

City Council and the Police Chief discuss the city marijuana decriminalization ordinance (3)

The Bethlehem Gadfly George Floyd killing, Marijuana, Police July 1, 2020

 *Latest in a series of posts about the Bethlehem Police* 

Let's move now to the conversation between President Waldron and Chief Diluzio at the March 3 Public Safety Committee meeting.

And let's remember that we should be interested in the outcome regarding the marijuana ordinance in particular but also, more importantly now, in attuning ourselves to how interaction with police on a tricky issue works in anticipation of the upcoming Public Safety meeting responding to the George Floyd murder.

In this conversation, the Chief reiterates his belief that he can't force his officers to use the city ordinance in the memorable "That's like a totalitarian state. You don't want your police like that."

President Waldron asks two very important questions: what is the nature of the relationship between a Chief and a beat officer, and, thinking practically like a good Council president should, what can Council do to improve the situation?

President Waldron and Chief Diluzio

Audio Player not available in this archive

We have to have a lot of trust in the officers, said ARW, but we are looking at this in another way. Officers use a lot of discretion in just about every interaction with the public. But, though we don't know what the thought process is when faced with a decision about which ordinance to apply, this is certainly not what we on Council had hoped for. We would have hoped that every opportunity in Northampton County would have been met with the citation not the state law. And the question is why not? And the answer that we are hearing is fairness to people in the other county. The City wanted to make a progressive change, recognizing that there's a sea-change in the country at large about marijuana and that Pennsylvania is a step behind. To which the

Chief agreed that he believes in decriminalization and that he wishes the officers would use the local ordinance more, but he can't change their minds and force them to. How to change the story that the numbers tell, the Chief asked? You just can't order them to use the city ordinance. "That's like a totalitarian state. You don't want your police like that." ARW asked about the relationship between a Chief and a beat officer — a Chief who says you should or must apply the local ordinance. What's that conversation like, ARW asked? Wouldn't the officers be following you and your leadership? "It isn't that easy," the Chief replied — I can't tell them you will do this every time — every time is different, every case is different, every arrest is different. You have to let them use their discretion, their intelligence. The ordinance is not being used, but the officers do have a reason for not using it. Yes, ARW pointed out, the local ordinance is being used some times (19 out of 289) — if it were not used at all, the conversation would be totally different. Bottom line question for the Chief: is there anything Council can do to back up your wishes and to get the desired outcome we want? Trust the officers, the Chief replied. I stand behind them 100%, I do not look over their shoulders.

Gadfly would say that the answers to President Waldron's two questions are not satisfactory. The first question is really asking can't you order the officer to do something. We are left with the feeling that an officer is pretty much left on his or her own. *Hmmm*. And the Chief again kind of throws up his hands in answer to the second question. Though, Gadfly must say teasingly, the Chief was playing possum, as they say, and does come up with a concrete suggestion for improving the situation, as we shall see.

to be continued . . .