

Police Department

Fiscal Year 2022 Outcomes and Strategies

This section of the FY2022 Recommended Budget was written personally by the Mayor in early May 2021 at an unusual moment in the Newton Police Department.

At this moment, the leadership of the department is changing. Interim Chief Howard Mintz has been leading the department since July 2020 and Chief John Carmichael will be sworn in soon on June 7, 2021.

Chief Carmichael will assume leadership of the Newton Police Department at a time of intense scrutiny of police departments and policing nationwide. Police officer shootings and the overrepresentation in enforcement activity of people of color, including pedestrian and vehicle stops, have raised concerns. Events across the United States have fostered distrust for police forces, especially in communities of color. Attention to systemic racism and racial disparities in access to healthcare and health outcomes, education, employment and earnings, housing, as well as criminal justice and policing have grown during the pandemic. Open dialogue and meaningful action on these issues is essential and together we need to determine how to move forward and address our shared past.

At this moment, morale within our Department is low, in part because the spotlight on police is bright. As the guardians of our communities and the first responders to calls that run from the routine to the unimaginable, their role is demanding and difficult. Questions about intent and ability, calls for change, and expressions of distrust grow out of the increased desire to ensure our Department is the role model for fair, just, respectful, safe and effective community policing here.

Yet, to individuals in our department who love their profession and this community and are doing their utmost to protect and serve, the cumulative effect of being in the public spotlight sometimes creates feelings of dismay, unease, insecurity, frustration, and uncertainty. Members of our police department take pride in how safe our community is, the good work they do, and the national accreditation the Department has received. They feel blamed for the unacceptable behavior of other police officers that they condemn.

I am deeply appreciative of their professionalism and service and proud that they are committed to continuously improving. My vision for policing in Newton in the coming years builds on the good work already being done within our department.

At this moment, I have before me the report of the 12-member Newton Police Reform Task Force who took a close look at policing in Newton over seven months. They issued their [Final Report](#) in February 2021. I extend deep thanks to the twelve people on the Task Force – in particular Chair Sonja Spears – who gave so many hours to this important work. I also want to thank the many community members who spoke up about their experiences and shared their perspectives to inform the work of the Task Force. I've given the Task Force's recommendations serious consideration.

I also heard from and considered the recommendations of an internal group of Newton Police – both sworn officers and civilians – who did their own assessment. I have been closely guided by Interim Police Chief Howard Mintz and Executive Officer Lieutenant George McMains. I have also had many preliminary discussions with Chief Carmichael and his vision for the Newton Police Department.

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I have listened to City Councilors, City and School staff, business leaders and community groups who shared their experiences with the NPD, and their ideas and recommendations. I've read many reports and consulted with law enforcement leaders and Mayors.

Therefore, as the Mayor of Newton, I took the lead on drafting the outcomes and strategies for FY2022 for the Newton Police Department as well as providing a longer term perspective on the vision, values and mission of the Newton Police Department. Taken together, these actions recommit Newton to being the role model for community policing that is fair, just, respectful, safe and effective.

To deliver fair, just, respectful, safe and effective community policing, we must invest more in our people within the NPD; improve our responses during mental health crises and try to prevent them from occurring; review NPD's roles and the department's organization structure; and bolster community policing which includes collecting and sharing up-to-date data and information about who is being stopped and arrested and when, against whom and under what circumstances force is used to be as transparent as possible; and how complaints about misconduct are resolved. We will take steps to evaluate our hiring process to explore ways to recruit and hire officers who better reflect the diversity of our city. We will invest more in the people within the Newton Police Department so they are better equipped to de-escalate conflicts, help those in crisis, and deliver bias-free community policing. We will improve facilities, equipment, training and work regimes to support wellness and professionalism. As a City, we will look for more ways to better connect people with social services.

As Chief Carmichael takes leadership of the department, we will keep refreshing our ideas and improving our plans, policies and procedures. We will keep a close eye on important reforms coming from the State. In addition to a Commission on Civil Service and another on Qualified Immunity, a Massachusetts Peace Officers Standards and Training Commission (POST) is being implemented. The POST Commission will put in place processes to increase transparency, accountability and follow-up on complaints about officers.

I am encouraged by the important steps we are taking immediately in support of fair, just, respectful, safe and effective community policing. I acknowledge the frustration that some things will take time to fully study including whether to leave the Civil Service system. I note that we will need to feather in some changes due to the financial implications of the initiatives. We will also need to fully understand the implications and impacts of police reform being done at the State level before moving forward on some of our own Newton-specific initiatives. As I think about our future plans, I know that virtually all the proposed changes will take a partnership with the Newton Police unions for them to be effective. I look forward to working with them.

With a new Chief and a recommitment to fair, just, respectful, safe and effective community policing, I am excited about the next chapter in the Newton Police Department.

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Outcome 1

Support the New Chief

The first major step in the next chapter of the Newton Police Department is the selection of John Carmichael as the next Chief.

In Walpole, Chief Carmichael has an exemplary track record of leading by example and deepening the commitment of his Department to community policing, fair and impartial policing and procedural justice policies, practices and protocols. He is an adaptive leader committed to continuous improvement. He holds himself and those around him to the values of integrity, transparency, engagement, innovation, equity, accountability, compassion, excellence and responsiveness. He has been relentlessly committed to diversifying the Department and providing extensive training on crisis intervention, procedural justice, fair and impartial policing, implicit/explicit bias, community collaboration with persons with mental illness, de-escalation and use of force. Following multiple events in the U.S. involving police transgression, brutality and injustice, the Chief partnered with a community group to address these issues, have candid dialog and gather valuable input. He actively created multiple opportunities for interactions with residents to help develop lasting relationships and mutual respect and trust. He has built a problem-solving department that focuses on preventing recurring incidents. These values and philosophy of policing— and his track record of leading with these values – will serve Newton well as he heads the Newton Police Department in its next chapter.

