



Commission on Accreditation for
Law Enforcement Agencies, Inc.
13575 Heathcote Boulevard
Suite 320
Gainesville, Virginia 20155

Phone: (703) 352-4225
Fax: (703) 890-3126
E-mail: calea@calea.org
Website: www.calea.org

January 17, 2017

David MacDonald
Chief of Police
Newton Police Department
1321 Washington Street
Newton, MA 02465-2011

Dear Chief MacDonald:

CALEA Accreditation represents a commitment to professional excellence. The work of your organization toward attaining this internationally recognized credential is indicative of sound leadership, as well as practitioner support of adherence to standards.

The report accompanying this transmittal is provided only to the chief executive officer and represents observations and findings from the most recent standards-based review of the organization. It is important to review this document in its entirety with specific attention to any matter indicating compliance concerns, required policy/practice adjustments, or outcomes not reflective of the intent of standards. The Commission will use this document as the primary resource in considering your organization for accreditation. To that end, you or a qualified representative(s) should be prepared to address information contained in this report and respond to inquiries by Commissioners

The Newton Police Department is scheduled for a Review Committee Hearing at the next Commission Conference in Mobile, Alabama on March 25, 2017. While the Commission does not require your attendance at this hearing, your participation helps ensure a comprehensive understanding of issues impacting your agency's candidacy. An Awards Banquet for successful organizations will occur in the evening following the Review Committee Hearing.

CALEA is *The Gold Standard for Public Safety Agencies* and we are honored to have your organization participate in this highly regarded process.

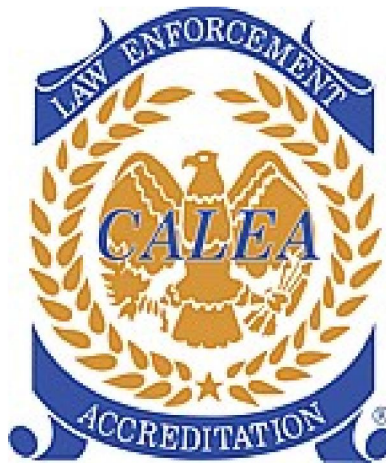
Sincerely,

A handwritten signature in black ink that reads "W. Craig Hartley, Jr." in a cursive script.

W. Craig Hartley, Jr.
Executive Director



Newton (MA) Police Department
Assessment Report



2016

**Newton (MA) Police Department
Assessment Report
December 2016**

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A. Agency Name, CEO and AM:

Newton (MA) Police Department
1321 Washington Street
Newton, Massachusetts 02465
(617) 796-2100

David MacDonald, Chief of Police

Dennis Berube, Captain, Accreditation Manager

B. Dates of the On-Site Assessment

November 28 – December 1, 2016

C. Assessment Team:

1. Team Leader Glen B. Allen
 Chief of Police
 NC Department of Public Safety-State Capitol Police Section
 417 North Salisbury Street
 Raleigh, North Carolina 27603
 (919) 890-3939
 glen.allen@ncdps.gov

2. Team Member Tim Potts
 Chief of Police
 University of Mississippi Police Department
 Kinard Hall Wing C
 University, Mississippi 38677
 (662) 915-7469 tapotts@olemiss.edu

D. CALEA Program Manager and Type of Onsite:

Paul MacMillan

4th reaccreditation, “C” size (145 sworn, 47 non-sworn full-time and 49 non-sworn part-time employees) 5th Edition Law Enforcement Advanced Accreditation

The agency is using the Power-DMS software program.

E. Community and Agency Profile:

1. Community Profile:

Located six miles west of downtown Boston, the City of Newton was first incorporated as a town in 1688. Newton covers approximately 18 square miles within Middlesex County. Two major expressways serve the area including Interstates 95 and the Massachusetts Turnpike and the city has both commuter and light rail line service. The route of the Boston Marathon runs through the city and Newton's nearly 90,000 residents live in 13 separate villages. Although the villages do not have formal boundaries, the concept offers a sense of community ownership to the diverse population. Homes in the city have high value and very little undeveloped land exists in Newton.

The population is comprised of 81% Caucasian, 3% African-American, 4% Hispanic and 12% are from other ethnic or racial backgrounds. Newton has an elected strong mayor council form of government. The Mayor is Setti Warren, a veteran and former White House staff member who is the first African American to be elected Mayor of Newton. The elected representatives are referred to as the Board of Alderman. Twenty-four members serve as Newton's legislative branch of municipal government; sixteen are elected at-large and eight are from designated wards. The Aldermen are elected every two years and the Chief of Police, David MacDonald, is appointed by the Mayor and reports directly to that office.

2. Agency Profile:

The Newton Police Department is dedicated providing the community with a more comprehensive approach to prevention, intervention and enforcement by maintaining close community oriented relations with the citizenry. The agency consists of 145 fulltime sworn officers with 47 non-sworn full-time personnel. Additional support is received from 49 part-time civilian employees. The command staff consists of the chief, six captains, 11 lieutenants and 20 sergeants. The department is divided into eight bureaus including Dispatch and Information Technology. Law enforcement operations are conducted by the bureaus of Patrol, Investigations, Traffic, Community Services, Special Operations and Support Services. Additionally, departmental administration is handled by Chief MacDonald who directly manages an Executive Officer and the Internal Affairs function of the department. Newton Police are also supported by a police prosecutor and a social worker. The agency is additionally responsible for an array of support tasks to include animal control, parking enforcement and school crossing guard functions.

