

## Needham Police Response to Community Recommendations August 2021

### NUARI Recommendations

**Recommendation 1: Meet regularly with stakeholder groups and communities of color to build mutual trust and respect.**

**June 8, 2021 Status:** The Chief will establish connections with representatives of community resource groups and individuals who have reached out about their personal experiences with race and policing in Needham and will report back to the Board on progress in October 2021.

**Recommendation 2: Work with stakeholders to sponsor a series of conversations between the public and police officers, including especially BIPOC individuals, to build relationships and a stronger understanding of different perspectives and lived experiences.**

**June 8, 2021 Status:** The Chief will work with the Town Manager, Assistant Town Manager/Operations and outside experts to develop a framework for individual discussions between police officers and members of the BIPOC community and will report back to the Board on progress in October 2021. The Department will also participate in Town-sponsored community conversations about race and policing as appropriate.

**August 17, 2021 Status: The Chief met with leaders in the BIPOC community to gain insight, on how to engage members of the BIPOC community in the future.**

**Recommendation 3: Find ways to educate the public on the role of police officers, such as through a Citizen Academy.**

**June 8, 2021 Status:** NPD is planning a citizen academy for Fall 2021. The Junior police academy will be held June 21 – 24, 2021. The Chief will report back on the citizen academy in August 2021.

**August 17, 2021 Status: The NPD will hold a Citizen Academy in the October/November 2021 timeframe.**

**Recommendation 4: Emphasize training on mental health issues, threshold inquiries, de-escalation techniques and the impact of implicit bias on policing. Further de-escalation training in non-life-threatening conditions should also be considered.**

**June 8, 2021 Status:** All officers will have completed de-escalation mental health techniques for first responders by the end of May. Two new officers are waiting to complete the training. De-escalation is emphasized in every use of force training scenario. Training tactics include verbal communication, slowing down the pace of incidents, warnings, waiting out a person, creating distance and cover, and calling in additional resources to assist. Since December, the Community Outreach Officer (COO) and embedded clinical social worker have had outreach/contacts 66 different times. This is important because such intervention can help address issues proactively prior to an individual going into crisis. Having this embedded clinician who works with our COO or available officers on scene creates positive interaction and develops trust with the family and individual who is in crisis. All officers and dispatchers have recently completed implicit bias training. A sergeant and lieutenant attended Fair and Impartial Policing train-the-trainer event in May. They will be certified to use the materials to train the entire department on the Fair and Impartial Policing training this summer/early fall.

**August 17, 2021 Status: Training on threshold inquiries was addressed in annual in-service training this past spring. The subject matter will be addressed again as part of Department training this fall/winter. De-escalation is emphasized in every use of force and scenario-based training.**

**Recommendation 5: Prioritize leaving Civil Service to gain greater flexibility within the hiring and promotional process to achieve a more diverse department which reflects the broader community.**

**June 8, 2021 Status:** This matter is subject to on-going collective bargaining.

**August 17, 2021:** The matter remains subject to on-going collective bargaining.

**Recommendation 6: Implement all local components of the new state police reform law once additional guidance is made available. Following that, the Select Board should identify if any local policies or practices warrant additional review or changes or whether additional reforms should be made.**

**June 8, 2021 Status:** The POST Commission [members](#) have been appointed. Staff will monitor the progress of the Commission and attend public meetings.

**August 17, 2021 Status:** See following recommendation.

**Recommendation 7: Review the Use of Force Policy after the Peace Officer Standards and Training (POST) Commission issues the model policy and determine whether NPD's policy should include a stronger focus on de-escalation.**

**June 8, 2021 Status:** This review will occur after the POST Commission issues the model policy.

**August 17, 2021 Status:** NPD has updated the Use of Force Policy, which will be released this week. The update will include language from the Police Reform statute. NPD review the policy again when the model policy is disseminated.

**Recommendation 8: Have the Select Board serve as the oversight body of the Needham Police Department until the POST Commission role is defined.**

**June 8, 2021 Status:** The Select Board serves as the oversight body until the POST Commission role is more clearly defined.

