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APPENDIX Q

Report of the Boston Police Department Management Review Committee

Submitted to: Mayor Raymond L. Flynn
January 14, 1992

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January 14, 1992

The Honorable Raymond L. Flynn
Mayor of the City of Boston
City Hall
Boston, Massachusetts 02201

Dear Mayor Flynn:

We are pleased to submit to you the Management Review Committee Report on the Boston Police Department.

In your letter of May 3, 1991 you requested that the Committee review press stories that had been published concerning the Boston Police Department ("Department"). In addition, you requested that the Committee review the basic management and supervision systems and practices of the Department to ensure that they are consistent with the accepted standards for a modern, urban police department. Shortly after your letter the Police Commissioner's office released a detailed response to the press stories. Upon review it was clear that the Department's response adequately dealt with these press stories. We therefore concentrated on reviewing the management and supervisory systems and practices of the Department.

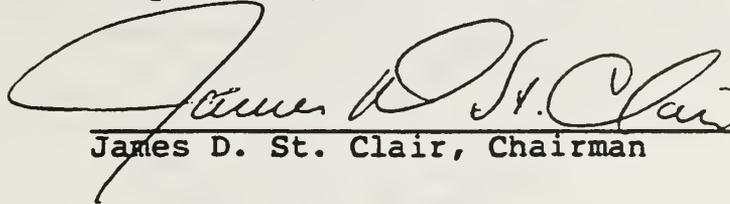
In order to evaluate these systems and practices, we undertook to interview focus groups representing the community and ethnic groups that make up the population of the City of Boston. In addition, we met with the Attorney General of the Commonwealth, the Suffolk County District Attorney, the U.S. Attorney (and their respective staffs), as well as attorneys affiliated with the Committee for Public Counsel Services.

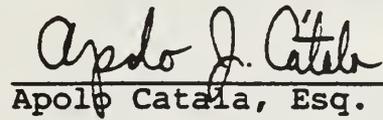
We also interviewed approximately eighty-five (85) Boston Police officers and civilian employees, including the Command Staff and Police Commissioner Roache. With the assistance of Harbridge House Inc., other cities were consulted to determine what practices were in place and how they worked. In addition, we consulted members of the faculties of the Harvard University and the Northeastern University. Members of the Committee visited facilities of the Boston Police Department and reviewed rules and regulations, memoranda, training curriculums, and other materials provided by the Department. We also consulted with many experts in the fields of policing and criminal justice and reviewed a variety of other source materials, such as prior reports regarding the Department by previous commissions and other organizations. The valuable contributions of all of these individuals, groups, and institutions are acknowledged in the Report.

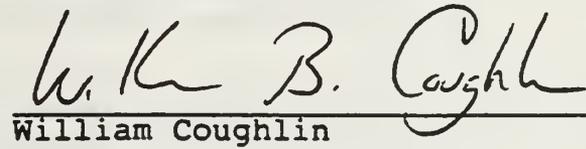
I would like to specially acknowledge the valuable contributions of Edward Tobin, my associate at Hale and Dorr, who served as the Committee's Chief of Staff and without whom this investigation and Report would not have been possible. In addition, Jack McDevitt, Glenn Pierce, and Robyn Miliano of Northeastern University deserve special mention for their central roles in the project.

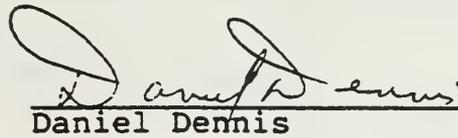
Based on our in-depth investigation we have made certain findings and recommendations for your careful consideration. The Committee is unanimously committed to full implementation of these comprehensive and interdependent recommendations. We are confident that if these recommendations are adopted, significant improvement will result in the leadership, management and operation of the Boston Police Department.

Respectfully Submitted,

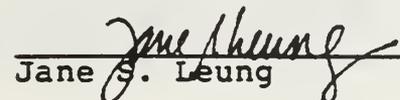

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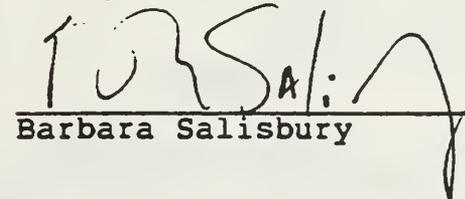

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ACKNOWLEDGMENTS

The Committee would like to thank all of the members of the Boston community and members of the Boston Police Department who took time to meet with us and speak about their concerns and ideas, or who submitted written letters and materials for our review. In particular, James Jordan, Assistant to the Commissioner, served as the Committee's liaison to the Boston Police Department.

All of the members of the Committee have worked on this investigation and Report on a pro bono basis. In particular, two organizations, Hale and Dorr and Northeastern University's Center for Applied Social Research, have each contributed hundreds of hours of support to our Committee.

Hale and Dorr has contributed, without any charge to the City, all of the administrative support and production assistance necessary to produce this report. In addition to Mr. St. Clair and Mr. Tobin donating their time on a pro bono basis, the following individuals from the firm of Hale and Dorr have contributed significant time and efforts.

Diane Coffin
Monica Gilardi

Ann McCarthy
Tamara Preston
(Summer Associate, 1990)

Northeastern University's Center for Applied Social Research was responsible for organizing and performing much of the research on which this report was based. In addition to Messrs. McDevitt, Pierce, and Stone and Ms. Miliano, all of whom volunteered their services free of charge, the following individuals contributed significantly to this research effort.

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Richard Sparaco

Shauna Baxter
Debra Ross
Donna Wilkes

Harbridge House Inc. assisted the Committee on a volunteer basis by traveling to Houston and Baltimore County to assess the management, supervisory, and operational systems of those police departments. Particular thanks goes to:

Thomas F. Casey
Eugene Lee

The Committee wishes to thank the following individuals for their roles as facilitators at our Community Focus Group meetings:

Patricia Arrendondo
Thomas F. Casey
William Coughlin
David Shiang

Marvin Smith
Patricia Stewart
Mathew Thompson
Martha Torrence

We would also like to acknowledge the assistance of Robert Krim and the Boston Management Consortium in helping to organize these meetings.

The Committee would also like to thank the following academics and experts who gave their time and experience to assist us in our investigation.

Daniel Bibel	Mass. Crime Reporting Program
Albert Carderelli	University of Massachusetts(Boston)
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George Kelling	Northeastern University
Mark H. Moore	Harvard University
Malcolm K. Sparrow	Harvard University
Robert Wasserman	Harvard University

The Committee also sought the assistance of several current and former police executives who were gracious enough to meet with the Committee to share their expertise.

William Bratton, Police Chief
New York Transit Police

Lee P. Brown, Police Commissioner,
New York City Police Department

Patrick Murphy, Director
Police Policy Board
U.S. Conference of Mayors

Kathy O'Toole, former Chief
Metropolitan Police

The Committee would like to note that Peter Madden resigned from the Committee after initial meetings were held. Also, another Committee member, Norman Rosenblatt, former Dean of the College of Criminal Justice at Northeastern University, became ill and passed away during the course of our investigation. The Committee benefited greatly from Dr. Rosenblatt's time with us. He was responsible for developing the research plan and providing guidance and context to the Committee's early deliberations.

INTRODUCTION

This Report details the Committee's findings and proposes more than 30 recommendations from our comprehensive examination of the Boston Police Department. The Report identifies substantial problems in the leadership and management of the Department and recommends major changes. The Committee was impressed with the deep sense of commitment, dedication and professionalism conveyed by most of the Boston Police officers with whom we spoke. These same officers, however, are seeking help in resolving the Department's many problems. We found an overwhelming sense inside and outside the Department that its current leadership has failed to harness and properly channel the considerable talent, abilities and resources available to it.

Accordingly, this Report is in part an articulation of these concerns expressed by Boston residents and Boston Police officers, and is also a response to one officer who, when asked what he hoped the Committee would accomplish, responded (with a comment echoed by many officers) "I hope you can recommend some changes which will allow me to be able to do my job to the best of my ability, something I can't do now."

The Report begins with an analysis of the leadership of the Department. Commissioner Roache has failed to develop and articulate a shared vision or strategic plan to guide the Department's operation. Instead, the Department has adopted a purely reactive posture, and drifts from crisis to crisis. The Committee concurs with the numerous officers calling for the

creation of a "plan of action" that would articulate values, establish measurable goals, and develop a strategy to achieve those goals. The absence of any strategic plan has resulted in divisive "turf wars" between different segments of the Department and a lack of cohesive policies; we found a profound lack of teamwork, communication and coordination between the Department's various Bureaus, Areas, and Units. In fact, the Department actually operates as many separate and nearly autonomous police departments, each with its own priorities and informal rules, rather than as a unified organization with shared goals and objectives.

Further, our examination revealed that the Department has been unable to implement new programs or effectively manage many existing programs and systems. Numerous programs and initiatives, announced with considerable publicity, are never fully implemented. Several officers and policing experts referred to this organizational tendency toward "public relations flurries" rather than carefully researched programs consistent with an overall strategy.

It is clear to us that most officers with whom we spoke and many segments of the community have lost confidence in Commissioner Roache and his Command Staff's ability to lead and manage the Department. We found poor morale among the police force and a growing impatience in the community with business as usual.

We conclude that the Boston Police Department needs a new leader to develop a comprehensive strategic plan for policing Boston and to make the necessary changes in the way the Department operates. Therefore, we recommend that a new Police Commissioner with vision and experience be appointed when Commissioner Roache's current term expires in April 1992. The transition to a new Commissioner will reinvigorate the sagging morale within the Department and demonstrate to the community that the Department is committed to making meaningful changes. We carefully considered the idea of appointing a Superintendent-in-Chief to remedy the Department's leadership and management deficiencies. After consulting with the two police officers who most recently held that position in the Boston Police Department, as well as leading police executives, however, we are convinced that such a change would not remedy the problems we have identified in the overall operation of the Department.

Our investigation into the Department's handling of citizen complaints of police misconduct, described in Chapter 8 of this Report, was particularly troubling. Our study revealed an investigative and hearing process characterized by shoddy, halfhearted investigations, lengthy delays, and inadequate documentation and record-keeping. The present Internal Affairs process is unfairly skewed against those bringing a complaint. Given the Internal Affairs Division's ("IAD") failure to routinely provide thorough and timely investigations of alleged misconduct, and the fact that the Department sustains less than 6% of

complaints against officers, it is no surprise that the overwhelming majority of community residents we spoke to have little confidence in the Department's ability or willingness to police itself. The IAD reports to the Commissioner and its shortcomings adversely reflect on his performance.

In addition, our review of IAD files revealed a disturbing pattern of allegations of violence toward citizens by a small number of officers. The failure to monitor and evaluate the performance of police officers--particularly those with established patterns of alleged misconduct--is a major deficiency in the management of the Department and results in an unnecessarily dangerous situation for the citizens of the City of Boston. By their alleged repeated acts of misconduct, this small group of problem officers tarnishes the reputation of the entire Department. No police department and no community should tolerate a situation where officers with a long record of alleged misconduct, including some with histories of alleged physical abuse of citizens, remain on the street largely unidentified and unsupervised.

Accordingly, in a series of recommendations, we urge that the Department revamp its method of investigating citizen complaints against police officers so that a thorough and timely investigation becomes the standard practice at IAD. In addition to an overhaul of the IAD investigative process, the Committee has concluded that a limited Community Appeals Board must be created to review the investigation of citizen complaints of police

misconduct. It is the Committee's belief that a Community Appeals Board, composed of both community members and police officers, charged with the task of reviewing the investigations conducted by IAD and, where appropriate, returning cases for further investigation, will help restore the public's confidence that their complaints against police officers will be taken seriously and will result in fairer, more complete investigations.

We fully recognize that a Community Appeals Board is no panacea for police misconduct. Moreover, we believe that the burden of holding officers accountable for their behavior as police officers should remain primarily with the Boston Police Department. However, given the disturbing results of our case review and the profound lack of confidence and trust the community expressed in the Department's current methods of handling citizen complaints we believe that the public must be given access into the system for it to work properly. While community members should comprise a majority of the Board, police membership on the panel is important because of the experience and insights these officers will contribute and because we believe police-community cooperation in addressing problems should become the cornerstone of Boston's new policing strategy for the 1990s.

In Chapter 3 we strongly recommend that the Boston Police Department take immediate measures to begin a comprehensive shift to a community and problem solving policing strategy. We find the Department's current efforts undertaken with the label "community policing" are incomplete and superficial, and lack the problem

solving component that is essential to making effective responses to crime and other community concerns. The Department is attempting to "add community policing on" to its existing practices; it is not, as it must, shifting to a new and more proactive policing philosophy.

The balance of the Report addresses other findings and recommendations relating to the management and supervisory practices of the Department. For instance, many police officers we spoke to believe that there is a dangerous shortage of experienced street supervisors, particularly at night in high activity areas of the City such as Area B. Our review of the Department's supervision records and computer tapes tracking levels of supervision confirms that supervisors are not necessarily deployed where they are needed most. In addition, the many officers with whom we spoke were unanimous in their belief that new Sergeants are not currently provided with the necessary education and training for their new roles as supervisors. Further, other training programs including in-service and field training are not functioning adequately and need substantial improvement.

Moreover, unlike the overwhelming majority of urban police departments, the Boston Police Department does not have a Department-wide personnel performance appraisal system. As a result, there are no formal systems to gauge the performance of police officers or hold supervisors, patrol officers or detectives accountable for their actions and performance. In addition, we

found that the Department's level of computerization and use of sophisticated management information systems is inadequate and inferior to most other urban police departments.

