

United States v. City of Newark, et al., Civil Action No. 16-1731 (MCA) (MAH)

CONSENT DECREE

Independent Monitor - Fifteenth Quarterly Report

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Independent Monitor
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TABLE OF CONTENTS

	<u>Page</u>
I. EXECUTIVE SUMMARY OF FIFTEENTH QUARTER’S ACTIVITIES (JULY 1, 2020 – SEPTEMBER 30, 2020)	1
II. DETAILED STATUS UPDATES.....	2
A. Surveys.....	2
1. Third Community Probability Survey (Telephone Survey).....	2
2. Third Community Non-Probability Survey (Street Survey)	8
B. Second Training Records Audit.....	12
C. Civilian Complaint Review Board.....	16
D. NPD’s Efforts to Engage the LGBTQ Community	17
1. Consent Decree Requirements Regarding Interactions with LGBTQ Community and NPD’s LGBTQ Policy	17
2. The Death of Ashley Moore	18
3. LGBTQ Training Update.....	19
III. NEXT QUARTER ACTIVITIES (OCTOBER 1, 2020 – DECEMBER 31, 2020).....	21
IV. APPENDICES	21
A. Chronology of Key Events.....	21
B. Compliance Chart	21
C. Audit Status Chart.....	21
D. <i>Third</i> Community Probability Survey Report.....	21
E. <i>Third</i> Community Non-Probability Survey Report	21
F. <i>Second</i> Training Records Audit Report	21

FIFTEENTH QUARTERLY REPORT
(July 1, 2020 to September 30, 2020)

**I. EXECUTIVE SUMMARY OF FIFTEENTH QUARTER'S ACTIVITIES
(JULY 1, 2020 – SEPTEMBER 30, 2020)¹**

This assessment is the Fifteenth Quarterly Report of the Independent Monitor Peter C. Harvey that comments on the City of Newark's (the "City") and Newark Police Division's ("NPD") progress with Consent Decree reforms during the period from July 1, 2020, to September 30, 2020.² In this Quarterly Report, the Monitoring Team provides a detailed update on (1) the *Third* probability and non-probability surveys, (2) the *Second* Training Records audit, (3) the litigation concerning the civilian oversight entity contemplated by the Consent Decree, and (4) NPD's efforts to develop its relationship with the LGBTQ community that it serves.

Appendix A provides a list of this quarter's key Consent Decree events.

Appendix B is the Monitoring Team's Compliance Chart, which shows NPD's progress with all Consent Decree tasks through the publication of this Quarterly Report.

Appendix C provides the status of the Monitoring Team's audits.

Appendix D is the *Monitoring Team's Third Probability Community Survey Report*, which provides the results of the Monitor's third survey of Newark residents via telephone.

Appendix E is the *Monitoring Team's Third Non-Probability Community Survey Report*, which provides the results of the Monitor's third "street" survey of Newark residents.

¹ Unless otherwise stated, the City's and NPD's progress with respect to Consent Decree tasks, as described in this Quarterly Report, reflects developments as of September 30, 2020.

² For a more detailed introduction to the Independent Monitoring Team, the Consent Decree, and the Parties to the Consent Decree, please see the Monitoring Team's website: <https://www.newarkpdmonitor.com/>.

Appendix F is the *Monitoring Team’s Second Training Records Audit Report*, which provides the results of the Monitor’s second audit of NPD’s training records.

II. DETAILED STATUS UPDATES

A. Surveys

The Consent Decree requires the Monitoring Team to conduct an annual survey “of the Newark community’s experience with and perceptions of NPD and public safety.” (Consent Decree ¶¶ 22-23.) The Monitoring Team has completed two surveys: a Community Probability Survey and a Non-Probability Community Survey. The Community Probability Survey is a telephone survey conducted using statistical sampling techniques that allow the Monitoring Team to glean the perceptions of NPD across all Newark residents based on the results provided by a scientifically selected random sample of residents. The Non-Probability Community Survey of Newark residents is usually conducted in person (also known as a “street survey”) and attempts to capture the experiences and perceptions of Newark residents, including those who may not have participated in the phone survey. The Monitoring Team expects to conduct one additional survey project before the end of the year: a survey of NPD officers.³ The Monitoring Team’s ability to conduct this survey will depend upon the circumstances of the current pandemic, particularly the availability of NPD officers to participate in the survey.

1. Third Community Probability Survey (Telephone Survey)

From May 27 through May 31, 2020, Suffolk University Political Research Center (“Suffolk”), led by Director David Paleologos, conducted phone interviews with 700

³ The objective of the Monitoring Team’s officer survey is to gather data on officers’ attitudes on a variety of issues, including job satisfaction, police-community relations, the potential for within-department bias, and NPD leadership. The results of the first and second officer surveys are included in the Independent Monitor’s First and Ninth Quarterly Report, respectively.

Newark residents out of a sample pool of over 51,000 people.⁴ From the pool of over 51,000 people, Suffolk randomly selected a stratified sample of survey respondents that matched Newark's census demographics with respect to age, sex, level of education, race/ethnicity, and ward. This permits statistically valid conclusions to be extrapolated to the community as a whole. The demographics of the Third Community Probability Survey participants are as follows:

- *Age* - 18-24 Yrs. 14%; 25-34 Yrs. 22%; 35-44 Yrs. 20%; 45-64 Yrs. 29%; 65+ Yrs. 11%
- *Sex* - 48% Male; 52% Female
- *Level of Education* - 8th grade or less 3%; Some high school (grades 9,10, and 11) 9%; High school graduate or completed GED 39%; Vocational/technical school, or some college 13%; Junior college graduate (2-Year Associate's Degree) 16%; 4-year college graduate (Bachelor's Degree) 11%; Graduate work (Masters, Law/Medical School, Ph.D., Etc.) 7%; Don't know 2%; Refused to answer 2%
- *Race/Ethnicity* - 55% Black; 33% Hispanic; 7% White; <1% Native; <1% Asian
- *Ward* - Central 19%; East 18%; North 19%; South 19%; West 24%
- *Interview Language* - 91% English; 7% Spanish; 2% Portuguese

The survey followed the industry standard of a 1.96 standard deviation at a 95% level of confidence for a margin of +/- 3.7 percentage points. The questions used in the survey are the same questions used in the first (baseline) survey conducted in 2016 and 2017 and the second survey conducted in 2018.⁵ By using the same questions, the Monitoring Team is able to

⁴ The Monitoring Team originally planned to conduct the Third Community Probability Survey in Fall 2019; however, due to scheduling issues, the survey was postponed until May 2020.

⁵ The results of the first and second surveys can be found in the Independent Monitor's Second Quarterly Report and Eighth Quarterly Report, respectively. The Second Quarterly Report can be accessed at <https://www.newarkpdmonitor.com/wp-content/uploads/2017/10/Monitoring-Team-Second->

measure any changes in the community's experiences with or perceptions of NPD over a period of time.

The context surrounding the Third Community Probability Survey deserves mention. George Floyd was killed on May 25, 2020 by police officers in Minneapolis, Minnesota, just two days before the survey fieldwork began in Newark. The days and weeks following Mr. Floyd's murder were marked by nationwide civil unrest and calls for large-scale police reform. As the surveyors from Suffolk University noted, while one might have expected this year's survey results to reflect jaded respondents or particularly critical responses about the Newark Police Division, instead, the survey responses show at least some signs of improvement in the Newark community's perception of NPD.

Suffolk identified a number of positive shifts in survey responses from the *Second* Probability Survey conducted in 2018. For example, one of the most notable shifts from the survey conducted in 2018 to the *Third* Community Probability Survey conducted in 2020 is the large decrease in the number of residents who answered that they had "never had a positive experience" with a Newark police officer when asked about their most memorable experience with NPD. In the *Third* Community Probability Survey, just 37% of respondents answered that they have never had a positive experience with NPD. This information reflects a 46-percentage point decrease in respondents who have *never* had a positive experience with the NPD as compared to the same question asked in the *Second* Community Probability Survey, where an overwhelming 83% of respondents reported never having had a positive experience with NPD.

Quarterly-Report.pdf. The Eighth Quarterly Report can be accessed at <https://www.newarkpdmonitor.com/wp-content/uploads/2019/08/Eighth-Quarterly-Report-2019.08.09.pdf>. Both reports can also be accessed on the NPD Consent Decree and Planning Division's website at <https://www.npdconsentdecree.org/city-of-newark-consent-decree>.

Suffolk also identified an 18-point increase in the number of respondents who answered that an officer was “helpful, even when s/he didn’t have to be.” While this is certainly encouraging movement in the *Third* Community Probability Survey, it is worth noting that Black and Hispanic respondents are more likely to have never had a positive experience than white respondents (36% and 41% compared to 28%, citywide). **Figure 1** below displays the top 8 responses from 2020 and 2018 to the survey question regarding participants’ “Memorable Positive Experiences.”

Figure 1

2018 Results	2020 Results																																
MEMORABLE <u>POSITIVE</u> EXPERIENCES	MEMORABLE <u>POSITIVE</u> EXPERIENCES																																
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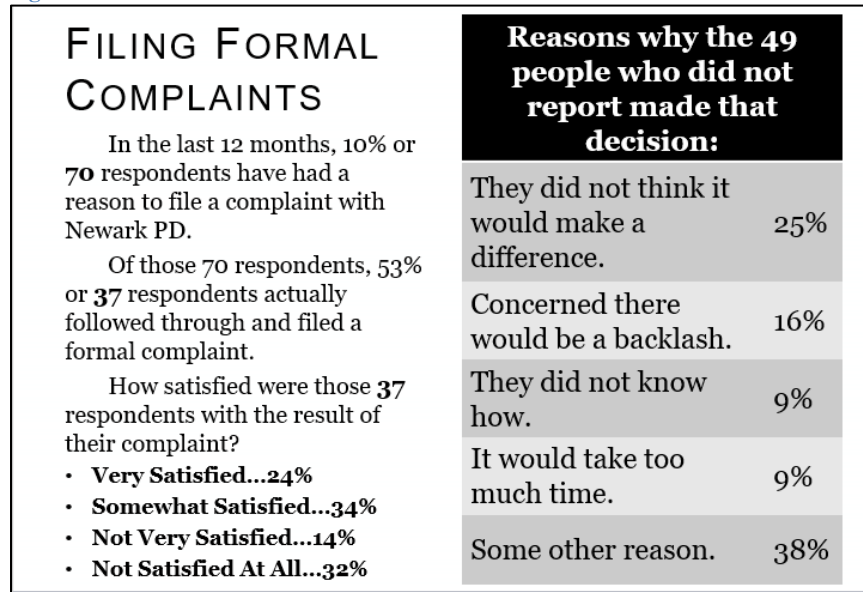
The survey also revealed a number of areas where NPD could improve public perception of its efforts. For example, though the survey’s results reflected an increase in the number of respondents who have filed a complaint, there is a notable decrease in the number of respondents who felt satisfied with the result of the subsequent investigation. The survey findings reveal a 9-point decrease among those who filed a formal complaint with the Newark police and felt “somewhat satisfied” with the result, and a nearly equal increase of 8 points in those who filed a complaint but were “not satisfied at all” with the result. It is worth noting the

size of the pool of respondents who filed a complaint is relatively small—only 37 people, meaning that a shift among a handful of people can account for large percentage movement.

Despite the relatively small sample size of respondents who filed a complaint regarding her or his treatment by the NPD, the different responses among Black and white respondents regarding their experiences filing a complaint cannot be ignored. The survey showed that while 67% of white respondents were “very satisfied” with how their complaint was handled. In contrast, only 11% of Black respondents shared the same feeling. That difference indicates a strong disparity between the two groups’ perceptions of how effectively their complaints have been handled.

Despite the increase in the number of respondents who did not feel satisfied with how their complaint was resolved, there was a 13-point decrease in the number of respondents who did not file because they “did not think it would make a difference.” This drop is a continuation of the trend first seen in 2018, where we noted a 25-point decrease among those who did not file a complaint because they did not think it would make a difference. While this subcategory is also made up of a smaller subset of respondents (70 out of 700 total respondents) it is important to note that 100% of white respondents ended up filing their complaints, compared to just 47% of Black respondents. It is encouraging to learn that residents are growing more willing to file a formal complaint, regardless of the ultimate outcome. It is worth recognizing, however, the fact that this confidence is growing disproportionately between different racial groups. Specifically, over half of all Black residents still hesitate to file a complaint concerning mistreatment, or do not follow through when it comes to filing complaints.

Figure 2



The disparities noted above between Black and white respondents in filing misconduct complaints, and satisfaction with the handling of those Complaints, may indicate that one group's perception of the process is vastly different from the perception of another. This difference in perception should not be ignored. Issues involving people of color, particularly Black residents, and disparities in connection with police complaints are not exclusive to Newark. Studies conducted in other jurisdictions have shown that while Black residents were more likely than white residents to file complaints, the police sustained fewer complaints filed by Black residents in the City of Chicago⁶ and North Charleston, South Carolina.⁷ While these

⁶ Per publicly available data, in 2015, 61% of complaints filed since 2011 were filed by Black Chicago residents. However, less than 2% of complaints filed by Black residents were sustained, compared to 13% of complaints filed by white residents. Max Ehrenfreund, *The Alarming Numbers on Race and Police Misconduct in Chicago*, WASH. POST (Nov. 25, 2015), <https://www.washingtonpost.com/news/wonk/wp/2015/11/25/the-alarming-numbers-on-race-and-police-misconduct-in-chicago/>.

⁷ The NAACP Legal Defense and Educational Fund, Inc. ("LDF") conducted a review of complaints filed between 2006 and 2016 against officers in North Charleston, South Carolina. LDF concluded that while Black residents were more likely than white residents to file complaints (60% vs. 33%), the North Charleston Police Department sustained only 31% of the complaints filed by Black residents, compared to 50% of the complaints filed by white residents. *You're Black or White: Racial Disparities in the Handling of Complaints Against North Charleston Police Officers*, NAACP LEGAL DEF. AND EDUC. FUND, INC.

disparities appear throughout the country, NPD can take certain steps to address the concerns raised by the Black community.

Suffolk recommends that NPD continue to focus on improving its relationship with Black community members and bolster its social media efforts, a recommendation similar to one made following the Second Community Probability Survey. However, Suffolk now encourages NPD to amplify Black voices and open a deeper dialogue between NPD and citizens of color to address the disparities in the number of complaints filed and satisfaction of the complaint process compared to their white neighbors. This decision would make it very clear that NPD wants to learn, rather than deflect blame to others and ignore the fact that so many members of the community are hurting. It also would open the door to conversations and opportunities for NPD to become even more effectively integrated in the community, continuing the progress that started two years ago as an eye was placed on this goal.

A summary of Suffolk's survey findings and the full report and analysis are attached to this Quarterly Report as **Appendix D**.

2. **Third Community Non-Probability Survey (Street Survey)**

The Community Non-Probability Survey is conducted in-person on the street (also known as a "street survey") with the assistance of the New Jersey Institute for Social Justice ("ISJ"). The intent of this survey is to gather more experiences and perceptions of NPD from Newark residents, including those who may not have participated in the phone survey. Because this survey is not stratified and representative of Newark's demographics, these findings

(July 2017), <https://www.naacpldf.org/files/about-us/NAACP%20LDF%20report%20on%20North%20Charleston%20Police%20Dept%20FINAL%20July%202017.pdf>.

cannot be attributed to the Newark community at large. The demographics of the Third Community Non-Probability Survey respondents are as follows:

- *Age* - 14-24 Yrs. 65%; 25-34 Yrs. 3%; 35-44 Yrs. 8%; 45-64 Yrs. 15%; 65+ Yrs. 9%
- *Sex* - 48% Male; 49% Female; 2% Prefer not to say
- *Race/Ethnicity* - 38% Some other race; 30% Black; 27% White; 7% Two or more races; 4% Native; <1% Asian⁸

The street survey was conducted across all five wards on November 8, 2019. ISJ also distributed the surveys at the following events and locations: (a) Kretchmer Tenant Association meeting on November 14, 2019, (b) Eighth and Ninth Quarterly Report forum at Beulah Love Baptist Church on November 19, 2019, and (c) East Side High School throughout November and December 2019. Pedestrians and eventgoers who agreed to complete the survey were allowed to respond by (1) filling out the survey themselves, (2) having a volunteer read the questions aloud and record their answers, or (3) taking a copy of the survey with them and returning a completed version to ISJ at a later time. Surveys were available in English, Spanish, and Portuguese. As a testament to ISJ's dedication to having community members' voices heard, ISJ collected 170 responses, more than twice as many as collected for the previous non-probability survey.

The results of the *Third* Community Non-Probability Survey, like the phone survey, suggest that NPD is improving its relations with the community it serves. For instance, when asked to rate the job the Newark Police are doing serving people in their neighborhood, 28% of respondents rated them "Good" and 34% rated them "Fair" compared to the *Second* Non-

⁸ Four percent of respondents answered "Don't Know" and less than one percent answered "Native Hawaiian and Other Pacific Islander."

Probability Survey (22% and 31%, respectively). Fewer respondents rated NPD “Poor” on this question (22% vs. 32%). In response to how much impact they think the Newark Police have on lowering the city’s crime rate, 16% of respondents answered “None at all.” This is an 11-point decrease from the Second Community Non-Probability Survey, where 27% responded “None at all.” Also, when asked how much respect respondents have for the Newark Police, fewer respondents answered “A little” (14%) and “None at all” (7%), compared to 20% and 18% of respondents in the Second Community Non-Probability Survey. The percentage of respondents who answered that they have “A lot” of respect for NPD officers rose slightly from the Second to the Third Community Non-Probability Survey (41% to 44%).

The results of the Third “street” Survey also reflect that residents are developing more trust in NPD. In the survey, 15% of respondents answered “None at all” when asked how much trust they have for the Newark Police. That is a 17-point decrease from the Second Community Probability Survey, where 32% responded “None at all.” It appears that Newark residents saw an improvement in NPD’s efforts to attend community events. When asked about NPD officers’ attendance at community events, 24% of respondents answered that officers attended events “All of the time” and 36% answered that officers attended “Some of the time.” Only 3% of respondents answered “Never.” In contrast, in the Second Community Non-Probability Survey, 11% answered “All of the time,” 28% answered “Some of the time,” and 21% answered “Never.”

Although the results of the Third Community Non-Probability Survey show great improvement in NPD-community relations, the results suggest a need for increased attention from NPD to its complaint intake process. The street survey showed a significant decrease in the percentage of respondents who reported that they know how to file a complaint. In the Third

Community Non-Probability Survey, only 44% of respondents answered that they knew how to file a complaint. This reflects an 18-point decrease from the Second Community Non-Probability Survey. Respondents also were asked if they believed their complaint would be adequately investigated. Fewer respondents answered “Yes” (20% vs. 25%) and “No” (36% vs. 56%) compared to the previous survey. There was a 24-point increase in “Don’t Know” responses (43% vs. 19%), which further reflects a need for NPD to demonstrate to the community that it takes their complaints seriously.

While the Independent Monitor is pleased to see NPD’s progress with the community reflected in the Third Community Probability and Third Non-Probability Survey results, there are still areas where NPD can improve. It is worrisome that fewer respondents reported knowing how to file a complaint. Not only is it important for residents to report their concerns to NPD, but it also is important for NPD to become aware of reported misconduct and other service complaints concerning its employees.

Paragraph 113 of the Consent Decree requires the City and NPD to make the complaint form available on their websites and “for distribution through the offices or gathering places of interested community groups.” As such, the Monitoring Team recommends that NPD provide a link to the complaint form on the NPD website’s home page. Currently the forms are under a tab titled “Professional Standards,” but that title may not resonate with Newark residents seeking to file a complaint. The City should also make the form readily accessible on its website. Moreover, NPD should consider holding community events during which members of NPD’s Internal Affairs unit provide residents with instructions for filing complaints and also explain the process that occurs after a complaint is filed. This approach would not only help to ensure that residents feel confident in NPD’s ability to properly investigate any misconduct, but

also, would be consistent with Consent Decree Paragraph 115, which requires NPD to provide “civilians . . . with full access to NPD’s complaint process.” During these events, NPD should consider collecting comments and suggestions from Newark community members on ways to improve the complaint process.

B. Second Training Records Audit

Pursuant to Consent Decree Paragraph 12, NPD is required to “maintain complete and consistent training records for all officers.” The Monitoring Team’s compliance reviews and audits are conducted to determine whether “the City and NPD have: (a) incorporated the [Consent Decree] requirement into the policy; (b) trained all relevant personnel as necessary to fulfill their responsibilities pursuant to the requirement; and (c) implemented the requirement in practice.” (¶ 173.)

The Monitoring Team’s *First* Training Records audit in October 2019 evaluated records concerning the following trainings: (i) community-oriented policing, (ii) body-worn cameras and in-car cameras; (iii) use of force; and (iv) consensual citizen contacts and investigatory stops, searches with or without a search warrant, and arrests with or without an arrest warrant.⁹ This audit consisted of a review of attendance sheets for all trainings in these areas conducted by March 1, 2019. The findings of this first audit revealed that the sample of 377 officers had complete and correct training records and, thus, NPD had complied with the Consent Decree with respect to creating and maintaining trainings records.

The *Second* Training Records audit evaluated records in these same four areas to

⁹ The complete results of the *First* Training Records audit, dated October 15, 2019, are included in the Monitoring Team’s Tenth Quarterly Report covering the period April 1, 2019 through June 30, 2019. The Tenth Quarterly Report can be accessed at https://www.newarkpdmonitor.com/wp-content/uploads/2020/01/Independent-Monitor-Tenth-Quarterly-Report_1.13.20.pdf.

determine whether (i) the records of all trainings administered between March 1, 2019, and December 31, 2019, have been properly recorded in *PowerDMS*, NPD's electronic records management system, and (ii) NPD has administered training required by the Consent Decree to its officers.¹⁰ The audit methodology consisted of reviewing training records in *PowerDMS* for 191 officers who were randomly selected for this audit.¹¹ In determining the sample size, the Monitoring Team did not consider officers who were on extended leave for reasons such as military duty or suspension. To achieve Full Compliance, 95% of the officers in the sample must have taken the required course.

For the 191 officers in the sample who had taken all or some of the training, all had training records listed in *PowerDMS*. Among the sample officer records reviewed, the auditors determined how many officers had received the four substantive Consent Decree-required trainings that NPD had begun to administer during the audit period. Officers who had not completed the training, including passing the required post-training evaluation, were deemed to have missed the training. Calculating the number of officers who received training as a percentage of the officers being audited allowed the auditors to determine NPD's performance against the required 95% completion standard required for Full Compliance. NPD's performance against this standard is displayed in the Table below.

¹⁰ Because of the impact of COVID-19, which restricted travel to Newark, the auditors were not able to access *PowerDMS* in the offices of NPD's Consent Decree Team. Since the audit required reviewing *Power DMS* records for all officers in the select sample of 200, the NPD Consent Decree Team provided records drawn from *PowerDMS* for all of those officers, in a remotely accessible, read-only format.

¹¹ The original sample size of this audit was 200 officers. However, nine officers were found to have received none of the training being audited because they had only recently joined the NPD following graduation from the police academy.

Total Number of Officers:	191
Number of Officers missing Use of Force training	8
Use of Force Compliance:	95.81%
Number of Officers missing Stops, Searches, and Arrests training	10
Stops, Searches, and Arrests Compliance:	94.76%
Number of Officers missing Body-Worn Camera training	4
Body-Worn and In-Car Camera Compliance:	97.91%
Number of Officers missing Community Oriented Policing training	11
Community Oriented Policing Compliance:	94.24%

The above results show that more than 95% of officers had received the Use of Force and Body-Worn Camera and In-Car Cameras trainings. While NPD did not achieve Full Compliance in the other audit areas, NPD was close to the 95% threshold for each of those trainings. These results reflect a need for NPD to ensure that all officers receive the required trainings because even a small number of officers missing any given training can prevent NPD from reaching Full Compliance.

Based on the Monitoring Team's observations while conducting the review, and its audit findings, the Monitoring Team made the following five recommendations to NPD:

- 1. The training records in PowerDMS need to be improved so that the fields showing courses for which officers are deficient include all Consent Decree courses that have not been taken.*

As noted above, current training records do not show *all* outstanding Consent Decree courses that individual officers have *not* yet received. *PowerDMS* should be modified and improved to ensure that this information is created automatically and that it is readily accessible by NPD staff and auditors. To the extent *PowerDMS* cannot be modified or improved

in this manner, NPD's Training Division should accurately track all trainings and flag members who have not completed a required training. Whichever method used, it should be readily apparent when an officer is missing training and exactly what training courses have yet to be completed. This change will help NPD to achieve the 95% compliance standard in each of its Consent Decree trainings. Additionally, the NPD Training Division should produce a quarterly report showing what courses officers have yet to receive.

2. The schedule and content for the required 40 hours of in-service Consent Decree training should be developed and implemented immediately.

So far, only segments of Community Policing and Bias-Free Training have been scheduled. The total 40-hour curriculum should be established and shared with the Monitoring Team prior to implementation.

3. NPD's weekly training report should be reinstituted, showing all training activity, as well as courses outside the department that some officers have attended.

This weekly report will provide NPD management and the Consent Decree and Planning Division with a picture of training activities that have been on-going in NPD. The weekly report should be provided to the Monitoring Team upon submission. After the reporting period, NPD reported that the weekly report has been reinstituted.

4. Required course passing rates should be established for all courses, and should incorporate the firearms training standard currently used.

While some passing scores for post-training tests have been established, *every course* needs a specific passing score related to the critical nature of the subject. The tests used to measure student understanding of the material and the second test for those who have not achieved a passing score should be reviewed by the Monitoring Team prior to implementation.

5. *When new officers arrive after County Recruit Training, or return from a long-term absence preventing them from receiving the required Consent Decree training, they should immediately receive a briefing on the core requirements relating to Use of Force, Stop, Search and Arrest and Body-Worn and In-Car Camera requirements before being assigned to field activity.*

While the department has implemented some aspects of this recommendation, from a review of the *PowerDMS* officer training records, NPD's implementation has not been consistent. The courses or "briefings" provided to officers in these instances should be provided to the Monitoring Team for review and approval.

C. Civilian Complaint Review Board

Under Paragraph 13 of the Consent Decree, the City is required to "implement and maintain a civilian oversight entity," whose responsibilities "at a minimum, include the substantive and independent review of internal investigations and the procedures for resolution of civilian complaints; monitoring trends in complaints, findings of misconduct, and the imposition of discipline; and reviewing and recommending changes to NPD's policies and practices, including, but not limited to, those regarding use of force, stop, search, and arrest."

On March 16, 2016, the City passed an ordinance to create the Civilian Complaint Review Board ("CCRB") for the purposes of fulfilling this oversight role. On August 8, 2016, the Fraternal Order of Police, Newark Lodge No. 12 ("FOP") commenced a civil action in the New Jersey Superior Court challenging the power of the CCRB. On March 14, 2018, the Court invalidated the CCRB's investigatory powers under the ordinance, but allowed the CCRB to fulfill its other general oversight responsibilities. The City appealed that ruling to the Appellate Division of the Superior Court. Subsequently, the Appellate Division ruled, in part, that (a) the CCRB's findings are not binding, (b) the identity of complainants and officers must remain confidential, and (c) the CCRB could issue subpoenas. The Appellate Division's decision was appealed to the New Jersey Supreme Court.

During this reporting period, on August 19, 2020, the New Jersey Supreme Court held that the City's CCRB: (1) is not permitted to exercise its investigatory powers when a concurrent investigation is conducted by NPD's Internal Affairs unit; and (2) it does not have subpoena powers under current state law. The City intends to challenge this decision, through legislative action and by seeking the U.S. Supreme Court's review.¹² The Monitoring Team will provide updates on this matter in future quarterly reports.

D. NPD's Efforts to Engage the LGBTQ Community

1. Consent Decree Requirements Regarding Interactions with LGBTQ Community and NPD's LGBTQ Policy

Consent Decree Section VII requires NPD to "operate without bias based on any demographic category." Pursuant to Paragraph 150 of the Consent Decree, NPD must also "conduct integrity audits and compliance reviews to identify and investigate all officers who have engaged in . . . bias against lesbian, gay, bisexual, and transgender persons." While the Consent Decree does not require a standalone policy concerning interactions with the LGBTQ community, NPD believed that such a policy was needed. Recognizing the importance of including the LGBTQ community in the reform process, NPD sought to provide community members with various opportunities to share their experiences and suggestions with NPD on how to improve its relationship with the community, and also provide feedback on the draft policy. On April 3, 2019, NPD implemented General Order 19-03, *LGBTQ Community & Police Interactions*. This General Order establishes procedures that members of NPD must follow when interacting with the LGBTQ community, such as using preferred names and pronouns and

¹² M.E. Cagnassola, *Newark Asks U.S. Supreme Court to Review NJ's Ruling on Civilian Police Oversight Board*, TAPINTO (Jan. 22, 2021), <https://www.tapinto.net/towns/newark/sections/law-and-justice/articles/newark-asks-u-s-supreme-court-to-review-nj-s-ruling-on-civilian-police-oversight-board>.

having officers of the preferred sex conduct searches of transgender persons when practical.

After the General Order was issued, members of the Consent Decree Planning Division and an LGBTQ focus group began to meet to develop the training for this policy.

While including LGBTQ members in the policy-drafting and training development is a step in the right direction, it is not sufficient to establish and maintain effective relationships with the community. NPD must put its policy and training in practice. Moreover, the actions or inaction of officers, such as a perceived mishandling of the death of an LGBTQ member, can potentially erode the trust NPD has worked hard to build.

2. The Death of Ashley Moore

On April 1, 2020, the body of Ashley Moore, a Black transgender woman, was found in Newark.¹³ Soon after, the community began to question NPD's handling of the investigation of Ms. Moore's death. Community members raised an issue regarding why NPD did not immediately notify Ms. Moore's mother of her daughter's death. Instead, Ms. Moore's mother learned about her child's death on Facebook days later.¹⁴ Also, while the death was initially ruled a suicide, the police report noted certain injuries to Ms. Moore's body that raised suspicion that foul play may have been involved.¹⁵ In response to community concerns, on August 11, NPD announced that the Essex County Prosecutor's Office's Homicide Task Force will investigate Ms. Moore's death.¹⁶

¹³ Rebecca Panico, *Advocates Questioned Black Transgender Woman's Death. Now, Cops are Reviewing the Case*, NJ.COM (Aug. 11, 2020), <https://www.nj.com/essex/2020/08/advocates-questioned-black-transgender-womans-death-now-cops-are-reviewing-the-case.html>.

¹⁴ *Id.*

¹⁵ *Id.*; see also Donald Padgett, *Calls for Investigation Into Death of Ashley Moore, Black Trans Woman*, OUT (Aug. 10, 2020), <https://www.out.com/transgender/2020/8/10/calls-investigation-death-ashley-moore-black-trans-woman>.

¹⁶ *Death of Woman in Newark Under Review*, NEWARK DEPARTMENT OF PUBLIC SAFETY (Aug. 11, 2020), <https://npd.newarkpublicsafety.org/assets/docs/pressreleases/npd-press-20200811085541.pdf>.

Following complaints from Ms. Moore's family and the Newark LGBTQ community, Mayor Baraka and NPD Director Ambrose, announced a number of reforms: (1) creating a hotline (973-733-8809), operated by the Shani Baraka Women's Resource Center, that connects LGBTQ residents with social services if they need additional support after contacting NPD; (2) adding the "Ashley Moore Amendment" to its existing LGBTQ policy to require NPD to contact local LGBTQ organizations and activists if officers need assistance, such as help identifying next of kin; and (3) adding an option to police reports where people can choose to identify as members of the LGBTQ community.¹⁷ While Mayor Baraka acknowledged that there were some missteps in NPD's handling of the investigation into Ms. Moore's death, such as NPD's failure to timely notify Ms. Moore's family of her death, he also expressed satisfaction with NPD's response, citing NPD's attempts to save Ms. Moore's life.¹⁸ NPD reports that on August 14, 2020, members of NPD and Mayor Baraka met with representatives of Ashley Moore's family to discuss the investigation. On September 10, 2020, NPD reports that members of the Consent Decree Planning Division and LGBTQ community stakeholders attended a meeting hosted by Equal Justice USA where the investigation into Ashley Moore's death was discussed.

3. LGBTQ Training Update

Following the creation of General Order 19-03, *LGBTQ Community & Police Interactions*, NPD began working with Newark's LGBTQ community stakeholders to develop a LGBTQ training curriculum for NPD officers. NPD hosted a series of meetings with the community stakeholders to ensure that NPD's LGBTQ training focused on issues that are

¹⁷ *Mayor Baraka Creating LGBTQ Hotline to Support Community*, CITY OF NEWARK (Aug. 18, 2020), <https://www.newarknj.gov/news/mayor-baraka-creating-lgbtq-hotline-to-support-community>.

¹⁸ *Id.*

important to Newark's LGBTQ community and to explore opportunities for them to participate in the training. On October 21, 2019, NPD hosted a meeting where several community stakeholders agreed to assist NPD in developing the training. Specifically, the community stakeholders agreed to draft training scenarios and launch a social media campaign to receive input from Newark's transgender community.

A follow-up meeting was scheduled for November 18, 2019, which NPD canceled without explanation and with only a few hours of notice. It was the Monitoring Team's understanding that the meeting was never rescheduled; however, NPD reports that it was rescheduled at the request of the community stakeholders. The Monitoring Team recommends that NPD keep the Monitoring Team informed of any future events in advance and provide regular updates on the status of ongoing projects.

On August 27, 2020, NPD informed the Monitoring Team that it had administered a "Law Enforcement Interactions with Transgender Individuals" training that was created by the New Jersey Office of the Attorney General and is based on the Attorney General's Directive No. 2019-3 ("Directive").¹⁹ While training on the Directive is undoubtedly helpful to NPD, the Monitoring Team still believes that NPD should include Newark-specific scenarios in its trainings, and looks forward to reviewing them once they have been incorporated. Moving forward, the Monitoring Team encourages NPD to continue to utilize the help and expertise offered by community members and stakeholders.

¹⁹ Among other things, the Directive: prohibits officers from harassing or discriminating against someone based on their gender identity or sexual orientation; directs officers to use an individual's chosen name and pronoun; and requires officers to treat a transgender person according to their gender identity, such as when conducting searches or transporting individuals based on gender. *See* Attorney General Law Enforcement Directive No. 2019-3, STATE OF NEW JERSEY OFFICE OF THE ATTORNEY GENERAL (Nov. 20, 2019), <https://www.nj.gov/oag/dcj/agguide/directives/ag-directive-2019-3.pdf>.

III. NEXT QUARTER ACTIVITIES (OCTOBER 1, 2020 – DECEMBER 31, 2020)

As mentioned in prior Quarterly Reports, the Monitoring Team is conducting audits in the following areas: Community-Oriented Policing, Stops, Searches and Arrests, and Use of Force. The results and findings of these audits will be included in future quarterly reports.

IV. APPENDICES

- A. Chronology of Key Events**
- B. Compliance Chart**
- C. Audit Status Chart**
- D. *Third* Community Probability Survey Report**
- E. *Third* Community Non-Probability Survey Report**
- F. *Second* Training Records Audit Report**

Appendix A

Timeline (Meetings, Milestones and Events)**Monitoring Team's Fifteenth Quarterly Report — July 1 through September 30, 2020**

Date	Event
July 12, 2020	Fourth anniversary of the Operational Date of the Consent Decree
July 13, 2020	In-person training resumes for NPD officers after training was suspended in response to the COVID-19 pandemic
July 28, 2020	The Independent Monitoring Team's Stop audit commences
August 18, 2020	The City of Newark announces changes in LGBTQIA policy and the creation of an LGBTQ help hotline in response to community concerns regarding the death of Ashley Moore, a transgender woman who died April 1, 2020, in downtown Newark.
August 19, 2020	The New Jersey Supreme Court rules in <i>Fraternal Order of Police, Newark Lodge No. 12 v. the City of Newark</i> that Newark's civilian complaint review board is not allowed to have subpoena powers under current state law.
September 18, 2020	NPD releases Memorandum 2020 – 394 to announce the New Jersey Office of the Attorney General's Use of Force Reporting Portal. All NPD personnel are required to document all reportable uses of force in the portal.
September 28, 2020	The Monitoring Team releases its Fourteenth Quarterly Report.

Appendix B

**Consent Decree Compliance and Implementation
(March 30, 2016 to January 28, 2021)**

Table of Contents

	Page
I. Definitions	1
II. General Officer Training	1
III. Community Engagement and Civilian Oversight (including Community Policing)	2
IV. Stops, Searches, and Arrests.....	4
V. Bias-Free Policing	7
VI. Use of Force	8
VII. In-Car and Body-Worn Cameras	14
VIII. Theft (including Property and Evidence Management).....	15
IX. Internal Affairs: Complaint Intake and Investigation.....	18
X. Compliance Reviews and Integrity Audits	25
XI. Discipline.....	26
XII. Data Systems Improvement	27
XIII. Transparency and Oversight	29
XIV. Consent Decree Implementation and Enforcement.....	30

I. Definitions

NPD's compliance with the deadlines set forth in the Consent Decree and the Second-Year Monitoring Plan will be assessed using the following categories: (1) not assessed, (2) initial development, (3) preliminary compliance, (4) operational compliance, (5) non-compliance, (6) administrative compliance, and (7) full compliance. Each of these terms is defined below.

1. Not Assessed

"Not Assessed" means that the Monitoring Team did not assess the Consent Decree provision during this reporting period. Acceptable reasons for why a requirement was not assessed may include that the deadline has not passed or some other substantive reason.

2. Initial Development

"Initial Development" means that during the auditing period, NPD has taken meaningful steps toward achieving compliance with a Consent Decree requirement that is not yet scheduled for completion. Initial Development will be noted only if NPD's efforts are consistent with established timeframes in the Monitoring Plan or Consent Decree. Where NPD was expected to have achieved at least Initial Development during the auditing period, and has not, NPD has been found not to be in compliance.

3. Preliminary Compliance

"Preliminary Compliance" means that during the reporting period, NPD has developed, and the Independent Monitor, DOJ, and City have approved, respective policies or standard operating procedures ("SOPs") and related training materials that are consistent with a Consent Decree requirement. This category only applies to SOPs and training.

4. Operational Compliance

"Operational Compliance" means that NPD has satisfied a Consent Decree requirement by demonstrating routine adherence to the requirement in its day-to-day operations or by meeting the established deadline for a task or deliverable that is specifically required by the Consent Decree or Monitoring Plan. NPD's compliance efforts must be verified by reviews of data systems, observations from the Monitoring Team, and other methods that will corroborate its achievement. In this report, the Monitoring Team only will assess NPD for compliance with established deadlines.

5. Non-Compliance

"Non-Compliance" means that NPD has either made no progress towards accomplishing compliance, or has not progressed beyond Initial Development at the point in time when NPD is expected to have at least achieved Preliminary Compliance for the reporting period.

6. Administrative Compliance

“Administrative Compliance” means that during the auditing period, NPD has completed all necessary actions to implement a Consent Decree requirement, but General Compliance has not yet been demonstrated in NPD’s day-to-day operations.

7. Full Compliance

“Full Compliance” means that all Monitor reviews have determined that NPD has maintained Operational Compliance for the two-year period.

8. Effective Date

The “Effective Date” is March 30, 2016. *See* Consent Decree, Section II(4)(s).

9. Operative Date

The “Operational Date” is July 12, 2016. *See* Consent Decree, Section II(4)(ff).

II. General Officer Training

Achievement	Consent Decree Paragraph	Consent Decree Deadline for Achievement¹	Status	Discussion
NPD will provide officers at least 40 hours of in-service training each year.	¶ 9	Within two years of the Effective Date (March 30, 2018) and then annually thereafter	Ongoing	Eight hours of community policing training was provided in 2019.
NPD will provide training to officers regarding the requirements of the Consent Decree, and the timeline for their implementation.	¶ 10	Within 90 days of the Operational Date (October 10, 2016)	Preliminary Compliance	See First Quarterly Report, Section IV(B).
NPD will ensure that officers have received, read and understand their responsibilities pursuant to the policy or procedure and that the topic is incorporated into the in-service training required.	¶ 11	Within 60 days after approval of individual policies	N/A	The status for training requirements for each Consent Decree area (e.g., use of force, bias-free policing), are located in those sections of this Chart.
NPD will maintain complete and consistent training records for all officers.	¶ 12	Within two years of the Effective Date (March 30, 2018) ²	Initial Development	See Fifteenth Quarterly Report, Appendix F. The Monitor will assess this requirement during compliance audits.

¹ Deadlines in the Compliance Chart reflect the original deadlines set forth in the Consent Decree. The deadlines do not reflect deadlines established as part of the First or Second-Year Monitoring Plans.

² Consent Decree Paragraph 5 provides that “NPD will develop comprehensive and agency-wide policies and procedures that are consistent with and incorporate all substantive requirements of this Agreement. Unless otherwise noted, NPD will develop and implement all such policies, procedures, and manuals within two years of the Effective Date.”

III. Community Engagement and Civilian Oversight (including Community Policing)

Achievement	Consent Decree Paragraph	Consent Decree Deadline for Achievement	Status	Discussion
NPD will review and revise its current community policing policy or policies to ensure compliance with Consent Decree.	§ V; ¶ 5	Within two years of the Effective Date (March 30, 2018)	Preliminary Compliance	See Ninth Quarterly Report, Appendix D.
NPD will ensure that officers have received, read and understand their responsibilities pursuant to the policy or procedure and that the topic is incorporated into the in-service training required.	¶ 11	Within 60 days after approval of policy	Non-Compliance	The Monitor will assess this requirement during compliance audits.
Civilian Oversight (¶ 13)				
The City will implement and maintain a civilian oversight entity.	¶ 13	Within 365 days of the Effective Date (March 30, 2017)	Non-Compliance	See Fifteenth Quarterly Report, Section II(C).
Community Engagement Measures and Training (¶¶ 14-21)				
NPD will provide 8 hours of in-service training on community policing and problem-oriented policing methods and skills for all officers, including supervisors, managers and executives, and at least 4 hours annually thereafter.	¶ 14	July 9, 2017	Preliminary Compliance	See Ninth Quarterly Report, Appendix C.
NPD will assess and revise its staffing allocation and personnel deployment to support community policing and problem solving initiatives, and will modify deployment strategies that are incompatible with community policing. NPD's assessment and modified strategy must be approved by the DOJ and Monitor.	¶ 15	July 9, 2017	Non-Compliance	See Eighth Quarterly Report, Section II(A).
NPD will assign two officers to each precinct to work with residents to identify and address communities' priorities, and who are not assigned to answer calls for service except in exigent circumstances.	¶ 16	Pending completion of the assessment required in ¶ 15	Initial Development	See Seventh Quarterly Report, Section II(A)(1).

Community Engagement and Civilian Oversight (including Community Policing) Continued

Achievement	Consent Decree Paragraph	Consent Decree Deadline for Achievement	Status	Discussion
NPD will implement mechanisms to measure the breadth, extent, and effectiveness of its community partnerships and problem-solving strategies, including officer outreach, particularly outreach to youth.	¶ 17	Within 210 days of the Operational Date (February 7, 2017)	Initial Development	See Seventh Quarterly Report, Section II(A)(1).
NPD will prepare a publicly available report of its community policing efforts overall and in each precinct.	¶ 18	Within 240 days of the Operational Date March 9, 2017	Initial Development	See Ninth Quarterly Report, Section II(E).
NPD and the City will implement practices to seek and respond to input from the community about the Consent Decree's implementation. Such practices may include direct surveys, comment cards and town hall meetings.	¶ 19	Within two years of the Effective Date (March 30, 2018)	Initial Development	See Ninth Quarterly Report, Section II(E).
All NPD studies, analyses, and assessments required by this Agreement will be made publicly available, including on NPD and City websites, in English, Spanish, and Portuguese, to the fullest extent permitted under law.	¶ 20	Within two years of the Effective Date (March 30, 2018)	Not Assessed	
NPD will implement a policy to collect and maintain all data and records necessary to facilitate transparency and wide public access to information related to NPD policies and practices, as permitted by law.	¶ 21	Within two years of the Effective Date (March 30, 2018)	Not Assessed	

IV. Stops, Searches, and Arrests

Achievement	Consent Decree Paragraph	Consent Decree Deadline for Achievement	Status	Discussion
Investigatory Stops and Detentions (§§ 25-28)				
NPD will review and revise its current stop, search, and arrest policy or policies to ensure compliance with Consent Decree, consistent with Paragraphs 25-28.	¶ 5	Within two years of the Effective Date (March 30, 2018)	Preliminary Compliance	See Ninth Quarterly Report, Appendix D.
NPD will ensure that officers have received, read and understand their responsibilities pursuant to the stop, search, and arrest policies or procedure and that the topic is incorporated into the in-service training required.	¶ 11	Within 60 days after approval of policy	Preliminary Compliance	See Eighth Quarterly Report, Section II(C).
NPD will train officers to use specific and individualized descriptive language in reports or field inquiry forms.	¶ 26	Within two years of the Effective Date (March 30, 2018)	Preliminary Compliance	See Fourth Quarterly Report, Section III(C)(3).
Searches (§§ 29-34)				
NPD will review and revise its current stop, search, and arrest policy or policies to ensure compliance with Consent Decree, consistent with Paragraphs 29-34.	¶ 5	Within two years of the Effective Date (March 30, 2018)	Preliminary Compliance	See Ninth Quarterly Report, Appendix D.
NPD will ensure that officers have received, read and understand their responsibilities pursuant to the stop, search, and arrest policies or procedure and that the topic is incorporated into the in-service training required.	¶ 11	Within 60 days after approval of policy	Preliminary Compliance	See Ninth Quarterly Report, Appendix C.

