

Takoma Park City Council Members Questions regarding TPPD Operations- Answers provided by Chief Antonio B. DeVaul

**Question (Q)- What does the department's de-escalation training consist of?**

**Answer (A)**-The department has been involved in de-escalation and associated training that occurred both while in the police academy as part of initial training and through in-service training and assigned training. The de-escalation and associated training have included:

- De-escalation scenarios during annual Taser training in which officers transition from deadly force to non-lethal force
- Mental Health First Aid (initial help for people experiencing mental health problems)
- Fair and Impartial Police Instructor Training
- VALOR T3 (Tact, Tactics and Trust) Gallaudet University de-escalation training

\*\* Training has been very limited for the past three months due to COVID-19 restrictions.

**(Q)- Are there any set patrol routes?**

**(A)**-The City of Takoma Park is divided into patrol beats. The purpose of the patrol beats is to assign officers to specific areas so that they become familiar with the neighborhood and residents in their particular beat in an effort to be more involved in community policing. The current beat assignment consists of three beats that combined are broken down into a total of nine different reporting areas.

Takoma Park Police regulations provide that officers are responsible for checking each street in their assigned beat at least once per tour. In addition, officers provide house checks for the community, and are required to conduct a visual and physical check of public and commercial buildings, properties, schools, houses of worship and report any public hazards.

**(Q)- How many squad cars are there in the department?**

**(A)**- There are approximately 30 marked police vehicles and 19 unmarked police vehicles. The unmarked police vehicles include Command Staff and Investigators.

**(Q)- What is the call volume do you receive daily?**

**(A)**- The patrol squads have between five and seven officers on any given day. The contacts do not include the variety of community events and details that our officers are routinely involved in.

**2020** calls for service (January thru May) averaged approximately 669 calls per month not including self-initiated calls or traffic stops. The Takoma Park Police Department in 2019 had approximately 11,687 police contacts with the public which included calls for service, self- initiated calls, and traffic stops, which averaged approximately 32 contacts on a daily basis.

**2019** calls for service averaged 568 calls for service per month not including self-initiated calls or traffic stops.

**2018** calls for service averaged 619 calls for service per month not including self-initiated calls or traffic stops.

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**(Q)- Do you believe that the police are the best equipped to deal with calls involving mental issues?**

**(A)-** This is an involved question. We support looking at ways to transfer mental health calls, homeless calls, substance abuse calls, etc. to other entities. This is a discussion that goes beyond Takoma Park.

**(Q)- Do you believe that the crime rate of Takoma Park calls for the budget that the police department is receiving?**

**(A)-** The crime rate is not the only factor to consider when looking at the overall budget of a law enforcement agencies. Proactive engagement leads to less crime and arrests.

**(Q)- What's the balance or percentage of staff number and personnel costs for sworn officer and civilian functions?**

Personnel Type	Total Personnel BudPolice get	Percent of Personnel Budget	Total FTEs	Percent of FTEs
Sworn	\$ 6,245,048.52	77%	43	64%
Civilian	\$ 1,891,871.88	23%	24	36%
TOTAL	\$ 8,136,920.40	100%	67	100%

SWORN	Wages	Fringe	Other Costs	FTEs	PT
Office of the Chief	\$ 298,956.74	\$ 171,098.23	\$ 13,746.50	2	0
Communications	\$ -	\$ -	\$ -	0	0
Police Operations/Patrol	\$ 1,988,830.50	\$ 1,311,219.18	\$ 591,264.80	29	0
Support Services/CI Division	\$ 770,629.59	\$ 519,871.59	\$ 130,499.19	9	0
Administrative Services	\$ 96,361.21	\$ 73,064.66	\$ 2,153.00	1	0
Neighborhood Services	\$ -	\$ -	\$ -	0	0
Speed Camera Fund	\$ 157,656.42	\$ 100,421.41	\$ 19,275.50	2	0
Total	\$ 3,312,434.45	\$ 2,175,675.08	\$ 756,939.00	42	0

CIVILIAN	Wages	Fringe	Other Costs	FTEs	PT
Office of the Chief	\$ 148,652.50	\$ 50,650.33	\$ 15,775.50	2	0
Communications	\$ 383,274.24	\$ 135,057.41	\$ 66,150.93	7	0
Police Operations/Patrol	\$ -	\$ -	\$ -	0	0
Support Services/CI Division	\$ 190,928.21	\$ 61,727.68	\$ 1,115.95	3	0
Administrative Services	\$ 128,176.65	\$ 123,083.79	\$ 26,593.86	3	3.1
Neighborhood Services	\$ 322,730.49	\$ 133,894.58	\$ 7,250.00	5	0
Speed Camera Fund	\$ 56,948.32	\$ 34,230.98	\$ 5,630.48	1	0
Total	\$ 1,230,710.41	\$ 538,644.76	\$ 122,516.71	21	3.1

