



CITY OF EASTHAMPTON • MASSACHUSETTS  
OFFICE OF THE MAYOR  
**Nicole LaChapelle**

**Initial Mayoral Response to 01027: A Knee Is Not Enough (AKINE) Mission and Demands**

**Distributed by the Mayor on July 7, 2020 to AKINE, Community Relations Committee, EPD Chief, EPS Superintendent, City Council, School Committee**

Thank you to AKINE for distributing your mission and demands throughout the City, including my office. Your organization has begun A LONG-NEEDED reformation conversation that acknowledges systemic bias and racism with government and school districts.

Several different Easthampton departments gave information for the City's response to each demand. This initial response is just that – a beginning – guided by the My Brother's Keeper Mayoral Pledge, signed June 3, 2020.

At the June 30, 2020 Community Relations Committee, I publicly proposed a workgroup composed of AKINE and CRC members. The workgroup's charge is to build out a robust community outreach and engagement plan to review current EPD Use of Force policies. The workgroup will report out to the CRC and be supported by the Mayor's Office.

As this initial response was being prepared, the State Senate introduced a sweeping law enforcement bill that includes municipal police departments. The Senate is expected to vote on Thursday, July 9, 2020 on this bill. The Senate, State House of Representative and Governor's Office have all said publicly that they are committed to pass a law enforcement reform bill by July 31, 2020. The Senate bill is wide – sweeping and directs municipalities very specifically as to training, discipline and statewide certifications that connect with nationwide databases.

Without doubt, if a law enforcement bill is passed, the legislation will shift much of these demands to state – level commissions and regulations. This legislation will not change my commitment to authentically examine the bias and incidents of racism in the City of Easthampton.

With gratitude,

Mayor Nicole LaChapelle

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## **Immediate Demands:**

Publicly release information about the Easthampton Police Department (EPD) practices and policies to the community. This includes:

Information on training that EPD has budgeted \$13,000 in the FY 2021 budget (what are these trainings, what do they cover, and who is teaching them?), and information on incoming money not included in the budget (i.e. grants).

This budget line item is based on previous year estimates that include State-mandated In-service trainings, as yet to be determined by the MA Municipal Police Training Committee (<https://www.mass.gov/orgs/municipal-police-training-committee>). In addition, this includes the cost of sending a recruit officer to the full-time police academy (\$10,000 per officer). The department does not have any expected grant funding for training.

A public copy of the current police code of conduct.

EPD Policy 4.15 “Authority and Responsibility and EPD Policy 4.15a “Code of Ethics” are posted along with many other documents and policies on the Policy & Information Portal on EPD website home page, with additional documents to follow: <https://www.easthamptonpd.com/administration/policy-and-information-portal.html>

Information on current accountability structures within EPD, whether those are from the EPD code of conduct or the current EPD police union contract.

EPD Policy 4.01 “Internal Affairs” is posted on EPD Policy & Information Portal on our website: <https://www.easthamptonpd.com/administration/policy-and-information-portal.html>

Information on how to file a complaint against an EPD officer.

Also our Internal Affairs Complaint Report is available through these links on EPD website: <https://www.easthamptonpd.com/resources/forms-reports.html>  
[https://www.easthamptonpd.com/images/Forms%20and%20Reports/Internal\\_Affairs\\_Complaint\\_Report.pdf](https://www.easthamptonpd.com/images/Forms%20and%20Reports/Internal_Affairs_Complaint_Report.pdf)

There is a link on the EPD homepage to “Provide Officer Feedback” (both positive and negative) which forwards directly to EPD Chief’s email. There is a separate link on our website homepage to submit “Anonymous Tips” and additionally, EPD Chief’s email address is listed there: <https://easthamptonpd.com/>

Persons wishing to complain about an officer may also come into the public safety complex to pick up a complaint form and/or speak with a supervisor. They can also call the public safety complex and speak with an on-duty supervisor or the chief of police.

Additionally, the Mayor's Office has added a complaint form separate from the EPD Form on the City's website – [www.easthamptonma.gov](http://www.easthamptonma.gov). The Mayor's Office form accepts complaints or concerns for all city departments. Complaints can be filed anonymously.

Practical analysis of the last 3 years of policing along with the identification of places where community groups or peer support groups would be better equipped to respond.

Policing analyses are contained within EPD Chief's "Operations and Administration Summaries" submitted with each fiscal year budget narrative and are public records. The FY2021 "Operations and Administration Summary" can be found on our website Policy & Information Portal: <https://www.easthamptonpd.com/administration/policy-and-information-portal/213-fy-2021-operations-and-administration-summary/file.html>

Further analysis may occur during the Mayor's Pledge step that looks at review and reform. Both the EPD and City are looking to partner with higher education institutions to aid with additional data collection.

