee's physical condition, presence of injuries, medical conditions, body deformities, trauma markings, bruises, lesions, jaundice, and ease of movement consistent with CALEA Standard 72.6.3.
- 11.2 Update the Detention policy to require that agency staff visually observes the detainee at least every thirty minutes, CALEA Standard 72.8.
- 11.3 The Detention policy should be updated and approved by a licensed physician that identifies the policies and procedures to be followed when a detainee is in need of medical attention to include CALEA Standard 72.6.1.
- 11.4 The Detention policy should be updated to include a written directive specifying which holding facility doors are to be secured and when; doors to vacant cells should be locked when not in use, CALEA Standard 72.4.4; documented weekly inspections of the facility and specifies procedures for control of vermin and pests, CALEA Standard 72.3.3; and presence of a first aid kit is available and subjected to a documented weekly inspection and replenished as needed, CALEA Standard 72.6.2.
- 11.5 Request an inspection from the fire department and/or the building inspector to verify that the police station, and specifically the holding facility, has both heat and smoke detection systems.
- 11.6 Extraneous items, such as hand tools with handles, should be removed from the Sally Port. They represent potential weapons which could be used against an officer.

- 11.7 Prisoner holding cells should be re-visited, keeping suicide prevention as a goal.
- 11.8 The Booking and Inventory Search Policy should be revised to include mandatory definitions of Strip Searches and Body Cavity Searches. Consideration should be given to requiring body cavity searches to be conducted at a medical facility by trained medical personnel.



CHAPTER 12

BUILDING, RECORDS, AND COMPUTER SECURITY

OBSERVATIONS

The Allenstown Police Station is a former bank building which is centrally located at 40 Allenstown Road. The police department told MRI the approximate area of the building was 2,200 square feet. Town Hall reported that the actual area of the building was 7,723 square feet. The structure has two stories and is of masonry construction covered by siding. Chief Paquette reports no problems with the heating, air conditioning, or air circulation systems. There are also no reported issues with the electrical or plumbing systems in the building. The police station utilizes town water.

The building has a burglar alarm system, as well as a fire alarm system. Both systems are monitored by a central station company. Maintenance and checks of the alarm systems are completed by a contracted vendor and both systems are reported in good order. Chief Paquette reports the burglar alarm is activated when the building is empty. All present employees were asked about the presence of mold in the building and there were no such reports. A combination of hard keys, pass cards, and buzzers are utilized for door security. Presently, the police station has some closed circuit television cameras, which provide views of some interior and exterior locations. The chief is in the process of updating this system, which will expand the number of locations monitored.

A review of building issues related to prisoners found two areas which MRI calls to the attention of the department. First, the Sally Port, the garage where prisoners are brought into the station, has items which could be potentially used by a prisoner as a weapon against an officer. Second, toilets and sinks in the holding cells are not shrouded. This means there is an ability to tie an object around a part of the sink or toilet to assist in a self-strangulation attempt. Another area of concern in the cells is the grates in the cell ceilings, which can be reached by a prisoner. The holes in the screening could also be used to tie an object to be used for hanging.

The town presently has a contract with a computer company, which provides firewalls, virus protection, and data backup for all departments. The backup protocol has data being stored in two different physical locations. The chief reports no attacks on the department's computer system and was advised about a number of such attacks on local police agencies with significant impacts. Hard copies of medical, personnel, and internal affairs files are kept locked in the chief's office. Juvenile files are kept separated in the basement storage area. Confidential informant files are presently kept by individual officers such as the lieutenant and the detective sergeant.

RECOMMENDATIONS

- 12.1 There is a demonstrated need for a new records software program that would include an ability for laptops in cruisers to communicate with the state police information system and the department's own computer. This is an officer safety as well as efficiency issue.
- 12.2 CALEA Standard 42.2.7 requires that confidential informant information be located in a master file as opposed to being kept by individual officers. Security of said master file must be maintained. The Allenstown Police Department should initiate the creation of such a master file and eliminate the maintaining of records regarding confidential informants by individual officers.
- 12.3 Consideration should be given to providing the School Service Officer with a tablet (computer) as are other officers.

