

**MINUTES**  
**Cheshire County Commissioners Meeting**  
**Wednesday April 12, 2017 09:30AM**  
**Department of Corrections**  
**825 Marlboro Road, Keene, NH 03431**

**PRESENT:** Commissioners Peter Graves, Joseph Cartwright, and Charles Weed

**STAFF:** County Administrator Coates, Finance Director Trombly, DOC Superintendent Van Wickler, and Assistant County Administrator (ACA) Bouchard.

**GUESTS:**

At 9:30AM the meeting opened and Chairman Graves recognized Superintendent Van Wickler who provided the following information:

Van Wickler said that more federal inmates from Strafford County should be coming-in based on recent conversations with Strafford County and the Federal Marshalls. He said that the information he has received indicates that the influx of inmates could be substantial.

Merrimack County has asked to transfer up to fifteen (15) county female inmates to Cheshire County and is asking Cheshire County to hold these inmates at no charge.

A general discussion of county and federal inmate census then began and Van Wickler said that because of the dropping census of county inmates the facility can presently accommodate more federal hold inmates than normal.

Sheriff Rivera was then recognized and discussed his policy that was announced last month concerning Immigration and Customs Enforcement (ICE) detainees. Coates said that based on his research ICE detainees are simply requests to hold and are not arrest warrants. Rivera said that was correct and stated that by law he cannot enforce federal laws as it is outside of his jurisdiction as a County Sheriff.

Rivera then laid out his position and described in detail his reasons for issuing his policy letter.

Graves laid out his objections to Rivera's policy and Rivera responded that a majority of police organizations across the County support his position. He said that he wants all people to be welcomed in the County. He stated that he has been subjected to hate mail and has experienced a great deal of personal prejudice from a number of sources since he issued the policy statement.

The difference between a detainer and an arrest warrant was discussed. The legal differences between the two were covered by Rivera and he said that Boston, New York City, and Los Angeles all have the same policy in place. The Commissioners asked a number of questions about the procedures used for domestic violence cases that involve illegal aliens.

Rivera further elaborated his positions and discussed the operations in the Sheriff's department as well as at his former work with the City of Keene police department as the only bi-lingual individual in law enforcement in the area.

The Commissioners thanked Rivera for attending the meeting and then Commissioner Graves took-up Master Agenda Item # 482: Bereavement Leave Policy Update - S. Trombly

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As a follow-up to a discussion at a previous meeting concerning County bereavement policies, Trombly presented a suggested change in the policy to include nieces and nephews in the immediate family description of the bereavement policy.

**Following discussion Commissioner Cartwright moved to accept the policy change as presented and was seconded by Commissioner Weed. Upon vote the motion passed unanimously.**

Coates then presented the Weekly Operations report:

Coates will be calling into the New Hampshire Association of County's (NHAC) Finance committee meeting this week. He said that because there is currently no budget in place all expenditures including payroll are on hold until the budget is passed. He outlined the issues that are being discussed including the day rate cost of the NHAC Corrections Academy trainer and the removal of the \$1,000.00 Correctional Affiliate dues.

Coates then said that on this Friday the 14<sup>th</sup>, that the Medicaid Managed Care (MCO) meeting will be held at 12 Court Street at 10:30AM. He said that Brenden Williams, President/CEO of the New Hampshire Health Care Association and Cheshire County Nursing Home Administrator Kathryn Kindopp will present at the meeting.

Coates then said that over 140 applications were received for the HR Generalist position recently advertised and five (5) candidates have been interviewed and a candidate was selected. They will begin work in the next few weeks.

Coates then described that the private fund-raising efforts and presentation that was made for the additional fifty-percent 50% of the funds needed for the Old County Courthouse window restoration effort and said that the feedback that he received was very positive.

He then said that a grant known as the "L5" has been submitted for \$75,000 worth of tax credits to address regional capacity planning development for economic issues.