Stops, Searches, and Arrests Continued

Achievement	Consent Decree Paragraph	Consent Decree Deadline for Achievement	Status	Discussion
Arrests (§§ 35-42)				
NPD will review and revise its current stop, search, and arrest policy or policies to ensure compliance with Consent Decree, consistent with Paragraphs 35-42.	¶ 5	Within two years of the Effective Date (March 30, 2018)	Preliminary Compliance	See Ninth Quarterly Report, Appendix D.
NPD will ensure that officers have received, read and understand their responsibilities pursuant to the stop, search, and arrest policies or procedure and that the topic is incorporated into the in-service training required.	¶ 11	Within 60 days after approval of policy	Preliminary Compliance	See Ninth Quarterly Report, Appendix C.
Stop, Search, and Arrest Training (§§ 43-50)				
NPD will provide 16 hours of training to all NPD personnel on the First and Fourth Amendments, including the topics set forth in ¶ 43 of the Consent Decree, and at least an additional 4 hours on an annual basis thereafter.	¶ 43	November 1, 2017	Preliminary Compliance	See Ninth Quarterly Report, Appendix C.
NPD supervisors will take appropriate action to address violations or deficiencies in stops, detentions, searches, and arrests; maintain records; and identify repeat violators.	¶ 48	Ongoing	Not Assessed	The Monitor will assess this requirement during compliance audits.
Stop, Search, and Arrest Data Collection and Review (§§ 51-54)				
NPD will implement use of data collection form, in written or electronic report form, to collect data on all investigatory stops and searches, as approved by the DOJ and Monitor.	¶ 52	September 9, 2017	Initial Development	See Fourteenth Quarterly Report, Section II(A)(1)(b).

Stops, Searches, and Arrests Continued

Achievement	Consent Decree Paragraph	Consent Decree Deadline for Achievement	Status	Discussion
NPD will develop a protocol for comprehensive analysis of stop, search and arrest data, subject to the review and approval of the DOJ and Monitor.	¶ 53	Within two years of the Effective Date (March 30, 2018)	Non-Compliance	NPD provided the Parties with a disparity report and the Parties provided NPD with comments. NPD reports that it is proactively addressing this requirement.
NPD will ensure that all databases comply fully with federal and state privacy standards governing personally identifiable information. NPD will restrict database access to authorized, identified users who will be permitted to access the information only for specific, legitimate purposes.	¶ 54	Within two years of the Effective Date (March 30, 2018)	Not Assessed	
First Amendment Right to Observe, Object to, and Record Officer Conduct (¶¶ 55-62)				
NPD will require or prohibit officer conduct to comply with ¶¶ 55-62 of the Consent Decree.	¶¶ 55-62	Within two years of the Effective Date (March 30, 2018)	Preliminary Compliance	See Ninth Quarterly Report, Appendix D.

V. Bias-Free Policing

Achievement	Consent Decree Paragraph	Consent Decree Deadline for Achievement	Status	Discussion
NPD will review and revise its current bias-free policing policy to ensure compliance with Consent Decree, consistent with Section VII.	¶ 5	Within two years of the Effective Date (March 30, 2018)	Preliminary Compliance	See Ninth Quarterly Report, Appendix D.
NPD will ensure that officers have received, read and understand their responsibilities pursuant to the policy or procedure and that the topic is incorporated into the in-service training required.	¶ 11	Within 60 days after approval of policy	Preliminary Compliance	See Ninth Quarterly Report, Appendix C.
NPD will provide all NPD personnel with a minimum of eight hours of training on bias-free policing, including implicit bias, procedural justice, and police legitimacy, and at least four hours annually thereafter.	¶ 63	July 1, 2017	Preliminary Compliance	See Ninth Quarterly Report, Appendix C.
NPD will prohibit officers from considering any demographic category when taking, or refraining from taking, any law enforcement action, except when such information is part of an actual and credible description of a specific suspect in an ongoing investigation that includes other appropriate non-demographic identifying factors. NPD will also prohibit officers from using proxies for demographic category, including language ability, geographic location, mode of transportation, or manner of dress.	¶ 64	Within two years of the Effective Date (March 30, 2018)	Preliminary Compliance	See Ninth Quarterly Report, Appendix D.
NPD will conduct quarterly demographic analyses of its enforcement activities to ensure officer, unit and Division compliance with the bias-free policing policy.	¶ 65	Within two years of the Effective Date (March 30, 2018) and then Quarterly thereafter.	Non-Compliance	See Fourth Quarterly Report, Section III(B)(4).

VI. Use of Force

Achievement	Consent Decree Paragraph	Consent Decree Deadline for Achievement	Status	Discussion
Use of Force Policy (§§ 66-70)				
NPD will develop and implement a use of force policy or set of policies that cover all force techniques, technologies, and weapons that are available to NPD officers consistent with §§ 66-70. The policy or policies will clearly define each force option and specify that unreasonable use of force will subject officers to discipline.	¶ 66	Within two years of the Effective Date (March 30, 2018)	Preliminary Compliance	See Ninth Quarterly Report, Appendix D.
NPD will ensure that officers have received, read and understand their responsibilities pursuant to the use of force policy or procedure and that the topic is incorporated into the in-service training required.	¶ 11	Within 60 days after approval of policy	Preliminary Compliance	See Ninth Quarterly Report, Appendix C.
NPD will provide resources for officers to maintain proper weapons certifications and will implement sanctions for officers who fail to do so.	¶ 70	Ongoing	Not Assessed	The Monitor will assess this requirement during compliance audits.
Use of Firearms (§§ 71-74)				
NPD will develop and implement a use of firearms policy consistent with §§ 71-74.	¶ 5	Within two years of the Effective Date (March 30, 2018)	Preliminary Compliance	See Ninth Quarterly Report, Appendix D.
NPD will ensure that officers have received, read and understand their responsibilities pursuant to the use of force policy or procedure and that the topic is incorporated into the in-service training required.	¶ 11	Within 60 days after approval of policy	Preliminary Compliance	See Ninth Quarterly Report, Appendix C.

Use of Force Continued

Achievement	Consent Decree Paragraph	Consent Decree Deadline for Achievement	Status	Discussion
Officers will be prohibited from using unauthorized weapons or ammunition in connection with or while performing policing duties. In addition, all authorized firearms carried by officers will be loaded with the capacity number of rounds of authorized ammunition.	¶ 71	Within two years of the Effective Date (March 30, 2018)	Preliminary Compliance	See Ninth Quarterly Report, Appendix D.
NPD will prohibit officers from discharging a firearm at a moving vehicle unless a person in the vehicle is immediately threatening the officer or another person with deadly force.	¶ 72	Within two years of the Effective Date (March 30, 2018)	Preliminary Compliance	See Ninth Quarterly Report, Appendix D.
NPD will prohibit officers from unholstering or exhibiting a firearm unless the officer reasonably believes that the situation may escalate to create an immediate threat of serious bodily injury or death to the officer or another person.	¶ 73	Within two years of the Effective Date (March 30, 2018)	Preliminary Compliance	See Ninth Quarterly Report, Appendix D.
NPD will require that officers successfully qualify at least twice a year with each firearm they are authorized to use or carry while on duty.	¶ 74	Within two years of the Effective Date (March 30, 2018)	Preliminary Compliance	See Ninth Quarterly Report, Appendix D.
Use of Force Reporting and Investigation (¶¶ 75-85)				
NPD will adopt a use of force reporting system and a supervisor Use of Force Report, separate from the NPD's arrest and incident reports, and which includes individual officers' accounts of their use of force.	¶ 75	Within two years of the Effective Date (March 30, 2018)	Preliminary Compliance	See Ninth Quarterly Report, Appendix D.
NPD will require that officers notify their supervisor as soon as practicable following any reportable use of force.	¶ 76	Within two years of the Effective Date (March 30, 2018)	Preliminary Compliance	See Ninth Quarterly Report, Appendix D.

Use of Force Continued

Achievement	Consent Decree Paragraph	Consent Decree Deadline for Achievement	Status	Discussion
NPD, in consultation with Monitor and DOJ, will categorize force into levels to report, investigate, and review each use of force. The levels will be based on the factors set forth in ¶ 77.	¶ 77	Within two years of the Effective Date (March 30, 2018)	Preliminary Compliance	
NPD will establish a Serious Force Investigation Team (“SFIT”) to review Serious Force Incidents, conduct criminal and administrative investigations of Serious Force incidents, and determine whether incidents raise policy, training, tactical, or equipment concerns. Lower or intermediate force incidents will be investigated by line supervisors.	¶ 78	Within two years of the Effective Date (March 30, 2018)	Preliminary Compliance	See Ninth Quarterly Report, Appendix D.
Every level of force reporting and review will include the requirements set forth in ¶ 79.	¶ 79	Within two years of the Effective Date (March 30, 2018)	Not Assessed	The Monitor will assess this requirement during compliance audits.
Upon arrival at the scene, the supervisor will identify and collect evidence sufficient to establish the material facts related to use of force, where reasonably available.	¶ 80	Within two years of the Effective Date (March 30, 2018)	Not Assessed	The Monitor will assess this requirement during compliance audits.
All officers who used force above Low Level will provide an oral Use of Force statement in person to the supervisor on the scene prior to the subject’s being booked, or released, or the contact otherwise concluded, unless impractical under the circumstances.	¶ 81	Within two years of the Effective Date (March 30, 2018)	Not Assessed	The Monitor will assess this requirement during compliance audits.
Pursuant to policy and as necessary to complete a thorough, reliable investigation, supervisors will comply with the requirements of ¶ 82.	¶ 82	Within two years of the Effective Date (March 30, 2018)	Not Assessed	The Monitor will assess this requirement during compliance audits.

Use of Force Continued

Achievement	Consent Decree Paragraph	Consent Decree Deadline for Achievement	Status	Discussion
Supervisors will investigate and evaluate in writing all uses of force for compliance with law and NPD policy, as well as any other relevant concerns.	¶ 83	Within two years of the Effective Date (March 30, 2018)	Not Assessed	The Monitor will assess this requirement during compliance audits.
Supervisors' documentation of the investigation and evaluation will be completed within 72 hours of the use of force, unless the supervisor's commanding officer approves an extension.	¶ 84	Within two years of the Effective Date (March 30, 2018)	Not Assessed	The Monitor will assess this requirement during compliance audits.
NPD will analyze the data captured in officers' force reports and supervisors' investigative reports on an annual basis to identify significant trends, to correct deficient policies and practices, and to document its findings in an annual report that will be made publicly available pursuant to Section XV of the Consent Decree.	¶ 85	Within two years of the Effective Date and annually thereafter (March 30, 2018)	Non-Compliance	
Use of Force Review (¶¶ 86-89)				
The chain-of-command supervisor reviewing the investigative report will ensure that the investigation is thorough, complete, and makes the necessary and appropriate findings of whether the use of force was lawful and consistent with policy. Each higher-level supervisor in the chain of command will review the investigative report to ensure that it is complete, the investigation was thorough, and that the findings are supported by a preponderance of the evidence.	¶ 86	Within two years of the Effective Date (March 30, 2018)	Not Assessed	The Monitor will assess this requirement during compliance audits.

Use of Force Continued

Achievement	Consent Decree Paragraph	Consent Decree Deadline for Achievement	Status	Discussion
A supervisor should ensure that additional investigation is completed when it appears that additional relevant and material evidence may assist in resolving inconsistencies or improve the reliability or credibility of the findings.	¶ 87	Within two years of the Effective Date (March 30, 2018)	Not Assessed	The Monitor will assess this requirement during compliance audits.
When the precinct or unit commander finds that the investigation is complete and the evidence supports the findings, the investigation file will be forwarded to the Use of Force Review Board.	¶ 88	Within two years of the Effective Date (March 30, 2018)	Not Assessed	The Monitor will assess this requirement during compliance audits.
Reporting and Investigation of Serious Force Incidents (¶¶ 90-94)				
NPD will create a multi-disciplinary Serious Force Investigation Team (“SFIT”) to conduct both the criminal and administrative investigations of Serious Force incidents, and to determine whether these incidents raise policy, training, tactical, or equipment concerns. SFIT will operate consistent with ¶¶ 91-94.	¶¶ 90-94	Within two years of the Effective Date (March 30, 2018)	Initial Development	NPD has created an All Force Investigation Team (“AFIT”) to address this Consent Decree requirement.
NPD will develop and implement a SFIT training curriculum and procedural manual. NPD will ensure that officers have received, read and understand their responsibilities pursuant to the General Order establishing the AFIT and General Orders establishing line supervisors’ responsibilities to investigate lower and intermediate use of force incidents and that the topic is incorporated into the in-service training required.	¶¶ 11, 90	Within 60 days after approval of policies	Preliminary compliance	

Use of Force Continued

Achievement	Consent Decree Paragraph	Consent Decree Deadline for Achievement	Status	Discussion
Use of Force Review Board (§§ 95-102)				
NPD will implement a General Order establishing the Use of Force review Board (“UFRB”), ensure that it is staffed consistent with the Consent Decree provisions, and ensure that the responsibilities assigned are consistent with Consent Decree provisions.	§§ 95-102	Within two years of the Effective Date (March 30, 2018)	Preliminary Compliance	See Ninth Quarterly Report, Appendix D.
NPD’s UFRB will conduct timely, comprehensive, and reliable reviews of all Intermediate and Serious Force incidents. The UFRB also will conduct the administrative review of incidents in which the ECPO has completed an investigation pursuant to New Jersey Attorney General Directive 2006-05.	§§ 95-102	Ongoing	Not Assessed	The Monitor will assess this requirement during compliance audits.
Each member of the UFRB will receive a minimum of eight hours of training on an annual basis, including legal updates regarding use of force and the Training Section’s current use of force curriculum.	§ 97	Within 60 days after approval of policies	Not Assessed	The Monitor will assess this requirement during compliance audits.
The NPD will include the civilian oversight entity in the review of completed SFIT investigations, as permitted by law.	§ 101	Within two years of the Effective Date (March 30, 2018)	Not Assessed	The Monitor will assess this requirement during compliance audits.

VII. In-Car and Body-Worn Cameras

Achievement	Consent Decree Paragraph	Consent Decree Deadline for Achievement	Status	Discussion
NPD will develop, implement and maintain a system of video recording officers' encounters with the public with body-worn and in-car cameras. NPD will develop a policy to designate which cars and officers are exempt from the general in-car and body-worn camera requirements and a policy regarding footage and audio recordings from its in-car and body-worn cameras.	Section IX, ¶¶ 103-104	Within two years of the Effective Date (March 30, 2018)	Preliminary Compliance	See Ninth Quarterly Report, Appendix D. The Monitor will assess this requirement during compliance audits.
NPD will ensure that officers have received, read and understand their responsibilities pursuant to the policy or policies and that the topic is incorporated into the in-service training required.	¶ 11	Within 60 days after approval of policy	Preliminary Compliance	See Eighth Quarterly Report, Section II(C).
NPD will equip all marked patrol cars with video cameras, and require all officers, except certain officers engaged in only administrative or management duties, to wear body cameras and microphones with which to record enforcement activity.	¶ 103	Within two years of the Effective Date (March 30, 2018)	Initial Development	See Eighth Quarterly Report, Section II(C). The Monitor will assess this requirement during compliance audits.

VIII. Theft (including Property and Evidence Management)

Achievement	Consent Decree Paragraph	Consent Decree Deadline for Achievement	Status	Discussion
NPD will ensure that in all instances where property or evidence is seized, the responsible officer will immediately complete an incident report documenting a complete and accurate inventory of the property or evidence seized, and will submit the property or evidence seized to the property room before the end of tour of duty.	¶ 105	Within two years of the Effective Date (March 30, 2018)	Not Assessed	The Monitor will assess this requirement during compliance audits.
NPD will conduct regular, targeted, and random integrity audits to detect and deter theft by officers. NPD will employ tactics such as increased surveillance, stings, and heightened scrutiny of suspect officers' reports and video-recorded activities.	¶ 106	Ongoing	Not Assessed	The Monitor will assess this requirement during compliance audits.
NPD will conduct periodic reviews of the disciplinary histories of its officers who routinely handle valuable contraband or cash, especially those in specialized units, to identify any patterns or irregularities indicating potential risk of theft by officers.	¶ 107	Ongoing	Non-Compliance	N/A

Theft (including Property and Evidence Management) Continued

Achievement	Consent Decree Paragraph	Consent Decree Deadline for Achievement	Status	Discussion
To the extent permitted by law and NPD's collective bargaining agreements, NPD will transfer officers with any sustained complaint of theft, or two not sustained or unfounded complaints of theft occurring within one year, out of positions where those officers have access to money, property, and evidence. Aspects of officers' disciplinary histories that relate to honesty and integrity will be considered in making decisions regarding reassignment, promotions, and similar decisions.	¶ 108	Ongoing	Initial Development	See First Quarterly Report, Section V(C)(6).
NPD will report all theft allegations to the New Jersey Department of Law and Public Safety and will continue to report such allegations to the Essex County Prosecutor. Officers who have been the subject of multiple theft allegations will be identified as such in said reports.	¶ 109	Ongoing	Not Assessed	The Monitor will assess this requirement during compliance audits.
NPD will create a chain of custody and inventory policy or policies to ensure compliance with ¶ 110 of the Consent Decree.	¶¶ 5; 110	Within two years of the Effective Date (March 30, 2018)	Preliminary Compliance	See Ninth Quarterly Report, Appendix D.
NPD will ensure that officers have received, read and understand their responsibilities pursuant to the chain of custody and inventory policy or policies and that the topic is incorporated into the in-service training required.	¶ 11	Within 60 days after approval of policies	Non-Compliance	See Ninth Quarterly Report, Appendix C.

Theft (including Property and Evidence Management) Continued

Achievement	Consent Decree Paragraph	Consent Decree Deadline for Achievement	Status	Discussion
NPD will conduct and document periodic audits and inspections of the property room and immediately correct any deficiencies.	¶ 111	Ongoing	Initial Development	See Seventh Quarterly Report, Section II(B)

IX. Internal Affairs: Complaint Intake and Investigation

Achievement	Consent Decree Paragraph	Consent Decree Deadline for Achievement	Status	Discussion
Complaint Process (§§ 112-120)				
NPD will create an Internal Affairs: Complaint Intake and Investigation policy or policies to ensure compliance with Section XI of the Consent Decree.	¶ 5, Section XI	Within two years of the Effective Date (March 30, 2018)	Preliminary Compliance	
NPD will ensure that officers have received, read and understand their responsibilities pursuant to the Internal Affairs: Complaint Intake and Investigation policy or procedure and that the topic is incorporated into the in-service training required.	¶ 11	Within 60 days after approval of policy	Non-Compliance	See Ninth Quarterly Report, Appendix C.
The City and NPD, in collaboration with the civilian oversight entity or other community input, will develop and implement a program to effectively publicize to the Newark community how to make misconduct complaints.	¶ 112	Within 365 days of the Operational Date (July 12, 2017)	Not Assessed	
NPD and the City will revise and make forms and other materials outlining the complaint process and OPS contact information available on their website and appropriate government properties.	¶ 113	Within two years of the Effective Date (March 30, 2018)	Initial Development	See Fifth Quarterly Report, Section III(C)(4).
NPD will accept all complaints, by all methods and forms detailed in ¶ 114.	¶ 114	Ongoing	Initial Development	See Fifth Quarterly Report, Section III(C)(4).

Internal Affairs: Complaint Intake and Investigation Continued

Achievement	Consent Decree Paragraph	Consent Decree Deadline for Achievement	Status	Discussion
NPD will provide civilians, including complainants and witnesses to alleged police misconduct, with full access to NPD's complaint process. NPD will review and revise its policies for releasing complaints and misconduct allegations to make such complaints and allegations publicly available and ensure compliance with the Consent Decree.	¶ 115	Ongoing	Initial Development	See Eighth Quarterly Report, Section II(D)(2).
NPD will train all police personnel, including dispatchers, to properly handle complaint intake; the consequences for failing to take complaints; and strategies for turning the complaint process into positive police-civilian interaction.	¶ 116	Within 180 days of the Operational Date (January 8, 2017)	Non-Compliance	
NPD will conduct regular, targeted, and random integrity audits to identify officers or other employees who refuse to accept or discourage the filing of misconduct complaints, fail to report misconduct or complaints, or provide false or misleading information about filing a misconduct complaint.	¶ 117	Ongoing	Non-Compliance	See Seventh Quarterly Report, Section II(C).
NPD will review the results of the audits conducted pursuant to ¶ 117 and take appropriate action to remedy any problematic patterns or trends.	¶¶ 117-118	Ongoing	Not Assessed	See Sixth Quarterly Report, Section III(F)(2)(a).

Internal Affairs: Complaint Intake and Investigation Continued

Achievement	Consent Decree Paragraph	Consent Decree Deadline for Achievement	Status	Discussion
NPD will require that all officers and employees report allegations of criminal behavior or administrative misconduct by another NPD officer toward a member of the public, that they may observe themselves or receive from another source, to a supervisor or directly to OPS for review and investigation. When a supervisor receives such allegations, the supervisor will promptly document and report this information to OPS.	¶ 119	Within two years of the Effective Date (March 30, 2018)	Preliminary Compliance	See Ninth Quarterly Report, Appendix D.
NPD will investigate as a misconduct complaint any information or testimony arising in criminal prosecutions or civil lawsuits that indicate potential officer misconduct not previously investigated by NPD.	¶ 120	Ongoing	Not Assessed	The Monitor will assess this requirement during compliance audits.
Complaint Classification and Assignment of Investigative Responsibility (¶¶ 121-125)				
NPD will adopt and implement a complaint classification protocol that is based on the nature of the alleged misconduct, in order to guide OPS in determining where a complaint should be assigned for investigation.	¶ 121	Within two years of the Effective Date (March 30, 2018)	Preliminary Compliance	See Fifth Quarterly Report, Section III(A)(5).
NPD will ensure that officers have received, read and understand their responsibilities pursuant to the policy or procedure and that the topic is incorporated into the in-service training required.	¶ 11	Within 60 days after approval of protocol	Non-Compliance	
NPD's OPS will investigate all allegations of Serious Misconduct as defined in the Consent Decree.	¶ 122	Ongoing	Not Assessed	The Monitor will assess this requirement during compliance audits.

Internal Affairs: Complaint Intake and Investigation Continued

Achievement	Consent Decree Paragraph	Consent Decree Deadline for Achievement	Status	Discussion
NPD shall develop a protocol for determining whether other complaints will be assigned to the subject officer's supervisor, the precinct's Integrity Compliance Officer, or retained by OPS for an administrative investigation. OPS will also determine whether the misconduct complaint warrants a referral to federal or state authorities for a criminal investigation.	¶ 123	Within two years of the Effective Date (March 30, 2018)	Preliminary Compliance	
OPS will routinely monitor investigations referred to officers' precincts and specialized units for quality, objectivity and thoroughness, and take appropriate action if investigations are deficient. OPS will identify trends in investigative or leadership deficiencies.	¶ 124	Ongoing	Non-Compliance	See Sixth Quarterly Report, Section III(B)(6).
OPS will routinely monitor investigations referred to officers' precincts and specialized units for quality, objectivity and thoroughness, and take appropriate action if investigations are deficient. OPS will also identify trends in investigative or leadership deficiencies.	¶ 124	Ongoing	Not Assessed	The Monitor will assess this requirement during compliance audits.
NPD will maintain a centralized numbering and tracking system for all misconduct complaints.	¶ 125	Within two years of the Effective Date (March 30, 2018)	Initial Development	See Fifth Quarterly Report, Section III(C)(4).
Misconduct Complaint Investigation (¶¶ 126-136)				
NPD will review and revise its policies for releasing complaints and misconduct allegations to incorporate the requirements set out in ¶¶ 126-136.	¶¶ 126-136	Within two years of the Effective Date (March 30, 2018)	Preliminary Compliance	

Internal Affairs: Complaint Intake and Investigation Continued

Achievement	Consent Decree Paragraph	Consent Decree Deadline for Achievement	Status	Discussion
NPD will ensure that officers have received, read and understand their responsibilities pursuant to the policy or procedure and that the topic is incorporated into the in-service training required.	¶ 11	Within 60 days after approval of protocol	Non-Compliance	
Parallel Administrative and Criminal Investigations of Officer Misconduct (¶¶ 137-140)				
If after a reasonable preliminary inquiry into an allegation of misconduct, or at any other time during the course of an administrative investigation, the OPS has cause to believe that an officer or employee might have engaged in criminal conduct, the OPS will refer the matter to the ECPO, DOJ, or other law enforcement agency as appropriate.	¶ 137	Ongoing	Not Assessed	The Monitor will assess this requirement during compliance audits.
Notwithstanding the referral and unless otherwise directed by the prosecutive agency, NPD will proceed with its administrative investigations. Under no circumstances will OPS compel a statement from the subject officer without first consulting with the Chief or Director and with the prosecuting agency.	¶ 138	Ongoing	Not Assessed	The Monitor will assess this requirement during compliance audits.
NPD will not automatically end its administrative investigation in matters in which the prosecuting agency declines to prosecute or dismisses after initiation of criminal charges. Instead, NPD will require investigators to conduct a complete investigation and assessment of all relevant evidence.	¶ 139	Ongoing	Not Assessed	The Monitor will assess this requirement during compliance audits.
NPD will work with DOJ, the ECPO, and the New Jersey Attorney General's Office as appropriate to improve its processes for investigations of use of force incidents and referrals of complaints of police misconduct for criminal investigation.	¶ 139	Ongoing	Not Assessed	The Monitor will assess this requirement during compliance audits.

Internal Affairs: Complaint Intake and Investigation Continued

Achievement	Consent Decree Paragraph	Consent Decree Deadline for Achievement	Status	Discussion
Review and Analysis of Investigations (§§ 141-143)				
NPD will train OPS supervisors to ensure that investigations are thorough and complete, and that investigators' conclusions and recommendations that are not adequately supported by the evidence will not be approved or accepted.	¶ 141	Within 60 days after approval of policy	Non-Compliance	
NPD will develop and implement a protocol for regular supervisory review and assessment of the types of complaints being alleged or sustained to identify potential problematic patterns and trends.	¶¶ 142-143	Within two years of the Effective Date (March 30, 2018)	Non-Compliance	
Staffing and Training Requirements (§§ 144-149)				
Within 30 days of the Operational Date, NPD will review staffing of OPS and ensure that misconduct investigators and commanders possess appropriate investigative skills, a reputation for integrity, the ability to write clear reports with recommendations supported by the evidence, and the ability to assess fairly and objectively whether an officer has committed misconduct.	¶¶ 144, 145	Within 30 days of the Operational Date (August 11, 2016)	Operational Compliance (achieved after deadline)	See Second Quarterly Report.
NPD will use a case management system to track and maintain appropriate caseloads for OPS investigators and promote the timely completion of investigations by OPS.	¶ 146	Within two years of the Effective Date (March 30, 2018)	Not Assessed	The Monitor will assess this requirement during compliance audits.
NPD will require and provide appropriate training for OPS investigators upon their assignment to OPS, with refresher training at periodic intervals. At a minimum, NPD will provide 40 hours of initial training and eight hours additional in-service training on an annual basis.	¶¶ 147, 148	Within 60 days after approval of protocol and annually thereafter	Non-Compliance	

Internal Affairs: Complaint Intake and Investigation Continued

Achievement	Consent Decree Paragraph	Consent Decree Deadline for Achievement	Status	Discussion
NPD will improve OPS' complaint tracking and assessment practices in accordance with ¶ 149.	¶ 149	Within two years of the Effective Date (March 30, 2018)	Non-Compliance	See Eighth Quarterly Report, Section II(C).

X. Compliance Reviews and Integrity Audits

Achievement	Consent Decree Paragraph	Consent Decree Deadline for Achievement	Status	Discussion
<p>NPD will conduct integrity audits and compliance reviews to identify and investigate all officers who have engaged in misconduct including unlawful stops, searches, seizures, excessive uses of force; theft of property or other potential criminal behavior; racial or ethnic profiling and bias against lesbian, gay bisexual and transgender persons.</p> <p>The integrity audits will also seek to identify officers who discourage the filing of complaints, fail to report misconduct or complaints, or otherwise undermine NPD's integrity and accountability systems.</p>	¶¶ 150, 151	Within two years of the Effective Date (March 30, 2018)	Preliminary Compliance	NPD has begun to conduct some integrity audits (e.g., body-worn cameras, and stops). See Seventh Quarterly Report, Section II(D)(2).

XI. Discipline

Achievement	Consent Decree Paragraph	Consent Decree Deadline for Achievement	Status	Discussion
NPD will adopt policies that are consistent and fair in their application of officer discipline, including establishing a formal, written, presumptive range of discipline for each type of violation.	Section XIII	Within two years of the Effective Date (March 30, 2018)	Preliminary Compliance	
NPD will ensure that officers have received, read and understand their responsibilities pursuant to the policy or procedure and that the topic is incorporated into the in-service training required.	¶ 11	Within 60 days after approval of guidance	Non-Compliance	See Ninth Quarterly Report, Appendix C.
NPD will apply discipline for sustained allegations of misconduct based on the nature and severity of the policy violation and defined mitigating and aggravating factors, rather than the officer's identity, rank or assignment; relationship with other individuals; or reputation in the broader community.	¶ 152	Ongoing	Not Assessed	The Monitor will assess this requirement during compliance audits.
NPD will implement disciplinary guidance for its personnel that addresses the topics addressed in ¶ 153 of the Consent Decree.	¶ 153	Within 90 days of the Operational Date (October 10, 2016)	Non-Compliance	
NPD will establish a unified system for reviewing sustained findings and applying the appropriate level of discipline pursuant to NPD's disciplinary guidance.	¶ 154	Within two years of the Effective Date (March 30, 2018)	Not Assessed	The Monitor will assess this requirement during compliance audits.
NPD will conduct annual reviews of its disciplinary process and actions.	¶ 155	Annually	Non-Compliance	

XII. Data Systems Improvement

Achievement	Consent Decree Paragraph	Consent Decree Deadline for Achievement	Status	Discussion
Early Warning System (§§ 156-161)				
NPD will enhance its Early Warning System (“EWS”) to support the effective supervision and management of NPD officers.	¶ 156	Within one year of the Effective Date (March 30, 2017)	Non-Compliance	See Ninth Quarterly Report, Section II(A).
City will provide sufficient funding to NPD to enhance its EWS.	¶ 156	Within one year of the Effective Date (March 30, 2017)	Non-Compliance	See Ninth Quarterly Report, Section II(A).
NPD will develop and implement a data protocol describing information to be recorded and maintained in the EWS.	¶ 157	Within two years of the Effective Date (March 30, 2018)	Non-Compliance	See Ninth Quarterly Report, Section II(A).
NPD will revise its use of EWS as an effective supervisory tool. To that end, the EWS will use comparative data and peer group analysis to identify patterns of activity by officers and groups of officers for supervisory review and intervention.	¶ 158-160	Within two years of the Effective Date (March 30, 2018)	Non-Compliance	See Ninth Quarterly Report, Section II(A).
NPD will continue to use its current IAPro software's alert and warning features to identify officers for intervention while further developing and implementing an EWS that is fully consistent with this Agreement.	¶ 161	Ongoing	Not Assessed	The Monitor will assess this requirement during compliance audits.
Records Management System (“RMS”) (§§ 162-163)				
NPD will revise its use and analysis of its RMS to make efficient and effective use of the data in the System and improve its ability to interface with other technology systems.	¶ 162	Within two years of the Effective Date (March 30, 2018)	Non-Compliance	See Ninth Quarterly Report, Section II(A).

Data Systems Improvement Continued

Achievement	Consent Decree Paragraph	Consent Decree Deadline for Achievement	Status	Discussion
City will provide sufficient funding and personnel to NPD so NPD can revise its use and analysis of its Record Management System.	¶ 163	N/A	Non-Compliance	See Ninth Quarterly Report, Section II(A).

XIII. Transparency and Oversight

Achievement	Consent Decree Paragraph	Consent Decree Deadline for Achievement	Status	Discussion
NPD will make its policies publicly available, and will regularly report information regarding officer use of force; misconduct complaints; and stop/search/arrest data.	¶ 164	Ongoing	Not Assessed	
NPD will work with the civilian oversight entity to overcome impediments to the release of information consistent with law and public safety considerations.	¶ 165	N/A	Not Assessed	
On at least an annual basis, NPD will issue reports, summarizing and analyzing the stop, search, arrest and use of force data collected, the analysis of that data, and the steps taken to correct problems and build on successes.	¶¶ 85, 168	Annually	Non-Compliance	

XIV. Consent Decree Implementation and Enforcement

Achievement	Consent Decree Paragraph	Consent Decree Deadline for Achievement	Status	Discussion
Consent Decree Implementation Unit				
The City and NPD will form an interdisciplinary unit to facilitate the implementation of the Consent Decree.	¶ 196	Within 180 days after the Effective Date (September 26, 2016)	Operational Compliance	
The City implementation unit will file a status report with the Court, delineating the items set forth in the Consent Decree.	¶ 197	Within 180 days after the Effective Date (September 26, 2016) and every six months thereafter	Operational Compliance	

Appendix C

STATUS OF CONSENT DECREE AUDITS**Monitoring Team's Fourteenth Quarterly Report — July 1 through September 30, 2020**

The following chart notes the status of the Monitoring Team's audits.

Audit	Status
Community-Oriented Policing	March 6, 2020: 45-day notice is issued for first audit June 26, 2020: First audit commences
Body-Worn Cameras	February 3, 2020: 45-day notice is issued for second audit April 27, 2020: First audit report is issued
In-Car Cameras	February 3, 2020: 45-day notice is issued for first audit
Use of Force	October 15, 2019: 45-day notice is issued for first audit February 13, 2020: First audit commences
Stops	January 17, 2020: 45-day notice is issued for first audit July 28, 2020: First audit commences
Training Records	October 15, 2019: First audit report is issued January 16, 2020: 45-day notice is issued for second audit May 27, 2020: Second audit commences December 2020: Draft of the second audit report is shared with the Parties January 25, 2021: Draft of the second audit report is revised

Appendix D



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INDEPENDENT
MONITOR

NEWARK POLICE DIVISION CONSENT DECREE

AUGUST 2020 COMMUNITY PROBABILITY SURVEY

The following contains an analysis of the 2020 Newark survey conducted by Suffolk University. The focus of this analysis will be on key movement which has proven to be greater than the margin of error and indicative of possible new trends or directions of public opinion.

Suffolk University Political Research Center (SUPRC)

David Paleologos

Director, SUPRC | Suffolk University Professor

Keith Horvath

Co-author, Special Consultant to Director

August 2020

Established in 2002 and based in Boston, the **Suffolk University Political Research Center (SUPRC)** conducts statewide and national surveys as well as bellwether polls. It examines political races and analyzes opinions on key issues. Suffolk University presidential polls have predicted outcomes in key states including New Jersey, Arizona, Pennsylvania, Minnesota, Wisconsin, Maine, Colorado, Florida, Nevada, New Hampshire, Ohio, Pennsylvania, and Virginia.

SUPRC Director **David Paleologos** has worked at Suffolk University since 2002. He is also a lecturer in the Government Department, where he teaches Political Survey Research each spring. Students in this course are immersed in questionnaire design, sampling, interviewing, coding data, and analyzing results. In 2018, Paleologos partnered with USA Today, the Boston Globe, Arizona Republic, York Daily Record, Cincinnati Enquirer, Reno Gazette Journal, Saint Cloud Times, Milwaukee Journal Sentinel, and six Florida newspapers.

For the 2020 election cycle, Nate Silver's statistical model on pollster accuracy on FiveThirtyEight.com has Suffolk University ranked with a grade of A, up from A- in previous election cycles.

Before entering academia, he was one of the most sought-after pollsters and field operatives in Massachusetts. Paleologos gives frequent guest lectures on the political survey process at many Boston-area institutions. In 2018, Paleologos was invited to present his outlook for the 2018 midterms and 2020 presidential elections to 30 members of Congress in Washington, D.C.

A graduate of Tufts University, he is a member of the American Association of Public Opinion Researchers and the Northeast Political Consultants Association.

To read more about the Suffolk University Political Research Center, please visit our website: www.suffolk.edu/SUPRC

Introduction

This report was prepared at the request of Peter C. Harvey, Independent Monitor of the Consent Decree signed by the City of Newark (the “City”) and the United States Department of Justice. Paragraphs 22 and 23 of the Consent Decree require the Independent Monitor to conduct a reliable, comprehensive, and representative survey of the Newark Community’s experience with and perceptions of the Newark Police Division (“NPD”) and public safety.

Statement of Methodology

The poll was conducted between May 27, 2020 and June 9, 2020 using a sample of 700 residents distributed nearly equally across the Central, East, North, South, and West wards of the City. This poll follows the industry standard of 1.96 standard deviation at a 95% level of confidence for a margin of error of plus or minus 3.7 percentage points. As sample size decreases, sampling error increases, therefore statements based on various population subgroups may be more subject to error than those based on the total sample available. To better express where the most emphasis should be placed, we have organized movement into two groups, Tier 1 and Tier 2. The first tier contains only movement with a difference greater than 8 percentage points from the previous year’s findings and comprised of a sample size of 700, while the second tier includes all other subgroups which may contain less than 700 total respondents. All noted movement is compared directly to the findings of the 2018 survey.

The address-based sample for this study contained 51,202 records of Newark residents, broken down to 15,707 landline and 35,495 smart cell phones. The sample was generated by Survey Sampling International (SSI), a globally recognized, accredited, and established survey sample provider in the survey research industry. Survey respondents were randomly selected to participate and were contacted by a live survey interviewer through either their landline phone number or cellular phone number to respond orally. The sample is made up of 700 Newark residents; 26 completed the survey via landline and 674 by cellular phone.

2020 Newark Community Probability Survey Weighted Sample Demographics

	U.S. Census Parameters	Sample Demographics
Sex		
Male	49%	48%
Female	51%	52%
Age		
18-24	15%	15%
25-34	23%	23%
35-44	19%	20%
45-64	29%	29%
65+	10%	11%
Education		
HS grad or less (incl voc/tech)	55%	52%
Some college	29%	29%
College grad+	15%	17%
Race/Ethnicity		
White, not Hispanic	9%	7%
Black, not Hispanic	52%	55%
Hispanic	34%	33%
Other/mixed, not Hispanic	5%	4%
Ward		
Central	19%	19%
East	20%	18%
North	18%	19%
South	19%	19%
West	23%	24%

Preface

Before getting to the results, it is worth recognizing the environment that surrounded respondents during the fielding of this poll. This survey had been scheduled months in advance of the tragic killing of George Floyd, one of the most earth shattering events to have gripped the nation in recent years. While discussions began in the fall of 2019, the impact of the coronavirus pushed the agreement further into 2020 and ultimately, the contract between Suffolk and the Independent Monitor was not acknowledged until April of 2020. Coincidentally, Mr. Floyd's death took place just two days prior to the fielding of the poll. As nationwide protests occurred, oftentimes met with an overly violent response from local police, there may be the expectation that the results of the poll would be significantly different due to the circumstances, leading to jaded respondents and overly negative feedback. On the contrary, the results of the poll instead reflect the NPD's continued progress towards achieving better community relations.

Tier 1 Movement

T 1.1 Initial Good News for the NPD and Movement to Watch

The number of respondents who feel safe in their home has remained relatively steady since 2018, with the only significant change seen among respondents when asked if they feel safe during the day (QSA1). 68% of respondents feel “very safe” in their home during the day, a 6 point increase from what was noted in the previous survey. Of this number, respondents over 65 years of age feel the safest, with 78% feeling “very safe” followed by 76% of respondents between the ages of 18-24.

One of the most notable shifts from 2018 to 2020 is the large decrease in the number of residents who answered that they had “never had a positive experience” with a Newark police officer when asked about their most memorable experience (QOEB). A 46 point decrease can be seen from the previous survey, as just 37% of respondents now answer that they have never had a positive experience, compared to the overwhelming 83% who answered this question two years ago. Building off of this momentum, there is also an 18 point increase that can be seen in the number of respondents who answered that the officer was “helpful, even when s/he didn’t have to be.” Of this group, white, Black and Hispanic respondents are all within +/- 3 percentage points of each other, with roughly one-fifth feeling that the officer was helpful. While there is certainly encouraging movement, it is also worth noting that Black and Hispanic respondents are more likely to have never had a positive experience than white respondents (36% and 41% compared to 28%, citywide).

There is the possibility that the level of police presence in neighborhoods is finding a delicate balance with a 14 point decrease in the number of respondents who feel that the number of Newark police officers on foot or in a car patrolling their neighborhood should increase, and a nearly mirrored 11 point increase in the number of respondents who feel that this number should stay the same (Q10). This comes alongside a 16 point increase in the number of respondents who report seeing an officer in their neighborhood at least once a day, so it is likely that further increases in patrols will not be positively met. When looking closer at this number, women are 10 points more likely than men to want to see an increase (71% vs. 61%) and there is a strong correlation between average household income and the desire for an increased police presence.

We see that 52% of those who make \$0-\$15k a year want an increase, compared to 83% of those who make greater than \$55k.

Perspective and opinion of Newark and the NPD also plays a large role when considering how safe a respondent feels in their presence. There is a direct correlation between how respondents rank Newark as a place to live as it relates to the number who feel “very safe” (QSA1); 76% of those who believe the NPD has “a lot” of an impact on lowering crime feel “very safe” versus 57% of those who think that they have “no impact.” Similarly, when respondents were asked about how much respect they had for the NPD, 73% of those who have “A lot” of respect feel “very safe”, whereas 55% who have “None” feel “very safe.” Nearly the exact same numbers can be seen when asked about trust in the NPD and how it relates to feelings of safety at home.

T 1.2 Mixed Signals on Neighborhood Safety and Policing Behaviors

There is a link between trust in the NPD and the faith that they are conducting themselves appropriately. As trust in the NPD decreases, so too does the confidence in officers having a legitimate reason to stop someone. 60% of respondents who have “a lot” of trust in the NPD feel that the officer had a legitimate reason for the stop they witnessed, whereas just 15% of those who have “no trust” believe there was a legitimate reason.

The gap between trust in the NPD and confidence in their job conduct continues when looking at the number of respondents who believe that police fully investigate all complaints filed by residents or against officers. 60% of those who believe that the NPD investigates “all” complaints filed by residents feel that the officer had a legitimate reason to stop someone, compared to just 27% of those who think that the NPD “never” investigates complaints. This is heightened even more so when looking at how confident respondents are in the NPD investigating complaints specifically filed against officers; 67% of those who believe the NPD had legitimate reasons for stopping someone believe that NPD looks into “all” complaints, compared to only 22% of those who feel that they “never” investigate. It is also worth noting that respect towards the NPD plays no significant role in these observations, indicating that it is possible for respondents to trust police officers without necessarily having to *respect* those police officers at the same time; the two feelings are not mutually exclusive.

When looking at how respondents answered when asked about their level of concern for themselves, a 6 point increase is seen among those who answered “very concerned” that excessive force will be used on them, and a 10 point decrease among those who were “not concerned at all” (Q26A). There are also clear divisions among race when it comes to fears over excessive force, as 40% of Black respondents are “very concerned” that excessive force will be used on them, versus 15% of white and 29% of Hispanic respondents. Compare this to the fact that nearly half of all white respondents, 47%, answer that they are “not at all concerned” about excessive force, and it is obvious that Black and white respondents are viewing excessive force as very different threats to their wellbeing. 80% of those who would like a decrease in the number of police patrols in their neighborhood are “very concerned” that excessive force will be used against them, further supporting the theory that police patrols are reaching an apex and any additional patrols in communities that do not require them may only further contribute to feelings of anxiety, doing more harm than good.

An increased desire for body camera footage being made publicly available without alterations can also be seen through a 7 point increase among those who “strongly agree” with this statement (Q30D). Once again, there are stark differences between how respondents of different ethnicities react to this question; 81% of Black and 70% of Hispanic respondents “strongly agree” that this footage should be made available, while only 53% of white respondents feel the same. Interestingly, those who have had *less* contact with the NPD in the last year are *more* likely to feel that body camera footage should be made available, with 69% of those who have daily/weekly contact strongly agreeing compared to 81% of those who only have contact once a year.

