

Memo

To: Asbury Park City Council
From: Equity Committee
Re: Proposed Findings and Recommendations
Date: April 2021

Summary

The purpose of this memo is to introduce a series of recommendations for the Asbury Park City Council (“Council”) to consider as a result of the work of the Asbury Park Equity Committee (“Committee”), based upon meetings with the community as well as independent diligence. This memo will serve as a starting point to elicit the Council’s feedback and questions.

Context

As a result of the national and local events involving law enforcement and community protests, alongside the social justice issues throughout the country, the Council determined on or about September 2020, that it was in the community’s best interests to review the Asbury Park Police Department’s (“APPD”) policies and procedures on police enforcement and discrimination and, if necessary, to recommend modification to these policies and procedures; in furtherance of this goal, the Council established an *ad hoc* advisory committee¹, known as the “Equity Committee” composed of a diverse group of individuals² representing a wide range of professions, experience and background to solicit community input and to make findings and recommendations to the Council.

The goals of the Committee are as follows:

- A. Ensure justice and equity for all in our community;
- B. Engage in discussions on current policies and procedures concerning police enforcement and discrimination; and
- C. Recommend updates to clarify and implement new policies and procedures as appropriate, in an effort to ensure fairness.

To achieve its goals, the Committee met bi-weekly over the course of approximately six (6) months and also hosted three³ (3) community meetings to solicit input and reviewed pertinent data/materials in order to prepare this report.

¹ See Resolution No. 2020-274, Establishing an *ad hoc* Advisory Committee to be known as the “Equity Committee” to Review

² See Resolution No. 2020-312, Amending Resolution No. 2020-274 (Relating to the “Equity Committee”) and Appointing Members to the “Equity Committee”

³ The Equity Committee hosted meetings on January 19 and January 26, 2021 with a cross-section of community leaders, the list of invitees was determined by feedback and discussions among the Equity Committee members. The third and final meeting was an open invitation meeting to the community hosted on March 2, 2021.

Background/Overview

Over the course of six (6) months of work, in addition to considering the APPD policies, including its use of force policy, the Committee also determined that it was important to review two bills pending in the New Jersey state legislature and consider whether they were worth pursuing within Asbury Park. The two bills are:

1) New Jersey Legislature – S685

- https://www.njleg.state.nj.us/2020/Bills/S1000/685_I1.HTM
- Permits municipal, county, and regional police and fire forces to establish five-year residency requirement for police officers and firefighters; allows exceptions to requirement under certain circumstances.

2) New Jersey Legislature – S2963

- https://www.njleg.state.nj.us/2020/Bills/S3000/2963_I1.HTM
- Authorizes creation of local civilian review boards to review police operations and conduct

While these two proposed bills do not encapsulate all of the issues within Asbury Park as between the Community and the APPD and are not the only impactful solutions, the Committee thought it would be meaningful to seek feedback from the community regarding these areas of focus.

Over the course of the three (3) community meetings, it became clear that there are issues of trust between the community and the APPD. Race and policing is a sensitive issue that must be addressed for the long-term health and well-being of the community. While the commentary throughout the community meetings did not focus on any one individual or group, there is a general consensus that there are concerns with the police and the interactions with the community in particular those residents in the Southwest⁴ section of Asbury Park. The Southwest is generally regarded to have higher crime rates than the rest of the City. There is a lack of trust which has been perpetuated by a lack of community and police interaction.

Throughout the various conversations, it is clear that non-enforcement interaction as between the community and the APPD is critical and the members of the APPD need to get to know the members of their community. It is important to understand the living experiences/circumstances of the residents. Portions of the police detail should include community engagement that creates positive contact and builds public trust. Community members must also understand what it means to be a police officer in Asbury Park.

In addition, it also became clear that the APPD is often asked to play the part of many different service providers. For example, a police officer should be required to respond to an incident of domestic violence, however they should not be expected to mediate

⁴ The “Southwest” refers to the area of Asbury Park that lies West of Main Street and South of Asbury Avenue.

the nuances and perhaps serious situations of the personal relationships of the individuals involved in that dispute. Social workers or like professionals should be brought in to respond to those situations. In addition, crime prevention in vulnerable communities can often be linked to the access to other community resources that attend to difficult situations before criminal acts take place. The City Council may want to re-prioritize its municipal budget to allocate additional resources into other social services that may serve to prevent or to curb crime rather than focus money into one agency like the APPD, the duty of which is to respond to criminal or potential criminal acts.

Recommendations

The recommendations below have been aggregated from the Committee and community feedback sessions. They are not meant to be exhaustive and the Council may choose to supplement these recommendations as appropriate based upon further diligence and review.

1. Civilian Review Board/Accountability

The most consistent and frequent recommendation raised to the Committee was to explore the creation and establishment of some type of oversight committee or review board to establish transparency and accountability regarding issues of misconduct within the police force.

There have been various suggestions as to the framework of a potential review board as well as their accountabilities and scope of authority.⁵ The recommendation is for the City Council to appoint and empower an independent committee made up of a cross-section of the community for a certain period of time to explore, research and to develop a framework for an Asbury Park Review Board or Committee.

