

Unite Against Racism Initiative Answers 2020

Q: What is the presence and role of social services like social workers in Needham? How are they involved in domestic violence, mental health, and substance abuse situations? How do they interact with the police, how often do the police bring them into situations, etc.?

A: The primary way in which the social workers, mental health counselors, and public health nurses interact with Needham's public safety agencies (Police & Fire) is through Needham's [Community Crisis Intervention Team \(CCIT\)](#). Needham's CCIT includes:

- one or more Police lieutenants
- community resource officers
- Deputy Fire Chief
- EMS Coordinator
- Public Health Nurse(s)
- Senior Substance Use Prevention Program Coordinator
- Social workers from the Aging Services Division
- Director of Youth & Family Services
- Director of Nursing at Beth Israel Deaconess - Needham
- A representative of Newton-Wellesley Hospital (usually a clinician from the Emergency Department), and
- At least one representative of the state-funded emergency services team at Riverside Emergency Services.

Needham's CCIT meets once per month and reviews complex cases at the intersection of law enforcement, mental health, substance use, and domestic violence. It is a pro-active approach, bringing to bear additional resources and support for the most complex cases, including cases with recurring or frequent interactions (for example, disrupting the cycle of substance misuse).

CCIT is an award-winning approach to mental health-focused policing, and it is recommended by the Massachusetts Department of Mental Health. DMH also provides funding to support training and has a grant program that embeds social workers in Police Departments. The Town is working with the Town of Dedham to seek grant funding for an embedded social worker to be shared between the communities.

Needham has trained multiple officers in CCIT and in Mental Health First Aid, one of the components of the [One Mind Campaign](#).

Needham Police and Needham Fire frequently involve Human Services team members such as public health nurses, social workers, and prevention specialists in their complex cases, including issues of hoarding, substance misuse, self-harm/suicidality, and domestic violence.

Needham's Public Health Nurse co-chairs the Domestic Violence Action Committee along with a Lieutenant from Needham Police.

Q: What is the Town of Needham Youth Diversion Program?

A: In conjunction with social work staff from Health & Human Services divisions, the Needham Police Department's Youth Diversion Program offers an alternative to court involvement for youth who have committed an infraction. Instead of facing juvenile charges, youth are offered a chance to avoid prosecution by participating in a comprehensive program that involves a combination of community service, restitution, case management, and connection to supportive community-based organizations. The Youth Diversion Program was created in 2018 and is based on a restorative justice model. Youth up to age 18 who have committed a minor offense are eligible for the program and are asked to complete a contract that is tailored to the young person by a collaborative effort between the Youth Diversion Program Coordinator, the Police Department, and the young person and their guardian(s). Contracts involve community service hours (number of hours is dependent upon the infraction), a mental health and substance use evaluation, regular meetings with the Youth Diversion Coordinator, a reflection essay, and a combination of additional requirements as contributed by the young person and their family. Youth Diversion Program contracts last anywhere between one and 12 months, and, on average, youth spend about 4 months completing the program. Thus far, 11 young people have successfully completed the program and one youth did not but was alternatively eligible to participate in the Norfolk District Attorney's diversion program. Overall, the Needham Youth Diversion Program provides a young person with a second chance to take responsibility for their mistakes within a supportive environment that is intended to increase protective factors, foster a more positive relationship with the Needham Police, and prevent recidivism and future involvement in the criminal justice system.

Q: Does the Town have data about motor vehicle stops by race?

A: Yes. See below. It's important to note that Needham is a commuter town. In addition to the residents who live in Needham, non-Needham residents both commute through and work in Town. It is difficult to estimate the racial demographics of the people who travel to Needham for work or travel through Needham to get to work. Therefore, comparing the racial makeup of the residential population to the motor vehicle stop data is not a true apples-to-apples comparison.

January 1, 2016 through June 1, 2020

Motor Vehicle Stops

Race	% of Total	Total
Asian or Pacific Islander	4.89%	1543
Black	8.16%	2572
Hispanic	5.00%	1575

American Indian or Alaskan Native	0.27%	84
Middle Eastern or East Indian	2.08%	655
White	79.61%	25097
Grand Total	100.00%	31526

Q: Does the Town have arrest information by race?

A: Yes, see below. Note that this information is through June 8, 2020.

ARRESTS Jan 2018 thru June 8th			
	Total	%	Hispanic
Asian	6	2.4%	0
Black	42	16.7%	4
American Indian / Alaskan Native	0	0.0%	0
Native Hawaiian or Other Pacific Islander	0	0.0%	0
Unknown/Other	8	3.2%	5
White	195	77.7%	21
TOTALS	251		30
Warrants/ Summons Jan 2018 thru June 8th			
	Total	%	Hispanic
Asian	32	0.05298	0
Black	122	20.2%	4
American Indian / Alaskan Native	0	0.0%	0
Native Hawaiian or Other Pacific Islander	0	0.0%	0
Unknown/Other	35	5.8%	25
White	415	68.7%	88
TOTALS	604		117
Hispanic Origin is not a Race defined in our Records Management Software. It is included in the Total Column and broken out for the Hispanic Column.			

