

This is an attachment to Meeting Minutes for Nov. 19, 2020, of the Police Equity and Use of Force Advisory Group ~ Agenda item #3 on that date, the committee's interview with Chief Chris Williams and Lt. Christopher Bonnett of the Montague Police Department. These notes may be useful in discussing Agenda item #4 in tonight's meeting (Dec. 3, 2020).

PLEASE NOTE: While a few of the Chief's and Lt.'s comments are quoted verbatim, most of their responses shown in these notes are brief summaries or excerpts of longer and more detailed comments & conversations.

View/listen to the complete interview here:

<https://zoom.us/rec/share/541HFwtMo7b62szGS2zB3jRBB5KdnWPwRSB9qoxKd8iLBwY6sLTxHexionKncJ-n7.WopoGtX9MRXLLWaf>

Interview Questions & Topics for 11.19.20 Meeting with Montague Police Dept. command staff

***Any materials referenced in this document that were not posted online with the Agenda for tonight's meeting are in the Data & Documents section of this web page:*

<https://www.montague-ma.gov/g/77/Police-Equity--Use-of-Force-Advisory-Group>

Introductory Question

--How do you understand your job of policing? Or What is the purpose of policing as you understand it?

Williams: To protect and serve the community.

Bonnett: To do the best we can to maintain/restore normalcy. The police are the public, the public are the police. Safeguard freedoms.

Uses of Force ~ MPD perspectives

--We learned a few days ago, in Lt. Bonnett's written response to our second set of questions, that the reporting and accountability process the Montague Police Dept. has regarding use of force was adopted locally, with no requirement by state or federal government. We are very interested in hearing about the reasons, the timing, the motivations, and goals behind this policy.

Bonnett: There was no precipitating factor. We wanted to be prepared for any requests for transparency; and this is a way we can monitor our internal processes. This is information we need to know, in order to see how we are doing.

--And were resources, models, or movements within professional policing or from other resources a factor in developing these policies and practices, and/or informing them?

Bonnett: We used what is considered best practice.

Williams: This is a way to make sure that any use of force that is used is appropriate.

--And is there anything you can share about how members of the department feel or have adapted to these policies and practices?

[Discussed; refer to video.]

--Help us understand the different categories of force and the times they would be used. Can you share some real-life examples in which different types of compliance techniques or force might be used?

Bonnett: There is a use-of-force continuum. We try and stay away from this term, though, because it promotes the idea of a linear progression of use of force that would be used in a situation -- which isn't the case. [What to do] is a matter of officer perception and the person's behavior.

David Bulley: Interested in compliance techniques. For example, is a hand on person's back considered use of force -- reportable? We notice you consider showing a taser as use of force.

Bonnett: There isn't much discretion when it comes to defining these areas. Passive resistance (by the subject of a police encounter) would be a peaceful protest, for example a sit-in. An officer can take someone's arm to escort them away, but not in a way that would cause pain. A compliance technique is not appropriate for passive resistance because that can cause pain.

If someone is actively resisting -- for example, a person is ordered to get out of their car, and refuses to leave the car, a police officer can move from contact control to a compliance technique.

--Please help us understand the thinking of police officers when it comes to using force.

Bonnett: Think of it as triangle: One point is the suspect's actions; one point is perceived police response; the third point is the police officer's actions. The officer's perception of situation will be different depending on the suspect (e.g. if they are elderly and small or "has 6 inches and 50 pounds on me, and is obviously physically fit").

We have to make quick decisions. In this day and age, police officers do not want to use force; the intention is to *not* use force. The violent incidents we have seen in different parts of the country don't happen as much in Massachusetts because of our progressive policies. In Massachusetts, police officers are incentivized to further their education. There is greater accountability. There is case law that is strong on the side of police accountability. The amount of training required in MA is the highest in the country -- 40 hours per year.

Maddox S.: Regarding an officer's perception of the circumstances and behavior of a suspect: How does the officer consider the suspect's perception of *you*?

Bonnett: Life and professional experience helps with this; and we hope that training can help prepare us to understand what the other person might be feeling.

David B.: You described that triangle of perceptions, so I hear that police are aware of the fact that everyone's perception is different. Many people find police to be frightening; how do you address this?

Bonnett: *We don't insist that people have nothing to worry about.* All we can do is try and show people that they don't need to fear us. Empathy, respect . . . we try to be aware of the fact that people might be afraid of us.

Ariel: You mentioned earlier that in a traffic stop, the driver might be ordered out of their vehicle. Why would that happen?

Bonnett: Exit orders from a vehicle are in three categories: 1. For purposes of safety – for example, the driver may be reaching for something concealed, so there's a possibility it is a weapon; 2. If they don't have a valid license or registration, they need to get out of the vehicle because they can't legally continue to drive it; 3. Other pragmatic reasons – for example, the car is broken down, damaged in an accident.

--Specifically, how do officers understand *implicit bias* when it comes to the performance of their duties, and how they might view or understand a person they are dealing with?

--What kind of training happens around these questions of sizing up another individual and how much of a threat that person may pose to the officer or others in the situation?

Bonnett: We don't know what a person's intentions are. Police officers who don't keep the possibility of threat in the back of their minds, end up getting hurt.

