

CITY OF NORWICH
Police Reform
Community Advisory Board (“CAB”)
Meeting Minutes
February 3, 2021
3:00 p.m.
Zoom meeting.

PRESENT

Police Chief Rodney Marsh
Assistant Police Chief Scott Burlison
Christine Rudy – First Assistant District Attorney
Police Officer Brandon Clarke – PBA President
Pastor Jen Westervelt
Adrienne Zornow
Missy Beers
Melody Girgenti
Nancy Allaire
Lynn Murray

Other

Meeting Intro:

Reminders about next regular meeting and public forum. The public forum will be at the Norwich City Court on 2/9/2021 at 6:30 pm then there will be a de-brief on 2/10/2021 at 3:00 pm. Will someone from the District Attorney office be present?

Chief Marsh - emailed the committee in regards to web page changes on the norwichpd.org website at the top left corner the secured lock is showing making it a secured host or server. On the home page the Use of force Policy is bolder. The Service Evaluation Form was added as well. Chief Marsh – worked with our web host and added a service evaluation form. The form is either a compliant or a commendation. There will be paper forms available in the front lobby of the PD. Adrienne – how do we incorporate these changes into the plan. If form is not signed is that sufficient? Chief Marsh – it would depend on the compliant they were making most likely they would have to come to PD and sit down and provide details, photographs, etc.

Continuation of Citizen Oversight and Other External Accountability

Is Norwich PD accredited by any external entity? Chief Marsh – no – with the help of Lexipol policies and once the policies are completed, they will help us continue to accreditation which is an additional 8 or 9 policies. Then the Norwich PD could apply and try for accreditation. Adrienne – what else is involved with accreditation status? Is it just the policies or is there additional aspects that need to be completed? Chief Marsh – not exactly sure, under the accreditation there are requirements of training that are covered under the policies. Evaluations and training are a requirement. Evaluators interview the officers there is a whole process. Adrienne- is it the same accreditation as the Chenango County Sheriff? Chief Marsh – Yes Asst Chief Burlison – yes, the accreditation does cover a wide selection of law enforcement that you have to meet every two years. In conversations with other police departments, we have found out that departments that are accredited are having a lot less issues with police reform. A lot of things that the Governor has already requested or suggested they are already doing. They are basically using their accreditation status in the areas of concern of the governor and then handed the package of to their municipality. He thinks it will be a good step in the right direction after Lexipol to go to accreditation. Chief Marsh – Asst Chief Burlison did you sign up for accreditation management training?

Asst Chief Burlison – the state offers that periodically; it is the first step to accreditation basically you must have a case manager so he will be doing the training.

Citizen Advisory Boards vs Citizen Oversight Entity

The guidebook distinguishes the two with the first “encouraging dialogue and community connection” and the later which has “formal duties and authorities”. **Is our Public Safety Commission considered a Citizen Oversight Entity? Review again the roles/responsibility of the Public Safety Committee, does those roles/responsibilities need to be expanded upon?** Chief Marsh – any compliant starts with the supervisor, then goes to the Asst Chief then to the Chief and according to the Rules and Reg that without delay he must report to the public safety committee any act on the part of any member of the police force in gross violation of the rules and regs. With the Governor’s executive order, the Attorney General’s office is creating a new unit on police misconduct in April 2021. There is the police level, then public safety level then the state level investigating police misconduct. Melody – it will not go to the public safety committee unless the higher up like supervisor or Chief says it is a gross violation of the rules and regs? Chief Marsh – that is the way it is worded in the rules and regs. Adrienne – that would be an opportunity to make a suggestive update to the rules and regs to be a little more inclusive. Is the public safety commission only elected officials, there is not any regular members of the public? Lynn – that is correct. Melody – is there room for that to be expanded? – Lynn – not for that committee. Adrienne – would that be another change to the charter if that were going to be a proposal from the CAB. Lynn – unsure – Adrienne if we are going to suggest that CAB move forward then we need to be explicit that part of that role would have some sort of authority to review complaints, if the public safety commission is not going to be able to open to the public for additional citizen members that she would suggest the CAB has a partial role or the CAB comes to the joint committee meetings. Pastor Jen – what does that look like as far as a recommendation. Adrienne – we will need to work on verbiage and come back to this later to review.

