



# POLICE REVIEW & ADVISORY BOARD

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*A Department of the City of Cambridge, Massachusetts*

## **Minutes from the Meeting of April 26, 2023**

**Board Members present:** Chair Alexandra Fallon, Maria Arlotto, Brendan Koscher, Gina LaRoche, Beverly Sealey (arrived at 6:35 PM)

**City Staff present:** Executive Director Brian Corr; CPD Director of Professional Standards, Training and Certification James Mulcahy; CPD Lieutenant Thomas Glynn

**Chair Fallon called the meeting to order at 6:02 p.m.**

### **Public Comment**

There were no comments from members of the public.

### **Review and Approval of Minutes**

The Board unanimously by roll call vote to approve the minutes of March 29, 2023, on a motion from Board Member Arlotto, seconded by Board Member LaRoche.

### **Executive Director's Report**

- Exec. Dir. Corr explained that in January 2023, he submitted a quarterly report to the City Council, and it was referred to the Public Safety Subcommittee for consideration before there was any discussion by the Council or City staff. The Public Safety Committee will be holding a hearing to discuss the Board, including the report. Most likely the hearing will take place on the evening of Wed., June 7, but it has not been officially scheduled yet. Exec. Dir. Corr and Chair Fallon will appear at the hearing on behalf of the Board.
- Exec. Dir. Corr noted upcoming items:
  - He anticipates having an executive session at the next meeting on Thu., June 1 to consider up to two cases – one a complaint that was filed with the Board and another that was filed with PSU.
  - He will invite Emergency Communications Dept. Director Christina Giacobbe to attend one of the Board's upcoming meetings in autumn to be able to include in her presentation the protocols for dispatching the new Community Safety Department to certain calls.
  - He noted that the Board does not normally hold public meetings in July and August due to the challenge of having a quorum, but that there have been and can be additional meetings if needed.
  - Exec. Dir. Corr explained that it was time for all Board members to complete their Criminal Justice Information Systems (CJIS) certification, which needs to be done in person at CPD.

### **CPD Professional Standards, Training and Certification Unit Report**

- Dir. Mulcahy explained that under the requirements of the Massachusetts Peace Officer Standards and Training (POST) Commission, PSU is working on the recertification for CPD officers with last names starting with the letters I through P. To be recertified, officers must fill out a POST questionnaire and have an interview by PSU, then PSU gathers information on their training and disciplinary history, and that must be submitted to the POST Commission by June 30. He noted that during the last round of recertifications (for officers with last names

beginning with A through H, all the officers on active duty were recertified.

- In response to a question about whether most departments were having all their officers recertified, Dir. Mulcahy explained that has generally been the case, but the POST Commission has decertified about 25 officers across the state over the last year. He noted that They has some officers who have been unable to meet the certification requirements because they are out on leave, but none of them have been decertified.
- In response to question about whether this process would lead to collecting more information in officer's personnel files, such as all of their training, and whether the individual training history could be included in the reports of investigations of complaints, Dir. Mulcahy explained that as far as the first item, CPD already has all that information, but that the certification process is helpful in that it has centralized everything. He went on to say that all of the officers receive the same in-service training, so there are not differences between individual officers, and that all POST-certified officers have 24 hours of mandatory trainings, plus 16 hours of "Department Choice" which has to include firearms, use of force, and CPR/First Aid and that takes up 12 hours, with the 4 hours being used by CPD for training in less-than-lethal techniques.
- Dir. Mulcahy noted that because of a procedural issue, he was not prepared to discuss the draft body-worn camera (BWC) policy, but after a couple of additional steps, he would be prepared to at the next meeting, and that if the Board had questions in advance they could provide them to Dir. Corr so that PSU could be prepared to address them.