3. Demographics:

The demographic composition of the service area and agency is represented in the following table:

Newton Demographics Report

	Service Population *		Available Workforce**		Current Sworn Officers		Current Female Sworn Officers		Prior Assessment Sworn Officers		Prior Assessment Female Sworn Officers	
	#	%	#	%	#	%	#	%	#	%	#	%
Caucasian	70,074	81%	40	93%	132	94%	18	13%	123	94%	13	10%
African-American	2,160	3%	1	2%	2	1%	1	1%	3	2%	1	1%
Hispanic	3,476	4%	2	5%	2	1%	0	0%	1	1%	0	0%
Other	9,436	12%	0	0%	5	4%	0	0%	4	3%	0	0%
Total	85,146	100%	43	100%	141	100%	19	13%	131	100%	14	11%

**Source: 2010 U.S. Census*

*** Civil Service Applicants*

The Newton Police Department Special Operations Bureau coordinates with the Human Resources Division of the Commonwealth of Massachusetts via an established civil service process to recruit and select police officers. Applicants that are residents of Newton are given priority per state law. Captain Dennis Geary oversees the efforts of Special Operations to hire officers that are qualified and reflect the diversity of the city. Minority representation is consistent with the available workforce and 13 percent of the sworn officers are female.

4. Future Issues:

Chief MacDonald noted that Newton Police Chiefs have recently served short terms which can cause problems with continuity of operations. He thought Newton might consider adding a manager for the business aspects of running the police department, such as recognizing budget and efficiency shortcomings, tying programs together and seeing technology bridged to make things work more proficiently. This would allow the sworn administrative staff to focus more on important law enforcement matters.

The city residents expect much from their police and the agency would like to further enhance services from the Community Services Bureau with a supervisor to screen online crime reports and analyze neighborhood issues in the villages. More training is desired in topics such as implicit bias, emotionally disturbed individuals, and active shooter preparations. Newton is assigned to the Western Massachusetts Joint

Terrorism Task Force (JTTF) but proximity and operational connections to Boston would suggest a better need to be aligned with the JTTF serving the Boston metro area.

Although the department has been proactive in utilizing a volunteer pill drop box and issuing Narcan to officers, the Newton area continues to face a growing epidemic of opioid addiction and overdose deaths. The agency recently hired a clinical social worker for the department which is funded by a two-year grant but would like to see it become a permanently funded function.

5. CEO Biography:

Chief David L. MacDonald is a 23-year veteran of law enforcement. Prior to being named Chief of Police for the Newton Police Department in January 6, 2016, Chief MacDonald has previously served in a variety of capacities including patrol, narcotics investigator, and bicycle officer. He also served in specialized units such as the county drug task force and has experience as an accreditation manager. After being promoted to Sergeant in 1999, he served as a supervisor and eventually became the Executive Officer under Police Chief Howard Mintz. MacDonald was then promoted by the Mayor to lead the Newton Police Department upon the retirement of Chief Mintz. Chief MacDonald's entire career as a police officer has been served at this agency.

Growing up in the City of Newton Chief MacDonald attended local schools before ascending to the University of Massachusetts Amherst and earning a Bachelor's degree. He later earned a Master's degree in criminal justice from Western New England College.

Chief MacDonald is active in networking with other chiefs in the Boston metropolitan area and is a member of International Associations of Chiefs of Police. He is also a firm supporter of international accreditation for law enforcement.

F. Public Information Activities:

Public notice and input are cornerstones of democracy and CALEA accreditation. This section reports on the community's opportunity to comment on their law enforcement agency and to bring matters to the attention of the Commission that otherwise may be overlooked.

a. Public Information Session

The public information session was held at 6:00 p.m. on Wednesday, November 30, 2016 in the Community Room of the Newton Police Department. No members of the public attended and a handful of agency officers were present but none wished to speak.

b. Telephone Contacts

Assessors were available to receive comments by telephone on Wednesday, November 30th from 1:00 p.m. until 3:00 p.m. The direct line was tested and in order, but no calls were received.

c. Correspondence

No correspondence was received by any member of the assessment team.

d. Media Interest

There was a newspaper article in the local on-line edition of *The Patch* on November 17, 2016 about the accreditation process and the public sessions. The team was not contacted by the media during this on-site.

e. Public Information Material

The Newton Police Department had a complete public information plan and released a public notice pertaining to its upcoming on-site assessment. The information was distributed for posting at the municipal building, police facility lobby, and on the city's internet web site. Public information material was sent to area newspapers and broadcast media.

f. Community Outreach Contacts

Assessor Potts spoke with Karl O'Hara, who has owned two local restaurants for over three decades. He described Newton Police Department as a phenomenal agency with a great reputation and was especially complimentary of the officers' high visibility and efforts to give back to the community by participating in special needs programming.

Assessor Allen, while on a ride along with Officer George Claflin, spoke with a loss prevention associate in a local shopping center who approached the patrol officer with information about shoplifting activity. He indicated that he was from out of state and assigned to a nearby chain store. He said that he was impressed by the cooperation and assistance received from Newton Police.

G. Essential Services

Law Enforcement Role, Responsibilities, and Relationships and Organization, Management, and Administration (Chapters 1-17)

The authority of sworn police officers comes from Massachusetts law and Newton's local ordinance code. State law grants sworn and certified officers the authority to carry

firearms and the department's legal authority is described and easily accessed in written directives. All officers subscribe to a standard oath of office that they will support the constitution and enforce federal, state and local laws.

The chain of command is clearly established and communications between bureaus is conducted in part through staff meetings, emails, and intermittent detective attendance at roll calls. The Police Chief is designated responsibility as the chief executive of the agency through the City Code of Ordinances. The agency has jurisdiction within the corporate limits of the City of Newton and partially in some adjacent municipalities. A detailed map depicting the agency's service area is located in the Communications Center and is available throughout the agency. Mutual aid is provided according to regulations in Massachusetts statutes. Officers have many options available as alternatives to arrests which include juvenile referrals without confinement, pretrial release, mental health deferments, citations and warnings. Discretion by officers is encouraged to avoid custodial arrests as long as the decisions are fair and serve the greater need of the community.

Body cavity and strip searches are regulated by agency directives. Approval of the Officer in Charge is required before officers can conduct such searches and as a further safeguard a warrant is required for invasive body cavity searches. Newton officers have utilized no body cavity or strip searches in several years.

