



Public Safety & Transportation Committee Agenda

City of Newton In City Council

Wednesday, March 23, 2022

7:00 PM

The Public Safety & Transportation Committee will hold this meeting as a virtual meeting on Wednesday, March 23, 2022 at 7:00 pm. To view this meeting using Zoom use this link <https://us02web.zoom.us/j/89474945426> or call 1-646-558-8656 and use the following Meeting ID: **894 7494 5426**

Items Scheduled for Discussion:

- #200-22** **Request for a discussion of Fire Department training**
COUNCILOR DOWNS requesting a discussion of Fire Department training.
- #183-22** **Requesting a discussion and possible amendment to Newton's firearms ordinance Sec. 20-62 Weapons**
COUNCILORS KELLEY, LIPOF, DOWNS, WRIGHT, MALAKIE, DANBERG, KRINTZMAN AND LUCAS requesting a discussion with Police Chief Carmichael and possible adoption of an amendment to Newton's fire arms ordinance Sec. 20-62 Weapons – Discharging firearms, to include a ban on discharging air guns, air rifles, BB guns or pellet guns in the City.
- #67-22** **Requesting regular discussion with the Police Department**
COUNCILOR DOWNS requesting regular discussion with the Police Department of police data, including crashes, types of calls, numbers and dispositions.
Held 8-0 on 01/05/22
- #199-22** **Request for a discussion of Police Department training**
COUNCILOR DOWNS requesting a discussion of Police Department training.

Respectfully submitted,
Andreae Downs, Chair

The location of this meeting is accessible and reasonable accommodations will be provided to persons with disabilities who require assistance. If you need a reasonable accommodation, please contact the city of Newton's ADA Coordinator, Jini Fairley, at least two business days in advance of the meeting: jfairley@newtonma.gov or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

CITY OF NEWTON

DOCKET REQUEST FORM

DEADLINE NOTICE: Council Rules require items to be docketed with the Clerk of the Council NO LATER THAN 7:45 P.M. ON THE MONDAY PRIOR TO A FULL COUNCIL MEETING.

To: Clerk of the City Council

Date: 3/2/2021

From (Docketer): Councilor Downs

Address: 854 Chestnut St., Waban 02468

Phone: 617-378-8972 E-mail: adowns@newtonma.gov

Additional sponsors: _____

1. Please docket the following item (it will be edited for length if necessary):

Discussion of fire department training

2. The purpose and intended outcome of this item is:

- Fact-finding & discussion
- Appropriation, transfer,
- Expenditure, or bond authorization
- Special permit, site plan approval,
- Zone change (public hearing required)
- Ordinance change
- Resolution
- License or renewal
- Appointment confirmation
- Other: _____

3. I recommend that this item be assigned to the following committees:

- Programs & Services
- Zoning & Planning
- Public Facilities
- Finance
- Public Safety
- Land Use
- Real Property
- Special Committee
- No Opinion

4. This item should be taken up in committee:

Immediately (Emergency only, please). Please state nature of emergency:

- As soon as possible, preferably within a month
- In due course, at discretion of Committee Chair
- When certain materials are made available, as noted in 7 & 8 on reverse
- Following public hearing

5. I estimate that consideration of this item will require approximately:

- One half hour or less
- More than one hour
- More than one meeting
- Up to one hour
- An entire meeting
- Extended deliberation by subcommittee

6. The following people should be notified and asked to attend deliberations on this item. (Please check those with whom you have already discussed the issue, especially relevant Department Heads):

City personnel

Citizens (include telephone numbers/email please)

Gino Lucchetti _____

Greg Gentile _____

Michelle Pizzi O'Brien _____

Law _____

7. The following background materials and/or drafts should be obtained or prepared by the Clerk's office prior to scheduling this item for discussion:

Ms O'Brien may have a list of NFD trainings over the last 2 years

8. I have or intend to provide additional materials and/or undertake the following research independently prior to scheduling the item for discussion. *

(*Note to docketer: Please provide any additional materials beyond the foregoing to the Clerk's office by 2 p.m. on Friday before the upcoming Committee meeting when the item is scheduled to be discussed so that Councilors have a chance to review all relevant materials before a scheduled discussion.)