CHAPTER 13

SUPERVISION

OBSERVATIONS

The Allenstown Police Department is made up of supervisors and police officers. The supervisory officers include the chief, the lieutenant, and two sergeants. There are seven police officers, including six for patrol duty, and one school resource officer, for a total of eleven sworn officers on the department. Under usual circumstances, four supervisors should be sufficient to provide adequate supervision to patrol officers during most hours of the day. For two reasons, this is not currently the case in Allenstown. A very high turnover rate over the last two years has led to vacancies, which take a long time to fill. In an attempt to continue providing twenty-four hour police coverage, Chief Paquette has adjusted the work of the lieutenant and the two sergeants to filling patrol shifts. The chief also works patrol shifts. The patrol sergeant is currently working from 3:00PM to 1:00AM and the lieutenant is working 5:00PM to 7:00AM. At the time of this writing, the department had recently hired two officers who both need full-time officer academy training before being able to work a patrol shift on their own. The department was also in the process of granting conditional offers of employment to two other potential officers. One of the two has part-time academy training and some experience, while the second has no training or experience. Therefore, the last four hires will all need to be away from Allenstown to attend a sixteen week police academy. Also, in recent weeks, there were two officers away from their police duties due to military leave. This situation has placed a significant strain on the department as a whole, as well as the individual officers who are working additional hours. Patrol shifts are often staffed with only one officer. Patrol officers, during their telephone interviews, all said they would like to see more supervision on the road, as well as not having to work as the only officer on duty.

The second reason for a lack of supervision is the utilization of the existing supervisors. One of the department's sergeant's positions is currently designated as a detective sergeant and is in charge of all investigations and evidence. There are no other officers assigned to detectives. While this position would have the ability to supervise or direct a patrol officer as needed, this sergeant's position has no current ongoing supervisory responsibilities to the officers who are assigned to patrol. While the lieutenant is currently assigned to patrol duty on the midnight shift, his job duties, as seen by the chief, are administrative in nature. Chief Paquette would like to see this officer working on policy development and accreditation. The problem with these two positions is that they remove much needed supervision away from the young and inexperienced officers who need their attention. In the current situation, where there are open shifts due to vacancies, untrained new officers, and officers absent on military leave, there are few options but to assign supervisors to patrol shifts as the chief has directed. When the new officers return from the training academy, and the department starts to get back to a more

normal staffing structure, MRI would suggest that the lieutenant and the two sergeants remain on the patrol shifts. When the current staffing crisis has been alleviated, it is suggested that the organizational structure of the department be revisited.

During MRI's telephone interviews some officers mentioned that they felt supervisory personnel were not around when needed or anticipated. Under the current circumstances of filling shifts with supervisors, supervisors allowed to work eight or ten hour shifts, and a general lack of solid communications within the department, it can easily be seen where some officers might not know what is exactly going on regarding when supervisors are supposed to be working. Interviewed officers did not furnish specific examples or point out one supervisor over another. The MRI team reached out to Chief Paquette to discuss this issue. The chief felt that the patrol officers did not understand the long hours the supervisors were working or when they were away from the department on training days. While under normal circumstances, a supervisor would be working until at least 1:00 AM, this is often not possible, at the present time, due to the number of hours that a supervisor has worked. At the time of this writing the chief is attempting to secure dispatch "call in" and "call out" logs for his supervisors, which can be reviewed in conjunction with payroll records and scheduling records maintained by the chief. Chief Paquette has no question that this is another communication issue and that the supervisors are working the hours scheduled and paid.

