



POLICE REVIEW & ADVISORY BOARD

A Department of the City of Cambridge, Massachusetts

Minutes from the Meeting of March 1, 2023

Board Members present: Chair Alexandra Fallon, Gina LaRoche, Lucy Murray-Brown, Beverly Sealey

City Staff present: Executive Director Brian Corr; CPD Director of Professional Standards, Training and Certification James Mulcahy; CPD Sergeant Michael LeVecque

Chair Fallon called the meeting to order at 6:17 p.m.

Public Comment

There were no comments from members of the public.

Review and Approval of Minutes

The Board voted unanimously by roll call vote to approve the minutes of January 25, 2023, on a motion from Board Member LaRoche, seconded by Board Member Murray-Brown.

Executive Director's Report

- Exec. Dir. Corr reported that he attended the annual conference of Riverside Trauma Center, which has been a partner of the City for well over a decade in responding to traumatic events, and that it was a valuable training opportunity with sessions on how to support community recovery and resilience.
- Exec. Dir. Corr explained that the City Council raised two issues regarding the ordinance establishing the Police Review & Advisory Board during the special City Council meeting held on January 25, regarding the fatal office-involved shooting of Sayed Faisal on January 4, 2023:
 - He stated that the "Duties" section of the ordinance states, "The Board and the City Council shall review the Department budget before it is submitted to the City Manager;" and that to his knowledge neither of those reviews has ever occurred since the Board was formed in 1984.
 - He explained that the City Council adopted a policy order stating that the Finance Committee of the City Council will review the CPD budget before submission to the City Manager, and that once that document is provided to that committee, it will be a public document and he will transmit it to the Board.
 - He stated that he anticipates that the review will take place during the March 29th meeting of the Board and that CPD Commissioner Christine Elow and Director of Planning, Budget and Personnel Manisha Tibrewal could be invited to present the budget to the Board.
 - Board members expressed interest in having a five-year retrospective understanding of the CPD budget and recognized that because this is the first time the Board will be doing such review, it will be more of an opportunity to learn more in depth about the CPD budget. Board member LaRoche asked that the budget be provided to Board members no later than 3:00 PM on March 24.
 - Exec. Dir. Corr noted that the City Council also asked about the provision in the ordinance stating that "The Board shall make quarterly reports to the City Manager, the Mayor, City

Council and to the public, of the Department's activities during the previous year, including the handling of complaints, and of future plans. The final disposition of complaints shall be made public.”

- He explained that such reporting had not happened in more than two decades, if it ever did, as the docket of complaints has always been publicly available and the minutes of the Board meetings and information in the City’s annual budget contained all of the relevant information.
- In response to the City Council’s inquiry, he compiled the information for the previous period into one document and submitted a report to the City Manager on and that was transmitted to the City Council on February 1, and which he also shared with the Board. The City Council referred the report to its Public Safety Committee along with two reports from the CPD, however the meeting of that committee had not yet been scheduled.
- In response to a question from Board Member LaRoche about whether the City Manager had proposed individuals to the City Council to fill the two vacancies on the Board, Exec. Dir. Corr noted that had not yet happened, but that it would likely occur after the Public Safety Committee meeting has taken place.
- In response to a question from Chair Fallon as to whether there were any complaints that were under investigation or pending before the Board, and both Exec. Dir. Corr and Dir. Mulcahy indicated that there was one complaint received by the Board in January and it is under investigation by PSU.

CPD Professional Standards, Training and Certification Unit Report

- Dir. Mulcahy reported that the current class is proceeding at the joint Cambridge/Northeastern University Police Academy and he is teaching classes on Constitutional law as well as on criminal law, procedures, and investigations.
- Dir. Mulcahy reported that the CPD Command Staff is almost finished their review of the entire procedure and policy manual, which will then be sent to the entire department for review, noting that Sgt. LeVecque has put a great deal of work on this process. This is the first step needed to be accredited by the Commission on Accreditation for Law Enforcement Agencies (CALEA), but then there are more than 1,400 proofs of compliance that CPD is documenting and will be made available to CALEA. Dir. Mulcahy hopes those reviews will be accomplished within 45 days, and then there will be continuous work to receive accreditation.
- In response to questions about the training for the Board, including visiting the Training Academy while in session, Dir. Mulcahy indicated that he would look at the schedule and see what might be possible.