**At 10:56AM Pursuant to RSA 91-A:3, II(c) Commissioner Weed moved to enter a non-public session to discuss the Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present. Commissioner Cartwright seconded the motion and upon vote the motion passed unanimously.**

**Possible legal issues relating to the reconstruction of Maplewood project were discussed. As a result of deliberations in non-public session no decisions were made and no vote was taken.**

**At 11:10AM The Commissioners unanimously voted to return to public session**

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Master Agenda Item #:483: Semi-Annual Inspection of Department of Corrections

**Action Expected: To conduct the semi-annual inspection pursuant to RSA 30-B: 12 and to report the findings to the Director of Administration of the New Hampshire Department of Justice.**

**At 11:12PM the Commissioners adjourned the public portion of the in-progress Commissioner's meeting to conduct the first (1<sup>st</sup>) semi-annual 2017 Department of Corrections inspection as required by RSA 30-B: 12.**

**Pursuant to the above statutory requirement, the County Commissioners for Cheshire County will submit a report on their examination into the management, conditions, and security of the inmates in the county correctional facility to the State Attorney General's Office.**

At 11:15AM the Commissioners entered the Security Office and met with Major Mousseau to discuss facility security issues and specifically the recent repairs to the remote door locks and camera's that recently failed and were restored.

The Commissioners were then shown two (2) recent incidents between inmates and discussed the Correctional Officers responses to both situations. The Commissioners expressed that they were very pleased with the calm demeanor and professionalism shown by the Correctional Officers in handling both incidents that were brought to a quick conclusion in each case.

At 11:29AM the Commissioners entered the Medical Services department and discussed with the Medical Services Coordinator the issues and problems that she sees in the facility. She said that the daily cost of caring for inmates with diabetes was by far the most expensive service that the facility provides outside of occasional special cases that might involve dialysis and other high expense medical situations.

A discussion of the "Medication Assisted Treatment" care initiative began that could be used to help treat the many substance abuse inmates that are held at the jail and the cost and the logistics of how a program would be run was covered. Although no cost analysis is currently available data will be accumulated in next few months.

At 11:40AM the Commissioners entered the Booking / Holding area and spoke with the staff. Van Wickler explained that Troop C of the State Police now does all of its bookings and fingerprinting at the jail for officer safety reasons. He said the program has been very successful and the troopers and staff have been working very well together. The Commissioners then asked a number of questions about how inmates are processed into and out of the facility and the procedures were explained by Capitan Morey who commands the unit. Morey explained that the facility also does drug testing for recently instituted Drug Court program.

At 11:53AM the Commissioners entered "F" block to discuss the operation of the facility and to

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listen to any feedback that the female inmates had on the jail conditions, staff, and programs. The Commissioners spoke with multiple inmates in different sections of the pod and one of the inmates said that she has been in a number of other facilities and she greatly preferred Cheshire County because they are treated as human beings and not looked down on, ordered around for no reason, or treated poorly in general.

At 12:03PM a meeting with Dr. Edwards, the facility Mental Health Coordinator was held in a hallway area. Dr. Edwards said in response to questions from the Commissioners that approximately eighty percent (80%) of the inmate population suffers from mental health concerns, many with co-occurring issues. He described the comprehensive mental health assessments that completed and discussed the evidence-based practices (EBP) framework that emphasizes that justice agencies should match offenders to services and programs based on their risk and need factors (“the RNR Principles”). *The effective use of the RNR principles is challenging to implement because:*

*1) The available services for offenders in the community are often not consistent with risk and needs of offenders; and*

*2) Competing issues exist that make it difficult for policy makers to consider how best to simultaneously manage the offender in the community, ensure public safety, contain or reduce costs, and reduce individual offender recidivism.*

He then discussed the general recidivism rates and the critical need for the current staff of Licensed Alcohol and Drug Counselors (LADAC’s) as part of a successfully treatment regime.

At 12:12PM the Commissioners entered “R” Block and met with a inmates while lunch was being served in the pod. No inmate offered any contrary views to those expressed by staff and other inmates in the previous cell block.

At 12:20PM the Commissioners entered a multipurpose room to conduct interviews of staff and inmates.

At 12:24PM a male inmate entered the interview room and he said that he is long term “Con” who is a gang member and who has served many years in jails and prisons. When asked about how he is treated he said that it is his opinion that many of the Corrections Officers (CO’s) are in constant competition to try to “out-do” each other with what he believes are unnecessary cell searches and other actions. He said that he didn’t like being “micro-managed” by the CO’s especially when they are new and “competing” for rank.

He then said that he has been in many jails and prisons throughout New England and that this is be best place anywhere for the quality of food and that the jail is the cleanest of all the facilities he has been in over the years.

In response to questions from the Commissioners he said that he would like to see more

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programs that address addiction and co-dependency, and that more support groups would be good as he is now trying to get out of the gang environment and change his life to a more positive direction.