The Boston Police Department must develop a comprehensive strategy for policing Boston in the 1990s. To do so, it must first conduct a thorough self-assessment of where it is today and where it wants to be tomorrow. In order to move forward, the Department needs new leadership capable of and committed to implementing the necessary changes to make the Department more effective and more accountable. We recommend that the new Commissioner seek input from all levels of the Department and from the residents of Boston in conducting his/her assessment and developing the strategic plan.

We hope that this Report will contribute to that assessment and begin the discussion about how to transform the Department from the incident-based policing of today to the problem solving community policing of the future. We recommend this Committee or a similar external group be reconvened in six months to assess progress in implementing the changes called for in this report.

We urge adoption of our recommendations because we believe they will lead to a better Boston Police Department and a better relationship between the Department and the citizens it serves.

CHAPTER 1: LEADERSHIP ISSUES

I. Dimensions of Police Leadership

The Commissioner of the Boston Police Department sets a moral tone for the Department, establishes its priorities and operational style, oversees its performance and development, and is its chief representative to the public. It is vital that these jobs be done well. No Commissioner is all powerful: neither all that is good, nor all that is ill about the performance of the Boston police can rightly be laid at the Commissioner's feet. But, as the single most powerful and visible person in the Department, the Commissioner's performance in his core areas of responsibility warrants special scrutiny.

Police leadership has at least three dimensions.¹ One dimension is a commissioner's personal values: a police chief or commissioner is a personal leader imposing personal values on the police officers serving under him. According to police experts, how the Commissioner, and by extension the Department, feels about matters such as corruption, relations with individual citizens and communities, and openness to outside guidance and review can make or break a police department.

¹Interview with George L. Kelling, Professor in the College of Criminal Justice at Northeastern University and fellow in the Program of Criminal Justice in the John F. Kennedy School of Government at Harvard University, in Boston, MA (October 28, 1991).

The second dimension of police leadership is vision and purpose. An effective commissioner must develop, and then articulate in language understood by both police officers and the public, a mission statement or strategy to guide his department's development and performance. The Committee's review of current literature and our interviews with leading academics and successful police executives from across the country revealed that today is a time of ferment in policing. New ideas of policing and the proper role for police are being explored in departments all around the country.² In the corporate world, effective leadership is recognized as leadership which develops a vision for the organization and imparts this vision to all members of the organization; this "shared vision" is then used to motivate employees, guide decision making, and move the organization toward a set of corporate goals.³

In a recent study of six urban police departments, researchers found that these same qualities of leadership and openness to innovation that characterize America's best run

²See generally, Mark H. Moore and Darrel W. Stephens, "Organization and Management," in Local Government Police Management 22-53, 3d ed. (William A. Geller ed., 1991).

³Thomas J. Peters and Robert Waterman, In Search Of Excellence: Lessons From America's Best Run Companies (New York: Harper & Row, 1982).

companies also characterize the most successful police agencies.⁴ As Mark H. Moore and Darrel W. Stephens noted recently in a leading treatise on police management, "Although change is inevitably accompanied by uncertainty and stress, police leaders are recognizing that it also presents opportunities...Imaginative leadership is required to lead police organizations as they evolve in the years ahead."⁵ The Committee, therefore, felt compelled to explore the Commissioner's sense of vision and purpose for the Department and examine whether he has successfully communicated this vision to the police officers he leads.

The third dimension of police leadership is implementation. This involves the nuts and bolts of running the Department and ensuring that it performs well today and better tomorrow. In this area, the Committee focused on whether the Commissioner managed the Department effectively, meshing the financial, technical, and human resources available to him into a coherent set of police operations. If the Commissioner's values are good values, are they understood and adopted by the force, and do they shape the Department's operations? If the Commissioner has a convincing vision or strategy for the future, has it been imparted throughout the Department and is it guiding the Department's development?

⁴Jerome H. Skolnick and David Bayley, The New Blue Line: Police Innovation In Six American Cities (Free Press, 1986).

⁵Moore and Stephens, at 53.

Finally, does the Department as it exists today, as a reflection of Commissioner Roache's nearly seven years as head of the Department, speak well of his tenure to date and promise well for the future of the Department and the City?

II. Findings and Analysis

Judged on these three dimensions, we must conclude that Commissioner Roache and his Command Staff (in this analysis we define the term "Command Staff" as the four Bureau chiefs) have failed to provide effective leadership for the Boston Police Department. We believe that Commissioner Roache's personal integrity and honesty are exemplary. Moreover, Commissioner Roache, who was appointed in the midst of a federal probe into alleged police corruption in Boston, has played an important role in bolstering the reputation of the Department by cooperating with federal authorities and strongly condemning corruption. Finally, even those community members, police officers and others most critical of Commissioner Roache's performance recognize his strong commitment to the City of Boston and its citizens.

Unfortunately, we found Commissioner Roache and his Command Staff seriously deficient on the other two dimensions of leadership. Despite nearly seven years at the helm, Commissioner Roache has failed to develop and articulate a shared vision or strategic plan to guide the Department's operation. Instead, the

Department has adopted a reactive posture, merely drifting from crisis to crisis. As more than one Boston police officer observed, "If you want to know what the Department will do tomorrow, read The Globe today." The overwhelming majority of police officers we spoke to had never heard of any long term goals or objectives which are widely shared throughout the ranks. Numerous officers called for the creation of a "plan of action" that would articulate values, establish measurable goals, and develop a strategy to achieve those goals. At present, there is no such strategic plan for the Department as a whole. In addition, we found the Department's research and planning capabilities, primarily consisting of student interns, grossly inadequate for a modern urban police force. This deficiency, which until some very recent changes, has apparently grown worse over the years and hampers the Department's ability to respond to problems in a coherent and informed manner.

The absence of any strategic plan has resulted in divisive "turf wars" between different segments of the Department and a lack of cohesive policies. This problem is exacerbated by the Commissioner's failure to hold regular Command Staff meetings to develop coordinated programs and policies. Indeed, our interviews and research revealed a profound lack of teamwork, communication and coordination between the Department's various Bureaus, Areas, and Units. We found that the Department actually operates as many

separate and nearly autonomous police departments, each with its own priorities and informal rules, rather than as a unified organization with shared goals and objectives.

A substantial majority of the citizens and police officers we spoke with believe that Commissioner Roache and his Command Staff lack the necessary managerial skills and experience to run the Department effectively. After completing our review of the management of the Department, we agree. There exists the perception--widely shared by police officers and the public alike--that Command Staff positions are bestowed based on politics and "connections", not earned based on merit and achievement. While we do not join in the following blanket indictment of the entire police leadership, one veteran officer expressed an opinion voiced by many officers, stating that "the Command Staff is a collection of 15 watt lightbulbs who are desperately trying not to be overshadowed by the 75 and 100 watt lightbulbs serving below them." After completing our review of the Department, we concur with the view that the Department is not well managed and that the present Command Staff fails to make the best use of its many talented officers.

Most officers we spoke with and many segments of the community the Committee met with have lost confidence in Commissioner Roache and his Command Staff's ability to lead and manage the Department. We found poor morale among the police

force and a growing impatience in the community with "business as usual." We were impressed, and at times deeply moved, by the sense of commitment, dedication, and professionalism conveyed by the police officers with whom we spoke. Equally striking, however, was the depth and breadth of the problems identified by these same officers and the overwhelming sense that the current leadership has failed to harness and properly channel the considerable talent, abilities, and resources available to it within the Department.

Our examination revealed that the Department has been unable to implement new programs or effectively manage many existing programs and systems. The Committee's detailed findings and recommendations are contained in the chapters which follow; we identify here only several illustrative examples.

Perhaps most striking is the near total lack of accountability within the Department. Despite having the statutory authority to institute a performance appraisal system for officers working at the BPD, the Department has failed to implement such a system. As a result, there are no Department-wide systems to gauge the performance of police officers or hold supervisors, patrol officers or detectives accountable for their actions and performance. Further, there are no real efforts made to set goals, objectives, and priorities on a Department-wide

basis or hold Bureaus, Divisions, and Units accountable for meeting those goals.

Our investigation into the Department's handling of citizen complaints of police misconduct, described in Chapter 8 of this Report, was particularly troubling. Although the Commissioner told the Committee that he and his Legal Advisor personally review the investigation and resolution of every case filed with Internal Affairs for fairness and completeness, our study revealed an investigative and hearing process characterized by shoddy, halfhearted investigations, lengthy delays, and inadequate documentation and record-keeping. Given the Internal Affairs Division's failure to routinely provide thorough and timely investigations of alleged misconduct, and the fact that the Department sustains only a tiny fraction of citizen complaints against officers, it is no surprise that the overwhelming majority of community residents we spoke to have little confidence in the Department's ability or willingness to police itself. Indeed, our investigation identified the existence of a group of problem officers with ten or more citizen complaints filed against them who are escaping any sort of discipline, monitoring, or counseling by the Department.

This failure in the management of the Department is not limited to a lack of accountability, but rather is wide-ranging. For example, the Department's level of computerization and use of

sophisticated management information systems is inadequate and inferior to most other urban police departments. Moreover, we found a lack of commitment to in-service training, most particularly a near total absence of supervisory skills and management training for superior officers and command staff members.

Equally troubling is the Department's latest effort to adopt community policing. Although the Department has been exploring and experimenting with the concept of community-oriented policing for many years under a variety of labels,⁶ the most recent effort illustrates some of the problems with Commissioner Roache's leadership style. As discussed in Chapter 4 of this Report, the Department announced its adoption of community policing this past February with considerable fanfare. However, almost none of the many police officers we interviewed during this past summer and fall had any understanding of this new policing strategy, and even fewer were consulted during its development. Understandably, most officers view the new policy with skepticism and see it as little more than City Hall's most recent "public relations stunt."

Boston's purported community policing plan is not a comprehensive strategy, nor does it comport with what leading experts in the field consider community-oriented policing.

⁶For example, Neighborhood Policing, Sector Integrity, Foot Patrol, the Fenway Project.

Indeed, in some respects the present plan may increase tensions with the community by setting a series of false expectations. Moreover, by prematurely adopting the banner of community policing without first completing the necessary training of police officers and supervisors, educating the public, and making technological improvements, the Department has doomed the present plan to failure. While we fully support the evolving strategy of community policing as it is understood by leading police executives and recommend it for Boston, we fear that the Department's current effort may do more harm than good.

III. Recommendations

1. Transition To A New Police Commissioner To Lead The Boston Police Department

While we are impressed by Commissioner Roache's commitment to the City of Boston, we have found serious problems with his leadership style and managerial skills. We believe that Boston needs a new leader to implement major changes in its police department. Therefore, we recommend that a new Police Commissioner be appointed when Commissioner Roache's current term expires in April 1992. A search should begin immediately for an experienced police executive capable of providing leadership and vision to the Boston Police Department. While we considered other possible remedies short of a new Police Commissioner, given the breadth and depth of the problems in the Department, we have

concluded that new leadership at the top is required to bring about the necessary changes and restore public confidence.

The new Commissioner must develop a comprehensive strategic plan for policing Boston in the 1990s, including the reform of Internal Affairs and the implementation of community policing. Provided that the new Commissioner possesses the requisite experience and managerial skills to operate an urban police department, we believe that he or she will enhance coordination and communication within the Department and develop a coherent set of operational policies. Further, the transition to a new Commissioner will reinvigorate the sagging morale within the Department and demonstrate to the community that the Department is committed to meaningful change.

The Committee fully recognizes a few specialized units within the Department, such as the Sexual Assaults Unit, the Community Disorders Unit, and the Fleet Maintenance Division, enjoy national reputations for excellence. It is our sincere hope that the recommendations contained herein, together with a new Police Commissioner, will lead to the entire Department achieving similar national recognition.

2. Impose Requirement of Minimum Civil Service Rank For Command Staff

The Department should implement a minimum civil service rank requirement of Lieutenant for membership on the Command Staff. This change will help ensure that the best and brightest are

chosen for leadership positions in the Department based on merit, achievement, and experience. In fairness to present Command Staff members whom the new Police Commissioner may wish to retain, this new requirement should be applied only after the next Lieutenant's examination is administered so that they are provided an opportunity to retain their current positions. The current practice of appointing patrol officers to Command Staff positions has engendered considerable resentment and hostility on the part of experienced superior officers and has created the perception that such promotions are based more on friendships, "connections," and loyalty than on merit.

We are mindful that a Police Commissioner should have some discretion over who serves on his or her Command Staff. However, imposing the requirement of at least a civil service rank of Lieutenant for Command Staff membership will help ensure that the Department's leadership has the necessary experience and skills to run the Department effectively. Moreover, because superior officers must pass examinations and come up through the ranks, it is more likely that these officers will enjoy the respect and support of rank and file officers throughout the Department.

CHAPTER 2: THE BOSTON POLICE DEPARTMENT

I. The Structure and Staffing of the Boston Police Department

The Boston Police Department is headed by Police Commissioner Francis M. Roache who was appointed to the position on February 1, 1985 by Mayor Flynn. Commissioner Roache's Command Staff currently consists of three Superintendents and fifteen Deputy Superintendents. The following organizational chart (Figure 2-1) shows the Department's current overall structure.⁷ As Figure 2-1 demonstrates, the Boston Police Department is organized into six major entities: The Office of the Police Commissioner, the Bureau of Professional Standards, the Bureau of Special Operations, the Bureau of Field Services, the Bureau of Investigative Services and the Bureau of Administrative Services.⁸ Within each of these entities, the chain of command is further structured through the creation of various Areas, Districts, Divisions, Sections, Units, Squads, Sectors, and Beats, which the Department define as follows:⁹

Bureau: The first level of command under the Police Commissioner responsible for coordinating and directing a major grouping of like activities in the Department.