I will work closely with Chief Carmichael in the coming year to help him learn about Newton, meet people across the City and throughout our departments, and provide support and advice.

My goal is that Newton is the role model for community policing that is fair, just, respectful, safe and effective.

This means that people across our 13 villages know that the Newton Police Department is committed to community policing. This fundamental philosophy is reflected in partnering collaboratively throughout our community, to engaging with our residents in problem solving, and to welcoming input in setting the goals of the department and tailoring our policing to the precise needs of our community. It translates into face-to-face interactions in village centers and neighborhoods, at schools and faith organizations, with community groups, and at our playgrounds and parks.

This means we will fully embrace and practice the tenets of 21st Century and fair and impartial policing to achieve police legitimacy in the City of Newton. We will continuously work to achieve the goal of a Newton where every person is safe and *feels* safe regardless of race, ethnicity, national origin, religion, gender, gender identity, sexual orientation, age, disability, familial or immigration status, their health or

Outcome 2

Recommit to NPD as the Role Model for Community Policing

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type of housing, economic status or occupation, proficiency with the English language or other personal characteristic. Unbiased policing also extends to living these values internally as we recruit, hire, evaluate, promote and train within the Department. We will work to recognize implicit bias and maintain non-bias based policing policies and practices within the Newton Police Department.

This means the Newton Police Department will strive to achieve procedural justice. This means treating people every day fairly and with dignity and respect, giving people voice during encounters, and decision making that is both impartial and unbiased as well as transparent and open. Importantly, procedural justice extends to the processes, policies, actions and strategies within the Department itself and among its personnel and with the unions.

The Department under the leadership of Chief Carmichael will also take a fresh look at its mission statement, its vision and its core values. Chief Carmichael understands that the mission, vision and values should not be considered as mere words on a piece of paper or a plaque but rather be embraced by all members of the organization and practiced every day.

Outcome 3

Strengthen Relationships, Mutual Respect,
and Trust between NPD and People Across
Newton

A foundational aspect of community policing is to build relationships, mutual respect, and trust between NPD and our community through close, transparent, frequent communication and exchange of ideas.

Chief Carmichael and I look forward to strengthening the relationships between

Newton Police Department staff with people across the City. This includes people in our villages – with an additional emphasis on residents of color – City Councilors, Area Councilors and members of our business and non-profit communities.

While the pandemic has hampered face-to-face interactions this year, NPD has a wonderful tradition of community engagement from which to build. From National Night Out and Coffee with a Cop to a Citizens Police Academy, Summer Camp for Youth and Explorer Scout’s Post, and infant car seat and occupant safety services, the Community Services Bureau is excited to re-engage.

Open dialogue and meaningful action on issues related to systemic racism is essential and together we need to determine how to move forward and address our shared past. Chief Carmichael looks forward to facilitating dialogue to address issues of systemic racism with face-to-face contact and meetings which address current and past issues as well as case study examinations. This will be built on ongoing conversations with people of color as well as our broader community. It will include conversations with FORJ, the Newton Coalition of Black Residents, Asian community groups, the Myrtle Baptist community and many others.

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Strengthening these relationships is likely to intersect with a fresh look at how NPD is organized, and how we do our work in such areas as the Patrol and Community Services Bureaus. The community policing philosophy executed through face-to-face contact is one that Chief Carmichael believes deeply is vital for success. Chief Carmichael looks forward to creating a detailed community engagement plan which identifies community policing engagement practices and programs. Many programs that NPD already undertakes will serve as a starting point such as vulnerability assessment services by NPD of religious, educational and public service institutions. In addition, Chief Carmichael looks forward to discussions with Superintendent Fleishman, NPS Staff and the School Committee on the roles and responsibilities of School Resource Officers and taking a fresh look at the MOU.

Additional opportunities for engagement are varied. Developing even closer relationships may include more time on foot or on bike in village centers, parks and playgrounds. It may mean more time with groups of people, whether in a church or temple, a City Council committee or an area council meeting, in our schools, or at a neighborhood association. It could include volunteer Neighborhood Teams. NPD may want to establish a Student Police Advisory Council (STU-PAC) to help create collaboration between high school students, police officers and School Resource Officers and ensure the voices of our high school students are amplified. We may want to consider a community resource dog. (This is quite different from a police dog trained to support police in detecting drugs or other illicit substances. Rather, this is a therapeutic dog that supports community engagement and helps in the aftermath of stressful situations.)

Strengthening relationships is likely to include more community events and different communication techniques via the website, newsletters and social media. A fresh look at the Departments website, social media presence, Facebook page and critical incident notifications may be useful. Additional uses of electronic sign boards and our local cable TV station may be as well. We could visit the possibility of a Newton PD cable show as another vehicle to discuss with the community Department initiatives and incidents. (Chief Carmichael had a show called Walpole Five-O in his previous community.)

Chief Carmichael also looks forward to deepening relationships in neighborhoods and villages and getting the input of residents on goals and best practices. Whether from the City Council's Public Safety and Transportation Committee, FORJ, the Newton Coalition of Black Residents, former members of the Newton Police Reform Task Force or interested residents, he looks forward to creating opportunities to review best practices and welcoming community input in setting NPD's agenda. This is consistent with NPD's community policing philosophy.

