

**Northampton Policing Review Commission
Policies and Services Subcommittee Agenda
Monday February 1, 2021
6:30PM-8:00PM
by Zoom**

Join Via zoom Link

<https://zoom.us/j/91235448585?pwd=WTdQZzBmZUsvcjY4MHcrc2Z2WFIBUT09>

Meeting ID: 912 3544 8585

Passcode: 737878

Or by Phone: +1 929 436 2866

1. Call to Order by meeting chair, Nick Fleisher
 - a. Announcement of Zoom Recording
 - b. Roll Call
 - c. Approval of Minutes
2. Review Complaint Procedure
3. Finalize questions for police chief; Planning date and format
4. Discuss speaker recommendation for Traffic Enforcement
5. Next Steps for Subcommittee with other topics:
Topics from Commission Initiative: body cameras; use of force policies; recruitment and diversity; data collection; civilian oversight models; transitioning 911 calls (Dispatch);
(note: Other Subcommittee are investigating resources that reduce crime, alternative policing models, and union contract)
Topics in addition to Commission Initiative: animal control; active shooter procedure; crowd events.
6. New Business
7. Proposed Agenda for next meeting
8. Adjourn

MEETING CALLED TO ORDER:

The meeting was called to order by Commissioner Nick Fleisher at 6:31 PM.

ROLL CALL:

Nick Fleisher	present
David Hoose	present
Elizabeth Barajas-Roman	present
Nnamdi Pole	present

Cynthia Suopis

present

ANNOUNCEMENT OF ZOOM RECORDING

Commissioner Nick Fleisher made an announcement that this meeting was being recorded for the public record. The recording will be available on Northampton Open Media, as well as, the City of Northampton website.

Approval of Meeting Minutes from December 26, 2020

Commissioner David Hoose moved to approve the meeting minutes from December 12, 2020.

Commissioner Nnamdi Pole seconded the motion. The motion to approve the minute passed.

2. Review Complaint Procedure

Commissioner Nick Fleisher walked the commission and the public through an excel document with complaints of the NPD

Commissioner Nick Fleisher said in 2018 there were eight complaints , three of the complaints were incidents that police conduct was in question. He said these kinds of incidents are ones that the committee have been saying could be managed by nonpolice workers. He said one incident was described as dragging an intoxicated person down the sidewalk to get a man into the police car. He said the complaint was submitted by an observer on the sidewalk. He said another incident was a traffic stop that the officer and the person got into an argument about how long it was taking. He said during another complaint, someone felt they were treated rudely at a traffic stop. He said there are clearly some unprofessional behaviors that were raised that the police administration could not enforce disciplinary action after repeated appeals,which involved union negotiations and lawsuits. He said it's very hard to hold police accountable in certain situations. He said it's also striking to him how few complaints there are. He mentioned a NYTimes article mentioning there has been little success changing the complaint processes. He said he would like the commission report to say something about improving the complaint process.

Commissioner David Hoose suggested the committee take a look at how much of this would be covered by the new state certification process. He said he sent a couple of links to the National Association of Civilian Oversight of Law Enforcement that speaks to alternative ways of dealing with this. He said it's possible it's a small number because of the inadequacy of the current system. He also said complaints about police misconduct should be available to be taken at a number of community organizations and assistance be provided to fill out the complaint if requested. He said word probably gets around, and when allegations of misconduct are investigated and adjudicated by the chief, people can feel like what's the point, in addition to the fact that Northampton police may be more restrained in comparison.

Commissioner Nnamdi Pole asked where the source of complaints can be found.

Commissioner Nick Fleisher said the complaints are in the google drive and that Noa (Admin Assistant) could send specific instructions if needed.

Commissioner Nnamdi Pole said just because there is a low number of complaints doesn't mean there's not a lot to complain about. He said it's not to say they wouldn't, if people felt safe, or if there was a better process. He said he is curious about the results and outcomes, especially if there's use of force. He said he's curious about the process that arrives when there is a subjective experience of rudeness for example. He said, if an officer gets a complaint of being rude he's curious about the process. He said, if the chief decides force is within the realm of permitted, he'd like to know what level of dragging someone down the street is acceptable under the current policy.

Commissioner Nick Fleisher said the issue is that the bar is whether the law was broken and that it's not a black and white bar. He said there are times when complaints about employees would go to a director or VP or supervisor that could be resolved effectively with good outcomes, but the person filing the complaint always had the option to file a complaint with the department of mental health and they could file it and appeal it at any time to outside entities. He said he doesn't see anything like that with the NPD. He offered, not only the option of a reform in who can review the complaints, but also an opportunity to come up with a different way of viewing complaints.

Commissioner Nnamdi Pole said he would like to have closer scrutiny of non-sustained complaints.

Commissioner Nick Fleisher said by looking at the data, it is unclear what the result is.

Commissioner David Hoose said Commissioner Nnamdi Pole made a good point. He said the problem is that society is obsessed with blame and sanction. He said he thinks these should be viewed more as teachable moments and that it's a perfect place to use a restorative justice model. He said not everything has to lead to punishment and a finding of blame rather than looking at these things holistically.