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**(Q)- Why does the Department have an ERT for a 2.5-mile jurisdiction?**

(A)- The Takoma Park Police Department is a full-service police department. Our ERT allows us for direct oversight of emergency call outs in the city. Our team has always taken a cautious approach to de-escalating these situations. If we did not have our own team, we would turn over command and control of ERT incidents to other jurisdictions, such as Montgomery County, Prince George's County or the State Police. We are open to discussing the pros and cons of having an ERT.

**(Q)- Is there anything the Council needs to do to move mediation along?**

(A)- No. We are in the final stages of implementing alternative dispute mediation to our disciplinary process. This should be fully in place within the next month or so.

**(Q)- How many -- if any -- incidents of officers intervening when others were engaging in improper activity have there been?**

(A)- Our agency is proud of the fact that we receive very few complaints. In 2019 despite 11,687 contacts with residents the Department received nine complaints, one of which was determined to involve a different agency.

There have been no instances of officers engaging in improper activity in which other officers had to intervene

The Takoma Park Police Rules of the Department include a Duty to Report, a Duty to Intervene, and a Supervisory Duty to Act. Violations of these rules could lead to disciplinary action up to and including termination

**(Q)- On use of force policies, in terms of warnings before shooting, what would that consist of? What would an officer say as a warning?**

(A)- The Takoma Park Police Department has stringent rules involving when deadly force can be used and the reporting of any use of force. Deadly force is defined as any use of force which is intended or likely to cause a substantial risk of death or serious physical injury. Officers respond to different situations and depending upon the situation a variety of verbal commands could be used including: Stop Police, Drop the Weapon. These commands are practiced during weapons training.

There are times during dangerous and rapidly evolving situations when an officer may not have time to give verbal commands however, whenever possible verbal commands are used.

Officers are trained that their presence is the first level of gaining compliance followed by the use of verbal commands prior to any use of force if possible.

**(Q)- How much flexibility do we have in terms of following State rules on personnel or other police matters? Can we be more (or less) restrictive?**

(A)- The Department follows existing State rules that apply to our agency. The State rules sometimes only apply to State agencies depending upon the rule.

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The Maryland Public Information Act, which is State law, covers the release of personnel records and that applies to records on police and all personnel.

**(Q)- Are there different protocols written, verbal, or otherwise based on what neighborhoods police are in?**

(A)- The Takoma Park Police Department does not apply different protocols or standards of policing that depend upon a person's race, gender, sexual orientation, religious affiliation or area being policed. The Department makes a concerted effort to provide fair and impartial policing regardless of the variables.

The City of Takoma Park is broken down into beats and reporting areas. The City has three beats and officers are assigned to specific beats in order for them to be stakeholders in the area that they police, and become familiar with the residents, businesses and issues within their assigned area

**(Q)- Can you be more specific about the change in performance evaluation measures for officers?**

(A)- The Department previously had performance measures that included a point system for part of an officer's evaluation. The point system was not a quota system and was meant to apply points to various activities that officers do without requiring a specific number of arrests or tickets. The point system was evaluated and the requirement removed from consideration in the evaluation system because of its perception of being a quota system and its potential influence over enforcement.

The Department's focus on future evaluations is less on enforcement and more of a focus on community involvement. The evaluations include measures on Communication, Customer Service, Job Knowledge, Decision and Judgement, Beat responsibilities and foot/bike patrol.

**(Q)- Have you taken a look at the need for the current number of sworn officer slots, and if so based on what factors--for example shift coverage, number of calls, types of crimes?**

(A)- The Department continually assesses staffing needs. The Department currently has 43 sworn officers all of which are needed to address the needs of the community and provide the various services that a full-service police department provides

The Department prides itself on the low crime rate which we directly attribute to our officer's presence in the community and the manner in which we police. Takoma Park has seen reduced crime over the past five years despite bordering with larger jurisdictions such as the District of Columbia, Prince George County and Montgomery County

The Department would be unable to provide a satisfactory level of performance and the service that we currently provide to the community with a diminished staffing level. Examples of some of the services that the Department provides is the Homework Club, Community Police Academy, Police Explorer Program, House Checks for residents who go out of town, police sponsored community cookouts etc.