Chief Carmichael also believes in problem-oriented policing. He encourages officers to spend extra time penetrating the root causes of public safety issues. In Walpole, he used the SARA model for seeking solutions (Scanning, Analysis, Response and Assessment). His goal is to prevent recurring problems and act as an intercept to repeated incidents. He looks forward to having NPD establish POP units (Problem Oriented Policing Units). The POP unit is a policing concept that identifies recurring public safety problems and provides an emphasis on minimizing repeated calls for service through use of proper resources. POP units identify people and locations generating calls for service in the community and begin looking at "why" they are producing repeated calls for service. Once the "why" is determined, the POP unit develops a plan to address with the root cause of problems. This involves navigating beyond

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the typical traditional police response and taking additional time and steps to assist community members with addressing underlying issues and improve their quality of life.

NPD Officers receive a lot of training currently. Even more is needed. To perform community policing and accomplish its mission, officers and civilians must be up-to-date on best practices and continue to develop their skills. A variety of techniques will be used to accomplish this goal. For example, roll-call training can be very valuable and Chief Carmichael supports “Reverse Mentoring” roll-call trainings where officers specialized in certain areas train other officers using their expertise. In addition, in FY2022 we will increase the training budget by \$300,000 in a non-lapsing account.

Outcome 4

Invest More in NPD Employees to Strengthen Skills Linked to Achieving NPD’s Mission

Additional Training on Bias Free Policing:

We will provide additional **anti-bias training** for all personnel, including sworn officers, dispatchers and civilians.

The goal is to ensure everyone is trained to identify explicit bias and recognize patterns that indicate implicit bias. This training will include not only race and ethnicity but will also incorporate cultural competency, gender and age bias, hate crimes, sexual violence and misconduct, as well as issues related to our LGBTQ+ community and people with disabilities.

Additional Training on De-Escalation, Mental Health Crisis Intervention, Appropriate Use of Force and Peer Intervention:

We will provide additional training to all officers on defusing critical incidents. All Newton Police Officers will also be provided access to **Crisis Intervention Training**, including de-escalation classes with the Norfolk County Crisis Intervention Team (CIT) Training & Technical Assistance Center. The CIT Training is a 40 hour course in which officers are equipped with the knowledge and skills to guide best practice response to individuals impacted by unmet mental health issues, developmental disorders, and co-occurring substance use issues. It includes de-escalation techniques, including disengaging, using verbal persuasion, waiting a situation out, and taking cover.

All officers will also participate in additional **scenario-based simulation trainings** to provide real life opportunities to practice de-escalation and best practices on the use of force continuum with updated simulator technology. (The CIT training includes scenario-based simulation trainings as well.)

We will provide all officers with **Active Bystandership for Law Enforcement (ABLE)** training. Offered by Georgetown’s Innovative Policing Program, Project ABLE Training builds a culture of peer intervention and active bystandership within police departments. The training teaches officers to know how to intervene with each other to prevent harm. Notably, this training will reenforce the recently passed Massachusetts policing reform bill which created a duty to intervene. Roll-call training can be very

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valuable and Chief Carmichael supports “Reverse Mentoring” roll-call trainings where officers specialized in certain areas trains other officers using their expertise.

Additional Professional Development:

In addition to additional training opportunities, we will seek to provide more opportunities for officers to **rotate** through the department’s specialist bureaus to deepen knowledge and expertise across the department and strengthen the relationships between NPD employees. Chief Carmichael did this in Walpole and assigned officers to TDY (Temporary Tour of Duty) as a way to develop skills.

We will seek to establish a voluntary **mentoring** program. This program could guide young talent who are interested in progressing through the ranks. This initiative requires bargaining with the union.

We will provide additional useful feedback to employees by adopting a new **performance evaluation software program**. This will allow us to improve the accuracy and fairness of the evaluation process and give NPD a more robust early warning and early intervention system. The goal is to identify officer performance (including measuring officers’ community policing, community engagement and 21st century policing skills) and professional needs and address officers’ needs early. Concurrently, such a system can notify supervisors of exemplary behavior. This initiative requires bargaining with the union.

Outcome 5

Support NPD Employees with Up-to-Date Facilities, Equipment, Work Schedules, and Recognition

NPD Facilities:

As Mayor, I have prioritized the improvement of NPD facilities. One of the early actions I took after taking office was to put out a Request for Proposals to find a suitable parcel of land to build a new police complex. While we didn’t find a landowner willing to swap a parcel of land in exchange

for the current Police Headquarters in West Newton, we will continue to look for opportunities.

In the meantime, we have been diligent in funding improvements to the three police facilities. This funding was one of the few that I didn’t postpone when the pandemic emerged, and we put almost all infrastructure investments on hold.

It’s clear that the current **police facilities** continue to need a lot of work. The headquarters building dates from 1931, the annex from 1926, and the garage and property/evidence storage building from 1959. Their envelopes and the HVAC systems will continue to require ongoing investments. From the locker rooms and property/evidence room to the parking lot and elevator, investments are required. We started updating the HVAC system in the HQ building during the last six months and have substantial additional work being done in FY2022. We had previously incorporated another \$2.7 million over the next five years in our Capital Investment Plan (CIP). This includes interior renovations to the locker rooms, restrooms and the kitchen as well as addressing security, parking lot, accessibility and roof replacement needs.

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In addition, in the Supplemental CIP, I am setting aside an additional \$3 million in funding from the American Rescue Plan Act (ARPA) for NPD facilities. In FY2022, we will undertake a program assessment to understand the needs and possibilities, including a training facility. In FY2023, design work will be done. Construction is scheduled for FY2024.

Providing Updated Equipment:

We will **pilot the use of body-worn cameras**. Direct, first-hand video footage of interactions between police officers and members of the public can increase the effectiveness of officers by helping with training and evaluation. Camera footage can build trust and transparency with the community, potentially leading to fewer complaints. Video footage can enable departments to collect evidence and explain their actions. The footage also helps hold officers accountable and is useful for both criminal and internal investigations.