Commissioner Elizabeth Barajas-Roman said some of the complaints were not just about being rude. She said there was also a call where a community member and concerned citizen called to make a complaint after watching a man be dragged down the street. The other piece, she said, that's important to think about is what these complaints mean to the community. She said we cannot lose track of the community harm that happens when this type of violence is witnessed and what it does to people to witness this violence and people being handled in this fashion. She said it's not just a menace when that happens to you, everytime you witness this violence it impacts your psyche. She wondered what the process and validity there is of the community to ask whether it wants this behavior, whether this is acceptable community behavior or not. She said it's not just about the person and the officer, it's about how we're all witnessing it and experiencing it.

Commissioner Cynthia Suopis said this is so insignificant compared to what the commission has heard from the community. She said this is the perfect situation for restorative justice if there wasn't a power dynamic. She said the best the commission can do is report that it has reviewed the complaint process and that it's being done in an internal way, and the commission doesn't know the results, but it does know it is a flawed process. She said the committee is still working off of the fundamental foundation of what the commission is trying to change, which is the way the NPD is structured. She said if the committee continues to have this discussion like this, the committee is propping up the current NPD. She suggested the committee to move on.

Commissioner Nick Fleisher asked whether the committee felt this should have a place in the final report.

Commissioner Cynthia Suopis said sure, but how the committee characterizes that place and what recommendations are made around it is where she may differ.

Commissioner Nick Fleisher said he was hearing in general that the committee is just saying it needs to change and it needs to be easier, there should be alternatives, and different criteria but that the committee doesn't need to define the details.

Commissioner Nnamdi Pole said his concern is that he hasn't heard any vision for a final report where the commission can abolish the NPD overnight. He said it is incumbent upon the committee to think about the years after our report goes to the city, as well as thinking about the things that need to be urgently reformed in the meantime. He said, recognizing there will be complaints after the report lands, it would be a dereliction of duty to leave off reforms because the committee thinks the current system is so flawed.

3. Finalize questions for police chief; Planning date and format

The commissioners discussed when the police chief is planning on attending the Alternatives to Policing subcommittee.

Commissioner Cynthia Suopis asked how the question categorization went.

Commissioner Nick Fleisher said he reviewed the questions and emailed with Commissioner David and they found little overlap.

Commissioner David Hoose said it would be a mistake for the committee to restrict their questioning. He said the committee will get one hour and that to a certain extent one has to be free to follow this in whatever direction it goes.

Commissioner Cynthia Suopis said she would like to see the areas and questions given to the chief ahead of time.

Commissioner David Hoose said the committee will want to question her on everything the NPD does.

Commissioner Nnamdi Pole said there is an advantage of having written answers from her particularly to questions the committee doesn't get to. He suggested telling her the committee might not get to everything. He said he likes the idea of asking what the committee wants, and giving her questions to answer with written responses that could also inform the report as well.

The commissioners discuss the pros and cons of sending written questions ahead of time.

Commissioner Nnamdi Pole said he would like to give the chief the best chance to present herself.

Commissioner Cynthia Suopis said all of the committee will have the ability to pull back or change a question and that it doesn't have to be that specific. She said it could turn into a conversation versus a socratic method. She said it could turn into a conversation versus a socratic method

The commissioners discuss lengthening the time with the chief as well as what method to send the invitation. The commissioners decide to email the chief an invitation.

Commissioner Cynthia Suopis asked Commissioner Nnamdi about SROs and who makes the decision whether SROs are wanted in the Northampton school district.

Commissioner Nnamdi Pole said in conjunction with the chief of police, the superintendent was required to pick an SRO, unless they signed for an expectation. He said legislation just sighted that it's not mandatory and that the city voted to get rid of the SRO for the foreseeable future.

Commissioner Cynthia Suopis said she doesn't know if his question for the chief has changed in regards to the SRO.

Commissioner Nnamdi Pole said he wants to hear where she stands on preventing and responding to school shootings. He said the campus police at Smith has had a partnership with the Northampton police. He said if the commission makes major changes, Smith might be expecting a relationship that would go away. He said having a sense of active shooter protocols on highschool and college campuses without SROs is what he would like to know.

The commissioners discuss what date to invite the chief as well as adding time during th
Commissioner Nnamdi Pole said it might be worth talking about the topic of having public comment during the meeting with the chief. He said it might be helpful to let her know who her audience will be. He noted a previous comment to have the chief not wearing a uniform. He

said having some clarity about what the committee thinks it will present itself would be worth talking about in terms of the framework.

Commissioner Nick Flesher said it will be information if she does or does not wear a uniform.

Commissioner Cynthia Suopis said she doesn't want to tell anyone what to wear. She said she believes this committee is the only subcommittee who has no public comment, which is a separate issue. She said she is unsure about offering public comment now when the chief is coming.

The commissioners discuss the Alternatives Committee's timeline for their meeting with the chief.