At 12:22PM the inmate exited the interview room.

At 12:40PM a male federal inmate being held at the facility entered the interview room.

He said that he has been in federal custody for about 2 years and that he has been at the facility since November of last year. He said that he thought the food was “great” compared to all the other facilities that he has been in. In response to questions about how he gets along with the CO’s he said that like most places the CO’s vary with some going “above and beyond” which he defined as “power tripping” in dealing with inmates and others were OK and he had no complaints.

He said that he really liked the fact that the place is “safe” compared to other facilities that he has been in over the years.

He then said the things that he didn’t like were that there are too many cell searches and that inmates should also be present when cell searches are conducted. He the other thing that he didn’t like was if he put in a grievance against a CO that the same CO would sometimes answer the grievance instead of another CO.

He said that the mobile law library (Lexus/Nexus) is very difficult to use compared to the Westlaw system that he familiar with and has used in the past. (The inmate is apparently preparing for a Pro Se hearing and could face being sentenced to between 20 – 30 years).

In response to other questions he said that the mental health and substance abuse programs are “great” and he said that as a black inmate he has not experienced any racist attitudes or incidents.

At 12:55PM he exited the interview room.

At 12:56PM a female CO entered the interview room, introduced herself and the Commissioners began to ask her questions concerning how she liked working at the facility. She said that she has been at the jail for about 2.5 years and now that she is on permanent first shift she enjoys working at the facility. In response to a question concerning equal treatment she that she feels that the female staff is treated the same as the males and that she doesn’t have any issues with how she is treated. She said that she likes the reoccurring training programs as it helps keep her focused and safe.

At 1:03PM she exited the room

At 1:04PM a female inmate who is a county inmate entered the room. She said that she just got out of a 5-day detox in the segregation unit and that she didn’t have any recommendations or

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complaints as she had just arrived. She said that she was arrested for trying to sell 110 grams (approximately a quarter of a pound) of drugs.

At 1:05PM she left the interview room.

At 1:06PM a female federal hold inmate entered the interview room. The Commissioners asked her how she was getting along in the facility and she said that she was doing OK. She then explained that she had been extradited from New Mexico and has been held in over thirty (30) different federal holding facilities.

She said that the food is good here and at the Stratford County jail and that she is treated with respect by the CO's and that the staff communicates with inmates on a personal level instead of just ordering them around.

She then discussed that she thought the programs and groups that are offered are helpful and would like to see more classes. She responded to a question about visits that it seemed odd that calls made to numbers in state were more expensive than out-of-state calls. She related that she has used the video visitation that cost about \$5.00 per call and she thought it was a fair price. She then said she was scheduled to leave the jail in about eighty (80) days.

At 1:15PM the inmate left the interview room.

At 1:16PM a male Corrections Officer entered the room. He said that he has been at the jail for about fourteen (14) months and that he enjoys the work. He stated that he gets along well with "most everyone" and that he has about a forty-five (45) minutes commute to the jail as he lives in Hillsborough.

He said that he always tries to speak respectfully with inmates and that he does not feel threatened or intimidated by the inmates in the high-risk classification pods. When asked if he had anything else to add or discuss he said he did not.

At 1:20PM the CO exited the interview room.

At 1:21PM the Commissioners ended the first 2017 semi-annual inspection and recessed to a lunch break.

At 1:31PM Commissioner Weed left the meeting for a previously arranged meeting.

At 1:48PM Commissioners Graves and Cartwright returned to the Executive Conference room and resumed the public portion of the weekly Commissioners meeting and reviewed the weekly Census.

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**The Weekly Manifest was then reviewed and Commissioner Cartwright moved to accept the Manifest as presented and was seconded by Commissioner Graves. Upon vote the motion passed with two (2) Yea's.**

**The minutes of April 5, 2017 were then reviewed and Commissioner Cartwright moved to accept the minutes as presented and was seconded by Commissioner Graves. Upon vote the motion passed with two (2) Yea's.**

The Commissioners calendar was reviewed.

**At 2:10PM there being no further business to discuss, Commissioner Cartwright moved to adjourn the meeting. The motion to adjourn was then seconded by Commissioner Graves and upon vote the motion passed with two (2) Yea's.**

Respectfully Submitted,  
C. Weed and  
R. Bouchard, Pro Tempore