

CITY OF PLAINFIELD, NJ

AUGUST 2020

REPORT ON POLICE REFORM



**PREPARED BY
THE GEORGE FLOYD
POLICE REFORM COMMISSION**

GENERAL STATEMENT OF INTRODUCTION

Our society has witnessed yet again how this nation's long legacy of racism continues to damage and destroy the lives of Black and Brown people. The heartless killing of George Floyd in Minneapolis occurred soon after the unjust shootings of Ahmaud Arbery in Georgia and Breonna Taylor in Louisville. It coincided with the appalling harassment of Christian Cooper in New York's Central Park, an incident that demonstrated how easily a racist complaint could put a Black man in danger. The COVID-19 pandemic itself has killed Black and Brown Americans at higher rates than other groups, magnifying disparities in healthcare and economic well-being.

The conversations have intensified in the following months as additional incidents of police violence and misconduct continue to expose the systemic and widespread failures of our policing and criminal justice systems. Community members, often led by tenacious young leaders, planned direct actions, walkouts, and acts of civil disobedience to demand accountability and recognition that Black Lives matter. From New York to Seattle, outraged elected officials walked out of city council meetings and state buildings with their hands up to express solidarity with, and commitment to, the movement for police and criminal justice reform. Communities across the country that have lived for too long under the weight of discriminatory policing and mass incarceration are calling for a transformation of our policing and criminal justice systems. They are making it clear that it is time for policies to primarily reflect the concerns and solutions of communities most affected by flawed policing practices.

Communities are demanding meaningful oversight of law enforcement, accountability, an end to the criminalization of communities of color, and state investments beyond federally sponsored tanks and additional police. While media attention waxes and wanes, the groundswell of anger and grief unearthed by the public killings of sons, daughters, fathers, mothers, and transgender sisters and brothers has started to translate into meaningful policy reform at the local, state and national level. Organizers, community leaders, advocates, elected officials, and law enforcement are thinking through how to address the endemic problem of police brutality and mass criminalization.

On July 1, 2020, Mayor Adrian O. Mapp announced that the City of Plainfield launched a George Floyd Police Reform Commission (GFPRC). The commission's goal was to review current policies and procedures of the Plainfield Police Department and make recommendations in a report to be submitted to the Mayor, Governor, the Union County Prosecutors Office, and the State Attorney General's Office. The commission comprises a diverse group of Plainfield residents whose report and recommendations will be presented at the culmination of private deliberations of the Commission, and two public sessions.

Key Principles

As the Commission prepared this report, there were key principles that guided our efforts:

- Every person is entitled to equal treatment, respect for his or her constitutional rights, and due process of law, regardless of race, religion, national origin, immigration status, age, sexual orientation, gender, gender identity, or other status.
- The development of this report will build on the voices of the residents of Plainfield.
- We are grateful for the efforts of the Plainfield Police Department and their service of integrity, recognizing that the nuances of ongoing cultural, socio-political, and racial changes, the need for expansive services, that will be later noted, is imperative.
- Animating all our recommendations is the fundamental principle of trust and transparency. The public must have a reason to trust the police, as public approval and acceptance are the basis of effective policing. The police serve the public interest and must earn public trust and legitimacy by acting as faithful guardians of the community and working to prevent crime and promote safety.
- The release of this report is not the last step in this process. There are varying issues confronting society and therefore, the City of Plainfield needs constant assessment and participation of the public in collaboration with local and state public servants as we transform social ills for the well-being of families.

Process

In the Commission’s private deliberations and in two public hearings, we recognized that there is widespread consensus about what needs to be done to reform policing in the City of Plainfield. We carefully examined the various policies in the Plainfield Police Department, the mandates of the Attorney General’s office, regional and national police reform reports, and the submission of recommendations from organizations such as the Plainfield Anti-Violence Coalition and Plainfield Civic Trust.

Summary of Recommendations

What follows is a summary of our recommendations organized around the significant areas of policing to give our city a blueprint for the implementation of real and lasting change. These recommendations are discussed in detail in the sections that follow.