Area: The second level of command, responsible for two or more districts of the City.

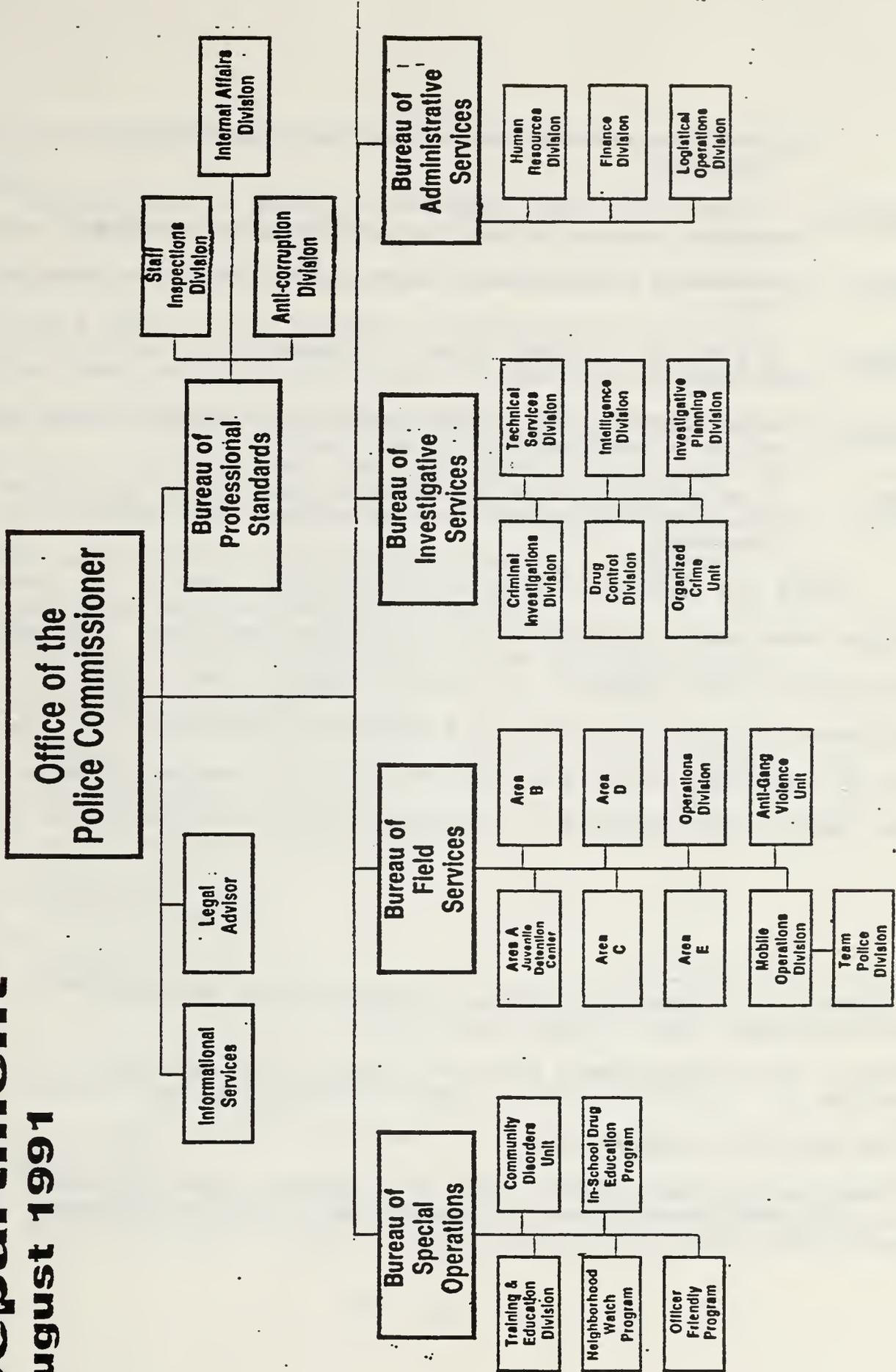
District: A geographic portion of an Area of the City to which field personnel and other resources provide police service on a 24-hour basis.

Division: That portion of a Bureau which may or may not consist of

Boston Police Department

August 1991

Figure 2-1



a Section or Sections or Units with specialized functions.

Section: A part of an Area, District, Division or office with ongoing responsibility for a particular function.

Unit: Personnel and resources organized to perform a special task.

Squad: A group of officers under the command of a sergeant for an operational task.

Sector: A geographical area of variable size within an Area to which is assigned one or more patrol units.

Beat: A geographical area of variable size within an Area to which is assigned one or more officers for patrol purposes.

There are currently 2,014 sworn police officers in the Boston Police Department, augmented by 602 civilian employees. The vast majority of sworn officers -- roughly 1,600 of them -- are uniformed officers working in the Bureau of Field Services. For patrol purposes, the City is divided into five geographic Areas.¹⁰ The Commissioner appoints a Commander to each Area, and it is that

⁷Boston Police Department Rules and Regulations, Rule 101 Organizational Chart dated August 1991.

⁸Boston Police Department Rules and Regulations Rule 101, Section 1.

⁹BPD Rule 101, Section 2.

¹⁰Despite repeated requests from the Committee over many weeks, the Department was unable to furnish a map or maps of Boston demarcating these five police Areas.

Commander who supervises the delivery of all police services in that Area.

Since Commissioner Roache became Commissioner in 1985, the number of sworn officers has increased from roughly 1,750 to the current 2,014 officers, an increase of approximately 15%.¹¹ During that same period the percentage of minority officers has increased 91%.¹² Minority officers now comprise over 24% of the police force. The Department has also become much younger in recent years: over 40% of sworn officers have been hired since 1985. The median age of a Boston police officer is now 41, whereas ten years ago the median age was 47.

The Boston force is organized under the following grades, ranking in the order listed:¹³

<u>Rank</u>	<u>Number</u>
Superintendent	3
Deputy Superintendent	15
Captain	16
Captain-Detective	2
Lieutenant	51
Lieutenant-Detective	22

¹¹Boston Police Department Strength Report dated 11/22/91.

¹²November 22, 1991 letter from James T. Jordan, Assistant to the Police Commissioner.

¹³Source: BPD Rule No. 101-A, dated February 16, 1983 and BPD Strength Report prepared November 22, 1991.

Sergeant	156
Sergeant-Detective	49
Detective	285
Patrol Officer	1328
Recruits	87

II. Crime in Boston

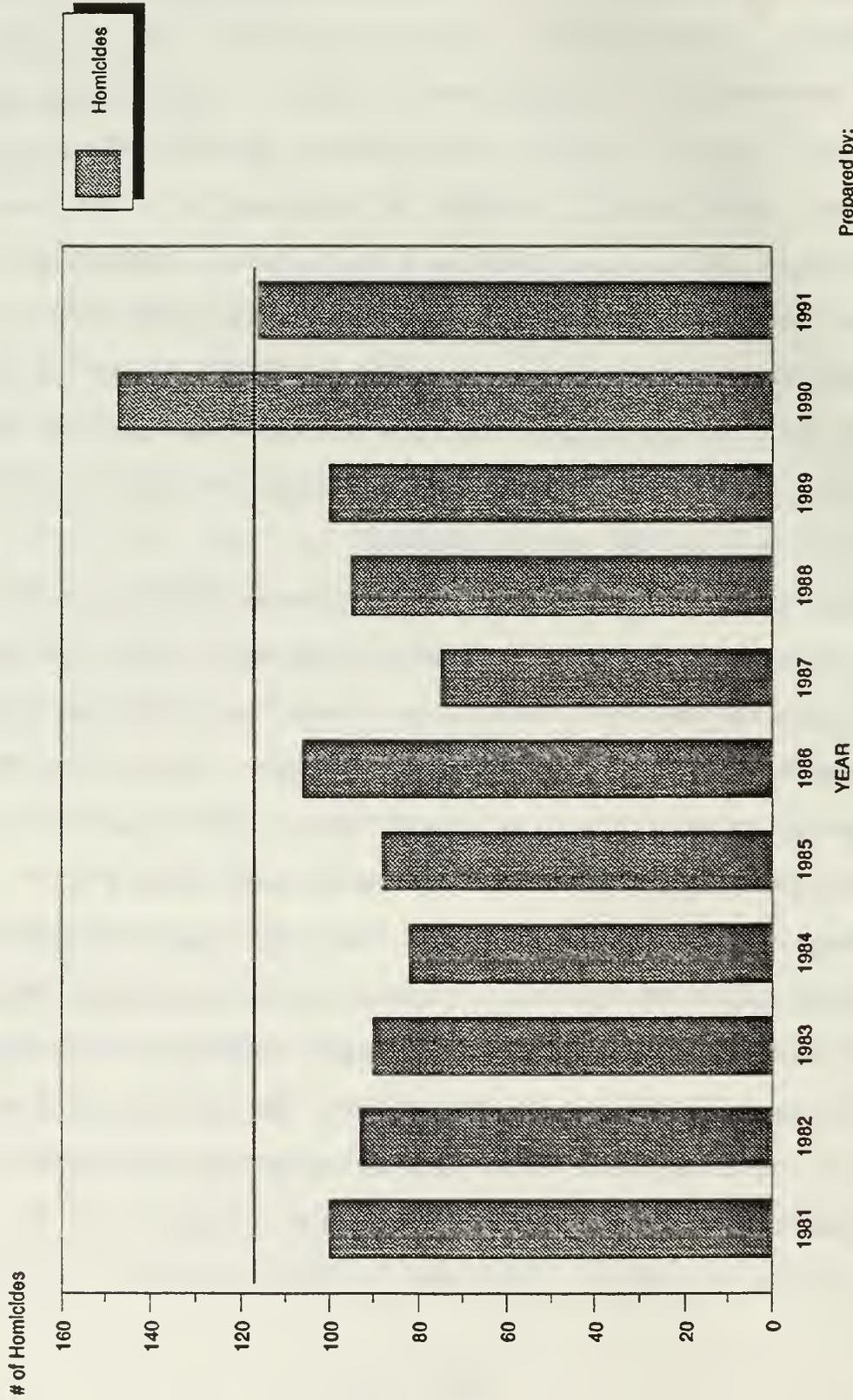
Boston, like many other urban communities, faces a very broad range of public safety problems (see Table 2-1). As a result, the Boston Police Department essentially must operate as a multi-functional organization serving a broad range of citizen needs. In Boston, the types of problems police respond to include: domestic violence, street disturbances, motor vehicle accidents, various public hazards and annoyances, vandalism, gang-related disturbances, as well as various types of crimes including homicide, rape, robbery, burglary, assault, larceny, and auto vehicle theft (commonly referred to as Part I Felony Crimes). Importantly, of the 500,000 requests for service police responded to in 1990, less than 14% were Part I Felony Crimes and only 20% of these requests were classified by 9-1-1 call takers as Priority 1 emergencies requiring an immediate police response.

As these figures suggest, evaluation of a modern urban police department must go well beyond examination of felony crime statistics. We say this despite the recent encouraging decline in some categories of serious crime in the City. First, it is not

obvious that the decline in, for instance, homicides, is directly attributable to police action, any more than its rise in past years was necessarily the Department's fault. Crime waxes and wanes for all sorts of reasons, with police performance being only one of them. Additionally, neither an increase or a decrease in crime statistics should be taken as a definitive comment on the Department. For example, examination of the homicide trends in Boston over the last ten years (see Figure 2-2) reveals that even though the level of homicides showed a substantial decline between 1990 and 1991, the overall level of homicides in 1991 was higher than any year during the entire 1980's.

Second, reported crime bears an uncertain relationship to actual crime. Certain crimes, particularly homicides, are very well likely to be reported, but many crimes, both against property and persons, are not reported, chiefly because victims think that the police cannot help them or because they fear exposure or reprisals. Underreporting is likely to be most severe in particularly troubled neighborhoods. We heard ample testimony that, in many parts of the City, residents are unwilling even to call 9-1-1 because of the lasting problems talking to the police can cause. Reported crime statistics are thus an unreliable indicator of the true crime rate, and an even less reliable indicator of the health of Boston's neighborhoods.

FIGURE 2-2
Number of Homicides in Boston, 1981-1991



Prepared by:
Northeastern University
Center for Applied Social Research

Annual homicide figures based on January - December of each calendar year. These data were drawn from official BPD crime statistics sent to the FBI's Uniform Crime Reporting Program.

Third, as reported to the FBI's Uniform Crime Reporting Program, crime statistics are aggregate, while crime itself is highly specific and localized. It is always good if, for example, drug-related homicide is declining overall, but that is small comfort to residents of the many Boston neighborhoods where gang and drug activity remain a constant menace. Likewise, failure to examine more refined statistics may hide potentially important trends.