The essential functions of the police department require the current level of staffing to be maintained in order to address the needs of the community. The majority of the police department funds come

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from outside sources and the residents of Takoma Park benefit from having a Department that they have more control over that is tailored to their community needs.

**(Q)-What do you recommend to adopt of former council member Male's 11 proposals for public safety?**

(A)- See attached

**(Q)- What steps have you taken to get officers out of patrol cars and onto foot or bike patrol when appropriate, how is that going, and how are residents and staff reacting?**

(A)- The officer's current evaluations have a measure that addresses foot and bicycle patrol. Officers are encouraged to be out in the community on foot and bike within their assigned beats.

The Department has a bike instructor for in-house training for bike patrol for new officers. Staffing levels affects to what extent officers can be involved in bike patrol because of the need to be able to respond to emergency calls in a timely manner.

Residents appear to like officers out in the community and on bike patrol as it provides a more personalized interaction with police staff. The Department utilizes bike and foot patrol at special events such as the 4<sup>th</sup> of July Parade, various street festivals, and other special details.

The Department has participated in bike rodeos with the youth in the community and use the existence of bike patrol as recruiting and retention tools.

The Department is exploring the purchase of electric bikes due to the hilly environment of Takoma Park and feel that this will get more officers out on bike patrol. Officers react positively to bike patrol and bike trained officers take the opportunity to ride whenever possible especially in the warmer months

**(Q)- What is your policy on use of tear gas and other crowd control measures? (I think Kacy asked this one as well)**

(A)- Policy attached

**(Q)- What is the internal investigation procedure? Who is involved in those investigations? Can more be made public? What more can we do regardless of LEOBR?**

(A) Policy attached

**(Q)- Training- how are officers trained? What requirements are there for ongoing de-escalation training and implicit bias training (#number of hours/emphasis of training)?**

(A)- new officers spend six months in a state certified police academy. We primarily send our officers to the Montgomery County Police academy. All aspects of police work are covered during the academy, from de-escalation, dealing with residents with mental illness, firearms, driving, etc.

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Once the officers have successfully completed the police academy, they spend 12 weeks riding with seasoned officer, where their performance is evaluated by the training officers. Once they successfully complete the field training they can perform as a standalone officer.

Each officer in the state of Maryland is required to attend at least 18 hours of in-service training annually. This training includes firearms, de-escalation, first aid, and many other topics related to police work.

In addition to the required training, all Takoma Park Officers receive additional training in best practices in law enforcement. Recent training attended has been implicit bias training for all staff, crisis intervention training, active shooter training, verbal judo training and many more. We are in the process of putting together a full list of training our officers receive.

In addition to regular training our supervisors conduct daily roll call training with staff. This training consists of review of general orders and policies, debrief of internal and external incidents, reviewing of best practices articles and many other relevant trainings.

Our command and supervisory staff also attend annual conference, such as the International Chiefs of Police (IACP) Conference, the National Organization of Black Law Enforcement Executives (NOBLE) Conference, The Maryland Chiefs of Police Conference, the MML/PEA conference, the Police Executive Research Program annual conference and others related to best practices in law enforcement. At these conferences, our staff are able to attend state of the art training and confer with law enforcement executives from across the country on best practices.

Our senior staff have also attended executive schools, such as the prestigious FBI National Academy (which less than 1% of all law enforcement executives are selected to attend), the Northwestern University Executives school, the Greater Chesapeake Law Enforcement Executive School, and many more. Senior staff have also attended community courses such as the IMPACT Silver Spring neighborhood impact program, as well as the current COG racial equity cohort.

**(Q)- How are situations mental health or social service needs handled now? What are your thoughts on hiring a social worker and/or developing more in-house mental health capacities?**

**(A)-** our mental health response policy is attached. We support hiring a social worker and/or developing more in-house mental health capacities. Not sure if this best done at a city level or at a county or state level.

**(Q)- How is officer performance measured?**

**(A)-** Officers receive annual evaluations. The Department's focus is less on enforcement and more of a focus on community involvement. The evaluations include measures on Communication, Customer Service, Job Knowledge, Decision and Judgment, Beat responsibilities and foot/bike patrol. Human Resources is in the process of reviewing the overall evaluation system utilized by the city.

**(Q)- Is there any data on #of calls that could be considered social-service focused vs "crime"?**

**(A)-** we are in process of attempting to gather this information. The definition of what could be considered a social-service focused call needs to be narrowed to best conduct this search.