Police meet regularly with community organizations, including AKINE representatives:

In 2018 the EPD Chief created the position of Community Services Sergeant for this very purpose and we routinely meet with community groups and organizations. EPD also has designated liaison officers including Veterans Affairs liaison, Civil Rights Officer, LGBTQ+ liaison officers, Elder Affairs liaison, and Mental Health liaison.

The EPD welcomes the opportunity to meet with any community organization; to date we have not been contacted by AKINE.

## **Reform & Refine**

Commit to not hiring or re-hiring police with prior complaints in our city or elsewhere and extend background checks on officers

The City's Personnel Department and the EPD are committed to not hiring or re-hiring police with prior complaints in our city or elsewhere. The EPD personnel background investigators do perform extensive background checks on all prospective employees prior to offers of employment. These investigations exceed background checks on other employees. The investigation reports are reviewed with the Mayor's Office and Personnel as needed.

Commit to de-militarize in both equipment and training

The EPD are not taking part in surplus military equipment programs, and EPD training is not militaristic in nature. De-escalation is interwoven in all aspects of EPD police training as implemented and overseen by the MA Municipal Police Training Committee. In addition, there is pending state legislation addressing training curriculum.

## An immediate ban on chokeholds and no-knock warrants

Chokeholds are not a sanctioned force option within the MA Municipal Police Training Committee curriculum, nor are we trained in their use. EPD Use of Force policy 1.01 can be found on our website Policy & Information Portal: <https://easthamptonpd.com/administration/policy-and-information-portal/198-epd-1-01-use-of-force-rev5/file.html>

There is pending State legislation banning chokeholds and pending State legislation on the issuance of no-knock warrants. Currently, no-knock warrants must be approved by the Courts.

## Moratorium on arrests for survival (i.e. asking for money/homelessness) and decriminalize homelessness

Homelessness is not a crime in MA and panhandling is a Constitutionally protected activity, therefore we cannot arrest or criminally charge people for this.

## Put in place fines for false reports attributed to bias/racism

It is a crime in MA to make a false report to police: MA General Law Chapter 269 Section 13A. “Whoever intentionally and knowingly makes or causes to be made a false report of a crime to police officers shall be punished by a fine of not less than one hundred nor more than five hundred dollars or by imprisonment in a jail or house of correction for not more than one year, or both.” <https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter269/Section13A>

Create a Community Review Board for police oversight that EPD must answer to and that is not housed under EPD or the Mayor’s purview. This Community Review Board will be given yearly municipal group training for all members. They will handle overseeing yearly sensitivity training and reviewing all disciplinary action for EPD officers.

Refer to the Easthampton Community Relations Committee and the ordinance governing same:

<https://www.easthamptonma.gov/business/city-ordinance.html> (Chapter 2 – ADMINISTRATION, ARTICLE III, DIVISION 11 – COMMUNITY RELATIONS COMMITTEE)

<https://www.easthamptonma.gov/government/boards-committees/a-e/community-relations-committees.html>

There is also pending State legislation to create an Independent Police Officer Standards and Accreditation Committee.

Implement standardized disciplinary action for all EPD officers who have complaints made against them. These complaints will be reviewed by a Community Review Board, and take proper disciplinary actions that are as follows:

- First offense: warning
- Second offense: Immediate suspension

- Third offense: removal for habitual offenders

Internal Affairs Complaints and Disciplinary action are covered in EPD Policy 4.01 “Internal Affairs” which is posted on our Policy & Information Portal on our website:

<https://www.easthamptonpd.com/administration/policy-and-information-portal.html>

Also our Internal Affairs Complaint Report is available through these links on our website:

<https://www.easthamptonpd.com/resources/forms-reports.html>

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The EPD use a system of progressive discipline unless egregious acts call for harsher disciplinary action, up to and including termination. Disciplinary action is also governed by labor and case law.

### **Reallocate funding**

Chief Alberti immediately reinvest pay-out from Northampton protest work and turn down his raise received for FY2021

The January 2020 raise is contractual, as is the payment referenced for the Northampton Protest which was compensation for services rendered as an outside detail, similar to past practice (i.e. Easthampton fireworks events, Easthampton Thunder In the Valley event, Blarney Blowout in Amherst). The Mutual Aid agreement was provided to the CRC at the June 30, 2020.