2. Residency Requirements

There should be some type of residency requirement for the APPD. Specific recommendations worth exploring in more detail include:

- APPD must live in Monmouth County, for the first three (3) to five (5) years of service;
- New hires must either reside in Asbury Park, Neptune, Neptune City or Bradley Beach;
- Explore what options may exist at the state level to exit Civil Service; Asbury Park is limited in how agile it can be in its hiring practices due to Civil Service constraints;
- Track efforts at hiring locals, specifically Asbury Park residents into the regular force as well as special officers. Require leadership to report actions, metrics and if need be corrective plans to meet the local hiring

⁵ In addition to the live testimony during the three (3) community meetings, this Committee also received a copy of a draft written proposal for the creation of a Civilian Review Board from a member of the community for review.

goals. Senior members of the force should be evaluated on the success of this metric;

- Recognize and acknowledge that it is difficult to recruit residents for entry level positions for many reasons, including but not limited to:
 - Some residents are hesitant to work in law enforcement due to stigmas.
 - Training requirements and pre-employment conditions impact their ability to apply.
- Explore other avenues to recruit by expanding our efforts in coordinating with local groups to ensure the information is being received;
- Set up announced recruiting sessions to provide more insight into what the job entails;
- Accept Asbury Park High School graduates who may have moved out of the area; more bilingual applicants, people of color and women; and
- Initiate a recruiting program within the Asbury Park High School to educate students as what it means to be a member of the APPD, including the pros and cons; develop a consistent dialogue with AP students to start to foster that sense of community.

3. Crisis Intervention Training/Social Services in lieu of arrest or citation

- Develop robust training for the APPD in recognizing cultural attitudes and in handling domestic abuse complaints. For example, a Latina woman being abused who is afraid of police because of experiences in her country of origin will not call them. If that community can be reassured that the police are there to help, domestic violence can be addressed, as can other crimes people may be afraid to report due to fear of police or fear that their immigration status might lead to their arrest.
- Unconscious racial bias testing and training should be required for all members of the APPD, new or veteran.
- Collaboration with other service providers such as Mental Health providers and the Mercy Center's program may prompt on-call services as needed.
- Leverage resources from the Prevention Coalition of Monmouth County and the Prosecutor's office.
- Explore potential grants which could provide additional funding in this area when focusing on collaborative efforts between the police department and service providers.
- Hire an on call social worker or expert in mental health issues who deals with crisis situations and will be additional support for the APPD (eg; perhaps assign one on-call social worker per APPD shift).
- Establish a collaborative training and discussion forum with members of the public and the APPD to share concerns; this may include:
 - Information on how to interact when stopped by law enforcement.
 - Educating the public on laws with clarification on some of the most misinterpreted laws and ordinances, public safety protocols, and the complaint and resolution process which might help to avoid

conflict and provide more transparency and trust within our community.

- Provide the public with data that can legally be released on incidents such as citizen complaints, traffic stops, and other uniform crime reports to further information sharing and build trust.
- Continuously seek public input on other training opportunities and best practices for policies moving forward to give the public some ownership of decision making.

4. Community Policing/Walking patrol

- Bring back beat cops who walk, not drive, and who can become familiar faces on the blocks they patrol. This will start to create better community policing where residents will be able to get to know the officers.
- Police leadership responsible for scheduling, should present a proposed schedule within 90 days. This proposed schedule should include any required increases in manning and potential budgetary impacts for more beat cops.
- Expand and continue the established planned activities for the APPD and the community such as athletic activities or outdoor music events to promote more interactions and familiarity which can lead to trust and respect.
- Host regular "Coffee with a Cop" events so people can get to know the members of the APPD on an "informal" basis.
- Create regular events with the Asbury Park students of all levels, to foster relationships with the APPD in order to build trust.

5. Other Areas for Consideration

- Beyond policing, broaden the scope of opportunities available to the community, in particular students and young people of Asbury Park, to create equity within the community by leveraging the robust professional network that exists within Asbury Park to create opportunities for mentorship programs, professional speakers' series, and other career guidance and advice.
- Consider environmental justice issues with regard to planning and zoning within the City; need to establish comprehensive community planning programs.
- Explore hiring an Equity Coach or a Chief Diversity Officer.

Limitations and barriers

With respect to establishing a Review Board for APPD oversight, there exists the debate as to the overall structure and scope of authority including whether any review board should be set up with subpoena powers. The Committee cautions the Council that it must be mindful of the various points of view as well as the various laws of the State of New Jersey that address this topic and others relating to review boards. In addition, the Council should also benchmark other review boards throughout the State

of New Jersey to understand which have been successful and which have failed and the reasons why.

Regarding the efforts to establish residency requirements, the Council will want to balance those requirements with ensuring that we have the strongest candidates on the APPD, alongside a diverse and inclusive force that reflects the community that it serves. This may be a challenge while Asbury Park remains a Civil Service city. The Council should gather with other communities who may also be seeking to exit Civil Service and work together to explore the options that are currently available.

The various programs and additional resources may require additional funding which may present budget constraints/issues; it will be incumbent upon the Council to work with the various stakeholders across the City to weigh and debate the order of priority and to then determine which levers should be pulled in order to drive real and impactful change.

Conclusion

While there may be hurdles and potential complexities associated with implementing some or all of these recommendations, given the totality of the circumstances, each recommendation warrants serious consideration. From a holistic stakeholder perspective, many of these recommendations touch all interested parties including the community at large, the APPD and importantly, students and young people.

In sum, instituting some or all of these recommendations may have an overall positive impact on Asbury Park. We therefore encourage the Council to further explore these recommendations by leveraging members of this Committee, interested and talented members of the broader community as well as subject matter experts, to help the Council further develop and implement some or all of these recommendations in the near term.