For example, in Boston, gun assault statistics can be disaggregated into two separate categories: (1) gun assaults with battery, and (2) gun assaults involving only a threat to use a firearm. Gun assaults with battery are by far the more serious type assault because they involve an incident where a victim was either shot or struck by a firearm. When we examine trends in these two types of gun assault (see Table 2-2), we find that gun assaults with battery showed virtually no decline between 1990 and 1991. Thus, being able to disaggregate crime statistics can significantly alter our interpretation of crime trends in a city. Unfortunately, disaggregated crime statistics are difficult to obtain in Boston, as well as many other cities, because the necessary data is often either not collected or not automated.

A focus on the reported rate of "serious" crime also distorts reality by excluding from consideration the many illegal and uncivil acts that, especially together, do so much harm to

community life. Crime statistics do not measure the corners where crack is publicly sold and smoked; they do not measure the parks taken over by petty crime where families no longer dare to play; they do not measure the parents that keep their children at home because letting them out to play means running the risk of gang involvement. Most of all, crime statistics do not measure the confidence that can help a community keep itself together, or the fear that can make it helpless against enemies internal and external.

TABLE 2-1

The Distribution of Requests for Police Assistance
Classified by Type of Requests and by
Emergency Response Priority for 19901

A. Requests Classified by the Police Department

<u>Type of Request</u>	<u>Number</u>	<u>Percent</u>
Part I Felony Crimes	69,269	13.3
Simple Assaults/Threats	14,785	2.9
Drugs	4,122	.8
Vandalism	15,188	2.9
Motor Vehicle Accidents	7,428	1.4
Minor Disturbances	27,488	5.3
Gangs of Youths	16,856	3.2
Noisy Parties	4,948	1.0
Burglar Alarms	40,271	7.7
Investigation of Premises	16,856	3.2
Investigation of Persons	93,856	18.0
General Services Rendered	159,283	30.6
Other	49,922	9.6
TOTAL	520,302	100.0

B. Requests Classified by Emergency Response Priority

1. No Priority Assigned	21,554	4.1
2. Critical Emergency; Immediate Response Required	105,592	20.3
3. Non-critical Incident; Respond Within Reasonable Time	181,226	34.8
4. Respond When No Higher Priority Call Exists	169,285	32.5
5. Administrative Assignment	43,645	8.2
TOTAL	520,302	100.0

Data is based on BPD magnetic tapes on crime incidents and requests for police service.

TABLE 2-2

GUN ASSAULTS AND GUN ASSAULTS WITH BATTERY
IN BOSTON FOR THE PERIOD 1981 TO 1991

	<u>Year</u>										
<u>Type of Offense</u>	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>	<u>1985</u>	<u>1986</u>	<u>1987</u>	<u>1988</u>	<u>1989</u>	<u>1990</u>	<u>1991</u>
Assault and Battery w/a Gun ¹	248	228	242	286	223	281	304	264	323	439	431
Assault with a Gun ¹	443	388	410	447	503	575	581	668	678	743	674
TOTAL GUN ASSAULTS	691	616	652	733	726	856	885	932	1001	1182	1105

¹ Annual Assault figures are based on data for January through November, 1981 - 1991. Data on assaults was obtained directly from Boston Police Department magnetic tapes of crime incidents.

CHAPTER 3: STRATEGIC PLANNING

I. Strategic Planning

Research and planning activities are essential to effective police management. Contrary to conventional wisdom within both the Boston Police Department and other police departments, "research is one of the most practical components of police administration. Research is used to discover 'what works' in policing, to test new technologies, to analyze community problems, and to address a host of other practical needs."¹⁴ Closely related to such research is planning, which is "the process of bringing together the expectations about the future and data from the past to guide decision making in the present."¹⁵ The "commitment of top police leadership to planning and to the process of bringing about change is essential. This commitment must begin with a willingness to set future directions, then continue with the development of a course of action, and finally

¹⁴Gary W. Cordner, Craig B. Fraser, and Chuck Wexler, "Research, Planning, and Implementation", in Local government Police Mangement at 333 (William A. Geller ed., 1991). Local Government Police Management, Chapter 12 at 333

¹⁵Id. at 342.

end with steps implementing that course."¹⁶

Our interviews revealed a serious deficiency in the Department's strategic planning capabilities. Most striking is the apparent lack of resources, both in terms of people and money, the Department has committed to this area. Currently, there is no strategic planning unit within the Department and no full-time Department employees appear to have strategic planning as their primary responsibility. The lack of a rigorously developed, well communicated strategy has created a sense of cynicism among the officers and the public. Not only is there a widely-shared perception among Boston police officers that the Department's research department lacks the professionalism and resources necessary to do the job, few officers believe the Department's operation is based on any long term strategy or planning.

We repeatedly heard that "the BPD had no long term plans", and that "the research department is not a high priority, it is staffed primarily by students".¹⁷ Indeed, numerous veteran officers commented on the Department's lack of direction and the increasing tendency for Department operations to be shaped more by

¹⁶Id.

¹⁷We have been informed that in November the Department hired a Director of Research. However, the Department has apparently failed to provide this person with support staff or other resources necessary to properly operate a top research department in a major urban police force.

political and media pressures than by a comprehensive and coordinated strategy.

Any research or planning that does occur is usually reactive and short term in nature. Rather than operating based on a coherent long term strategic plan containing priorities, objectives, and goals, the Department lurches from crisis to crisis. Numerous programs and initiatives are announced with considerable publicity but are seldom fully implemented.¹⁸ Several interviewees referred to this organizational tendency toward "public relations flurries" rather than carefully researched programs consistent with an overall strategy. Not surprisingly, both police officers and the public have grown skeptical of any new Department programs or initiatives; we fear that this situation, if not remedied, will hamper the Department's transition toward community policing.

Indeed, the Department's lack of strategic planning leads to shortsighted and ill-advised decisions that are inconsistent with the City's best interests. One example of this was the decision to drastically reduce the Department's nationally recognized SPECDA and DARE school-based drug education programs purportedly to free up more officers for community policing. In contrast to the Department's so-called community policing plan which, as

¹⁸For example: the Sector Integrity Program; Supervisory Training; the Gang Plan; various Case Management Systems; Differential Response; the current Community Policing plan.

discussed in the following chapter, the Committee found to be superficial, SPECDA and DARE are precisely the types of programs a Department interested in building genuine partnerships with the public should be embracing and expanding upon.

All of the leading police executives whom the Committee consulted expressed the view that a police department must have a strategic plan to operate and develop effectively. We were particularly impressed with the strategic plans recently devised by Commissioner Lee Brown of the New York City Police Department and Chief William Bratton of the New York Transit Police with whom we consulted.¹⁹ Both of these plans were developed only after thorough, department-wide assessments by their respective new police executives. While each of the plans is of course tailored to the different roles played by the two departments, both establish priorities, outline comprehensive long and short term goals and objectives, and list specific steps which must be taken by various units, divisions, and the like throughout the respective departments to implement the new strategy. The Boston Police Department lacks such a strategic plan.

Developing a set of values, "beliefs that guide an organization and its members," is an important first step in

¹⁹The NYPD plan is entitled "POLICING NEW YORK CITY IN THE 1990s: The Strategy for Community Policing" (January 1991). The Transit Police plan is entitled "The New York City Transit Police Vision for the 1990s: Taking Back the Subway for the People of New York."

developing a strategy.²⁰ Commissioner Roache has identified five broad values for the Boston Police Department.²¹ Without discounting the current controversy over the Department's performance or devaluing the deep concern felt by many, we believe the preponderance of the Department's officers probably share the values articulated by Commissioner Roache. However, virtually none of the officers we interviewed could list any Department values or goals when asked, and none were aware of any comprehensive strategy which guided the Department's operation.

At the Department-wide level, then, moving values "from paper into reality" has apparently been difficult for Commissioner Roache; it would require "a vision of what the organization will be like, how it will act, and how it will be perceived by the public if it implements its values at all levels."²² We found no evidence that Commissioner Roache has a such a comprehensive strategic vision for the Department, nor does his record as Commissioner persuade us that he is capable of developing one.

²⁰Robert Wasserman and Mark H. Moore, "Values in Policing," Working Paper series no. 88-05-15 (Cambridge: Program in Criminal Justice Policy and Management, John F. Kennedy School of Government, Harvard University, 1988.

²¹These values are: 1) Guarantee the Constitutional Rights of All Citizens; 2) Maintain the Highest Standards of Honesty and Integrity; 3) Promote the Professionalism of the Boston Police Department; 4) Enhance the Working Relationship Between the Department and the Neighborhoods; and 5) Improve the Quality of Life in Our Neighborhoods.

²²Wasserman and Moore at 345-46.

Values are the rudder of a police department. They guide a commissioner in making difficult decisions about allocating resources and choosing among competing priorities. Values help Captains, Lieutenants, and Sergeants know when to encourage and reward their officers, and when to correct and chastise. They shape the thousands of rapid and difficult decisions officers make every day on the street. Members of certain specialized units more readily identified their Unit's values, goals and objectives because some Unit commanders (and one Area commander) appear to have developed goals, objectives, and a strategy on their own. Despite nearly seven years as Police Commissioner, however, Commissioner Roache has yet to develop such a strategic plan for the Department as a whole.

The Boston Police Department must develop a comprehensive strategy for policing Boston in the 1990s. To do so, it must first conduct a thorough self-assessment of where it is today and where it wants to be tomorrow. We recommend that the new Commissioner seek input from all levels of the Department in conducting his/her assessment and developing the strategic plan. The Committee was encouraged by the high level of interest expressed by the officers we spoke with in participating in such an evaluation and planning process, and we believe many officers could contribute, if permitted to do so, creative and worthwhile suggestions for the development of the Department.

We hope that this Report will contribute to that assessment and begin the discussion about how to transform the Department from the incident-based policing of today to the problem solving community policing of the future.

II. Recommendations

1. The New Commissioner Should Create A Centralized Strategic Planning Unit And Work With It To Develop A Comprehensive Long Term Strategic Plan For The Entire Department
2. Once The Strategic Plan Is Developed, Efforts Should Be Made To Communicate Effectively The New Strategy To All Levels Within the Department And To The Public
3. The Department Should Increase The Resources It Devotes To Research And Planning So That The Commissioner, The Command Staff, And All Boston Police Officers Have the Information Necessary To Engage In Problem-Solving In An Informed and Coordinated Manner

Developing a vision and strategy for the Department, together with creating a specialized unit devoted to strategic planning on an ongoing basis, will serve several important purposes. First, it will inform police officers and City residents where the Department is headed and how it intends to get there.

Second, strategic planning will allow the Department to present the Mayor, the City Council, and the public with long range plans and goals, allowing more informed and intelligent decisions concerning the resources needed to achieve those goals. Finally, developing values and a comprehensive strategy will help the public understand the aspirations and direction of the

Department. By stating its values and strategy, the Department can win public support, help establish the terms on which the Department would like to be held accountable, and enlist the aid of the public in helping Department leadership make the changes it desires. New Department programs and initiatives could then be developed--and viewed by the public--as part of a comprehensive strategy rather than as rushed, piecemeal reactions to a particular crisis.

In recent years, the Department has begun developing its capacity to gather and analyze crime data and then implement particular strategies for particular neighborhoods. With more and better resources, we believe much more could be done. Community-oriented policing stresses problem-solving rather than merely reacting to calls for service as isolated incidents. The Department's strategic planning unit should play an important role in this new problem solving-approach. To be effective, the unit must be equipped with the resources--personnel, data processing equipment, and access to information--necessary to bring analytic power to bear in ways most useful to the police officers on the street. Its work should be customized not only for different problems, but for different clients within the Department, from the Commissioner down to individual patrol officers.

Further, once the new community policing strategy is under way, the strategic planning unit should serve as a clearinghouse

for problem-solving knowledge and resources. The unit should develop ways to learn from the Department's experience with problem-solving, collecting and disseminating information about successes and failures to officers who need to know. It could also compile a database, or databases, of useful resources: contact people in City agencies; private sector and university people with particular expertise and resources; residents and community groups the police can go to for help in particular neighborhoods; officers working on similar problems in Boston and other cities; and so forth. Overall, as the Department comes to rely much more heavily on knowledge and information-driven policing, the strategic planning unit should adapt to provide the information and services this new approach will require.

CHAPTER 4: COMMUNITY AND PROBLEM SOLVING POLICING

I. Overview of Community Policing

The Committee strongly recommends that the Boston Police Department take immediate measures to begin a comprehensive shift to a community and problem solving policing strategy. After numerous discussions with community policing experts,²³ it is clear to the Committee that this concept, if implemented properly, can help to restore community faith and trust in the Boston Police Department. While we applaud Commissioner Roache's recent commitment to community policing, we find the approach incomplete and superficial, and lacking the problem solving component that is essential to making effective responses to crime and other community concerns.

We call, instead, for thoroughgoing change--strategic, organizational, administrative, and tactical--that affects not just a few units or a few officers but the entire Department. We expect this change to be good for the Department, good for the City, and, therefore, good for the members of the Boston community.

²³The Committee would like to acknowledge and thank Malcolm Sparrow, Mark Moore, and David Kennedy, authors of Beyond 911, A New Era for Policing, (Basic Books, 1990) for their valuable insights into the trend toward community policing nationwide. Other experts consulted included: Chief William Bratton, Commissioner Lee Brown, Professor George Kelling, and Robert Wasserman.