#### **Report from Board Chair Fallon**

- Chair Fallon reminded the Board that she had presented a set of goals for 2023 at the last meeting of 2022, recognizing that not everyone was at that meeting. She reviewed the goals and the progress made towards them.
  - In June, the Board will receive training from the CPD in the ICAT model (Integrating Communication, Assessment, and Tactics) developed by the Police Executive Research Forum (PERF).
  - Exec. Dir. Corr gave a brief update on working with the City's Law Department on revising the Board's rules to extend the amount of time that an individual has after an incident to file a complaint (which is currently 60 days), after which they must request that the Board accept the late filing and the Board then makes a determination whether to accept the late filing.
- She reminded the Board of the goal of conducting community outreach activities, and a discussion ensued.
  - Various activities and community events were discussed, doing something like "Coffee with the Board," attending the Cambridge Jazz Festival and Hoops 'n' Health. Board Member LaRoche committed to attending the Danehy Park Family Day for an outreach table, and the idea of creating a banner for tabling was discussed.
  - Board members also discussed communication with the community about the Board's existence and its work through the City of Cambridge daily email newsletter;, having a banner across Massachusetts Ave. in front of City Hall, and having a message go to all Cambridge households in the annual Participatory Budgeting mailer and City tax bills. It was noted that outreach could be timed to coincide with other news that is connected to policing and public safety.
- Chair Fallon asked Board members to identify a date for holding a "retreat-style" meeting that would conform with the Mass. Open Meeting Law. The Board set the afternoon of Friday, September 15, recognizing that it would need to end before evening due to the Rosh Hashanah holiday.

#### **Consideration of NACOLE Code of Ethics**

- Exec. Dir. Corr introduced this item by noting that at the Board's March 1, 2023 meeting he had asked Board members to consider adoption of the National Association for Civilian

Oversight of Law Enforcement (NACOLE) Code of Ethics, and that there were concerns about the meaning and implications of adopting them and that it would be better to have the discussion when new members had been appointed to the Board. He explained that NACOLE asks its member organizations to adopt or reaffirm the NACOLE Code of Ethics <[https://www.nacole.org/nacole\\_code\\_of\\_ethics](https://www.nacole.org/nacole_code_of_ethics)> because it “helps to uphold the ethics and guidelines that have been entrusted to oversight practitioners by the community and the police department which is being overseen.”

- He then quoted the preamble of the Code of Ethics:
  - “Civilian oversight practitioners have a unique role as public servants overseeing law enforcement agencies. The community, government, and law enforcement have entrusted them to conduct their work in a professional, fair and impartial manner. They earn this trust through a firm commitment to the public good, the mission of their agency, and the ethical and professional standards described herein.
  - “The standards in the Code are intended to be of general application. It is recognized, however, that the practice of civilian oversight varies among jurisdictions and agencies, and additional standards may be necessary. The spirit of these ethical and professional standards should guide the civilian oversight practitioner in adapting to individual circumstances, and in promoting public trust, integrity and transparency.”
- Board members reviewed how in the March meeting there was discussion regarding the importance of taking both the language and the spirit of the Code seriously, and that some items apply to everyone, others more to staff, and still others more to Board members. Exec. Dir. Corr suggested that he could work on categorizing the various components of the code to make that easier to parse.
- Board members discussed possible adoption:
  - Board Member LaRoche stated that some of the provisions were not specific about how to measure whether individuals were adhering to them, such as “Keep informed of current legal, professional and social issues that affect the community, the law enforcement agency, and your oversight agency.”
  - Board Member Arlotto expressed the need for all to feel comfortable with the adoption of the Code and that there would not be specific answers to all questions that are raised by examination of the meaning of certain provisions of the Code.
  - Chair Fallon raised the possibility of editing and adopting a modified code of ethics, rather than adopting the official NACOLE Code of Ethics.
  - Board Member Koscher shared his sense that the Code is aspirational and would be read with the understanding that the Board has its own Rules & Regulations, and that the Code is something that provides a measure of accountability for the Board.
- Board Member LaRoche noted the importance of things being defined so that a code of ethics is meaningful and not only aspirational and raised the possibility that individual Board members could note where there were concerns and then discuss them at a subsequent meeting, which was received positively by other Board members.

### **Adjournment**

The Board voted unanimously by roll call vote to adjourn the meeting at 8:13 p.m., on a motion from Board Member LaRoche, seconded by Board Member Arlotto.

### **Documents Used During the Meeting**

- Police Review & Advisory Board Meeting Minutes of March 29, 2023
- NACOLE Code of Ethics