RECOMMENDATIONS

- 13.1 All supervisors should consider riding with patrol officers for brief periods of time during shifts. Officers will feel more comfortable in the environment of their own police cruiser and may open up a discussion on a topic of concern. Identified issues can be dealt with immediately or when required, or additional research could be conducted to respond to questions raised by officers.
- 13.2 Where the patrol officers of the Allenstown Police Department are young and inexperienced, it is suggested that feedback regarding performance not wait for quarterly conversations with the patrol sergeant, but be held monthly or as needed following a particular incident.
- 13.3 Long-term, the department should consider utilizing their existing supervisory staff in a manner which supports the patrol operation of the department. MRI can envision the lieutenant and the two sergeants assigned to patrol shifts with administrative duties assigned to each as ancillary duties. The Allenstown Police Department is not of sufficient size to justify a detective sergeant or lieutenant whose main functions are administrative in nature. This change would address two reported reasons for officers leaving Allenstown, lack of supervision and only one officer on patrol shifts.

- 13.4 The department should work to explain the current state of supervisory coverage to patrol officers in order to overcome the perception of insufficient supervisory presence.



CHAPTER 14

INTERVIEWS WITH CURRENT AND FORMER STAFF

OBSERVATIONS

The MRI police team conducted telephone interviews with thirteen current, sworn, and civilian employees of the Allenstown Police Department, as well as one former employee. All employees reported satisfaction and no outstanding issues with the police facility. Most employees stated department policies gave them sufficient guidance for handling incidents, although there was a hint that not all officers were following all policies. When queried regarding possible uses of excessive force all employees, sworn and civilian, were quite emphatic that there was no such issue in Allenstown. All those interviewed mentioned the current staffing issue and tied this situation to a non-competitive salary structure, a low detail hourly rate, lack of supervision, and less than desirable communications within the department.

The supervision comments centered on supervisors not being available when needed, as well as not working into the early morning hours as scheduled. Employees generally felt the town's people supported the police department and that there were good people living in the community. However, employees feel this level of general support has not been effectively translated through the government in order to establish salaries to meet the benefit packages offered by competing departments. Some employees did feel they did not have the support of the Board of Selectmen. A number of officers reported they felt unsafe working alone on patrol, and regardless of the shift they desired, two officers needed to be working at all times. One officer mentioned being questioned by an assisting outside officer as to why there was only one officer on duty at 10:00PM on the night in question.

The Allenstown Police Department provided Municipal Resources with the names and contact numbers for five sworn police officers who have left the department within the last year. Unfortunately, only one of these officers chose to participate in our survey interview. This one officer had a very negative set of responses regarding the police department. The officer stated there was inadequate training and not everyone was following department policy. This officer was quite outspoken regarding the lack of personnel on the midnight shift. This includes a lack of a supervisor on that shift. One officer working alone led to instances when the officer did not feel safe, due to an absence of reliable backup. This officer felt that citizens of the community had expectations of the police department, which were unrealistic based upon the number of personnel on a shift. This officer did not feel the department was moving in the right direction and that is why this officer left the department. Recent promotions were not made based upon merit and there is a complete lack of solid supervision.

CHAPTER 15

CONCLUSIONS

The Allenstown Police Department is in the midst of a significant staffing crisis. Six sworn officers have left the department over the past two years. This number represents over 50% of the entire police department. Chief Paul Paquette has been successful to date in staffing the town with at least one officer, around the clock, during this crisis. This has required the lieutenant, the two sergeants, and the chief to man open patrol shifts. Even under these circumstances, a large amount of overtime is being used to accomplish the goal of full day coverage. It should be pointed out that citizen complaints have not increased during this period and there are presently no internal affairs investigations being conducted.

Through exit interviews of officers leaving the department conducted by the town administrator, as well as interviews of current and one former staff member conducted by the MRI police team, it has been established that the main reason for the significant amount of turnover is the lack of a pay scale system that includes pay increases based upon years of service. While the starting pay for new officers is reported as acceptable, this rate does not change as the officer gains training and experience over the years. Officers going to work for other agencies report significant pay increases. Annual cost of living raises and even merit pay awards do not make up for a salary system with no built in raises based upon years of service. Additional reasons identified for officer turnover include a low detail rate, insufficient communications within the department, and lack of supervision. Some officers report they feel their safety is at risk due to being the only officer working in town on a shift. All of these issues require a swift response if the department and the town are going to stem the flow of trained police officers to other jurisdictions.