Should the CAB or Public Safety Commission be involved in future contract negotiations?

Adrienne – her answer is yes, open floor for discussion. Her thoughts it seems like a lot of this stuff especially in misconduct and accountability framework we have been discussing we go back to the contract and that is why she thinks that CAB assuming it moves forward would be a task for the CAB to be involved in. Lynn – Negotiations consists of labor management team from the City and a negotiation committee with the union and lawyers from both sides could be in attendance. Once this process is completed Common Council votes on the union contract. Emailed Paul Sweeney, labor law attorney, there should be no other parties involved in union negotiations. Adrienne – if the citizen advisory board is a city entity how would that be different? Lynn – no different. Adrienne – who is on the negotiation’s community – common council? Lynn – no to common council – they vote on contract. The City would be Director of Finance, Director of HR, department manager and Mayor (if he/she wants to be involved), then the union picks who is negotiating among their members. Pastor Jen – I wonder if a viable solution would be the potential for the continuation of the group with the purpose to make recommendations. Maybe it is one of those things that were we know when the contract is ending, maybe it would be under CAB to make it a plan to re-visit the plan and contract and make recommendations.

Discussion centered around if the CAB committee and if it will be continuing after the plan is completed.

Does CAB want to continue surveying the community members and police officers on an annual basis?

Adrienne – put in plan to survey community members on an annual basis around the same time as the open house. Melanie – thinks annually would be great because of the time it took to complete the original survey. Adrienne – where would the data go? Is that something that CAB would keep track of or would

we put it in an annual report. Melody – if I am doing the survey, I would want to know what came of the survey. It also helps the Police Officers and citizens stay on their toes and know what is going on.

CAB existence and member appointments – how do we ensure the CAB will continue after current administration (assuming current City Council Members approve)? How can the advisory board be structured so that there is a possibility to include community members and/or stakeholders that are not appointed by the Mayor? Adrienne – we have discussed – currently the CAB would be Mayoral appointment, if CAB wants another process it would be a change of city charter and would have to go to public vote, like a ballot initiative.

Building Trust – Adrienne – in some areas they incentivize officers to live-in hard-hit crime areas. We have a 30-mile radius but for the officers that live in the city is there a way to incentivize them to live in high crime areas and what would the benefit be? Chief Marsh – he lives in the City and has lived here since he moved to Norwich in 1993. A lot of officer do not like to live in the City because they deal with people all day long and when they go home, they do not want to deal with them afterwards. When they are off duty, they want to be off duty. There are some municipalities that have incentives to try and entice the officer to live in the community. Adrienne – does an officer come to the station to get a patrol car or do they take a patrol car home. Chief Marsh – no one takes a patrol car home. Pastor Jen – it could be of value to bring to table as an option.

What police incident and compliant data should be collected? What data should be available to the public? - Adrienne – latest annual report – currently in report – mission statement, officer names, rank, date of rank, date of hire, activity report, non-criminal complaint breakdown, criminal complaint breakdown, miscellaneous breakdown, and vehicle accident report. Question about community relations hours – as soon as we implement our new program those hours should not be reported in the annual report? Chief Marsh – If an officer is on duty or being paid overtime it is counted as community service, if it is done on their own those hours would not be counted. Adrienne – thoughts on getting officers more involved in the community off duty activities should be counted in the annual report. One addition that is being recommended for the annual report is officer training.

