



Public Safety & Transportation Committee Report

Part 2

City of Newton In City Council

Thursday, May 6, 2021

Present: Councilors Downs (Chair), Markiewicz, Bowman, Grossman, Lipof, Oliver, Lucas and Malakie

Also Present: Councilors Greenberg, Albright, Norton, Kelley, Wright, Krintzman, Crossley, Humphrey, Danberg, Noel, Baker, Kalis, Leary, Gentile and Ryan

City Staff: Jonathan Yeo, Chief Operating Officer; Mayor Fuller; Interim Chief Howard Mintz; Lt. George McMains and Lt. Bruce Apotheker, Newton Police Department; Michelle Pizzi O'Brien, Human Resources, Director; Maureen Lemieux, Chief Financial Officer and Ellen Ishkanian, Director of Community Communications

Others Present: Chief John F. Carmichael Jr. and NewTV

#159-21 Appointment of John F. Carmichael Jr. as Chief of Police

HER HONOR THE MAYOR in accordance with Chapter 279 of the Acts of 1992 and Sec. 3-3 and 3-4 of the City Charter, appointing JOHN F. CARMICHAEL JR. as Chief of Police.

Action: Public Safety & Transportation Approved 7-0, Councilor Lipof not voting

Note: Chief John Carmichael Jr. and Mayor Fuller joined the Committee for discussion on the appointment of Chief F. Carmichael Jr. as the new Newton Police Chief.

Remaining comments, questions and answers from Committee members and Councilors.

Comments, Questions and Answers:

How is cultural change achieved and earning respect of your colleagues, particularly coming from a different community? Chief Carmichael answered that change is very difficult. It takes time, effort and partnership with all members of the department. He goes out in a patrol car, rides the mountain bike, walks or rides an ATV leading by example, setting a positive tone for the community

Examples that you can set in enforcing ordinances, such as leaf blowers is important for the community. How can this be accomplished? Chief Carmichael answered that quality-of-life issues are very important and affects peoples' lives. He would want to review this problem by looking at the root causes. A goal is to try to minimize recurring activity and reduce the number of calls.

Have you worked with body cameras before, and do you foresee Newton police officers wearing body cameras? Chief Carmichael answered that Walpole looked at a pilot program and did a significant amount of research on body cameras. As the department started to investigate the process, some of the barriers were expense and data storage. The department found that it was going to be very difficult to create staffing to be able to do court compliance, public records and redactions. The department discussed it and bargained with the union but were never able to move forward because of the cost. How do you deal with delicate situations such as domestic or child abuse cases and when should a body camera be turned on or off? Now in Massachusetts, lots of departments are doing pilot programs and they will be able to collect data, and advise us on how this is working.

Several black residents in Newton met with former Chief MacDonald to discuss policing and racial profiling on a monthly or bi-monthly basis. Are you willing to meet with these residents to hear their concerns with policing and racial profiling? Chief Carmichael answered absolutely, he looks forward to meeting with them.

Regarding our leaf blower ordinance, the City is in the process of setting up a registration system so that contractors register to ensure they have equipment that meets ordinance requirements. Prior to the registration systems, it was difficult because the police were confronting individuals who were holding the leaf blower, who had no control over what machines they had. The City is trying to hold the owners of the companies responsible for the machinery that they provide their workers. We are hopeful our registration system works better. There are folks that think officers should not do the enforcement. Would this be community policing? Chief Carmichael answered that it could go either way. The decisions will be up to the City Council on who should enforce the ordinance. You can approach it as a community policing issue, like with any quality-of-life issues. If police are tasked with doing it, then it is our responsibility. It does not need to be negative encounter.

Regarding mental health calls, residents ask why are the police sent? Are there pros and cons? Are the police the correct department? Chief Carmichael answered that the police, social workers and healthcare system do not work independently of each other, there must be a team response. One of the issues with mental illness type calls are that the anatomy of the call is not always known. When the police arrive, they may identify and recognize that there is an underlying mental health issue that is happening. But that call might be received as a domestic violence, child abuse or disturbance call. Crisis intervention and de-escalation training helps officers to recognize and take appropriate action. Many times, social workers attend a known mental health call and will request police assistance because they do not feel safe. In Massachusetts, some of the dynamics of the call also empower the police to take some action, for instance commitment to the hospital or protective custody.

Regarding 911 calls stating that there is suspicious person (color of their skin) on the street. The officer arrives, asks the person what they are doing, etc. and leaves the scene. That interaction makes the person feel unwelcome. What are your thoughts, especially as a former dispatcher on what dispatchers can do to screen out these types of calls? Chief Carmichael answered that the only thing that may be suspicious is the way a person looks. If you are going to stop and detain a person,

then you need to have some type of reasonable suspicion to believe that that person is committing or has committed a crime. Dispatchers are well trained on these types of calls, they ask many more questions including the person's behavior, and why is this person suspicious? Dispatchers gather as much of that information as possible. If they are not successful, we do not respond to that call we do a roll by in that area to check things out.