As can be seen in the section above, regarding high risk policies and practices, the department's policy manual needs serious updating. Some present policies have remained static since 2007. In an era of rapidly changing court rules, statutory modifications, and police practices, policies require annual review, frequent updates, and commensurate training for all officers. While achieving national accreditation should be a long-term goal for the administration of the police department, having all policies meet the vast majority of the Standards of the Commission on the Accreditation for Law Enforcement Agencies, Inc. (CALEA) is a reasonable interim goal. This process was initiated under former Chief Mullholland and should continue without delay. Having a solid policy manual, with its contents known by all officers, and adherence mandated by supervisory personnel, is the best method of assuring the delivery of professional, risk adverse police service.

The issue of poor communications has been difficult to define other than officers would prefer more communications from administration and more knowledge of the reasoning on why

certain decisions were made. MRI suggests that the police department take a cue from the business community and adjust the means and manner of departmental communications to meet the needs of the new work force. In addition to a written directives system which would include policies and procedures, and rules and regulations, MRI would suggest a format for general orders, special orders, training orders, and personnel orders be adopted. Reliance on email should be decreased. This would insure that all formal communications are received by all personnel and that they can be properly archived for future reference. In addition, some modification of the informal communications system may be of value, such as supervisors riding with patrol officers and increasing the frequency of verbal performance reviews from quarterly to monthly. The Municipal Resources police team also suggests that Chief Paquette immediately hold a meeting with all department personnel. The stated purpose of this meeting would be for the chief to hear firsthand what is currently lacking in the area of department communication. This would also give the chief an opportunity to advise the department on progress made in the hiring of new officers and the plan for any future staffing deployments.

Under the current staffing levels, there is little the chief can do to eliminate the concerns of officers regarding their working alone or working without adequate supervisory oversight. However, as newly hired officers are ready for working on their own, there is an opportunity to increase patrol staffing, as well as supervisory presence by shifting existing supervisory staff to the patrol function. The MRI police team advocates for revisiting the utilization of the lieutenant as a full-time administrator and the need for an individual assigned to investigations to have the rank of sergeant. The Allenstown Police Department is and will be feeling the impact of a large turnover rate for years to come. MRI feels that adjustments must be considered to alleviate, as much as possible, the impact of this situation on the community.

CHAPTER 16

SUMMARY OF RECOMMENDATIONS

CHAPTER 3: HIRING AND RETENTION

- 3.4 The Board of Selectmen and the chief of police should work together to resolve the identified reasons causing officer turnover as soon as possible to stop the flow of trained officers leaving the Allenstown Police Department.
- 3.5 The Board of Selectmen should consider implementing a step increase pay scale as soon as practicable. A survey of departments competing for Allenstown police officers could be conducted and adjust the scale to make Allenstown more competitive. At the very least, consideration should be given to adding several steps to the current base pay level. The police chief and the Board of Selectmen should also review the detail rates in surrounding communities and modify the town's rate to be commensurate.
- 3.6 The town and the department should consider the utilization of retired officers from surrounding departments who are graduates of the full-time academy. The younger officers in Allenstown could benefit from the veteran officers' experience and would assist the department when it is dealing with officer openings. Such part-time officers should be compensated in a manner respectful of their training and experience, and be assigned to one or two fixed shifts per week to maximize their interest and effectiveness.
- 3.4 The chief should consider having a department meeting with all staff. The main reason for this meeting would be to address the often heard, but not well defined, communications issue. The chief should determine firsthand what can be done to improve communications within the department by asking "how can we communicate better". This includes communication up and down the organizational structure. The chief may determine that such meetings are helpful and schedule them on a semi-annual basis.
- 3.5 The Allenstown Police Department utilizes internal email to disseminate a great deal of information. The chief should consider formalizing some areas of shared information by adopting a written directive system that in addition to policies and procedures, and rules and regulations, includes general orders, special orders, training orders, and personnel orders. This type of directive system is considered a "best practice" in policing and conforms to Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA) Standards. All orders would be numbered and available in hard and electronic forms for easy access. Additionally, some type of electronic roll call or a

Share Point site, which is free and included with the purchase of a Microsoft sequel server, could be instituted to convey priority communications both at shift briefings and to patrol officers via tablets in patrol cruisers.