T 1.3 How Demographics Perceive Treatment by the NPD

There was a 6 point decrease among respondents who “don’t know” whether or not Black, Hispanic/Latino, and the LGBTQ community is treated better, worse or the same as other members of the community (Q34E/Q34A/Q34H). When asked to assess the treatment of white residents by the NPD, there was a 7 point increase among those who “don’t know.” (Q34G). This movement, paired with the fact that there was also a 6 point increase among those who feel that Black residents are treated worse than other members of the community, indicate that

residents are becoming more decisive about the mistreatment of minorities in their community, and more confident in the fact that Black residents are treated worse than white residents.

Despite all of this, we see a 10 point decrease among respondents who answer “not at all” when asked if they feel personally discriminated against by NPD officers based on who they are or how they identify (Q35A). In 2018, 55% of Black respondents answered “not at all” when asked if they feel personally discriminated against, this year that number has dropped to 44% marking an 11 point decline. White respondents also see a slight decrease dropping from 75% to 69%, but the number remains consistently higher than those seen from Black and Hispanic respondents.

There is some correlation between how residents perceive their treatment from the NPD and their household income, but this relationship has weakened compared to what was observed in 2018 (Q35A). In 2018, 44% of respondents who make \$0-\$15k responded “not at all” when asked if they felt personally discriminated against by the NPD compared to 62% of those who make \$55k+, whereas in 2020, 43% of those who make \$0-\$15k responded “not at all” compared to 51% of those who make \$55k+.

T 1.4 Relationship Between NPD and Opinions of Newark

Examining the perception of Newark as a place to live through the lens of discrimination experienced at the hands of the NPD, one can observe a certain downward trend that begins to emerge. 53% of those who rate Newark as an “excellent” place to live answered “none at all” when asked about experiencing discrimination because of who they are or how they identify; this is down from 69% in 2018. Continuing with this example, 31% of those who rated the City “poor” answered “None at all”, again marking a significant drop from the 46% that was observed in 2018 (Q35A).

In 2018, 62% of respondents who reported seeing police patrols at least once a day in the past month answered “not at all” to feeling discriminated against by the NPD, compared to just 39% from those who saw a police patrol only one time in the past month. In 2020, 50% of respondents who reported seeing police patrols at least once a day in the past month answered “not at all” to feeling discriminated against by the NPD, compared to 45% of those who saw a police patrol only one time in the past month. There is a 12 point decrease among those who answered “not at all” to feeling discriminated against by police patrols they see at least once a

day, and a slight uptick in the number of respondents who do not feel discriminated against by officers they see only about once per month.

While these numbers do not necessarily prove that more frequent contact with the NPD leads to a greater number of discriminatory experiences, it does point to the possibility that tensions rise as the police presence is continually felt, and the door is more frequently open to experiences that may be negatively perceived by residents. Keeping in mind that 80% of respondents who would like a decrease in the number of police patrols in their neighborhood are “very concerned” that excessive force will be used against them, it is not a stretch to assume that residents can be more on edge or wary of police conduct if they witness it every single day.

The poll records a sizable shift in the number of people who have “never had a positive experience” with an officer (QOEB). While this number has dropped by 46 points, there is not a comparable shift in the number of people who have had a *positive* experience with an officer, and this number has held steady since 2018 (53% then compared to 51% now). Similar to what was theorized in 2018, it remains very possible that the bar for a “positive” interaction remains much higher than that for a negative one, and potentially accounts for the lack of movement among those who have never had a positive experience.

Interestingly, when asked what the NPD should be doing differently to improve police-community relations and possibly move the needle in the right direction, there is an 18 point decrease among those who answered the NPD should “positively interact with/learn about people in the community” (Q38). Correspondingly, there is an 11 point increase seen from those who feel that the purpose of an NPD officer is to “protect and serve” the community, with a parallel 11 point decrease among those who think that NPD officers should be “empathetic, caring, or helpful to people in the community” (Q37).

In 2018 we noted a clear desire for increased activity in the community events from the NPD in order to allow for greater social connection, this year the tone is decidedly different. There is a very real possibility that the murder of George Floyd and the Black Lives Matter (“BLM”) protests have shifted the conversation from attempting to welcome the police into the community, to shutting the door out of fear for safety and trying to minimize contact in order to reduce risk.

T 1.5 Information Sources and Impact on Perception

There is a 6 point increase in reliance on social media as Newark residents' main news source, which comes as a continuation of the trend seen in 2017 to 2018, where a 27 point increase in the number of people who call social media their main source of news was observed. While a 6 point increase is not nearly as extreme of a jump, it stands as an extension of the trend that began to emerge two years ago (Q22G). The number of respondents who look to government officials as their main source of news actually saw the only sustained growth, with a 16 point increase seen in both 2018 *and* 2020. It is possible that this number has remained high due to the fact that more Americans are home and out of work because of the coronavirus, and those people are most likely looking to their local officials for guidance about navigating the pandemic.

This brings us to our next point on the potential impacts that a reliance on social media or TV news can have on a respondent and their perception of police conduct. Of those who rely on social media as their main news source, 76% have "no trust" in the NPD; compare this to those who get their main source of news from government officials, and only 34% say they have "no trust" in the NPD (Q22D/Q22G). As mentioned earlier, trust in the NPD can have far reaching consequences when it comes to general feelings of safety and faith in the NPD to conduct themselves fairly, so the weight and impact of how residents receive their news and its relationship to their feelings towards the NPD cannot be overstated. Adding onto this, 60% of white respondents look to government officials as their main source of news compared to just 46% of Black and 40% of Hispanic respondents. These results align with previous observations about the differences between residents' ethnicities and the level of trust they have in the NPD.

Multiple other examples can be found that support just how large the divide is between those who get their news from social media versus those who get it from government officials. 76% of those who look to social media as their main source of news are "very worried" about being the victim of a crime compared to 48% of those who get their news from government officials (QD22D). Additionally, 79% of respondents who feel that the NPD is doing a "poor" job serving the neighborhood and 80% who feel they are doing a "poor" job serving the City of Newark count on social media as their main source of news. Compared to those who get their news from government officials, only 30% feel that the NPD is doing a poor job serving the neighborhood and similarly, 33% feel that they are doing a poor job serving the City of Newark

(Q22G). Additionally, of those who look to social media for their information, 80% have filed a complaint with the NPD, compared to the 39% of those who get their information from government officials filing a complaint before.

T 1.6 Economic Hardships during the Pandemic

The economic movement observed during the 2020 survey is a significant downturn from what was observed in 2018. This is to be expected due to the unfortunate spike in unemployment rates across the country as a result of the coronavirus. However, it is still worth examining how different groups of Newark are impacted by the economic difficulties faced during the pandemic.

We see an 11 point surge in the number of people who answer “unemployed” when asked about their employment situation, with Black and Hispanic respondents being almost twice as likely to report unemployment as white respondents (QD11). White home ownership also continues to rise, with a 9 point increase for the number of white respondents who report owning a home, while Black respondents who rent increases by 11 points with no significant change in home ownership. Additionally, the 18-24 age demographic is being hit the hardest with 20% reporting unemployment, compared to 15% from 25-34 and 14% from 35-44.

Similar to 2018, the East ward continues to see the highest full-time employment rate, but nearly all wards experience a drop ranging from moderate (East ward full-time employment decreases by 3 points) to severe (Central ward full-time employment sees an 11 point decrease). The South ward, which saw the lowest number of full-time employment in 2018, actually experiences the only increase in full-time employment out of all the other wards, rising from 49% to 56%.

Tier 2 Movement

T 2.1 Complaints Filed against NPD and Stop/Search Conduct

While the number of respondents who had a reason to file a complaint “in the last 12 months” has been relatively stable since 2018, the number of those who actually ended up filing a formal complaint has increased by 11 points; as the number of respondents who have filed a complaint increases, there is a notable decrease in the number of respondents who felt satisfied with the result (Q21C). There is a 9 point decrease among those who filed a formal complaint with the Newark police and felt “somewhat satisfied” with the result, and a nearly equal increase of 8 points seen from those who filed a complaint but were “not satisfied at all” with the result. While it is worth noting the size of this pool of respondents is just 37, meaning that a shift among a handful of people can account for large movement, there is a difference to be seen among Black and white respondents and their experiences filing a complaint; 67% of white respondents were “very satisfied” compared to just 11% of Black respondents, indicating a strong disparity between the two groups and how effectively they feel these complaints were handled.

Despite the increase in the number of respondents who did not feel satisfied with the result of their complaint, there is a 13 point decrease in the number of respondents who did not file because they “did not think it would make a difference” (Q21E). This drop is a continuation of the trend first seen in 2018, where we noted a 25 point decrease among those who did not file because they did not think it would make a difference. While this subcategory is also made up of a smaller number (70 respondents) it is important to note that 100% of white respondents ended up filing their complaints, compared to 47% of Black respondents. It is encouraging to see a continued trend that indicates residents are growing more willing to file a formal complaint, regardless of the outcome, but it is worth recognizing the fact that this confidence is growing disproportionately, and over half of all Black residents still hesitate or do not follow through when it comes to filing complaints (Q21C).

Looking now to the number of respondents who have been stopped in the last month, there is positive news. A 10 point increase can be seen among those who answered “no, an officer has not” with 95% of respondents not reporting being stopped in the last month (Q51A). There is also a nearly equal distribution among white, Black and Hispanic respondents when it comes to the number who did not report being stopped within the last month. The gap does

widen a bit when expanding the scope of this question; there is a 15 point increase for those who report being stopped twice in the last three months, and an 8 point increase among those stopped in the last year (Q18X/Q51C). Of this group, 12% of white respondents reported being stopped in the last year, compared to 23% of Black and 14% Hispanic respondents.

Thinking back to their most recent time being stopped by the NPD, about half of respondents answered “yes” when asked if the officer explained why they were being stopped (Q18C). White, Black and Hispanic respondents were all relatively similar in terms of the number who answered “yes” (50%, 53% and 55% respectively), but Black and Hispanic respondents were much more likely to answer “no” with 27% and 22% compared to 8% of white respondents.

T 2.2 A Closer Look at Demographics

In 2018 we observed certain parallels between white and Hispanic respondents and noted how Hispanic respondents would oftentimes align more closely with the views or sentiments of white rather than Black respondents. Hispanic respondents would more frequently display behavior that indicated they are willing to give the NPD the benefit of the doubt or side with them more often than Black respondents, but this behavior has changed over the last two years. In the previous survey, 56% of Spanish speakers and 65% of Portuguese speakers felt that the officer had a legitimate reason for stopping a person during an event they witnessed. This year, that number has dropped to just 42% of Spanish speakers and 60% of Portuguese, marking a 14 point decrease (Q21B/Q19B).

Continuing to look at whether or not respondents felt that the officer had a legitimate reason to stop someone, there is an 8 point decrease from what was observed in 2018 among those who agreed that the officer did have a legitimate reason. Black and Hispanic respondents decrease by 6 and 8 points, while white respondents only drop by 3 points (Q19B). Additionally, 2018 saw an 11 point decrease among those who felt “very concerned” for the safety of the person being stopped and searched, whereas 2020 sees a 13 point increase from 2018 (Q25).

T 2.3 Areas to Watch Regarding NPD Behaviors

There is some encouraging movement to take note of when looking at how respondents feel about the actions or behaviors of the NPD. Respondents generally appear to feel more confident in the idea that the NPD is truthful or trustworthy in how they conduct themselves, with a 7 point increase among those who feel that the NPD uses respectful and polite language “all of the time” (Q12A4). Additionally, a consistent 6 point decrease can be seen among respondents who answered “never” when asked if they feel that the NPD detains people for longer than necessary, stop/searches people without good reason, or discriminates against others based on their race or ethnicity.

While general feelings of safety have either remained stable or increased since 2018, when asked if they feel safer or less safe than a few moments before they came into contact with an NPD officer, there is a 7 point increase among those who answered, “depends on the situation” (Q17A). 49% of Hispanic respondents feel “more safe” compared to 35% of white and 31% of Black respondents. Unsurprisingly, trust in the NPD continues to prove its importance as we see again how large of an impact this level of trust can have on other perceptions or interactions with the police. 61% of those who have “a lot” of trust in the NPD feel “more safe” whereas those who have “little” or “no” trust feel decidedly different, with just 19% and 13% respectively feeling “more safe” when in the presence of an NPD officer. Additionally, those who have lower levels of trust in the NPD are more likely to feel that it “depends on the situation” when asked if they feel more or less safe in the presence of an officer.

Similar to what was observed in 2018, community interaction and knowledge of those within the community plays a strong positive role when respondents are asked whether or not they feel safer with an officer nearby. 61% of those who feel that the NPD is very knowledgeable feel “more safe” compared to 24% of those who feel that are not at all knowledgeable. Building off that, of those who think that the NPD attends “all” community events, 54% feel “more safe” compared to just 11% of those who feel that NPD “never” attends community events. While the trend is not as strong as it was in 2018, there is still a clear relationship between showing up and making an effort to be members of the community rather than just enforcers. However, this dynamic has grown to be more complicated over the last two years and taking into account the current political climate and protests, many respondents are on the fence when it comes to just how involved they would like the police to be in their personal lives now.

Final Observations

As mentioned in the preface of this report, Newark may have been bracing itself for a scathing rebuke of the NPD and those who serve their communities. However, this survey instead shows multiple instances of positive movement and progress. While there are certainly areas that require attention in order to keep the progress going, sentiment as a whole is trending in the right direction, and this is especially powerful given the current national environment.

One of the most notable observations in the survey is the massive drop among respondents who have never had a positive experience with a Newark police officer, as well as a sizable increase of respondents who feel that the officer they interacted with was helpful, even when they did not have to be. This is an encouraging sign of legitimate progress being made in the community, and while this is certainly good news, there is still much that needs to be done in order to be sure residents of color are feeling this progress equally. Black residents are far more likely to have concerns over the use of excessive force on both themselves or their loved ones, and there is a clear desire for police accountability and transparency from the Black community seen through their belief that body camera footage should be made available to the public. Despite progress being made through positive interactions, there are still deep scars in the Black and Hispanic community that create a rift of trust between them and the police, and the NPD must continue their efforts to specifically work towards creating a community where residents of color do not live in disproportionate fear or uncertainty compared to their fellow white residents.

Trust in the NPD and confidence in the integrity of those who police their communities directly informs how sure respondents are that the police will be able to perform their jobs fairly and justly. Considering how impactful perceptions are when respondents are judging their general feeling of safety in the community, it is crucial for the NPD to continue conducting itself in a way that fosters trust and respect, as this will in turn lead to visitors feeling safer in their own homes and neighborhoods. Additionally, Black residents need to be encouraged to be more vocal with their grievances and feel that the door is open for them to file a complaint; a more user friendly or streamlined process may be a powerful change to ensure that all voices are being heard equally, and no resident feels that the process is designed to make it difficult for their complaint to be shared.

Recommendations Moving Forward

Now more than ever, honesty, trust and transparency are crucial for a healthy relationship between the NPD and the community. During the recent protests, Newark has emerged to be not a place of violence and upheaval, but an example for the rest of the country to follow in terms of de-escalation and allowing healthy protest to occur, bringing the community closer together. That moment alone sets the stage for some incredible momentum, and there is the potential to emerge from this stronger and more unified than ever before.

Consider the possibility of the NPD continuing to focus on being “true” members of the community and bolstering their social media, as was recommended in the 2018 survey report, but using it in a way that amplifies Black voices and opens a deeper dialogue between the NPD and residents of color. This would be a heavy and impactful decision that would make it very clear that the NPD wants to learn, rather than deflect blame to others and ignore the fact that so many members of the community are hurting. It would also open the door to conversations and opportunities for the NPD to become even more effectively integrated in the community, continuing the progress we described two years ago as an eye was placed on this goal.

Newark is ahead of the curve in this national reckoning, as they have already been consistently trying to better themselves through a close watch on police conduct; now is not the time to slow down but speed up and meet this challenge head on. Building off of the idea of the NPD opening a dialogue and elevating Black voices in the community, it would address many of the areas of concern we’ve observed. As uncertainty grows and people are less sure whether or not actions taken by the NPD are justified or legitimate, appearing as a department who humbled themselves and made it clear that they want to be available and learn by having a real conversation with the community could go a long way. If executed properly, this action would come across as a genuine effort to better themselves and adapt to the rapidly shifting landscape – the NPD will not come across as if they’ve always been perfect, but instead recognize their flaws and be real about them with the community.

Rather than communal barbecues like in 2018, these conversations can be hosted via video call, advertised on NPD social media accounts. Weekly speakers can be arranged, and this method of conversation (video call) would most likely lead to more people witnessing these talks than if they were held in a public area in person. Whereas 2018 recommended a branded campaign under the title “NewArc” a similar angle can be taken this year under the “ZoomArc”; additionally, there

could be a direct mail campaign occurring alongside these events in order to keep older or less connected residents up to date with the news. This mail campaign could focus more on reaffirming the position the NPD holds when it comes to controversial topics, such as chokeholds, use of force, etc., and speak directly to the fears residents have by confronting these concerns.

In Summary

- During the BLM protests, Newark stood as an example for the rest of the nation to learn from when it came to properly handling those events and building a sense of trust and support for the Black community.
 - This sets the stage for continued progress.
- The NPD should recognize the fact that many residents of color do not feel it is easy enough or worth their effort to formally voice their complaints, and this issue should be taken seriously.
 - If residents do not feel that they have a fair chance to voice their concerns, trust and faith in the NPD will be hindered and risk decreasing as residents grow more jaded with the process.
- Keep in mind that many residents are possibly experiencing a growing sense of uncertainty or feeling unsafe when in the presence of police officers due to recent events.
 - The NPD must be actively aware of this and sensitive to the fact that many residents may be on edge or nervous when interacting with an officer.
 - Officers should be extra careful not to risk escalating what may be a precarious situation and should consider mentioning the presence of body cameras for the *benefit* of the resident in question.
 - While officers are currently required to inform people that they are being recorded if conditions allow it, it is important to frame the body camera as a tool that protects the resident, rather than something that adds to their anxiety.
- A way to continue the thread that started in 2018, a “ZoomArc” for Newark could be a new branding campaign. *ZoomArc* would be focused on creating an honest, transparent and easily accessible dialogue between the NPD and Black members of the community.
 - Consider reaching out to prominent figures in the community in order to build momentum and encourage residents to view.

- Beyond just Zoom discussions (made publicly available both during the talk and then posted afterwards for people to go back and watch) a direct mail campaign could also be beneficial to supplement ZoomArc.
- The direct mail campaign would focus less on the dialogue and more on affirming the NPD's position on certain issues or concerns; such topics could be chokeholds, tear gas, rubber bullets, stop and search, etc., and addressing the level of diversity currently seen in the department.
- This mail campaign would work in conjunction with the Zoom discussions and act as a way of backing up any claims made during these events, as well as reaching residents who may not have access to devices to participate in/watch the Zoom discussions.

NEWARK, NEW JERSEY COMMUNITY SURVEY



SUFFOLK UNIVERSITY POLITICAL RESEARCH CENTER

DAVID PALEOLOGOS, DIRECTOR

KEITH HORVATH, CO-AUTHOR

JULY 2020



**SUFFOLK
UNIVERSITY
BOSTON**

ABOUT THIS SURVEY

This report was prepared at the request of Peter C. Harvey, Independent Monitor of the Consent Decree signed by the City of Newark and the United States Department of Justice.

Paragraphs 22 and 23 of the Consent Decree require that the Independent Monitor conduct a reliable, comprehensive, and representative survey of the Newark Community's experience with and perceptions of the Newark Police Division and public safety.

STATEMENT OF METHODOLOGY

This poll was conducted between May 27, 2020 and June 9, 2020 using a sample of 700 residents distributed nearly equally across the Central, East, North, South, and West wards of the city. This poll follows the industry standard of a 1.96 standard deviation at a 95% level of confidence for a margin of +/- 3.7 percentage points.

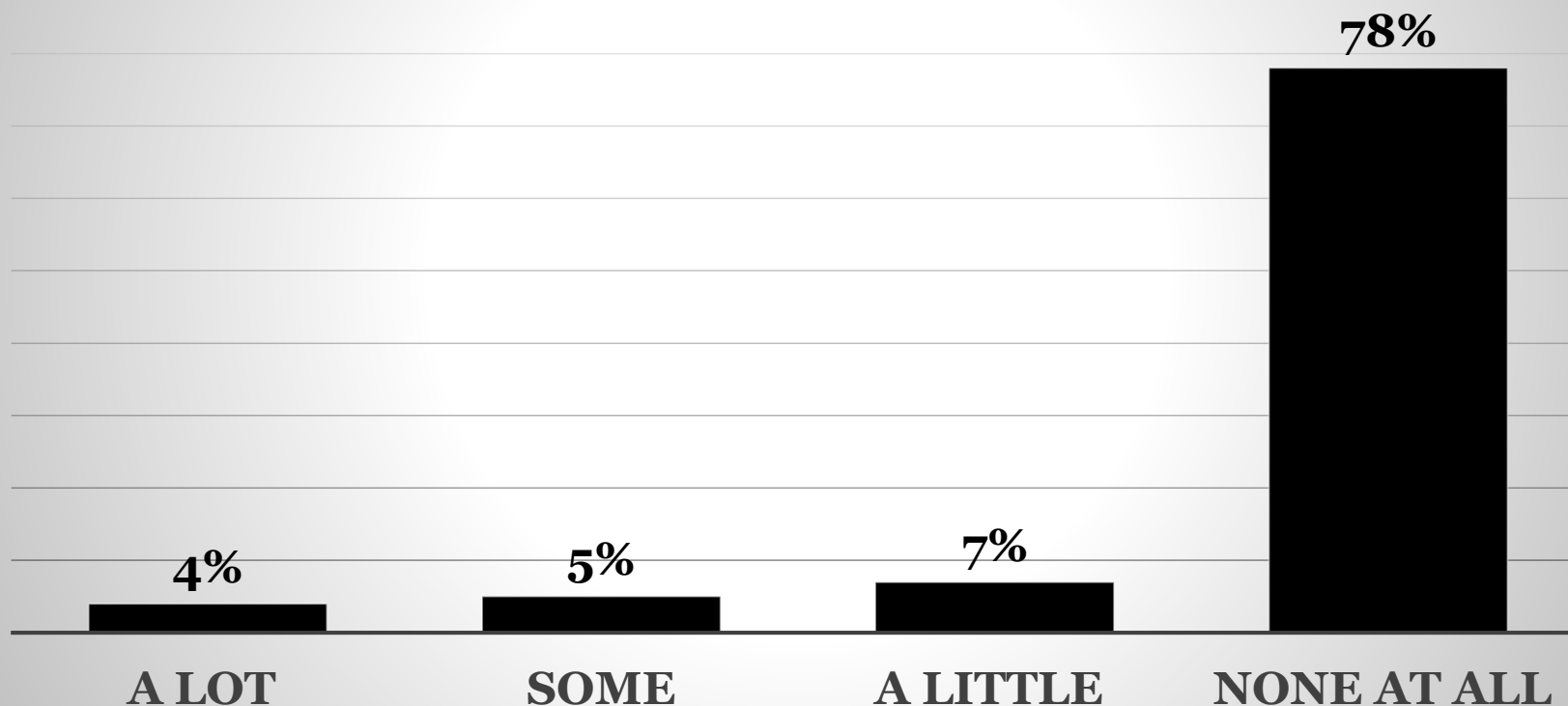
As sample size decreases, sampling error increases, therefore statements based on various population subgroups may be more subject to error than those based on the total sample available.

SURVEY DEMOGRAPHICS

- Ward:
 - Central 19%
 - East 18%
 - North 19%
 - South 19%
 - West 24%
- Age:
 - 18-24 Yrs. 14%
 - 25-34 Yrs. 22%
 - 35-44 Yrs. 20%
 - 45-64 Yrs. 29%
 - 65+ Yrs. 11%
- Gender:
 - 48% Male
 - 52% Female
- Interview Language:
 - 91% English
 - 7% Spanish
 - 2% Portuguese

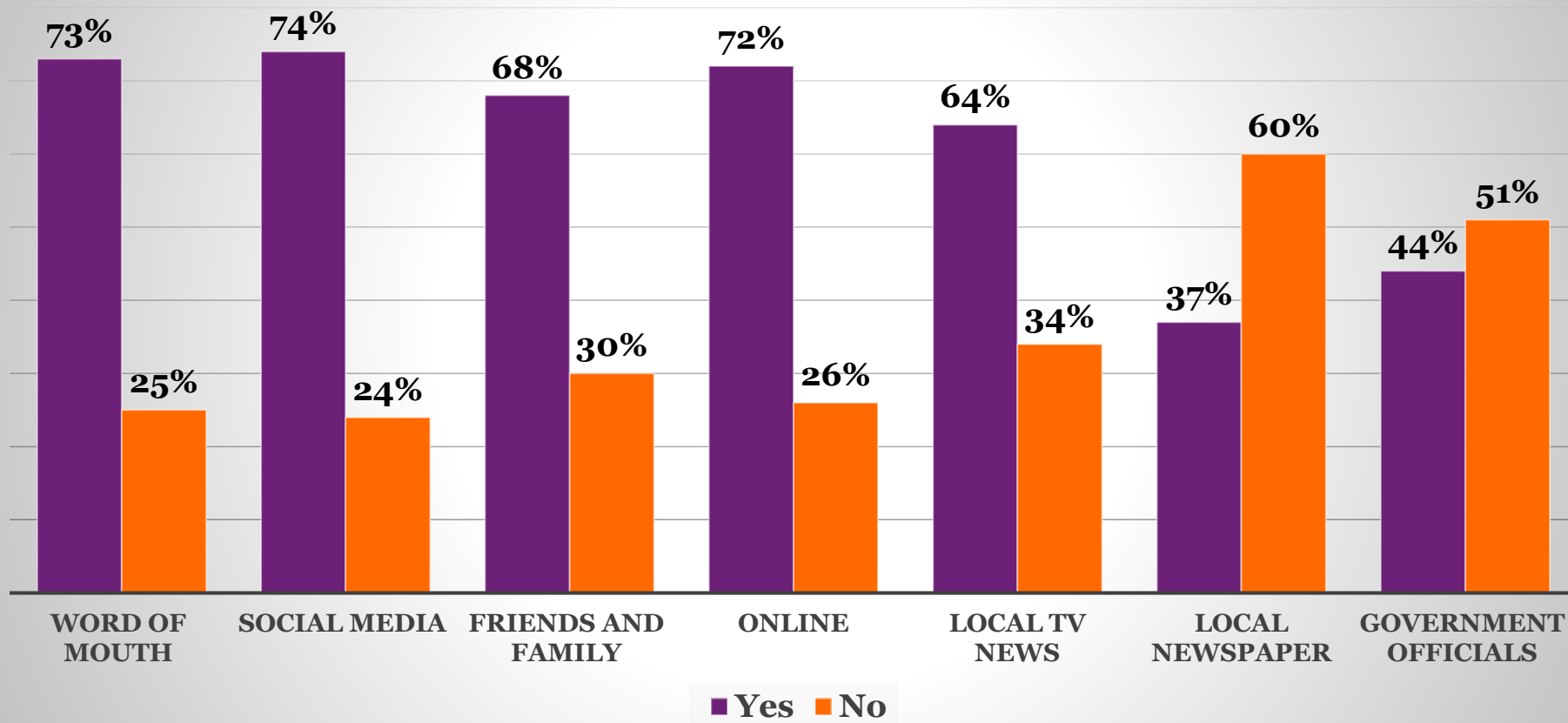
KNOWLEDGE OF CONSENT DECREE

How much have you heard about the Newark Consent Decree before taking this survey?



KNOWLEDGE OF NEWARK PD

Where do you typically get information about the Newark PD?



- 2018 vs. 2020 Results
 - Tier 1 Movement
 - Tier 2 Movement

SURVEY COMPARISONS

TIER I: SIGNIFICANT MOVEMENT

1. General feelings of safety are holding steady or seeing a slight increase since 2018.
2. Fewer respondents say they've never had a positive experience with the NPD, an overall positive.
3. Police presence in neighborhoods has reached a balance.
4. Trust plays a sizeable role when respondents assess how effective the NPD are at performing their duties.
5. Black and Hispanic respondents are being hit the hardest due to COVID-related economic decline.

TIER 2: SIGNIFICANT MOVEMENT

1. More residents follow through when filing complaints.
2. Decreased satisfaction with the outcome of complaints filed.
3. Fewer residents report being stopped within the last month, but increase in stops within the past 6 months and year.
4. Decrease among residents feel the stops as legitimate.
5. More residents feel the NPD is respectful/polite when interacting.
6. Increase among those who are unsure how safe they feel when in the presence of an NPD officer.

2020 FINDINGS

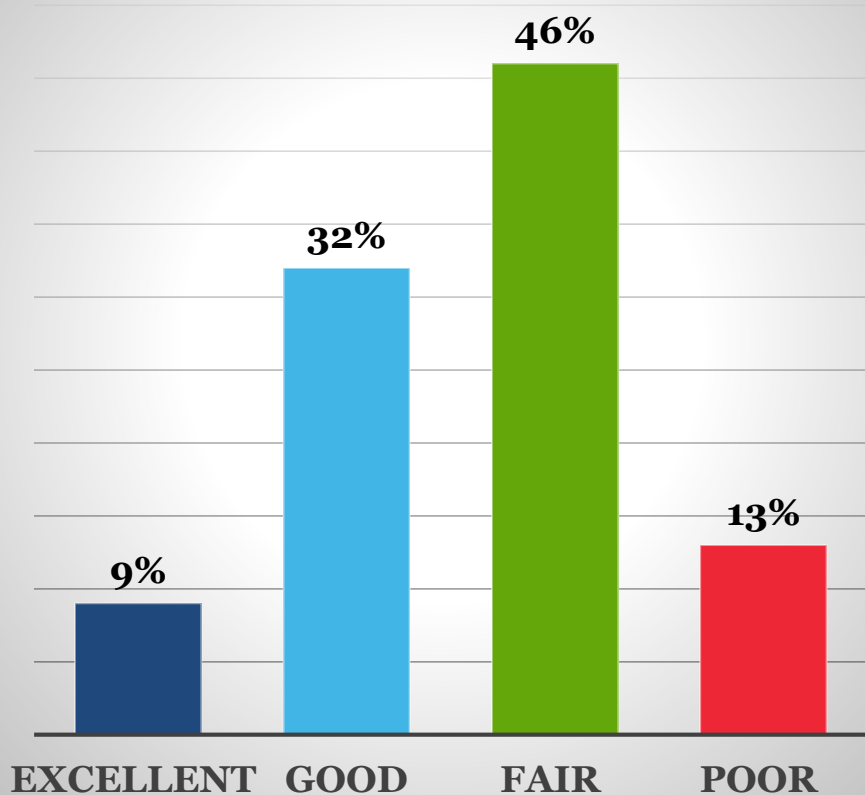
- Survey Results
- Recommendations

- Neighborhood Safety
- Reporting Crimes
- Police Presence

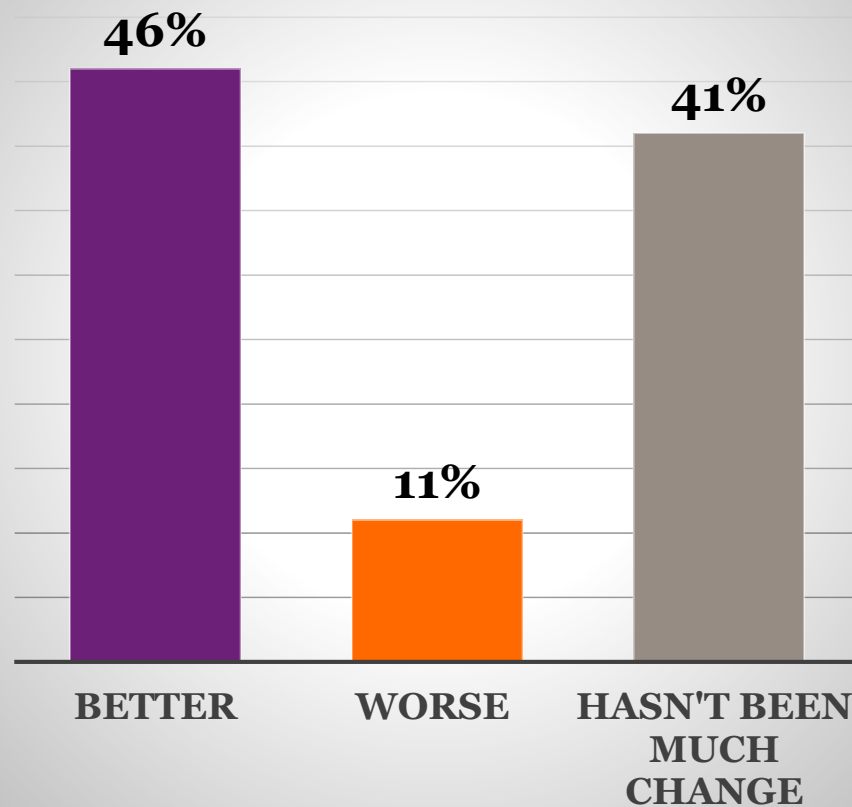
LIVING IN NEWARK

LIVING IN NEWARK

How would you rate Newark as a place to live?

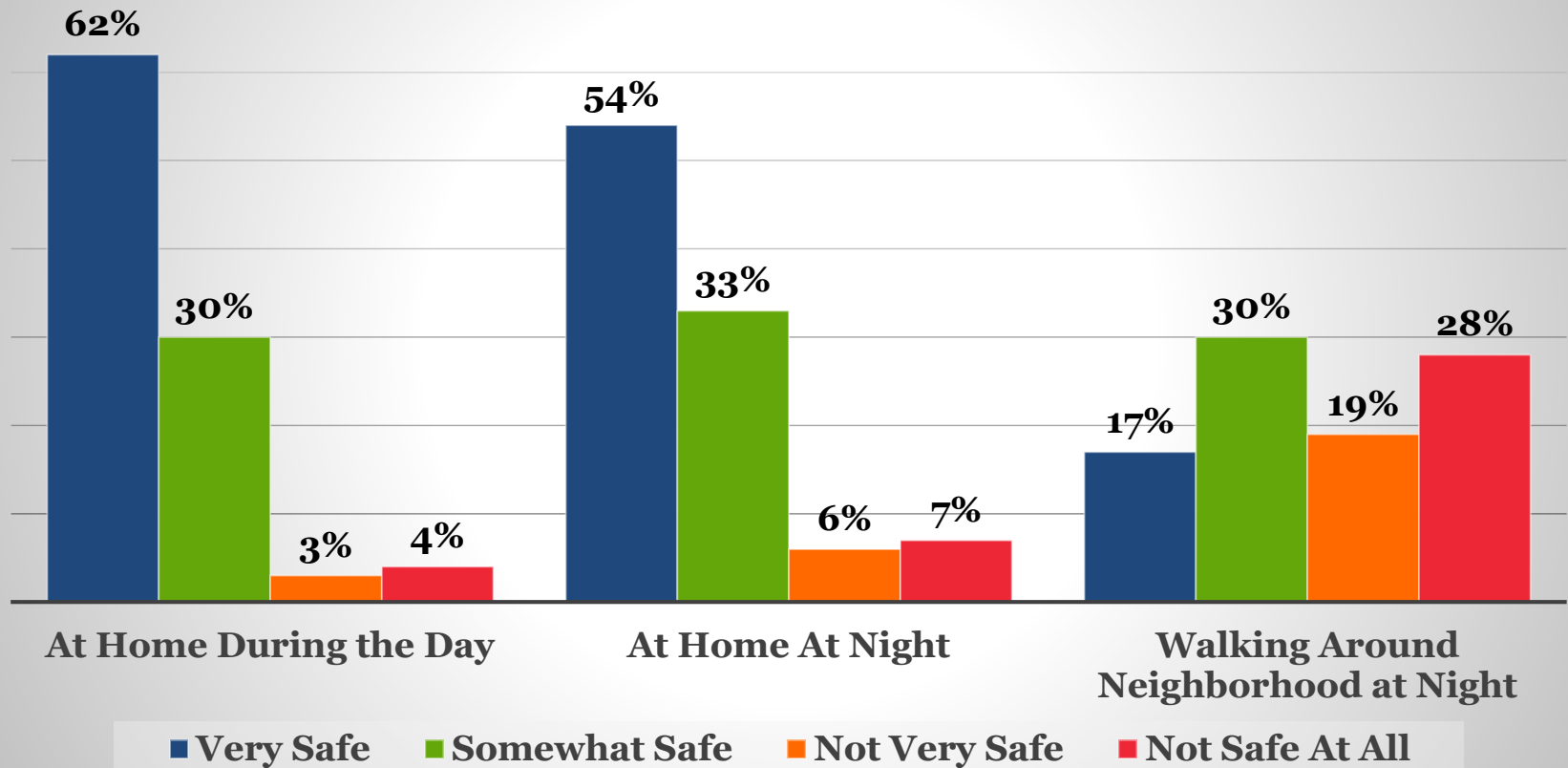


Over the last year has Newark gotten...?



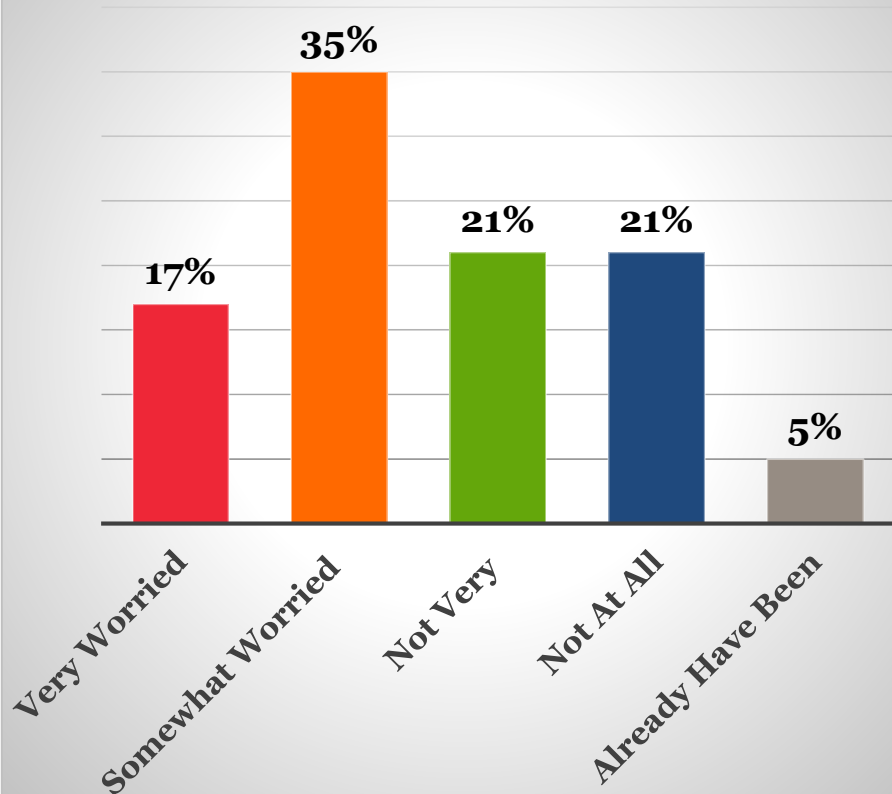
NEIGHBORHOOD SAFETY

How safe do you feel under the following circumstances?

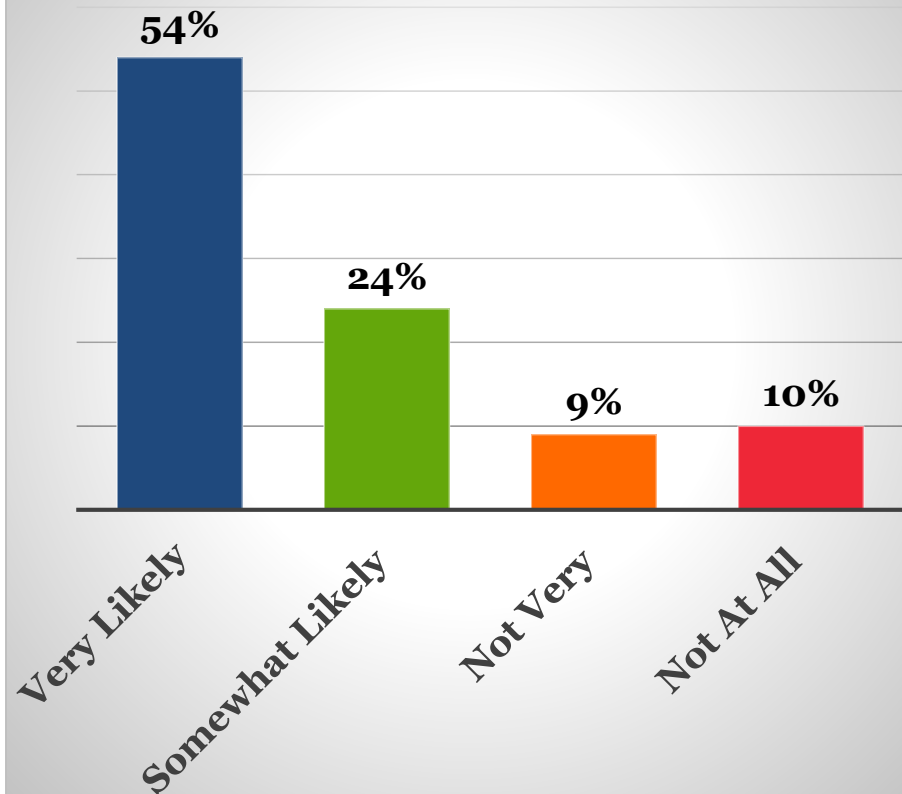


VICTIMIZATION & POLICE ASSISTANCE

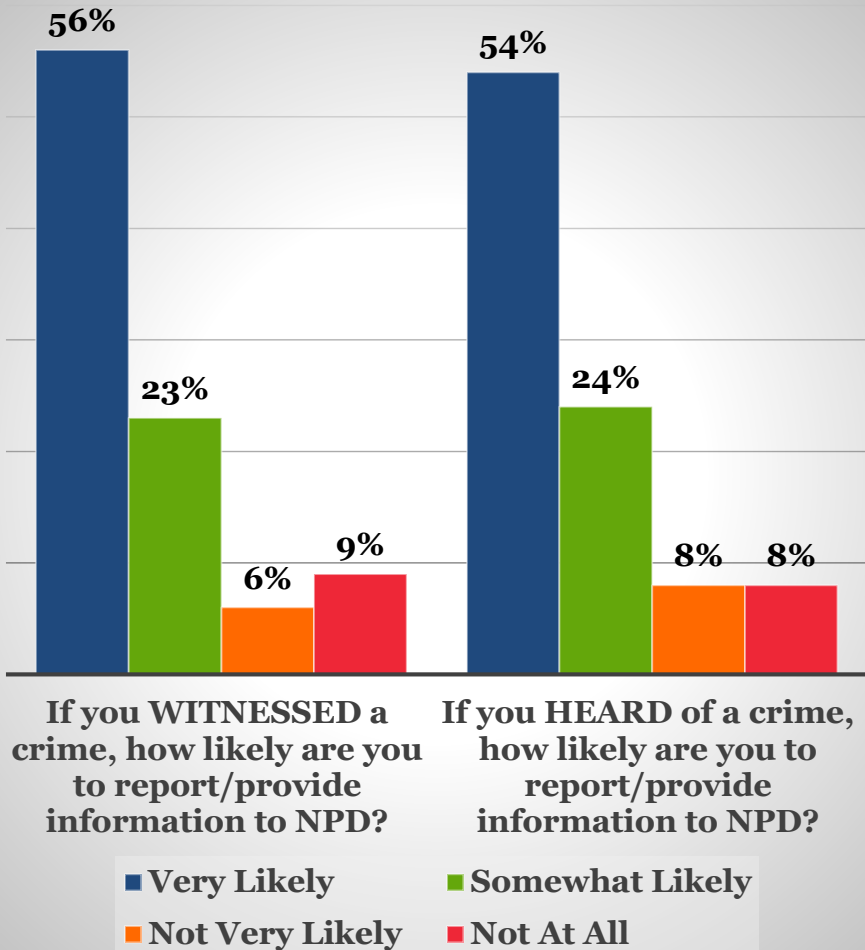
How worried are you that you will be a victim of a crime?



How likely are you to ask a Newark police officer for help?