Overall, the commission believes the policies, organizational charts, and training materials are well written, detailed and keep with state guidelines. Additionally, the commission reviewed multiple documents submitted by other organizations such as the Plainfield Anti-Violence Coalition, comments from Plainfield citizens, publications (The Marshal Project, 2020) on policing, Use of Force, (Lo, 2020) racial inequity, NY TIMES article, ” Could This City Hold the Key to Policing in America” (Armstrong, 2020), and the NJ Attorney General’s revised Use of Force Policy in an effort to take a holistic approach to our review and recommendations many of which are cited throughout the document. We also appreciate the number of successful and positive interactions the Plainfield Police Department has and continues to undertake with our community through the DARE program and Queen City Mentoring Academy. We understand that a number of the recommendations we are making require approval at the state level and are not at the discretion of

the Director of Police, and/or Plainfield Government. Having said this, we wish to address barriers to effective, equitable, and community policing by building on the strengths and successes of the Plainfield Police Department. In an effort to accomplish this, the commission has identified focus areas that our recommendations are based on:

- 1) The importance of community/police integration (Trajanowicz)
- 2) The review and updating of police policy and practices regarding interactions with those who have mental and or physical disabilities (Godfredson, Ogloff, Thomas, & Luebbers, 2010) (Godfredson, Ogloff, Thomas, & Luebbers, 2010)
- 3) A need for increased transparency in policing
- 4) A continued effort to reduce use of force in policing
- 5) An increase of Police Officer annual mandatory trainings focused on mitigation instead of the use of force that will incorporate soft skills meant to increase and enhance evidenced-based interventions intended to diminish the need for force.

RECOMMENDATIONS:

- 1) We recommend increased opportunities for community engagement in policing to include:
 - a. Officers should spend time on foot patrol within the community. Officers should be encouraged to pleasantly greet their constituents, hand out cards or contact information and when possible, and walk the neighborhoods they serve in an effort to foster a “we are in this together” attitude.
 - b. Officers should be encouraged to continue and build upon their engagement in civic activities. We believe the Plainfield Police Department should encourage their officers to make one new citizen contact per week or even per month, which would engender greater trust and cooperation. Examples of where this is already happening include but are not limited to “Fun with Plainfield First Responders” and “Plainfield Police Community Cookouts”.
 - c. All policies should be available on the police website for review by the community and have a means for public comment.
 - i. When updating policies and procedures “public trust” should be a consideration.
 - ii. Employees from all levels of police force should have input into policy and procedure updates.
 - d. We recommend that the Police Department continue the practice of preferential hiring of Plainfield residents. Plainfield Police Force has been successful in developing a hiring process that recruits mostly from within the City of Plainfield. Having officers, who at the time of hiring originate from the area in which they work, is recognized as an important element in keeping good police-community relations.

- i. Since Plainfield has a significant Latin-X population, the commission recommends that the Plainfield Police Department create a pipeline that supports and encourages the promotion of Latin-X officers into supervisory positions, such as a mentorship program.
 - e. We recommend that the city review the budget and identify resources that can be reallocated to Health and Social Services which could reduce the need for police interventions and or mitigate use of force by making social service resources available to police and community. (Watson, Morabito, Draine, & Ottati, 2008)
 - i. Look into the possibility of hiring social workers familiar with community policing.
 - 1. <https://socialwork.tulane.edu/blog/why-police-officers-are-taking-on-social-worker-responsibilities>
 - 2. <https://www.tandfonline.com/doi/full/10.1080/23311886.2016.1212636>
 - ii. Solicit input from community leaders to identify needed social services that could also engage police officers such as PAL
 - 1. <https://www.nationalpal.org/Default.aspx?tabid=784239>
- 2) We recommend policing pay special attention to populations with specific needs that may impact their interactions with law enforcement officers, such as:
 - a. There should be guidance specific for interacting with children, the elderly, pregnant woman, physically and mentally disabled individuals, as well as individuals with limited English proficiency that is consistent across all policies, trainings, and reporting requirements.
 - b. There should be more and better training to prepare officers for managing situations in which individuals have physical and or mental disabilities.
 - c. We recommend that Plainfield create a Crisis Intervention Team (CIT), as has been done in many towns such as Trenton and Millville, which can help police respond to difficult situations as the special training of crisis workers can greatly help foster a better outcome for both the police and the citizen involved. There is much to learn about the best ways to interact with those suffering from behavioral health and a CIT would bring these skills and best practices to bear.
 - d. Jargon addressing the presentation of Mental Health (MH) or Substance Use Disorder (SUD) symptoms should be consistent with health care terminology. When interacting with those individuals suffering from these illnesses using language, they and their family members are familiar with would increase understanding and possibly allow for resolution without use of force.