Please check the following:

- 9. I would like to discuss this item with the Chairman before any decision is made on how and when to proceed.
- 10. I would like the Clerk's office to contact me to confirm that this item has been docketed. My daytime phone number is:
- 11. I would like the Clerk's office to notify me when the Chairman has scheduled the item for discussion.

Thank you.

Andreae Downs
Signature of person docketing the item

[Please retain a copy for your own records]

Current Ordinance language

Sec. 20-62. Weapons—Discharging firearms.

No person shall, except in the performance of some legal duty, discharge any firearm upon or across any street or public grounds within the city, except by permission of the city council, nor upon any private property without the consent of the owner or tenant thereof. (Rev. Ords. 1973, § 14-14; Rev . Ords. 1995, § 20-14)

State law reference—Offenses involving weapons generally, G.L. c. 269, § 10 et seq.

Draft Amendment for discussion

Sec. 20-62. Weapons – Discharging firearms, air rifles.

(a) No person shall, except in the performance of a duty required by law, discharge any firearm, rifle or shotgun upon or across any street or public grounds within the city, except any military exercise or review authorized by the military authority of the State or by the City Council, nor upon any private property without the consent of the owner or tenant thereof.

(b) No person shall discharge an air rifle, air pistol, BB gun or pellet gun in the city.

(c) Violations of this section shall be punishable by a fine of three hundred dollars (\$300.00) per offense. Each day a violation continues shall constitute a separate offense. Where non-criminal disposition of this section by civil fine has been provided for in sections 17-22 and 17-23 of these revised Ordinances, as amended, pursuant to the authority granted by G.L. c. 40, section 21D, said violation may be enforced in the manner provided in such statute. The civil penalty for each such violation is set forth in section 17-23(d).

Draft Ordinance for fines in connection with proposed amendment to Sec. 20-62 for discussion

Sec. 17-23 Enforcing persons and revised ordinances subject to civil fine

Insert at the end of paragraph (d) POLICE DEPARTMENT of Section 17-23 **Enforcing persons and revised ordinances subject to civil fine**, the following language:

Sec. 20-62. Weapons – Discharging firearms, air rifles.

() Any offense \$300.00



*City of Newton
Police Department*



TELEPHONE
(617) 796-2101
FAX # (617) 796-3679

John F. Carmichael
CHIEF OF POLICE

Office of the Chief of Police
HEADQUARTERS
1321 WASHINGTON STREET
NEWTON, MASSACHUSETTS 02465

Date: February 20, 2022
To: Newton City Council – Public Safety & Transportation Committee
From: Chief John Carmichael
Ref: Newton Police Department [Knife and Firearm] Related Calls

Dear PS&T Chair Councilor Downs,

During the January 5, 2022 PS&T meeting regarding police statistics, I presented Newton Police Department data relative to mental health, domestic violence and substance abuse among other public safety concerns facing Newton.

Based on discussion during the January 5th meeting, and recognizing recent trends in calls for service involving knives and firearms, NPD has assembled internal data to identify such trends.

As a result, in the 2021 calendar year, the Newton Police Department identified **79** incidents involving a knife (edged weapon). Of the 79 incidents where a knife was involved, the Newton Police Department submitted **14** incidents to the FBI's National Incident Based Crime Reporting System (NIBRS) due to a knife being used in the commission of a crime. These incidents included armed robbery, assault w/dangerous weapon, carrying dangerous weapon, threats, etc.

The remaining **65** incidents involved events such as emergency hospitalizations of persons posing risk of serious harm by reason of mental illness pursuant to MGL c. 123 § 12 [involuntary/voluntary psychological evaluations], ambulance transports, and police investigations.