REPORTING CRIME

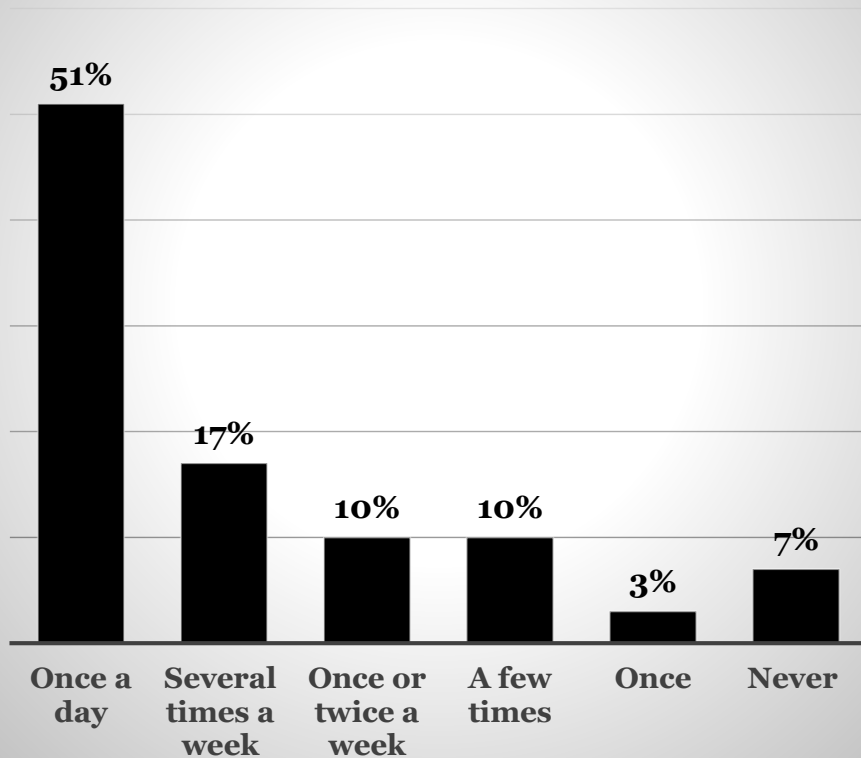


Why are you unlikely to report a crime to NPD?

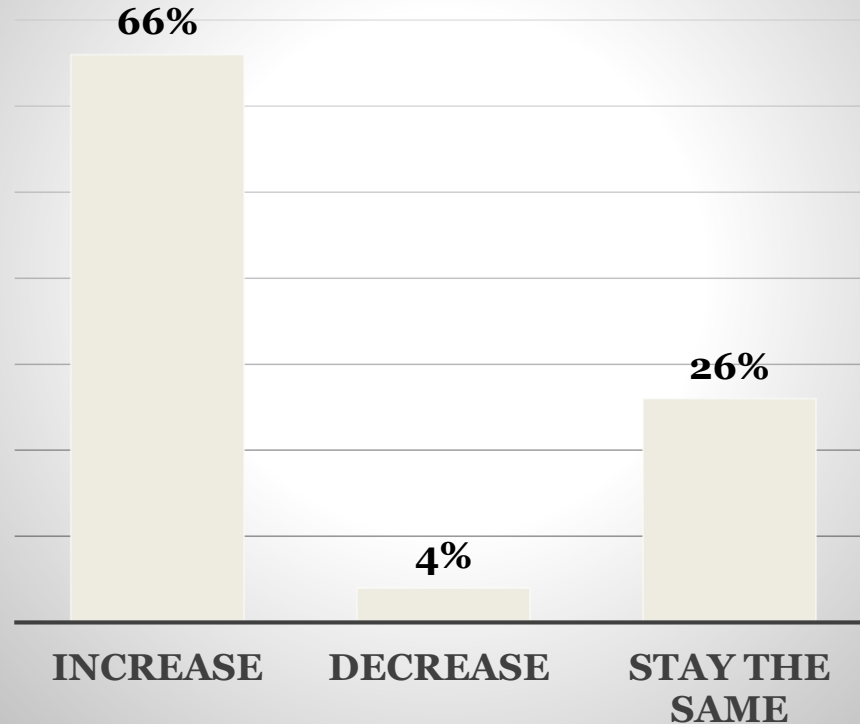
"Don't want to intrude"	27%
"Pointless/Nothing will happen"	14%
"No trust in police"	14%
"General Fear"	8%
"Depends on the crime"	8%
"Fear of retaliation from criminals"	7%
"Inconvenient/Takes too long"	5%
"Police don't keep confidential"	4%
"Bad previous experience"	3%

POLICE PATROLS

In a typical month, how often do you see NPD officers patrolling your neighborhood?



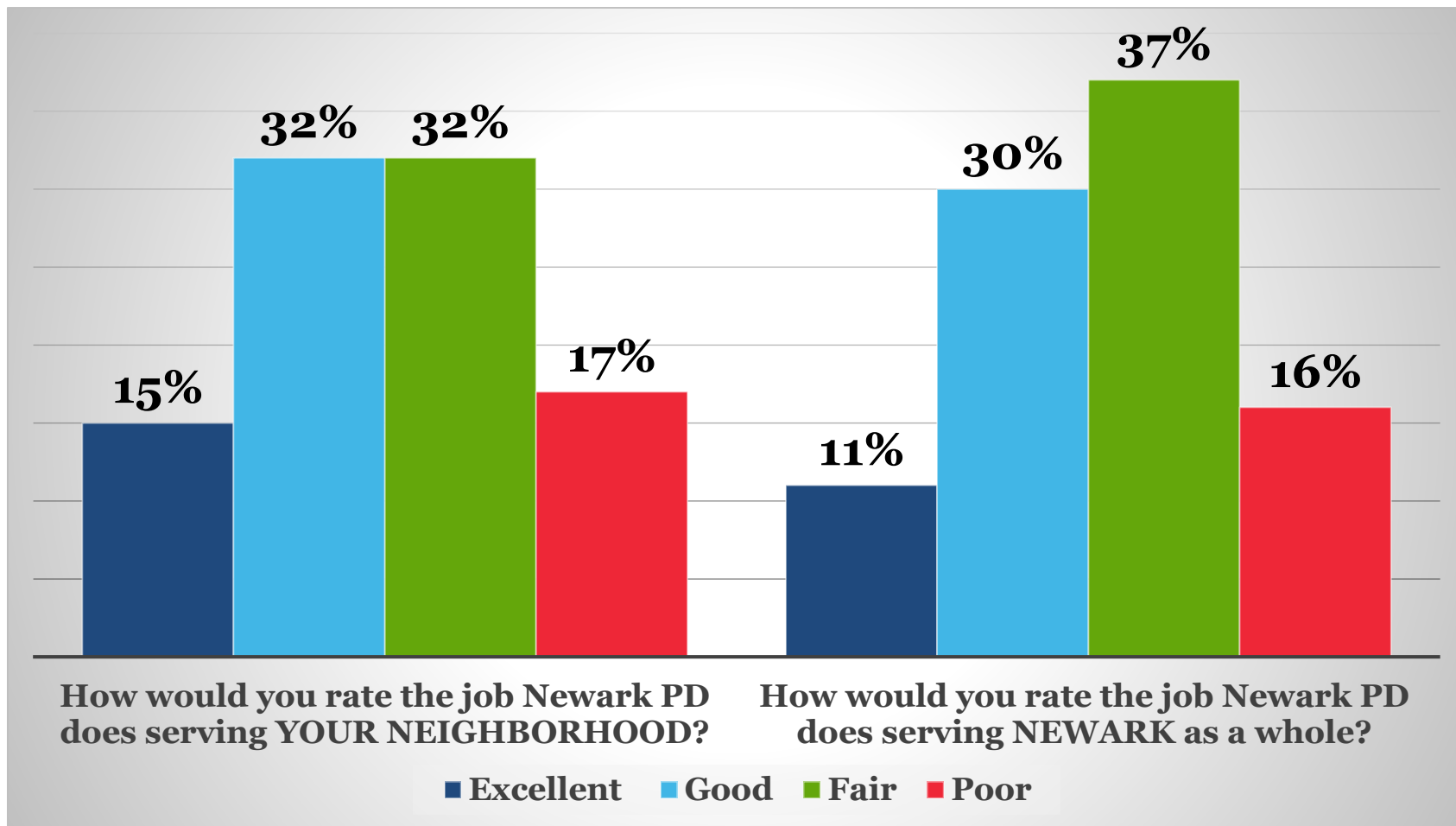
Would you like to see an increase or decrease in the number on NPD officers patrolling your neighborhood?



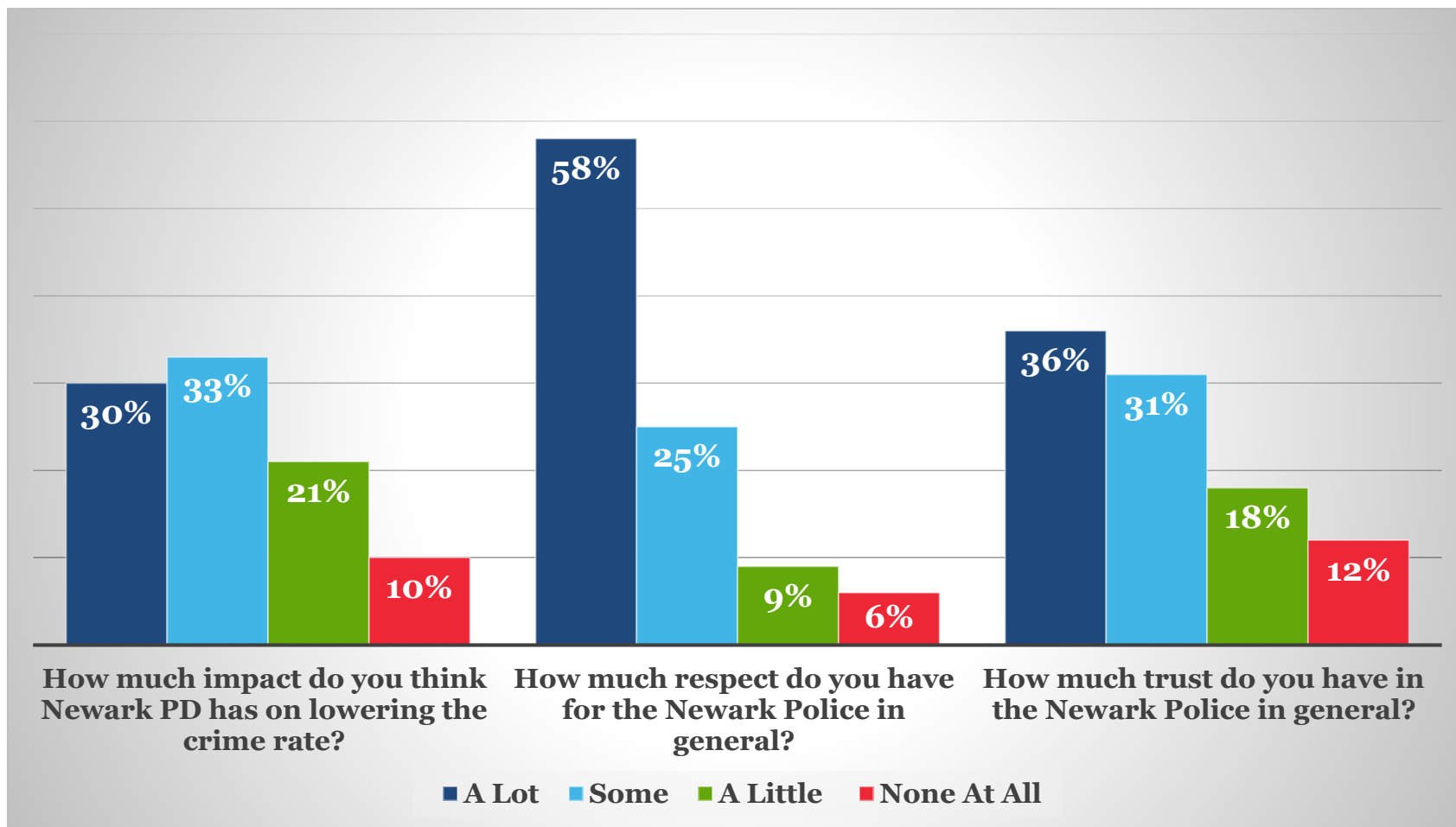
- Trust in Police
- Police Practices

COMMUNITY EXPERIENCES & PERCEPTIONS

PERCEPTIONS OF NPD

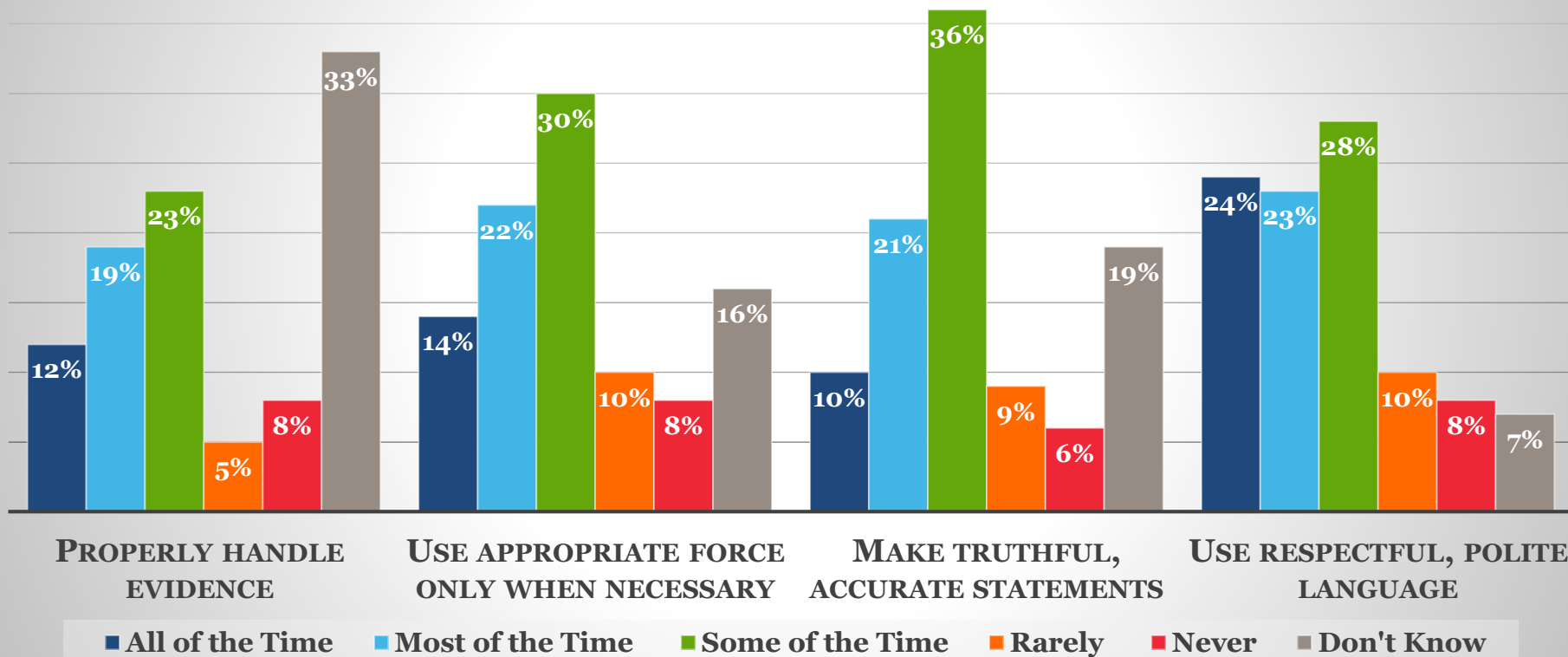


PERCEPTIONS OF NPD



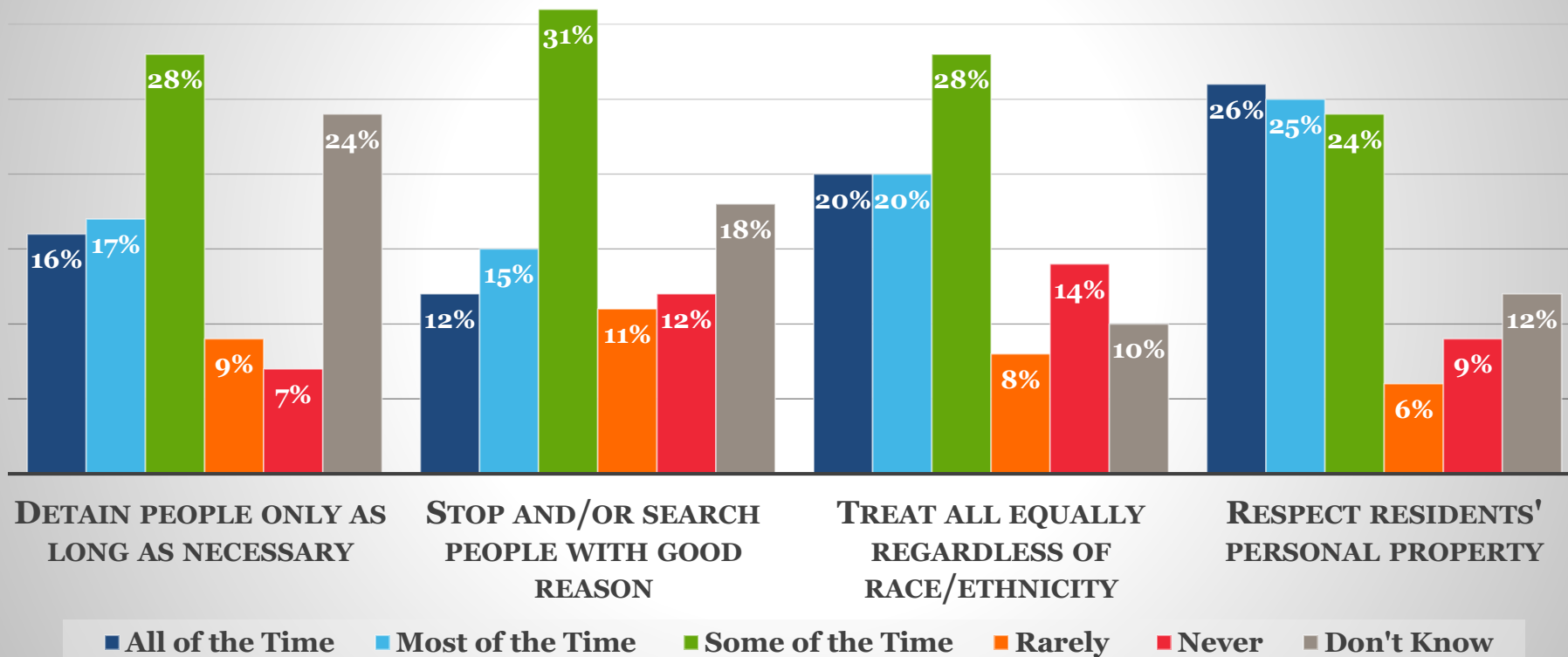
NPD PRACTICES

How often does Newark PD do the following?



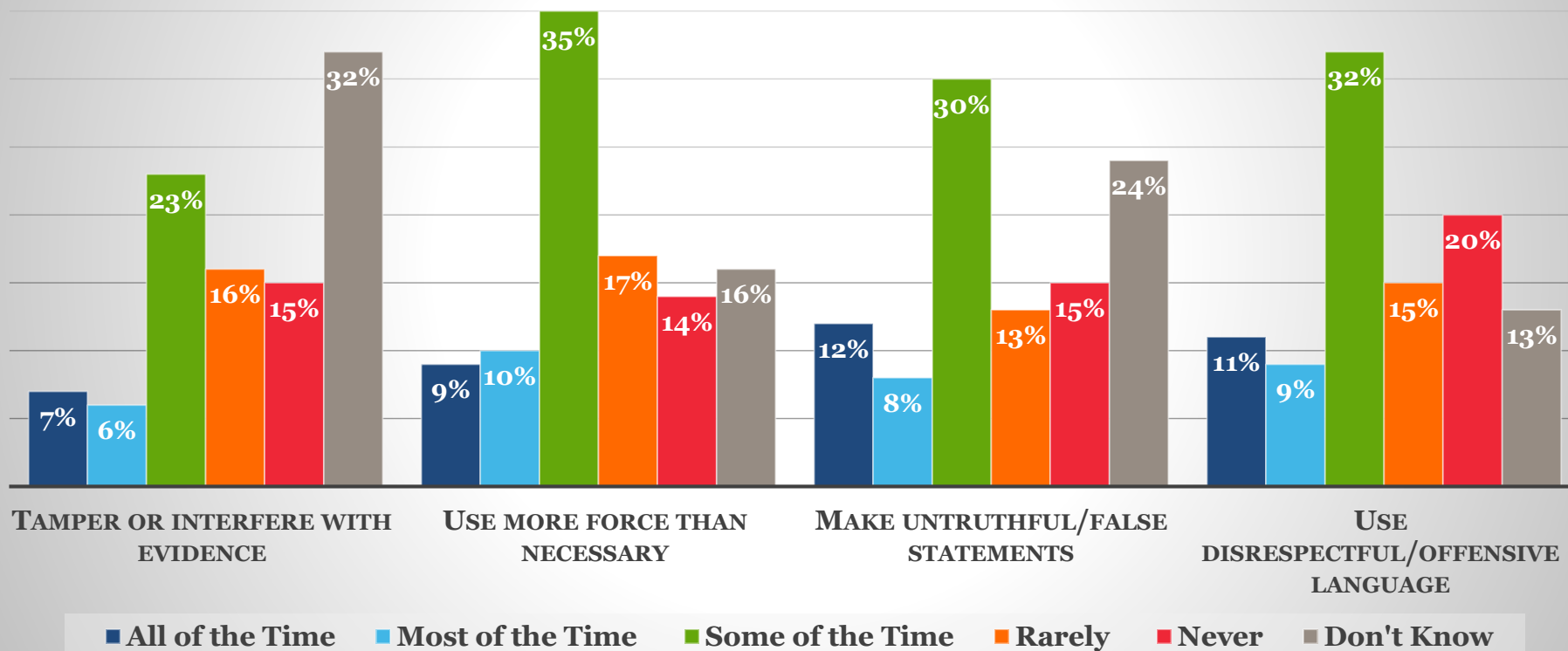
NPD PRACTICES

How often does Newark PD do the following?



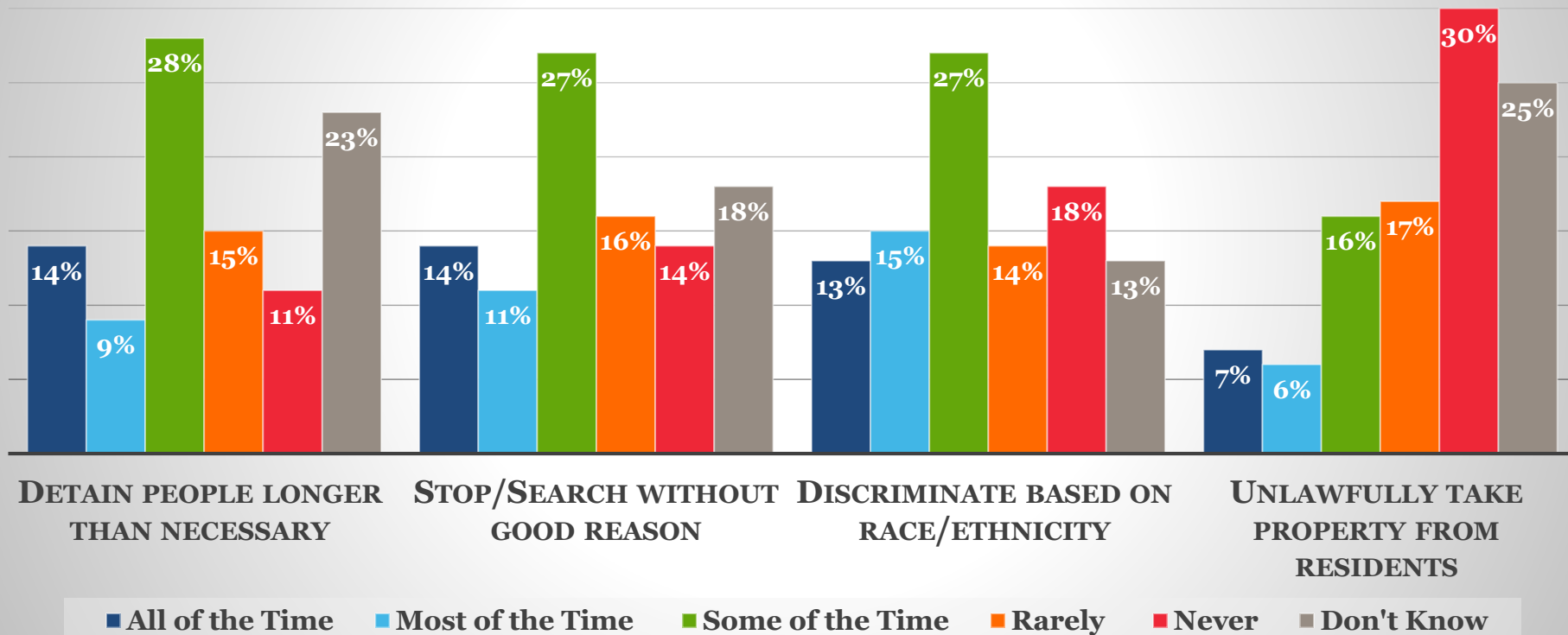
NPD PRACTICES

How often does Newark PD do the following?



NPD PRACTICES

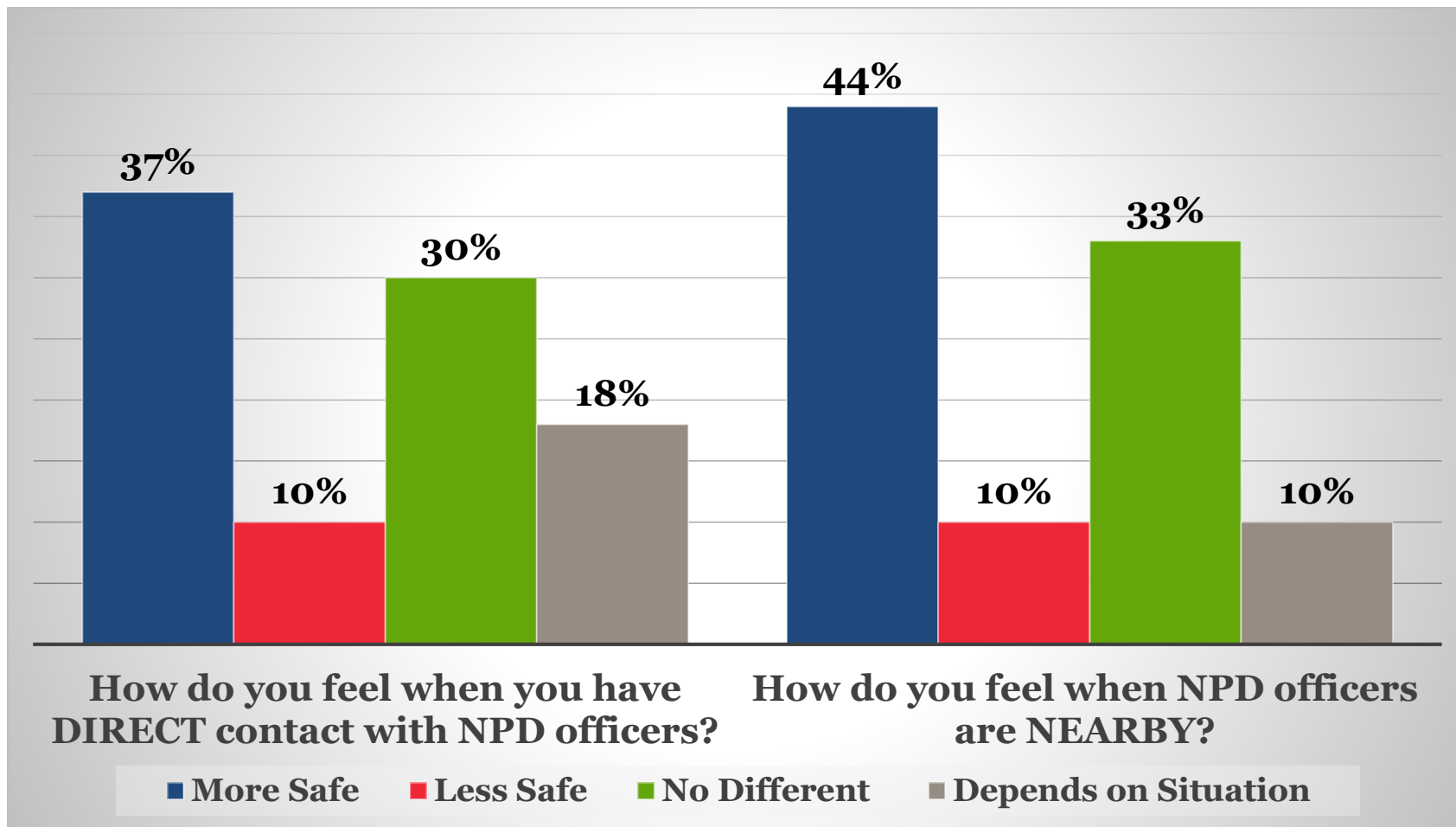
How often does Newark PD do the following?



- Feelings of Safety
- Information and Interactions
- Positive and Negative Experiences

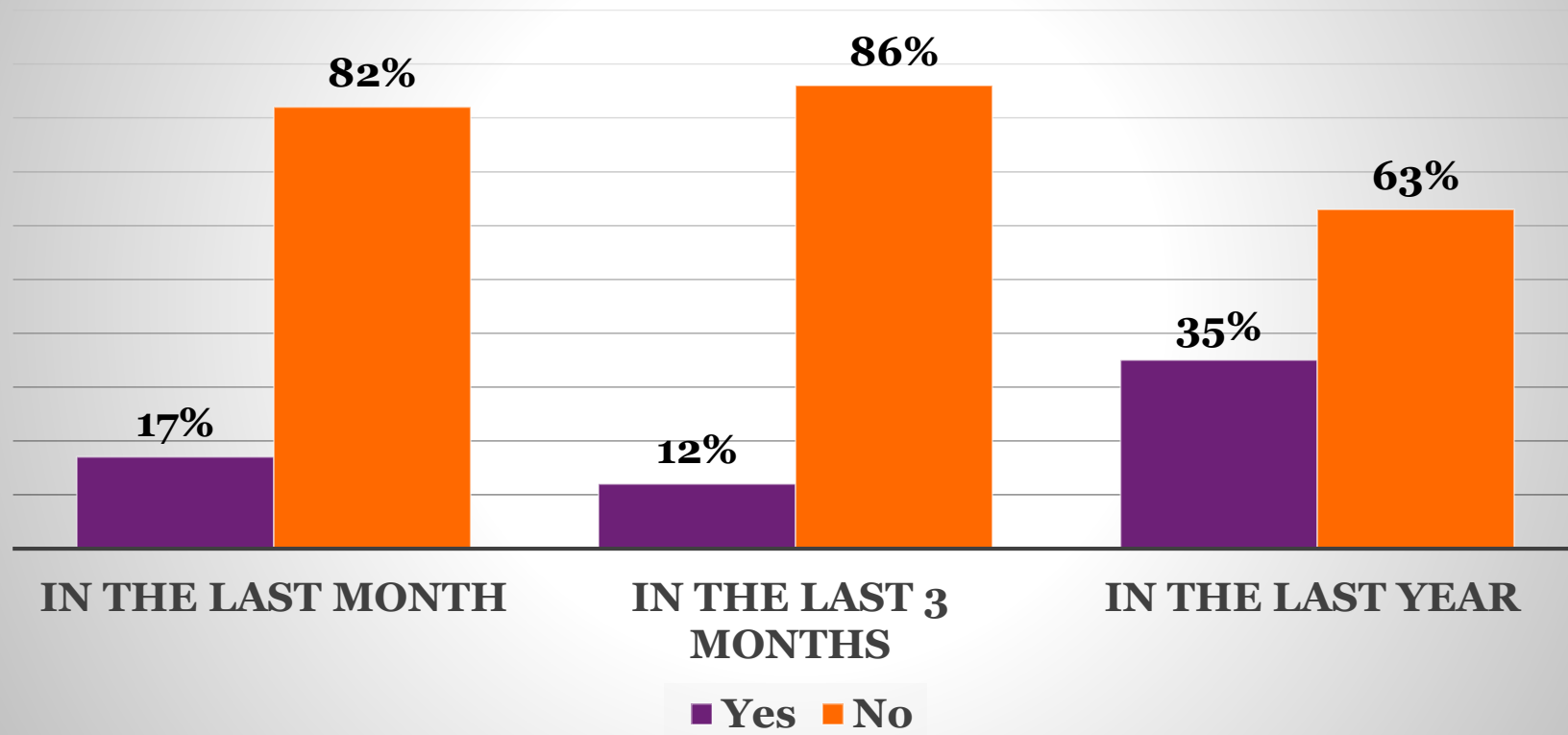
INTERACTIONS WITH NPD

PRESENCE OF NEWARK PD

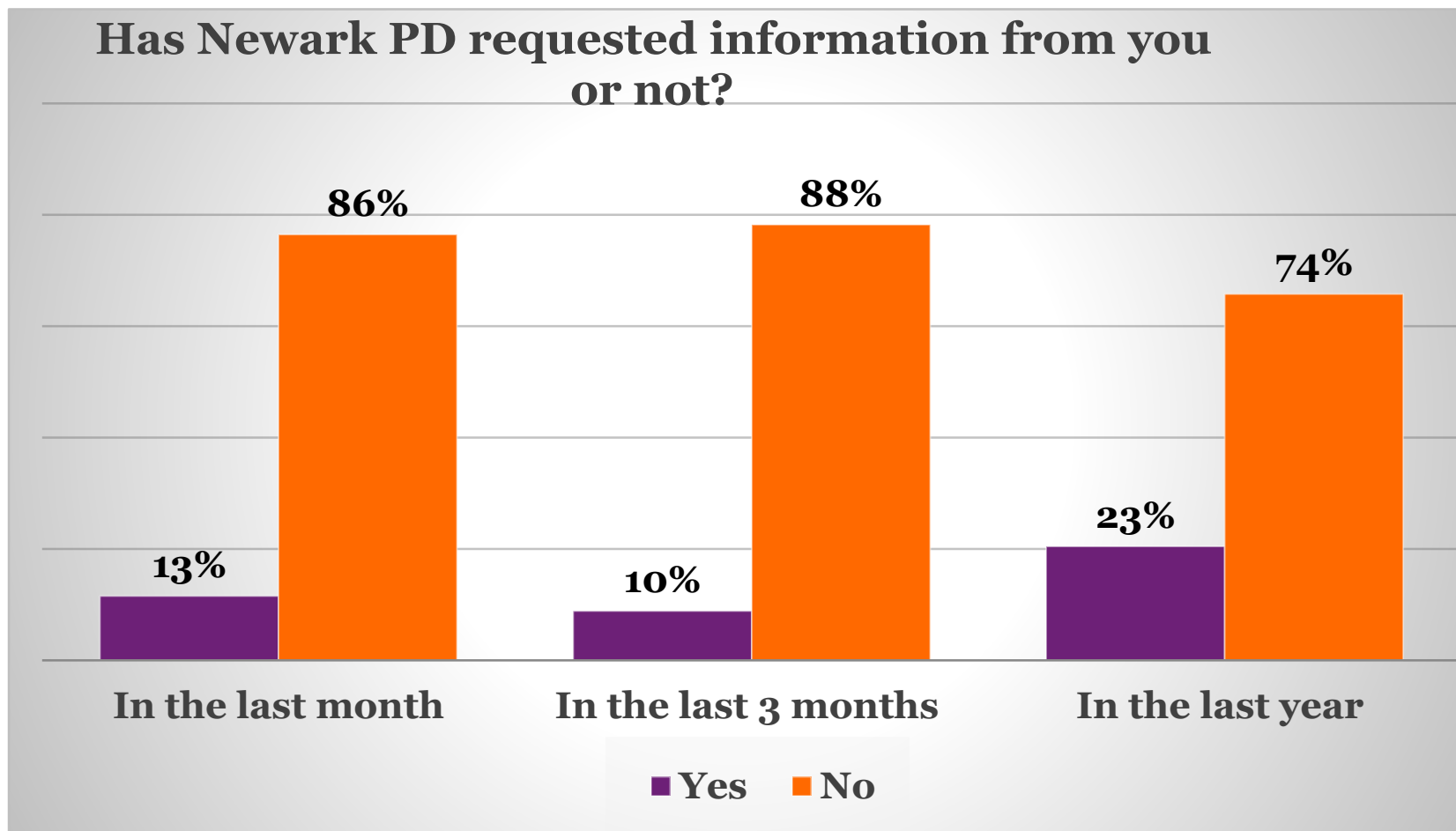


REQUESTS FOR ASSISTANCE

Have you requested assistance from Newark PD or not?



REQUESTS FOR INFORMATION



MEMORABLE NEGATIVE EXPERIENCES

“Never Had a Negative Experience”	51%
“NPD took too long to respond/did not respond at all/did not help or file report”	10%
“Traffic/car violations: pulled over, tickets, car searched/towed without cause”	9%
“Experienced/witnessed abuse, aggression, harassment by officer”	9%
“Officer was unprofessional/rude”	7%
“Falsely accused, fined, arrested and/or detained without cause”	4%
“Stopped and frisked”	1%
“Officer forced entry into home without cause”	1%
“Police treated someone differently based on race”	>1%

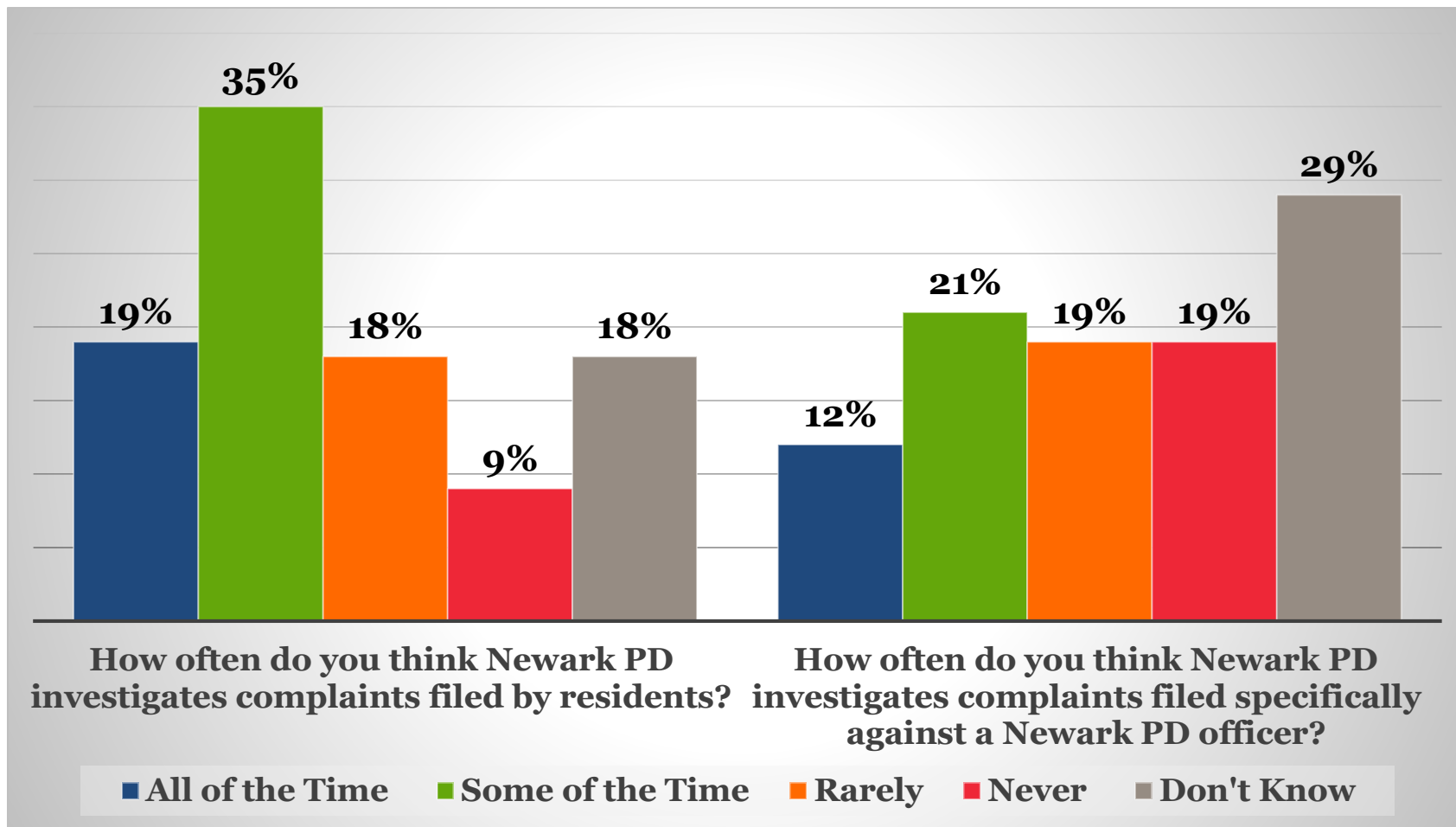
MEMORABLE POSITIVE EXPERIENCES

“Never Had a Positive Experience”	37%
“Officer was helpful, even when they didn’t need to be”	19%
“Officer was nice/polite, positive interaction”	13%
“Officers engaged with community members/kids”	5%
“Police arrived quickly when needed”	5%
“Received warning instead of ticket”	4%
“Police made me feel safe”	3%
“Knows of, related to, or works regularly with police”	2%

- Following Up on Reports
- Deciding Not to Report
- 911 Calls and Responses

COMPLAINTS & REPORTING

INVESTIGATING COMPLAINTS



FILING FORMAL COMPLAINTS

In the last 12 months, 10% or **70** respondents have had a reason to file a complaint with Newark PD.

Of those 70 respondents, 53% or **37** respondents actually followed through and filed a formal complaint.

How satisfied were those **37** respondents with the result of their complaint?

