

# Community Forum/Discussion about Policing in Falmouth

## Minutes

### July 8, 2020

Chair Kuhn began the Forum at 7:00 pm.

#### **Item 1           Opening remarks by the Town Council Chair.**

Chair Kuhn welcomed everyone to the Forum and introduced the councilors and staff present. She reviewed the format of the Forum. She said that the Council did not intend to take action that evening, and that the Forum was an opportunity for the Council to listen. She said that in recent weeks the deaths of George Floyd and Breonna Taylor and others had galvanized the Country around looking at racial equity across all areas of society but in particular in the area of police practices. She said residents had reached out to the Council wanting to know how the Falmouth Police Department operates. She said that the intention of the forum was to provide information to the public and to hear were community members were on these issues and felt things were going. She said that examination of law enforcement was just one step in looking at racial equity in town government. She said this is a first conversation. She acknowledged that everyone is learning and that it is possible that someone will make a mistake but that the conversation is important. She hoped that people would engage with one another through a spirit of good will.

#### **Item 2           Presentation from the Falmouth Police Department.**

John Kilbride, Police Chief and Nathan Poore, Town Manager delivered the presentation. Chief Kilbride reviewed the police department budget and staffing. He reviewed the services provided by the Department. He reviewed the Department's policies on Law Enforcement Role & Authority, Situational Use of Force, Use of Firearms, Standards of Conduct, Hate or Bias Crime, Response to Mental Illness, Community Relations, Hiring Process, Internal Affairs, and School Resource Officer. The Department is in the process of becoming accredited by the Maine Law Enforcement Accreditation Program. Chief Kilbride reviewed the different areas in which Falmouth police officers receive training.

Mr. Poore reviewed charts showing the Falmouth population according to the 2019 census and arrests of Falmouth residents by the Falmouth Police Department. He said in light of the current national discussion the data on the following slides would focus on the Falmouth Police Department's contacts with Black people. He said that in seeing the data people could either reach conclusions that there are no problems in Falmouth or that there are significant issues.

Chief Kilbride reviewed graphs showing 2016-2019 calls for service, total traffic stops, and traffic stop demographics. 3.4% of all traffic stops made between 2016 and 2019 were of Black people. He also reviewed graphs showing total arrests and arrest demographics. 4.5% of all arrests made between 2016 and 2019 were of Black people. He also reviewed 2016-2019 use of force statistics and a chart showing that incidents in which force was used accounted for 0.03% of the total calls for service between 2016 and 2019.

Mr. Poore reviewed a slide summarizing the data. He said the Department had not received any complaints regarding racial bias in the past 25 years. He said there had been one complaint about use of force in the past 12 years and after investigation the officer's action was deemed appropriate within policy. He said maintaining the Department's exceptional status requires constant training, growth, and reviewing policies. He said just because the absolute numbers may look less significant in Falmouth this should not be cause for being dismissive of the issues or exempt Falmouth from being part of an overall solution. He said that the proportion of Black people who are exposed to traffic stops, arrests, and use of force is higher than the percentage of Black people who live in Falmouth. He described several possible reasons for why that is the case. He said that more information and discussions were needed. He reviewed a list of options for next steps.

### **Item 3      Public input, questions, and general discussion.**

Chair Kuhn opened the public comment period.

Zachary Bull of 116 Hardy Road is a 2016 graduate of Falmouth Public Schools. He appreciated the Town holding the forum and the Police Department's commitment to transparency, public safety, and self-reflection and training. He expressed deep concern about the ways that the nation is approaching policing and the ways it is being reflected in Falmouth. He expressed concern that no-knock warrants, strangleholds, and chokeholds remain legal in Falmouth. He asked about the value of SROs in Falmouth schools. He expressed concern about how SROs support the school to prison pipeline in Maine. He expressed concern that the success of Falmouth's SRO program will be used as legal precedent to further harmful programs in other communities. He urged the Department to end the SRO program. He felt that many of the areas in which Falmouth officers receive training could be better addressed by non-police trained specialists. He urged the Council to hire such specialists. He urged the Town to take on an anti-racist framework moving forward.

John Winslow of 253 Gray Road agreed with the prior speaker's comments. He said that the Town is the largest employer in Falmouth and expressed concern that there have been no Black people in his memory on staff at the Town. He said there had been a 35% decrease in arrests, but the Police Department's budget had increased. He felt that the data provided in the presentation does not justify the Department budget. He said that this is not just a police issue but a community issue.

John Vogt of 37 Foreside Common Drive felt that Mainers do not have the same exposure to people of other races as in more diverse places. He felt this is not a police issue but a community issue. He felt that the issue of learning anti-racial policies is just as important for the community as it is for the police.

Susan Stark of 45 Stapleford Drive agreed with the prior speakers. She said that 4% of the police's interactions with the community were with Black people whereas only 0.1% of Falmouth's population is Black people. She said 6% of the 2019 arrests were of Black people. She felt it was important to keep those disparities in mind and to look to how those can be mitigated in the future. She urged the Town to ban school resource officers, chokeholds, and no-knock raids. She felt it was important that findings of police misconduct and the plans to prevent bias in investigations are made public. She felt investigators should be independent. She felt it was important that funding for some of the police services be shifted to other services such as social workers. She called attention to Campaign Zero and 8 Can't Wait.