- 3.6 The department should include more questions and discussions with officer candidates regarding their long-term goals as part of the pre-employment process to properly adjudge the candidate's potential longevity in Allenstown.

CHAPTER 4: HIGH LIABILITY POLICY AND PRACTICE REVIEW

- 4.1 Consider merging the rules and regulations document with the professional conduct general order and establish one document with an adoption date.
- 4.2 Create individual job descriptions for each employee within the agency and assign essential tasks and duties consistent with the New Hampshire Law Enforcement Standards and Training Council. Include required duties and responsibilities and include who is responsible for supervising the position within the chain of command.
- 4.3 Update the existing organizational chart to reflect the current Allenstown Police Department's positions, officers, and structure. The department should incorporate a policy and procedure requiring a review and revision of the entire manual at least annually. This can be accomplished by assigning individual policy review to rank and file members across the department. This process may further serve to fulfill a need of the newer generation of officers to participate in matters of the department.

CHAPTER 5: TRAINING

- 5.1 Update the existing training policy or create a separate and distinct Field Training policy to expand on the selection process for FTOs, mandate a minimum four week program for lateral transfers, establish evaluation and supervision criteria for FTOs, and establish guidelines for the skills, knowledge, and abilities to be assessed, taught, or performed, within the FTO Program (CALEA standard 33.4.3).
- 5.2 Update the biennial training to include electronic control devices refresher training and qualification (CALEA standard 1.3.11).
- 5.3 Update the training policy to require instructor certification for those officers conducting in-service training programs and require lesson plan development for all such courses (CALEA standard 33.3.1).

- 5.4 MRI suggests that the prosecutor be more involved in the development of and training on department policies. It is also suggested that the prosecutor have a role in the accreditation process if the agency formally enrolls in the program.
- 5.5 It is suggested that all policies be reviewed annually with all officers as part of a pre-shift briefing process. A pre-shift information sharing and training procedure should be formalized into a written policy.
- 5.6 Having the policies of the Allenstown Police Department meet the standards of the Commission on the Accreditation for Law Enforcement Agencies, Inc., when possible, should be encouraged by the Board of Selectmen and undertaken by the chief of police.

CHAPTER 6: EVIDENCE AND PROPERTY CONTROL

- 6.1 The Allenstown Police Department should consider contacting a New Hampshire law enforcement agency, which is Nationally Accredited by the Commission on Accreditation for Law Enforcement, and seek to obtain an evidence and property policy and procedure that can be tailored to the needs of the department, while maintaining all the required standards.
- 6.2. The department should immediately undertake a full inventory of the evidence and property room.

CHAPTER 7: FINANCIAL CONTROLS

- 7.1 The Allenstown Police Department should compile written directives, either solely or in conjunction with the Town of Allenstown, to mandate the above-stipulated required standards, which are recognized as best practices for financial administration of law enforcement agencies across the country.

CHAPTER 8: CITIZEN COMPLAINTS AND INTERNAL INVESTIGATIONS

- 8.1 Create an internal affairs policy, which includes all the previously described mandatory standards required by the Commission on Accreditation for Law Enforcement, Chapter 52.

CHAPTER 9: VEHICLE USAGE

- 9.1 Update the policy and ensure that it mandates that all vehicles used in routine or general patrol service, whether conspicuously marked or unmarked, must be equipped with operational emergency lights and siren.
- 9.2 Update the policy to include a list of required equipment to be carried in each cruiser and a requirement that the contents be checked on a regular basis to ensure that supplies are replenished and in a state of operational readiness.
- 9.3 Consider merging GO # 404 and GO # 0008 and include mention that passenger restraint systems are required for prisoners and identify circumstances when this requirement can be waived, if so desired.
- 9.4 Implement a policy which covers in-car audio and video systems if the department repairs or replaces existing equipment to include the previously described mandated bullets relating to use, tape security, access, storage, and retention schedules.
- 9.5 Prohibit policy pursuits if only one officer is on duty at the police department or implement a Memorandum of Understanding delegating supervisory control of police pursuits to the Merrimack County Sheriff's Department when only one officer is on duty in Allentown.