Because the Committee strongly believes that a genuine community policing strategy should be implemented in Boston, the theme of community policing is recurring throughout the chapters of this Report. And, while we anticipate that community and problem solving policing will, in fact, lead to a Boston Police Department that is more tolerant, more accessible, and more understanding of the people of Boston, we underscore here that we make this recommendation not in the name of community relations but in the name of community safety. We expect a well-executed transition to a community and problem solving strategy to lead to a Boston Police Department that does, first and foremost, a better job of policing.

We would not call for such change if we thought that the current strategy of the Department was successful, or could be made to be successful. That strategy, like that of (until recently) most modern police departments, is based primarily on the use of three core tactics--patrol, rapid response, and detective investigation. We do not believe that these tactics can succeed, or that the goal of crime control, at least as the Department currently understands it, is a complete and adequate statement of the police mission. The Department needs both a broader range of approaches and a broader sense of its role in the City.

We believe that the problem is not primarily police strength, but rather the Department's basic approach. Both police professionals and academic students of policing have in recent years developed serious doubts that traditional police tactics, no matter how efficiently and professionally pursued, are likely to be very effective against either crime or other community concerns. Controlled experiments and police experience alike suggest that patrol--at least at a level the City can afford--does little either to prevent crime or reassure the public; there are simply not enough officers around to make much of a difference.

Rapid response rarely fulfills its crime-fighting promise because only in a very small proportion of dispatched calls--less than five percent, in most cities--do officers have a chance to intervene or make an arrest. In the other instances, they arrive too late to do anything more than take reports and perhaps comfort victims. Investigating serious crimes is clearly important but it is by definition reactive; what the public wants is crime prevention.

Perhaps most important of all, standard police tactics can have little impact on the disorder and fear of crime that we find most concern Boston's more troubled communities. When shots are being fired regularly in the common areas of housing projects, the shooters, the police, and terrified residents alike know that calling 9-1-1 will not put a stop to it. When a street is plagued

by drug dealers or gang members, arrest has small long-term value when all sides know that there is little chance that significant jail time will result. Traditional policing practiced with the best intention in the world is not enough to handle such problems. Something better is needed.

Community policing (and problem solving policing, which we consider part of the same concept) is, we are convinced, something better. The new strategy of policing it represents is an attempt to give the police new and more effective tools to deal not only with crime but also with disorder, fear, and other important public concerns. Perhaps most important, despite what many both in and outside the Department think, community policing is not about social work and public relations. Community policing is a different approach--and we believe a more powerful, more effective approach--to dealing with the toughest and most important problems of crime, order, and community safety.

Community policing is not soft on crime or on criminals. Where arrest is the best tactic to use against a particular problem, arrests will be made. Community policing is simply a way of standing shoulder to shoulder with the people of Boston and making common cause against the people and conditions that threaten our City. The Boston Police Department is swamped with work; the City is troubled--in some neighborhoods desperately troubled--by crime, drugs, violence and fear. Community policing

offers new hope, new help, and new tools. It is not a retreat from the Department's ideals. In city after city across the country, it has helped turn around neighborhoods and solve problems traditional policing could not. In embracing it, the people and police of Boston will reaffirm their commitment to doing their best for the City and for each other.

The ideas behind community policing and problem solving policing turn out to be simple ones. The core idea behind community policing is simply that the police should pay close attention to what the public wants, and, where appropriate, find ways to work in partnership with communities to do those various jobs. Some police work will remain much as before; community policing or not, when the Department receives a call that is a true emergency, it will continue to make a rapid and effective response.

However, most of the public's problems are not true emergencies. The Boston neighborhoods that suffer from gangs know from day to day and month to month that they have a gang problem; only when the shots are finally fired does the emergency begin, and then it is usually too late. Boston neighborhoods that suffer from disorder and decay know it, and know also that left unchecked public drinking, abandoned cars, and empty buildings breed crime and fear. Battered spouses, victimized gays, and women who have to leave work late at night often know when they are at risk, or

when they feel less safe--or more in danger--than they are accustomed to feeling, and they want something done, if at all possible, before the battering, the hate crime, the rape takes place.

Even lesser issues like parking problems, dangerous intersections, and troublesome neighbors can make an important difference in the quality of community life, and very often the public looks to the police for help with such matters. It is for this reason, that virtually every community group we talked with so desperately wanted foot patrol officers. The public pines for a bygone day--perhaps an idealized one--when a local officer knew the community, understood its problems and concerns, and was empowered to act on them, preferably before they spiralled out of control. We do not necessarily think that foot patrol is (or ever was) the ideal approach for policing every part of the City, but we understand and endorse the impulse for a closer, more robust, and more preventive relationship between the police and the public.

Abandoned cars and broken streetlights are normally low on the list of police priorities, which is perhaps as it should be if the neighborhood in question is otherwise secure and untroubled. But if residents want help with them, there are at least three reasons the police might want to pitch in, either directly or by helping coordinate the actions of other city agencies. One is

simply because the residents want them to, and their views as citizens and taxpayers are to be respected. Another is because the residents may accurately sense that the neighborhood is at risk, that today's nuisances will become tomorrow's serious crimes, and justifiably want police help in making a clear statement that the decline will be halted and reversed. Still another is that where the police and the public are not yet ready to form a partnership against tough crime issues, it may still be possible to take on safer matters.

The Committee learned that many community policing victories in deeply troubled communities have begun with police-public partnerships against relative nuisances. Public order is improved, working relationships established, trust created, and eventually the partners can move on to more difficult and serious business. Those more ambitious partnerships can accomplish extraordinary things.

An example of how community policing at its best can work is in Houston. Police, using traditional methods of policing, had struggled uselessly for years with the Link Valley drug market, which had taken over the streets and buildings of a six-block area off a major freeway in the heart of the city. Dealers had made a terrible mess of the area's buildings and open spaces. Houston police made hundreds of arrests every year without making any dent

in the trade; dealers frequently operated in plain view of marked cars.

Finally, the Houston police and an active coalition of residents from adjoining neighborhoods decided to try something new. One main idea was to break the connection between buyer and seller. The second main idea was to clean up and secure the area and its buildings, so that buyers and sellers alike would feel less at ease doing business there. The plan was extraordinarily successful. The department first made a massive sweep, which was so heavily publicized no dealers were around that day to arrest. The city then blocked most access roads with concrete barriers, and officers, freed from their ordinary duties, staffed checkpoints to warn vehicles using the remaining entry points that they were entering a dangerous area. Vehicles were not searched; the idea was simply to break the nerve of drive-through buyers. Local residents, meanwhile, mounted a huge cleanup, emptying ten smatterers of trash out of the area, and encouraged landlords, sometimes with legal help from the city, to secure their buildings.

Drug dealing ground to a halt: police made not a single narcotics arrest in Link Valley during the entire operation. The market evaporated; after a month the police lifted their cordon and neither dealers nor consumers returned. As far as the police could tell, no similar market established itself elsewhere in

town. Crime fell substantially in surrounding areas, and the neighborhood coalition turned its attention to promoting Link Valley's redevelopment. In city upon city across the country such stories are being repeated against a wide spectrum of crime, order, and quality of life problems: innovative working partnerships of police, residents, city agencies, and other groups are making real headway, something it is simply unreasonable to expect the police to do alone. We call for community policing because we believe Boston should settle for nothing less.

This story also illustrates the core idea behind problem solving, which is simply that the police should be less incident-oriented and reactive. They should take a step back from the endless blur of 9-1-1 calls to see if something can be done to make a more lasting impact on the problems they face. Problem-solving policing begins with the idea that many individual crimes, calls for service, and other incidents are not in fact separate, that they form patterns or stem from a common cause, and that there are many things the police can do to intervene effectively (including, it should be noted, using traditional techniques of enforcement and arrest where appropriate). This does not necessarily, or usually, mean getting at "root causes"; nobody expects the police to tackle poverty, illiteracy, and the decline of the family. It does mean, however, thinking about the many

things that the police, and the police working with others, can do to intervene effectively against crime and other problems.

When police in Houston manned barricades and made Link Valley safe for residents to go in and clean it up, they were using nontraditional methods that turned out to be enormously successful. Police in Baltimore County, Maryland defused a mounting racial problem by having the city transit authority temporarily move bus stops that brought black and white youths into conflict. The police used the time so purchased to mediate the dispute and end it for good. In Newport News, Virginia, police eliminated a pervasive prostitution-and-robbery problem by enforcing local statutes against bars where prostitutes met their clients and having the courts put convicted prostitutes on location-specific probation. Officers in several cities have shut down street-corner drug markets by sitting in the middle of them, day in and day out, until buyers and sellers alike got tired of not doing business.

One lesson of such examples is that investing some time and effort in analyzing the problem and framing a preventive, rather than a reactive, response can result in a lasting improvement. Another is that many serious problems are best addressed through a mix of police, public, and municipal resources. What the police cannot do alone, often a partnership of police, residents, city agencies, the judicial system, and others can do together.

Much of what is most central to community and problem solving policing is already being practiced on the streets of Boston by the Department's best officers. It is simply good police work to try to prevent trouble, to work closely with allies, to see problems developing and act before a crisis develops, to take the public's fear seriously. Such officers have not, however, been trained to do it, been given time to do it, or been recognized and rewarded for doing it well. Nor has the Department profited from their wisdom and experience by learning from them and passing their hard-won knowledge on to other officers. The Department would do well, as it begins the transition to community policing, to seek out the best practices of its best people and learn, as an organization, what they already know.

Community policing should not be an add-on to business as usual. It is a new strategy and a new style of policing, and it will require long, serious, and concerted effort to reshape the Department in a new image. We are convinced, from our conversations with leading practitioners of community policing and with academic students of the strategy, that moving from a conventional to a community policing strategy is a matter of total dedication, much ingenuity, and a good deal of time: several years at the very least.

Community policing recognizes that street work--the work of patrol--is not the least important job in the department, as it

has traditionally been regarded. It is the most important work: the work where lives are saved, property protected, streets and schools made safe. Patrol officers in community policing must be trained, equipped, supported, and honored for doing one of society's toughest, most demanding, and most important jobs. They must be viewed as, trained as, and managed as professionals. The definition of their job must change to highlight community problem solving; they must be trained in identifying and mobilizing community and other resources, and in problem solving techniques; their immediate supervisors must be given a clear charge to support and enhance their role as community problem solvers. And, as befits professionals, the Department must evaluate street officers--and where necessary sanction them--according to the highest and strictest standards.

We are convinced that community policing will make the police friends of the community. Most of Boston's police are honorable, dedicated, even valiant. Traditional policing, however, puts a wall between the police and the public. Most officers see residents only when something dreadful has happened to them; most residents never see an officer to talk to and to know. In the most troubled parts of the City, residents who support and trust the police are afraid to show it. Community policing is built on the idea that those walls must come down, that the police and the public must get to know each other and learn to work together.

Finally, many of the Department's management and resource allocation systems must change. Take, for example, the question of response to 9-1-1 calls. Busy police departments in large cities like Boston direct their resources to a quite extraordinary degree according to the ringing of the dispatcher's telephone. Crime and the 9-1-1 system manage the police, rather than the other way around. There is scarcely any time left over to do anything but answer calls for service and investigate the cases the 9-1-1 system presents to detectives.

This is true even where, as is the case in Boston, there are many community groups with which the Commissioner and Area commanders meet. No matter how close and willing the relations between the Department and such groups, the police can actually do very little for them: there is simply no time to spare. The 9-1-1 system also perpetuates and enforces the reactive, incident-oriented style of policing, since calls come in one at a time after something has already gone wrong. Officers are kept busy rushing around tending to things they can no longer help rather than working in the community to solve and prevent problems.

The Department clearly cannot continue to do what it is already doing, plus take on the new demands of community policing. Nor is it clear that it should, even if it could. It must reserve rapid response for true emergencies and develop more rational and productive ways to attend to the less urgent--though often still

very important--calls and complaints. Many community policing departments have, therefore, undertaken comprehensive call management initiatives which reserve rapid response for genuine emergencies and develop fresh ways to evaluate, weight, and respond to other calls and the problems they represent. Developing such a system and the accompanying mechanisms for assessing and assigning problems is a major challenge: and, as this report will make clear, it is only one of many such challenges.

It is clear from our conversations with practitioners and students of community and problem solving policing that there is no single, clear-cut way to move from the conventional policing strategy to the new strategy. In cities all around the country, departments are inventing this new style of policing, and their particular routes from the old to the new are very different.

There are certain common elements, however. In every instance, the police are seeking a new relationship with the communities they police. They are open to new ideas about the police mission and police priorities. They are moving from a reactive, incident-oriented stance to a preventive, problem-oriented one. They are realizing the vast, largely untapped resource represented by patrol officers and seeking ways to make better use of it. They are reshaping, sometimes drastically, their structure, management style, and operating systems to

support the new mission. And they are looking for new terms and means by which to be evaluated and held accountable by the public they serve.

In all the police departments we reviewed that seemed serious about this strategic shift to community policing there were common elements indicating the depth of their commitment. Top departmental managers--the commissioner and his or her command staff--had steeped themselves in the ideas of community and problem solving policing and had communicated the new vision, and their departments' commitment to it, to both their departments and their cities. They had developed strategic plans for infusing the new strategy into each aspect of departmental operations. And there was work in progress--carefully conceived, carefully implemented, and carefully monitored and evaluated--that represented the first applications of the new strategy to actual field operations.

Despite Commissioner Roache's statement that the Boston Police Department has adopted a community policing model, we did not find any of these common elements that characterize a deep and genuine commitment to community policing.