- **Very Satisfied...24%**
- **Somewhat Satisfied...34%**
- **Not Very Satisfied...14%**
- **Not Satisfied At All...32%**

Reasons why the 49 people who did not report made that decision:

They did not think it would make a difference.	25%
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Concerned there would be a backlash.	16%
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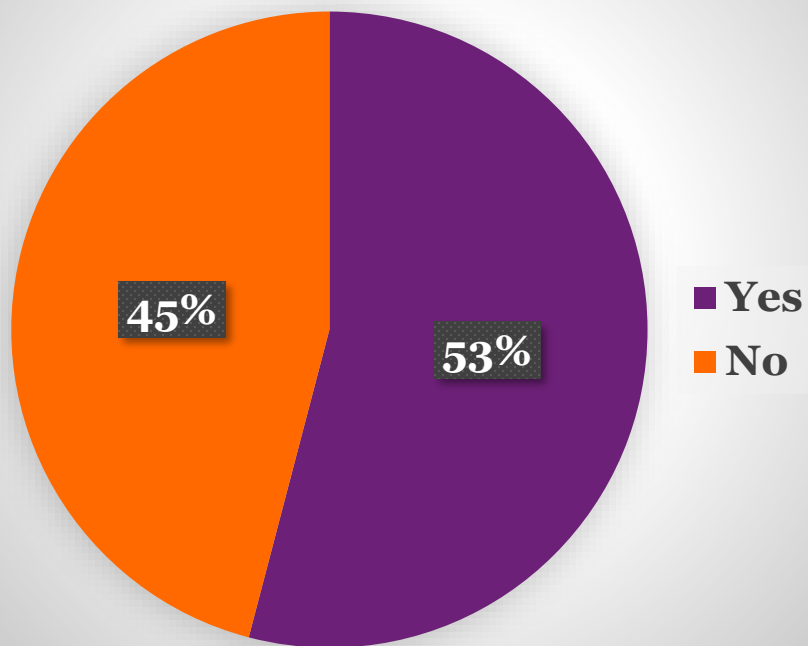
They did not know how.	9%
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It would take too much time.	9%
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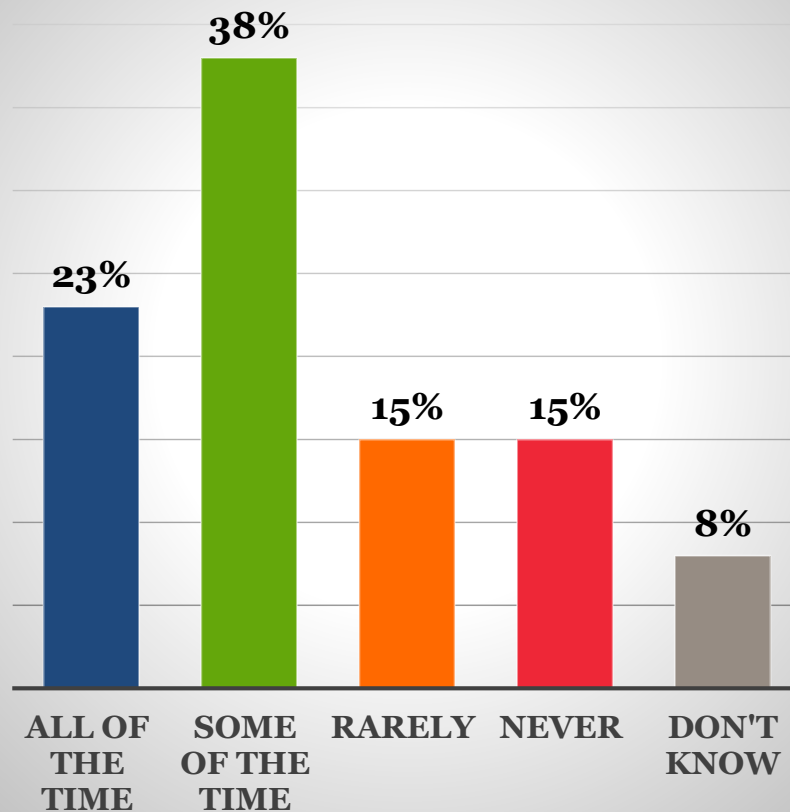
Some other reason.	38%
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911 CALLS

**Have you ever made a 911
emergency call in Newark?**



**Do Newark police respond
quickly enough to 911 calls...?**

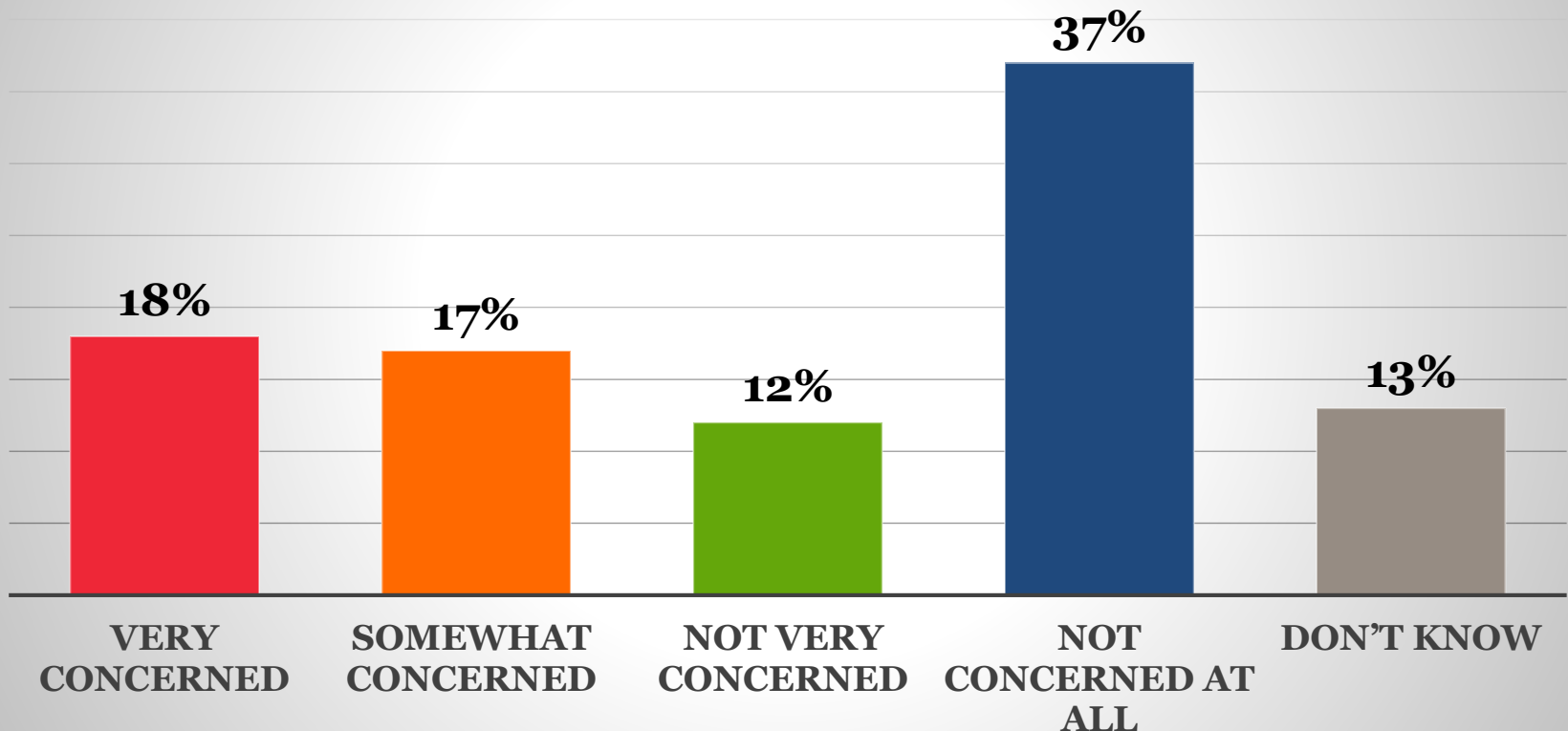


- Stops
- Searches
- Use of Force

POLICE STOPS

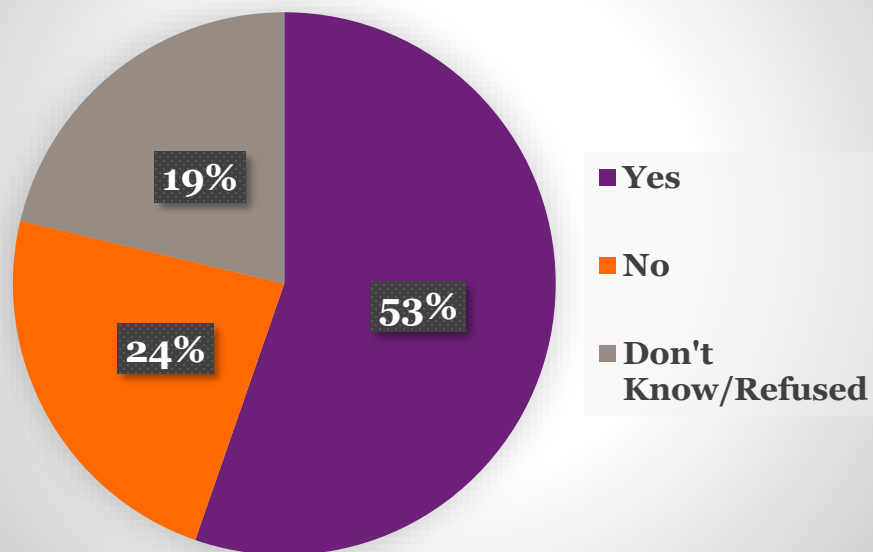
MOST RECENT POLICE STOP

How concerned for your safety were you during the most recent time you were stopped by Newark PD? (413 respondents who reported a recent stop.)

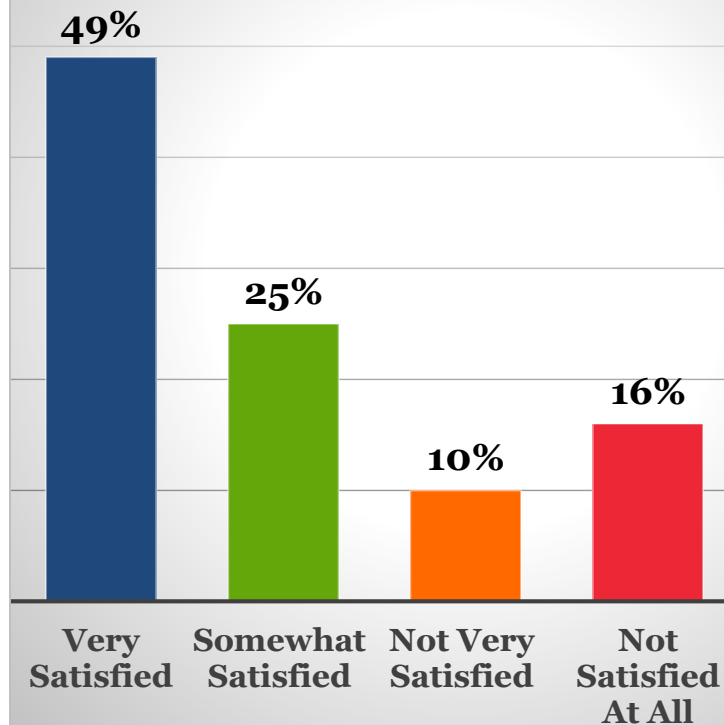


EXPLANATIONS FOR STOPS

Did the officer explain why they were stopping you?

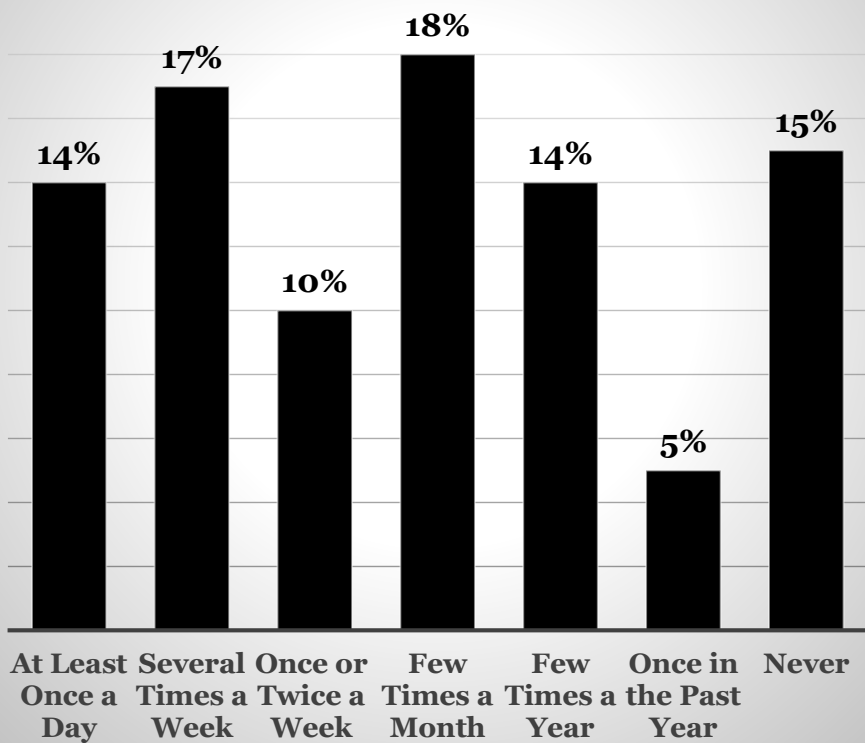


How satisfied were you with the explanatin given?

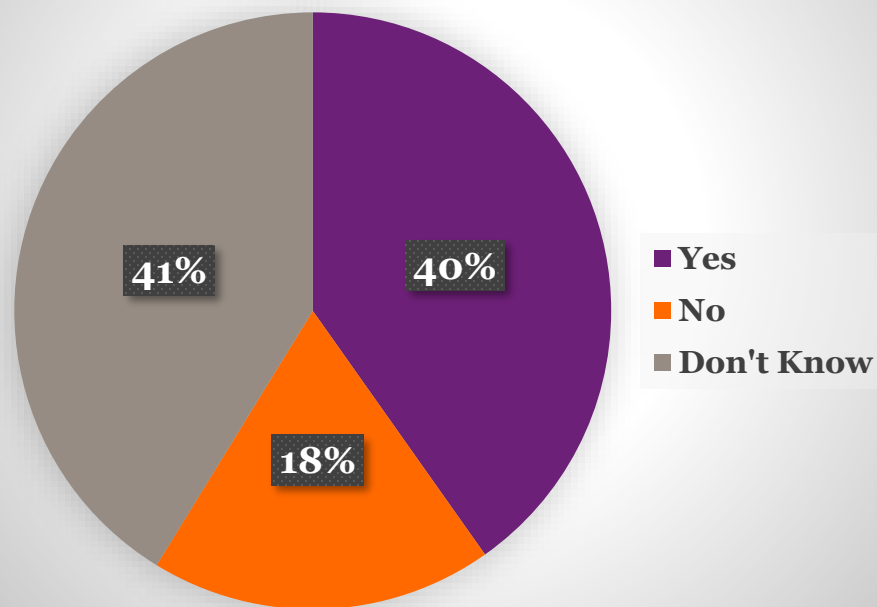


OBSERVING POLICE STOPS

How often have you seen a Newark PD officer stop someone else in the last year?

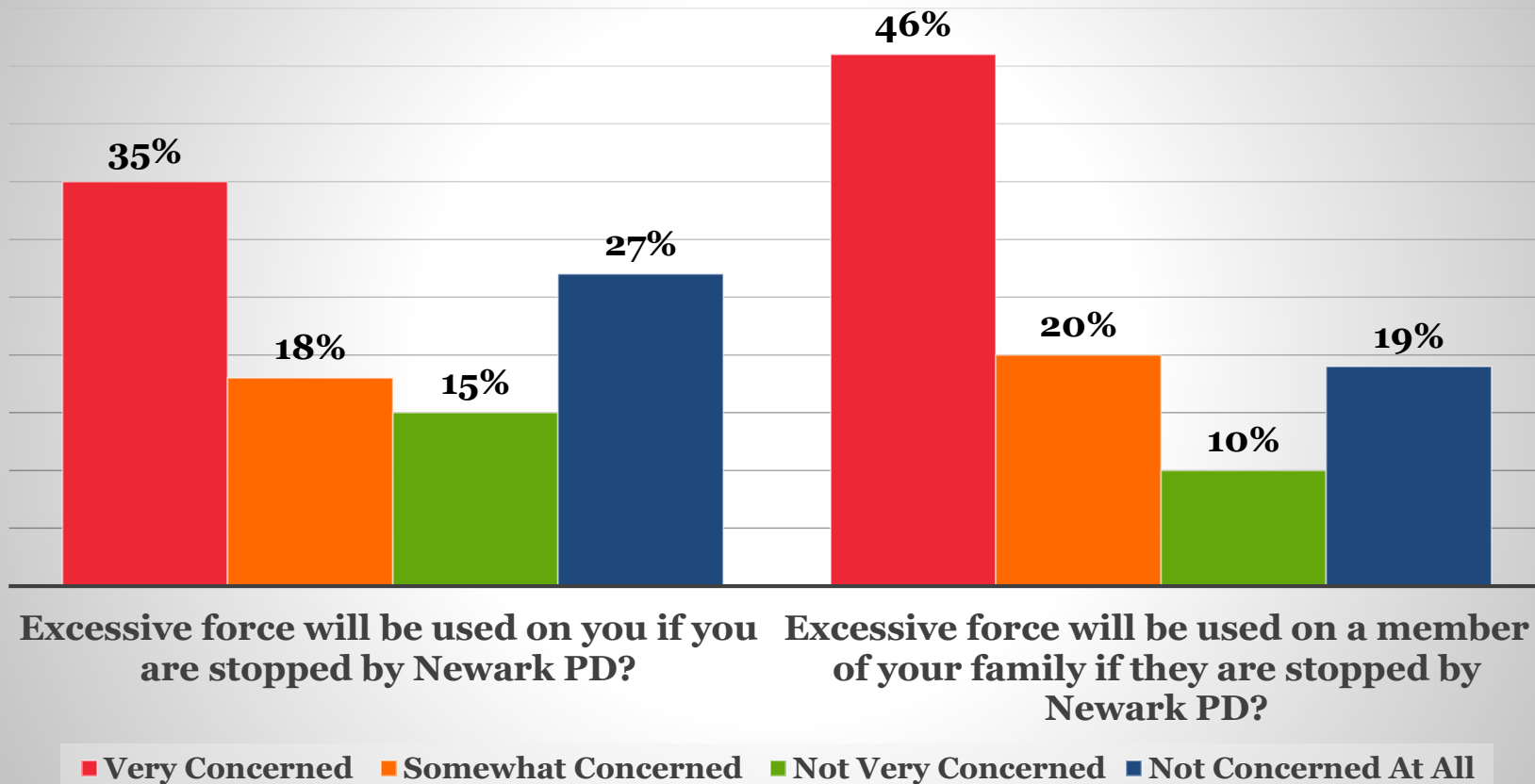


Did you feel the officer had legitimate reason to stop that person?



USE OF EXCESSIVE FORCE

How concerned are you about the following?

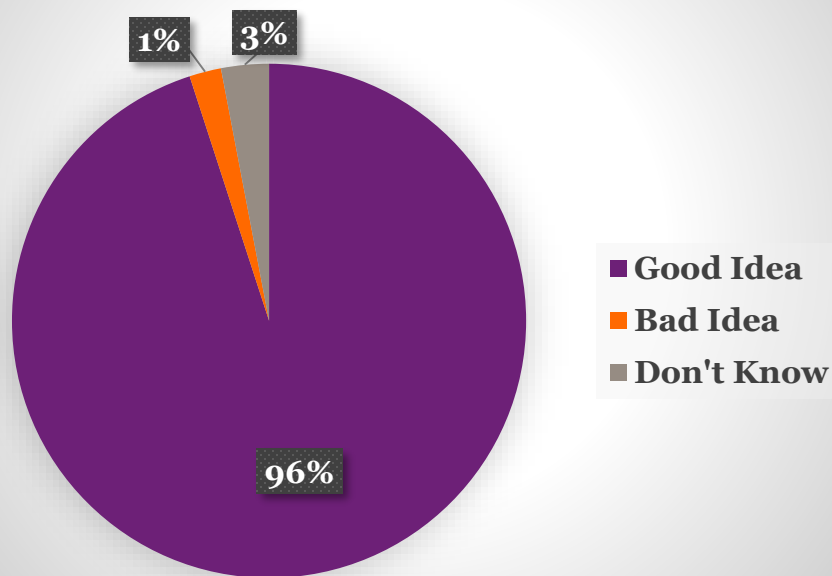


- Comfort with Body Cams
- Compliance
- Information Sharing

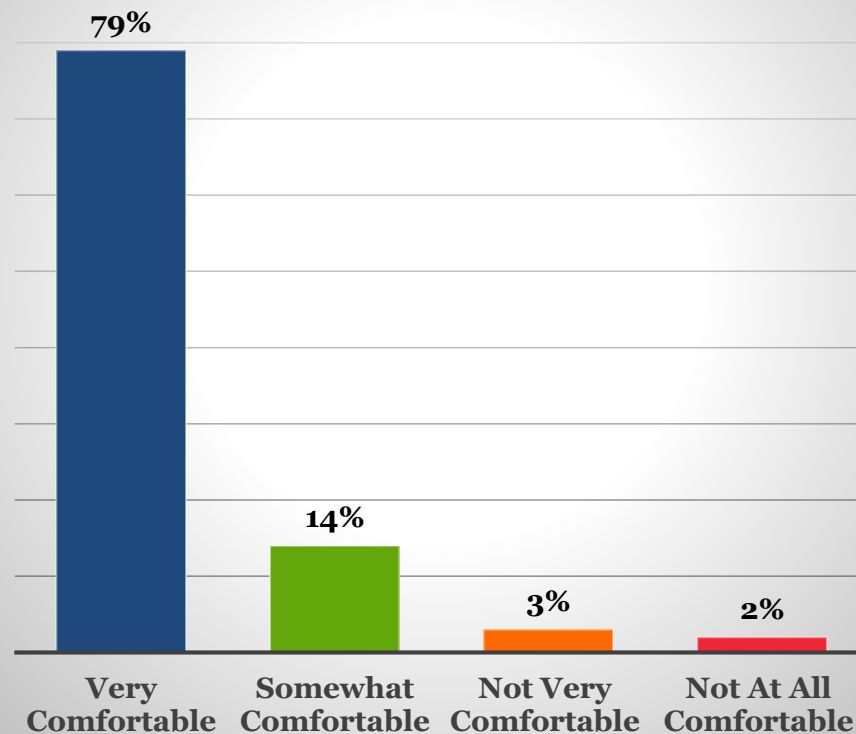
BODY CAMERAS

USE OF BODY CAMS

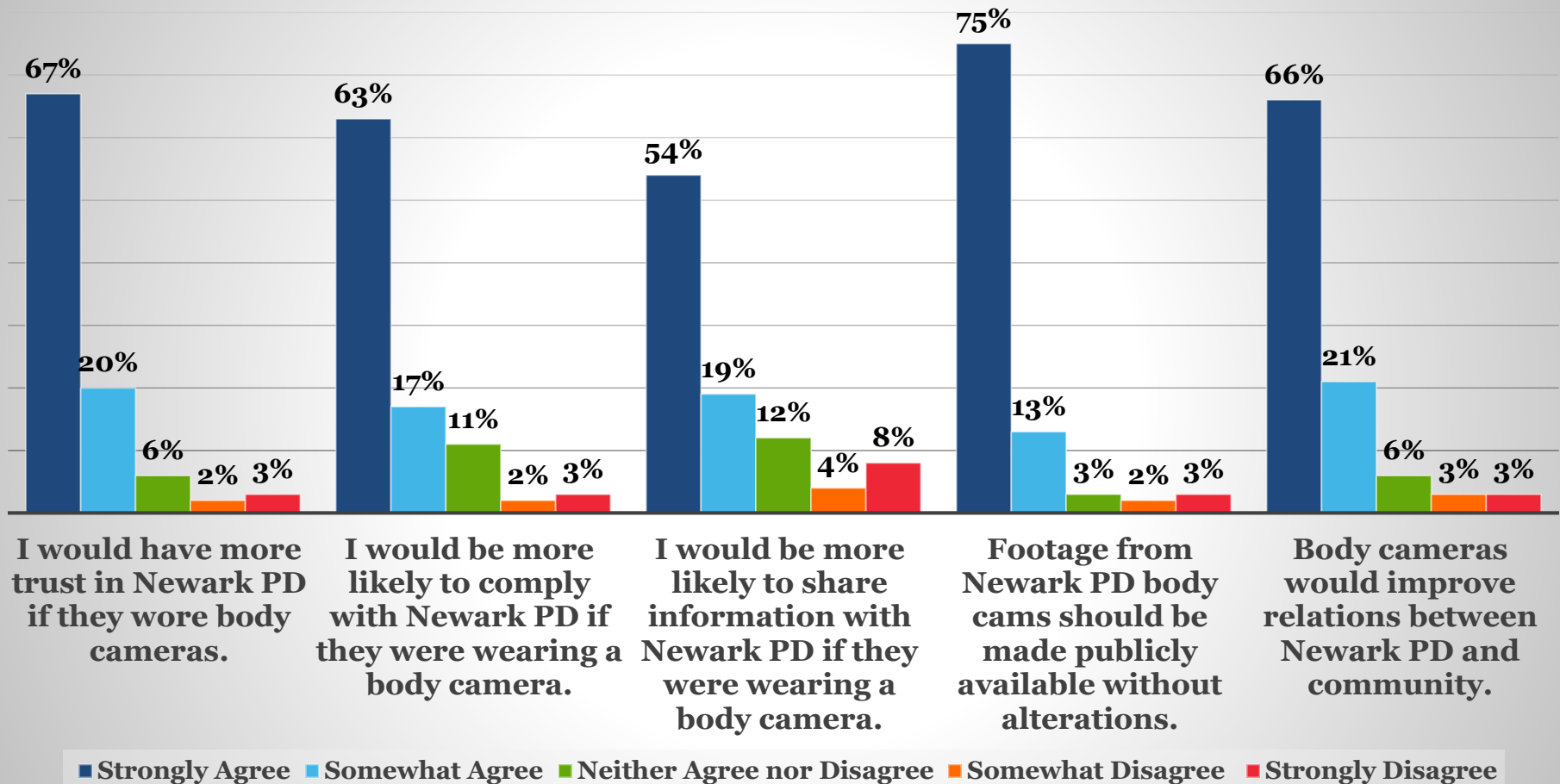
Do you think it would be a good idea or a bad idea for more Newark police officers to wear body cameras?



How comfortable are you knowing you are being filmed when communicating with officers wearing body cameras?



ISSUES RELATED TO BODY CAMS

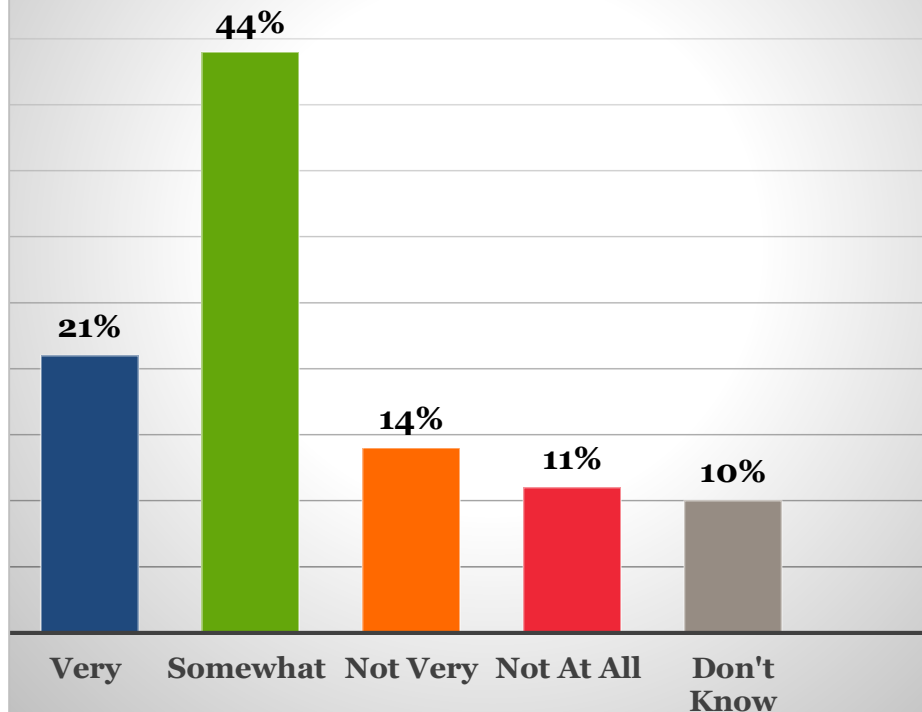


- Police Engagement
- Police Treatment of Different Demographics
- Suggestions for Improvements

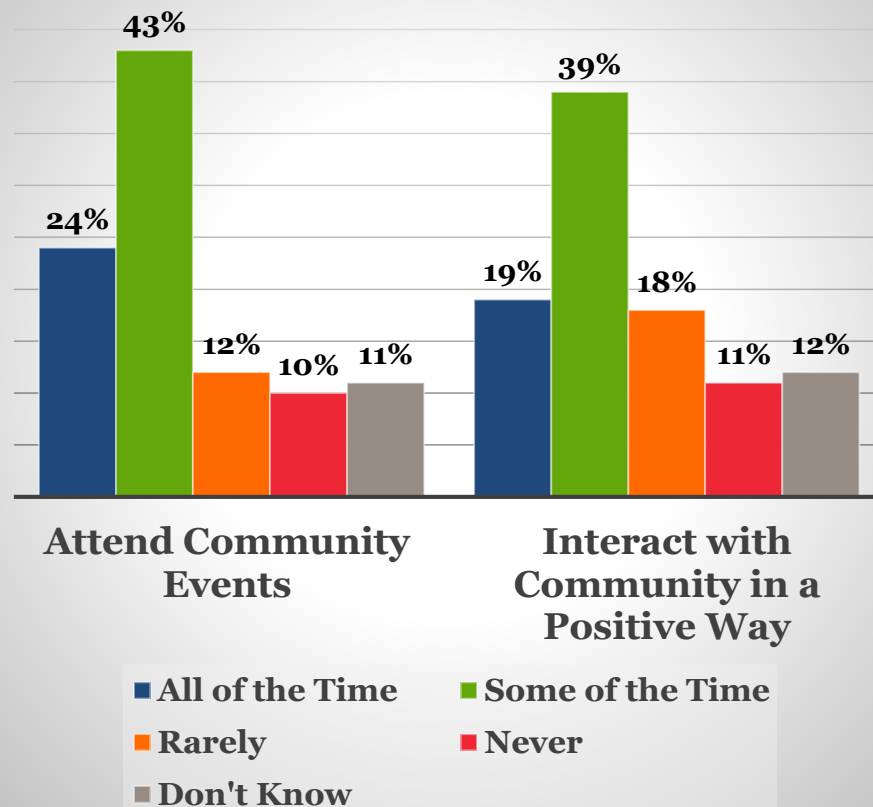
POLICE IN THE COMMUNITY

KNOWLEDGE AND ENGAGEMENT

How knowledgeable are Newark officers about the background/experiences of your community?

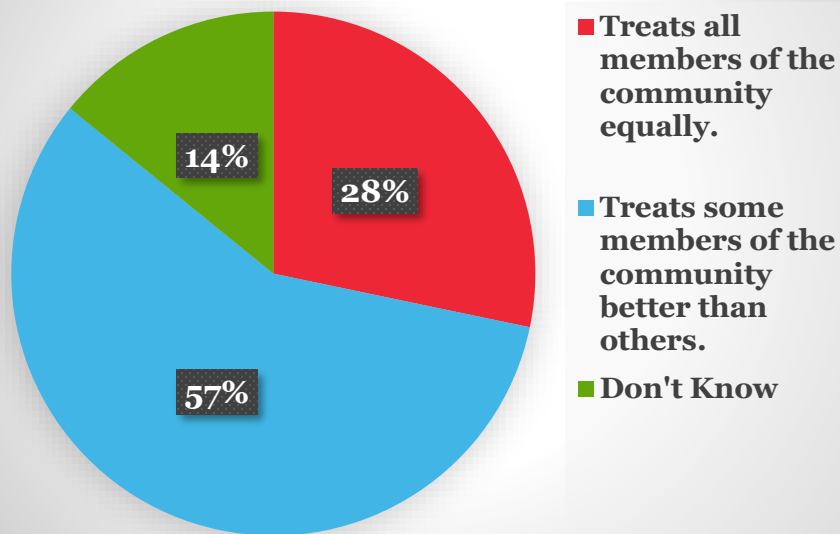


Do Newark PD officers...?

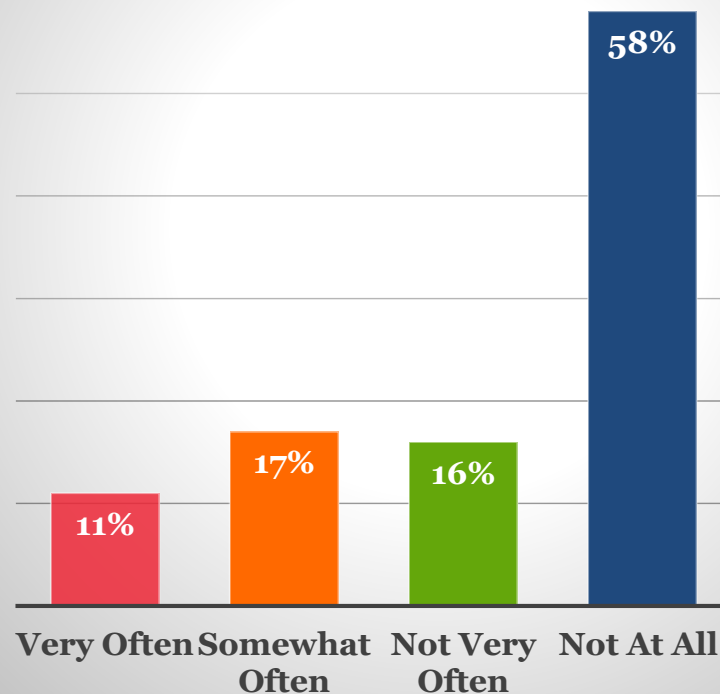


EQUAL TREATMENT

In general, do you think the Newark PD...?

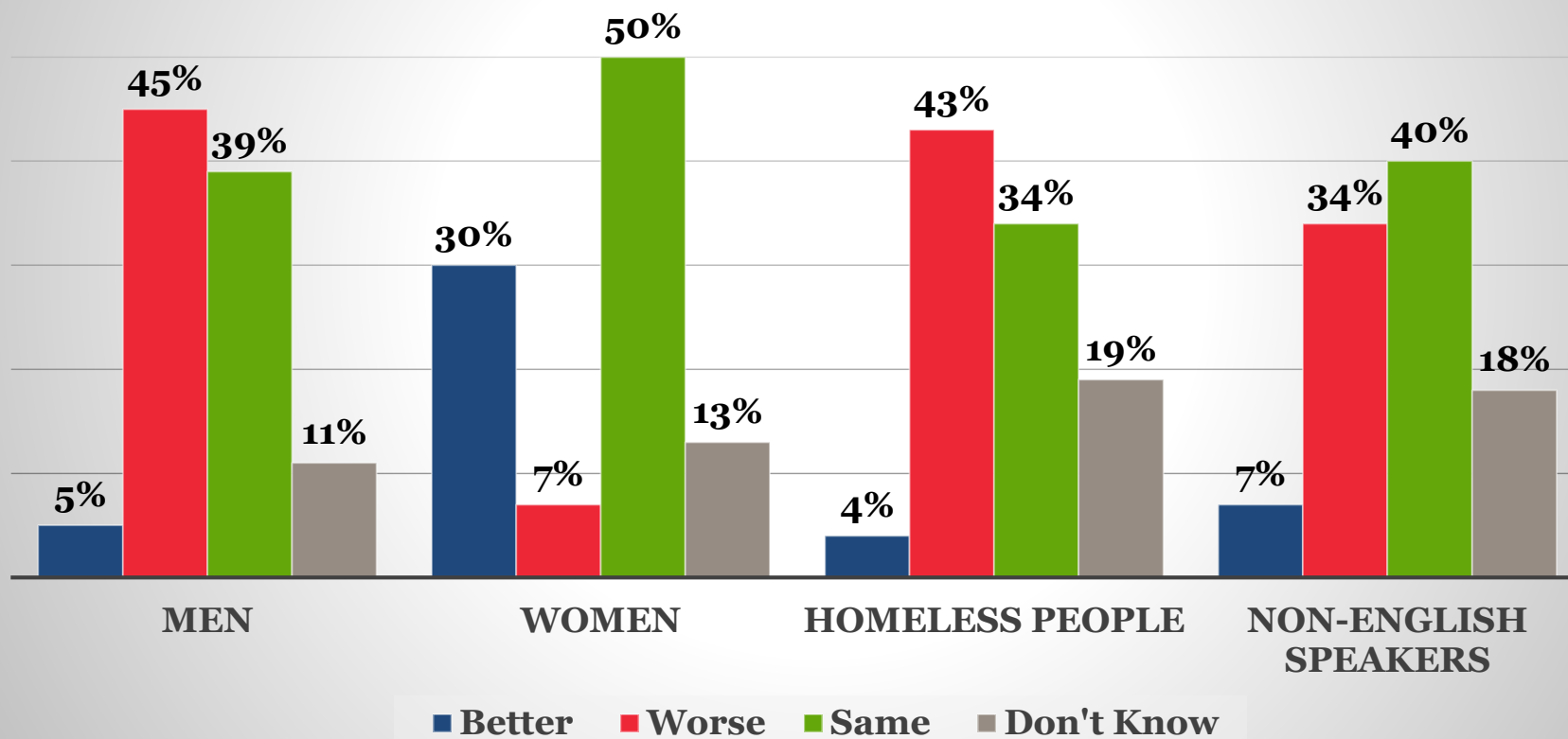


How often do you feel discriminated against by Newark PD because of who you are or how you identify?



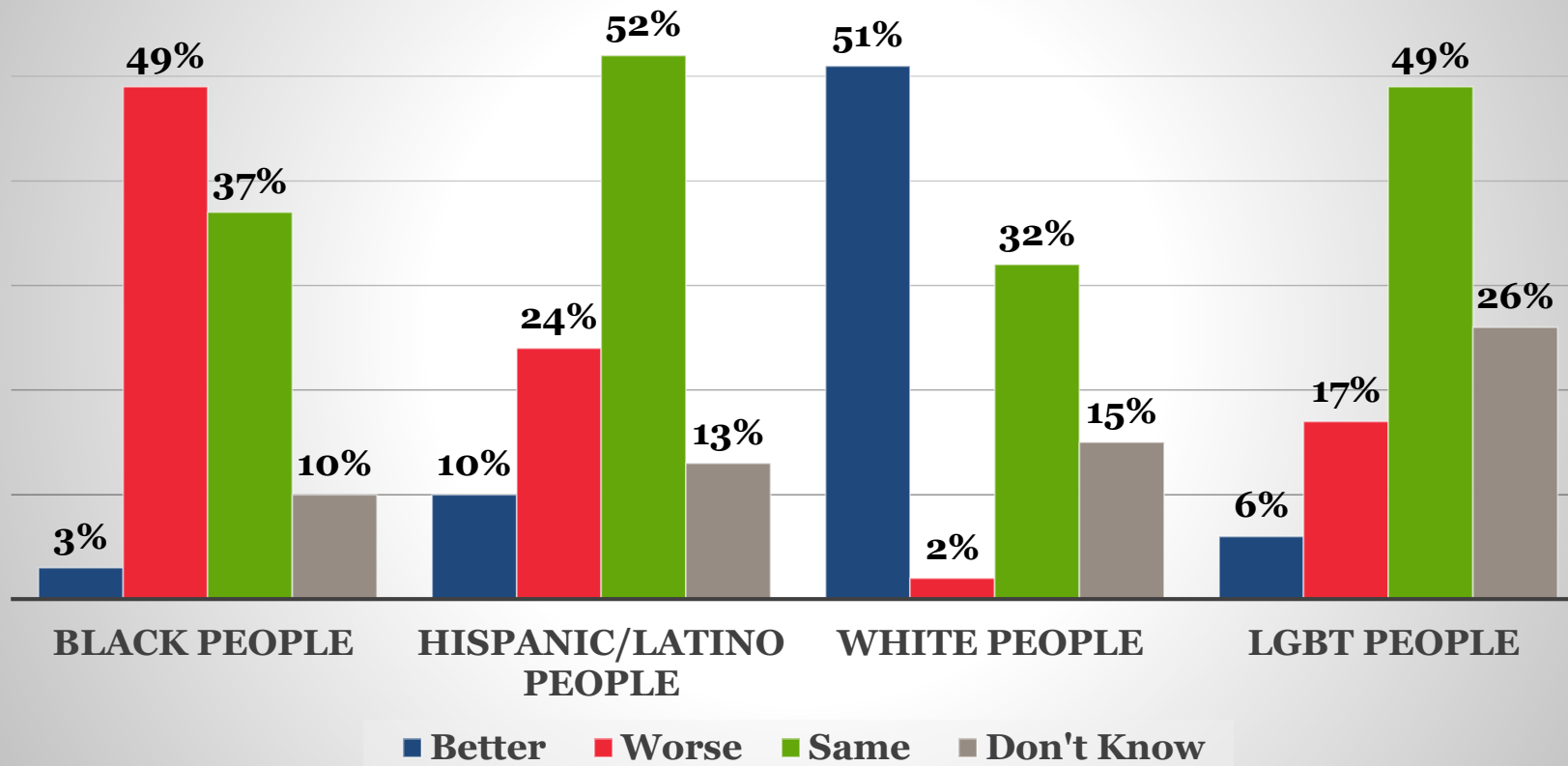
EQUAL TREATMENT

Do you think the Newark PD treats this group...?



EQUAL TREATMENT

Do you think the Newark PD treats this group...?



NEWARK PD ROLE IN THE COMMUNITY

What should the role of Newark Police officers be in the community?

“Protect and serve”	48%
“Enforce the law, investigate/prevent crime”	9%
“Be empathetic, caring, and helpful to people in the community”	8%
“Act as leaders/role models”	7%
“Community policing”	5%
“Treat everyone equally”	3%
“Be respectful”	2%
“None/Nothing (doing a good job)”	1%
“Respond quickly”	>1%

IMPROVING POLICE-COMMUNITY RELATIONS

What is the one thing Newark PD should do to improve community relations?

"More presence in the community"	15%
"More positive attitude (more respectful/friendlier/nicer)"	13%
"Positively interact with/learn about people in the community"	12%
"Better communication, listen to residents"	10%
"Nothing (doing a good job)."	4%
"Treat everyone equally, stop profiling"	4%
"Training/education"	4%
"Keep the city safe, do their job"	3%
"Improve response time"	2%
"Engage with schools/youth"	1%
"Integrity, be good people, do their job"	1%
"Wear body cameras"	>1%

- Recommendations
- A “Zoom Arc” for Newark

CONCLUSIONS & ANALYSIS

GENERAL CONCLUSIONS

- Newark emerged from a tumultuous period as an example for the rest of the nation to look at in terms of peaceful protests and proper de-escalation.
- Clear desire among residents of color for increased accountability from the NPD.
- NPD should take a more active role in encouraging residents of color to voice their concerns and participate in discussions to work towards equitable progress.

MAJOR RECOMMENDATIONS

- Continue positive momentum built from the proper handling of BLM protests and listen to the concerns of residents.
- Host conversations between the NPD and prominent Black figures of the community via Zoom to open a dialogue for all residents.
- Bolster Zoom discussions with a direct mail campaign to spread awareness about NPD conduct policies.



CONTACT SUPRC

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 - 617-557-2096

2020 NEWARK COMMUNITY PROBABILITY QUESTIONNAIRE

Ward:

(N=693)	n %	
Central	135	19.30
East	126	18.00
North	132	18.90
South	135	19.30
West	165	23.60

Age Code:

(N=700)	n %	
18-24 Years	101	14.40
25-34 Years	158	22.60
35-44 Years	141	20.10
45-64 Years	206	29.40
65+	76	10.90
Refused	18	2.60

QD12. – Gender (By Observation):

(N=700)	n %	
Male	336	48.00
Female	364	52.00

B1 – Let's talk about daily life in Newark.

B1. Were you born in Newark?

(N=700)	n %	
Yes	298	42.60
No	401	57.30
Refused	1	0.10

Q1. How long have you lived in Newark?

(N=682)	n %	
1-10 years	152	22.30
11-20 years	126	18.50
21-40 years	131	19.20
41+ years	88	12.90
Entire Life	185	27.10

Q2. How would you rate Newark as a place to live? Excellent, good, fair, or poor?

(N=700)	n %	
Excellent	60	8.60
Good	226	32.30
Fair	319	45.60
Poor	89	12.70
Don't know	5	0.70
Refused	1	0.10

Q3. Thinking back over the last year, would you say Newark has gotten better as a place to live, gotten worse, or there hasn't been much change?

(N=700)	n %	
Better	323	46.10
Worse	76	10.90
Hasn't been much change	284	40.60
Don't know	16	2.30
Refused	1	0.10

NEIGHBORHOOD SAFETY

QSA1. Please tell me if you feel very safe, somewhat safe, not very safe, or not safe at all in each of the following circumstances: - SA1. In your home during the day

(N=700)	n %	
Very safe	477	68.10
Somewhat safe	184	26.30
Not very safe	26	3.70
Not safe at all	12	1.70
Don't know	1	0.10

QSA2. Please tell me if you feel very safe, somewhat safe, not very safe, or not at all safe in each of the following circumstances: - SA2. In your home at night

(N=700)	n %	
Very safe	393	56.10
Somewhat safe	226	32.30
Not very safe	46	6.60
Not safe at all	35	5.50

QSA3. Please tell me if you feel very safe, somewhat safe, not very safe, or not at all safe in each of the following circumstances: - SA3. Walking around your neighborhood during the day

(N=700)	n %	
Very safe	292	41.70
Somewhat safe	304	43.40
Not very safe	50	7.10
Not safe at all	46	6.60
Don't know	8	1.10

QSA4. Please tell me if you feel very safe, somewhat safe, not very safe, or not at all safe in each of the following circumstances: - SA4. Walking around your neighborhood at night

(N=700)	n %	
Very safe	110	15.70
Somewhat safe	245	35.00
Not very safe	127	18.10
Not safe at all	184	26.30
Don't know	32	4.60
Refused	2	0.30

Q6. How worried are you that you will be a victim of a crime?

(N=700)	n %	
Very worried	119	17.00
Somewhat worried	247	35.30
Not very worried	144	20.60
Not at all worried	145	20.70
Already been a victim of a crime	37	5.30
Don't know	8	1.10

Q7A. If you were in need of assistance, how likely would you be to ask a Newark police officer for help?

(N=700)	n %	
Very likely	380	54.30
Somewhat likely	166	23.70
Not very likely	65	9.30
Not likely at all	72	10.30
Don't know	17	2.40

Q8A. If you witnessed a crime that took place, how likely would you be to report it or to provide information to the Newark Police?

(N=355)	n %	
Very likely	198	55.80
Somewhat likely	82	23.10
Not very likely	20	5.60
Not likely at all	31	8.70
I heard a crime and reported it	8	2.30
I heard a crime and DID NOT report it	1	0.30
Don't know	14	3.90
Refused	1	0.30

Q8B. If you heard about a crime that took place, how likely would you be to report it or to provide information to the Newark Police?