The Support Services Bureau plays a major role in working with the chief on planning and research. Captain Berube of Support Services has worked diligently with Chief MacDonald on developing a multi-year plan focusing on training, staffing, department organization, community outreach programs, and performance evaluations/early warning system improvements. Goals and objectives for the specific bureaus and the department are updated and recorded in the Annual Report for the department. The commanders are held responsible for meeting the goals and objectives for their respective bureaus, and a statement of goals and objectives is included in the Annual Newton City Budget for each fiscal year.

As designated by the mayor of Newton, the chief is responsible for the fiscal planning and management for the department. The mayor's executive team works with the chief annually to set the budget and they meet throughout the year to review the budget and operations. The city has authorized the department to handle cash in three accounts. Petty cash is used to reimburse department personnel for parking, tolls, or authorized purchases (not to exceed \$400). Confidential cash is used to support vice, drug, and organized crime investigations (not to exceed \$500). The final account was designed for the department to accept cash for service fees for reports, various licenses, and permits. An outside audit is required every year to ensure accountability. Support Services is responsible for the issuing or reissuing of new or used but serviceable equipment. Inspections are conducted to insure all equipment is serviceable and accounted for, and in a state of operational readiness. Superior officers are expected to take immediate action if equipment is found to be missing, not operational, or if officers

are not following procedures. Electronic data storage remains the property of the Newton Police Department and meets the standards for security of records and all state and federal laws for retention of records. Access to Power DMS and the department records management system are password protected.

The Newton Police Department has a personnel management system which lists all positions, the number of authorized positions within a classification, and whether the spots are filled or vacant. Support Services works with the chief to plan for the allocation of personnel and conducts workload assessments at least every three years. The mayor can appoint, at the recommendation of the chief, retired Newton officers to serve as reserve officers for the department. They wear a badge and patch that indicates they are a reserve officer, but the uniform attire is the same as the sworn officers. Reserve officers are appointed for an indefinite amount of time, and are subject to removal by the chief or mayor. Since the reserve officers are retired from the agency, they are knowledgeable of the department, the city, and operating policies. They receive in-service training through the department to maintain their certification, including use of force and must complete proficiency tests with their weapons. The reserves have the same power to make arrests and perform other police duties as fulltime officers, and they have the same liability protection as well. Performance evaluations are completed on the reserves on an annual basis.

Auxiliary officers are not sworn, and the policies describe their duties. The auxiliary officers are to "observe and report" and can assist with traffic details but do not have powers of arrest. They receive training on pepper spray which they can carry on traffic control before they assume their duties. The uniforms for the auxiliary officers are visibly different from those of sworn officers.

The collective bargaining agreement between the City of Newton and the various bargaining units are negotiated for three year terms. The agreements cover entry level pay, compensation levels between or within ranks, salary for special skills, compensatory time, overtime pay, educational incentives, and augmentation for those working night shift. The agreements also cover various forms of leave (holiday, sick, vacation, family medical and short-term military). The written directive and the collective bargaining agreement for the retirement program covers health, retirement, educational, disability/death and liabilities benefits. The City Solicitor is the primary negotiator with the Newton Police Association and has agreed to bargain in good faith and abide by the applicable federal and state labor laws. The department employees are represented by the following bargaining units: The Newton Police Officers' Association, The Newton Police Superior Officers' Association, City Hall Associates, and the Newton Police Traffic Supervisors Council.

The Newton Police Department provides intervention for sworn officers and civilian staff aimed at reducing the incidence of critical incident stress through a Critical Incident

Stress Management (CISM) Team. Coordinated within the Community Services Bureau, the team, known as the Newton Police Department Stress Unit, is comprised of qualified, trained and CISM certified officers of the Newton Police Department. Others, such as clinicians and/or Chaplains may assist as needed. The Stress Unit, through its peer counselors, will provide individual and group intervention to officers and staff in coping with critical incident stress. The purpose is to mitigate the impact of an event by lowering tension and facilitating the normal recovery processes.

In addition to motor vehicle enforcement and crash investigations, the agency's Traffic Bureau covers a variety of duties and responsibilities to include parking enforcement, safety inspections, special events, and animal control. A Traffic Bureau officer is assigned to the Newton Traffic Council, which makes recommendations to the City Board about parking and traffic controls in the city. The Traffic Bureau is led by Captain Paul Anastasia, who expounded that traffic issues in the greater Boston are notable and Newton is no exception, so traffic issues are of importance to the residents, many of whom commute to work.

Newton PD Traffic Warnings and Citations

2014			
Race/Sex	Warnings	Citations	Total
Caucasian/Male	4068	195	4263
Caucasian/Female	3933	117	4050
African-American/Male	274	16	290
African-American/Female	220	7	227
Hispanic/Male			0
Hispanic/Female			0
Asian/Male	337	18	355
Asian/Female	292	13	305
OTHER	461	46	507
TOTAL	9585	412	9997

2015			
Race/Sex	Warnings	Citations	Total
Caucasian/Male	3803	105	3908
Caucasian/Female	3662	85	3747
African-American/Male	235	13	248
African-American/Female	218	5	223
Hispanic/Male			0
Hispanic/Female			0

Asian/Male	369	10	379
Asian/Female	328	10	338
OTHER	20	19	39
TOTAL	8635	247	8882

2016 **			
Race/Sex	Warnings	Citations	Total
Caucasian/Male	2784	102	2886
Caucasian/Female	2739	55	2794
African-American/Male	213	9	222
African-American/Female	120	7	127
Hispanic/Male			0
Hispanic/Female			0
Asian/Male	271	8	279
Asian/Female	250	5	255
OTHER	35	30	65
TOTAL	6412	216	6628

** As of 09/30/2016

The Newton Police Department tracks gender and ethnic information on traffic warnings and citations related to traffic stops, but over the past three years only one complaint of bias based profiling emerged regarding a traffic stop. In light of receiving only one complaint out of over 25,000 traffic enforcement actions over the tracking period, and many more traffic stops with no enforcement actions taken, there is substantial cause to conclude that the Newton Police Department has not conducted any pattern of bias based profiling in traffic enforcement.