CHAPTER 10: USE OF FORCE

- 10.1 Consider combining the policies and procedures relating to the deployment of force into a single Use of Force policy.
- 10.2 Include the use of electronic control weapons within the use of force policy, addressing both initial and refresher training on the weapon.
- 10.3 Include in the use of force policy statement that officers are required to immediately render medical aid to individuals after lethal, less lethal, or other force is deployed as soon as it is safe to do so.
- 10.4 Include the types/concentration of Oleoresin Capsicum (OC), which is authorized for use by officers.
- 10.5 Include the types, caliber, grain, and jacket of approved ammunition to be utilized by officers both on and off-duty.

- 10.6 Include language in the use of force policy, which requires annual refresher training on the use of force policy in addition to firearms qualification and low light range training.
- 10.7 All officers should carry Tasers and Pepper Spray and should be trained in their use before being assigned to patrol duties.

CHAPTER 11: PRISONER HANDLING AND HOLDING

- 11.1 Update the Allenstown Police Department's Detention policy to include required booking questions/observations relative to arrestee's physical condition, presence of injuries, medical conditions, body deformities, trauma markings, bruises, lesions, jaundice, and ease of movement consistent with CALEA Standard 72.6.3.
- 11.2 Update the Detention policy to require that agency staff visually observes the detainee at least every thirty minutes, CALEA Standard 72.8.
- 11.3 The Detention policy should be updated and approved by a licensed physician that identifies the policies and procedures to be followed when a detainee is in need of medical attention to include CALEA Standard 72.6.1.
- 11.4 The Detention policy should be updated to include a written directive specifying which holding facility doors are to be secured and when; doors to vacant cells should be locked when not in use, CALEA Standard 72.4.4; documented weekly inspections of the facility and specifies procedures for control of vermin and pests, CALEA Standard 72.3.3; and presence of a first aid kit is available and subjected to a documented weekly inspection and replenished as needed, CALEA Standard 72.6.2.
- 11.5 Request an inspection from the fire department and/or the building inspector to verify that the police station, and specifically the holding facility, has both heat and smoke detection systems.
- 11.6 Extraneous items, such as hand tools with handles, should be removed from the Sally Port. They represent potential weapons which could be used against an officer.
- 11.7 Prisoner holding cells should be re-visited, keeping suicide prevention as a goal.
- 11.8 The Booking and Inventory Search Policy should be revised to include mandatory definitions of Strip Searches and Body Cavity Searches. Consideration should be given to requiring body cavity searches to be conducted at a medical facility by trained medical personnel.

CHAPTER 12: BUILDING, RECORDS, AND COMPUTER SECURITY

- 12.1 There is a demonstrated need for a new records software program that would include an ability for laptops in cruisers to communicate with the state police information system and the department's own computer. This is an officer safety as well as efficiency issue.
- 12.2 CALEA Standard 42.2.7 requires that confidential informant information be located in a master file as opposed to being kept by individual officers. Security of said master file must be maintained. The Allenstown Police Department should initiate the creation of such a master file and eliminate the maintaining of records regarding confidential informants by individual officers.
- 12.3 Consideration should be given to providing the School Service Officer with a tablet (computer) as are other officers.