(N=345)	n %	
Very likely	186	53.90
Somewhat likely	84	24.30
Not very likely	26	7.50
Not likely at all	28	8.10
I witnessed a crime	2	0.60
I heard a crime and reported it	5	1.40
I heard a crime and DID NOT report it	2	0.60
Don't know	12	3.50

Q8X. In just a few words, WHY would you NOT be likely to report a crime to the Newark Police?

(N=105)	n %	
Pointless/nothing will happen	15	14.40
Do not want to intrude in others' business	28	26.90
General fear	8	7.70
No trust in police	14	13.50
Fear of retaliation from criminals	7	6.70
Inconvenient/takes too long	5	4.80
Bad previous experience	3	2.90
Police do not keep reports confidential	5	4.80
Depends on the crime	8	7.70
Police are rude	3	2.90
Other	5	4.80
Don't know	3	2.90

Q9. In a typical month, how often do you see Newark Police officers on foot or in a car patrolling in your neighborhood?

(N=700)	n %	
At least once a day	358	51.10
Several times a week	119	17.00
Once or twice a week	73	10.40
A few times	69	9.90
Once	22	3.10
Never	49	7.00
Don't know	9	1.30
Refused	1	0.10

Q10. Would you like to see an increase or a decrease in the number of Newark Police officers on foot or in a car patrolling in your neighborhood, or would you like to see the number of officers stay the same?

(N=700)	n %	
Increase	465	66.40
Decrease	25	3.60
Stay the same	184	26.30
Don't know	24	3.40
Refused	2	0.30

COMMUNITY EXPERIENCES AND PERCEPTIONS OF POLICE

Q4A. Thinking about the area where you live, how would you rate the job the Newark Police are doing serving people in your neighborhood?

(N=700)	n %	
Excellent	103	14.70
Good	220	31.40
Fair	225	32.10
Poor	117	16.70
Don't know	33	4.70
Refused	2	0.30

Q4B. And thinking about the City of Newark as a whole, how would you rate the job the Newark Police are doing serving all the people of Newark?

(N=700)	n %	
Excellent	77	11.00
Good	208	29.70
Fair	256	36.60
Poor	113	16.10
Don't know	44	6.30
Refused	2	0.30

Q22. How much impact do you think the Newark Police have on lowering the city's crime rate?

(N=700)	n %	
A lot	209	29.90
Some	234	33.40
A little	150	21.40
None at all	69	9.90
Don't know	37	5.30
Refused	1	0.10

Q11A. How much respect do you have for the Newark Police, in general?

(N=700)	n %	
A lot	407	58.10
Some	178	25.40
A little	65	9.30
None at all	40	5.70
Don't know	9	1.30
Refused	1	0.10

Q11C. How much trust do you have in the Newark Police, in general?

(N=700)	n %	
A lot	249	35.60
Some	217	31.00
A little	128	18.30
None at all	87	12.40
Don't know	17	2.40
Refused	2	0.30

[SPLIT SAMPLE Q12A and Q12B]

Q12A1. Please tell me if you think Newark police officers do this all of the time, most of the time, some of the time, rarely, or never – Properly handle evidence.

(N=355)	n %	
All of the time	44	12.40
Most of the time	67	18.90
Some of the time	82	23.10
Rarely	18	5.10
Never	27	7.60
Don't know	116	32.70
Refused	1	0.30

Q12A2. Please tell me if you think Newark police officers do this all of the time, most of the time, some of the time, rarely, or never – Use appropriate force only when necessary.

(N=355)	n %	
All of the time	48	13.50
Most of the time	77	21.70
Some of the time	108	30.40
Rarely	36	10.10
Never	28	7.90
Don't know	57	16.10
Refused	1	0.30

Q12A3. Please tell me if you think Newark police officers do this all of the time, most of the time, some of the time, rarely, or never – Make truthful, accurate statements.

(N=355)	n %	
All of the time	35	9.90
Most of the time	73	20.60
Some of the time	129	36.30
Rarely	30	8.50
Never	20	5.60
Don't know	66	18.60
Refused	2	0.60

Q12A4. Please tell me if you think Newark police officers do this all of the time, most of the time, some of the time, rarely, or never – Use respectful, polite language.

(N=355)	n %	
All of the time	84	23.70
Most of the time	82	23.10
Some of the time	99	27.90
Rarely	37	10.40
Never	27	7.60
Don't know	26	7.30

Q12A5. Please tell me if you think Newark police officers do this all of the time, most of the time, some of the time, rarely, or never – Detain people only as long as necessary.

(N=355)	n %	
All of the time	58	16.30
Most of the time	59	16.60
Some of the time	98	27.60
Rarely	32	9.00
Never	23	6.50
Don't know	84	23.70
Refused	1	0.30

Q12A6. Please tell me if you think Newark police officers do this all of the time, most of the time, some of the time, rarely, or never – Stop and/or search people with good reason.

(N=355)	n %	
All of the time	44	12.40
Most of the time	54	15.20
Some of the time	111	31.30
Rarely	40	11.30
Never	43	12.10
Don't know	63	17.70

Q12A7. Please tell me if you think Newark police officers do this all of the time, most of the time, some of the time, rarely, or never – Treat all equally regardless of race or ethnicity.

(N=355)	n	%
All of the time	71	20.00
Most of the time	72	20.30
Some of the time	99	27.90
Rarely	29	8.20
Never	48	13.50
Don't know	34	9.60
Refused	2	0.60

Q12A8. Please tell me if you think Newark police officers do this all of the time, most of the time, some of the time, rarely, or never – Respect residents' personal property.

(N=355)	n	%
All of the time	91	25.60
Most of the time	87	24.50
Some of the time	86	24.20
Rarely	20	5.60
Never	30	8.50
Don't know	41	11.50

Q12B1. Please tell me if you think Newark police officers do this all of the time, most of the time, some of the time, rarely, or never – Tamper or interfere with evidence.

(N=345)	n	%
All of the time	25	7.20
Most of the time	22	6.40
Some of the time	80	23.20
Rarely	54	15.70
Never	52	15.10
Don't know	111	32.20
Refused	1	0.30

Q12B2. Please tell me if you think Newark police officers do this all of the time, most of the time, some of the time, rarely, or never – Use more force than is necessary.

(N=345)	n	%
All of the time	32	9.30
Most of the time	35	10.10
Some of the time	119	34.50
Rarely	58	16.80
Never	47	13.60
Don't know	54	15.70

Q12B3. Please tell me if you think Newark police officers do this all of the time, most of the time, some of the time, rarely, or never – Make untruthful or false statements.

(N=345)	n	%
All of the time	40	11.60
Most of the time	26	7.50
Some of the time	102	29.60
Rarely	44	12.80
Never	51	14.80
Don't know	81	23.50
Refused	1	0.30

Q12B4. Please tell me if you think Newark police officers do this all of the time, most of the time, some of the time, rarely, or never – Use disrespectful or offensive language.

(N=345)	n	%
All of the time	37	10.70
Most of the time	31	9.00
Some of the time	110	32.00
Rarely	52	15.10
Never	70	20.00
Don't know	45	13.00

Q12B5. Please tell me if you think Newark police officers do this all of the time, most of the time, some of the time, rarely, or never – Detain people for longer than is necessary.

(N=345)	n	%
All of the time	48	13.90
Most of the time	32	9.30
Some of the time	97	28.10
Rarely	50	14.50
Never	39	11.30
Don't know	79	22.90

Q12B6. Please tell me if you think Newark police officers do this all of the time, most of the time, some of the time, rarely, or never – Stop and/or search people without good reason.

(N=345)	n	%
All of the time	47	13.60
Most of the time	39	11.30
Some of the time	94	27.20
Rarely	55	16.00
Never	47	13.60
Don't know	62	18.00
Refused	1	0.30

Q12B7. Please tell me if you think Newark police officers do this all of the time, most of the time, some of the time, rarely, or never – Discriminate against certain individuals based on their race or ethnicity.

(N=345)	n %	
All of the time	46	13.30
Most of the time	53	15.40
Some of the time	92	26.70
Rarely	47	13.60
Never	62	18.00
Don't know	44	12.80
Refused	1	0.30

Q12B8. Please tell me if you think Newark police officers do this all of the time, most of the time, some of the time, rarely, or never – Unlawfully take property from residents.

(N=345)	n %	
All of the time	22	6.40
Most of the time	19	5.50
Some of the time	55	16.00
Rarely	57	16.50
Never	103	29.90
Don't know	87	25.20
Refused	2	0.60

[END SPLIT SAMPLE]

PERSONAL INTERACTIONS WITH POLICE

Q13. In the last 12 months, how often did you have direct contact with a Newark police officer?

(N=700)	n %	
At least once a day	27	3.90
Several times a week	22	3.10
Once or twice a week	34	4.90
Few times a month	56	8.00
Few times in the past year	167	23.90
Once in the past year	137	19.60
Never	242	34.60
Don't know	13	1.90
Refused	2	0.30

[SPLIT SAMPLE]

Q17A. When you came into direct contact with Newark police officers, do you typically feel more safe or less safe than you did a few moments before you came into contact with them, or do you typically feel no different?

(N=355)	n	%
More safe	130	36.60
Less safe	34	9.60
No different	108	30.40
Depends on situation	62	17.50
Don't know	20	5.60
Refused	1	0.30

Q17B. When Newark police officers are nearby, do you typically feel more safe or less safe than you did a few moments before they arrived in your area, or do you typically feel no different?

(N=345)	n	%
More safe	152	44.10
Less safe	36	10.40
No different	114	33.00
Depends on situation	35	10.10
Don't know	6	1.70
Refused	2	0.60

[END SPLIT SAMPLE]**[SKIP IF Q13=NEVER]**

Q14A. Have you requested assistance from a Newark police officer in the last month, or not?

(N=458)	n	%
Yes, I have	77	16.80
No, I have not	375	81.90
Don't know	4	0.80
Refused	2	0.40

[SKIP IF Q14A=1]

Q14B. Have you requested assistance from a Newark police officer in the last three months, or not?

(N=381)	n	%
Yes, I have	47	12.30
No, I have not	328	86.00
Don't know	4	1.00
Refused	2	0.50

[SKIP IF Q14A or Q14B=1]

Q14C. Have you requested assistance from a Newark police officer in the last year, or not?

(N=334)	n	%
Yes, I have	117	35.00
No, I have not	211	63.20
Don't know	5	1.50
Refused	1	0.30

[SKIP IF Q13=NEVER]

Q15A. Has a Newark police officer requested information from you in the last month, or not?

(N=458)	n	%
Yes, an officer has	58	12.70
No, an officer has not	393	85.80
Don't know	6	1.30
Refused	1	0.20

[SKIP IF Q15A=1]

Q15B. Has a Newark police officer requested information from you in the last three months, or not?

(N=400)	n	%
Yes, an officer has	38	9.50
No, an officer has not	352	88.00
Don't know	8	2.00
Refused	2	0.50

[SKIP IF Q15A or B=1]

Q15C. Has a Newark police officer requested information from you in the last year, or not?

(N=363)	n	%
Yes, an officer has	82	22.60
No, an officer has not	267	73.60
Don't know	12	3.30
Refused	2	0.60

[ROTATE ORDER]

QOEA. In just a few words, please tell us about your most memorable negative experience with a Newark police officer.

(N=700)	n %	
Never had a negative experience	354	50.60
Police took too long to respond, did not respond at all, did not help or file a report	71	10.10
Experienced/witnessed abuse, aggression, or harassment by officer	60	8.60
Traffic, car violations: pulled over, tickets or car searched/towed without cause	66	9.40
Officer was unprofessional/rude	50	7.10
Falsely accused, fined, arrested and/or detained without cause	29	4.10
Stopped and frisked	8	1.10
Officer forced entry into home without cause	6	0.90
Police treated someone differently based on race	5	0.70
Other	19	2.70
Don't know	32	4.60

QOEB. In just a few words, please tell us about your most memorable positive experience with a Newark police officer.

(N=700)	n %	
Never had a positive experience	261	37.30
Officer was helpful, even when s/he didn't need to be	135	19.30
Officer was polite/nice, positive interaction	89	12.70
Police arrived quickly when needed	34	4.90
Knows of, related to, or regularly works with police	16	2.30
Officers engaged with community members/kids	32	4.60
Received a warning instead of a ticket	28	4.00
Police made me feel safe	22	3.10
Other	30	4.30
Don't know	53	7.60

[END ROTATION]

COMPLAINTS AND REPORTING

Q20. To the best of your knowledge, how often do you think the Newark Police investigate complaints filed by residents?

(N=700)	n	%
All of the time	134	19.10
Some of the time	244	34.90
Rarely	128	18.30
Never	63	9.00
Don't know	127	18.10
Refused	4	0.60

Q20B. To the best of your knowledge, how often do you think the Newark Police investigate complaints filed by residents specifically against a Newark police officer?

(N=700)	n	%
All of the time	81	11.60
Some of the time	145	20.70
Rarely	133	19.00
Never	134	19.10
Don't know	204	29.10
Refused	3	0.40

Q21B. In the last 12 months, have you ever had a reason to file a complaint with the Newark police, or not?

(N=700)	n	%
Yes	70	10.00
No	604	86.30
Don't know	23	3.30
Refused	3	0.40

[ASK Q21C IF Q21B=1]

Q21C. Did you end up filing a formal complaint with the Newark Police, or not?

(N=70)	n	%
Yes, I did	37	52.90
No, I did not	32	45.70
Don't know	1	1.40

[ASK Q21D IF Q21C=1]

Q21D. Were you very satisfied, somewhat satisfied, not very satisfied, or not satisfied at all with the result?

(N=37)	n %	
Very satisfied	9	24.30
Somewhat satisfied	9	24.30
Not very satisfied	5	13.50
Not satisfied at all	12	32.40
Don't know	2	5.40

[ASK Q21E IF Q21C=2]**[READ EACH AND CHECK ALL THAT APPLY. PROBE AT END: "Any other reason?"]**

Q21E. Why did you decide not to file a formal complaint? Just tell me if each of the following applies to you.

(N=32)	n %	
You did not know how	3	9.40
It would take too much time	3	9.40
Concerned that there would be backlash	6	15.70
You did not think it would make a difference	11	25.00
Some other reason	13	37.50
Don't know/Refused	1	3.10

Q21F. To the best of your knowledge, do you think the police respond quickly enough to emergency 911 calls all of the time, some of the time, rarely, or never?

(N=700)	n %	
All of the time	163	23.30
Some of the time	265	37.90
Rarely	102	14.60
Never	107	15.30
Don't know	61	8.70
Refused	2	0.30

Q21G. Have you, yourself, ever made a 911 emergency call in Newark?

(N=700)	n %	
Yes	372	53.10
No	317	45.30
Don't know	8	1.10
Refused	3	0.40

STOPS, SEARCHES, AND USE OF FORCE**[SKIP IF Q13=7 "NEVER"]**

Q51A. Has a Newark police officer stopped you in the last month, or not?

(N=458)	n %	
Yes, an officer has	17	3.70
No, an officer has not	436	95.20
Don't know	2	0.40
Refused	3	0.70

[SKIP IF Q13=7; SKIP IF Q51A=1]

Q51B. Has a Newark police officer stopped you in the last three months, or not?

(N=441)	n %	
Yes, an officer has	28	6.30
No, an officer has not	405	91.80
Don't know	5	1.10
Refused	3	0.70

[SKIP IF Q13=7; SKIP IF Q51A or Q51B=1]

Q51C. Has a Newark police officer stopped you in the last year, or not?

(N=413)	n %	
Yes, an officer has	78	18.90
No, an officer has not	327	79.20
Don't know	5	1.20
Refused	3	0.70

[ASK IF Q51A=1]

Q18A. About how many times have you been stopped by a Newark police officer in the last month?

(N=17)	n %	
1 time	8	47.10
2 times	6	35.30
4 times	1	6.00
5 times	2	11.80

[ASK IF Q51B=1]

Q18X. About how many times have you been stopped by a Newark police officer in the last three months?

(N=28)	n %	
1 time	19	67.90
2 times	7	25.00
3 times	1	3.60
4 times	1	3.60

[ASK IF Q51C=1]

Q18Y. About how many times have you been stopped by a Newark police officer in the last year?

(N=78)	n %	
1 time	53	67.90
2 times	15	19.20
3 times	5	6.40
4 times	1	1.30
5 times	3	3.90
Other	1	1.30

Q18B. Now think about the most recent time in which you were stopped by a Newark police officer. How concerned were you for your own safety when you were stopped by the police officer? Very concerned, somewhat concerned, not very concerned, or not concerned at all?

(N=458)	n %	
Very concerned	86	18.80
Somewhat concerned	76	16.60
Not very concerned	54	11.80
Not concerned at all	170	37.10
Don't know	60	13.10
Refused	12	2.60

[SKIP TO Q16 IF Q18B=5 "NEVER"]

Q18C. Thinking again about that most recent time in which you were stopped, did the officer explain why they were stopping you, or not?

(N=458)	n %	
Yes	241	52.60
No	109	23.80
Don't know	86	18.80
Refused	22	4.80

[SKIP TO Q16 IF Q18C=2 "NO"]

Q18D. Were you very satisfied, somewhat satisfied, not very satisfied, or not satisfied at all with the explanation given?

(N=241)	n %	
Very satisfied	105	43.60
Somewhat satisfied	71	29.50
Not very satisfied	25	10.40
Not satisfied at all	36	14.90
Don't know	4	1.70

Q16. In the last 12 months, how often did you see a Newark police officer stop someone else?
At least once a day, several times a week, once or twice a week, a few times a month, a few
times in the past year, once in the past year, or never?

(N=700)	n %	
At least once a day	101	14.40
Several times a week	122	17.40
Once or twice a week	73	10.40
Few times a month	125	17.90
Few times in the past year	100	14.30
Once in the past year	36	5.10
Never	105	15.00
Don't know	33	4.70
Refused	5	0.70

[SKIP IF Q16=7 "NEVER"]

Q19B. Thinking about the most recent time in which you saw a Newark police officer stop
someone else, did you feel the police officer had a legitimate reason to stop that person, or did
you not feel that way?

(N=595)	n %	
Yes, officer had legitimate reason	237	39.80
No, officer did not have legitimate reason	107	18.00
Don't know	246	41.30
Refused	5	0.80

[SKIP IF Q16=7 "NEVER"]

Q22A. In the last 12 months, how often did you see a Newark police officer body search
someone in your neighborhood?

(N=595)	n %	
At least once a day	38	6.40
Several times a week	34	5.70
Once or twice a week	29	4.90
Few times a month	67	11.30
Few times in the past year	75	12.60
Once in the past year	56	9.40
Never	252	42.40
Don't know	41	6.90
Refused	3	0.50

[SKIP IF Q22A=7 "NEVER"]

Q24. Thinking about the most recent time in which you saw a Newark police officer body search someone, did the officer use force in the stop you saw, or not?

(N=299)	n %	
Yes, officer used force	57	19.10
No, officer did not use force	217	72.60
Don't know	24	8.00
Refused	1	0.30

[SKIP IF Q24=2 "NO", or 8 "DON'T KNOW"]

Q25. Still thinking about the same time, how concerned were you for the safety of the person who was stopped by the police officer? Very concerned, somewhat concerned, not very concerned, or not at all concerned?

(N=82)	n %	
Very concerned	44	53.70
Somewhat concerned	23	28.00
Not very concerned	3	3.70
Not concerned at all	7	8.50
Don't know	5	6.10

Q26A. Please tell me if you are very concerned, somewhat concerned, not very concerned, or not at all concerned that this will happen – That excessive force will be used on you if you are stopped by a Newark police officer?

(N=700)	n %	
Very concerned	242	34.60
Somewhat concerned	127	18.10
Not very concerned	107	15.30
Not concerned at all	190	27.10
Don't know	30	4.30
Refused	4	0.60

Q26B. Please tell me if you are very concerned, somewhat concerned, not very concerned, or not at all concerned that this will happen – That excessive force will be used on a member of your family if they are stopped by a Newark police officer?

(N=700)	n %	
Very concerned	323	46.10
Somewhat concerned	137	19.60
Not very concerned	71	10.10
Not concerned at all	135	19.30
Don't know	29	4.10
Refused	5	0.70

BODY CAMERAS

Q27. Do you think it would be a good idea or a bad idea for more Newark police officers to wear body cameras that would record their interactions?

(N=700)	n %	
Good idea	669	95.60
Bad idea	9	1.30
Don't know	19	2.70
Refused	3	0.40

Q31. How comfortable are you knowing you are being filmed when communicating with police officers wearing body cameras?

(N=700)	n %	
Very comfortable	555	79.30
Somewhat comfortable	100	14.30
Not very comfortable	19	2.70
Not at all comfortable	10	1.40
Don't know	13	1.90
Refused	3	0.40

Q30A. Please tell me if you strongly agree, somewhat agree, neither agree nor disagree, somewhat disagree, or strongly disagree - I would have more overall trust in Newark police officers if they were wearing body cameras.

(N=700)	n %	
Strongly agree	470	67.10
Somewhat agree	142	20.30
Neither agree nor disagree	43	6.10
Somewhat disagree	14	2.00
Strongly disagree	19	2.70
Don't know	7	1.00
Refused	5	0.70

Q30B. Please tell me if you strongly agree, somewhat agree, neither agree nor disagree, somewhat disagree, or strongly disagree - I would be more likely to comply with a Newark police officer's request if he or she were wearing a body camera.

(N=700)	n %	
Strongly agree	444	63.40
Somewhat agree	122	17.40
Neither agree nor disagree	78	11.10
Somewhat disagree	16	2.30
Strongly disagree	20	2.90
Don't know	16	2.30
Refused	4	0.60

Q30C. Please tell me if you strongly agree, somewhat agree, neither agree nor disagree, somewhat disagree, or strongly disagree - I would be more likely to share information about a crime I witnessed or heard about with a Newark police officer who was wearing a body camera.

(N=700)	n %	
Strongly agree	380	54.30
Somewhat agree	130	18.60
Neither agree nor disagree	81	11.60
Somewhat disagree	29	4.10
Strongly disagree	55	7.90
Don't know	22	3.10
Refused	3	0.40

Q30D. Please tell me if you strongly agree, somewhat agree, neither agree nor disagree, somewhat disagree, or strongly disagree - Original footage from Newark police body-worn cameras should be made publicly available without any alterations or interference.

(N=700)	n %	
Strongly agree	524	74.90
Somewhat agree	90	12.90
Neither agree nor disagree	23	3.30
Somewhat disagree	17	2.40
Strongly disagree	24	3.40
Don't know	18	2.60
Refused	4	0.60

Q30E. Please tell me if you strongly agree, somewhat agree, neither agree nor disagree, somewhat disagree, or strongly disagree - Body cameras would improve relations between the Newark Police and the community.

(N=700)	n %	
Strongly agree	463	66.10
Somewhat agree	146	20.90
Neither agree nor disagree	35	5.50
Somewhat disagree	19	2.70
Strongly disagree	24	3.40
Don't know	10	1.40
Refused	3	0.40

POLICE INVOLVEMENT IN THE COMMUNITY

Q35. In general, how knowledgeable do you think Newark Police officers are about the backgrounds and experiences of members of your community?

(N=700)	n %	
Very knowledgeable	147	21.00
Somewhat knowledgeable	307	43.90
Not very knowledgeable	96	13.70
Not at all knowledgeable	77	11.00
Don't know	67	9.60
Refused	6	0.90

Q33A. Do Newark police officers attend events in your community all of the time, some of the time, rarely, or never?

(N=700)	n %	
All of the time	167	23.90
Some of the time	299	42.70
Rarely	83	11.90
Never	71	10.10
Don't know	76	10.90
Refused	4	0.60

Q33. How often do Newark police officers interact with members of your community in a positive way?

(N=700)	n %	
All of the time	134	19.10
Some of the time	275	39.30
Rarely	128	18.30
Never	76	10.90
Don't know	84	12.00
Refused	3	0.40

Q32. Generally speaking, do you think [ROTATE: the Newark Police treat all members of the community equally], or do [the Newark police treat some members of the community better than others]?

(N=700)	n %	
All members of the community equally	194	27.70
Some better than others	398	56.90
Don't know	100	14.30
Refused	8	1.10

Q34A. Please tell us if you think the Newark Police treat this group better, worse, or the same as other groups in the community – Men

(N=700)	n %	
Better	34	4.90
Worse	314	44.90
Same	270	38.60
Don't know	76	10.90
Refused	6	0.90

Q34B. Please tell us if you think the Newark Police treat this group better, worse, or the same as other groups in the community – Women

(N=700)	n %	
Better	207	29.60
Worse	47	6.70
Same	350	50.00
Don't know	91	13.00
Refused	5	0.70

Q34C. Please tell us if you think the Newark Police treat this group better, worse, or the same as other groups in the community – Homeless people

(N=700)	n %	
Better	26	3.70
Worse	299	42.70
Same	237	33.90
Don't know	132	18.90
Refused	6	0.90

Q34D. Please tell us if you think the Newark Police treat this group better, worse, or the same as other groups in the community – Non-English speakers

(N=700)	n %	
Better	48	6.90
Worse	241	34.40
Same	281	40.10
Don't know	124	17.70
Refused	6	0.90

Q34E. Please tell us if you think the Newark Police treat this group better, worse, or the same as other groups in the community – Black people

(N=700)	n %	
Better	18	2.60
Worse	344	49.10
Same	261	37.30
Don't know	71	10.10
Refused	6	0.90

Q34F. Please tell us if you think the Newark Police treat this group better, worse, or the same as other groups in the community – Hispanic/Latino people

(N=700)	n %	
Better	70	10.00
Worse	168	24.00
Same	367	52.40
Don't know	90	12.90
Refused	5	0.70

Q34G. Please tell us if you think the Newark Police treat this group better, worse, or the same as other groups in the community – White people

(N=700)	n %	
Better	360	51.40
Worse	12	1.70
Same	223	31.90
Don't know	102	14.60
Refused	3	0.40

Q34H. Please tell us if you think the Newark Police treat this group better, worse, or the same as other groups in the community – LGBT people

(N=700)	n %	
Better	44	6.30
Worse	121	17.30
Same	342	48.90
Don't know	185	26.40
Refused	8	1.10

Q35A. How often do you personally feel discriminated against by Newark police officers because of who you are or how you identify?

(N=700)	n %	
Very often	74	10.60
Somewhat often	120	17.10
Not very often	122	17.40
Not at all	338	48.30
Don't know	42	6.00
Refused	4	0.60

Q37. In just a few words, what should the role of Newark police officers be in the community?

(N=700)	n %	
Protect and serve	333	47.60
Community policing	32	4.60
Act as leaders/role models	52	7.40
Enforce the law, investigate/prevent crime	64	9.10
Be empathetic, caring, and helpful to people in the community	56	8.00
Be respectful	17	2.40
Treat everyone equally	21	3.00
Respond quickly	5	0.70
Communicate/Get to know the community/Involved	37	5.30
Should have no role	8	1.10
No/None/Nothing (Doing a good job)	9	1.30
Other	19	2.70
Don't know	47	6.70

Q38. In just a few words, what is one thing the Newark Police should do differently to improve police-community relations?

(N=700)	n %	
Positively interact with/learn about people in the community	84	12.00
More positive attitude (more respectful, friendlier, nicer)	90	12.90
More presence in the community	106	15.10
Treat everyone equally, stop profiling	30	4.30
Engage with schools/youth	9	1.30
Nothing (Doing a good job)	30	4.30
Improve response time	11	1.60
Better communication, listen to residents	72	10.30
Training, education	25	3.60
Wear body cameras	5	0.70
Keep the city safe, do their job	24	3.40
Integrity, be good people, pillars of the community	6	0.90
Hire from the community/diversity/languages	20	2.80
More walking/foot patrol	39	5.60
Do not use excessive force/weapons/aggressive	19	2.70
Add more officers	13	1.90
Accountability and getting rid of bad apples	7	1.00
Other	27	3.80
Don't know	83	11.90

LEARNING ABOUT THE CONSENT DECREE AND THE NEWARK POLICE

Q36. How much have you heard about the Newark Consent Decree before taking this survey today?

(N=700)	n	%
A lot	28	4.00
Some	34	4.90
A little	51	7.30
None at all	546	78.00
Don't know	35	5.00
Refused	6	0.90

Q22 - Where do you typically get information about the Newark Police? Please just tell me yes or no for each one.

QD22A. Local TV News

(N=700)	n	%
Yes	450	64.30
No	239	34.10
Don't know	9	1.30
Refused	2	0.30

QD22B. Friends and Family

(N=700)	n	%
Yes	477	68.10
No	213	30.40
Don't know	8	1.10
Refused	2	0.30

QD22C. Word of mouth

(N=700)	n	%
Yes	508	72.60
No	178	25.40
Don't know	12	1.70
Refused	2	0.30

QD22D. Social Media

(N=700)	n	%
Yes	517	73.90
No	170	24.30
Don't know	11	1.60
Refused	2	0.30

QD22E. Online (N=700)	n %	
Yes	504	72.00
No	183	26.10
Don't know	11	1.60
Refused	2	0.30

QD22F. Local newspaper (N=700)	n %	
Yes	259	37.00
No	421	60.10
Don't know	18	2.60
Refused	2	0.30

QD22G. Government officials (N=700)	n %	
Yes	312	44.60
No	359	51.30
Don't know	24	3.40
Refused	5	0.70

DEMOGRAPHICS

QD2. Now just a few final questions so that we can be sure we are talking to community members representing all of Newark. Remember all of your individual information is completely confidential and will only be reported in combination with others.

What is the last grade you completed in school? (N=700)	n %	
8 th grade or less	18	2.60
Some high school (grades 9,10, and 11)	60	8.60
High school graduate or completed GED	273	39.00
Vocational/technical school, or some college	88	12.60
Junior college graduate (2-Year Associate's Degree)	111	15.90
4-year college graduate (Bachelor's Degree)	80	11.40
Graduate work (Masters, Law/Medical School, Ph.D., Etc.)	46	6.60
Don't know	11	1.60
Refused	13	1.90

QD10. What is your current relationship status?

(N=700)	n %	
Single	320	45.70
Unmarried, but living as a couple	45	6.40
Civil union	6	0.90
Married	199	28.40
Separated	23	3.30
Divorced	48	6.90
Widowed	32	4.60
Don't know	10	1.40
Refused	17	2.40

QD3. Are you the parent, legal guardian or caretaker of any children under 18 now living in your home?

(N=700)	n %	
Yes	277	39.60
No	407	58.10
Refused	16	2.30

QD17. Including yourself, how many people live in your household?

(N=700)	n %	
1 person	141	20.10
2 people	152	21.70
3 people	159	22.70
4 people	132	18.90
5 people	73	10.40
6 people	19	2.70
7 or more people	8	1.10
Refused	8	1.10

QD4. Are you the chief wage earner in your household?

(N=700)	n %	
Yes	420	60.00
No	223	31.90
No chief wage earner in household	35	5.00
Refused	22	3.10

QD11. What best describes your employment situation today?

(N=700)	n %	
Employed full time	375	53.60
Employed part time	60	8.60
Employed as temporary or seasonal worker	11	1.60
Unemployed	106	15.10
Stay at home parent or caregiver	23	3.30
Student	22	3.10
Retired	57	8.10
On disability and can't work	25	3.60
Refused	21	3.00

QD5. Are you of Latino or Hispanic origin, such as Mexican, Puerto Rican, Cuban, Brazilian, Dominican, or some other Spanish or Portuguese-speaking background?

(N=700)	n %	
Yes	230	32.90
No	455	65.00
Don't know	8	1.10
Refused	7	1.00

QD6. Many people of Latino or Hispanic origin also consider themselves to be part of a racial category. How about you?

(N=230)	n %	
Yes	73	31.70
No	147	63.90
Don't know	9	3.90
Refused	1	0.40

Q6B. Which of these groups would you say best represents your group?

(N=543)	n %	
White	69	12.70
Black	412	75.90
Native	14	2.60
Asian	5	0.90
Multi	16	2.90
Other	3	0.60
Don't know	13	2.40
Refused	11	2.00

Combined Ethnicity

(N=698)	n %	
White	47	6.70
Black	388	55.40
Hispanic	230	32.90
Native	5	0.70
Asian	6	0.90
Other	3	0.40
Multi	5	0.70
Don't know	7	1.00
Refused	7	1.00

QD21B. What is the primary language spoken in your home?

(N=700)	n %	
English	547	78.10
Spanish	95	13.60
Portuguese	23	3.30
Other	26	3.70
Don't know	1	0.10
Refused	8	1.10

QD21C. Were you born in the United States?

(N=298)	n %	
Yes	281	94.30
No	9	3.00
Refused	8	2.70

QD21D. Were both of your parents born in the United States, one of your parents, or was neither parent born in the United States?

(N=700)	n %	
Both parents born in US	391	55.90
One parent born in US	32	4.60
Neither parent born in US	250	35.70
Don't know	11	1.60
Refused	16	2.30

QD8A. What is your housing situation? Do you, or does the head of your household currently:

(N=700)	n %	
Own a house	216	30.90
Rent a house	171	24.40
Rent an apartment	228	32.60
Rent a room in a house or an apartment	15	2.10
Live with relatives or friend free of rent	29	4.10
No permanent place to live	2	0.30
Don't know	9	1.30
Refused	30	4.10

[READ ANSWERS ALOUD]

QD11. So that we can group all answers, how much money did you earn last year, that is in 2019, from a job or jobs that withhold taxes?

(N=700)	n %	
Under \$5,000	43	6.10
Between \$5,000 and \$15,000	41	5.90
Between \$15,000 and \$25,000	68	9.70
Between \$25,000 and \$35,000	81	11.60
Between \$35,000 and \$45,000	102	14.60
Between \$45,000 and \$55,000	60	8.60
Or \$55,000 or more	107	15.30
Don't know	78	11.10
Refused	120	17.10

QD18. Which of the following best describes how you think of yourself: Gay or Lesbian, Straight, that is not Gay or Lesbian, Bisexual, or something else?

(N=700)	n %	
Gay or lesbian	15	2.10
Straight	631	90.10
Bisexual	11	1.60
Something else	11	1.60
Refused	32	4.60

LANGUAGE – Language of interview

(N=700)	n %	
English	637	91.00
Spanish	51	7.30
Portuguese	12	1.70

Appendix E

Q1 What is your home zip code?

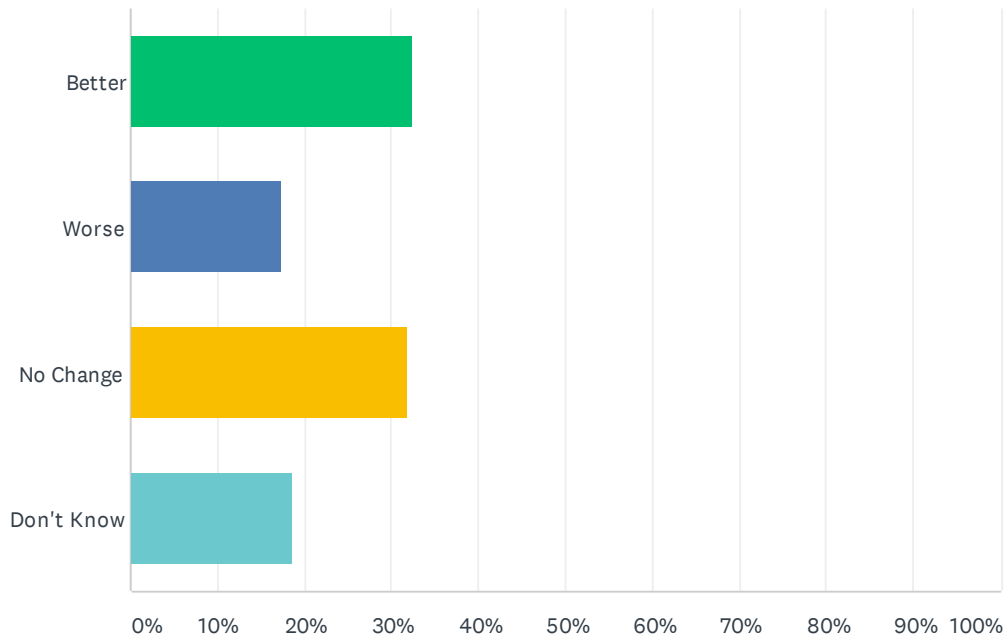
Answered: 163 Skipped: 7

Q2 How long have you lived in Newark? (Number of Years)

Answered: 165 Skipped: 5

Q3 Thinking back over the last year, would you say Newark has gotten better as a place to live, gotten worse, or there hasn't been much change?

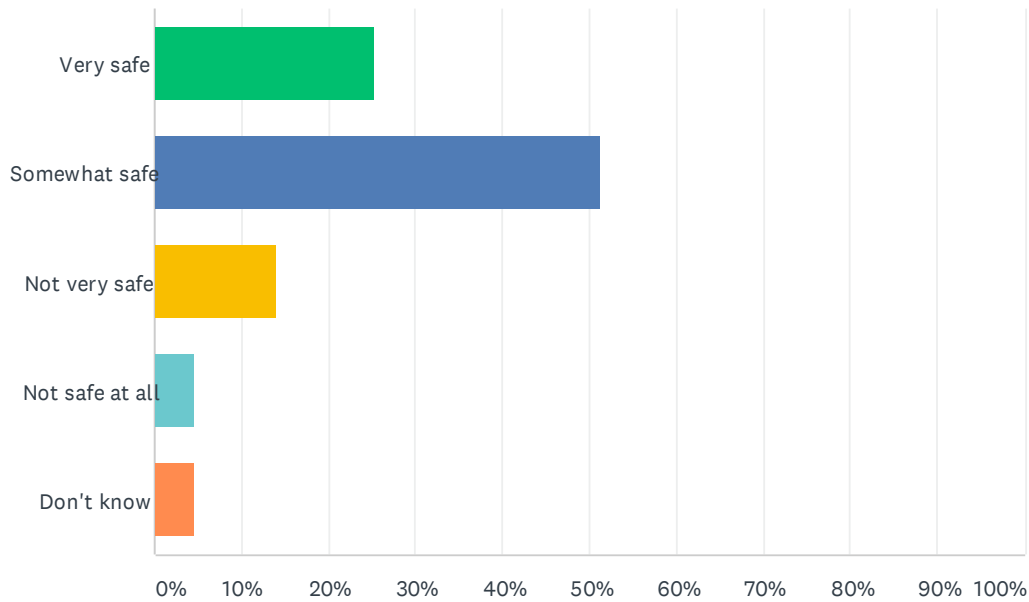
Answered: 167 Skipped: 3



ANSWER CHOICES	RESPONSES	
Better	32.34%	54
Worse	17.37%	29
No Change	31.74%	53
Don't Know	18.56%	31
TOTAL		167

Q4 When you are walking in your neighborhood during the DAY, do you feel:

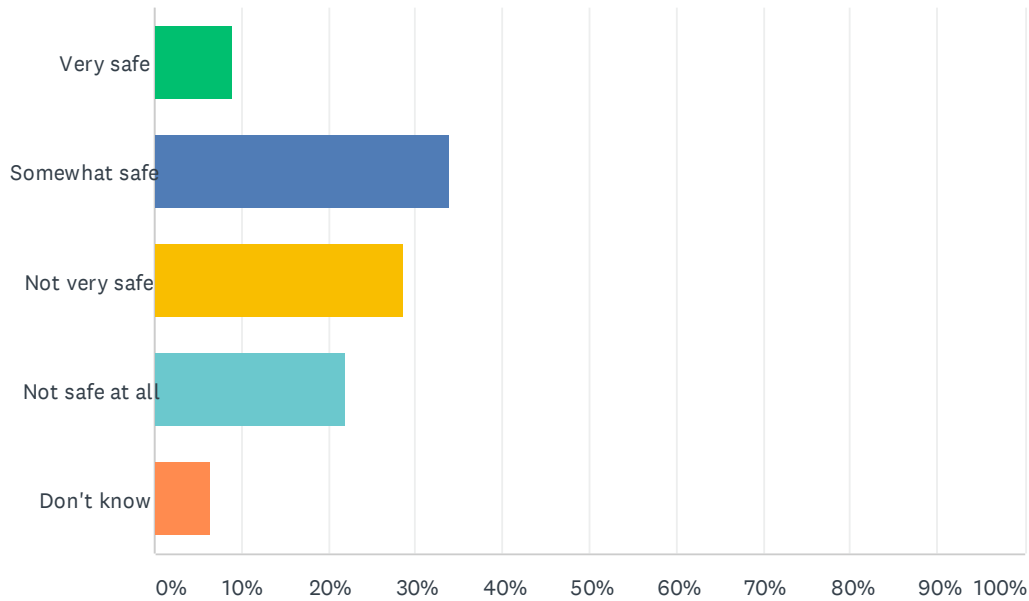
Answered: 170 Skipped: 0



ANSWER CHOICES	RESPONSES	
Very safe	25.29%	43
Somewhat safe	51.18%	87
Not very safe	14.12%	24
Not safe at all	4.71%	8
Don't know	4.71%	8
TOTAL		170

Q5 When you are walking in your neighborhood at NIGHT, do you feel:

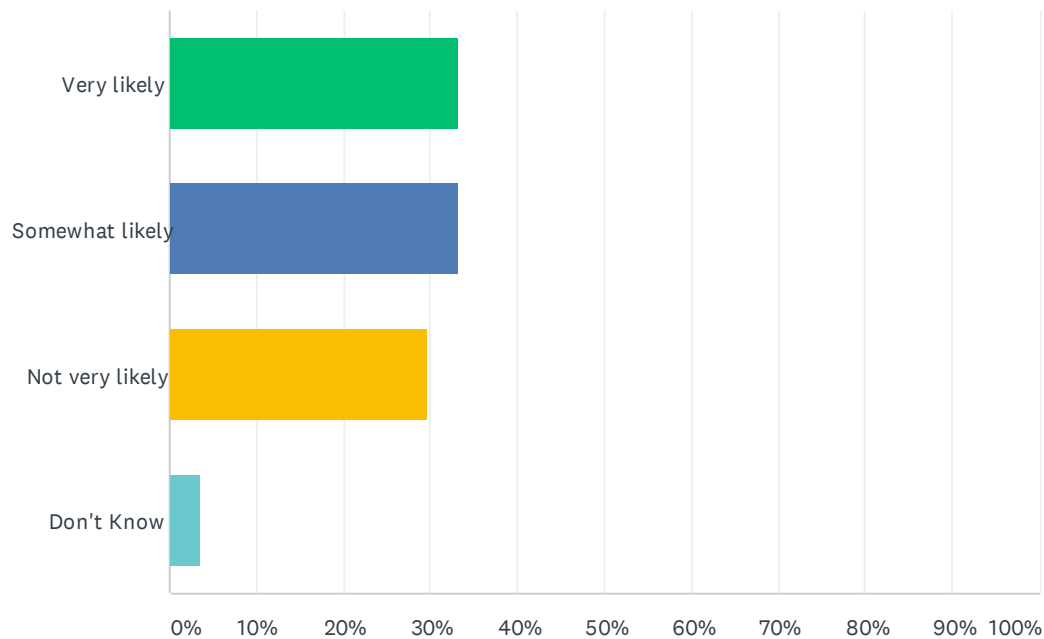
Answered: 168 Skipped: 2



ANSWER CHOICES	RESPONSES	
Very safe	8.93%	15
Somewhat safe	33.93%	57
Not very safe	28.57%	48
Not safe at all	22.02%	37
Don't know	6.55%	11
TOTAL		168

Q6 If you were in need of assistance, how likely would you be to ask a Newark police officer for help?

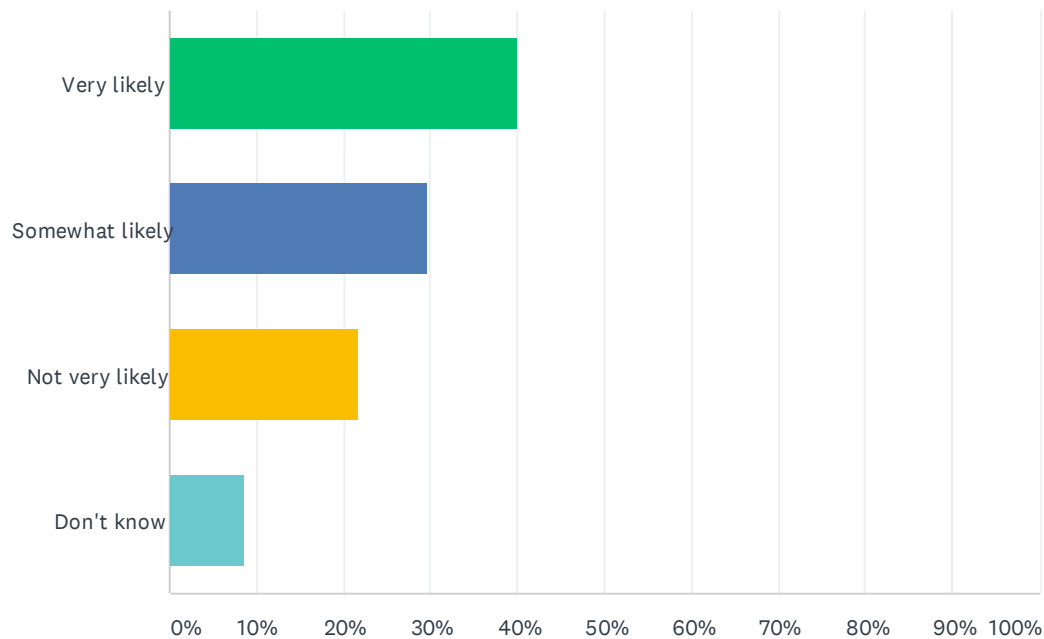
Answered: 168 Skipped: 2



ANSWER CHOICES	RESPONSES	
Very likely	33.33%	56
Somewhat likely	33.33%	56
Not very likely	29.76%	50
Don't Know	3.57%	6
TOTAL		168

Q7 If you had information about a crime that took place, how likely would you be to report it or to provide information to the Newark Police?