Q: I understand the collective bargaining agreement says no disciplinary action will be taken against any officer on a civilian complaint unless the officer has been charged in writing. What does “in writing” mean?

A: If the Needham Police Department intends to take disciplinary action as the result of a civilian complaint, the Department must notify the officer in writing and afford the officer the opportunity to respond to the allegations. The civilian complaint need not be in writing.

Q: I understand that letters of reprimand placed in a police department employee’s file are removed from the file after two years if there are no additional reprimands or violation of rules.

If a police officer has caused bodily harm to a civilian or infringed on a civilian's rights, shouldn't that letter be kept on file?

A: Letters of reprimand are issued for minor infractions such as tardiness. Disciplinary action related to the violation of any individual's civil rights, or bodily harm caused by an officer would not be addressed in a letter of reprimand. Documentation related to such an offense would not be removed from an individual's personnel file.

Q: The Collective Bargaining Agreement says the Town shall indemnify and hold bargaining unit employees harmless from any liability arising from their actions within the scope of their employment. Can you clarify what this means?

A: Article 26 of the Agreement is consistent with M.G.L. c. 258 Section 9 (Indemnity of public employees.) It is commonplace for an Agreement to restate the law. Section 9 of c.258 indemnifies all public employees (not just police officers) from personal losses, damages, expenses and legal fees arising out of a variety of possible claims while acting within the employee's official duties and employment. Neither Article 26 nor Section 9 of c. 258 holds a public employee harmless, including a police officer, if the employee's grossly negligent, willful or malicious conduct violated another individual's civil rights.

Q: Will the Police department commit to all officers wearing cameras and having them on at all times when on duty?

A: A joint committee including police officers and members of Town government leadership had a [meaningful discussion](#) about body and dash cameras, including a discussion of the Needham Police Department's dash camera pilot project. The committee concluded in 2017 that the positive benefits of the pilot were outweighed by the areas of concern, including protecting citizen privacy and confidentiality, storage requirements for the video, the need for additional police and IT staffing the cameras would require, and a lack of serious and negative incidents in Needham that would warrant immediate implementation. The Committee recommended that the Town and the Needham Police Department continue to strengthen positive relationships with residents and continue to monitor other body/dash camera programs. Absent State or Federal law, implementation of a body camera program is subject to collective bargaining.

Q: According to the NPD, Needham police officers undergo cultural diversity training and practice community policing including de-escalation techniques. When an officer joins the Needham police, under what time period must they undergo this training and how often are they re-trained? Will Needham officers undergo unconscious bias training?

A: Newly hired Needham police officers attend a 26-week police academy where such topics as de-escalation, procedural justice, ethical decision-making and fair and impartial policing are part of the curriculum. The Department reviews available outside training yearly and when opportunities for diversity-related training are available, we schedule officers for that training. It is our understanding from the Massachusetts Police Training Council that the mandatory, annual

in-service training will now include a block on diversity related training. Needham police officers train multiple times a year in areas of firearms, defensive tactics, Taser and use of force. Each training incorporates de-escalation techniques.

Q: The statement of NPD on the killing of George Floyd recognizes that there must be changes in the wake of this tragedy. What changes will the department be implementing? Does NPD ban the use of chokeholds and strangleholds?

A: Use of chokeholds is not included in the defensive tactics curriculum as instructed by the Massachusetts Police Training Council (MPTC), nor are chokeholds part of the Needham Police Defensive Tactic/Use of Force Training on a yearly basis. The [Department's Use of Force Policy](#) was revised effective June 12, 2020 to state that chokeholds are not authorized unless the life of a police officer or civilian bystander is threatened.

Q: Does the NPD require officers to issue verbal warning before discharging a firearm?

A: Consistent with the standards set forth in *Graham v. Connor* and *Tennessee v. Garner*, officers may only use that level of force that is objectively reasonable based upon the totality of circumstances. Officers will always attempt to use the lowest level of force in order to effectuate the lawful objective and will attempt to warn individuals prior to using any level of force, provided that they have the time and opportunity to do so. There may be, however, some very limited instances, where it is impossible for officers to provide a warning prior to using force, such as when doing so is necessary to preserve human life.

Q: Does NPD require officers to report each time they use force or threaten to use force against a civilian, whenever they point a firearm at someone and any other type of force?

A: Yes, in any use of force incident all officers are required to complete a use of force report.