

Answers to Questions Presented by NAACP on July 24, 2020*

1. Data suggests disparity in police actions, has there been an investigation in accordance to SOG 103.3, Section 7.2?

7.2 In the event reported data suggests disparity in police actions, the Chief of Police shall order an investigation to determine if evidence of bias-based policing exists. The conduct and findings of the investigation shall be documented.

SOG 103.3: <https://www.springfieldmo.gov/DocumentCenter/View/49095/SOG-1033-Bias-Based-Policing>

Yes—on an annual basis and that information has been shared annually with the NAACP since 2011. (Link: Traffic Stop Data Review)

2. What corrective action has been taken as a result of the investigation (SOG 103.3, Section 7.3)?

7.3 If it is determined that bias-based policing has occurred, corrective action may include supervisory counseling, remedial training, or disciplinary action.

Training, counseling, and/or discipline.

3. VNRs (Vascular Neck Restraints) are permitted in lethal force encounters and in lower levels of resistance (Level 4). Why is it permitted within defensive resistance (Level 4)?

When we adopted and trained on this technique in 2011 we determined that Level 4 was an appropriate level for use of VNR as a response to resistance. However, recently an update to the National Consensus Policy on the Use of Force was issued that recommended “vascular neck restraints, like chokeholds, should only be used in situations where deadly force is authorized” and as a result, we are reviewing our policy.

SOG 103.5: <https://www.springfieldmo.gov/DocumentCenter/View/49096/SOG-1035-Resistance-Response>

And why is kicking listed in level 4?

A properly delivered kick (like an elbow or palm strike) is a viable method of responding to resistance from an offender, and officers are trained in when/how to utilize that option.

SOG 103.5: <https://www.springfieldmo.gov/DocumentCenter/View/49096/SOG-1035-Resistance-Response>

4. Is VNR considered a strike that requires documentation in a police report?

Any use of VNR, whether effective or not, is required to be reported and documented. As with any use of force, it is reviewed and tracked. (Link: VNR use report)

5. How are your officers trained in de-escalation?

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Through academy training -134 hours of defensive tactics all based on de-escalation (link: [training hours summary](#)) and annual in-service training.

6. Does police brutality constitute “criminal behavior,” Possibly, police brutality is addressed through both civil lawsuits or criminal charges

“Police brutality is a civil rights violation that occurs when a police officer acts with excessive force by using an amount of force with regards to a civilian that is more than necessary. Excessive force by a law enforcement officers is a violation of a person's rights. Excessive force is not subject to a precise definition, but it is generally beyond the force a reasonable and prudent law enforcement officer would use under the circumstances.

Force should be used in only the minimum amount needed to achieve a legitimate purpose. Police brutality is a direct violation of the laws within the police force. The use of excessive force is also a direct violation of the Fifth and Fourteenth Amendments of the U.S Constitution regarding cruelty and protection of the laws.”

and if so, do officers have a duty to intervene? YES

Do officers have a duty to intervene when they witness bias-based policing? YES

7. Why is there no ban on shooting at moving vehicles?

An absolute ban is unwise and unsafe, but we do severely restrict such use. A car can be used as a deadly weapon and an officer may be forced to use deadly force to defend themselves or others.

8. How often do police shoot at moving vehicles?

Rarely—but there have been 3 situations when officers have shot at a moving vehicle in the last 10 years, in a life or death situation.

9. What constitutes a “hate crime” against African Americans?

Missouri Law 557.035 – Hate offenses — provides enhanced penalties for motivational factors in which the state believes to be knowingly motivated because of race, color, religion, national origin, sex, sexual orientation or disability of the victim or victims.

(Any crime can provide the basis for the additional hate motivation enhancement)

Missouri Law 557.035: <https://www.springfieldmo.gov/DocumentCenter/View/49725/RSMo-Section-557035>

10. Why have there been no reports of hate crimes against African Americans in 2016, 2017, 2018, and 2019? No crimes have been reported, or they have not met the revised (2015) FBI/UCR definition of a hate crime, or upon investigation, have been determined not to be motivated by hate.

Published Data: <https://www.springfieldmo.gov/3753/Hate-Crime-Data>

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11.If money is secured for cameras, what will be the corrective actions for officers who turn off their cameras?

Corrective actions for a violation of a body worn camera (BWC) policy would follow the same disciplinary process as with any other violation of policy. (The City has identified funds to purchase BWC in FY 21)

12.What does your bias-based training look like?

In the academy, 110 hours related to human behavior, including cultural diversity and implicit bias (Link: training summary) and follow up training is conducted annually through in-service training.

13.Can we get a schedule of your monthly public forums?

Monthly “Coffee with the Chief” events are scheduled 2-3 months in advance, posted on our website and publicized via social media.

14.Can we see the annual report of your recruitment efforts of minority applicants?

YES-these efforts are part of our overall recruitment plan. (Report reviewed and copy provided to NAACP)

15.How are people invited to participate in your Community Advisory Group?

Invitation from the Chief, from across the City, to represent a wide variety of constituents.

What are the responsibilities of the Community Advisory Group?

Serve as representatives of various groups, organizations, or areas to meet with the Chief on a regular basis to discuss policing policy and practices and share that information with the people they represent.

16.What is the role of the Police Civilian Review Board?

That is defined by a City ordinance approved by City Council in 1999.

https://www.springfieldmo.gov/DocumentCenter/View/49319/ORD23765_establishes-Police-Civilian-Review-Board

17.What are the responsibilities of the Police Civilian Review Board?

The ordinance was amended in 2003.

https://www.springfieldmo.gov/DocumentCenter/View/49320/ORD24472_amending-the-Police-Civilian-Review-Board

18.What specific police conduct matters were addressed last year?

Any and all issues of police conduct could be addressed, but in 2019 the issues brought to the PCRB involved: Use of Force, Discourtesy, Hostile Work Environment, Accident Investigation

19.What are the racial demographics of the Police Civilian Review Board?

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That is not tracked by the City Clerk and race is not a question on applications for any City boards or commissions. Current PCRB members are:

Name	Council Zone	Term Expires
Clay, Eric	2	05/01/2020*
Elliott, Noel	4	05/01/2021*
Nease, Chris	3	05/01/2022
Spartan, Samantha	3	05/01/2022*
Williams, James K.	2	05/01/2021

20. Do you make recommendations to the City Council about who should serve on the Police Civilian Review Board? No, the Chief is not involved in the selection or appointment of PCRB members.

21. What is the current budget and how is it allocated?

The total Police Department budget for FY 21 is \$43 million.

The majority comes from the General Fund (\$28.8 mil); additional funds come from a Law Enforcement Sales Tax (\$8 mil), Level Property Tax (\$3 mil), Special Revenue (Contract Services) (\$2.5 mil) and Grants (\$.7 mil).

How much of the SPD budget accounts for the entire city budget?

The total FY 21 City Budget is \$368 million- SPD accounts for 11%.

The City FY 21 General Fund budget is \$81 million- SPD accounts for 35%

(Link: [City of Springfield budget](#))

22. Are officers required to complete a report each time they pull their gun? NO

**This is a summary of an extensive discussion between the NAACP and SPD on this date. Those discussions are ongoing.*