II. Boston's Community Policing Program

On March 15, 1991, the Boston Police Department purported to initiate its community policing program. The program was

announced on February 28, 1991 at the John F. Kennedy Library in Dorchester. According to Commissioner Roache, it was developed after a four month planning process which included consultation with 350 Boston police officers and nearly 1,000 city residents (statement of Commissioner Roache, February 28, 1991). It had four main components: neighborhood contact points, "walk and talk" by patrol officers, drop-in locations, and priority locations. As explained below, this program was not well conceived, and it is not the ambitious strategic initiative that the City needs. The Boston Police Department is attempting to "add community policing on" to its existing practices; it is not, as it must, shifting to a new and more productive policing philosophy. What is presently being implemented falls well short of what the Department claims it is accomplishing and what the City should expect.

A. Planning For Community Policing

The Committee had difficulty establishing exactly what process was followed within the Department prior to the February 28, 1991 announcement of the Community Policing program due to inconsistent statements from Department personnel and the lack of a documentary record detailing the process. In general, however, planning seems to have occurred within a small group whose proceedings and reasoning were not well communicated throughout the Department. When the Committee interviewed Boston

police officers, they were uniformly uninformed about the plan and generally unenthusiastic about it. Comments such as "I haven't heard anything about it" and "community policing, that's just walk and talk, we've been doing that for years" were common. One officer designated as the community policing supervisor for his unit told the committee that all he knew about community policing was that it involved walk and talk and drop-in locations. Some officers recalled seeing a memorandum announcing what the community policing program would consist of and when it would begin; others had not even seen the memorandum. Sentiment that the community policing program was simply a public relations gimmick was very strong.

In developing and implementing the Department's plan, there was clearly no significant input from, and no effective communication with, the patrol officers on whose understanding and support the plan's success depends. It may be, in fact, that there was no "plan" as such. A number of interviewees reported asking for the plan only to be given a summary of the program, and when this Committee asked for a copy of the plan it took the Department over six weeks to produce a document that no Boston officers outside the Command Staff reported ever having seen.

Similarly, there seems to be less than meets the eye to the Department's claim that nearly 1,000 City residents were consulted during the plan's formulation. These meetings appear to have been

more of an announcement of the program the Department was about to implement than any real attempt at consultation. People involved in this "planning process" told the Committee that they were shown a presentation of the identical four-part community policing program the Department eventually adopted. Many did not feel that their advice was actually being sought; in fact, in at least one meeting, a number of the problems this Committee has since identified were brought up by City residents, and apparently disregarded by the Department's Command Staff. It does not appear that two ideas central to community policing-- that the police must form a true working partnership with the community, and that this partnership may lead to real changes in police priorities and operations-- had been properly absorbed by even top Departmental personnel.

B. The Program

Our conversations with police practitioners - both inside and outside the Boston Police Department - and policing experts support the Committee's belief that the four elements of the Department's program -- neighborhood contact points, "walk and talk" by patrol officers, drop-in locations, and priority locations -- neither add up to community policing nor are likely to achieve a great deal. The elements' most important failing is that they were imposed by Headquarters and the Command Staff on

patrol officers and the residents they serve, rather than arising from officers' and communities' own perceptions of the problems they face and the best means to address them. One of the core ideas in community policing is that officers should be empowered to make their own decisions, in consultation with the community, about tackling specific problems, and then should be held accountable for outcomes. Another is that different problems require different approaches; even the same problem in different communities may require different approaches. No small set of cookie-cutter approaches to the City's problems is likely to fare well. Worse, promising responsiveness, flexibility, and effectiveness without delivering it will make both officers and residents cynical.

The plan's four elements contain two operational ideas: walk and talk and priority locations. Walk and talk, or "code 19", is designed to combine foot patrol with motorized patrol by getting officers out of their cars at least one hour a shift to walk prescribed routes. In late 1991, some 400 beats had been defined, and 70-75% of available officers were participating, with the Department hoping eventually for 90% participation. Priority locations are high-crime areas, identified through Departmental computer analysis, on which community policing brings to bear "intelligence, manpower, facilities, and resource coordination",

with officers putting in two hours of foot patrol a day. Neither approach is likely to bear much fruit as currently conceived.

Walk and talk is not new to the community policing plan; it has been practiced in the Department for some time. As the Committee's ride and walk-alongs made clear, an hour or two a day of foot patrol without additional tools and guidance is not enough to make much difference in Boston's troubled neighborhoods. Committee members met with foot patrol officers who had little idea what was expected of them on their beats, were unfamiliar with local residents and merchants, had not been trained to address problems and were clearly not being held accountable for addressing problems. These officers were generally unable to put their assignments in a broad context of community and problem solving policing and were not being offered support from above to handle their new beats and the problems they presented.

Even a member of the Command Staff told the Committee that officers' walk and talk time generally went unreviewed, and that there was no accountability for achieving community policing goals. Without resources, effective training, and clear expectations for performance, foot patrol can be as random as motor patrol. The Department has not succeeded in elevating it to an effective tactic.

Priority locations, as high-crime areas and presumably high-fear areas, deserve even more care and attention than regular foot

beats. The Department's current main means to address them-- devoting two, rather than one hour of foot patrol to them daily-- suffers from the same problems as the walk and talk program. In addition, defining the problem in these areas as "crime" and tackling the crime problem head on is likely to be unproductive. In many high-crime neighborhoods the population is cowed and fragmented and may be reluctant to leap into high-profile partnerships with the police on tough issues.

The Committee's consultations with police chiefs and scholars knowledgeable about community policing suggest that in such situations partnerships on easier issues can build confidence between the police and the public, and that robust programs using police, public, city and other resources to improve the quality of community life are the best way to begin to fight crime. Such programs may or may not include foot patrol; they certainly should not be defined as or limited to foot patrol.

The Department's program also includes two new ways to exchange information and build relationships with neighborhoods: neighborhood contact points and drop-in locations. Neighborhood contact points are set up within local business districts, in libraries, and other informal centers, and are staffed by community service officers according to a schedule set and published by the district community policing supervisor. As of September 1991, there were approximately 30 sites city-wide.

Officers are to take reports, provide information, and work with residents to identify and resolve public safety issues. Drop-in locations, some 200 to 250 individuals and groups designated by the Command Staff, were to be visited by patrol officers regularly as a means of encouraging personal contact (the officers remain available for 9-1-1 calls while doing this).

There is nothing particularly wrong with these ideas, but neither do they reveal a strong understanding of how community and problem solving policing work in practice. Contact points are places where the community can come to the police with problems, but in many parts of Boston, particularly those places most in need of police help, the police must find ways to go to the community. Simply sitting in a library for two hours a week does little to build the relationships, trust and operational capacity necessary to tackle tough local problems.²⁴ Working relationships and the trust they require are built when the police actively seek out partners, when they are in the community willing and able to listen and act constructively.

Similarly, while it is fine to maintain regular contact with people through drop-in locations, the Command Staff's designation

²⁴The Committee was told of a similar program, a follow-up to a recommendation of the Hennessey Commission, that established neighborhood locations for reporting police misconduct. Over the course of a full year, the officer manning the neighborhood sites took only four reports, a result that could have been a lesson to those designing the Department's community policing program.

of the groups and individuals to be contacted runs against the grain of community policing, which relies on officers in the community to identify and develop their own allies. As the program stands, drop-in locations make officers, in effect, night watchmen with certain stations to check, not activists seeking out problems and aligning the resources to address them. Nor, in the case of either drop-in location or contact points, does there appear to be-- either in theory or in practice-- a mechanism to coordinate information and strategizing among patrol, foot beat, community service, detectives, special units, and other officers active in particular neighborhoods. The plan is half-hearted and fragmented, and it is likely both to fail and to give community policing a bad name.

III. Recommendations

1. The Department Should Develop A New Community Policing Strategy That Works In Partnership With The Community.

The values, structure, administration, and culture of the Department must all be reshaped to suit the new mission. The workings of the Department must undergo tremendous change, and every member, from the Commissioner through middle management to the newest patrol officer, must redefine his or her role and function.

First and foremost, the attitude of the Department toward the public must change. Despite the sometimes excellent outlook of

individuals and some units such as Community Disorders Unit, the Boston Police Department as an institution is viewed by outsiders as insular, defensive, and zealously protective of its power and autonomy. The entire organization must become willing, even skilled, at listening to and dealing with communities and groups within communities, and it must develop strong mechanisms for consulting with the public at all levels of the department.

This means reaching out not just to those who like the police, but to those who are critical; not just to adults, but to the young; not just to the established and articulate but to the marginal and the afraid. It means establishing relationships that result in real change--new priorities, new approaches, new allocation of resources--rather than merely in talk that never affects the reality in the field. It means being willing to be held accountable by the public, and working to create a forum and establish a dialogue to negotiate with the public the terms of that new accountability. It also means learning to say "no" in ways that educate and enlighten, for communities and groups will ask things of the police which the police ought not do, and the police must learn how to instruct the public about limits and tolerance.

Second, relations between management and the rank and file within the Department must change. Most important, management must start treating patrol and other lower-ranking officers like

true professionals. The Boston Police Department has traditionally failed to accord officers the attention and respect that they are due. That this is generally true of conventional paramilitary police departments is no excuse. The Department has in times past failed to recognize and reward officers' expertise, dedication, and sacrifice, and officers' mistrust of management, which has reached a frightening level, is an understandable result.

CHAPTER 5: SUPERVISION AND PERFORMANCE APPRAISALS

I. Supervision and Supervisory Training

Middle-level supervision is increasingly being recognized in both private and public organizations--including police agencies--as crucial to an organization's ability to accomplish its goals and objectives. Within a police department, Sergeants and Lieutenants can, on a daily basis, reinforce the values and mission of the organization and teach officers on the street how to most effectively do their job. Particularly given the youth and relative inexperience of much of Boston's patrol force, proper supervision and teaching by experienced supervisors is vitally important in monitoring the delivery of police services and shaping officers' future behavior. The following chapter addresses the supervision practices of the Boston Police Department.

Our findings and recommendations evolve primarily from our many interviews with Boston Police officers, both superior officers and members of the patrol force, assigned throughout the City. In addition, the Committee and its staff analyzed the Department's computer tapes which contain staffing and supervision information on a day-to-day, shift-to-shift basis, reviewed "detail books" and other Departmental and police union records and

materials concerning staffing and supervision levels, and discussed these issues with community groups and City residents.

Serious concerns about supervision arose during virtually all of our interviews with Boston Police officers. Many police officers we spoke to believe that there is a dangerous shortage of experienced street supervisors, particularly at night in high activity areas such as Area B. We were told that "[i]t's not unusual to have one Sergeant supervising 35-40 officers plus an additional 15-20 details during a single tour." Because of the young age and relative inexperience of many recently hired patrol officers, we were told by many superior officers that "it makes a big difference having supervisors out there," to keep situations under control and provide training and guidance. Because of this high span of control²⁵ in certain Areas, very little street supervision and on-the-scene training is taking place. More than one superior officer, including a member of the Command Staff, acknowledged that "we've been lucky so far" in not having had a riot situation due to this inadequate level of street supervision. Several officers stated that Commissioner Roache's January 1990 order eliminating authorization for any supervisory overtime worsened this problem.

²⁵"Span of Control" is the ratio of patrol officers on the street to patrol supervisors.

We were told that certain high crime areas of Boston require more supervisors than are currently assigned, while other less active sections of the City appear to have an overabundance of supervisors assigned to them. For example, many officers told us that the two districts which comprise Area B require at least one patrol supervisor each to monitor the high volume of incidents taking place in these districts. Frequently, however, only one patrol supervisor has been assigned to cover both districts in Area B plus all details in that Area, resulting in a very high span of control.²⁶ Many officers told us that this low level of supervision was dangerous. Unfortunately, we were told "it's difficult to get supervisors down to [high crime sections of the city] because of [their] notorious image and huge workload."

Our review of the Department's dispatching records and computer tapes tracking supervisors confirms that supervisors are not necessarily deployed where they are needed most. As Table 5-1 (part 4) indicates, the ratio of patrol supervisors to patrol officers on street duty (the "span of control") appears to vary substantially between different police districts in the City. For example, in both 1990 and 1991, Area B (the busiest police district in the City) apparently had a significantly higher

²⁶This perception was confirmed by materials provided to the Committee by the Superior Officers Union.

supervisory span of control than Area E, the least busy district in the City.

The span of control data in Table 5-1 are based on computerized records from the Department's Computer Aided Dispatching (CAD) system. Patrol units are "logged" onto the CAD system (by a police dispatcher) at the start of their tour of duty and they log off when their tour ends. It is critical for patrol units to be logged onto the Department's CAD system because this is the only way police dispatchers know which units are available to respond to requests for police assistance. As a result, we have a detailed computerized record of when almost any patrol unit was on duty.

Patrol supervisors are also required to log on and off the CAD system at the beginning and end of their tours of duty. However, there is a belief among the Command Staff, as well as other police personnel, that some patrol supervisors are not always logged onto the CAD system during their tours. This type of underreporting of patrol supervisor time could have lead to our underestimating the level of patrol supervision available in the Districts. As a result, we have cross-checked our estimates of the number of patrol supervisors on duty with data collected by the Superior Officers Federation.