The implementation of body-worn cameras will be done carefully. We want to ensure that constitutional rights are protected, privacy is ensured, and the surveillance is fair and appropriate. For example, the protocols should consider sensitive situations, juvenile issues, and staffing for court compliance and discovery, and public records. The cost of a body-worn camera program involves hardware, training, and maintenance of the footage and data.

The pilot of body-worn cameras in Newton will move forward, we hope, simultaneously with the work of the new State Body-Worn Camera Task Force. By July 2021, the Task Force's interim report is due with proposed regulations and legislation. By July 31, 2022, this Task Force must adopt regulations for law enforcement agencies on procurement, training, field procedures, identification/retention/storage and maintenance of recordings, supervisory internal review and audit, sanctions for improper use or tampering, and public information.

This is likely to be a significant investment. We will continue to monitor federal and state initiatives and funding opportunities on body-worn cameras.

Bargaining with the unions is required before we can move forward with the initiative.

We will put **cell phones in frontline cars to improve GPS technology and upgrade camera capabilities**. This will transfer the use by officers to City cell phones rather than personal ones. This will involve bargaining with the unions before we can move forward with the initiative.

We will **replace all the desktop computers, phones and digital wiring in NPD to bring the software and hardware current**. The computers will be a \$125,000 investment which we will docket with the City Council shortly.

We will **replace five of our police cruisers** which will be hybrid next fiscal year. These are frontline vehicles that are used by all three shifts, 24/7, every day of the year. As the cruiser replacement was not done in FY2021, this appears as a \$350,000 increase in FY2022. Notably, the \$350,000 investment returns us to the level of funding in FY2020.

Modernizing Schedules:

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We will **adjust the schedules for officers to improve work-life balance and promote well-being and health**. Police Departments, which importantly provide 24/7 coverage, develop rotation schedules (typically based on seniority) that also influence mandatory or elective overtime and detail assignments, off-duty court appearances, availability for special events and emergencies, and extra/double shifts to address personnel shortages from vacations, illness, disability or unfilled positions. The effect of rotating schedules can lead to fatigue and less effective performance. In addition, the workday length, total hours worked, and shift arrangements have significant impacts on work and personal life. Changing from the rotating schedule used currently to straight shifts will require negotiations with the unions.

It may be useful to describe in detail NPD's current schedule for our largest bureau, the patrol bureau. Our current personnel schedule in our patrol bureau is divided into three groups or platoons. The first platoon is assigned to the day shift from 7:30 am to 3:30 pm with a majority of officers rotating 4 days on and 2 days off. Our two night platoons, the 2nd and 3rd platoons, are scheduled to split shifts, alternating between a 3:30 pm to 11:30 pm first half shift and a 11:30 pm to 7:30 am last half shift, also on a rotating 4 days on and 2 days off schedule. When the 2nd platoon is working, the 3rd platoon is off and vice versa. As an example, Officer A would report to work for her first shift at 11:30 pm and work until 7:30 am the following morning. Officer A would be off for 8 hours, reporting back for duty for her second shift from 3:30 pm to 11:30 pm that same afternoon. Officer A would then be off for 24 hours and report for her 3rd shift at 11:30 pm to 7:30 am and then her 4th shift from 3:30 pm to 11:30 pm. Officer A would then be off for 48 hours, repeating this schedule every 6 days.

The Newton Police Department also uses a "relief system" to fill vacancies in the night shifts. The 10 most junior officers in each night platoon are assigned to "relief." From 1:30 pm to 2:30 pm prior to a relief officer's first and third shifts, they must call the officer-in-charge who has the authority to "call up" the relief officer to work a 3:30 to 11:30 shift on the opposite platoon to address staffing issues. If called up, the relief officer will not have to work their regular last half shift and would be expected to return to their next scheduled shift at 3:30 the following afternoon. From time to time, calling relief officers from their last half shifts to address staffing issues on the first half shifts creates staffing issues on the last half shift. As the junior officers, the relief officers sometimes find themselves getting ordered to fill the vacancy created when they were called up to fill the first half vacancy.

Officers working these split shifts, especially those assigned as relief officers, often find themselves unable to make family plans or to get the appropriate amounts of rest and exercise or to eat a healthy diet. Officers with young children can find this schedule particularly difficult to spend quality time with their family. Transitioning from split shifts to straight shifts would provide employees with a more consistent schedule. It could eliminate the current relief system and create opportunities for healthier lifestyles.

Supporting the Department:

Chief Carmichael speaks passionately about the good work of the Newton Police Department. He wants NPD to proudly brand itself as a community-policing agency and publicize the many positive experiences with community members. Best practices include providing awards and recognitions, using social media to highlight good work, and making it easy for people in Newton to compliment the Newton Police when a job is well done.

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It's a tragedy that people in Massachusetts do not have widely available preventive mental health services. It's also a tragedy when we have an officer involved shooting during a mental health crisis.

My goal is to create better community-based support services, so Newtonians have more options beyond simply calling the police when they face a crisis. By strengthening support services, health professionals can meet the mental health and other basic needs of community members to help avoid conditions that can precipitate actual or perceived mental health crises that precipitate 911 calls. That said, police will continue to need to respond first when a weapon, physical threat, or domestic or other violence is involved.

Many mental health crisis calls are frequently called in as a call for service other than mental health. The mental health element may be undetected initially, so police and social workers need to work collaboratively. Crisis Intervention Training (CIT) will be crucial for officers to recognize mental illness better and include social workers. I will continue to **advocate for our State, regional and local partners to provide adequate community-based services**, such as crisis hotlines, walk-in centers, mobile crisis teams, peer crisis support services, and crisis stabilization units to meet the needs of people in mental health, substance use, or other crises.