According to recent surveys, the department has a morale issue. Historically, officers have preferred their new Chiefs to come from within our department. I think it is fair to say you are entering an organization in crisis. How would you approach building or improving morale? Chief Carmichael answered that it is very difficult sometimes when you go outside of a department to bring somebody new in. There are many unknowns and many questions they will have about the candidate that was hired to lead them. The officers want someone who is fair and who will advocate for them. When there is low morale, there must be an issue or a reason. Low morale needs to be identified and department morale is up to everybody. Training, equipment, recognition, technology, discipline and benefits keep people happy.

How do you see the environment in terms of opportunities Newton provides or that you can take advantage of or bring to the forefront in your work here to Newton? Chief Carmichael answered that there are many things that attracted him to apply for Police Chief. He referred to the brochure and particular things that interested him such as community engagement, what Newton was looking for in a Police Chief, the department, the expectations from the community and community policing. Newton just seems like a great community; it is like the perfect type of community that you would want to try and take all the things that you are looking for your department and put it into play, that is what attracted me to Newton and the challenge.

What does the term defund the police term mean to you and how will you get the department if they are not already on the same page with you, to move forward? Chief Carmichael answered that officers must adapt to things constantly. The term defunding or reimagining affects all officers. We obviously cannot ignore the situations that have happened across the country. When defund the police began, I had concerns that funding would be removed from the police impacting public safety. When funding is removed, training, resources and the ability to train are lost.

Is there a community policing program that you may want to institute in Newton? Chief Carmichael answered that Walpole PD acquired a community resource dog who responded to many different types of calls and has changed the dynamic of stressful calls. He was pleased to see that a resource dog is mentioned in the Police Reform Task Force Recommendations.

You mentioned that change is difficult. What might you expect to see in change when you arrive in Newton? Chief Carmichael answered that it will be a lot of work coming from the outside. He will begin to build relationships, partnering and meeting everyone in the department, letting everyone know that they can trust him and have confidence in him.

Regarding school resource officers, students of color indicated that school resource officers were seen as a negative thing. Chief Carmichael answered that it was difficult to bring the police into the learning environment. It takes time to establish trust and the acceptance of an officer being in the schools. School resource officers are crucial for public safety within our schools.

For years, Newton Councilors have been frustrated by our inability to put police details around the city as needed for road work and construction projects that are both city and private. Is it a requirement to have a uniformed officer perform details and enforce traffic violations? Chief Carmichael answered that the problem is statewide in Massachusetts. In Newton, you really must start drawing from as many qualified people as possible. Some communities use crossing guards or retired officers for work details. A uniformed officer performing details can enforce the law, stop drivers and cite them if necessary.

The Newton Police Reform Task Force report includes recommendations for a healthy, inclusive culture within the police department. The report mentions continuing the transition from a warrior mindset to a guardian mindset. What does this mean to you? Chief Carmichael answered that the phrase is from the 21st century policing recommendations in 2015. We are guardians of our communities to keep people safe and protect the community. The guardian mindset must build into your mission statement, vision and values.

What is your personal philosophy on policing and a police department's relationship to the civilian leadership of a municipality? Chief Carmichael answered that when he was growing, what made him want to be a police officer was when he saw an officer assisting a person in need and another helping a child fish. Those role models became part of my philosophy: public respect, cooperation, treating people fairly and with dignity.

Newton has had some challenging discussions about the ideology and symbolism of the thin blue line flag, with former Chief MacDonald indicated symbolizes that Newton Police are the only thing standing between order and chaos. What are your thoughts on the meaning behind the thin blue flag? Chief Carmichael answered that he has understood the meaning to be personal; it signifies the sacrifices officers make and remembers officers who have died in the line of duty. The line between peace and chaos is the police—he had heard that sentiment as well. The flag means many different things for many different people.

Data is necessary and should be shared with residents including incidents of hate, number of calls, crash data records relating to vehicles, bicyclists and pedestrians.

City Council approved a Vision Zero resolution. Vision Zero is the idea that not one death or serious injury should be happening on our roadways, whether you are a person driving, riding a bike, walking or steering a wheelchair. Newton roadways are not designed to be safe enough for children to walk to school, for cycling, training or exercise. Newton has many dangerous intersections and should tackle traffic congestion, climate change, vehicle miles traveled and to make it possible to be a livable community. How can you help us move forward on being a Vision Zero community?

Leadership is also necessary to support the Safe Routes to School organization.

Without further discussion Councilor Grossman made a motion to approve the appointment of John F. Carmichael, Jr. as the new Newton Police Chief. Committee members agreed 7-0, Councilor Lipof not voting.

At approximately 9:40 p.m., Councilor Markiewicz made a motion to adjourn. Committee members agreed 7-0, Councilor Lipof not voting.

Respectfully submitted,

Andreae Downs, Chair