The Superior Officers Federation collected information concerning patrol supervisors on duty from police District

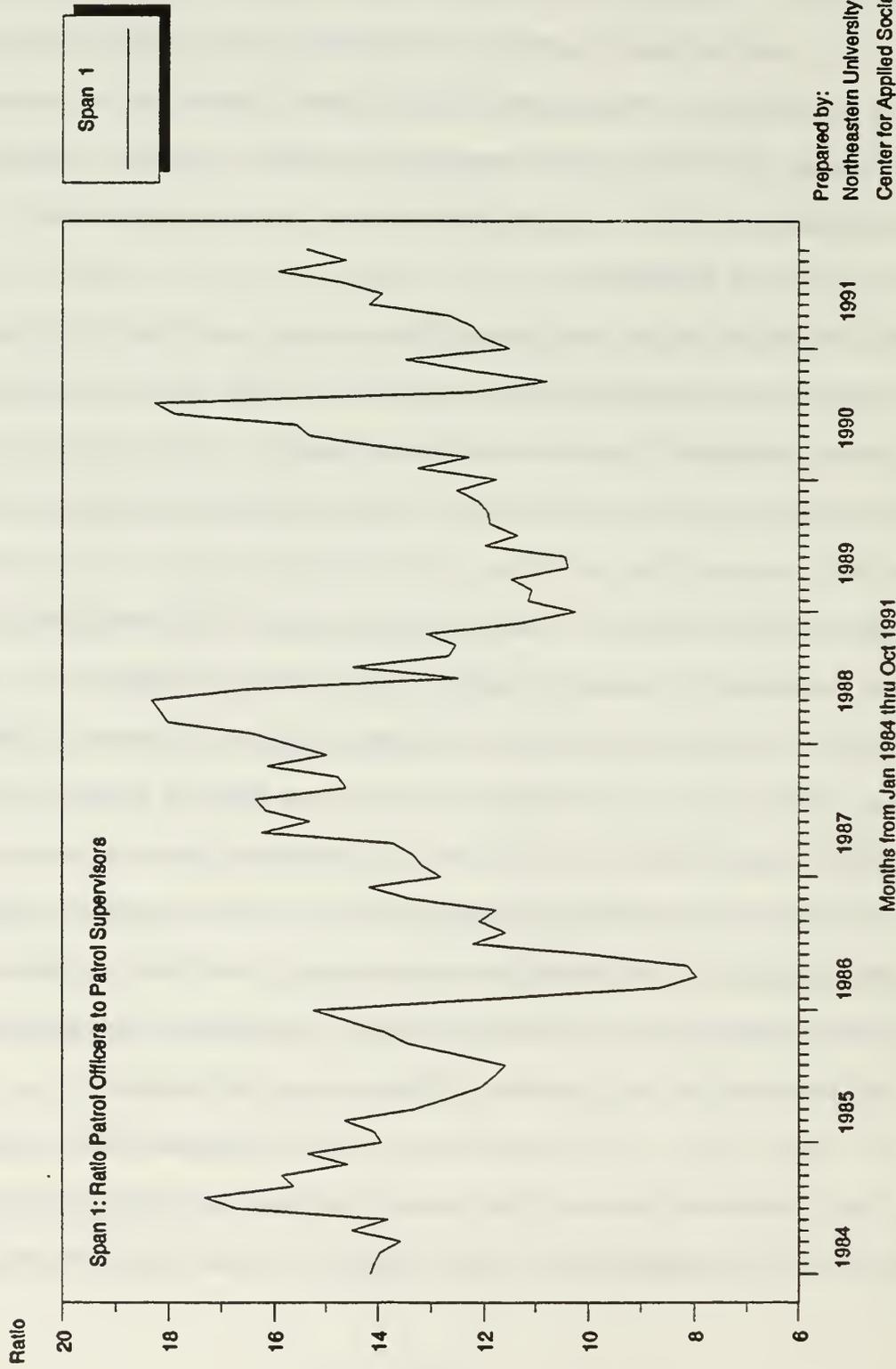
"detail" books for the months of February, June and September of 1989 and 1990. Detail books are ledgers used by each police District to record which patrol units and patrol supervisors are assigned to patrol. Thus, detail book data provided a cross-check with our data obtained from computerized CAD records (for a comparison of estimates drawn from these two sources see Table 5-1, parts 2 and 3).

Importantly, data from both CAD records and police District detail books yield comparable estimates of the number of patrol supervisors assigned to each police District. Estimates of supervisors on duty are slightly higher using detail book data but it does not change the picture of how supervisors are allocated across police Districts. Thus, our empirical information conforms with the observation made by patrol officers during our interviews: the relative level of supervision of patrol officers on street duty varies significantly across police Districts.

Supervision of patrol officers on street duty also has varied substantially over time (see Figure 5-1). The cyclical character of these changes is problematic because we would hope that, with experience, the Department could learn to minimize changes in the level of supervision of patrol officers on the street.

For many years, the Department has not conducted regular promotional examinations. This practice has several negative consequences on supervision. One result of the failure to have

FIGURE 5-1
Supervision Span of Control



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examinations has been a dearth of civil service Sergeants. To remedy the situation, a practice began of the Commissioner appointing certain patrol officers "acting Sergeants" without examinations. This practice is unpopular among most officers who do not view these appointed "acting" supervisors with the same level of respect accorded "real" civil service Sergeants who earned their rank by passing an examination.²⁷

Moreover, because these "acting" positions are discretionary on the part of the Commissioner, an officer could be an acting Sergeant one day and be returned to riding as a patrol officer the next. As a result, many "acting" Sergeants may be less inclined to discipline an officer if she or he "might be back riding with that officer sometime in the future." Some officers we spoke with actually turned down offers of promotion to "acting" Sergeant positions due to these problems and the ill will these positions engender.

Under Commissioner Roache, the Department has recently completed a full cycle of promotional examinations. Litigation ensued following completion of the most recent Sergeant's exam,

²⁷In making promotions to "acting" positions, we were told that the Commissioner did not appoint persons according to the most recent promotional examinations. As a result, some "acting" Sergeants were promoted ahead of and thereafter supervised, officers who had scored significantly higher than they had on the exams.

but a settlement has been reached which will result in the appointment of 85 new Sergeants in the Department.²⁸

The infusion of new Sergeants should result in more street supervision. However, in order for these new Sergeants to have a positive impact, they must be provided substantial training concerning supervisory skills and effective management techniques. The many officers we spoke to were unanimous in their belief that new Sergeants are not currently provided with the necessary education and training for their new roles as supervisors. We were told that street supervisors should play a key role in teaching new officers various skills and monitoring police performance.

Unfortunately, most officers we spoke with do not believe most new Sergeants are adequately prepared to handle this important responsibility. Indeed, as discussed more fully in the Training chapter of this Report, newly promoted Sergeants currently receive only one day of supervisory skills training during the ten day post-promotional program. In our interviews with Boston Police officers and police professionals familiar with

²⁸See Massachusetts Association of Afro-American Police, Inc., et al. v. Boston Police Department, et al., Civil Action No. 78-529-S, (Memorandum and Order on Amendment of the Consent Decree) United States District Court, District of Massachusetts (December 3, 1991). The settlement agreement also provides for the appointment of six lieutenants and 35 captains from the 1991 exam promotional list, participation in state-wide exam for police promotions in 1992, and termination of the consent decree that has controlled promotions in the Department for many years.

Boston, we were repeatedly told that there is no tradition of proper supervision in the Boston Police Department. Apparently patrol supervisors in Boston have traditionally assumed the role of "punishers of wrongdoing" rather than educators of street officers. The Committee was told over and over that the Department never rewarded or even recognized proper behavior or performance. Indeed, several different officers commented that it was best "not to do anything, that way you can't get into any trouble by messing something up." In such a culture, where few officers have experienced proper supervision, it would appear even more critical to develop a strong training program for new supervisors.

Unlike many major police departments, the BPD does not have a policies and procedures manual. Many officers--patrolmen and superior officers alike--suggested that the Department develop such a guide. As one officer said, "There is no excuse for screw-ups but a big part of it is due to no rules or guidelines for patrol officers--not [mistakes of] the patrol officers themselves." Another officer stated "[We need] a basic guideline as to how things should get handled, so that this Bureau does things similar to that Bureau and vice-versa."

The lack of any Department guidelines often means officers are out on the street operating "by the seat of their pants," which, coupled with the lack of adequate supervision, is a

potentially dangerous situation. We support and encourage the Department's intention to adopt a more proactive and innovative problem-solving approach to policing. Part of this new approach is allowing police officers to solve problems in creative ways tailored to particular community needs. Nonetheless, certain police procedures such as securing a crime scene, taking and filing a witness statement, or when and how to complete an incident report, are and will remain important under any policing strategy. Thus, we agree with the many officers calling for the creation of a policy and procedures manual for the Department.

The Department does have a large collection of written rules, regulations, and special orders, but these have become large and unwieldy according to many officers. Many of these rules have not been updated or revised in years, though the Department told the Committee that an effort to revise the rules is underway. Many police officers voiced the complaint that they have not been provided their own set of Department Rules and Regulations but did face possible disciplinary action if any rules were violated. The failure to provide every officer a set of understandable rules and regulations seems both unwise and unfair.

II. Recommendations

1. The Department Should Reevaluate Its Allocation Of Superior Officers To Increase The Number Of Patrol Supervisors And Reduce The Span Of Control In High Crime Areas.
2. The Department Must Increase And Improve The Supervisory Training Provided To New Sergeants.
3. The Department Must Develop A Policy And Procedures Manual And Revised Rules And Regulations For Patrolmen And Patrol Supervisors.

III. Performance Appraisals

Another component of supervision is performance evaluation, a process common to virtually all organizations, public and private. Unlike the overwhelming majority of urban police departments, the Boston Police Department does not have a department-wide personnel performance appraisal system.²⁹ We learned through our interviews that certain commanders in particular units, such as the Community Disorders Unit, have instituted written performance reviews, but Commissioner Roache acknowledged to the Committee that the Department has yet to develop a performance appraisal system for the whole Department. This, despite the fact that performance

²⁹A survey undertaken as part of the New York City Police Department's recent Performance Evaluation Project disclosed that only four of the 31 major urban police departments do not have a formalized personnel evaluation system.

evaluation systems are mandated by state law³⁰ and implementation of performance appraisals was agreed to in the Department's collective bargaining agreements with the Superior Officers Union and the Detectives Union in 1987.

Most officers with whom we spoke stated that the Department would benefit from the implementation of a performance appraisal system. Numerous community members agreed, telling the Committee to recommend performance appraisals so that officers are held accountable for their actions and job performance. We believe that every organization benefits from monitoring and reviewing its people and their job performance, including police departments. Performance appraisals serve several purposes. First, they help superiors make decisions regarding promotions, salaries, and assignments. We fully recognize that advancement in the Boston Police Department is controlled to a considerable extent by civil service rules and union contracts; except for Command Staff and "acting" supervisory positions, ranks (and accompanying pay grades) are earned from examinations and seniority. However, the Commissioner and the Command Staff retain control over assignments, transfers, and discipline and therefore could certainly benefit from having performance reviews available to them.

³⁰M.G.L. c. 31, § 6A.

In addition, the Department, together with the various police unions, should explore ways in which excellence, merit, and special abilities and accomplishments--which could be documented via performance appraisals--can play a greater role in a police officer's career development. A number of officers we spoke with felt that by focusing primarily on examinations for most promotional decisions, the Department was failing to recognize the particular skills and contributions of some officers out in the field. Indeed, among major urban police departments, there is a trend developing toward the use of performance evaluation ratings for promotional purposes.³¹

Second, and perhaps more importantly, performance appraisals will provide feedback to officers and civilian employees.

"Feedback allows employees to correct errors, satisfies their desire to know how well they are doing, helps develop a sense of competence, and reduces uncertainty about the accomplishment of goals."³² Moreover, by reviewing performance evaluations of Department personnel as a whole, police leadership will also be receiving feedback as to how well its message and programs are reaching the troops. Performance appraisals will allow the

³¹NYPD Performance Appraisal Project (1991 Draft), page 11.

³²Stephen D. Mastrofski and Robert C. Wadman, "Personnel and Agency Performance Measurement," in Local Government Police Management at 376 (William A. Geller ed., 1991).

Command Staff to identify problem areas and then develop training programs to remedy them.

Performance appraisal standards should evolve from the Department's strategic plan and be carried out pursuant to clearly set goals and expectations. Particularly, as the Department moves toward a community policing strategy, setting goals for each part of the organization and tracking progress will be essential. Supervisors at all levels should participate in setting goals and standards for their people as they develop strategies to meet the new strategic plan's objectives.

Thus, the Command Staff should use performance appraisals not only to keep the Department and its officers on track, but to get a sense of where the strategic plan is succeeding, where it is faltering, and what areas--regarding both the strategy and the Department--need attention. For example, street officers should be encouraged to share their impressions and reactions about community policing with their superiors and the Command Staff so that adjustments and improvements can be made to the strategy as it is implemented. One caveat regarding the implementation of performance appraisal system: as important as it is, the formal evaluation process cannot substitute for the informal, day-to-day feedback and guidance officers should be receiving from superior officers.

IV. Holding Bureaus, Divisions, and Units Accountable

In addition to performance reviews of individual officers, the Department must develop better methods of holding Bureaus, Divisions, Units, and other groups accountable for their performance. The Committee reviewed Mayor Flynn's city-wide program-based budgeting system, which the police department participates in, as well as the Department's periodic reports on its performance to the Mayor and the City Council. The plans and reports generated by this accountability system, which is administered by the Bureau of Administrative Services, contain goals and objectives for different parts of the Department. However, none of the officers we interviewed--including all Command Staff members--even mentioned this system when asked about goals, objectives, and accountability. Clearly, therefore, while an "accountability system" may theoretically exist on paper, in practice there is no system which monitors and evaluates the performance of the Department as a whole.

