

CENTRAL BUCKS REGIONAL POLICE COMMISSION

Minutes

June 27, 2016

The monthly meeting of the Central Bucks Regional Police Commission was called to order by Chairman David Holewinski at 7:30 PM. All Commission members were present. Also present were Chief James Donnelly, Captain Pat Penecale and Mr. David Sander. Mr. Holewinski led the Pledge of Allegiance.

COMMENDATION OF MERIT: Mr. David Holewinski presented a Commendation of Merit to Officer David Interrante for his investigation of an assault on January 30, 2016 that resulted of guilty pleas from two subjects. Officer Interrante went above and beyond his duties when he aided the victim and his family months later when the victim was involved in a well-being incident outside CBRPD's jurisdiction. Officer Interrante's exceptional performance of his duties as a police officer, his attention to detail and dedication brought closure to the victim and brings great credit upon himself and the CBRPD.

CIVIL SERVICE MEMBER SWEARING IN – Mr. Holewinski conducted the swearing in ceremony for Mr. Greg Bustamante as an Alternate Member of the Central Bucks Regional Civil Service Commission.

APPROVAL OF MINUTES: A motion was made by Mr. Det Ansinn to approve the meeting minutes of May 23, 2016; seconded by Mr. Ron Strouse. Motion approved.

FINANCE:

Reports - Chief Donnelly reported expenses for May YTD were \$1,754,394.24 which represents 36.18% of the annual budget (under budget approximately 4%).

Tuition Reimbursement – Chief Donnelly received a memo from Officer Blake Hamer requesting reimbursement for tuition payments he made to Montgomery County College. Officer Hamer is working toward an Associate Degree and is taking one course per semester. The memo requesting tuition reimbursement was submitted after the course was taken, thus needing Commission approval; the police contract specifically states permission must be obtained prior to taking courses. Chief Donnelly recommended approving the payment. Mr. Strouse made a motion to approve the tuition reimbursement request for Officer Blake Hamer in the amount of \$492.00; seconded by Mr. Peter LaMontagne. Motion approved.

POLICE ACTIVITY: Chief Donnelly reported 1,658 incidents for May (CB-297; DB-1010; NB-351); reportable accidents totaled 11 (CB-1; DB-9; NBB-1); Part I Crimes totaled 9 (CB-1; DB-9; NBB-1); and Part II Crimes totaled 54 (CB-4; DB-44; NBB-6). A motion was made by Mr. Ansinn to accept the May 2016 Police Activity report; seconded by Ms. Marilyn Becker. Motion approved.

NEW BUSINESS:

Promotional Eligibility Certification – Chief Donnelly received a resignation notice from Corporal Kevin Lenahan, effective June 27, 2016. Corporal Lenahan has been on limited duty since January 2014 after being injured. The insurance company and Corporal Lenahan have agreed upon a settlement. This leaves an opening for the position of Corporal. Chief Donnelly explained the eligible names will be derived from the previously certified eligibility list; noting the two top names on the list

are no longer eligible as Darien Derstine was promoted to Corporal in March 2016 and Wayne Jones was promoted to Sergeant in January 2016. A motion was made by Mr. LaMontagne to notify the Civil Service Commission of the vacancy and request certification of the next three eligible names from the previously certified eligibility list (February 2016); seconded by Mr. John Abbott. Motion approved.

Administrative Analyst – Chief Donnelly proposed Ms. Denise Spence' title of Administrative Assistant be changed to Administrative Analyst. She would continue to provide grant management and administrative support to Chief Donnelly, however additional responsibilities for analytical work would be included. Chief Donnelly explained there is a lot of work that goes into the analysis and breaking down incidents to extrapolate what is needed. He is, therefore, proposing the part-time police clerk be made a full-time employee in January 2017 allowing more time for Ms. Spence to complete analyst projects. This work allows the Department to pick out the top causes of incidents, analyze them and come to a solution. Chief Donnelly presented two analysis reports Ms. Spence produced.