In addition to the knife incidents, the Newton Police Department identified 41 incidents and/or investigations involving firearms. The majority of firearms involved incidents, are classified as investigations, mental health crisis related, or crime guns. 12 of the incidents involved student(s) posting about firearms or threats.

In the last 3-4 weeks of 2022, the Newton Police Department has removed five illegal firearms from violent criminals during three separate incidents. One incident involved two men who were preparing to start shooting at each other after an altercation, one involved an investigative partnership with the ATF at an MBTA stop, and one involved a hit & run crash where the operator fled with a stolen firearm believed to be used by the suspect in a shooting in Cambridge. Five illegal guns were recovered and four individuals were arrested.

While this data establishes trends for a variety of incidents, the data also supports the frequency of emotionally disturbed person calls and crime incidents involving weapons, and the effectiveness of officer crisis intervention training, officer tactical training & integrating communication and de-escalation tactics, mental health first aid, our Jail Diversion co-response model, and the success in partnerships with our newly created Community Crisis Intervention Team (CCIT).

Additionally, the outcomes of this data supports the philosophy of community policing in that the Newton Police Department continues to transform organizationally to address these issues successfully, while instilling problem-solving oriented policing and addressing underlying root causes of these issues, and demonstrating alternatives to arrest in certain cases.

Many times I have heard comments such as the police are traditionally not well-trained or prepared to mitigate mental health crisis; however, on the contrary our officers, clinician, and our community based partners do a phenomenal job successfully managing these sometimes dangerous, dynamic and unpredictable calls for service.

Respectfully submitted,



Chief John Carmichael



2021 Calls where a Knife

Incident & Date/Time	Type/Offense	Location
21053356-1	12/28/2021 0:56	DANGEROUS WEAPON, CARRY c269 S10
21053179-1	12/26/2021 11:59	MV, MALICIOUS DAMAGE TO C266 S28
21052782-1	12/22/2021 15:35	NON CRIMINAL REPORT
21052314-1	12/19/2021 4:53	PSYCH EVALUATION
21052224-1	12/18/2021 9:23	A&B WITH DANGEROUS WEAPON c265 S15A
21051995-1	12/16/2021 23:22	INVESTIGATION
21051970-1	12/16/2021 17:35	LARCENY OVER \$1200 C266 S30
21050927-1	12/8/2021 23:33	THREAT TO COMMIT CRIME c275 S2
21050809-1	12/8/2021 4:44	PSYCH EVALUATION
21050333-1	12/3/2021 23:17	AMBULANCE RUN
21049915-1	11/30/2021 23:02	A&B ON FAMILY OR HOUSEHOLD MEMBER
21049308-1	11/25/2021 14:28	PSYCH EVALUATION
21048067-1	11/15/2021 13:57	DANGEROUS WEAPON ON SCHOOL GROUNDS,CARRY c269 S10
21047878-1	11/13/2021 21:43	PSYCH EVALUATION
21045614-1	10/28/2021 8:46	DANGEROUS WEAPON ON SCHOOL GROUNDS,CARRY c269 S10
21044842-1	10/22/2021 19:43	ROBBERY, ARMED c265 s17
21044113-1	10/16/2021 22:00	PSYCH EVALUATION
21043963-1	10/15/2021 19:18	PSYCH EVALUATION
21043772-1	10/14/2021 13:58	PSYCH EVALUATION
21043683-1	10/13/2021 21:54	A&B WITH DANGEROUS WEAPON c265 S15A
21043231-1	10/10/2021 21:26	FAMILY DISTURBANCE
21041161-1	9/26/2021 16:08	PSYCH EVALUATION
21039874-1	9/17/2021 18:58	FAMILY DISTURBANCE
21039006-1	9/12/2021 4:28	INVESTIGATION
21037766-1	9/3/2021 15:25	WELL BEING CHECK
21037361-1	9/1/2021 0:03	PSYCH EVALUATION
21036610-1	8/26/2021 13:50	PSYCH EVALUATION
21036225-1	8/23/2021 16:29	PSYCH EVALUATION
21035550-1	8/18/2021 16:33	LARCENY OVER \$1200 C266 S30
21033548-1	8/4/2021 15:41	PSYCH EVALUATION
21033021-1	7/31/2021 21:18	WELL BEING CHECK
21032438-1	7/27/2021 18:00	WARRANT SERVICE
21032129-1	7/25/2021 21:59	A&B ON A PREGNANT PERSON (F)
21032056-1	7/25/2021 10:29	NON CRIMINAL REPORT
21031814-1	7/23/2021 16:28	PSYCH EVALUATION
21031395-1	7/21/2021 6:22	NON CRIMINAL REPORT
21030081-1	7/13/2021 19:30	PSYCH EVALUATION
21029969-1	7/13/2021 3:18	INVESTIGATION
21029771-1	7/11/2021 22:55	AMBULANCE RUN
21029624-1	7/10/2021 23:22	AMBULANCE RUN
21029618-1	7/10/2021 22:20	PSYCH EVALUATION
21029592-1	7/10/2021 19:03	PSYCH EVALUATION
21028907-1	7/6/2021 9:15	A&B WITH DANGEROUS WEAPON c265 S15A
21027696-1	6/28/2021 19:56	AMBULANCE RUN
21027128-1	6/24/2021 20:54	INVESTIGATION
21026896-1	6/23/2021 12:58	PSYCH EVALUATION
21026890-1	6/23/2021 11:50	INVESTIGATION
21026326-1	6/19/2021 16:31	DISORDERLY CONDUCT c272 S53
21023195-1	5/30/2021 18:43	ASSAULT W/DANGEROUS WEAPON c265 S15B
21022409-1	5/25/2021 14:12	DANGEROUS WEAPON ON SCHOOL GROUNDS,CARRY c269 S10
21021979-1	5/22/2021 17:57	PSYCH EVALUATION
21021477-1	5/19/2021 13:44	DANGEROUS WEAPON ON SCHOOL GROUNDS,CARRY c269 S10
21021103-1	5/17/2021 14:40	NON CRIMINAL REPORT
21020962-1	5/16/2021 12:31	PSYCH EVALUATION