**Recommendation 9: Report regularly and make publicly available key enforcement data, broken down by race, gender and residency, to identify potential disparities and monitor trends over time.**

**June 8, 2021:** NPD Enforcement Data [Dashboards](#) have been compiled for 2018, 2019 and 2020. The dashboard will continue to be refined and revised based on stakeholder input. The dashboard will be issued annually in the February/March timeframe.

**August 17, 2021 Status:** The Police Chief and Town Manager will recommend an updated version of the Dashboard to the Select Board in October.

**Recommendation 10: Support funding for a regional collaboration with the Needham Police Department, Dedham Police Department, and Riverside Community Care to provide clinical support services for individuals with mental illness, co-occurring substance use disorders and trauma histories who might otherwise become incarcerated (see May 2021 Special Town Meeting Warrant Article 15).**

**June 8, 2021:** This program, which began as a PILOT in late 2020, was funded for an additional year at the May 1, 2021 Special Town Meeting.

**August 17, 2021 Status:** The NPD clinical social worker provided services to 83 individuals since December, 2020. Individuals were referred by NPD, Riverside, themselves or family members, and by the community at large.

#### **Tidwell Report Recommendations**

**Recommendation 11: NPD Policy § 1.01: Use of Force - The policy itself, while consistent with best practices in its recognition of de-escalation as a critical part of ongoing use of force training, does not**

espouse de-escalation as a guiding principle in use of force decision-making nor does it require that officers attempt to de-escalate a situation when reasonably and safely able to do so. We recommend that the policy be revised to incorporate these safeguards.

**June 8, 2021 Status:** We are awaiting direction from POST on a template Use of Force policy and will review other policies based on this recommendation. See above for de-escalation used in NPD training.

**August 17, 2021 Status:** NPD has updated the Use of Force Policy, which will be released this week. The update will include language from the Police Reform statute. NPD will review the policy again when the model policy is disseminated by the POST Commission.

**Recommendation 12: NPD Policy § 1.07: Threshold Inquiries – NPD’s Use of Force policy does not require that officers report handcuffing of compliant individuals. However, the Threshold Inquiries policy does require the reporting of every investigative detention to include the identity of the person stopped and “all important facts relative to the incident.” In our view, handcuffing qualifies as an “important fact” and, as such, we recommend that the policy be revised to require officers to include handcuffing as part of any investigative detention report even where, like here, the handcuffing does not meet the requirements for reporting under the Use of Force policy.**

**June 8, 2021 Status:** The NPD added a handcuffing special reporting feature to all incident reports, which will allow for tracking of incidents that individuals were handcuffed. Information on the incidence of handcuffing will be included in the annual public safety report. In addition to MPTC annual criminal law and criminal procedure updates and training, NPD will ensure that the topic of threshold inquiries is addressed in training on an annual basis.

**NPD policy 4.01, Internal Affairs** – This policy governs the conduct of the department’s internal investigations and notes that, “[T]o a large degree, the public image of this department is determined by how well it responds to allegations of misconduct against the department or its officers.” The Tidwell report suggests the NPD review its IA practices with respect to Internal Affairs investigations in the following areas:

**Recommendation 13: NPD Policy § 1.12: Eyewitness Identifications – This policy governs the conduct of eyewitness identification procedures and cautions officers as to the unreliability of eyewitness identifications as well as the need to avoid circumstances that are unnecessarily suggestive of criminality. The policy also cautions against the use of RMV photos to identify suspects.**

**June 8, 2021 Status:** This policy is being reviewed and adjusted as needed. The Chief will report on the review of this policy in October 2021. It must be understood that as a last resort, RMV photos may be the only photo available at the time of the investigation, and further investigative methods are needed to positively ID a suspect.

**Recommendation 14: NPD Policy § 2.01: Follow-up Investigations – While the policy does permit patrol officers to conduct follow-up investigations, the manner in which such are conducted appear to warrant assessment as part of a thorough internal investigation.**

**June 8, 2021 Status:** The Chief will ensure that officers are training on appropriate investigative methods.

**August 17, 2021 Status:** This policy has been updated and will be disseminated this week.

**Recommendation 15: NPD Rules & Regulations 7.3: Courtesy to the Public – Further review of actions that appear to be in violation of the policy’s requirement that officers “answer questions from citizens in a courteous manner.”**

**June 8, 2021 Status:** The Chief is committed to ensuring that officers are courteous and respectful.

**August 17, 2021:** NPD is providing each employee with a copy of the Rules & Regulations for Courtesy to the Public for their review and acknowledgment this month.