Additionally, we would like to see early symptoms described in an effort to help officers recognize pre crisis presentation of MH and SUD. See examples below:

- i. Current jargon

- ii. Extreme mental excitement
 - iii. Paranoid or panicked demeanor
 - iv. Early symptoms
 - v. Rapid eye movement
 - vi. Circular thinking
 - vii. Non-threatening repetitive movements such as hand wringing, and tapping
- e. The policy titled Emotionally Disturbed Persons is outdated and inaccurate in its use of psychiatric terms and diagnosis, uses inflammatory language such as “strange”, nonsensical, and “bizarre”, and invents terms that have no definitions or examples such as “compelling necessity”. The document also incorrectly lumps together mental disease and mental illness along with SUD. The Police Department and/or the NJ Attorney General’s Office should engage The National Association of Social Workers (NASW) NJ chapter in an overhaul of the document. <https://naswnj.socialworkers.org/>
- 3) We recommend increased transparency in the oversight of policing with a focus on use of force. Several components of the recommendation include:
- a. The creation of a citizen review commission that would be tasked with reviewing all use of force instances regardless of outcomes. (Glover, 1999)
 - b. Persons filing a complaint should have access to police video sooner rather than later.
 - c. We wish to note that the NJ Attorney General recently revised the Use of Force Policy in an effective manner and is currently looking to address racial bias and inequity. To that end, we encourage a review of the final recommendations by a citizen review board and the expedited approval and implementation of those recommendations once a citizen’s review is completed. <https://www.nj.gov/oag/dcj/directiv.htm>
 - d. Plainfield should continue to enter all officers into the portal of the AG’s Office for real time communications.
 - e. Annual reporting currently available such as the Internal Affairs Summary should be enhanced to include greater detail specific to neighborhoods, demographics and other identifying data points that allow the public to better understand how policing is reflected throughout their community. We believe such transparency in reporting is key to ensuring public accountability and fairness in policing.
- 4) We recommend all policies and trainings use consistent language throughout each document and across all documents, several components of the recommendation include:
- a. There is inconsistency regarding the use of choke holds in trainings documents; in some sections it states choke holds are banned in other sections it is permissible.
 - b. Passive language throughout the document should be removed. See example below
 - i. Page 1, Policy, paragraph 4, line 4, “maybe”

- c. All terms utilized to describe when force may and may not be used should be defined. See example below:
 - i. Page 11, section H, subsection 2 line 2-“ passive resistance”
 - ii. Page 10, section C, subsection 5, line 2 “reasonable opportunity”
- d. Inconsistencies in the policy specific to notification outside of the Department on the use of deadly force or serious bodily injury should be corrected.
 - i. Page 16, section V, subsection G, bullet 6 appears to be inconsistent with sections 7 and 8 starting on page 18.
 - ii. All use of force resulting in death and or serious bodily injury should be reported externally to the County Prosecutors Office and or Division of Criminal Justice.