<u>21020454-1</u>	5/13/2021 7:19	MV, MALICIOUS DAMAGE TO C266 S28	[REDACTED]
<u>21020396-1</u>	5/12/2021 19:56	DESTRUCTION OF PROP -\$1200, MAILICIOUS, WANTON C 2	[REDACTED]
<u>21020104-1</u>	5/11/2021 9:26	ASSAULT & BATTERY (M)	[REDACTED]
<u>21020085-1</u>	5/11/2021 3:57	ASSAULT W/DANGEROUS WEAPON +65 c265 S15B	[REDACTED]
<u>21019606-1</u>	5/7/2021 21:42	PSYCH EVALUATION	[REDACTED]
<u>21019373-1</u>	5/6/2021 12:30	INVESTIGATION	[REDACTED]
<u>21017046-1</u>	4/20/2021 20:41	DESTRUCTION OF PROP -\$1200, MALICIOUS, WANTON	[REDACTED]
<u>21016936-1</u>	4/20/2021 5:11	A&B ON FAMILY OR HOUSEHOLD MEMBER	[REDACTED]
<u>21015520-1</u>	4/10/2021 22:53	FIREARM WITHOUT FID CARD, POSSESS c269 S10	[REDACTED]
<u>21012611-1</u>	3/23/2021 0:47	FIO	[REDACTED]
<u>21010046-1</u>	3/6/2021 21:04	A&B ON POLICE OFFICER c265 S13D	[REDACTED]
<u>21010001-1</u>	3/6/2021 13:44	ASSAULT W/DANGEROUS WEAPON c265 S15B	[REDACTED]
<u>21009994-1</u>	3/6/2021 12:22	ASSAULT W/DANGEROUS WEAPON c265 S15B	[REDACTED]
<u>21009919-1</u>	3/5/2021 21:22	INVESTIGATION	[REDACTED]
<u>21009034-1</u>	2/28/2021 23:06	PSYCH EVALUATION	[REDACTED]
<u>21005909-1</u>	2/7/2021 22:38	INVESTIGATION	[REDACTED]
<u>21004712-1</u>	1/31/2021 17:58	A&B WITH DANGEROUS WEAPON c265 S15A	[REDACTED]
<u>21004572-1</u>	1/30/2021 18:35	PSYCH EVALUATION	[REDACTED]
<u>21004511-1</u>	1/30/2021 11:00	PSYCH EVALUATION	[REDACTED]
<u>21004399-1</u>	1/29/2021 17:45	THREAT TO COMMIT CRIME c275 S2	[REDACTED]
<u>21003406-1</u>	1/23/2021 19:07	PSYCH EVALUATION	[REDACTED]
<u>21002618-1</u>	1/19/2021 1:08	PSYCH EVALUATION	[REDACTED]
<u>21001346-1</u>	1/10/2021 17:53	PSYCH EVALUATION	[REDACTED]
<u>21000646-1</u>	1/5/2021 13:43	INVESTIGATION	[REDACTED]
<u>21000098-1</u>	1/1/2021 17:20	PSYCH EVALUATION	[REDACTED]