**Recommendation 16: NPD Rules & Regulations 7.4: Requests for Officer Identification (Name/Badge Number) – Further review of whether any officers walked away without providing said information which, if proven, would constitute a policy violation.**

**June 8, 2021 Status:** The Chief will ensure that officers are aware of and comply with the Officer Identification policy.

**August 17, 2021 Status:** NPD is providing each employee with a copy of the Rules & Regulations for Officer Identification for their review and acknowledgment this month.

**Recommendation 17: Articulation of Standard of Proof -- We recommend that the Internal Affairs policy be amended to include the standard of proof for sustaining a complaint. Notice of the evidentiary burden/standard of proof serves an important due process function for individual officers. It also offers the community some assurance that complaints are investigated fairly and uniformly. We believe that a preponderance of the evidence standard comports with best practices for conduct of police internal investigations and recommend that the department incorporate same here.**

**June 8, 2021 Status:** NPD will update the articulation of the standard of proof included in the Internal Affairs policy by September 1, 2021.

**August 17, 2021 Status:** NPD is reviewing the standard of proof included in Internal Affairs policies of other Police Departments.

**Recommendation 18: Review and Oversight of Internal Investigations. In our view, implementation of a meaningful civilian oversight function to buttress the police department's internal investigations process would promote transparency while enhancing trust and community confidence in compliant investigations.**

**June 8, 2021 Status:** The review and oversight of internal investigations will be a function of the POST Commission as all complaints or IA investigations will have to be forwarded. The Select Board serves as the oversight body until the POST Commission role is more clearly defined.

**Recommendation 19: The department should adopt a practice of recording IA interviews to protect the integrity of internal investigations in the event that a witness later recants his/her account or where allegations are raised that the investigation was somehow manipulated to achieve a desired outcome. Recording of interviews would also better enable outside reviewers, such as those in a civilian oversight role, to evaluate and assess the quality of completed investigations.**

**June 8, 2021 Status:** NPD typically does record IA interviews, but Covid-19 precautions and the inadequate interview room at the temporary station did not provide for appropriate social distancing. It should be noted that in some cases, officers have legal rights which allows them to not be recorded.

**August 17, 2021 Status:** Recording of IA Interviews will be possible when the new Station opens in CY2022.

**Recommendation 20: Create a dashboard of relevant metrics, disaggregated by race, developed in partnership with the Community and based on academic research on important data to track.**

**June 8, 2021 Status:** Staff are reviewing the research of the [Police Foundation](#) and feedback provided by Equal Justice in Needham members to evaluate best practices in data benchmarking. Other sources will also be identified and reviewed. The dashboard will be issued in the February/March timeline each year.

**August 17, 2021 Status: The Police Chief and Town Manager will recommend an updated version of the Dashboard to the Select Board in October.**

**Recommendation 21: IT systems should be modified to capture relevant data fields and relieve the burden on manual analysis.**

**June 8, 2021 Status:** NPD has added some reporting collection features. The Department is constrained by the limitations of the software.

**Recommendation 22: Particular attention should be paid to measuring data on race.**

**June 8, 2021 Status:** NPD is working with the Town Manager and Select Board on refining the Enforcement Data Dashboards and on planning for an Annual Public Safety Report.

**August 17, 2021 Status: The Police Chief and Town Manager will recommend an updated version of the Dashboard to the Select Board in October.**

**Recommendation 23: An annual public safety report should provide a comparative perspective on public safety outcomes, disaggregated by race.**

**June 8, 2021 Status:** NPD will develop and issue an Annual Public Safety Report in the February/March timeframe. The Chief will report on the planning for the report in October 2021. NPD Enforcement Data [Dashboards](#) have been compiled for 2018, 2019 and 2020. The dashboard will continue to be refined and revised based on stakeholder input.