Jennifer Wahlig of Woodville Road is a parent of four children that have attended Falmouth Public Schools. She said that she appreciated and supported the school resource officers. She said she trusted them implicitly with the security of her children and has never doubted their methods. She provided the reminder that two years ago there were safety meetings where parents discussed ways to make the schools safer. She questioned how Portland's decision to remove the school resource officers was making their schools safer. She suggested that most parents of Falmouth students support the school resource officers. She suggested surveying parents because in her experience most support having school resource officers in the buildings.

Will Armitage of 274 Falmouth Road agreed with Ms. Wahlig's comments. He said he would be concerned if the Council were to have a conversation about removing the school resource officers. He also discussed the conversations two years ago regarding school safety during which the addition of the second school resource officer was approved. He did not think that removing the school resource officers would be in the schools' best interest or in the interest of children's safety. He suggested thinking long and hard about any proposal to defund the police. He said reductions in police funding have direct impacts on police patrols and public safety due to less resources.

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Debra Coyman of 4 Bayshore Drive said it was hard to take four years of data with no sense of baseline or comparison. She said it would be helpful to have a context for that data.

Mr. Vogt described *New York Times* article discussing a corollary between the root of how officers were raised and misconduct. He asked Chief Kilbride about the root types of issues that are important in hiring officers.

Nicole Barnes agreed with Mr. Bull's suggestion about diversifying officer training especially around implicit bias and mental health. She also mentioned looking at Campaign Zero. She said there was no information about the officers involved in the incidents of use of force. She wanted to know if used of force was spread out across the police force or if it is concentrated among specific officers. She also asked about the time of day when use of force incidents occurred.

Tom Ancona of 314 Middle Road said it struck him that over 95% of Falmouth's population is white. He believes diversity in a community is important and helpful. He would like the community to consider why there is so little diversity in Falmouth. He would also like the community to consider how more individuals can be welcomed into the town.

Hannah Marr of 21 Wildwood Way and a 2016 Falmouth High School graduate urged the Town to ban chokeholds and no knock warrants and to have a conversation regarding the presence of SROs in schools. She noted that Black people in Falmouth are subject to disproportionate use of force, arrests, and traffic stops. She felt that these statistics indicated the need for increased implicit bias and de-escalation training for police and school resource officers. She asked how much of the Department's training was in the areas of implicit bias and de-escalation.

Karen Farber of 93 Foreside Road felt there was a lot more that the Town could look at with data particularly in terms of context, comparison, and trends. She felt this was a great first step but felt there could be more drilling down into the data.

Mr. Armitage cautioned that this is just data. He said that statistics can be manipulated to say a lot of things. He did not think the numbers were reading anything in one way or the other that there is implicit bias or there is not. He said more detail would be helpful but said it is hard to address these racial issues when Maine is a predominately white state. He said if there were going to be conversations about funding then the conversation should be around increased funding for the Police Department to address the training issues people were raising.

Cheryl Oldfield of 22 Squidere Lane felt that everyone needed to work together as a community to work on this. She did not think it is a police problem but felt that the police needed to be involved in the work. She described her experience growing up in a diverse and inclusive community in New Hampshire. She felt that it is hard to increase diversity in Falmouth because it is a predominately white and upper-class community but that everyone needed to work on this and help one another.

Chair Kuhn closed the public comment period.

Chief Kilbride said that during hiring processes the Department extensively considers recruits' backgrounds and looks at everything. He said he was looking for high quality individuals.

Chief Kilbride said that the Department reviews all use of force for officer frequency, the circumstances of the incident, whether the use of force was within policy, training and confidence issues. He said that the average of five incidences a year is spread out across the Department. He said that a report is completed for each use of force incident and it is investigated by the lieutenant.

Chief Kilbride said quite a bit of training is related to implicit bias and de-escalation. He said training was conducted just before the pandemic and more was scheduled. He said that de-escalation training is part of almost all the training that the Department has. He said that an officer arriving in uniform resolves the issue most of the time.

Chief Kilbride said chokeholds are forbidden by policy unless it is a deadly force situation. He said with any deadly force the officer must identify why that was used. He said no-knock warrants are rarely used. It must be authorized by a judge and are only used for officer safety or suspected destruction of evidence situations. He said there is a vetting process before one is approved.

Mr. Poore said that the Town has employed Black people in the past.

Councilor De Lima asked for clarification on whether the traffic stop data was of just Falmouth residents or of anyone who was stopped. Chief Kilbride said it is difficult with traffic stops to determine resident vs. non-resident status. He said that they were able to determine resident vs. non-resident arrests. He said all the Black people who were arrested were non-residents. He said that there is an opportunity to enhance data collection moving forward.

Councilor Kuhn asked what percentage of calls relate to behavioral health issues as opposed to crimes. Chief Kilbride probably 15-20%. He felt that percentage would increase with marijuana legalization and other new substances.

#### **Item 4            Next steps and closing remarks.**

Chair Kuhn thanked the members of the public who attended the Forum. She said the Council will be taking this issue up at its retreat on July 24 and will report back to the community at a future Council meeting.

#### **Adjourn**

The forum adjourned at 8:41 pm.

Respectfully submitted,

Marguerite Fleming  
Recording Secretary