CITY OF NEWTON

DOCKET REQUEST FORM

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To: Clerk of the City Council

Date: 4/6/2020

From (Docketer): Councilor Downs

Address: 854 Chestnut St., Waban 02468

Phone: 617-378-8972

E-mail: adowns@newtonma.gov

Additional sponsors: _____

1. Please docket the following item (it will be edited for length if necessary):

Discussion of police training

2. The purpose and intended outcome of this item is:

- Fact-finding & discussion
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- Expenditure, or bond authorization
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3. I recommend that this item be assigned to the following committees:

- | | | |
|--|---|--|
| <input type="checkbox"/> Programs & Services | <input type="checkbox"/> Finance | <input type="checkbox"/> Real Property |
| <input type="checkbox"/> Zoning & Planning | <input checked="" type="checkbox"/> Public Safety | <input type="checkbox"/> Special Committee |
| <input type="checkbox"/> Public Facilities | <input type="checkbox"/> Land Use | <input type="checkbox"/> No Opinion |

4. This item should be taken up in committee:

Immediately (Emergency only, please). Please state nature of emergency:

- As soon as possible, preferably within a month
- In due course, at discretion of Committee Chair
- When certain materials are made available, as noted in 7 & 8 on reverse
- Following public hearing

PLEASE FILL OUT BOTH SIDES

5. I estimate that consideration of this item will require approximately:

- | | |
|---|--|
| <input checked="" type="checkbox"/> One half hour or less | <input type="checkbox"/> Up to one hour |
| <input type="checkbox"/> More than one hour | <input type="checkbox"/> An entire meeting |
| <input type="checkbox"/> More than one meeting | <input type="checkbox"/> Extended deliberation by subcommittee |

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City personnel

Citizens (include telephone numbers/email please)

- | | |
|---|--------------------------------|
| <input checked="" type="checkbox"/> John Carmichael _____ | <input type="checkbox"/> _____ |
| <input type="checkbox"/> _____ | <input type="checkbox"/> _____ |
| <input type="checkbox"/> _____ | <input type="checkbox"/> _____ |
| <input type="checkbox"/> _____ | <input type="checkbox"/> _____ |
| <input type="checkbox"/> _____ | <input type="checkbox"/> _____ |

7. The following background materials and/or drafts should be obtained or prepared by the Clerk’s office prior to scheduling this item for discussion:

8. I have or intend to provide additional materials and/or undertake the following research independently prior to scheduling the item for discussion. *

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Andreae Downs
Signature of person docketing the item

[Please retain a copy for your own records]