Newton PD	Biased Based Profiling		
Complaints from:	2014	2015	2016**
Traffic Contacts	0	1	0
Field Contacts	1	1	1
Asset Forfeiture	0	0	0

** Through 09/30/2016

A written directive prohibits bias based profiling in traffic stops, field contacts and in any asset seizures or forfeitures. New officers receive training in recognizing implicit bias to encourage non-prejudicial practices and continuing in-service is provided as required by

directives. An annual report is prepared to include bias complaints and issues, but administrative reviews have not required recommendations for additional training or revisions to operating policy since complaints are almost nonexistent. Newton has not been subjected to lawsuits or civil actions regarding any bias based activities over the past three years.

Use of Force

Massachusetts state laws provide for the power of police officers and chiefs of police for cities in addition to defining the legal authority of officers to carry and use weapons in the performance of their duties. Newton’s written directives cover the procedures for assuring compliance with all applicable constitutional requirements and restrict the use of search and seizure with qualifying procedures to follow in emergency or exigent circumstances. Officers receive training on the code of ethics biennially and the department is in compliance on consular notifications in the event a foreign national is arrested to comply with international treaties.

Use of force is appropriately regulated and carefully considered by the members of the Newton Police Department. All use of force events, both lethal and less lethal, are fully documented using an agency form. The first line supervisor reviews the report and it is additionally reviewed up through the chain of command to the Internal Affairs (IA) unit. The annual analysis of force applications is done by Sergeant George McMains of Internal Affairs. Since the last on-site, all uses of force were found to be justified and at the appropriate level. The annual analysis for the past three years does not reveal any patterns, trends, or behaviors that would indicate a need for additional training, equipment, or policy modification. A thorough written directive details that deadly force is authorized in defense of a human life, including the officer’s. Officers are not to fire warning shots unless the lives and safety of the public or officer are at risk and there is no alternative. The department authorizes the use of less lethal weapons including less lethal projections for shotguns, oleoresin capsicum (OC), and batons. Medical attention is to be provided when any weapons are used including OC, if the subject is seeing is no relief from effects after 45 minutes. Requisite proficiency is displayed and documented with weapons. The agency conducts reviews of all weapons-related policies prior to the issuance of any weapon and during each recertification.

Newton PD Use of Force (*as of 9/30/16)

	2014	2015	2016*
Firearm +	8	4	2
Baton	0	1	0
OC	1	6	1
Weaponless	16	20	16
Total Uses of Force	25	31	19

Total Use of Force Arrests	17	14	11
Complaints	0	0	2
Total Agency Custodial Arrests	283	343	233

+ Firearms only displayed – not discharged

Total use of force incidents during this accreditation cycle are declining each year. There have been only nine uses of force documented during the assessment review period out of over 850 custodial arrests, and no complaints which indicates that force is applied with great circumspection. The majority of reported force used was weaponless hands-on applications. Comprehensive training and continuous monitoring of use of force incidents tends to keep the total number of events low.

Personnel Structure and Personnel Process (Chapters 21-35)

The agency’s salary program is clearly specified in written directives and collective bargaining agreements. It includes entry-level salaries, salary differentials between and within ranks, compensation for special skills such as field training officers, compensatory time and longevity pay. The department provides uniforms and equipment to all agency personnel with plainclothes officers receiving a stipend for clothing. Newton personnel participate in a local contributory retirement system which is monitored by a state oversight commission.

In the instance of a line of duty death or serious injury, the agency would rely upon the Stress Unit and other resources are available to offer assistance to families of law enforcement personnel who have been killed, injured, or otherwise stricken while on duty. The agency has fortunately experienced no line of duty deaths recently. Employee assistance services are made available to all employees through an agreement with an outside service provider vendor known as CMG Associates.

Grievances and Discipline

Chief MacDonald coordinates the grievance procedures as outlined in the collective bargaining agreements between the City of Newton and the impacted unions. The vast majority of grievances filed pertain to specific contract provisions that are allegedly being violated, in what manner those provisions may be violated, and what remedy is being sought. All grievance records are maintained in a locked file in the Executive Officers’ Office within the Office of the Chief of Police. The Executive Officer, John Daly, prepares an annual analysis of grievances and submits the analysis to the Chief.

Newton PD	Formal Grievances		
Grievances	2014	2015	2016*
Number	11	6	2

*as of 10/01/2016

There were 11 grievances filed in 2014 and only six in 2015. Only two grievances have been filed during the first three-quarters of 2016. A few grievances were filed about four years earlier when contractual issues were unresolved. Since contract negotiations have been less contentious these past few years, the grievances have been reduced. During an interview with Officer John Panica III, he indicated to the assessors that labor relations between the employees and the administration are good and have improved over the past couple of years. Panica is the President of the Newton Police Association, which is the collective bargaining unit for officers below the rank of sergeant. He especially noted the benefit of having staff give special attention to the scheduling of extra-duty work details in Newton.

Newton PD	Personnel Actions		
	2014	2015	2016*
Suspension	4	2	3
Demotion	0	0	0
Resign In Lieu of Termination	1	0	0
Termination	0	0	1
Other	2	3	1
Total	7	5	5
Commendations	18	19	59

*as of 10/01/2016

The agency's written directive for disciplinary action includes using remedial training, counseling and punitive actions as a means of handling employee discipline. Appeals to disciplinary actions are handled through the grievance procedures bargained in the collective bargaining agreements. Disciplinary actions rise through the chain of command and to the Internal Affairs unit where a final determination is made with the Chief of Police. If employee misconduct results in dismissal, the chief or their designee shall provide the employee with a written statement citing the reason for dismissal, the date of dismissal, and the status of any fringe or retirement benefits after dismissal. There have been no police officers dismissed for misconduct in this assessment cycle. Internal Affairs (IA) maintains the records of all disciplinary actions in a locked file, where only the IA sergeant (Sgt. George McMains) and the chief have access. Any records stored electronically are stored on a server that only the sergeant in internal affairs can access. There have been 17 documented disciplinary actions since 2014, of which nine resulted in suspensions of agency personnel. There was one disciplinary termination of a telecommunicator.