We will **invest in more mental-health support resources here in the City**. As a City, we can and will invest more to link our residents to the available resources that offer accessible, comprehensive, and culturally sensitive mental health care. We have a social worker within the Police Department and additional social workers and guidance counselors in our Health and Human Services, Senior Services and School Departments doing just that. We currently provide additional support for mental health and substance use services by contracting with professionals, including Riverside Community Care for clinical care of children and adults. NPD is an active participant in Communities for Restorative Justice. We will continue to seek to make more investments in this area.

In those instances when 911 is called, we need to keep improving our responses and interventions to people having mental health, development disability, substance use, or trauma crises. We will explore providing residents the ability to access the William James College Referral Interface. We will provide more training for our officers. We are exploring new paths for people who come into the court system to be diverted to mental health resources when appropriate. We are working more with community partners to develop crisis response approaches, improve the effectiveness of our response efforts, and develop a network of services to direct people in crisis to appropriate health services. We will continue to understand and implement best practices. We will evaluate this year having a mental health police officer and/or an additional social worker embedded within the Police Department to pair with officers to respond and follow up to crises even as our current social worker continues to develop more ways to improve our responses.

I will be building into my recommended FY2022 budget funds for specific initiatives to strengthen our response to crises, including:

Outcome 6

Improve the Response of the City of Newton to Mental Health Crises

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Community Crisis Intervention Team (CCIT): After several months of planning, we initiated a Community Crisis Intervention Team in March 2021. Our goal is to promote communication and enhance the response of the City of Newton and private agencies with individuals who are mentally ill, developmentally disabled, struggling with substance use or experiencing trauma in their lives. Our Community Crisis Intervention Team is co-led by staff from the Newton Police Department and Newton Health and Human Services, with partners from the Newton Fire Department, Newton Public Schools, the Newton Department of Senior Services, Fallon Ambulance, Advocates, Newton-Wellesley Hospital, the Massachusetts Department of Mental Health, the Newton Housing Authority, and a local mental health agency, Riverside Community Care.

Mental Health Court Sessions: Staff from the Newton Police Department and Newton Health and Human Services are working with Judge Heffernan, staff from the Newton District Court, and knowledgeable residents to assess whether mental health court sessions are a feasible and useful strategy in Newton.

These specialized mental health court sessions provide an alternative to incarceration by providing intensive social services and mental health treatment for defendants who have serious mental illness or co-occurring mental health and substance use disorders. A mental health clinician, in consultation with a probation officer, creates a service plan. A service plan may include referrals to mental health treatment, substance use treatment, housing, education, and employment opportunities. In essence, it is a collaborative effort between the criminal justice and the mental health treatment systems. The goal is to improve the quality of life of individuals with mental illness through access to comprehensive services rather than incarceration. Public safety is improved, and recidivism reduced. If we implement this model, the City of Newton will need additional clinical support which we expect to obtain by contracting with professionals in a community organization. The FY2022 proposed Budget for the Health and Human Services Department includes this funding.

Taking the One Mind Pledge:

Chief Carmichael and I believe the Newton Police Department should join the One Mind Campaign. This campaign seeks to ensure successful interactions between police officers and people in crisis and/or with mental health issues or disorders. The initiative seeks to bring the three different organizations together to be of one mind: first responders, mental health organizations and the local community. The Newton Police Department must pledge to implement four best practices within at 12 to 36 month time frame. These include a clearly defined and sustainable partnerships with one or more community health organizations, developing and implementing a model policy addressing the Department's response to people in crisis and/or with mental health issues or disorders, training and certifying 100% of sworn officers and selected non-sworn staff such as dispatchers in mental health awareness courses such as Mental Health First Aid training, and collaborative crisis response training to a minimum of 20% of sworn officers and selected non-sworn staff.

Providing Additional Training for Police Officers in Mental Health Response: As mentioned earlier, we will substantially increase training for our police officers, including Crisis Intervention Training, De-Escalation Simulation Training, and Integrating Communications, Assessment and Tactics Training in Crisis Response.

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We will also pay close attention to the work of a newly created statewide Community Policing & Behavioral Health Advisory Council. By July 1, 2022, a study and report of the Community Policing & Behavioral Health Advisory Council on crisis intervention and jail diversion models is due with final recommendations to strengthen non-police responses to community health crises and jail diversion coming July 1, 2023.

Providing Mental Health Support to Newton Officers:

Chief Carmichael is also interested in taking a fresh look at the support our officers receive. The cumulative effect of stress on officers and dispatchers is significant. He wants to ensure the support systems are in place not just after critical incidents but also for everyday stressors.

Governor Baker’s Act Relative to Critical Incident Intervention should continue to be fully embraced so that the Department continues to have access to Critical Incident Stress Management (CISM). NPD must maintain its partnership with the Greater Boston Critical Incident Street Management Team. Critical Incident Street Management (CISM) teams are staffed by specially trained public safety personnel and clinicians which can be activated 24/7. This formal, highly structured and professionally recognized process helps those involved in a critical incident to share their experiences, address emotions, learn about stress reactions and symptoms, and be given referral for further help if required. CISM uses a number of different types of approaches to trauma depending on the type and severity of the incident. An informal defusing is typically done within 12 hours of an incident. Debriefings are more formal and happen typically within 1 – 3 days after a traumatic incident. Loss sessions can be used for a line of duty death, police officer suicide, or off-duty sudden death of a department retiree. A goal is for the Newton Police Department to continue to have a number of officers who are specially trained in Critical Incident Street Management who support the Greater Boston CISM Team and NPD personnel. Suicide prevention, wellness, physical health and emotional health at NPD should continue to be fully supported.

Outcome 7

Increase Diversity within NPD

The goal for FY2022 is to take concrete steps to assess how best to diversify Newton’s police force and to move forward toward achieving this outcome.