**(Q)- Is there data on whether most crimes committed here are by Takoma Park residents or people who live elsewhere (understanding that arrest rate factors into being able to determine**

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**this)? This has some relevance in terms of being able to address some of the root causes of crimes within the city vs being subject to how these things are addressed elsewhere)?**

(A)- We are in the process of collecting this data. However, most crime committed in the city of Takoma Park are by people who live outside of the city. Not sure if we can address the root cause of crimes through this measurement? We can discuss other factors that may lead to crimes being committed, such as lack of housing, education, food etc.

**(Q)- What languages are spoken by the police force?**

(A)- Spanish (numerous), Amharic, Greek, Russian, and Italian.

**(Q)- Does the PD administer no knock warrants?**

(A)- Our policy does currently allow for no knock warrants. We have suspended the use of no knock warnings until we can review the policy.

**(Q)- Several of the policies you mentioned (chokeholds, shooting at a moving car) say “except when deadly force is needed.” What qualifies as this? How are officers trained to think about this?**

(A)- our use of force policy, along with the definition of the definition of when deadly force is needed is attached. We are reviewing our policies that have language that refers to “except when deadly force is needed.” Officer receive extensive training in use of force and de-escalation.

**(Q)- How is facial technology used, if at all?**

(A)- We do not use facial recognition technology, nor will we. Studies have shown to many false positives for people of color.

**(Q)- What is the policy for using chemical agents for crowd dispersal?**

(A)- Policy attached

**(Q)- What disciplinary actions are taken or can be taken against officers when needed?**

(A)- Policy attached

**(Q)- What response or level of investigations is required when someone calls 911? Are officers required to go to the scene to check out the situation? What level of investigation are they required to do at that point, if they judge it seems not to be a problem? (For example, there was the case a few years ago—maybe on Crescent PL?—where a neighbor called the police to report black men who were at a friends house. It seemed obvious to the police that there was no need to investigate—could they have just left after observing the situation, or is there a requirement to check the men’s license, etc/).**

(A)- This is very involved question and needs to be evaluated on a case by case basis.

**(Q)-Is there purchase of military grade equipment in the budget?**

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**(A)-** It depends on what you define as military grade-equipment. We have no DOD equipment in service. We have items in our ERT budget that could be considered military grade i.e., shields, helmets, etc.

**(Q)- Could police cars be made lighter coloration? Would it make any difference?**

**(A)-** About three years ago we changed the graphics on our vehicles and required all marked vehicles to not have tint on the windows. This effort was spearheaded by Mayor Stewart. Studies from across the country have varied on the impact of the color of police vehicles. I am not sure there if there is an overall impact? We are open to discussion.

**(Q)- Do Takoma Park Police use ketamine as a sedative, and if so, what are the parameters around use?**

**(A)-** No

**(Q)- During our legislative brief on Maryland policing from Alice last night, I thought I heard her say that based on a previous change related to the LEOBR, investigations boards can now have one civilian member but that no police departments have actually done this. Is this accurate? How does the Takoma Park review board work, is it tied directly to Montgomery County, and can we pursue the addition of a civilian member while we await more LEOBR changes hopefully this coming session?**

**(A)-** We have already indicated that we want the change. Part of the law requires the MPTC put on training for interested civilians. We and other agencies have stated that we wanted to have civilians on trial boards and have asked the training commission to put together the training. There is confusion on how best to put the training together, in addition to staffing challenges within the training commission. For full disclosure the way the current law works, the civilian member would only be a non-voting member of the board. The full board would still consist of three sworn officers and be governed by LEOBR. The civilian would not even be able to be part of the deliberation phase. All of our disciplinary processes are governed by LEOBR. For background we have only had one trial board in the last ten years. Trial boards occur after there has been an LEOBR investigation that results in sustained charges and recommendations for punishment from the chief. If the officer disagrees with the results of the investigation they can elect to have a trial board. In this case it would be a three-person board. If the officer does not contest the facts of the investigation, just wants to mediate the punishment, they can elect to have a one-person trial board. No facts are disputed in this type of board, just the level of punishment. One thing that is not well known is that the chief can override the findings of the board and decrease or increase the recommended punishment, in both a three person and one-person trial board. I have increased the penalty recommended by a trial board when serving as chief of Police with Park Police. The bottom line is if the board makes an egregious mistake, we as chiefs can override that.

**(Q)- Is there value in pursuing accreditation from the perspective of making our police department more racially just and equitable?**

**(A)-** Not from the perspective of making our police department more racially and equitable.