The Newton Police Department's written directives provide all-encompassing rules and expectations of their code of conduct guiding employees both on and off duty. All

employees observed and engaged by the assessment team seemed professional in demeanor and appearance. The agency's written directive for awards and recognition program is designed to serve as a means of reinforcing the type of performance desired. An internet web site for the agency explains publicly how the public can report an officer's conduct, whether it is for substandard or outstanding performance. These awards are issued to all employees in a fair and consistent manner. The agency recognized a total of 96 members during this accreditation cycle for formal commendations.

Recruitment and Selection (Chapter 31 and 32, below are items to consider)

Employee hiring is accomplished by a civil service administrator who makes and amends the rules which regulate recruitment, selection, training, and employment of persons for civil service positions. The Special Operations Bureau is responsible for the recruitment plan. The department uses a cross section of personnel to assist in the recruiting efforts, and those assisting must be knowledgeable of the department and the hiring process. The recruiting plan complies with the Equal Employment Opportunities (EEO) guidelines. Bureau commanders or others that assist with recruiting efforts ensure that equal employment opportunities exist and that every effort is made to have a diverse workforce. The Special Operations commander conducts an annual analysis of the recruiting plan. Newton Police have an equal employment opportunity plan and the City of Newton offers a statement in support of EEO and affirmative action. When positions are available within the department, the department will post the job announcement, job description and duties. Openings are posted at the Police Department, the Police Department Annex Building, union bulletin boards, City Hall, and with community organizations. The Special Operations Bureau maintains contact with all applicants throughout the process to inform them of their status. Applicants are not rejected for minor omissions or deficiencies that can be corrected prior to testing, interviews, or the selection process completion. The Newton Police Department is a Civil Service Law Enforcement Agency, which encourages men, women and minority candidates to take the Massachusetts Civil Service Exam for police officer. The exam is given every two years, and eligible officer selection is made from established Commonwealth of Massachusetts Human Resources Division eligibility Lists. The state conducts police officer entry level examinations. The agency takes proactive measures to achieve and maintain a diverse ratio of minority group and female employees in its sworn ranks. The department employs 19 females, two of whom are supervisors.

The Newton Police Department hiring process for sworn positions uses rating criteria or minimum qualifications that are job related. All parts of the process are evaluated and graded in a uniform manner and applicants are informed in writing of the elements of the process, the timeframe, and the policy for reapplication. All candidates not selected are notified in writing and records for those not selected during a hiring process are secured in the Special Operations Bureau for five

years, and then destroyed. All selection materials are stored in a secured location, and background investigations for all positions are conducted by trained personnel. Though the department does not conduct a polygraph exam for candidates, all candidates must pass the interview portion, background investigation, physical exam, and psychological exam. Those selected will serve a one year probation period.

Newton PD Sworn Officer Selection Activity in the Past Three Years

2014

Race/Sex	Applications Received	Applicants Hired	Percent Hired	Percent of workforce population
Caucasian/Male	14	7	50%	Caucasian- 81.3%
Caucasian/Female	7	2	29%	
African-American/Male	0	0	0%	African American- 3.1%
African-American/Female	0	0	0%	
Hispanic/Male	1	0	0%	Hispanic- 4.1%
Hispanic/Female	0	0	0%	
Other	0	0	0%	
Total	22	9	41%	

2015

Race/Sex	Applications Received	Applicants Hired	Percent Hired	Percent of workforce population
Caucasian/Male	10	3	30%	Caucasian- 81.3%
Caucasian/Female	4	3	75%	
African-American/Male	0	0	0%	African American- 3.1%
African-American/Female	0	0	0%	
Hispanic/Male	1	1	100%	Hispanic- 4.9%
Hispanic/Female	0	0	0%	
Other	0	0	0%	
Total	15	7	47%	

2016

Race/Sex	Applications Received	Applicants Hired	Percent Hired	Percent of workforce population
Caucasian/Male	8	7	88%	Caucasian- 81.3%
Caucasian/Female	3	2	67%	
African-American/Male	0	0	0%	African American- 3.1%
African-American/Female	0	0	0%	
Hispanic/Male	0	0	0%	Hispanic- 4.9%
Hispanic/Female	0	0	0%	
Other	0	0	0%	
Total	11	9	82%	

The agency received a total of 48 applications during its recruitment periods since the last on-site in 2013. From that pool of applicants, a total of 26 individuals were hired. Nine of those hired were minority or female applicants. The agency tries to recruit and select candidates commensurate to the available demographic workforce.

Training

The Special Operations commander, Captain Geary, serves as the chair of the Training Committee which includes each Bureau commander, the training sergeant, a representative of the Newton Police Association, and one from the Superior Officers' Association. If a Bureau commander is not available, then the next available person of the highest rank will sit on the committee. The committee recommends new training and revisions, and officers must attain 40 hours of in-service training yearly in areas such as; legal update, active shooter, youth interaction, elderly issues, defensive tactics, firearms, CPR, and dynamics of addiction.

Attendance at training is verified for all personnel required to attend and tracked by the Special Operations commander. Remedial training is required for those that fail to pass the training or lack proficiency. Those in remedial training are relieved of their regular status and are placed into administrative duty until they successfully complete the training or show proficiency. The Newton Police Department utilizes roll call training as a supplement to other training methods. These training sessions generally cover new general orders, rules/regulations, special alerts or training bulletins, to name a few areas. All officers receive training on the accreditation process before the onsite, and for new hires to the department. The Accreditation Manager, Captain Berube, has received specialized training on the accreditation process, how Power DMS operates,

preparing for an onsite, and time sensitive standards. Those serving in specialized positions on the department receive training in those areas (motorcycle, bicycle, youth officer, supervisors, animal control, firearms, domestic violence, and the tactical team). New supervisors are required to attend job related training. The department supports employees in career development with a program to assist the person in developing advancement goals and to assist in continuing education.

