



POLICE REVIEW & ADVISORY BOARD

A Department of the City of Cambridge, Massachusetts

Minutes from the meeting of May 27, 2015
(Draft subject to approval by the Board)

Board Members present: Mertin Betts (Chair), Ann Coyne, Laurance Kimbrough, Lucy Murray-Brown, Beverly Sealey

City staff present: Executive Secretary Brian Corr, Project & Outreach Coordinator V. Muna Kangsen, Dep. Supt. Steve DeMarco, and Dep. Supt. Paul Ames

The meeting was called to order at 6:03 PM.

Review and Approval of Minutes

The Board reviewed the minutes from the April 27, 2015 meeting and approved them unanimously on a motion from Board Member Kimbrough, seconded by Board Member Sealey.

Executive Secretary's Report

There is now an updated Board Member Reference and Handbook, which includes: Police Review & Advisory Board Ordinance, Rules and Regulations; Guide to Open Meeting Law from the Attorney General's Office; Guide to the Public Records Law from the Secretary of the Commonwealth; Summary of the Conflict of Interest Law; the 2013-2014 Annual Report of National Association for the Civilian Oversight of Law Enforcement (NACOLE), its Recommended Trainings for Board and Commission Members, and information on its Certified Practitioner of Oversight Program; the Cambridge Police Department (CPD) Mission Statement and Core Values; brief descriptions of all CPD units; and Board minutes from 2010 to 2015.

Professional Standards Unit Report

Dep. Supt. DeMarco introduced Dep. Supt. Paul Ames as the new commander of the Professional Standards Unit (PSU) at the CPD. He explained that as of two weeks ago, they have swapped roles, and that now DeMarco is the new commander of the Investigations Unit. DeMarco enjoyed his leading the PSU and working with the Police Review & Advisory Board and while he looks forward to his new assignment, he will miss working with the Board.

Ames introduced himself to the Board, explaining that he has a similar background to DeMarco, that he is looking forward to the assignment at PSU, and that he will also be leading the department's Training Unit and Technical Services. He noted that these shifts are part of Police Commissioner Haas's practice of periodically rotating command staff to new assignments for professional development purposes.

In other changes, DeMarco noted that Superintendent Steve Williams retired from the CPD, and former Dep. Supt. Joe Wilson was promoted to Superintendent after an extensive interview

process. Also, Dep. Supt. Steve Ahearn is now the unit commander of Tactical Operations and Night Patrol. Also, 10 new Cambridge Police recruits started training in the academy.

The “Safer Homes, Safer Communities” initiative, where people can anonymously exchange guns for gift cards, will take place from 10 AM to 3 PM on June 13 at two locations: Greater Boston Vineyard Fellowship Church in North Cambridge and Pentecostal Tabernacle in the Area IV neighborhood. This effort is a collaboration between the CPD, the Cambridge Public Health Department, the Cambridge Peace Commission, the Cambridge Black Pastors Alliance, and Many Helping Hands.

Report of the President's Task Force on 21st Century Policing

After thanking Board Member Sealey for asking for a discussion of the report from the President's Task Force on 21st Century Policing and for her work in creating a PowerPoint slide show about the report, Executive Secretary Corr made a presentation to the Board on the Task Force and its report and recommendations.

Part 1: Introduction and Overview

On December 18, 2014, President Barack Obama signed Executive Order 13684, establishing the Task Force on 21st Century Policing. The mission of the Task Force was to: 1) Examine how to foster strong, collaborative relationships between local law enforcement and the communities they protect and; 2) Make recommendations to the President on how policing practices can promote effective crime reduction while building public trust.

In establishing the Task Force, the President spoke of the distrust that exists between too many police departments and too many communities:

- There is a sense that in a country where our basic principle is equality under the law, too many individuals, particularly young people of color, do not feel as if they are being treated fairly by the criminal justice system.
- Trust between law enforcement agencies and the people they protect and serve is essential in a democracy.
- It is key to the stability of our communities, the integrity of our criminal justice system, and the safe and effective delivery of policing services.

President Obama appointed members were to the Task Force based on their relevant perspective, experience or subject matter expertise in policing, law enforcement and community relations and civil rights and civil liberties. On December 1, 2014, the President selected the co-chairs of the Task Force: Philadelphia Police Department Commissioner Charles Ramsey; and Prof. Laurie Robinson of George Mason University, former Assistant Attorney General for the Office of Justice Programs at the U.S. Department of Justice. The balance of the Task Force was appointed on December 19, and with holidays, the work actually started on January 19, 2015. Listening sessions were held, the interim report was drafted and then presented to the President on March 17.

Part 2: Task Force and its Process

Given the urgency of these issues, the President gave the Task Force 90 days to identify best practices and offer recommendations on how policing practices can promote effective crime reduction, while building public trust.

The Task Force held seven listening sessions around the country, with oral and written testimony from experts and the public. These sessions were built around six pillars representing the key areas of concern:

- Building Trust and Legitimacy
- Policy and Oversight
- Technology & Social Media
- Community Policing & Crime Reduction
- Training and Education
- Officer Safety & Wellness

The final session, the Future of Community Policing, was focused on producing recommendations.

