

COMMUNITY FORUM ON 'USE OF FORCE' AND 'BIAS FREE POLICING' POLICIES 6-27-2017

COMMUNITY QUESTIONS

Card 1

Are there officers who are willing to admit that certain incidents that upset the public were wrong?

The Police Division is aware of past mistakes, under the leadership of the Mayor and Public Safety Director we are addressing these mistakes, specifically by writing new policy and revising old policies, focusing on additional and specific training targeted to address those shortcomings, and we are fully cooperating with the Monitor and DOJ in addressing the issues identified by DOJ in their investigation. The Police Division is committed to total transparency and through transparency, shortcomings will be identified early and addressed.

It is possible to re-write and revise policies but do you think it is possible for the public to regain respect and trust for those who have sometimes violated their role to provided and protect?

Through positive engagement and collaboration, it is not only possible but it is necessary to regain the public trust. Any noted deficiencies or inappropriate actions by any NPD personnel will be addressed by the supervisor or any observing officer and will be reported and investigated, and ultimately handled through the disciplinary process as required.

Card 2

What is the policy of NPD when officers are assigned to Broad & Market Streets?

Officers assigned to the downtown area fall under the Metro Unit, which is a subcomponent of the Third Precinct. They cover the entire downtown area and conduct business checks, foot patrols, etc. They are also responsible for handling assignments of any type within their grid; they follow the same policies and procedures as every other officer in the NPD that are assigned to neighborhoods.

When there are 3 to 5 officers assigned to this location why are drug dealers, cigarette seller allowed to sell and cars allowed to make turns a the "no turn" signs"?

There are multiple officers on foot patrol assigned throughout the downtown area. Criminal activity as well as quality of life issues and traffic violations are addressed by them when observed. Officers address issues when they develop reasonable suspicion to further investigate, and/or sufficient probable cause to issue a city ordinance or traffic summons when appropriate, or effect an arrest when necessary. However, probable cause is necessary to arrest or issue summonses.

Card 3

To build trust with community and police. The police should be seen more in our communities and speak to the people living in the communities, more foot soldiers

The Police Division assigns two Community Service Officers (CSO) to each precinct whose responsibilities include engaging the community to identify problems, collaborating with the community to solve crimes, attending community meetings, speaking with community members all with the intent of building trust.

The Police Division's Community Focus Division (CFD) deploys newly graduated officers as well as veteran officers to various communities throughout the city on foot patrols to also engage the community with the same goal of identifying problems, collaborating with the community to solve crimes, speaking with community members all with the intent of building trust.

Community Comstat is held which invites the residents to observe how the Police Division tracks, analyses, and combats crime.

Police invite clergy and civilians to participate in our Citizen Clergy Ride-Along program. Monday through Friday clergy members are scheduled to patrol the city with a uniformed police officer in easily seen yellow patrol cars clearly marked with Citizen / Clergy Patrol. The patrols enhance citizen community relations by creating positive interactions between police, business owners and residents. The patrols routinely interact with citizens in areas that are problematic and traditionally shunned, the interaction with the clergy members builds positive relationships.

Additionally, the Police Division posts data on crime, field inquiries, use of force incidents and internal affairs information on the website and phone app to add to transparency.

These are some of the ways that the NPD is proactively engaging the community to build trust. Another important thing to consider is that the NPD does not want more foot soldiers but rather more guardians of the community.

Card 4

Is it possible to incorporate a course in High School which deal with police & community to help our youth to know how to interact with police, what to do when stop and do/say when they are arrested?

Note: Some youth does not have fathers or parents to teach them what to do and not to do when being confronted or arrested and how to stay ALIVE.

It is a good suggestion and can be further explored. Our School Resource Officers already liaison with all the Newark Schools as mandated by NJ State AG Guidelines. Also, refer to the Newark Police Website for information on "What to do if you're stopped by the police".

Card 5

Why because I don't dress in a suit a different type of force is used on me?

It is the policy and practice of the Newark Police Division to treat all persons with dignity and respect. To use force only when necessary, to the extent necessary, and the minimal amount of force, based on the totality of the circumstance. The ultimate goal is not to use force, but rather to make every effort to de-escalate the situation to avoid the use of force, when feasible. The way a person dresses or appears has no bearing on the type of force used.

Card 6

How do you plan to address cultural difference between the police and the communities they police?

Part of the training in Bias-Free Policing and Community Policing will focus on identifying such cultural differences and implicit biases. The training is not only given once, it will be conducted yearly. The supervisors can further reinforce this training and will ensure that officers are following the law and all NPD policy and procedure. The Community Oriented Policing philosophy will be the center part of the new direction the Police Division is taking.

There will be increased community engagement, collaboration and problem solving on all issues of common interest; these will be further enhanced through community meetings. Input from the community will be taken into account when developing the individual Precinct Community Policing Plans; which will create new partnerships with the community and listen to their feedback on how we are doing and where we can improve.

Card 7

What happens to the consent decree if Jeff Sessions decides to go back to stop & frisk, using excessive force, etc. (Which he will)?