CHAPTER 13: SUPERVISION

- 13.1 All supervisors should consider riding with patrol officers for brief periods of time during shifts. Officers will feel more comfortable in the environment of their own police cruiser and may open up a discussion on a topic of concern. Identified issues can be dealt with immediately or when required, or additional research could be conducted to respond to questions raised by officers.
- 13.2 Where the patrol officers of the Allenstown Police Department are young and inexperienced, it is suggested that feedback regarding performance not wait for quarterly conversations with the patrol sergeant, but be held monthly or as needed following a particular incident.
- 13.3 Long-term, the department should consider utilizing their existing supervisory staff in a manner which supports the patrol operation of the department. MRI can envision the lieutenant and the two sergeants assigned to patrol shifts with administrative duties assigned to each as ancillary duties. The Allenstown Police Department is not of sufficient size to justify a detective sergeant or lieutenant whose main functions are administrative in nature. This change would address two reported reasons for officers leaving Allenstown, lack of supervision and only one officer on patrol shifts.
- 13.4 The department should work to explain the current state of supervisory coverage to patrol officers in order to overcome the perception of insufficient supervisory presence.

CHAPTER 17

THE PROJECT TEAM

Alan S. Gould, Vice 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.

Bruce A. MacDougall obtained his Master of Science in Criminal Justice Administration from Northeastern University in Boston in 1978, and his Bachelor of Arts in American Government from Boston University in 1972. He has also attended professional training through the Federal Bureau of Investigation's Law Enforcement Executive Development Seminar Program and through the Police Executive Research Forum's Senior Management Institute for Police. He retired in 2002, after 30 years of active police service, as Chief of the Methuen, Massachusetts, Police Department, where he spent most of his law enforcement career. In Methuen, he rose through the ranks from Dispatcher to Chief. As Chief for 9 years, he was responsible for the planning, organizing, staffing, directing, and administering a department of 84 sworn officers and 16 civilian staff members, in a diverse community of 44,000 citizens, with a total department budget of seven million dollars. He 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 a number of police and corrections consulting assignments, including being assigned as Interim Chief, conducting internal affairs investigations and management studies,



completing evidence audits, accreditation reviews and preparation, as well as participation in assessment centers and executive selection teams. From 2006 through 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 Eastern Massachusetts Law Enforcement Council.

Neil F. Ouellette obtained a Bachelors Degree in Criminal Justice Administration from Salem State College in June 1991. He continued his education at the University of Massachusetts-Lowell, obtaining his Masters Degree in Criminal Justice Administration and a Certificate in Domestic Violence Prevention in June 1997. He has attended the Massachusetts Police Leadership Institute at the University of Massachusetts-Lowell, FBI LEEDS Program, and is a graduate of the 237th session of the FBI National Academy. He is an adjunct professor at North Shore Community College in Danvers and previously lectured at Endicott College in Beverly. He retired in May of 2015 after serving thirty-two years with the Danvers Police Department having led the Nationally Accredited Police Agency for the past eleven years. In 2011 the Danvers Police Department was re-accredited with CALEA's Award of Excellence at Colorado Springs, Colorado. The Danvers Police Department is also accredited by the Massachusetts Police Accreditation Commission. Chief Ouellette began his career in 1979 as an Auxiliary Police Officer in Danvers and was appointed a reserve Officer in 1983 and worked as a fulltime Boxford Police Officer for eighteen months after completing the police academy. Returning to Danvers as a full-time officer in 1987 he moved through the ranks as a patrol officer, patrol supervisor, Operations Commander having responsibility for Patrol, Dispatch and Detectives, which comprised ninety-two percent of the agency. During his career he served in specialized assignments including Field Training Officer, Background Investigator, Court Prosecutor, Evidence Officer, and CPR and First Aid Instructor. As Chief of the department, he was responsible for managing all aspects of this forty-six sworn personnel and a total staff of fifty-nine employees, serving twenty-six thousand residents with a very robust commercial and retail business sector, encompassing multiple highways, Malls and entertainment venues. The department was very community oriented initiating the first drug take back program in Massachusetts, along with initiating a Jail Diversion Program, Crisis Intervention Team Policing, and enhanced lockdown procedures within the school district. Chief Ouellette served as past President of the Essex County Chiefs of Police Association, served on the Board of Directors of the Massachusetts Chiefs of Police Association, Chaired the Northeastern Massachusetts Law Enforcement Councils' Technology Committee and was a member of MCOPA's the Civil Service Committee, and Traffic Records Coordinating Committee.