**Recommendation 24: Publish the names, rank/role and training of all NPD employees on the Police Department website**

**June 8, 2021 Status:** NPD will publish an organizational chart and the names and ranks of all officers on its website by September 1, 2021. Information on training will be included in the Annual Report.

**August 17, 2021 Status: The NPD website includes the rank and division of all employees. The NPD is considering options for reporting on training.**

**Recommendation 25: Ensure robust and regular oversight of metrics and identify and act upon areas needing improvement.**

**June 8, 2021 Status:** NPD leadership will continue to monitor metrics and act on areas needing improvement. The Chief will meet regularly with the Select Board to discuss metrics.

**Recommendation 26: De-escalation should be the foundation of all interactions and policies of the Department.**

**June 8, 2021 Status:** De-escalation is emphasized in every use of force training scenario provided to employees. These de-escalation tactics include verbal communication, slowing down the pace of incidents, warnings, waiting out a person, creating distance and cover, and calling in additional resources to assist. De-escalation is a core value of NPD leadership.

**August 17, 2021 Status: De-escalation is emphasized in every use of force and scenario-based training.**

**Recommendation 27: The Use of Force policy should be rewritten based on modern models.**

**June 8, 2021 Status:** NPD will review the Use of Force Policy after the Peace Officer Standards and Training (POST) Commission issues the model policy to determine whether NPD's policy should include a stronger focus on de-escalation.

**August 17, 2021 Status:** NPD has updated the Use of Force Policy, which will be released this week. The update will include language from the Police Reform statute. NPD review the policy again when the model policy is disseminated.

**Recommendation 28: Policies related to mental health, complaints and disciplinary procedures, bias and hiring should be audited and revised.**

**June 8, 2021 Status:** These policies will be reviewed after the model policies are issued by the POST Commission.

**Recommendation 29: Modernize policies related to mental health and ensure that all officers receive crisis training.**

**June 8, 2021 Status:** NPD completed the [One Mind Pledge](#) in February of 2019. Needham is one of roughly 50 towns or agencies that have completed the One Mind Pledge requirements. These practices include:

- Establishing a clearly defined and sustainable partnership with one or more community health organizations.
- Developing and implementing a model policy addressing law enforcement response to people in crisis and/or with mental health issues or disorders.
- Training and certifying 100 percent of sworn officers (and selected non-sworn staff, such as dispatchers) in mental health awareness courses by:
  - Providing Mental Health First Aid training (or equivalent) to 100% of officers (and selected non-sworn staff); and
  - 100% of officers have completed De-escalation mental health techniques for first responders in 20/21
  - All officers are trained in Mental health First Aid.
  - Approximately over 50% all of officers are trained Crisis intervention. We plan on training department but currently only offered 2 seats to this training when available. Covid has delayed the availability of these classes but we will continue to train our officers.

**August 17, 2021 Status:** NPD has two officers signed up for training in October and two for November. Additional officers will attend when seats become available.

**Recommendation 30: Create an oversight body to monitor and be aware of NPD needs; the oversight body's reviews should be publicly available and published on the Town's website.**

**June 8, 2021 Status:** The Select Board serves as the oversight body to monitor NPD needs; the POST Commission will serve as an oversight body once it is in operation.

**August 17, 2021 Status:** Recent Internal Affairs reports have been provided to the Select Board for their review. NPD will also forward formal, documented complaints that are not resolved at the Sergeant level.

**Recommendation 31: The Oversight Body should commission an audit of key NPD policies, training and staffing in order to better align them with Needham's values and better reflect 21<sup>st</sup> century knowledge about best practices in community policing.**

**June 8, 2021 Status:** The policy recommendations compiled in this document are the result of multiple analyses and discussions, from a variety of stakeholders, about best practices in

community policing. They are being proposed to the Select Board as priority areas for NPD to focus on in the coming year. Updates on progress towards these recommendations will inform future actions.