The Newton Police Department is currently part of the State’s Civil Service system. All hiring and promotions are done through this Civil Service system. The lists of candidates that we can consider are produced by the Civil Service system with preference given to people who have lived in Newton and to veterans. Our use of the Civil Service system has resulted in our Department, like many others, facing many barriers to effective recruitment.

A more diverse police force will help us provide better policing. Having officers with different backgrounds, life experiences and perspectives leads to better decision-making, communication, crime solving and outcomes.

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A more diverse police force can help earn the trust of more members of our community. Having police officers who represent a wider range of ethnicities, races, religions and experiences means that more residents will see and potentially relate to officers with similar backgrounds, culture and dialects. The Newton Police Department would better reflect our community if we had more female, Black/African American, Hispanic/Latinx and Asian officers, and officers who are multilingual – including in leadership positions. At the same time, we also want to encourage homegrown candidates, people born and/or raised/schooled in Newton – including possibly through the METCO program. People who know Newton well and love this community will bring their vast knowledge and pride to their work in the Department.

Chief Carmichael believes that we need goals for racial, ethnic and gender diversity among NPD personnel, perhaps based on a demographic analysis of stops; we should align NPD's demographics with those they serve and with whom they interact. NPD should publish a report annually on how NPD is tracking compared to the hiring goals it develops.

Chief Carmichael, NPD and I will assess by the end of the year whether to take steps to move Newton out of the Civil Service system. To do so, we are asking to form a committee with the police union leadership to study the Civil Service system and assess this potential change, as this initiative requires bargaining with the unions. (It may be useful to know that once in civil service, officers continue having this status in their current rank even when a department is out of civil service; new officers and officers who get promoted transition out of civil service.)

Our decision on leaving Civil Service will likely be influenced by the work of the State's new Commission on Civil Service & Non-Civil Service Hiring, Promotion, and Discipline. This Commission will make recommendations by September 30, 2021 for changes to the Civil Service law to improve diversity, transparency and representation of the community in recruitment, hiring and training. The Commission will consider changes to civil service exams, merit preferences, eligibility lists, and the appointment process from eligibility lists by hiring authorities. The Commission will also make recommendations on these areas for municipalities not subject to the Civil Service law.

In the meantime, and regardless of our decision with respect to Civil Service, the Newton Police Department will move forward with additional initiatives to recruit diverse candidates to the department. For example, recruitment plans are underway through internships of college students, job fairs and educational outreach.

In the coming months, I will be discussing with Chief Carmichael the possibility of filing a home rule petition to allow students who graduated from Newton Public Schools through the METCO program, or from a college or university in Newton, to qualify as a Newton resident for purposes of taking the Civil Service exam. This could enable us to attract a broader group of diverse candidates.

Chief Carmichael and I will also be closely evaluating the upcoming report from the new Commission on a Statewide Police Cadet Program which will be issued by December 31, 2021. The Commission is focused on creating a new state cadet program as an alternative path to employment in police departments. There may also be opportunities to encourage more young people to consider policing as a career. These opportunities may include enhancing the Newton Police Cadet Program, the "Cops and

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Kids” summer programming, and creating a Junior Police Academy operated by the School Resource Officers in the summer.

A fundamental principle for me as Mayor is ensuring our police department has the support and trust of all segments of our diverse community. The Newton Police earn support and trust when we enforce laws impartially through unbiased policing, provide service courteously and respectfully, have an officer corps that represents and understands the community, and uses force only as a last resort. Support and trust also require frequent communication, easily accessible information and data, and openness and responsiveness to complaints and concerns.

As a result, one of my goals is for the Newton Police Department to provide our community with useful information on its outcomes, practices and policies, and on incidents in our community ranging from crime to hate incidents to vehicular, pedestrian and bike accidents. This in turn allows us to harness the power of data to identify and address problems.

Collecting and Sharing Data and Information:

- **Demographic Information:** The Newton Police Department currently collects, analyzes, and regularly makes public annually aggregate, anonymous data about the race, ethnicity, age, and gender of people who are stopped, searched, and arrested. (Click [here](#) and [here](#) and [here](#) to find this information.) This information is valuable for many reasons, including understanding whether enforcement decisions and strategies disproportionately affect specific groups. For example, data is collected on suspicious persons calls; click [here](#) for the recent racial analysis.

Chief Carmichael will take a fresh look at the systems NPD uses and its policies for collecting, analyzing and publishing information in our effort to continuously improve. For example, we may need a better software system, more robust collection of information, and ways to make this information available at more regular intervals and presented in a public forum, rather than just in a report or on the website. We will review our current training on Hands Free Data Collection law (MGL c. 90 s.63). SECTION 83 of the Act Relative to Justice, Equity and Accountability in Law Enforcement in the Commonwealth and in case law (e.g., Comm v. Lora and Comm v. Long). NPD will also consider joining the Police Data Initiative (PDI). PDI promotes the use of open data to encourage joint problem solving, innovation, enhanced understanding, and accountability between communities and the police department that serves them.

I recommend this **demographic information be publicly reviewed by members of the City Council’s Public Safety and Transportation Committee (PS&T)**. This committee of elected City Councilors is tasked with reviewing matters relating to our Police and Fire Departments. A regular meeting of this committee, perhaps bi-annually, with the Chief of Police and other department representatives to

Outcome 8

Improve Transparency and Address Problems with Easily Accessible Information and Data

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review data in a public setting, to answer questions, and give supplemental information as needed would be helpful and provide more transparency.

- Use of Force Information: The Newton Police Department has developed use-of-force protocols, processes and policies to track, review and evaluate all force incidents in a timely manner. Additionally, successful Use of Force (De-escalation) should always be tracked in keeping with the Long case. The Newton Police Department continues to update these, including last summer. The NPD refined its use of force policy on June 15, 2020 to include Duty to Intervene and an explicit ban on choke holds.