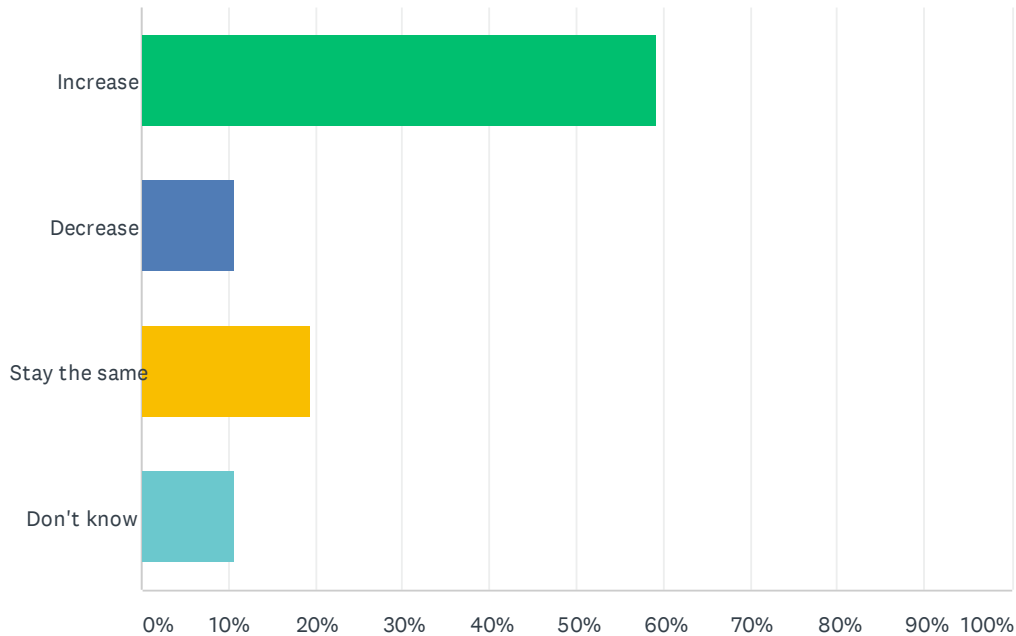
Answered: 165 Skipped: 5



ANSWER CHOICES	RESPONSES	
Very likely	40.00%	66
Somewhat likely	29.70%	49
Not very likely	21.82%	36
Don't know	8.48%	14
TOTAL		165

Q8 Would you like to see an increase or a decrease in the number of Newark Police officers on foot or in a car patrolling in your neighborhood, or would you like to see the number of officers stay the same?

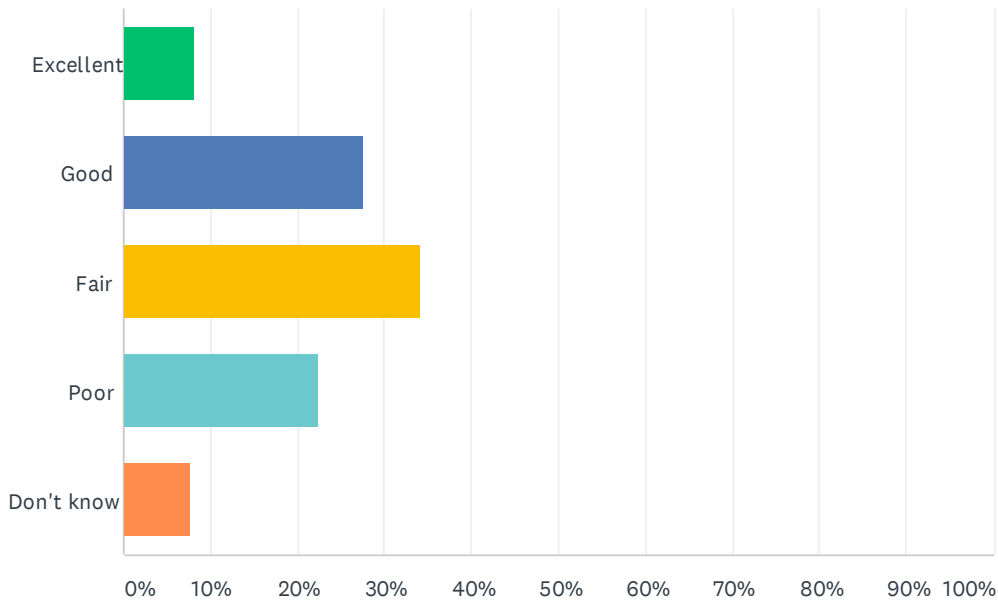
Answered: 169 Skipped: 1



ANSWER CHOICES	RESPONSES	
Increase	59.17%	100
Decrease	10.65%	18
Stay the same	19.53%	33
Don't know	10.65%	18
TOTAL		169

Q9 Thinking about the area where you live, how would you rate the job the Newark Police are doing serving people in your neighborhood?

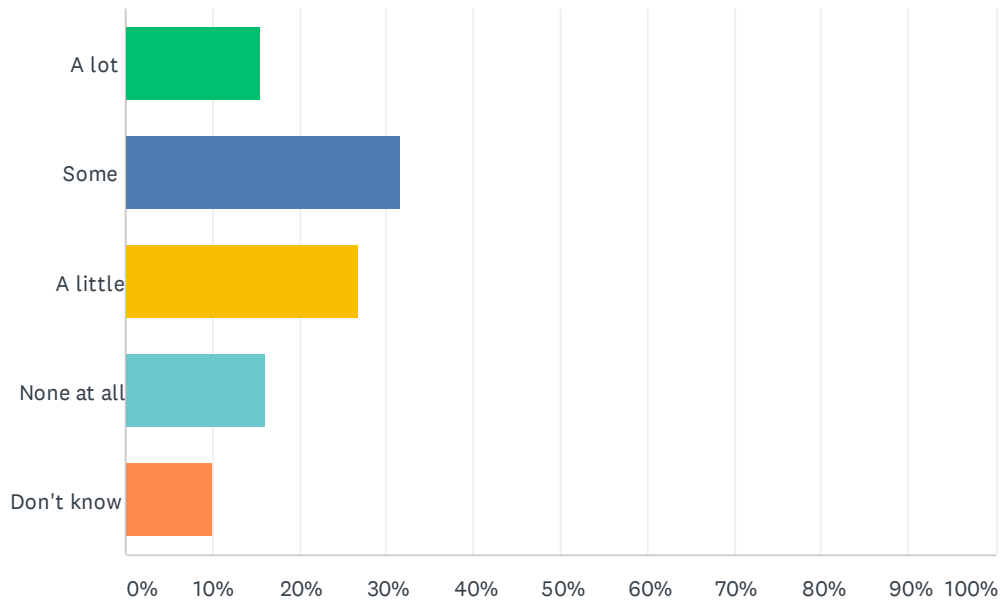
Answered: 170 Skipped: 0



ANSWER CHOICES	RESPONSES	
Excellent	8.24%	14
Good	27.65%	47
Fair	34.12%	58
Poor	22.35%	38
Don't know	7.65%	13
TOTAL		170

Q10 How much impact do you think the Newark Police have on lowering the city's crime rate?

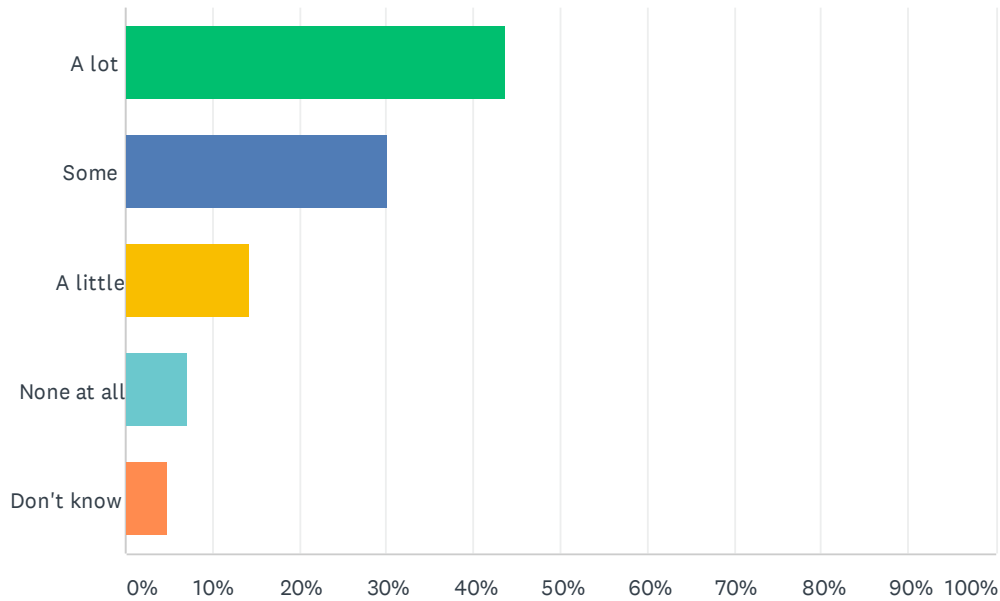
Answered: 168 Skipped: 2



ANSWER CHOICES	RESPONSES	
A lot	15.48%	26
Some	31.55%	53
A little	26.79%	45
None at all	16.07%	27
Don't know	10.12%	17
TOTAL		168

Q11 How much respect do you have for the Newark Police, in general?

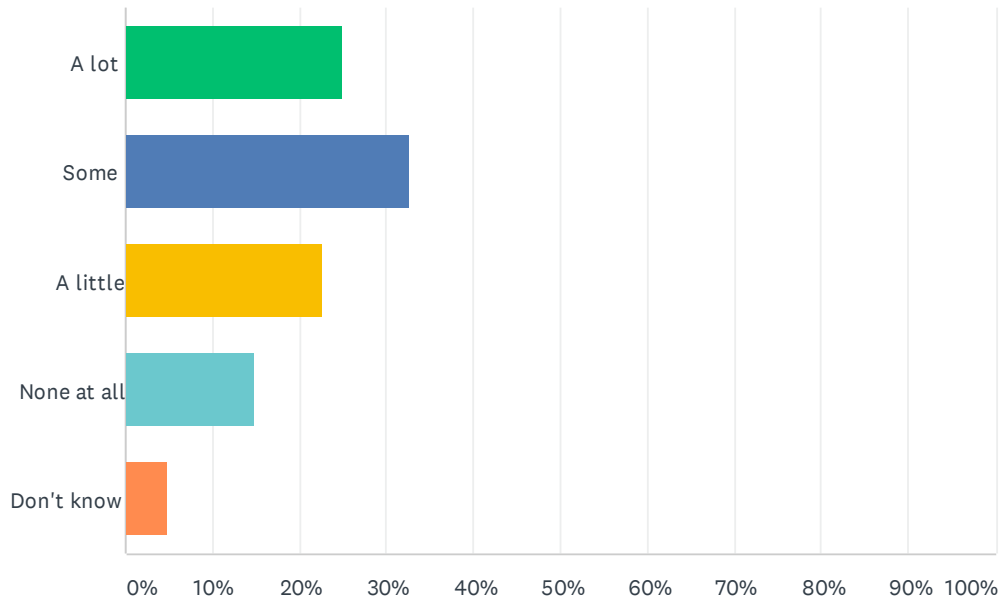
Answered: 169 Skipped: 1



ANSWER CHOICES	RESPONSES	
A lot	43.79%	74
Some	30.18%	51
A little	14.20%	24
None at all	7.10%	12
Don't know	4.73%	8
TOTAL		169

Q12 How much trust do you have for the Newark Police, in general?

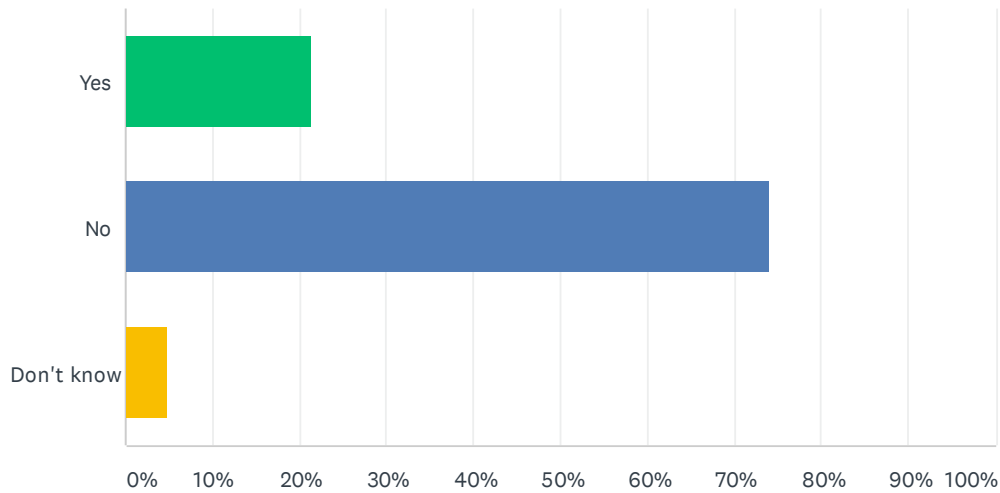
Answered: 168 Skipped: 2



ANSWER CHOICES	RESPONSES	
A lot	25.00%	42
Some	32.74%	55
A little	22.62%	38
None at all	14.88%	25
Don't know	4.76%	8
TOTAL		168

Q13 Have you requested assistance from a Newark police officer in the last year?

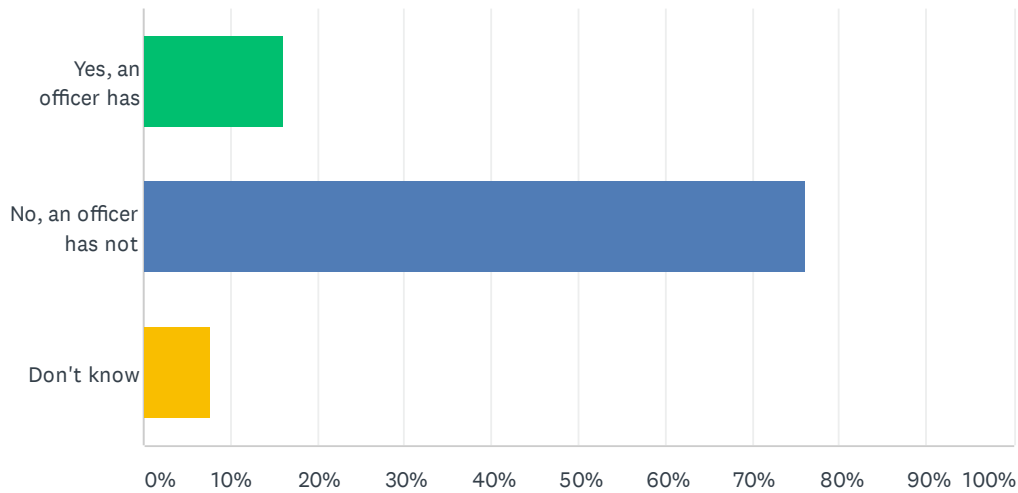
Answered: 169 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	21.30%	36
No	73.96%	125
Don't know	4.73%	8
TOTAL		169

Q14 Has a Newark police officer requested information from you in the last year?

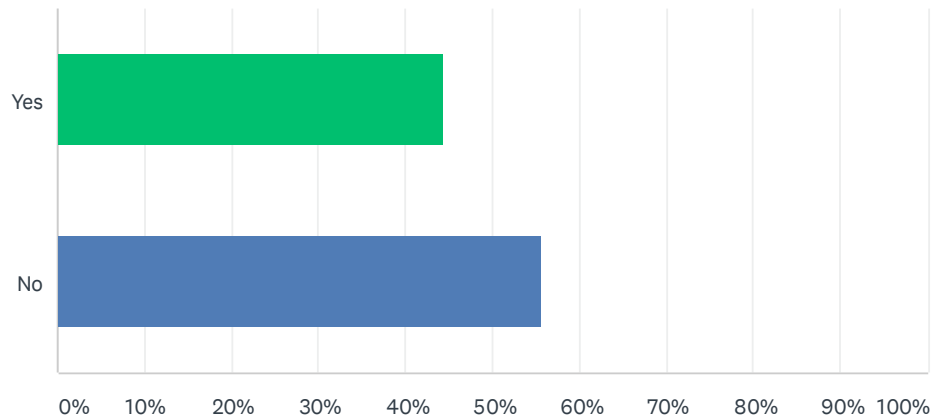
Answered: 168 Skipped: 2



ANSWER CHOICES	RESPONSES	
Yes, an officer has	16.07%	27
No, an officer has not	76.19%	128
Don't know	7.74%	13
TOTAL		168

Q15 Do you know how to file a complaint with the Newark Police Department?

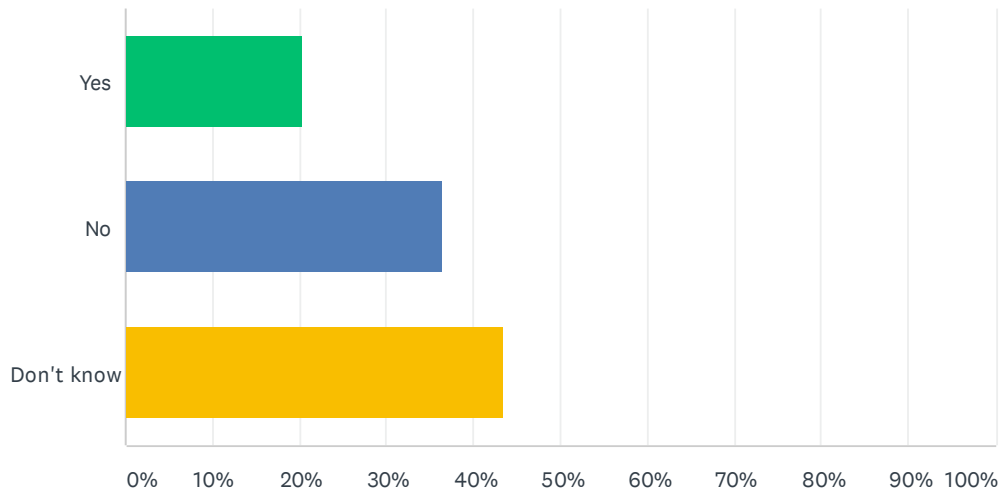
Answered: 169 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	44.38%	75
No	55.62%	94
TOTAL		169

Q16 If you were to file a complaint with the Newark Police, do you believe that your complaint would be adequately investigated?

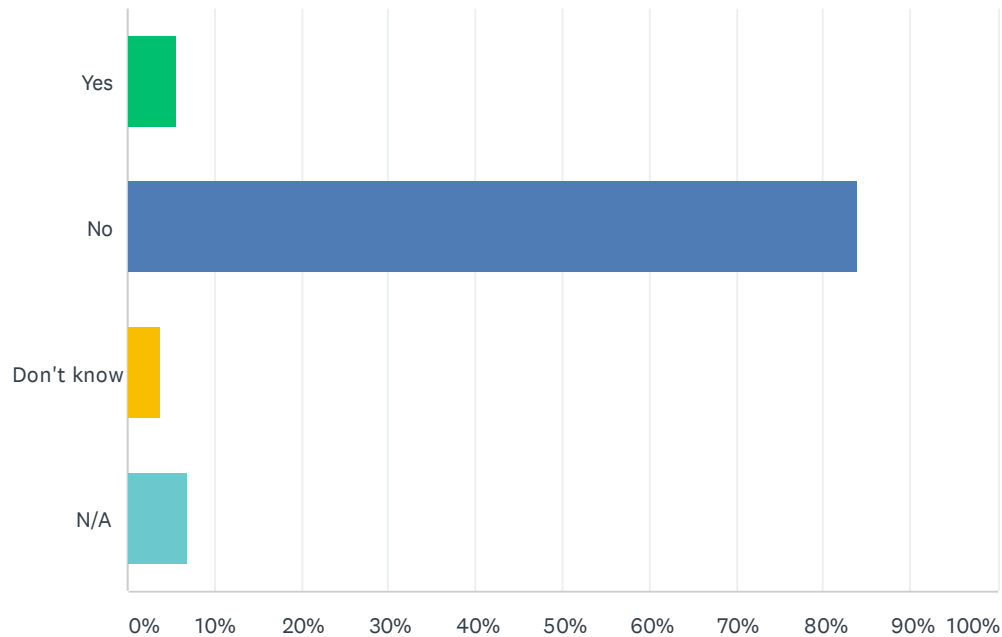
Answered: 168 Skipped: 2



ANSWER CHOICES	RESPONSES	
Yes	20.24%	34
No	36.31%	61
Don't know	43.45%	73
TOTAL		168

Q17 In the last 12 months, have you filed a complaint with the Newark police? If your answer to this question is no, skip to Question 19.

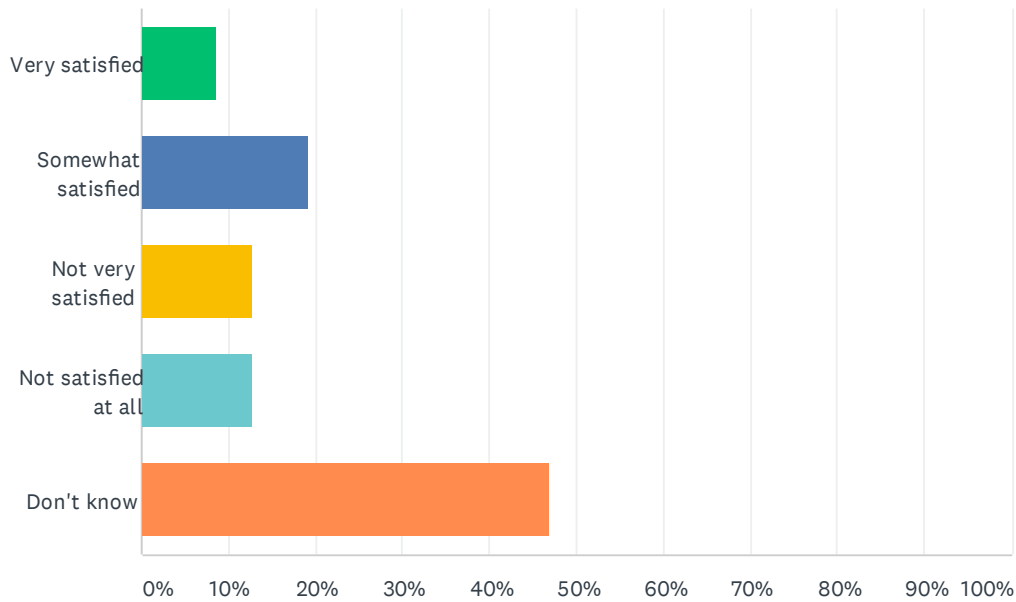
Answered: 161 Skipped: 9



ANSWER CHOICES	RESPONSES	
Yes	5.59%	9
No	83.85%	135
Don't know	3.73%	6
N/A	6.83%	11
TOTAL		161

Q18 If you answered yes to Question 17, were you satisfied with the result?

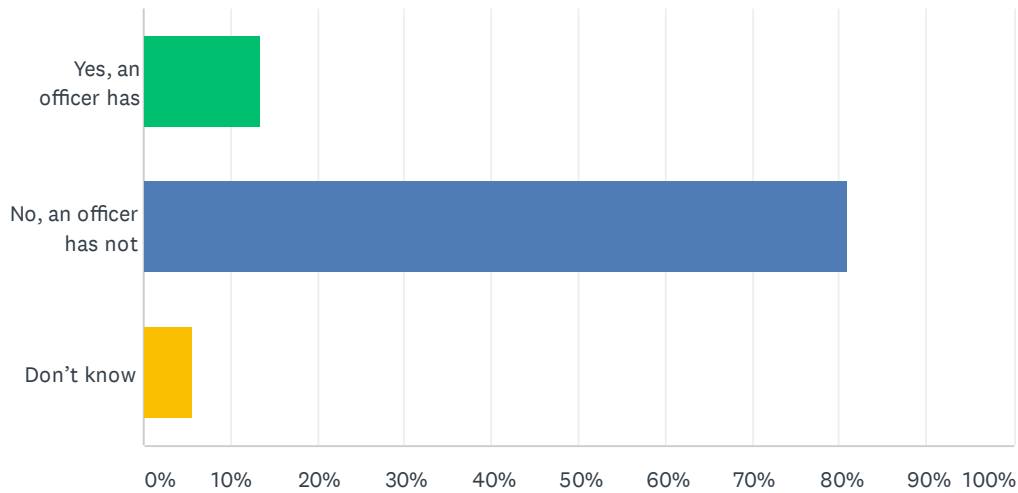
Answered: 47 Skipped: 123



ANSWER CHOICES	RESPONSES	
Very satisfied	8.51%	4
Somewhat satisfied	19.15%	9
Not very satisfied	12.77%	6
Not satisfied at all	12.77%	6
Don't know	46.81%	22
TOTAL		47

Q19 Has a Newark police officer stopped you in the last year? If your answer to this question is no, Skip to Question 26.

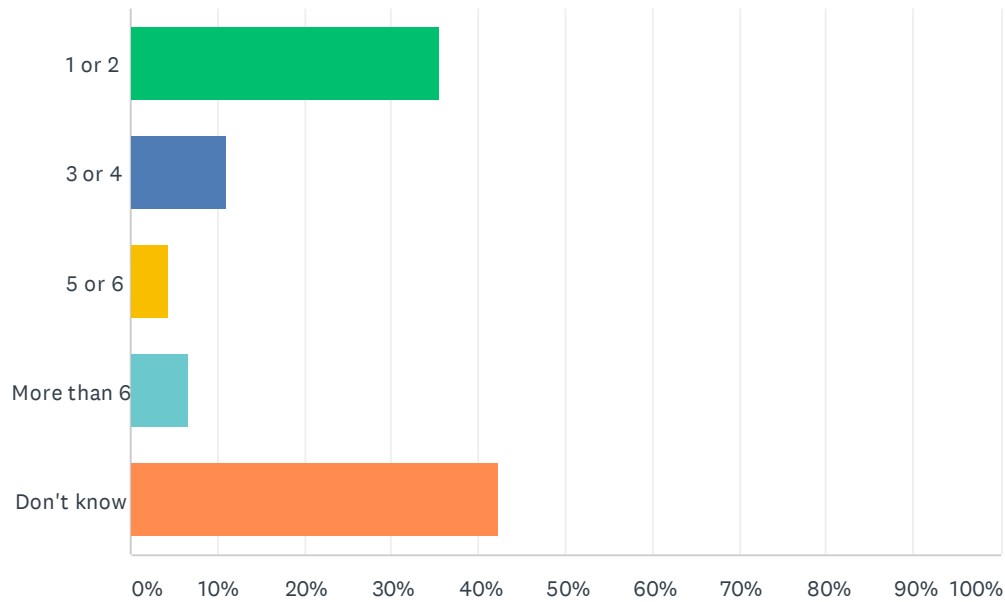
Answered: 157 Skipped: 13



ANSWER CHOICES	RESPONSES	
Yes, an officer has	13.38%	21
No, an officer has not	80.89%	127
Don't know	5.73%	9
TOTAL		157

Q20 If you answered yes to Question 19, about how many times have you been stopped by a Newark police officer in the last year?

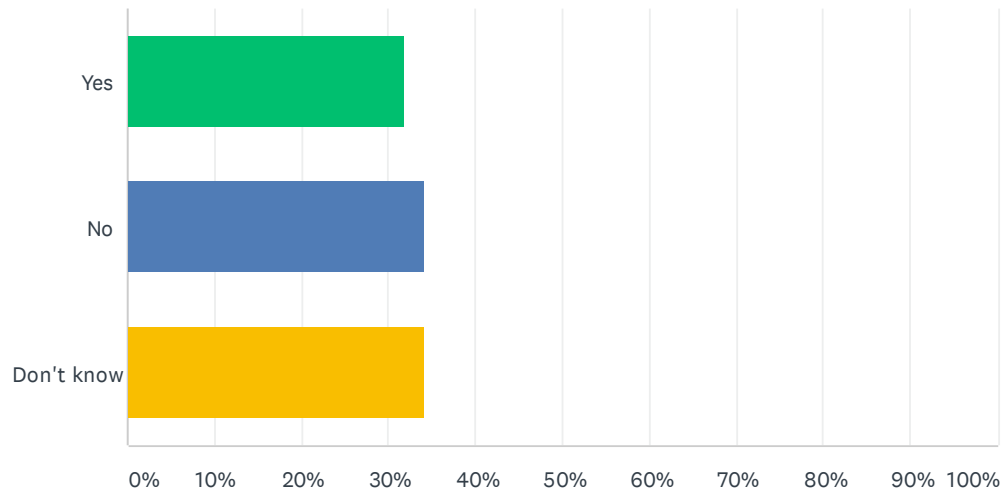
Answered: 45 Skipped: 125



ANSWER CHOICES	RESPONSES	
1 or 2	35.56%	16
3 or 4	11.11%	5
5 or 6	4.44%	2
More than 6	6.67%	3
Don't know	42.22%	19
TOTAL		45

Q21 If you answered yes to Question 19, did the officer explain why he/she stopped you?

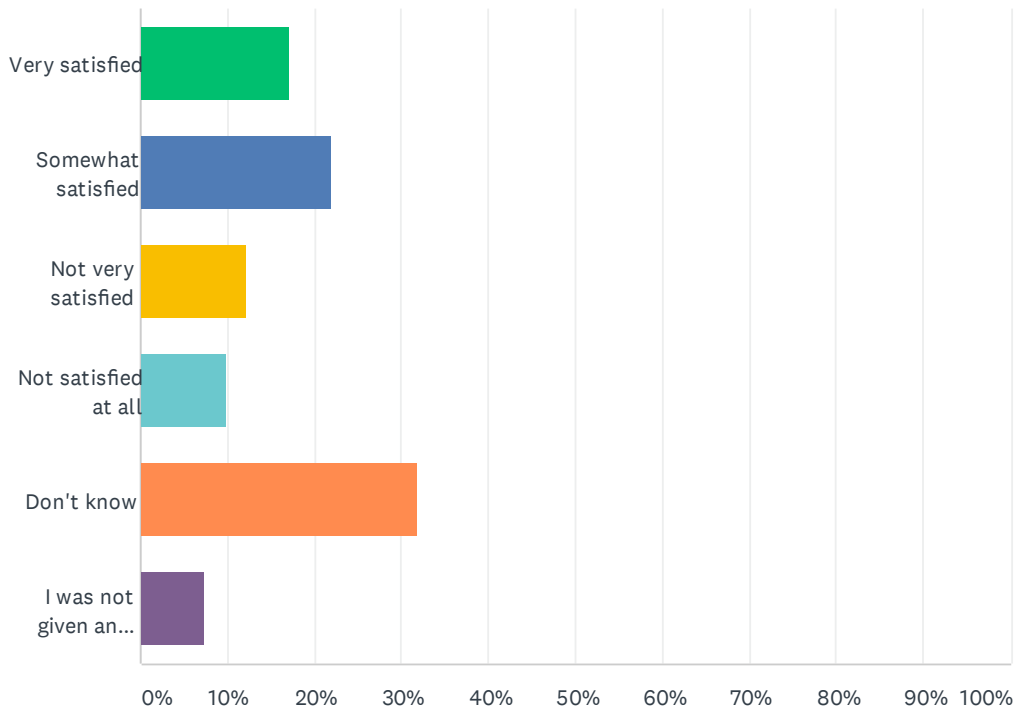
Answered: 44 Skipped: 126



ANSWER CHOICES	RESPONSES	
Yes	31.82%	14
No	34.09%	15
Don't know	34.09%	15
TOTAL		44

Q22 If you answered yes to Question 19, how satisfied were you with the explanation you were given?

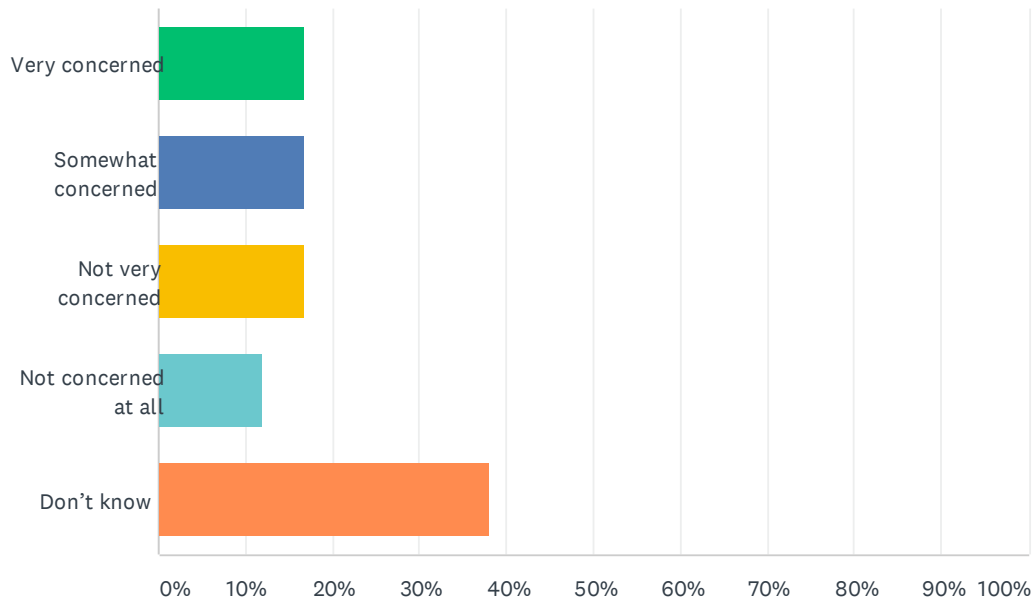
Answered: 41 Skipped: 129



ANSWER CHOICES	RESPONSES	
Very satisfied	17.07%	7
Somewhat satisfied	21.95%	9
Not very satisfied	12.20%	5
Not satisfied at all	9.76%	4
Don't know	31.71%	13
I was not given an explication	7.32%	3
TOTAL		41

Q23 If you answered yes to Question 19, how concerned were you for your own safety when you were stopped by the police officer?

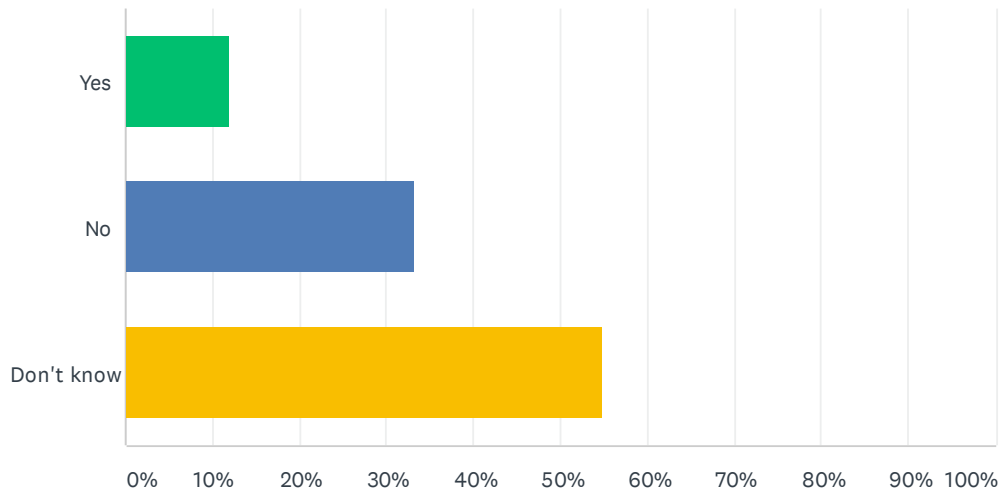
Answered: 42 Skipped: 128



ANSWER CHOICES	RESPONSES	
Very concerned	16.67%	7
Somewhat concerned	16.67%	7
Not very concerned	16.67%	7
Not concerned at all	11.90%	5
Don't know	38.10%	16
TOTAL		42

Q24 If you answered yes to Question 19, did you think you were stopped for good reason?

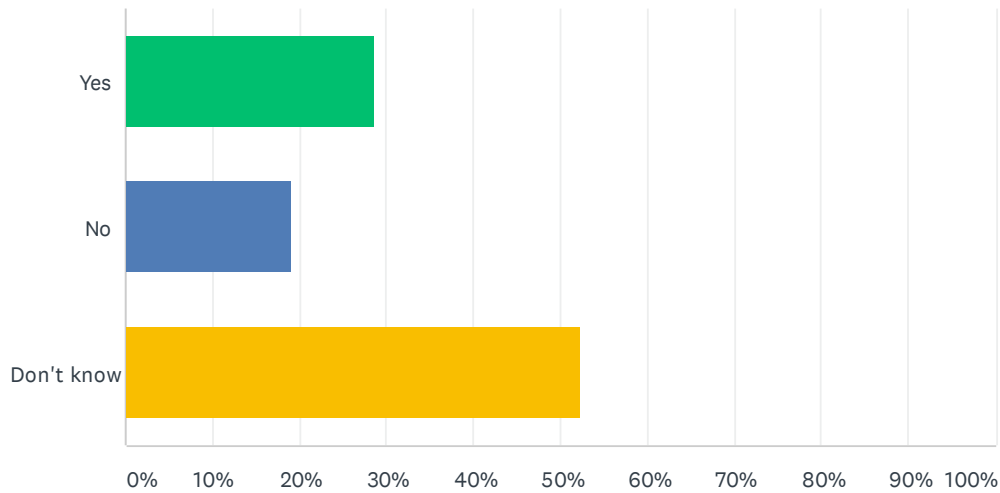
Answered: 42 Skipped: 128



ANSWER CHOICES	RESPONSES	
Yes	11.90%	5
No	33.33%	14
Don't know	54.76%	23
TOTAL		42

Q25 If you answered yes to Question 19, do you think you were stopped longer than necessary?

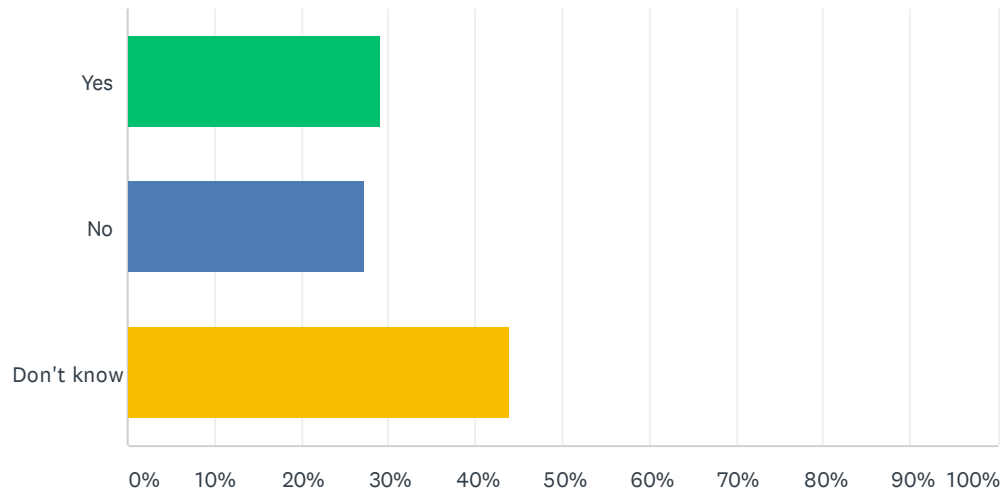
Answered: 42 Skipped: 128



ANSWER CHOICES	RESPONSES	
Yes	28.57%	12
No	19.05%	8
Don't know	52.38%	22
TOTAL		42

Q26 Do you think Newark police officers use the appropriate level of force during encounters with the public?

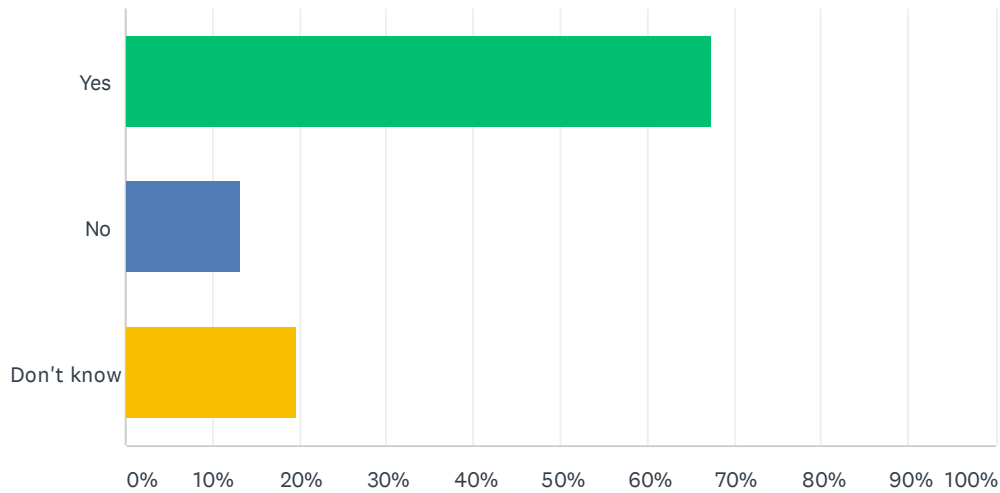
Answered: 155 Skipped: 15



ANSWER CHOICES	RESPONSES	
Yes	29.03%	45
No	27.10%	42
Don't know	43.87%	68
TOTAL		155

Q27 Would you have more overall trust in Newark police officers if they were wearing body cameras?

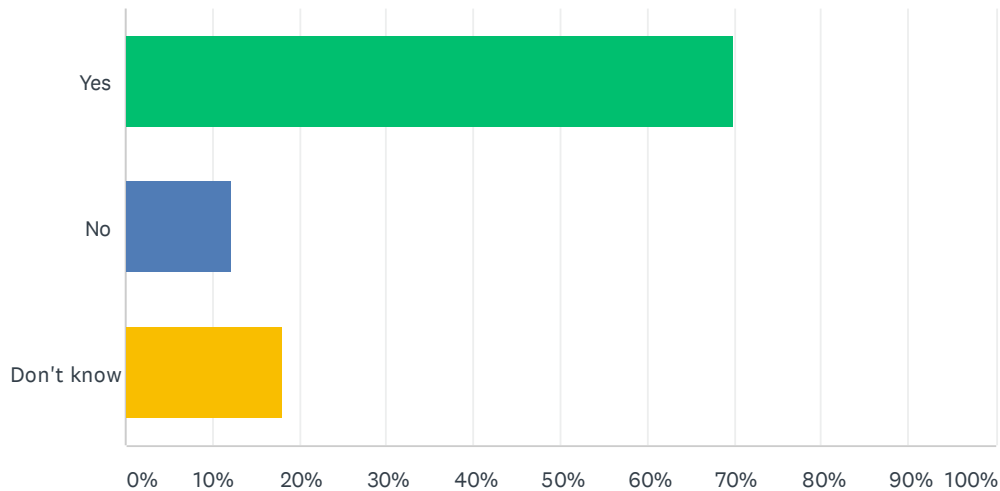
Answered: 168 Skipped: 2



ANSWER CHOICES	RESPONSES	
Yes	67.26%	113
No	13.10%	22
Don't know	19.64%	33
TOTAL		168

Q28 Do you think that footage from Newark police body-worn cameras should be made publicly available without any alterations or editing?