We recommend the following changes to the Use of Force policy:

- e. Based on the descriptions provided in the Use of Force Policy, CED’s should not be permitted unless there is imminent or immediate threat of death or serious bodily injury. We also believe this is consistent with other sections of the policy Section III, H, 1 through 8. Otherwise, descriptions should be clarified; for example- “destruction of property”.
- f. Medical treatment for individuals having been exposed to OC should be provided for all individuals not just those who remain inflamed or in discomfort after 45 min. While the policy does state,EMS is always to be called when OC is utilized, the last bullet; page 15 section A, 5 H seems to contradict this. This is in keeping with poison control and CDC guidance.
<https://emergency.cdc.gov/agent/riotcontrol/factsheet.asp>
- g. The Use of Force policy should state that when removing clothing from a person having been exposed to OC no clothing should be pulled over the head but instead cut away so as to not recontamination of an individual. This is in keeping with poison control and CDC guidance.
- h. In the Use of Force Policy page 14 section A subsection 4 should add specific symptoms of OC exposure that indicate life threatening response.
 - i. Wheezing, chest pain
<https://emergency.cdc.gov/agent/riotcontrol/factsheet.asp>
- i. Officers engaged in use of deadly force should have a MH evaluation for trauma mandated in lieu of being afforded an appropriate level of counseling OR critical incident stress debriefing. If other policies already mandate this, we believe they should be referenced here.

- 5) We recommend Police Officer training be revamped to increase the amount of annual mandatory trainings focused on mitigation in lieu of use of force as well as incorporation of soft skills meant to increase and enhance evidence based interventions meant to diminish the need for force. We recommend this process include the updates to Use of Force training articulated in the Pilot Program. (Nelson, 2019)
- a. We support the continued development, approval, and implementation of the NJ AG's Proposal for Police Licensure and the integration of Continuing Education Units as part of that process.
 - b. New Mandated Trainings
 - i. Crisis intervention Team (CIT) (Watson, Morabito, Draine, & Ottati, 2008)
 - 1. <http://cit.memphis.edu/>
 - ii. De escalation
 - 1. <https://www.apexofficer.com/deescalation-training>
 - 2. <https://www.dolanconsultinggroup.com/police-de-escalation-training/>
 - c. Soft skills development training
 - i. Critical Thinking skills-^{*}
 - 1. <https://www.insightassessment.com/article/what-is-the-best-way-to-assess-critical-thinking>
 - 2. <https://www.criticalthinking.org/pages/critical-thinking-testing-and-assessment/594>
 - ii. Behavioral Health –
 - 1. <https://post.ca.gov/Crisis-Intervention-Behavioral-Health-Training>
 - 2. <https://www.nami.org/getattachment/Get-Involved/NAMI-National-Convention/2015-Convention-Presentation-Slides-and-Resources/B-7-A-NAMI-CIT-Toolkit.pdf>
 - iii. Cultural Competency-
 - 1. <https://diversitybuilder.com/police-cultural-competence-training/>
 - 2. <https://www.ncjrs.gov/App/Publications/abstract.aspx?ID=192749>
 - iv. Effective Communication and bias awareness-
 - 1. <http://oxford-management.com/course/communication-skills-for-police-personnel>
 - 2. https://silverstateconsulting.com/implicit-bias-de-escalation/?gclid=Cj0KCQjw3s_4BRDPArisAJsyoLPGwu0eAVfC7A6jq1Rlx2MP0uRXmZu4vOvlvOsoxGnEwE4CWKqkmoaAlmyEALw_wcB

IN CONCLUSION

The commission wants it to be understood that these recommendations are not the end but a beginning to the work yet to be done. We are grateful for the leadership of our Mayor, Adrian O. Mapp in cultivating this George Floyd Police Reform Commission. The provision of resources

by multiple members of his staff is noteworthy. We are also appreciative of Director of Police Lisa Burgess who facilitated all information requested by the Commission to comply with our charge and responsibility. The stories of each member of this diverse group of commissioners testified to their experiences and many years of living in the Queen City. Lastly, we know that Queen City is a place of resiliency inhabited by strong, innovative, and engaged citizens waiting for an opportunity to collaborate in making OUR city a better place for everyone.

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