NPD is committed to following best practices which call for releasing and making public information about serious and lethal uses of force when possible and as quickly as possible. Appropriate disciplinary actions are initiated whenever officers violate policy; and disciplinary policies and enforcement actions in all incidents, including use-of-force, are made publicly available. (To see all NPD disciplinary actions in the last few years, click [here](#).)

Newton Police Department protocols state that Officers should not un-holster, draw, point, or show their firearms unless they have a reasonable, nondiscriminatory basis to believe that there is an imminent threat of death or serious injury to themselves or others. All uses of firearms, including pointing one at someone, are supposed to be immediately reported and investigated. If an officer fails to follow the protocol either on the use or the reporting, NPD reviews the situation, takes disciplinary action if appropriate, tries to learn from the experience, and improve practices, protocols, supervision and/or training.

- Accident and Traffic Management Information: NPD plays a critical role in traffic management and traffic safety in the City. The Traffic Bureau conducts crash investigations and speed enforcement, manages detours, enforces parking restrictions, manages a large contingent of school zone crossing guards, and coordinates with DPW on snow emergency and a wide range of roadway issues. They focus not just on motorist but also pedestrian and bicyclist safety. They use directed patrols to improve enforcement and prevention. Crash reports for vehicle accidents and those involving bicyclists and pedestrians are currently collected using paper forms that are scanned along with NPD creating some simple location maps posted on the website. Going forward, NPD will determine how to provide a more robust data and mapping system on an ongoing basis to help the City systematically assess crash information and design solutions to reduce them. The Transportation Advisory Group (TAG) has recently demonstrated some of this possibility by data-mining hundreds of crash reports on the NPD website and to assess vehicle speeds across the City. Investments in NPD's capabilities in these areas is likely to provide benefits to traffic management in the City.
- Hate Crimes and Incidents Information: The Newton Police Department actively investigates all reported hate crimes and hate incidents. NPD's protocols also call for all such crimes and incidents to be reported to the Mayor, the Human Rights Commission, the District Attorney, and the Anti-Defamation League. Chief Carmichael looks forward to reviewing the protocol as Massachusetts Hate Crime Reporting Act of 1991 requires the reporting of bias on account of race, religion, ethnicity, handicap, gender, or sexual orientation to the Attorney General's Office as well.

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The Newton Police Department as well as the Human Rights Commission encourages the reporting of hate crimes and incidents. The Mayor's Office and/or the NPD also reach out to potentially targeted communities to explain the incidents, the reporting procedures, and the investigation processes.

The NPD has an officer who is both our Civil Rights Officer and who serves as a member of the Human Rights Commission Advisory Council where incidents of racism and bias in the community are reviewed and discussed each month. This continued dialogue, access to data, and a public forum is intended to address the incidents and build trust on all sides.

Outcome 9

Provide Transparency and Act Responsively to Complaints and Concerns

A fundamental principle of community policing is to provide transparency and to act responsively on complaints and concerns about officers.

Police officers are given tremendous responsibilities, extraordinary powers and

enormous discretion, including the authority to conduct surveillance, to arrest people, and to use force. With this power comes the requirement that officers exercise their authority judiciously and appropriately – and that misconduct and inappropriate or deficient performance, when it occurs, will be identified and addressed.

The Massachusetts state legislature has recently implemented significant new reforms in this sphere, including the creation of the Massachusetts Peace Officers Standards and Training Commission (POST). The legislation calls for the POST Commission to start operating this summer with police departments providing comprehensive disciplinary records on officers starting at the end of September 2021.

The reach and authority of the POST Commission is both wide and deep:

- The 9-member POST Commission will provide **civilian oversight** of all police departments in the Commonwealth. The Commission will have **fully independent** authority and will be civilian majority.
- The Commission will receive all misconduct complaints – both criminal charges and resident complaints – against an officer from all sources. The Commission is authorized to **track allegations of misconduct, demand information from police agencies, and investigate** any complaint against officers directly. The Commission will have **subpoena and audit powers** and the authority to employ investigative staff. The Commission may investigate on evidence it deems sufficient and must investigate serious cases. Serious cases include officer-involved injury or death (including failure to intervene), an officer engaged in a crime (whether or not an arrest, indictment or charge followed), and when a Chief recommends retraining, suspension or decertification.

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- The POST Commission will automatically receive a tremendous amount of information about potential officer misconduct from police agencies. For example, within 2 business days, **the NPD must transmit to the POST any complaint it receives**, including whether the complaint alleges bias, unprofessional conduct, excessive/prohibited or deadly force, or serious bodily injury or death. All previous disciplinary records of the officer must be submitted to POST.
- The Commission has the authority to suspend certification of a police officer after a preliminary investigation and to decertify, suspend or revoke after the investigation.
- There is **no civil service appeal** of either decertification or termination. No law or collective bargaining agreement can limit a Chief's recommendation to POST about an officer's certification status after the internal affairs procedure and appeal are completed.
- **Employment of decertified officers is not permitted.** If an officer is decertified, that officer is **not subject to "qualified immunity"** for the conduct that resulted in de-certification. Police who violate residents' civil rights may also lose their legal immunity under the State reforms.
- The POST also can **decertify, suspend, revoke or require retraining of officers if an officer was biased** against a protected class (race, ethnicity, sex, gender identity, sexual orientation, religion, mental or physical disability, immigration status, or socioeconomic or professional status). The right to bias-free professional policing is a civil right and if an officer is biased and decertified, the officer is no longer entitled to the protection of "qualified immunity" and is open to a civil rights lawsuit.
- The POST will **publicly disclose all final decertifications, suspensions and retraining orders.**
- The Division of Police Certification within the POST will develop training standards for officers.
- The Division of Police Standards within the POST will create and review a **database** to detect patterns of unprofessional police conduct.
- The POST will also **certify all law enforcement agencies**, including the Newton Police Department. There will be minimum certification standards in many areas, including use of force and reporting; officer code of conduct; officer response procedures; criminal investigation procedures; juvenile operations; internal affairs and complaint investigation procedures; detainee transportation; and collection and preservation of evidence.
- Police Officers serving as **School Resource Officers** must be specially certified by POST by December 31, 2021.
- In addition to the POST, the state reforms created a **Commission on Qualified Immunity** and its report and recommendations are due at the end of September 2021.