All employees have access to department policies and directives via Power DMS software. All new sworn hires must attend an approved academy with the curriculum based on statewide job task analysis of police officer positions. After completing the academy, the sworn officer is placed into a field training program for no less than four weeks. Civilian employees are provided job specific training before assuming duties and continue to attend specialized training tailored to their assigned responsibilities. The department is dedicated to providing quality training that is essential for officers to effectively perform their duties and assignments. The knowledge and skills of the Newton Police employees reflect the agency's commitment to training.

Promotions

Promotional exams for the department are offered annually via the civil service process. The department will post the available position and notify eligible officers. Human Resources will keep a list and provides that list of eligible candidates to the chief. The chief or their designee shall conduct the interviews for the candidates. All aspects of the process must be job related and there is no probation period for those promoted.

Newton PD Sworn Officer Promotions

	2014	2015	2016*
GENDER / RACE TESTED			
Caucasian/Male	16	0	27
Caucasian/Female	1	0	2
African-American/Male	1	0	0
African-American/Female	1	0	0
Hispanic/Male	0	0	0
Hispanic/Female	0	0	0
Asian/Male	1	0	0
GENDER/ RACE ELIGIBLE AFTER TESTING			
Caucasian/Male	12	10 ('14)	6 ('14)
Caucasian/Female	0	2 ('14)	0
African-American/Male	1	1 ('14)	1 ('14)
African-American/Female	0	0	0
Hispanic/Male	0	0	0

Hispanic/Female	0	0	0
Asian/Male	1	0	0
GENDER/ RACE PROMOTED			
Caucasian/Male	2	3 ('14)	3 ('14)
Caucasian/Female	0	0	0
African-American/Male	0	0	0
African-American/Female	0	0	0
Hispanic/Male	0	0	0
Hispanic/Female	0	0	0
Asian/Male	0	0	1 ('14)

('14) based upon 2014 exam *2016 exam results will be certified eligible in March/April 2017

As depicted by the chart above, the agency had 36 officers contending for the only two promotions made in the past three years. Only two minority applicants were eligible after testing. Chief MacDonald expressed his confidence in the promotional process and would like to have more diverse representation in the supervisory ranks. He emphasized the importance of supervisors in the career development of subordinates.

Crime Statistics and Calls for Service

Larceny offenses by far constitute the preponderance of reported crime. Newton has a variety of retail shopping destinations and the shops and parking lots throughout the villages generate the majority of the larceny incidents which include shoplifting cases. This is likely attributable to the vigorous local economic environment and the accessibility of the city on the western edge of Boston with ample connections by highway or mass transit.

Newton PD	Year End Part 1 Crime Stats		
	2014	2015	2016*
Murder	0	0	0
Forcible Rape	6	11	2
Robbery	9	13	9
Aggravated Assault	45	48	33
Burglary	156	111	65
Larceny-Theft	579	613	401
Motor Vehicle Theft	24	21	18
Arson	0	0	0

(* as of 9/30/2016)

Preliminary statistics (first nine months of the year) project a notable decrease in larcenies and burglaries which could lead to a significant reduction in part 1 crimes for 2016. Enhanced community liaison efforts coupled with directed patrols and crime prevention programs may be having an impact toward reducing the crime rate.

Vehicle Pursuits

Newton Police Department policy closely regulates pursuits and disallows sustained pursuits for minor offenses or traffic violations only. All pursuits require approval of the Officer in Charge (OIC) to continue. The use of roadblocks, ramming, and Pursuit Intervention Techniques (PITs) are not allowed by directives, and police motorcycles are not permitted to engage in vehicle pursuits.

Newton PD Vehicle Pursuits

PURSUIITS	2014	2015	2016*
Total Pursuits	2	3	0
Terminated by agency	2	1	0
Policy Compliant	2	3	0
Policy Non-compliant	0	0	0
Accidents	0	0	0
Injuries: Officer	0	0	0
: Suspects	0	0	0
: Third Party	0	0	0
Reason Initiated:			
Traffic offense	1	2	0
Felony	1	0	0
Misdemeanor	0	1	0

* through 09/30/2016

While a full examination of each pursuit is done, there have been only five vehicular pursuits involving the agency since 2013, and none in the first nine months of 2016. This is significant given the volume of vehicular traffic in the city and in light of over 25,000 traffic contacts documented during the same time span. Mandated reviews of each pursuit indicated that all were in compliance with written directives. Chief MacDonald supports the efforts of his department and the Traffic Bureau by recommending appropriate software to analyze traffic especially intersection safety. The purchase of such software would enhance the department's ability to coordinate with city engineers, traffic managers, and extra-duty details in a proactive approach toward safely moving mass quantities of people.

Supervisors in the Detective Bureau disperse and monitor case assignments by using an electronic records system Queues Enforth Development known as QED. The QED system documents the date assigned, detective assigned, incident number, complainant's name, offense, review date, status, and disposition. Detective Sergeant Kevin Rudd explained that the Detective Bureau works closely with the Middlesex County District Attorney on serious cases or cases involving habitual offenders. A representative of the prosecutor's office is assigned an office in the Detective Bureau to facilitate coordination of case preparations. The Detective Bureau compiles intelligence on activities of persons associated with organized crime, subversive groups, or terrorism and investigators periodically attend roll call to share information that may be pertinent to the officers. The bureau also participates in the DEA Task Force as well as the Middlesex County Drug Task Force. Detectives are assigned to those units to enforce the narcotic laws throughout the region. The Middlesex District Attorney will assist in setting up a physical or photographic line up since the detectives do so infrequently. This ensures the line ups are done in line with legal requirements.