Part 3: Finding and Three Key Recommendations

Corr explained that on May 22, he and Board Member Sealey had attended a NACOLE-organized conference call and webinar on the report and that he would be sharing insights provided by two of the Task Force’s members during that session: Prof. Tracey Meares of Yale Law School and Sue Rahr, former Sheriff of King County, Washington.

According to Prof. Meares, “when Trust & Legitimacy are present, good community policing and public safety are present.” Therefore the first pillar, Trust & Legitimacy, is the foundation of the report, and the other pillars shore up that critical issue.

There are two key recommendations as identified by Prof. Meares and Sheriff Rahr:

- Recommendation 1.1: Embracing a Guardian Mindset
- Recommendation 6.2: Promoting Officer Safety and Wellness

Recommendation 1.1, “Embracing a Guardian Mindset,” was seen as the Task Force’s most important recommendation because most of the other recommendations stem from this key point for two reasons:

- The Task Force doesn't believe that all police are bad, unlawful people, but rather that this recommendation is about making the job easier for those who have the right mindset; and
- Crime control as a strategy can have negative consequences: crime reduction is not self-justifying. If public trust is going to be pursued must get away from idea that crime reduction is self-justifying

Recommendation 6.2, “Promoting Officer Safety and Wellness,” was also very important as the Task Force learned from its process that many officers feel like their wellness is sometimes lost in all the conversations about control or shaping of discretion and creating public trust. Meares and Rahr explained that:

- Many of those things undermine officer wellness, and “hurt people can hurt other people,” so we cannot lose sight of officer wellness
- As a society, we often talk about creating more rules to tighten up the performance of police, but the Task Force has come to understand that police officers need to have broad discretion in order to do their jobs.
- If we want officers to do a good job, they have to be in a healthy state of mind, but often the culture of police departments don't support mental and physical wellness.

Corr then discussed a third key recommendation highlighted by Board Member Sealey that was explored extensively during the NACOLE conference call and webinar:

- Recommendation 2.8: The Role of Civilian Oversight

Some form of civilian oversight of law enforcement is important in order to strengthen trust with the community. Every community should define the appropriate form and structure of civilian oversight to meet the needs of that community.

- Many, but not all, state and local agencies operate with the oversight or input of civilian police boards or commissions. Part of the process of assessing the need and desire for new or additional civilian oversight should include input from and collaboration with police employees because the people to be overseen should be part of the process that will oversee them. This guarantees that the principles of internal procedural justice are in place to benefit both the police and the community they serve.
- We must examine civilian oversight in the communities where it operates and determine which models are successful in promoting police and community understanding. There are important arguments for having civilian oversight even though we lack strong research evidence that it works. Therefore we urge action on further research, based on the guiding principle of procedural justice, to find evidence-based practices to implement successful civilian oversight mechanisms.
- NACOLE President Brian Buchner noted at the Policy and Oversight Listening Session on January 30, that civilian oversight is inherently impartial: it is not an advocate for the community or for the police. This impartiality allows oversight to bring stakeholders together to work collaboratively and proactively to help make policing more effective and responsive to the community.
- Civilian oversight alone is not sufficient to gain legitimacy; without it, however, it is difficult, if not impossible, for the police to maintain the public's trust. The Task Force's report is the first time that civilian oversight has been recommended in such a high-level report. Also, the report repeated refers to civilian oversight, accountability and transparency, and those are key aspects of creating trust and legitimacy.

Corr explained that Prof. Meares also made the following points:

- One of the things we talked about was how to understand where civilian oversight fit in the pillars because of this idea of research. So there is some research looking at the relationship between the diversity of police forces and police use of force (very limited).
- To the extent research does exist, it suggests there is very little relationship between diversity and the use of deadly force. So this would lead some to say that this means it doesn't matter. But there are important reasons related to trust and legitimacy that make it important, for example, looking at Ferguson, Missouri.
- Decades of social psychological research shows that the foundation of legitimacy is in four components of procedural justice. Legal authorities such as police promote legitimacy by:
 - (1) Treating people with dignity and respect;
 - (2) Making decisions fairly, based on fact and not on illegitimate factors such as race;
 - (3) Giving people a chance to tell their side of the story, what psychologists call "voice;" and
 - (4) Acting in a way that encourages those with whom authorities deal to believe that they will be treated benevolently in the future.
- When people are assessing the legitimacy of agencies and requests from their staff, people care about being treated with respect, and that the decisions are fair and transparent and based on fact; people value having an opportunity to participate in the processes that produce the policies; people look for indicia that people can trust the individual or agency to act benevolently.
- This is why more research is needed to identify what works in terms of forms of civilian oversight, as well as if those forms have an effect on the impact on fairness and legitimacy.

Corr then noted that Sheriff Rahr made two additional points:

- When one asks the question, "How should civilian oversight work and what it should look like," the answer is "it depends."

- There needs to be more effort and research to review what is happening on the field, accumulate best practices, and then allow communities to look at different models and pick what works best in each community.

Consideration of Complaints before the Board

Board Member Coyne moved that the Board go into executive session to review complaints pursuant to M.G.L. chap. 21 (a) (1). The motion was seconded by Board Member Kimbrough and approved by unanimous vote.

Adjournment

After reconvening in open session, Board Member Betts moved that the Board adjourn. The motion was seconded by Board Member Kimbrough and approved unanimously. The meeting adjourned at 7:45 P.M.