The reforms at the state level are significant and far-reaching.

Chief Carmichael and I will pay close attention to the implementation of the POST Commission. We will evaluate how effectively it oversees complaints against officers and how qualified immunity will be used. We will then come forward with our recommendations on whether any additional oversight mechanisms are needed here at the local level.

In the meantime, we will take concrete steps within the City to make it easier for people to bring forward their concerns about the police and for our community to know about these complaints. Chief Carmichael believes deeply that NPD should have an open and robust complaint process supported by a

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sound progressive discipline policy with remedial training mechanisms. He wants to promote transparency for negative experiences and address such issues.

- We will make it easier for residents to raise a concern about the Newton Police:
 - We will make complaint forms available in multiple languages so they are more accessible to non-English speakers. The Complaint system will also include ability for community members to commend officers.
 - We will increase the means through which persons can file these complaints or commendations. Currently these complaints may be sent either directly to the Newton Police Department or called in by phone. We will create an online portal to allow complaints to be submitted online. We will place drop boxes at City Hall and possibly another City Hall building that to allow people to submit complaints with discretion.
 - We will enable the submission of anonymous and third-party complaints.

- We will make it easier to know about concerns filed against the Newton Police:

It is not only important that we improve people's access to filing complaints but also to ensure that all persons in Newton have access to information on complaints that have been filed.

To this end, Chief Carmichael will consider having this information posted on the NPD website, providing an annual report, meeting regularly with the Newton Coalition of Black Residents and other groups (e.g., API) to discuss the information, and providing it as a discussion item regularly at the City Council's Public Safety and Transportation Committee. This information will typically include the race, gender, age of complainants, location, and context of the complaints.

- We will evaluate possible changes to current officer disciplinary procedures:

The current arbitration and bargaining policies and processes that dictate the way our police department can deal with poor officer performance are set by our police labor union agreements and civil service laws.

Any significant change to these procedures is likely to require legislation at the state level. I look forward to working with the new Chief to evaluate the way our current systems work and decide what steps, if any, we might take to develop new recommends in this area.

Outcome 10

Review and Recommend Necessary Changes to NPD's Roles, Organization Structure and Staffing Levels

We as a City must invest in programs, polices and services that diminish the underlying causes for calls to the police department. We want our community members to have good mental and physical health, decent and affordable housing,

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healthy food on the table, excellent schooling, meaningful and equitable work, and satisfying relationships.

In parallel, we will continue to explore opportunities to shift responsibilities from the Police Department to other City Departments when we can provide services more effectively and/or efficiently. Thus, some of our work related to policing will mean doing more and doing better with work in other Departments.

In addition, an important goal is that NPD's organization structure, staffing levels, and responsibilities allow NPD and the City of Newton to achieve our mission of meeting the needs of our community members in effective and appropriate ways. This requires us to answer important and challenging questions.

- Should Newton Police officers respond when a neighbor is concerned about a loud leaf blower in the summer and needs a quick response, or to a plow driver pushing snow from the condo complex next door into their driveway during the winter?
- Who should quickly respond when a dog is running in a park where it should be leashed?
- Can instances like those above potentially become opportunities for officers to engage community members?
- What actions can we take to proactively decrease the number of times these types of potentially contentious issues arise? Can we improve our ordinances and practices to diminish the calls in the first place?
- How do we make preferred changes with the help of the multiple unions that are involved?

In the coming months, I look forward to working with the new Chief, department heads, City Councilors, union leadership and others on the most effective and efficient ways of providing these services and enforcing our ordinances.

In the meantime, we are taking several concrete steps.

- We are working closely with City Councilors to make our leaf blower ordinance more enforceable. There are a number of thoughtful proposals, ranging from holding companies, not just operators, responsible for violations; notifying homeowners when there is a violation on their property; fining property owners for repeated violations on their property; and requiring commercial landscapers to register with the city and certify awareness of the leaf blower ordinance. (Please know that leaf blower violations accounted for 1.5% of police calls last year in Newton.)
- We may want to explore adding another seasonal officer in the Newton Police Department to provide animal control services.
- We are adding funding for a pilot of a part-time seasonal employee in Inspectional Services for April-May and September-October to increase code enforcement (including, hopefully, the proposed new leaf blower registration requirement). All ISD inspectors will also in June-August, when leaf blowers are disallowed, enforce the leaf blower ban during their routine inspection travels.
- We are working with the police unions on adding more types of personnel to do flagging/detail work.

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- We are expanding the funding for mental health services in or through other departments (Health and Human Services and Schools).
- We are investing in traffic calming upgrades and complete streets initiatives in DPW to decrease accidents and the need for directed patrols by officers.

Notably, many of these initiatives require bargaining with the unions.

I also look forward to working with Chief Carmichael as he takes a fresh look at the organization structure and staffing levels of the Newton Police Department during this fiscal year. For all organizations, aligning the structure, roles and responsibilities, and staffing to achieve its mission effectively is a basic management requirement. These issues overlap with exploring new and modified roles, areas where work can be scaled back or increased, metrics and accountability systems, information flows, spans of control, and chain of command and decision-making authority.