Juvenile offenders (under age 18) are treated with fairness and discretion. The agency encourages officers to use the least coercive but most reasonable alternative when handling juveniles that have committed minor offenses. Officers are permitted to utilize options to avoid detention such as the release of young offenders at the scene or to legal guardians without further action, or informal counseling to juveniles and family members.

The Newton Police Department Community Services Bureau provides many crime prevention programs to the residents of the Villages and to the business community. Intended to reduce crime and victimization, the programs are coordinated by four youth officers who serve as school resource officers and two officers who serve in the areas of domestic violence and elder affairs respectively. Sergeant Brian Henderson clarified that agency employees provide written notices of services that are available to victims of crime during calls for service or upon request. The information is also available through the agency website. The Newton Police Department utilizes community policing programs designed to strengthen lines of communication between the department and community members. For three weeks every summer, Youth Officer John Panica, runs the "Cops and Kids" program. Each week 30 different middle school aged children spend time with officers from the department doing a variety of activities. This program builds a level of understanding and trust with those involved and also shapes trust and long lasting friendship between children and the police.

The Traffic Bureau issues monthly data on traffic crashes and enforcement activities. Commanders analyze and compare that statistical data as part of the process to determine when and where to deploy selective traffic enforcement efforts. Deaths and injuries due to traffic accidents are minimal compared to the massive traffic flow each

day in Newton. This illustrates the effectiveness of agency traffic safety efforts in light of the growing volume of vehicular traffic in the city.

Newton PD		Traffic Collisions		
	2014	2015	2016*	
Property Damage Only	1120	1128	1041	
Injuries	332	297	268	
Fatalities	0	0	3	

** as of 11-1-2016

The three fatalities in 2016 appear to be anomalies. In March 2016, a driver experiencing a medical issue crashed into a crowded restaurant killing two patrons and injuring seven others.

Critical Incidents, Special Operations and Homeland Security

The patrol commander, Captain Dowling, serves as the principle advisor to the Chief on incident command and planning for unusual occurrences. The Newton Police Department adheres to standardized Incident Command System (ICS) protocols for special events and responding to critical incidents. Several planned special events occur annually including road races, Boston College football games, cycling events, Village Days, movie filming, etc. Most notable is the Boston marathon which passes through a significant part of Newton. Since the 2013 bombing at the Marathon, the Newton Police have played an increasingly active role in planning for safety and security of the annual occurrence which involves meeting and coordinating with various local, state, and federal partners. The Traffic Services Bureau under Captain Anastasia along with the Community Services Bureau plays a critical part in special event planning. Lieutenant Bruce Apotheker emphasized to assessors the growing amount of pre-incident training that occurs in the agency.

Equipment necessary for critical operations is inspected on a monthly basis and a log is kept to verify. An All-Hazard Plan is very thorough and can be a tremendous aid to those that have to respond to critical incidents. The bureau commanders each are tasked with making sure that those within their areas receive training on the All Hazard Plan and ICS.

The agency is in a cooperative agreement for a Regional Response Team (RRT) organized under the Northeastern Massachusetts Law Enforcement Council. The RRT is a special response and tactical team made up of officers from the region including several from the Newton Police Department. This is a voluntary position, with those interested, and meeting the criteria for selection facing an interview with the Chief of

Police or his designee for suitability of assignment. Individually assigned equipment used by the RRT officer will be supplied by the agency.

The Detective Bureau is responsible for supervising and coordinating the security details for visiting VIPs. When they are planning an operation, they are required to complete an operations plan. The Detective Bureau Commander is the liaison to external agencies and departments with respect to sharing intelligence. Newton officers will contact the FBI when it is believed that terrorist activity is involved in an investigation. Information is also received on drug, organized crime, and violent crime from the New England High Intensity Drug Trafficking Area (HIDTA). Captain Christopher Marzilli commands the detectives and has three sworn members assigned to the Middlesex County Task Force for drug investigations.

Internal Affairs and Complaints against Employees

Internal Affairs (IA) is conducted by a Sergeant, George McMains, and the organizational chart has IA reporting directly to the Chief. Complaint information is for the public is available on the department's website, including a guide for commenting on an employee. Sergeant McMains compiles annual complaint summary data and throughout this accreditation cycle that data has been forwarded to the Chief each year. An agency directive states that IA summary data will be made available to the public and department employees, but the data is not proactively posted or distributed. The Newton Police website has instructions on making requests for complaint statistics by telephoning the Internal Affairs office. No such requests were made during this assessment period or during the last six years. Best law enforcement practice would suggest that the statistical data (while protecting individual identities) could be posted on the agency website or other public forum affirmatively.

Newton Police are diligent in recording all complaints against their personnel and the staff takes the process very earnestly. Each complaint is thoroughly investigated regardless of origin to include those originating from anonymous sources. Cases are investigated in a timely manner and disposed of according to the established protocols to include a finding of fact and notification of the finding to the complainant. All records are securely maintained and complaint statistical data is monitored annually to determine if written directive or training changes need to be addressed.

Newton PD Complaints & Internal Affairs Investigations

External	2014	2015	2016 *
Citizen Complaint	10	7	13
Sustained	1	1	2
Not Sustained	0	0	0
Unfounded	0	2	2

Exonerated	9	4	7
Internal	0	0	0
<i>No internal complaints documented</i>			

*as of 10-01-2016

Of the 30 external complaints, four were sustained. Surprisingly, there were no internal complaints filed during this assessment cycle, which is likely attributable to such matters being handled via other administrative methods such as the grievance process, collective bargaining, and performance reviews. The department's continued commitment to holding employees accountable for behavior, employee monitoring, and thorough investigation of all complaints has been reinforced throughout the department to potentially curb complaints. As a result, relatively few complaints are lodged.