Remove “school resource officer” from EPS, replace with a school counselor

This is mandated by MA General Law Chapter 71 Section 37P which states in part: (b) “Every chief of police, in consultation with the superintendent and subject to appropriation, shall assign at least 1 school resource officer to serve the city, town, commonwealth charter school, regional school district or county agricultural school.”

Additionally, “Notwithstanding subsection (b), if the chief of police, in consultation with the superintendent, determines that there are not sufficient resources to assign a school resource officer to serve the city, town, regional school district or county agricultural school, the chief of police shall consult with the department of state police to ensure that a school resource officer is assigned, subject to appropriation;

There is also pending State legislation addressing this.

Reallocation of 10% of funds that are earmarked for EPD with the ability to review future cuts annually. These funds will go to public services that directly serve the community, such as peer support for community members, increasing mental health services, the creation of community programs, and the reallocation of school resource officers out of all Easthampton public schools.

The EPD FY2021 budget request was significantly cut during the Mayor's budget process back in February, including the amount of overtime requested by EPD.

There is pending State legislation on this, including potential implementation of a Justice Reinvestment Workforce Development Fund and a Community Policing and Behavioral Health Advisory Council.

Given the fiscal instability of federal, state, and local revenues, the Mayor has committed to review the entire city budget in the Fall of 2020.

From the cut in police funding create a comprehensive 211 system within Easthampton.

The State has a comprehensive 211 system in place (Mass 211 <https://mass211.org/>), and more specifically Hampshire & Franklin Counties have a similar resource entitled Look4Help (Look4Help <https://www.look4help.org/>). EPD has shared this information on our department social media. The are links on our website: <https://www.easthamptonpd.com/resources/links.html>

Mass 211 <https://mass211.org/> - the centralized hub for comprehensive information about, and referral to, the complete spectrum of services in Massachusetts that address the social determinants of healthy lives and communities. They provide a stigma free 24/7 contact center and public portal website that empowers people with the information they need to make informed decisions and to get the right help for their circumstances. Mass 211 can be contacted simply by dialing 211 from most phones and is the only organization in Massachusetts that can be contacted using this easy to remember three-digit number. 211 resources were bolstered due to COVID-19 including more Western Mass and domestic violence choice. Resources are continued to be expanded by the state.

Look4Help <https://www.look4help.org/> - This public resource directory, a program of Community Action Pioneer Valley, provides a free public information service available 24/7, connecting our community with close to 1,000 agencies, programs or services at over 450 locations. This directory is a centralized online tool to facilitate communication of available resources, service information, referrals, and a coordination of services of non-profit organizations, government agencies, health and human services, medical and mental health providers, and others. Look4Help serves the residents of Hampshire and Franklin Counties and the North Quabbin region of Western Massachusetts. Where services may overlap, Look4Help also includes resources covering portions of Hampden, Berkshire, and Worcester Counties. Selected regional and state agencies are also listed. For more information about Community Action Pioneer Valley, please visit their website: <https://www.communityaction.us/> or contact by phone: (413) 774-2318 or email: [info@communityaction.us](mailto:info@communityaction.us)

### **Additional Education Based Demands:**

Additional aims of the BIPOC Caucus are to expand the AKINE campaign beyond policing but also target EPS through:

This list, today, was sent to the Superintendent and Chair of the School Committee for a more through response.

Annual anti-racism and bias training in regard to education for all EPS staff

Supplied annually as described in the Attorney General 2017 negotiated plan with EPS administration with added training mandated by the Department of Elementary and Secondary Education (DESE)

#### Curriculum review

Ongoing by the EPS Leadership Team as well as the School Committee's Curriculum Subcommittee

#### Resource officer reallocation of duty

Required by state law; training requirements outline in Mass General Law and the Attorney General's report

#### Seek partnership and engagement with EPS Community Engagement Liaison and Superintendent

The Superintendent welcomes meetings with stakeholders and her staff. These are scheduled through that office.

#### Obtain school-based discipline records - i.e. is there a history of over or disproportionate discipline of students of color?

EPS reports this data to DESE and in the past two years to the Attorney General's office has negotiated in the Ten Point Plan to address bias and racism in the district.

#### Assessment of bullying in EPS

The district logs and reports this data to the School Committee and DESE on a regular basis. The district has an online confidential reporting system about bullying that students and families have access to 24/7.

#### What are the current methods for hearing and resolving parent concerns

The methods for hearing and resolving concerns are in each school's handbook and on the EPS website. Additionally, parents are encouraged to call or meet with the Superintendent or Chair of the School Committee with concerns not resolved at a school level.