Discussion of CPD Policies to Consider Reviewing

- Chair Fallon opened the discussion, reminding Board members that the Board’s annual goals for 2023 included reviewing at least two CPD policies and that the draft table of contents for the CPD policy manual had been shared with the other information for the meeting. She asked Exec. Dir. Corr to share his thoughts on what policies might be of interest to the Board and he mentioned several that might be helpful or of interest. Board members shared policies that they thought would be of interest, and then Dir. Mulcahy noted policies that he thought might be helpful or of interest.
- Board members asked clarifying questions about the definition of certain terms, the general content of certain policies, and reflected on what policies might be related to the types of complaints most commonly received by the Board. PSU staff addressed those questions, including a detailed explanation of how officers are dispatched by the City’s Emergency Communications Department (ECD) and when officers have the ability to respond to a call and let ECD know they are responding. Based on that interest, Dir. Mulcahy suggested that Board might benefit from a presentation by ECD director Christina Giacobbe.
- Board members discussed a number of policies and settled to two that were most interesting –

the CPD Code of Conduct and the Internal Affairs policy – and two more that they would like to review if there is time – the policies on Mental Health Issues and on Use of Force.

- Dir. Mulcahy indicated that he would provide the draft policies to Exec. Dir. Corr to submit to the Board for review.

Board Chair's Report

- Board Chair Fallon discussed the possibility of the Board holding an in-person retreat that would not be in the form of a public meeting to build and strengthen interpersonal relationships and the enhance ability of the board members and staff to work together, and board members expressed support for the idea.
 - Exec. Dir. Corr explained that he believes it is permissible to do a retreat as long as it conforms with the Massachusetts Open Meeting Law (OML) and that would mean no matters that should be done in a public meeting could be discussed, and that it might need to be focused on training. He stated that he would consult with the City's Law Department to ensure that this could be done, and if so, how to do it in accordance with the OML.
- Board Chair Fallon reflected on the discussions about CPD implementing body-worn cameras (BWCs) and how that would affect the work of the Board, and noted the need for training on the topic.
 - Dir. Mulcahy noted that there are a number of training programs – both in-person and online – on the use of BWCs, on policies for their use, and on retention of footage. Exec. Dir. Corr noted that there could also be a need for board members to receive training on how to view and understand BWC footage, including what it shows and doesn't show.

Consideration of NACOLE Code of Ethics

- Chair Fallon opened the discussion, and Exec. Dir. Corr noted that in late 2022 he suggested to Chair Fallon that the National Association for Civilian Oversight of Law Enforcement (NACOLE) encourages civilian oversight agencies to adopt its Code of Ethics and this it could be valuable for the Board to consider adopting them. Chair Fallon noted that these were discussed at the December 2022 meeting and were received favorable, but Board members felt it was important to have all Board members present and give them thorough consideration.
- Board members discussed the merits of the provisions of the Code, the commitments that living up to the Code would entail, and that it should not be something adopted and then not thought of again.
- Board members discussed the amount of additional work it might mean for Board members to live up to the Code, and how that might impact current and future Board members.
- Various ideas were discussed for holding the Board accountable to the Code. There was further discussion about how the Code's various provisions may apply to Board and staff as individuals, some to the work of the Board members as a body, some to the work of the staff, and some to the Police Review & Advisory Board as a department of the City of Cambridge.
- The Board ended its deliberation without a vote, with the intention to continue to consider adoption of the Code.

Adjournment

The Board voted unanimously by roll call vote to adjourn the meeting at 8:36 p.m., on a motion from Board Member LaRoche, seconded by Board Member Murray-Brown.

Documents Used During the Meeting

- Police Review & Advisory Board Meeting Minutes of January 25, 2023
- NACOLE Code of Ethics
- Draft Table of Contents for revised CPD Policy Manual