Detainee and Court Related Activities; Auxiliary and Technical Services

The Newton Police Department operates a holding facility with six separate holding cells, each with a bed, sink, and toilet. Only authorized police personnel are permitted in the holding facility, with the exception of limited visitation arrangements. Offender records are protected electronically in compliance with directives and Massachusetts law. Steve Smith, who manages agency Information Technology (IT) matters, explained to Assessor Allen that safeguards are in place to restrict access to only those permitted by law. Officers are assigned to Holding Facility duties and the cells are inspected weekly for appropriate physical space, security, and sanitation. Officer Juan Garcia demonstrated for assessors the equipment used in arrestee processing and holding facility operation to include cameras, medical resources, and fire suppression gear. Newton Police do not operate any temporary detention or processing facilities, outside of the booking area within the holding facility and all court security functions are performed by the Massachusetts Department of Trial Court officers. During this accreditation cycle there have been no escapes, but directives are in place for such occurrences. Panic buttons for emergency assistance are located outside of each holding area and female and juvenile prisoners are held, separated from male offenders. Debilitated detainees are taken to an appropriate care center or held for a short period prior to release. Area college populations tend to create circumstances where the agency often deals with inebriated students in the holding facility.

Dispatch operations are accomplished via a state of the art Communications Center, Captain Marc Gromada oversees the component that handles police, fire, and ambulance dispatch services including Emergency Medical Dispatch (EMD) protocols. While touring the Communications Center, Margie Siccone (dispatch supervisor)

demonstrated many capabilities of the operation. The agency is connected appropriately to the national CJIS and NCIC programs.

Property and Evidence

Both designated officers and detectives serve as crime scene processors. Normally, detectives are summoned to process serious and/or violent cases. Trained crash investigators in the Traffic Bureau serve in an on-call capacity when serious accidents occur after hours. Agency directives describe how evidence is to be tagged, processed, and submitted. The evidence room has special security measures and the facilities to adequately store and secure various items of property. The evidence function falls under the Support Services Bureau and two designated officers also serve as evidence custodians. They move evidentiary items daily from temporary storage lockers into the evidence room. The Newton Police Department has a good written directive governing the receipt of evidentiary property which includes provisions for logging property into agency records before the end of the officers' tour of duty and reporting the receipt of property on the appropriate agency form. During the on-site, Assessor Allen visited with Lieutenant William Spaulding and Officer Matthew Tocci, who displayed the special security measures in place for cash, drugs, and certain valuables. Semi-annual inspections are being completed. They demonstrated the QED bar-coded evidence tracking system and spot checks for several items of evidence proved storage was accurate and secure.

H. Standards Issues

This section provides specific information on standards found to be in compliance after on-site "adjustments" were made. Adjustments may include modifying agency policies and directives, creating documentation and an alteration of the physical plant.

The agency had two standards in in this area.

1.3.8 A written directive requires that any employee, whose action(s) or use of force in an official capacity results in death or serious physical injury, be removed from line-duty assignment, pending an administrative review. (M)

ISSUE: The directive addressed only sworn officers.

AGENCY ACTION: The agency amended the written directive to apply to all employees.

72.8.3 A written directive specifies procedures for supervision of detainees of a sex opposite that of the supervising staff member. (M)

ISSUE: The directive addressed males supervising female detainees, but not females that may supervise male detainees.

AGENCY ACTION: The agency amended the written directive to indicate procedures for supervising detainees of opposite sex of the staff officer.

I. 20 Percent Standards

CALEA agencies must be in compliance with at least 80% of applicable other than mandatory (O) standards. The agency is free to choose which standards it will meet based on their unique situation. This section administratively clarifies these standards for the agency, assessors, and CALEA Commissioners.

The agency was in compliance with 83% of applicable other-than mandatory (O) standards.

J. Future Performance/Review Issues

This section does not apply.

K. Standards Summary Table

	<u>TOTAL</u>
Mandatory (M) Compliance	<u>335</u>
Waiver	<u>0</u>
Other-Than-Mandatory Compliance	<u>62</u>
Standards Issues	<u>2</u>
(O) Elect 20%	<u>13</u>
Not Applicable	<u>72</u>
TOTAL	<u>484</u>

L. Summary

The Newton Police Department is a full service agency committed to providing the highest quality of service to their community, it embraces the concept of preventative

policing and works closely with all segments of the community to enhance safety and improve the quality of life in Newton for residents and visitors.

Agency files were found to be in good order. Although the agency did not conduct a mock assessment prior to the on-site, only two files were returned for additional proofs of compliance that were already in possession of the agency and were corrected during the on-site. Although two files were identified in Standards Issues, each was promptly addressed and corrected, and both were technical deficiencies with minimal impact on the quality of service provided by the agency. No issues identified during this assessment that required further attention.

Surveying those served by the agency to gauge service delivery is done every three years by the Newton Police Department. The Special Operations Bureau conducted a survey of citizens in August 2016 measuring the quality of police services. The results showed that 77% of respondents strongly agree that the agency does a good job and 84% feel safe in their homes and businesses. Traffic concerns were the most common problem identified by the citizens.

The team determined that required annual reports were submitted in a timely manner and Captain Dennis Berube and Officer Jeffrey Mace displayed an excellent command of accreditation matters. Chief MacDonald and the command staff are also knowledgeable in accreditation matters and showed that they have extremely competent personnel at the agency. The staff members all have served the agency for several years and the smooth functioning of the agency and the support from the community leaders are good products of effective leadership. Members of the agency all proved to be knowledgeable about their respective duties and seemed positive in the performance of their responsibilities.

The team reviewed all applicable standards and found the Newton Police Department to be in compliance with agency practices and directives meeting the intent of CALEA standards. After a thorough assessment, supplemented by interviews with citizens, agency members and others, the team found the Newton Police Department to be a capable and well-managed law enforcement agency dedicated to service and improving the quality of life in the community.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Glen B. Allen", written in a cursive style.

Glen B. Allen Team Leader