What other areas does this committee feel important to include: use of force statistics, expand demographic information, and then officer complaints and compliments should be included in annual report. Does some of this have to be included because of Police Reform? Chief Marsh – use of force – he must submit use of force to DCJS, DCJS is putting all use of force on their website for public viewing. Melody – what is the percentage of use of force on an annual basis for NPD? Chief Marsh – 2020 out of 522 arrest – 47 use of force forms were completed. Out of the 522 arrest – 20 times it was physical, 2 times a taser was used 2 times a taser was pointed, one time an OC spray was used, one time OC spray was pointed and 7 times a weapon was pointed. Out of 177 mental health custody – there were 4 physical, one taser point, two OC sprays and 2 weapon pointed. Out of mental health complaints 8.38% was use of force and out of the 522 it was 6.12% use of force. Officer Clarke – average over last 5 years not including 2020, 2014-2019 resisting arrest charges – 1.7% of arrest for entire department per year. Adrienne – do you know if DCJS plans on breaking down by municipality or statewide? Chief Marsh – it is by municipality. Adrienne – should be easy to release to public since the Chief already reports to Common Council. Adrienne – next question – is demographic data collected and just not reported or is it not collected? Chief Marsh – all court systems are required to gather that information and report to the Governor every year. Adrienne what is the rational of reporting male vs female inmates? Chief Marsh – every year we must report to DCJS. Adrienne - they require male vs female. Chief Marsh – yes. Adrienne – the demographic data that is collected but not reported on like race, gender? Chief Marsh - has to report in monthly in a UCR report that is submitted to DCJS. Adrienne – is that stops and arrests? Chief Marsh – just arrests.

Next question – number of officer complaints received (internal and external). Including complaints investigated and results. There was a spread sheet that was given as an example of how to report the data. Would this be something that can be included without issues with union and confidentiality. It does not name any names or does not give identifying information would something like this chart be able to be added to the annual report. Chief Marsh – does not see why not, it does not show any names. Officer Clarke- not sure because of conversations with other municipalities and with the State he can not speak to if it would be OK to post this information. Adrienne – thinks it would be helpful for people to know, you only received 5 complaints, could be a positive and everything is transparent. Thinks it is something that should be put in the proposal.

How should law enforcement agency leverage data to drive policing strategies? Adrienne – some ideas would be foot/bike patrol. Chief Marsh – Bike control must submit a monthly report to the officer that oversaw bike patrol. In the past Officers had to report number of arrests, number of miles bikes were ridden in that year. Adrienne – would that be with the dog control? Chief Marsh – yes.

How can your police department demonstrate a commitment to transparency in its interactions with the public? Adrienne – example is explicitly state their name, badge number and purpose, provide business cards after their interaction, advise the public on their rights – even when not legally required to do so. For example, consent searches and maybe we should be more transparent. Really likes the business card idea, Melody agrees with business cards. Asst Chief Burlison – there are several officers that currently have business cards, they are locally made in the City of Norwich. A good majority are not newer officers because they just got out of the academy because the officers do purchase them their selves. It is a very professional card with their name, number, and email address. Adrienne – thinks it should be best practice and is encouraged. She does not think that the officer should be paying for their own business cards the City should provide them. Asst Chief Burlison – misspoke officers are allotted a clothing allowance and that would cover a business card purchase. Adrienne – suggestion is that it is a default, and they get business cards as they are onboarded.

Follow Up on Action Items/Close meeting

Adrienne – tried to investigate other contracts with no luck but will continue to research.
Asst Chief Burlison – update on policy standards and hiring, Lexipol. The new policy covers everything to ensure that new hires are vetted properly.
Lynn – added anti-retaliation and compliant policy.
Discussion about the SOR position with what wording was going to be in the plan.

Adrienne – Ensure that the plan has the information that has already been completed so that we can show forward moving progress.

Whistleblower policy getting ready to be approved by common council, will be put in google drive once it is approved.

Next week – review from community forum. Pastor Jen – do community members still need to register? No to registry, they come to door sign paper then go back to car then called up. Pastor Jen – how will it look if people want to join/comment with Facebook? There is no comment via Facebook.

Next meeting February 10, 2021 at 3:00 p.m. via Zoom