Deborah F.: The policy manual included information about reasons for suspicion (of a subject in a police encounter) – such as not maintaining eye contact, or seeming nervous. There is research that shows that this type of behavior doesn't necessarily show guilt or that someone poses a threat. Is MPD getting input from experts in the field of psychology about this? Where does the training material come from?

Bonnett: There is extensive data, lots of science, on implicit bias that we look at in our training. Mere suspicion does *not* give rise to probable cause. There are also laws that prohibit us from acting on superficial factors.

--One thing we have been learning from the national spotlight on unnecessary deaths in police custody or during an "incident" is that no locality is immune, and that unconscious bias does play a role in an officer's (or any person's) perception of danger/threat. What measures are being taken to ensure that members of the MPD do not make snap decisions that could lead to unnecessary use of force or deadly use of force in the face of high-stress situations?

Bonnett: Education and training. The places where those incidents happen are places with lower requirements of training. Implicit bias is human nature. We work with Fair and Impartial Policing: This is a company that provides training programs [<https://fipolicing.com/>] The training is constantly evolving based on the science on human behavior and implicit bias.

In the field, a lot of the practices have evolved. Years ago, there was a practice of always having a gun drawn, ready to shoot, in many situations. Now the training is the opposite. Officers are trained to know what circumstances in which to show a weapon, to unholster a weapon, and even when that is warranted, you are never standing there with your fingers on the trigger. You don't have the gun aimed at a person.

Choke holds are not something we train our officers to do. We don't use them.

Faith E.: It sounds like the training that is required in MA is very comprehensive, can you give us a sense of how the training curriculum is designed and whether experts from various disciplines are consulted?

Bonnett: Municipal Police Training Committee sets the curriculum, in conjunction with training committees to determine the need. Certain topics are done every year, additional content changes every year. Other curriculums include topical issues such as elder issues, youth, Alzheimer's/dementia, mental health, etc. Content developed by experts in the field (e.g child psychologists develop curriculum for youth-related topic).

Mental Health and states of mind altered by substance use

Some of the most recent high-profile shootings by police around the country have involved individuals suffering a mental-health crisis, or simply behaving idiosyncratically on the street. A number of police interactions in Montague that required force were reported in the Mental Health category.

--How do you, as command staff, and the officers generally, understand the role of a police officer in addressing calls related to mental-health challenges, addiction, homelessness, or any similar situation?

Bonnett: Empathy and respect. The incidents referenced include situations in which the suspect was armed. In all incidents of reported use of force (by the MPD), no one has been hurt. Our officers want to help. Our primary tool is Section 12 which is similar to involuntary commitment. This authorizes us under certain conditions, when a person is a danger to self or others, to take them into custody for crisis evaluation. This for us is Franklin Medical Center, where there is a crisis unit in the emergency department.

Faith E.: What are your thoughts on cities that are implementing programs that have clinicians/EMTs responding to wellness checks and mental health crises rather than law enforcement?

Bonnett: We need data on efficacy of these programs. If these are peaceful situations, then it makes sense for law enforcement to not be involved. There are limited (alternative-to-police) resources in Franklin County.

--What are your policies and practices related to responding to "wellness check" calls involving mental-health concerns?

Bonnett: Wellness checks present an ethical dilemma of balancing public safety with individual liberties. This is one of the hardest situations we face, in using our judgment. What is the veracity of the person making the report/requesting the wellness check, versus the person we are checking on? We generally err on side of caution/safety.

These checks are very situational. If we are given credible information about someone who is at risk for hurting themselves (frequently via text message or social media), we make every effort

to get someone to talk to us, enter the home peaceably. If we aren't granted entry, we can enter by force. If there is a credible risk someone may harm themselves.

--What would an officer think that a person in a mental-health crisis needs?

--What are our officers' training, and experience, with mental-health symptoms, and presentations?

--For example, do they have an understanding of the physiological stress response within the autonomic nervous system?

-- Do some of our officers have counseling and/or addictions training and/or experience?

[Meeting video includes additional conversation on the above questions.]

--Are some police officers EMTs?

Bonnett: All officers are first responders. I don't know of any of our officers having EMT certification. The continuing-education requirements of EMTs are a hurdle that might prevent officers from getting EMT-certified.

Rich K.: What is the response in a domestic violence situation?

Bonnett: The law in Massachusetts has greatly limited the discretion of police in this area. There are specific requirements in handling domestic-violence calls. The law prefers an arrest now.

Jeff S.: How does the MPD respond to incidents that led to the foundation of Black Lives Matter (e.g. choke holds, no-knock warrants)?

There were some specific incidents that were brought up at Black Lives Matter rallies this summer, regarding the Montague Police. If people haven't been treated properly, what is the appropriate way to file a complaint?

Bonnett: No-knock warrants are problematic. They are a relic from the "war on drugs". These are not used frequently in Massachusetts.

We understand the criticism of police based on actions of our counterparts in other places. We are trying to prove it wrong. As far as complaints, we can never address what we don't know about. It is important for people to let us know. The complaint process: Someone can call, come in and fill out form (in English and Spanish). A complaint can also be made in person, verbally. We look into all complaints. They don't just get filed.

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