4. Next Steps for Subcommittee with other topics: Topics from Commission Initiative: body cameras; use of force policies; recruitment and diversity; data collection; civilian oversight models; transitioning 911 calls (Dispatch); (note: Other Subcommittee are investigating resources that reduce crime, alternative policing models, and union contract) Topics in addition to Commission Initiative: animal control; active shooter procedure;

Commissioner David Hoose said the committee hasn't touched on major public disturbance. He said he doesn't have a sense of what the abolish people say about that. He said the incident in Washington caused him to think about this. He said he was there when the trump supporters came into town for the purpose of provocation. He said he doesn't know what the answer is but he was there as an observer and he observed how the police handled it. He said he didn't have any complaints with what he saw. He's not sure where to get information on this but it feels like the biggest thing left to cover.

Commissioner Nnamdi Pole seconded Commissioner David's comment in regards to major public disturbance and said emergency response in town is something to take seriously.

Commissioner Elizabeth Barajas Roman said at no point has anyone talked about completely taking away the police's ability to have guns or have some level of presence. She said she is curious as to what is eliciting this question. She said the commission has been asked to address what the NPD does not do well, and what they should not have a footprint in. been asked to address they don't do well or what they should not have a footprint in. She said this question makes it seem like there's a possibility the NPD won't be able to respond to a school shooting or the rare occasion like some other emergency situation. She said she's curious as to why the committee needs to take up the time to discuss something the NPD is equipped to do.

Commissioner David Hoose said it's coming from the fact that he keeps hearing abolish the police. He said when he hears abolish the NPD, that means make it non-existent. He said maybe Commissioner Elizabeth has a better understanding of how that term is being used.

Commissioner Nnamdi Pole second that Commissioner David Hoose's comment. He said if the commission is going to push for defunding and reducing the budget, it should have a sense of how small the footprint should be.

Commissioner Elizabeth Barajas-Roman said the commission has limited time. She said the committee has thoroughly researched well put together reports that did not completely talk about no police. She cautioned the committee and said the chief puts together a budget based on what she thinks is an adequate police response. She said even if there is a 50 % reduction of the budget, the NPD can focus on emergency response without this other footprint.

Commissioner Nnamdi Pole asked Commissioner Elizabeth if there are other things she thinks the committee should direct its attention to.

Commissioner Elizabeth Barajas-Roman said the commission has been getting a lot of information from citizens, one being a recommendation from activists with some great ideas. She said the committee hasn't given the space for those citizen based requests and thoughts. She said if the committee is not giving space for public comment, it should take a moment to reflect on some of the things it has received. She said this work shouldn't just be up to us, and that the committee should take community input into consideration as it builds priorities.

Commissioner Nick Fleisher said emergency response is not one of the things the committee was requested to look at and that it will have to be built in. He said often the city brings in state police who have a particular procedure for protests. He said the committee doesn't know what the active shooting procedure is, and they don't know that it wouldn't be taken away. He said he doesn't think it's a road the committee needs to go down given how much is on its plate.

Commissioner David Hoose offered the report could note the committee is assuming the NPD would continue to investigate serious crime and major public disturbances.

Commissioner Nnamdi Pole said it does feel like it's on the plate of the subcommittee and that it is its business to know. He said the committee should know what the policies and procedures are for emergencies because if it doesn't know, who should know.

Commissioner Cynthia Suopis said it's one thing to ask if the NPD were to be abolished, where the emergency response would go, and it's another thing to ask, what is the policy now. She said there is a lot of energy around another department. She said this could be a direction the subcommittee could go. She said she would love for this committee to talk about what could be in that department.

Commissioner Nick Fleisher said he has read a lot of important information from Northampton Abolition. He also mentioned another report Commissioner Cynthia Suopis sent which had similar information but was framed a little differently. He said both will be important resources.

5. New Business

Commissioner Nick Fleisher said he's interested in looking into Alternative models as it applies to policies and services for the NPD, as well as what policies and services the committee might want to shift to the alternative model. He said he's hearing people say the committee should open up to public comment. He said, because of scheduling, it would probably have to be after the chief attends. He said he would like to table this for future discussion.

Commissioner Nnamdi Pole seconded tabling the topic for future discussion.

Commissioner Nick Fleisher wondered whether the committee should plan to meet next week regardless of whether the police chief can join.

Commissioner Cythia Suopis said the committee has work to do yet. She said talking about the final report from the committee's perspective, exploring information from Northampton Abolition on how to handle insurrection, as well as reading other reports on the topic, might be the next step.

The commissioners discuss sharing screenshots as a way to share important paragraphs from the reports.

6. Proposed Agenda for next meeting

Commissioner Nick Fleisher listed the proposed agenda for the next meeting as, looking at information sent to the commission from activist groups, as well as other reports found as resources, looking into alternatives to policies and services, as well as discussing public comment at future meetings.

Cynthia proposed having public comment next week if the police doesn't come and suggested otherwise, finding a different date.

7. Adjourn

Commissioner Cynthia Suopis moved to adjourn the meeting. Commissioner Nnamdi Pole seconded the motion. The motion was passed unanimously.