



**POLICE DEPARTMENT**  
CITY OF NEWARK

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220 South Main Street · Newark, Delaware 19711  
302.366.7100 · Fax 302.366.7129 · [www.newarkde.gov](http://www.newarkde.gov)

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**Statement by the Newark Police Department and Frequently Asked Questions**

The tragedy in Minneapolis has impacted our community, our state and the entire country. The images on the video are deeply disturbing and difficult to watch. We know that the actions, and inaction, by the officers involved have cast a shadow of distrust over all officers nationwide.

We, the Newark Police Department, stand behind our mission: we exist to preserve life and property, to enforce the law, to solve community problems, and to protect the right of all citizens to live in a safe, peaceful environment. We are committed, as we always have been, to training our officers to strive to meet our mission and to fulfill that mission to the best of our ability.

We have received many inquiries from those within and outside of our community about some of our policies and procedures. These are some of the most common questions we've received and the answers to those questions.

1. Are the police officers in the Newark Police Department being trained to de-escalate altercations by using peaceful conflict resolution strategies?

Newark Police officers complete their initial training that includes de-escalation, mental health de-escalation and unbiased policing while attending the police academy. De-escalation training teaches officers to attempt to resolve a situation using verbal skills rather than with force. If force is necessary, officers are taught to resort to less lethal forms of force when practical. Newark Police receive refresher training annually in these topics, along with legal training on the Fourth Amendment and the latest related caselaw.

2. Are the police officers in the Newark Police Department prohibited from using carotid restraints (chokeholds, strangleholds, etc.)?

The use of a chokehold, whether applied by the hands, other body part or with a weapon, is prohibited by longstanding Newark Police Department policy unless deadly force is warranted, since death can occur from this procedure. These are not methods officers are trained on or authorized to perform.

3. Are the police officers in the Newark Police Department required to intervene if they witness another officer using excessive force? Will officers be reprimanded if they fail to intervene?

Newark Police Department policy provides that any officer who observes another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall intercede, when feasible, to prevent the use of such excessive force, so long as doing so does not pose a safety risk. Officers shall immediately report these observations to a supervisor and document the observations prior to the end of shift. A violation of policy, including failure to intervene, will be investigated and an officer will be disciplined if it is found that policy is violated.

4. Are the officers in the Newark Police Department required to give a verbal warning to citizens before drawing their weapon or using force?

Officers are trained that giving verbal warnings or commands are always an officer's first option before drawing a weapon or using force. However, every incident is handled on a case-by-case basis based on the facts known to the officer in that incident. The officer must balance the ability and time necessary to provide a warning with the imminent danger and risk of serious physical injury or death faced by both the officer and the involved citizens. As the United States Supreme Court has stated, "police officers are often forced to make split-second judgments -- in circumstances that are tense, uncertain, and rapidly evolving -- about the amount of force that is necessary in a particular situation." (*Graham v. Connor*, 490 U.S. 386, 397 (1989)).

5. Are the officers in the Newark Police Department required to report each time they threaten to or use force on citizens?

Police officers understand that they have been entrusted with the authority to lawfully use force to protect life and property and to apprehend criminal offenders. Therefore, the Department properly documents and reviews each use of force to maintain the public's confidence and trust. Police officers are required to report each use of force likely to cause pain or injury and each time they draw and point a weapon at a citizen.

6. Are the officers in the Newark Police Department trained to perform and seek necessary medical action after using force?

Police officers receive training in CPR, use of an AED and medical training in the police academy. They receive refresher training in these areas every other year per the regulations of the Delaware Council on Police Training. Officers are responsible for providing and obtaining medical aid for individuals who complain of, or show signs of injury, as a result of any use of force by an officer. Officers will transport the individual to a medical treatment facility or request an ambulance and begin medical evaluation and care of such individuals as soon as practical.

7. Is there an early intervention system enforced to correct officers who use force?

The Newark Police Department employs a computer system that tracks all uses of force, along with citizen complaints, motor vehicle collisions and vehicle pursuits. The system is designed to alert police staff when an officer is involved in these types of incidents. The number involved to trigger an alert is based upon a computer algorithm and depends on the types of incidents involved. However, an alert can be triggered by as few as two incidents or a combination of multiple incidents. Additionally, every use of force is reviewed immediately by a direct supervisor and then again quarterly by an internal committee to ensure compliance with policy. Any use of force outside of policy is sent to the Professional Standards office for investigation.

8. Do the Newark Police use body cameras?

The Newark Police Department received City of Newark and federal funding to implement a body worn camera (BWC) program in late 2019. The delivery and use of BWCs began in early 2020 for most of the Department. The Coronavirus pandemic, however, delayed the ability to implement some aspects (replacement of the current in-car camera system) and training for some officers. The complete installation and implementation for the remainder of officers was completed in July 2020.

The Newark Police Department requires that all Field Operations Personnel, Street Crimes Unit officers, and School Resource officers wear a BWC. Spare BWCs are available for other officers to utilize when required by policy. Officers are required to record situations where they encounter the public and an arrest, detention or use of force is likely.

The BWC policy was developed in accordance with the best practices determined by the Bureau of Justice Assistance, U.S. Department of Justice Body Worn Camera Tool Kit and other national and state resources.

9. How much training do Newark Police Officers receive annually?

Under the rules of the Delaware Council on Police Training ("COPT"), police officers in Delaware must receive a minimum of 16 hours of annual in-service career related training. This requirement is in addition to annual training in firearms, CPR/AED and other mandated training. In 2019, Newark Police Officers attended 8,884 hours of non-mandated training. This is an average of 125 hours per officer. In fact, this amount of training was the second most amount of training hours per officer of any police agency in the state (source: 2019 COPT Annual Survey).

10. What can I do as a concerned citizen?

Throughout the year, the Newark Police Department plans and hosts various community activities and programs to engage with the community. These events include the annual Citizens' Police Academy and National Night Out. We are currently in the process of continuing our plans to grow our community outreach programs. It is important that members of the community stay connected by attending meetings, viewing updates on our websites (both our Departmental website and press release website) and following us on our social media platforms.



 **Newark, DE Police Department**  
**(302) 366-7111**

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