**Recommendation 32: There should be a Town-wide review of existing mental health resources with the goal of better servicing those with mental health needs.**

**June 8, 2021 Status:** An initial gap analysis is [here](#).

**Recommendation 33: The recent police reform bill allows school superintendents to opt out of the mandate that schools must have an SRO, and Needham should consider whether an armed police officer is best suited to carry out these duties within the school setting.**

**June 8, 2021 Status:** The Superintendent has provided the following response as to why the School Resource Officer Positions are crucial in the Needham Public Schools:

The role of the School Resource Officer (SRO) in the Needham Public Schools is critical to promoting the safety, security, and wellbeing of all students, staff, and visitors to our schools. The Needham community, through the leadership and support of Town Manager Kate Fitzpatrick and Police Chief John Schlittler, has prioritized this crucial position to ensure that the key principles articulated in the [Memorandum of Understanding](#) are implemented in a way that promotes the education and welfare of all students.

The SROs maintain a regular, steady, and positive presence in the school community by supporting students and staff through, for example, consultations, meeting with family members, teaching classes, and participating in school and learning activities. Their presence is welcomed, anticipated, and encouraged through daily and ongoing collaborative conversations with staff, students, and parents. The arrival of “Officer Rocket” with one of our SROs in a classroom is always an exciting and comforting experience for all students, regardless of age.

Some of the key activities that highlight the responsibilities of the SRO in the NPS include:

- Advising and assisting the administration with issues of residency, truancy, or matters brought before the juvenile courts.
- Providing training and guidance on school safety, especially the implementation of active shooter drills and education around school security.
- Working and consulting with students, families, administrators, and counselors around issues of domestic violence, sexual assault, and cyber bullying.
- Coordinates services with the Boston Police Department to support Boston resident students and families.
- Advising school administration and staff about school security, safety and emergency management measures, protocols, and planning designed to protect students, staff, and property.
- Developing respectful and nurturing relationships with staff, families, and students to ensure a safe learning environment for all members of the school community.
- Advises the public and private school administrators and staff about issues of student safety and security;

In addition to the official responsibilities outlined in the MOU, the SRO provides significant and important service to students and staff in myriad ways as reported by building principals. Examples include:

- SRO delivered food to families in subsidized housing who did not have transportation
- The SRO has brought students to doctor’s appointments provides resources to families in need

- The SRO is the conduit between the school and community; he/she has on many occasions brought much needed materials/ supplies to homes including wi-fi Hot Spots and even picking up children who missed their buses.
- The SRO is a presence as a support in our school community and demonstrates not to be afraid of police- the presence actually reduces stress and anxiety about police because the relationship is so positive.
- The SRO teaches multiple classes every year to students on particular topics involving police and the justice system. The SRO provides instruction and serves as a resource in Wellness classes, Science classes, and in our American Law classes, among many other situations.
- The SRO lives the vision of community policing and positive relationships.
- The SROs are prepared, trained and ready to de-escalate situations; SROs focus on education vs. punishment.
- The high school SRO has deep relationships of trust with some of our most disconnected and disenfranchised students. Many of these close relationships are with students of color, and he is among the important list of people they trust and seek out to talk, for advice, and to confide in.
- The SRO's reassuring presence and kind demeanor provide a strong model of compassion and support by a police officer. The SRO is at athletic events, in classrooms, and constantly available in the hallways, supporting and encouraging students in all environments.
- The presence of Rocket, the support dog, further softens the image and provides yet another connection between the students. As they walk the halls or drive through town, students and other community members flock to Rocket and shout to him in the car. Students often come seeking time with Rocket - and, in turn, the SRO - in the office setting throughout the day.

The presence of the School Resource Officer in the Needham Public Schools is essential to the overall programming in our community's schools. Without this position, and the ongoing and strong support of the entire Needham Police Department as well as the Needham Fire Department, our schools and students would be less safe, less secure, and their educational program and growth would be diminished.

Our schools are safer, our students are more secure with the ongoing collaboration and partnership we have established with the Needham Police Department.

**Recommendation 34: The Department should consider becoming an accredited Department.**

**June 8, 2021 Status:** It has long been a goal of the Department to participate in the accreditation process through the Massachusetts Police Accreditation Commission. The Department has been constrained by staff resources and the inadequacies of the old police station, as many aspects of the accreditation review process include the physical characteristics of the station and the Town could not meet the standard. After the new station is complete, NPD will begin the certification process and will explore the accreditation process.

**August 17, 2021 Update:** NPD has recently posted a position of Administrative Analyst to help gather and provide data.