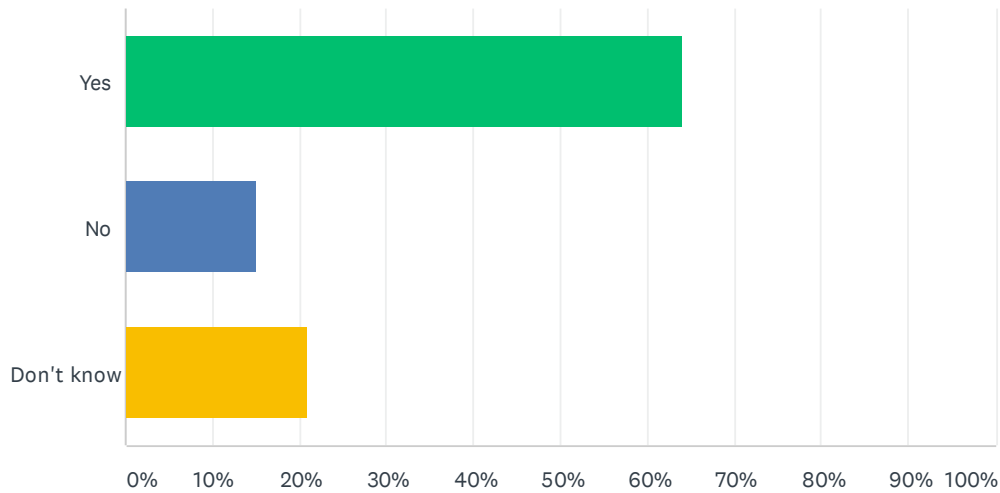
Answered: 166 Skipped: 4



ANSWER CHOICES	RESPONSES	
Yes	69.88%	116
No	12.05%	20
Don't know	18.07%	30
TOTAL		166

Q29 Do you think body cameras would improve relations between the Newark Police and the community?

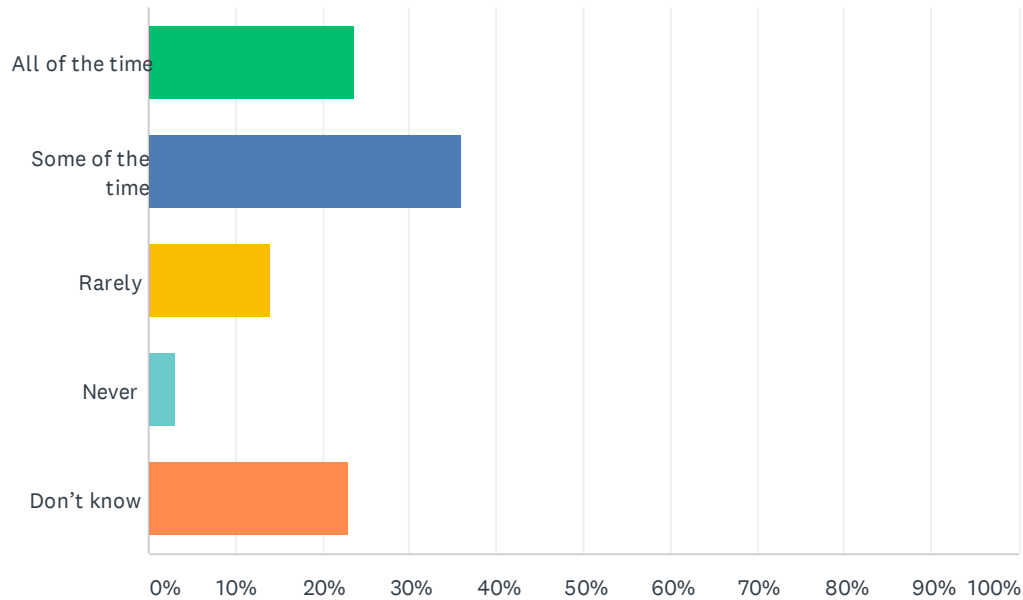
Answered: 167 Skipped: 3



ANSWER CHOICES	RESPONSES	
Yes	64.07%	107
No	14.97%	25
Don't know	20.96%	35
TOTAL		167

Q30 To the best of your knowledge, do Newark police officers attend events in your community all of the time, some of the time, rarely, or never?

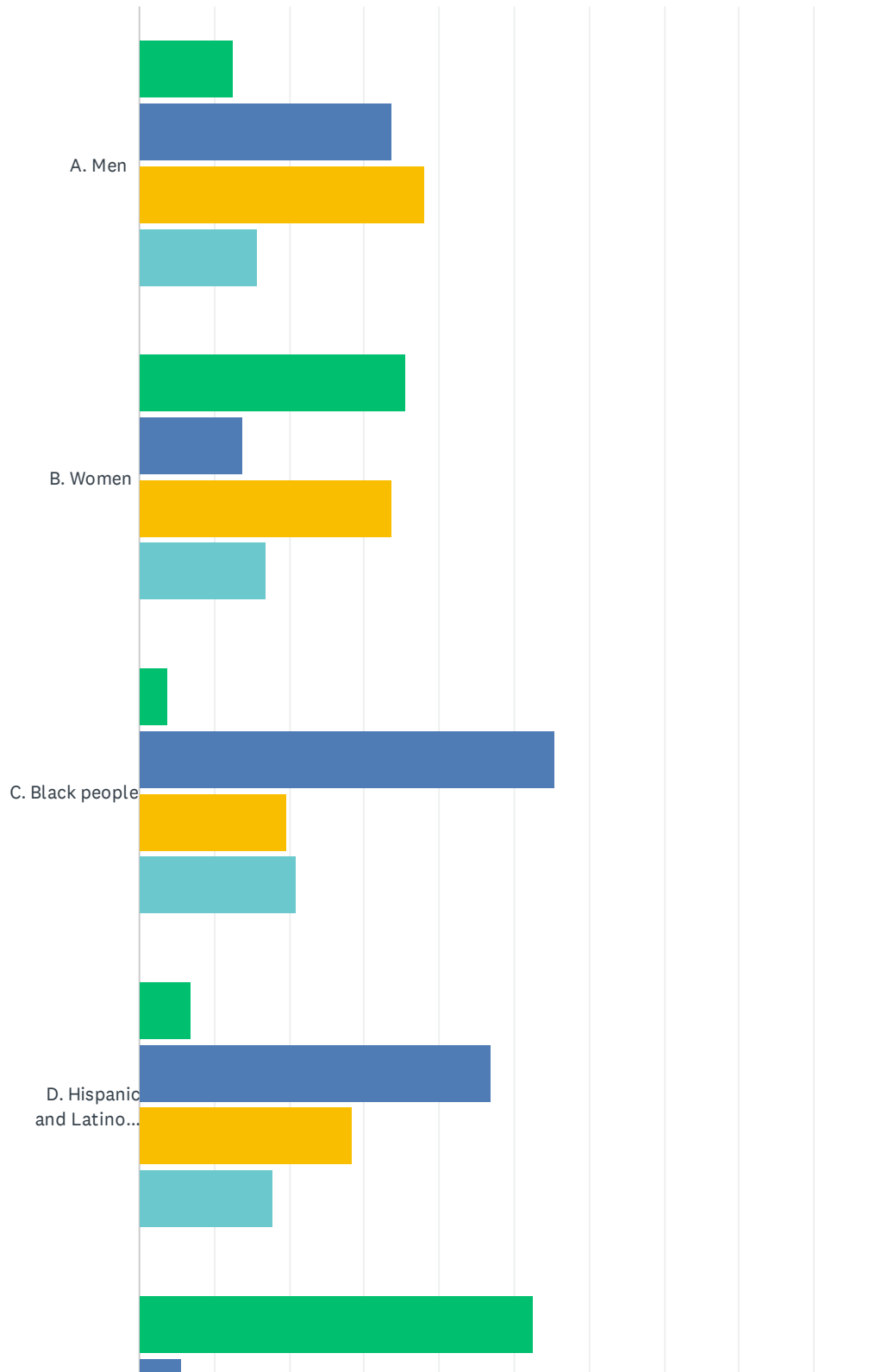
Answered: 156 Skipped: 14

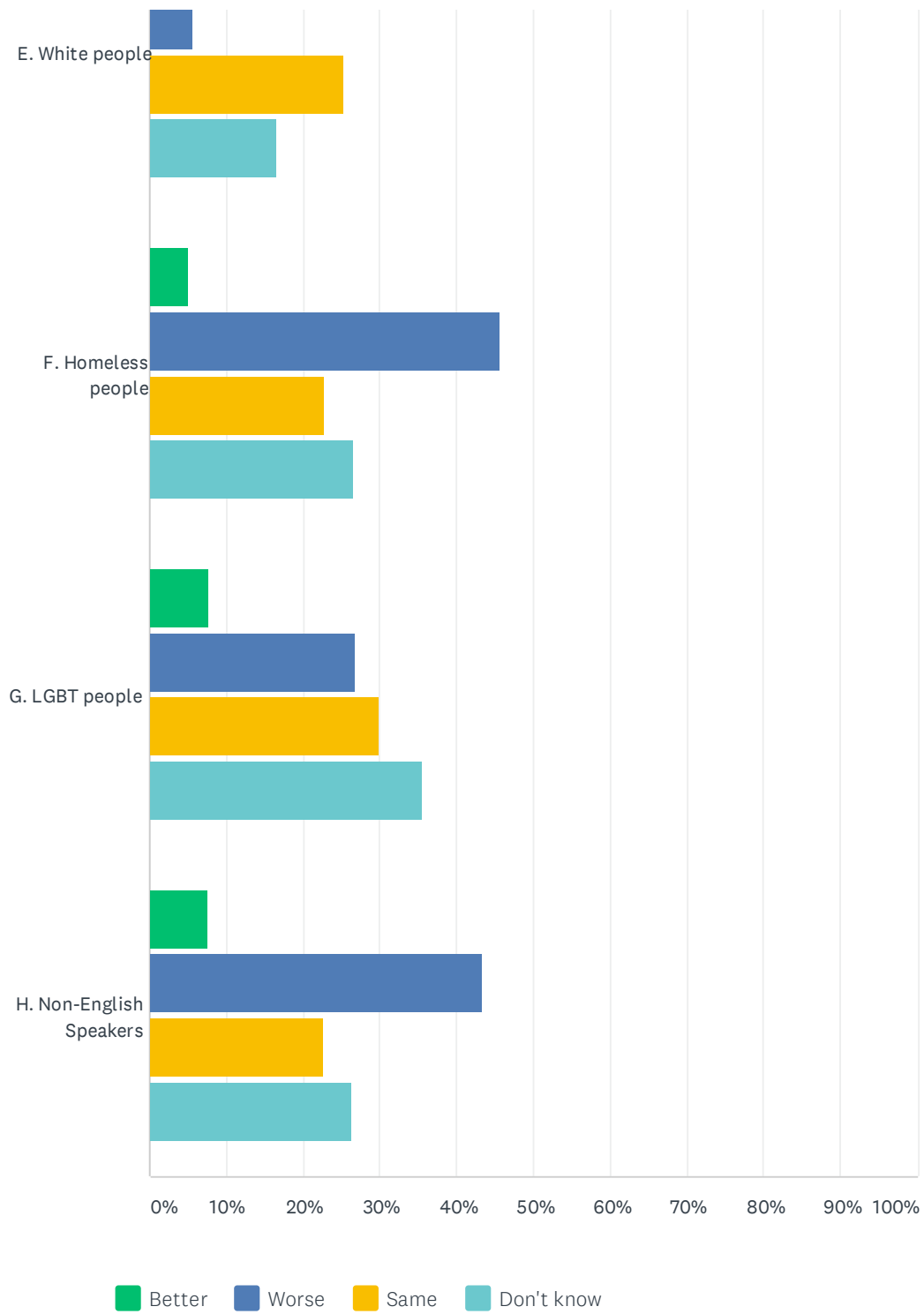


ANSWER CHOICES	RESPONSES	
All of the time	23.72%	37
Some of the time	35.90%	56
Rarely	14.10%	22
Never	3.21%	5
Don't know	23.08%	36
TOTAL		156

Q31 For each of the following groups, please tell us if you think the Newark Police treat this group better, worse, or the same as other groups in the community:

Answered: 160 Skipped: 10





	BETTER	WORSE	SAME	DON'T KNOW	TOTAL
A. Men	12.50% 20	33.75% 54	38.13% 61	15.63% 25	160
B. Women	35.63% 57	13.75% 22	33.75% 54	16.88% 27	160
C. Black people	3.82% 6	55.41% 87	19.75% 31	21.02% 33	157
D. Hispanic and Latino people	6.96% 11	46.84% 74	28.48% 45	17.72% 28	158
E. White people	52.53% 83	5.70% 9	25.32% 40	16.46% 26	158
F. Homeless people	5.06% 8	45.57% 72	22.78% 36	26.58% 42	158
G. LGBT people	7.64% 12	26.75% 42	29.94% 47	35.67% 56	157
H. Non-English Speakers	7.55% 12	43.40% 69	22.64% 36	26.42% 42	159

Q32 In just a few words, what is one thing the Newark Police should do differently to improve police-community relations?

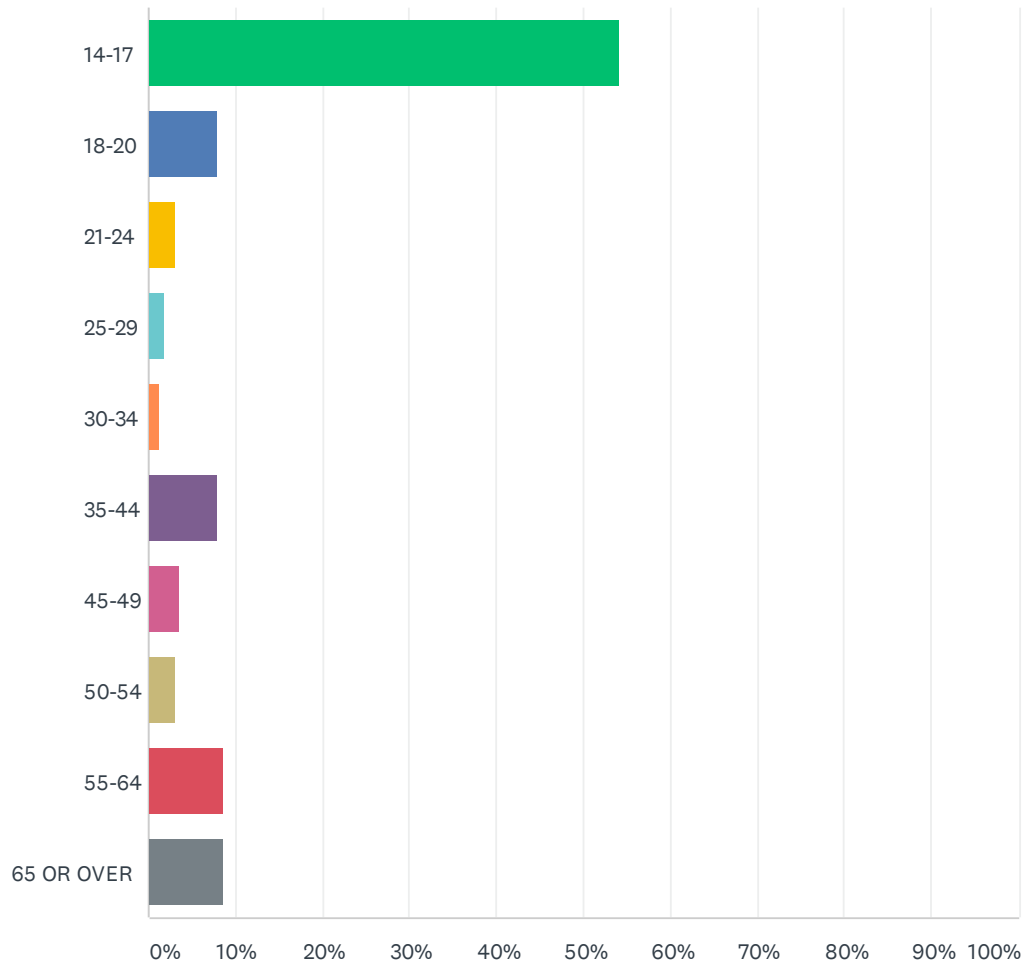
Answered: 125 Skipped: 45

Q33 Is there anything that we have not asked you that you want to share
with us?

Answered: 113 Skipped: 57

Q34 What is your age range?

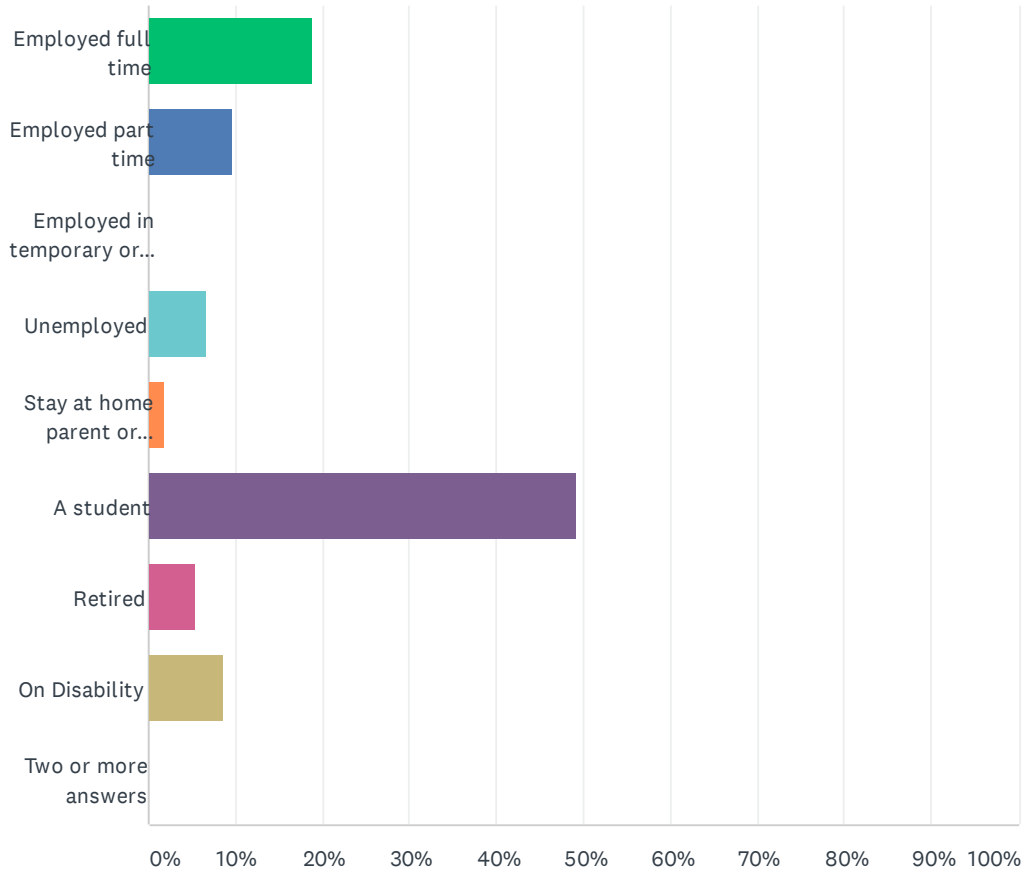
Answered: 164 Skipped: 6



ANSWER CHOICES	RESPONSES	
14-17	54.27%	89
18-20	7.93%	13
21-24	3.05%	5
25-29	1.83%	3
30-34	1.22%	2
35-44	7.93%	13
45-49	3.66%	6
50-54	3.05%	5
55-64	8.54%	14
65 OR OVER	8.54%	14
TOTAL		164

Q35 What best describes your employment situation today?

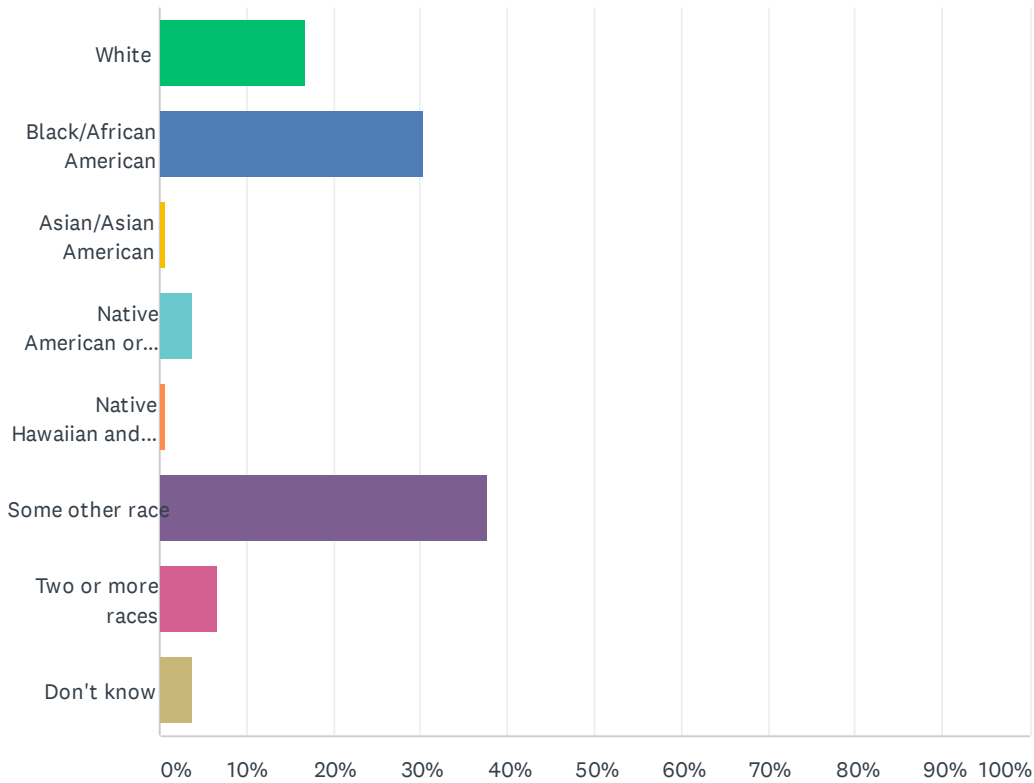
Answered: 165 Skipped: 5



ANSWER CHOICES	RESPONSES	
Employed full time	18.79%	31
Employed part time	9.70%	16
Employed in temporary or seasonal work	0.00%	0
Unemployed	6.67%	11
Stay at home parent or caregiver	1.82%	3
A student	49.09%	81
Retired	5.45%	9
On Disability	8.48%	14
Two or more answers	0.00%	0
TOTAL		165

Q36 Which of these groups would you say best represents your race?

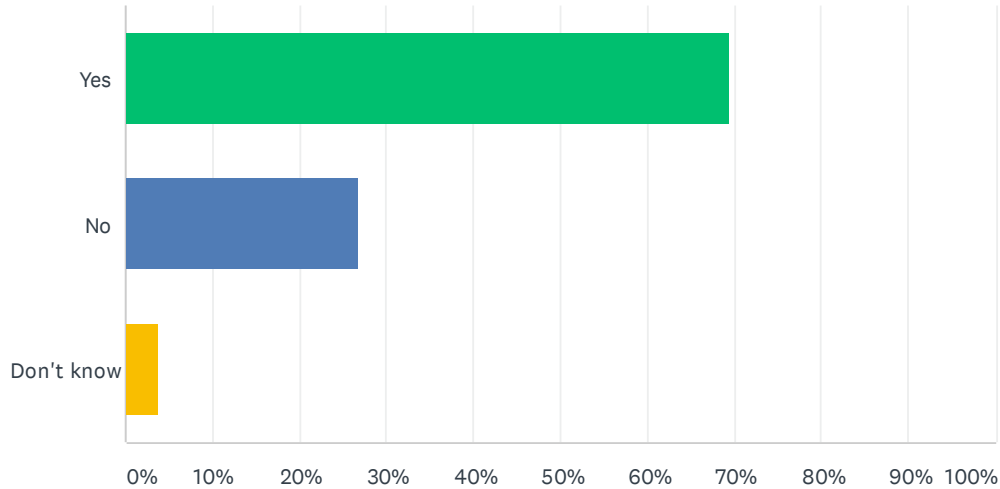
Answered: 162 Skipped: 8



ANSWER CHOICES	RESPONSES	
White	16.67%	27
Black/African American	30.25%	49
Asian/Asian American	0.62%	1
Native American or Alaska Native	3.70%	6
Native Hawaiian and Other Pacific Islander	0.62%	1
Some other race	37.65%	61
Two or more races	6.79%	11
Don't know	3.70%	6
TOTAL		162

Q37 Are you of Latino or Hispanic origin, such as Mexican, Puerto Rican, Cuban, Brazilian, Dominican, or some other Spanish or Portuguese-speaking background?

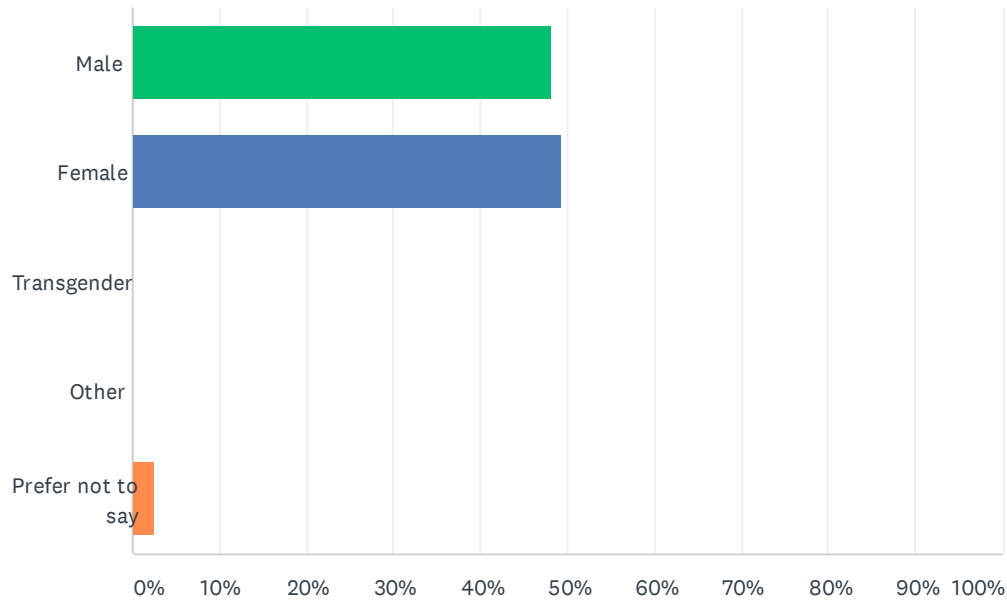
Answered: 160 Skipped: 10



ANSWER CHOICES	RESPONSES	
Yes	69.38%	111
No	26.88%	43
Don't know	3.75%	6
TOTAL		160

Q38 What is your gender?

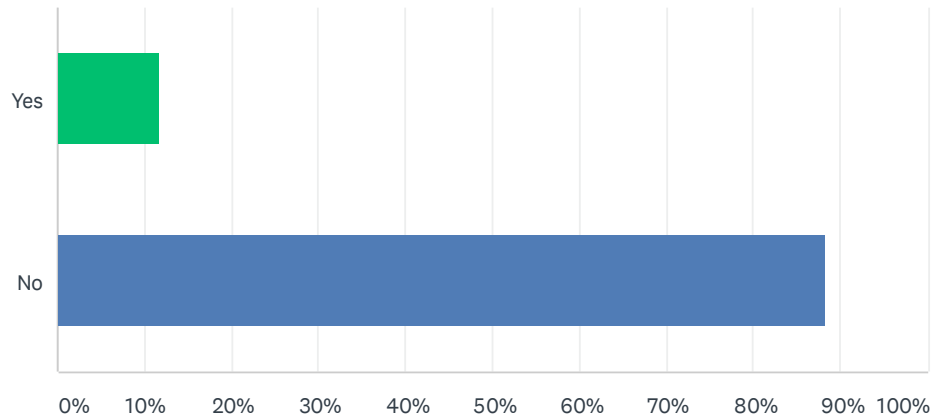
Answered: 164 Skipped: 6



ANSWER CHOICES	RESPONSES	
Male	48.17%	79
Female	49.39%	81
Transgender	0.00%	0
Other	0.00%	0
Prefer not to say	2.44%	4
TOTAL		164

Q39 Do you identify as LGBT?

Answered: 162 Skipped: 8



ANSWER CHOICES	RESPONSES	
Yes	11.73%	19
No	88.27%	143
TOTAL		162

Appendix F

Revised: January 25, 2021

I. Review Period: March 1, 2019 – December 31, 2019

II. Reviewers

Robert Wasserman, Hillard Heintze
Thomas J. O'Reilly, Rutgers Center on Policing
Rosalyn Parks, Rutgers Center on Policing
Linda Tartaglia, Rutgers Center on Policing

III. Off-site Virtual Review Conducted: August 15 and September 4, 2020

IV. Background

In a letter dated January 16, 2020,¹ the Monitoring Team informed both the Newark Police Division (“NPD”) and United States Department of Justice—the Parties to the Consent Decree—that it would conduct its *Second* Training Records Audit to determine whether the NPD maintained records showing that it had administered or would administer training to all relevant officers in the following Consent Decree areas: (1) community-oriented policing, (2) stops, searches and arrests, (3) use of force, and (4) in-car and body-worn cameras. These training sessions were the only substantive Consent Decree-required trainings that NPD had begun to administer at the time. This Audit Report documents whether (i) the records of all trainings provided between March 1, 2019 and December 31, 2019 have been properly recorded in *PowerDMS*, NPD’s electronic records management system and (ii) NPD has administered training required by the Consent Decree to its officers.

The Monitoring Team conducted this audit between August 15 and September 4, 2020 pursuant to Consent Decree Paragraphs 12 and 173. Paragraph 12 provides: “NPD will maintain complete and consistent training records for all officers.”

Paragraph 173 of the Consent Decree provides:

The Monitor will conduct compliance reviews or audits as necessary to determine whether the City and NPD have implemented and continue to comply with the requirements of this Agreement. Compliance with a requirement of this Agreement requires that the City and NPD have: (a) incorporated the requirement into the policy; (b) trained all relevant personnel as necessary to fulfill their responsibilities pursuant to the requirement; and (c) implemented the requirement in practice.

¹ The letter incorrectly lists the date as January 16, 2019.

A. Materials Requested and Reviewed

In advance of the Audit, the Monitoring Team requested that NPD make the following materials available:

1. A list of all officer badge numbers;
2. A complete list of all Consent Decree-related training that NPD had conducted from March 1 to December 31, 2019, including (a) the topic of the training, (b) the Consent Decree paragraphs addressed, (c) relevant NPD General Orders covered, (d) the start and completion dates, and (e) the number of officers trained;
3. A list of NPD officers who meet both of the following criteria: (a) did not receive training on body-worn cameras, stops, searches, and arrests, use of force, and/or community policing; and (b) returned from leave since March 1, 2019. Also requested were records that reflect that prior to March 1, 2019, officers meeting both criteria received the above listed training provided to NPD officers;
4. A complete list of NPD officers who graduated from the Essex County Police Academy since March 1, 2019;
5. A copy of the approved and current training General Order;² and
6. The first draft of NPD's Annual Training Schedule, including the schedule for all Consent Decree, New Jersey Attorney General, and NPD-required courses. This schedule should cover the period of January 1 to March 31, 2020 and include the method NPD will utilize to provide weekly updates to the schedule.

These materials were provided by NPD to the auditors on February 18, 2020.

B. Methodology

The auditors requested a comprehensive list of all NPD officers, their badge numbers and their duty status as of the end of the outlined audit period (March 1 and December 31, 2019). Once the auditors received this list from NPD, they selected all personnel from this list who were required to have completed the reviewed trainings (*e.g.*, omitting officers who were on military leave, terminal leave, suspended, *etc.*). These selected officers served as the total population under consideration for inclusion in the Audit sample. From this list of personnel, a random sample of 200 cases was drawn.

Because the impact of COVID-19 restricted travel to Newark, the auditors were not able to access *PowerDMS* in the offices of the NPD Consent Decree Team. Since the audit required reviewing *PowerDMS* records for all officers in the select sample of 200, the NPD Consent Decree Team provided records drawn from *PowerDMS* for all of those officers, in a remotely accessible, read-only format.

² The Monitoring Team reviewed this policy to determine whether the Monitoring Team's concerns outlined in its First Training Records Audit Report were properly addressed and, to provide NPD with feedback, if necessary.

For each officer identified in the sample, the auditors reviewed his or her training record in *PowerDMS* to determine whether they had attended the four Consent Decree training courses and passed the post-training evaluation associated with each training. Auditors also reviewed the training records to determine whether, if the officers in the sample had not taken one or more of the courses, *PowerDMS* records reflected the need for the officer to take the course. To achieve compliance, 95% of the officers in the sample would have to have taken the required course.

The General Order on Training was also requested and reviewed as a part of the audit to determine whether the requirements of that order were being followed.

C. Sample Size

NPD provided training records for all 200 officers identified in the sample. Of the original 200 officer sample, 9 officers were found to have received none of the training being audited. Those officers had only recently joined the NPD following graduation from the County Police Academy. These officers were assigned to foot patrol almost immediately after joining the Division due to the need for increased policing services related to the COVID-19 pandemic and NPD's suspension of all training to comply with social distancing guidelines and orders from public health officials. These nine officers were removed from the sample. Thus, the sample size audited was 191 officers.

The breakdown of the officers by rank can be found in Chart 1.

Chart 1:

Rank:	Officers:
Deputy Chief	2
Captain	7
Lieutenant	18
Sergeant	16
Patrol officer	148
Total:	191

V. OBSERVATIONS

The accuracy of information concerning training courses officers have attended has been greatly improved by the provision of tablets to each officer attending a training course. Officers use these tablets to log-in for the course and to take post-training tests. That information is then directly loaded into the *PowerDMS* database of officer training records.

The auditors found that all 191 officers had attended at least some of the courses. The courses that an officer has completed are listed in *PowerDMS* on a page of *completed trainings*. *PowerDMS* also displays a page that lists an officer's post-training test scores, indicating

whether the officer has passed the course. Additionally, *PowerDMS* provides information about whether an officer failed a course initially and, later remediated, either by (i) passing a second administration of a test, or (ii) before NPD adopted the practice of retesting officers, having the instructor explain to the student his or her incorrect answers followed by the student acknowledging to the instructor that they understood the material. For the sample audited, every officer who attended a training course passed the course's test initially or remediated.

VI. ANALYSIS

For the 191 officers in the sample who had taken all or some of the training, all had training records listed in *PowerDMS*. Among the sample officer records audited, for the courses being audited, we determined how many officers had had the training and how many had not. Those officers who had not had the training were considered to have missed the training. Taking that number of officers as a percentage of the officers being audited provided a level of compliance against the required 95% for full compliance.

The auditors were provided additional information after the audit was reviewed by the NPD. A number of officers provided to the auditors for its sample were on long term leave on disability during the audit time being reviewed. This information was not provided to the auditors at the time of the audit. Thus, the statistical results of the audit contained in the original draft of the audit report has been adjusted to reflect this additional information. The table below has also been updated to reflect that information.

The statistical results of the sample can be found below in Chart 2.

Chart 2:

Total Number of Officers:	191
Number of Officers missing Use of force training	8
Use of Force Compliance:	95.81%
Number of Officers missing Stops, Searches, and Arrests training	10
Stops, Searches, and Arrests Compliance:	94.76%
Number of Officers missing Body-Worn Camera training	4
Body-Worn Camera Compliance:	97.91%
Number of Officers missing Community Oriented Policing training	11
Community Oriented Policing Compliance:	94.24%

The training records do not contain a complete listing of training courses that individual officers are required to complete, but have yet to attend. For example, where officers have not had Use of Force training, in many instances, that requirement is not listed in the section of the

PowerDMS officer record of training as having yet to be completed. It is unclear whether the problem is attributable to how *PowerDMS* classifies training requirements or a failure of NPD staff to input that information into *PowerDMS*.

As a solution, the auditors suggest that when a course is entered into *PowerDMS* as a required course for all officers, a software process automatically notes that this training is outstanding in each officer's training record until the officer has received the training and passed the post-training test. The auditors note that in all instances, the "Community Policing 2019 training" (a required course) was the only course that was always listed in the *Courses Required* section of officers' files when they had not had that training. Other courses that similarly had not been taken by the officer were not listed.

The Audit also reviewed the Training General Order issued to NPD on December 31, 2019, *General Order 18-28, Training Standards*. That General Order contained recommendations the auditors had made to the draft order relating to (1) regular reports on training that had been scheduled and delivered, (2) weekly training reports submitted to the Director, and (3) qualifications for instructors. Since suspension of training courses due to the COVID-19 pandemic, the reports required by the General Order have stopped and had not been re-established as of the date of this audit, even though training has resumed.

Because the General Order was issued at the end of 2019, not all of the requirements have been put in place, such as the requirements that Instructors to be regularly trained and a master file keep instructor qualifications, training, and student evaluation results. The auditors expect that all of the requirements from the General Order will be implemented in the fall of 2020.

The lack of direct access to the *PowerDMS* prevented the auditors from determining whether course materials are being stored in that database for each course. However, the auditors viewed the training files being stored at the Training Division for each course. Those records appeared to be up to date and complete prior to suspension of training courses due to the COVID-19 pandemic.

VII. RECOMMENDATIONS

A. Prior Recommendations

In the prior *First Training Records* audit, the auditors made the following recommendations:

(1) NPD's training staff and facilities require augmentation.

The auditors noted that given NPD's size and the amount of training required by the Consent Decree, the New Jersey Attorney General's Office, and NPD's revised or newly written policies, NPD should add additional training staff, including at least one civilian support person who is dedicated to the maintenance and upkeep of its electronic records management system, *PowerDMS*.

Additionally, the auditors determined that NPD's training facilities were antiquated and dilapidated. These facilities did not provide an environment conducive to learning or a positive image to those receiving training, particularly recruits during their six to eight-week orientation. New officers get their first exposure to NPD during training; poor facilities impair morale and can send the message that officer training is a low priority. The auditors recommended a temporary change of the training location for new officers while repairs can be made. It was recommended that NPD consider use of classroom space at Rutgers Law School, Seton Hall Law School, and Berkeley College.

As of this audit, the Police Academy remains in a facility that is in general disrepair. Consent Decree Training, however, was moved to a modern classroom at the newly established Seventh Precinct station. This modern classroom is a far superior location for training. It is new, clean and air-conditioned. Holding training in this room represents substantial progress for the Division, but NPD still must find a new location for the Police Academy to ensure that training is occurring at the same location as the offices of NPD's training management—a location with space for more than a single classroom. Ideally, the location should have some smaller breakout rooms for small group discussion, which could dramatically improve the quality of training in all courses offered.

(2) NPD should codify and formalize its process for selecting trainers and reviewing training after it has been administered.

While NPD has recruited well-qualified trainers to administer the four Consent Decree trainings, it should codify its process for selecting trainers in the future. Best practices include maintaining an organized file of at least the following information: (i) the capabilities of the instructor, (ii) completion of an instructional methods course, (iii) instructors' training experience on the subject matter; and (iv) officer comments on the training.

This system should maintain basic information about data used in the decision-making process of whether to retain a specific trainer, including the name of the instructor, position or affiliation with NPD, instructional training attended, rank of the police officer, other relevant subject matter taught, and any evaluations or feedback on the instructor's past performance. This information should be stored in two places: the individual instructor files and in the Master Course Files.

Finally, NPD should designate a member of the Training Academy to review comments received from the students who suggest ways to improve the course after it has been completed, and at least one member to review each training for changes in the law and best police and training practices.

(3) The Consent Decree and Planning Division should monitor whether all the requirements of *General Order 18-28* have been implemented.

As of this audit, the recommendations listed above have been codified in *General Order 18-28, Training Standards*. The COVID-19 pandemic has delayed full implementation of these

recommendations. Implementation of all the requirements of *General Order 18-28* should be carefully monitored.

(4) NPD should formalize its process for administering remedial training.

The NPD Training Academy uses a percentage of correct answers on the post-test form as the predesignated passing score for each particular topic taught. If an individual does *not* achieve the 80% threshold on the post-test, the training participant was required to review all incorrect answers with instructors. The instructor explained the rationale for why a particular choice is correct and why other answers are incorrect. Once the instructor was satisfied that the training participant fully comprehends the material, the instructor signs the post-test form indicating that the instructor has concluded that the student has been “remediated” on the relevant topic.

The auditors suggested a consistent policy aligned with *General Order 18-28, Section 4*, under which the Academy would create a more formalized process for individuals who do not achieve the 80% score on the post-test. This process should include remediation as is currently being done, followed by administration of a *second test* to the officer to gauge whether he or she achieves the required 80% completion. General Order 18-28 provides that if an officer, upon taking the test the second time after remediation, does not achieve a score of at least 80%, then he or she is referred to the commanding officer for appropriate action.

We also suggested that the required passing score be tied to the particular subject matter being assessed. Some subject areas **must** require a higher score. For example, Use of Force testing should require close to a 100% score. Other tests might require a lower score.

As of this Audit, from discussion with the Consent Decree and Planning Division and the NPD training staff, there is general agreement with these recommendations, however, they have not been fully implemented. The use of the post-test has been adopted for Consent Decree training sessions. Yet, there does not appear to be agreement on the relative passing scores for different training courses. We recommend that Use of Force training require at least 90% correct answers for an officer to pass; that Stop Search and Arrest training require at least 80% correct answers and other courses require a minimum of 70%. In upcoming annual in-service training programs for these subjects, we recommend that NPD conduct a pre-test to measure current officer understanding of the material that was in the initial course. This information can provide guidance to NPD regarding the longer-term understanding of the concepts that were taught in the former course.

(5) NPD’s training staff requires additional assistance to transition to its electronic records management system.

At the time that the auditors conducted the *First Training Records* audit, the Police Academy had *only one officer* devoted to entering the records of the officers into the *PowerDMS* electronic records management system. It is clear that this personnel allocation was inadequate. For example, for the four courses subject to this compliance review, a single person was required

to create and update over 5,000 individual records. Further, the officer devoted to data entries, now a lieutenant, had numerous other responsibilities for NPD's training program beyond data entry.

Progress has been significant and steady, but NPD needs additional temporary help with these files. To properly maintain these files, NPD should dedicate one or more civilian support persons fully trained in the operation of *PowerDMS*. The *PowerDMS* system applications are particularly critical for training records. The successful management and implementation of *PowerDMS* will help NPD comply with various Consent Decree requirements and should be prioritized.

As of this Audit, substantial improvements have been made. Consent Decree training records are now entered into *PowerDMS* at the time of the course by students using the provided tablet. NPD has completed the process of entering training records of employees into *PowerDMS*.

(6) NPD must create monthly and annual calendars of its trainings, Consent Decree and otherwise.

The auditors recommended that, to ensure NPD optimizes its training resources, it should formalize the process for creating a monthly calendar of trainings, and create an annual training schedule, which would include trainings required by (i) the Consent Decree, (ii) New Jersey Attorney General's Office, and (iii) other required courses. The process for formalizing the master calendar, as well as other aspects of the training function at NPD, should be memorialized in a training standard operating procedure. This standard procedure is imperative in ensuring a comprehensive training program that reflects best practices, as well as ensuring smooth transition of leadership and staff.

General Order 18-28 identified the process for providing weekly calendars of training events scheduled and those held in the previous week. That weekly report was begun in late 2019 but has not yet been continued, as of this audit date. A training calendar for the year 2020 was also developed early in 2020, but that calendar needs to be updated to reflect the changes that have occurred due to the suspension of training due to the COVID-19 pandemic.

B. Current Recommendations

(1) The training records in *PowerDMS* need to be improved so that the fields showing courses for which officers are deficient include all Consent Decree courses that have not been taken.

As noted above, current training records do not show *all* outstanding Consent Decree courses that individual officers have *not* yet received. *PowerDMS* should be modified and improved to ensure that this information is created automatically and that it is readily accessible by NPD staff and auditors. The NPD Training Division should produce a quarterly report showing what courses officers have yet to receive.

- (2) The weekly report should be reinstituted, showing all training activity, as well as courses outside the department that some officers have attended.**

This weekly report will provide Department management and the Consent Decree and Planning Division a picture of training activities that have been on-going in the agency. The weekly report also should be provided to the Independent Monitoring Team upon submission.

- (3) Required course passing rates should be established for all courses, and should incorporate the firearms training standard currently used.**

While some passing scores for post-training tests have been established, every course needs a specific passing score related to the critical nature of the subject. The tests used to measure student understanding of the material and the second test for those who have not achieved a passing score should be reviewed by the Independent Monitoring Team prior to implementation.

- (4) When new Officers arrive at the Division after County Recruit Training, or returning from a long-term absence preventing them from receiving the required Consent Decree training, they should immediately receive a briefing of the core requirements relating to Use of Force, Stop, Search and Arrest and Body-Worn and In-Car Camera requirements before being assigned to any type of field activity as police officers.**

While the department has implemented some aspects of this recommendation, from a review of the *PowerDMS* officer training records, NPD's implementation has not been consistent. The courses or "briefings" provided to officers in these instances should be provided to the Independent Monitoring Team for review and approval.

- (5) The schedule and content for the required 40 hours of in-service Consent Decree training should be immediately developed and scheduled.**

So far, only segments of Community Policing and Bias Free Training have been scheduled. The total 40-hour curriculum should be established and shared with the Independent Monitoring Team prior to implementation.