We don't want to engage in hypothetical issues; however, Mayor Baraka and Public Safety Director Ambrose indicated that the City will go forward with the changes and commitments we have agreed to in order to move Newark in a forward direction, where the community will have a seat at the table, will be heard, and will be a full partner in the relationship with the Police Division. The police need the community as much as the community needs the police; we are one.

How will the NPD ensure the safety of their residents then?

Attorney General Guidelines, State Law, Federal Law, the US and N.J. State Constitutions, and the Division Policies, Rules and Regulations guide NPD use of force. By following all the aforementioned, residents are ensured that those who use unlawful or excessive force are held accountable.

Card 8

These policies look good on paper. However, we know that does not completely translate when officers are on the job. How can NPD make sure the training is being improved that officers will not kill when scared or under pressure?

NPD officers are not trained to kill. They are trained to use force that is objectively reasonable based on the threat. Unfortunately, uses of force sometimes have an unintended outcome of death or serious bodily harm. Officers receive bi-annual training on the use of firearms and use of force. We are adding additional de-escalation training and an additional 8 hours of use of force for all NPD members to ensure that members are well trained, and are able to explore other options before resorting to the use of lethal force. Members also receive training on the firearms training simulator (FATS), which is scenario-based training.

Card 9

Explain what reasonable force means – (Question directed to - Dr. Wayne Fisher).

Reasonable Force is the least amount of force, which a reasonable person would consider necessary to accomplish a law enforcement objective. Obviously, each situation is different and is viewed through the eyes of each individual officer; however, there are well-delineated steps to follow in the Use of Force, and they start with Verbal De-Escalation when appropriate. All situations should be de-escalated when reasonably appropriate, and all actions shall be judged using the objectivity of reasonableness under the circumstances known at the time.

Card 10

Use of Force Policy Panel Question

Sgt. you listed one of the most important pros as 'monitoring' ie. Supervising the use of force.....Hasn't that been done before? How do we practically deal the ...(?)... of the ...(?)... internal police cover-ups and this important provision? Wayne Fisher has also mentioned openness and how production of a firearm will lead to reporting that leads to investigation. However, who practically monitors this? The public? Or the officer who pointed the firearm in the first place?

The use of force has always been reported, and reviewed, but not always investigated. In the past unless there was a complaint, or the use of force was serious- such as the use of firearms, or force used resulted in death or serious bodily injury there was no investigation. However, under the new policy, all uses of force must be reported, a supervisor must respond, and an investigation must be initiated to ensure compliance with policies, rules and regulations. If deficiencies are identified corrective action must be taken.

With regards to the unholstering, exhibiting, and pointing of a firearm to exert control over a person and in the presence of the public this will be monitored by the field supervisors. Officers are required to report these incidents to their supervisors, failure to report will result in disciplinary action.

Card 11

The proposed use of force policies tend to provide guidance when arresting or attempting to arrest subjects. Yet many victims of fatal force are not arrestees, but those encountering police thru routine encounters. Will the use of force policies also extend to encounters involving non-arrestees? Also, what steps will NPD take to minimize arbitrary, proactive contact with citizens?

The use of force policy applies to any encounter where a police officer may have to use objectively reasonable force to affect an arrest, or to protect the member or another person from harm.

NPD encourages its members to engage the community to improve communications, to identify problems, to promote collaboration to solve crime, and to build trust.

Card 12

Are two statements from two different officers outweigh the body camera?

Statements from officers alone will not generally outweigh footage from a body camera. The totality of the circumstances, which means all the facts available, will be used in the decision making process.

Card 13

Is it believed that the low salary for NPD officers is part of the reason that more residents (Newark) do not apply. Since the housing cost in Newark is not affordable; in addition, officers in other NJ counties (I.E. Bergen) have starting salaries in the \$50,000.00 range.

All Newark residents, which meet the set criteria, can apply, and many do apply. Salaries are negotiated by contract and have steps. Each step brings the officer to a higher salary.

Card 14

This room is an eerie metaphor for our society – specifically as it relates to civilians, and the police. As the brother explained earlier, the police are on one side, and the civilians are on the other. We are clearly not on the same team. Even worse, all the young black men from the community do not have a seat at the table, but rather they were all sitting on the fringes at least until they walked out. If we want the relationship between the police and the community to change, something radical has to happen. Officers and civilians have to start talking. What if police and civilians from each ward formed basketball teams to compete against each other?

The forum was designed to gain feedback from the community on the 'use of force' and 'bias free policing' policies. The New Jersey Institute for Social Justice coordinated the event. The intent was not to separate the community from the police but to give community members an atmosphere where they could feel comfortable expressing their thoughts when it came to the two specific policies. The commanders of each precinct were present to answer questions if any community member wished to ask them. They were separated so that community members could easily identify them should the community need to engage them in dialogue. The Police Division recently put out a Memorandum requesting members to volunteer for a basketball team. This task will be accomplished in the future.