Foundations Behavioral Health Report - shows 43 incidents in 2015 and a projected total of 86 incidents in 2016 (100% increase). The cost differential from 2015 to 2016 is a 288% increase. The report further outlines predominant indicators of time, day, month, and victim and subject profile. As a result, Chief Donnelly intends to meet with Foundations, accompanied by the Mayors, to address the increase and current procedures.

Mental Health report - captured incidents for 2016 YTD. It identifies four subjects who the department has frequent contact with. Study of reported results allows the Department's anticipation of a crisis. Chief Donnelly intends to approach Lenape Valley Crisis to work with their mobile unit in addressing some of these issues. For example, when medication is not taken properly for one individual, police incidents rise. Lenape Valley mobile unit can meet with the individual a couple of days prior to the medication running out, thus reducing incidents and providing assistance to the individual.

The current project Ms. Spence is working on is an efficiency study for unaccounted time of Officers and how time can be used more productively. This will give the Department a better understanding of how to use available assets.

Mr. Abbott commented about grant writing and management and the payback from that income is huge. Chief Donnelly agreed and stated it was another reason to expand the part time police clerk to free Ms. Spence from the phones and front office tasks. Mr. Strouse made a motion to exchange the position of Administrative Assistant to Administrative Analyst without personnel change; seconded by Ms. Becker. Motion approved.

OLD BUSINESS:

Civil Service Commission Alternate Members – A motion was made by Mr. Holewinski to nominate and appoint Ms. Margaret Remmey to the Civil Service Commission as an Alternate Member; seconded by Mr. Abbott. A motion was made by Mr. Strouse to nominate and appoint Ms. Susan Madian to the Civil Service Commission as an Alternate Member; seconded by Mr. Jack O'Brien.

Body-Worn Camera Policy Review – Directive 9.2.2 – Mr. Jack O’Brien asked for clarification on regarding privacy; Chief Donnelly stated the only time a body camera may be turned off by request of the person being videotaped is if they are in their residence. There is no expectation of privacy in a public area. Mr. Abbott inquired if an officer must be in uniform when wearing a body camera. Chief Donnelly responded affirmatively. Mr. Abbott asked if the Freedom of Information Act is the same as the Right-to-Know law. Chief Donnelly responded affirmatively. Mr. Abbott asked for clarification regarding only the Captains ability to redact video footage. Chief Donnelly stated that Captains or their designees will have the redaction ability. Eventually the management of video footage will be handled by a civilian position. Mr. Abbott asked who the Captain of Professional Standards is. Chief Donnelly replied Pat Penecale, who handles professional standards, internal affairs and investigations. Mr. Abbott inquired who has access to CBRPD video footage and how it is transferred to the District Attorney’s office. Chief Donnelly explained footage will be uploaded to the DA’s cloud on a case by case basis as CBRPD releases it. In an emergency, if servers are inoperable, the DA’s personnel can view the video at CBRPD headquarters. He further explained that video is not automatically uploaded, as CBRPD will have hours and hours of video as the officer is required to turn the body camera on from the time he/she receives a call until the call is complete. This could result in a three-hour video with only 15 minutes of action. Mr. Abbott asked about using video footage for training. Chief Donnelly stated any video used for training will require a signed release from persons captured on video to allow their image to be part of training. Mr. LaMontagne asked if an officer can e-mail video that it may be a liability. Chief Donnelly explained there is a trail for e-mail which internal affairs would monitor for any unauthorized distribution. He further stated that unauthorized distribution would be considered interfering with evidence and would lead to dismissal. Mr. Strouse inquired about the retention timetable and the right to know laws. Chief Donnelly confirmed the retention timeframe for BWC is 90 days where as the right to know timeline is 31 days; however, if there was a potential for prosecution or being sued, the video would be kept.

A motion was made by Mr. Strouse to approve Directive 9.2.2 Body Worn Camera Policy with the addition of Patrol Captain or their designee in paragraph B of IX Inspection and Maintenance; seconded by Mr. Abbott. Motion approved.

PUBLIC COMMENT: None.

EXECUTIVE SESSION: None.

ADJOURNMENT: A motion was made by Mr. Ansinn to adjourn the meeting at 8:15 PM; seconded by Mr. Abbott. Motion approved.

Respectfully submitted,

James Donnelly
Chief of Police