Indeed, the Committee was informed about a disturbing development in the Department's budgeting process that reportedly hampers Unit commanders' ability to engage in strategic planning. We were told that the budgeting process has become overly centralized within the Department's Bureau of Administrative Services (BAS). In most organizations, (and most police departments) the budgeting process is one of the key phases in the

overall strategic planning of the organization and serves as the single most significant source of accountability. As individual units prepare their budget request each year, they are forced to plan for their units' needs during the upcoming year. In addition, if a unit overspends its budget, then the commanders of that unit can be held accountable through the budgeting process.

The BAS is headed by a civilian who previously worked at City Hall. The Committee has been told by a number of Unit commanders in the Department that under a new policy from BAS, very few units are now permitted to prepare annual budgets and few, if any, Units are told the annual amount of their budget once the year begins. This practice means that Unit commanders never know how much they have to spend or when they have spent all the available funds in any budget category. We were told that this new process hampers the ability of unit commanders to set priorities and manage their units. In addition, the Committee was told that this process could be used by City Hall to micromanage the budget and the operations of the Department. This important planning and management function should be restored to the BPD unit commanders as soon as possible.

Particularly as the Department adopts a new strategy of community policing, it will be important for the Command Staff to develop methods to monitor and evaluate the implementation and consequences of the new strategy. One method of performance

review worth exploring that is particularly well-suited for a police department adopting a community policing strategy is consulting with its customers. Asking citizens about the performance of particular officers and units assigned to their neighborhoods, as well as more general questions concerning their interaction with Department personnel, will provide the Department with invaluable feedback on the strengths and weaknesses of its community policing strategy.

This Committee began its investigation of the Department by meeting with numerous community members throughout the City; we were provided with a great deal of valuable information and insights at these meetings. The Department would benefit from similar meetings. Another device increasingly utilized by progressive police departments to gather feedback are customer surveys. Attached is a copy of such a survey used by the Madison, Wisconsin Police Department.³³

V. Recommendations

1. **The Department Must Develop And Implement A Performance Appraisal System For All Police Officers And Civilian Employees Which Is Consistent With The Department's New Strategic Plan.**

³³Source: Madison Police Department, reprinted in Mafstroski and Wadman's "Personnel and Agency Performance Measurement" in Local Government Police Management at 389.

2. The Performance Appraisal System Adopted Should Allow Evaluation Of Individual Officer's Performance And Provide Feedback Both To Officers And To The Department.
3. The Department Should Develop And Implement Better Methods To Hold Bureaus, Areas, Divisions And Units Accountable For Achieving Goals And Objectives Consistent With The Department's Overall Strategy Of Community Policing.
4. The Department Should Develop Methods To Monitor And Evaluate The Implementation Of The New Community Policing Strategy And Should Consider Utilizing Techniques Such As Community Focus Groups And Customer Surveys To Gauge Public Reaction To The New Strategy.
5. The Department Should Restore a Department-Based Budgeting Process Such That Each Unit Commander Prepares An Annual Budget Request, Is Provided An Annual Budget, And Is Held Accountable For Managing That Budget.

TABLE 5-1 (page 1)

ESTIMATED NUMBER OF PATROL OFFICERS AND PATROL SUPERVISORS
PER DAY AND THE RATIO OF PATROL OFFICERS¹ TO PATROL SUPERVISORS
BY BOSTON POLICE DISTRICTS FOR 1989 - 1991

1. ESTIMATED NUMBER OF PATROL OFFICERS PER DAY ²

<u>POLICE DISTRICTS</u>	<u>Year</u>		
	<u>1989</u>	<u>1990</u>	<u>1991</u>
AREA A	83.0	82.7	90.4
AREA B	98.5	98.1	106.0
AREA C	78.5	79.1	81.1
AREA D	82.8	82.6	84.2
AREA E	60.6	60.9	60.4
TOTAL	403.4	403.4	422.1

2. ESTIMATED NUMBER OF PATROL SUPERVISORS PER DAY ²

<u>POLICE DISTRICTS</u>	<u>Year</u>		
	<u>1989</u>	<u>1990</u>	<u>1991</u>
AREA A	7.1	5.1	6.0
AREA B	7.7	6.5	6.0
AREA C	6.6	5.4	6.0
AREA D	9.5	7.6	6.7
AREA E	4.6	5.2	6.2
TOTAL	35.5	29.8	30.9

TABLE 5-1 (page 2)

3. ESTIMATED NUMBER OF PATROL SUPERVISORS PER DAY USING DATA DRAWN FROM DEPARTMENT ACTIVITY LOGS FOR FEB., JUNE AND SEPT. OF 1989 AND 1990³

<u>POLICE DISTRICTS</u>	<u>Year</u>	
	<u>1989</u>	<u>1990</u>
AREA A	7.5	5.9
AREA B	8.5	6.8
AREA C	8.1	6.3
AREA D	8.0	6.2
AREA E	6.2	6.1
TOTAL	38.2	31.4

4. SPAN OF CONTROL RATIO OF PATROL OFFICERS TO PATROL SUPERVISORS²

<u>POLICE DISTRICTS</u>	<u>Year</u>		
	<u>1989</u>	<u>1990</u>	<u>1991</u>
AREA A	11.6	16.2	15.1
AREA B	12.8	15.1	17.7
AREA C	11.9	14.7	13.5
AREA D	8.7	10.9	12.5
AREA E	13.2	11.7	9.7

¹ The number of patrol officers on duty is larger than the number of patrol units on duty because rapid response units and police wagon units have two officers per unit while other units such as service cars, mounted patrols, or foot officers only have one officer.

² Data based on computerized records from the Boston Police Department's Computer Aided Dispatching System.

³ Data was collected by the Superior Officers Federation for court litigation.



Customer Survey

The City of Madison's Experimental Police District, located at 835 W. Badger Road, was established in January of 1988 to achieve a closer working relationship with Madison's near west and southside communities. An important aspect of this closer relationship involves increased interaction and feedback between the police officers providing services and citizens like yourself, our customers. Since you recently were a customer of the Experimental Police District, we ask that you provide us with some feedback on the quality of service you experienced. Please take a moment to complete this questionnaire and return it by mailing it to us in the enclosed postage paid envelope.

1. Please indicate the number of contacts you have had with the Madison Police Department over the past 12 months: _____ One _____ Two _____ Three or more

2. What was the nature of this last contact with the Madison Police:

- | | |
|--|---|
| _____ I called to report a problem or incident. | _____ I was arrested or issued a citation. |
| _____ I was the victim of a crime or offense. | _____ I was contacted about a problem or disturbance. |
| _____ I was a witness to a crime or incident. | _____ I was involved in another way with the Madison Police Department. |
| _____ I was involved in a motor vehicle accident. | |
| _____ I requested information from the Department. | |

Please specify the nature of your contact:

3. Please check the statement below which best reflects your attitude toward the "quality of service" you experienced in this last contact with police officers from the Experimental Police District. (Check only one)

- _____ The quality of service I received was somewhat "lower" than I had expected.
- _____ The quality of service I received was about what I had expected.
- _____ The quality of service I received was somewhat "higher" than I had expected.

4. Using the scale below, please rate your last contact in the following areas of service:

	Excellent	Good	Fair	Poor	Very poor
a. Concern	_____	_____	_____	_____	_____
b. Helpfulness	_____	_____	_____	_____	_____
c. Knowledge	_____	_____	_____	_____	_____
d. Fairness	_____	_____	_____	_____	_____
e. Solving the problem	_____	_____	_____	_____	_____
f. Putting you at ease	_____	_____	_____	_____	_____
g. Professional conduct	_____	_____	_____	_____	_____
h. Response time	_____	_____	_____	_____	_____

5. How would you suggest that officers in the Experimental Police District might improve the quality of their services in the future? (Attach additional pages if you'd like!)

6. Would you please supply the following information about yourself?

I am: _____ male _____ female

My race is: _____ white _____ black _____ Hispanic _____ other

My age is: _____ under 17 _____ 18-20 _____ 21-24 _____ 25-39 _____ over 40

I earn: _____ under \$5,000 _____ \$5-19,000 _____ \$20-34,000 _____ over \$35,000

*The men and women of the Experimental Police District
thank you for completing this questionnaire!*

CHAPTER 6: TRAINING ISSUES

In our interviews with Boston Police Department personnel we were told that the training in the Department is inadequate in many respects and may now be moving in the wrong direction. Officers told the Committee that training for supervisors, in-service personnel, detectives, upper-level Command Staff, and field training officers was either entirely lacking or dangerously inadequate given the needs of Boston officers. In addition, recent changes in the command structure at the Academy may be moving it toward a militaristic orientation which the Committee believes is antithetical to the philosophy of community policing.

I. The Boston Police Academy

Our analysis of the Boston Police Academy ("Academy") is based on interviews with Boston Police officers, including the present and former commanders of the Academy. In addition, a member of the Committee made a site visit to the Academy where he reviewed the physical plant and conducted additional interviews with the Academy staff. The Committee also reviewed the Academy's various curriculums.

Our interviews with Boston officers revealed a number of problems with the present functioning of the Academy. The Academy, opened in 1932, was the first police training academy in

Massachusetts and one of the first in the country. The Academy in the past has been recognized as one of the best municipal police training schools in the country. Its Recruit Training curriculum has served as a model for many other police agencies across the country.

According to staffers, the Academy is not well respected by the Department. Academy staffers reported a lack of coordination and dialogue between Headquarters and the Academy with respect to training. Furthermore, assignment to the Academy is viewed by many officers as punishment. Although the Department touts its allegedly strong commitment to training, the facilities in which this training is provided, the support given the Academy, and the poor communication between the Department and Academy suggest that the Department's posturing is partly a public relations ploy. Not only is the training facility inadequate, but there is little, if any, accountability regarding in-service training which is critical to introducing new concepts such as community policing to the majority of the police force. Accountability with respect to recruit training is also deficient.

A. Management and Supervisory Skills Training

The training for newly promoted mid-level supervisors (Sergeants and Lieutenants) is dangerously inadequate. Presently, new supervisors receive two weeks of training, of which only one day is reserved for any discussion of how to supervise. The other

nine days of training are basically a review of normal in-service programs including the use of the breathalyzer, CPR, and an update on legal issues. A number of supervisors we spoke with asked for more training because they were not prepared for dealing with the issues of managing people, particularly in a culturally diverse work force like the Boston Police Department. This is particularly important given the large proportion of the patrol force only recently hired by the BPD.

In general, the interviewees within the Department stated that proper training is important in developing police leadership. This feeling was best characterized by the response: "New supervisors are new leaders and need proper training and yearly evaluations to perform this new role." Several supervisors with whom we spoke had no formal management training at all, while most others found their management training insufficient to carry out their responsibilities. One superior officer stated that "A high score on an exam doesn't mean they can carry on the function in the street . . . we have bunch of patrolmen with stripes who aren't mentally mature enough." Another, echoing the sentiments of many police officers with whom we spoke, told the Committee that "In the past, officers have been hurt because of the ineptness of the supervisors."

With regard to the training itself, one officer acknowledged that they are "reacquainted with the issues around domestic

violence, but learn little about drug use on the job, alcohol use, sexual harassment, or gay/lesbian [issues]." Several officers noted the need for additional specific training in crime scene investigation, which one respondent called "a serious void"; many complained about the lack of "training or information on how to deal with management of people and various types of personalities"; and still others felt the need for training in "ethics, interpersonal relationships and documentation."

In summary, respondents voiced strong support for effective management training. Currently, the lack of such training has created serious problems with respect both to management issues within Department and to the effective delivery of police services on the street.

B. In-Service Training

A number of officers reported that the in-service training has become a joke. Yearly in-service training for all members of the force was begun in 1984 under the previous Commissioner. At that time, the goal was to have 80% of the patrol force attend in-service training each year. Many officers admitted to the Committee that they have stopped going to in-service training, which indicates, among other things, that many officers patrolling the streets of Boston do not know recent changes in the law. The perception is that, under the present Command Staff, in-service training has become a low priority.

In fact, the Committee was told of recent instances where officers went to the Academy, signed in for their in-service training, and left for the day to work a private paid detail. The Committee was also told of officers who asked their supervisors for permission to attend "mandatory" in-service training and were refused because they were needed "on the street".

C. Training for Detectives

There appears to be no special training for detectives: when patrol officers are promoted, they are simply assigned to a unit and expected to learn "on the job". The Committee was told that Homicide detectives receive no special training when they join the unit "because only experienced investigators are chosen to be Homicide detectives". Certain Units, including Homicide, team new investigators with more experienced investigators. However, these informal training programs are not subject to documentation, review, or accountability.

Another area where additional training was requested by many officers was in crime scene investigation. A number of officers told the Committee that very few officers in the Department know how to secure a crime scene and that this sometimes results in offenders going free for lack of usable evidence. One investigator told of an incident where a homicide victim and murder weapon were moved from the location of the murder by a patrol supervisor before any Homicide investigators reached the

crime scene. According to the investigator, this resulted in this case being thrown out of court.

Some detectives have, in the past, gone outside the Department for training. These schools and programs include the FBI Academy in Quantico Virginia, the University of Delaware, the New England School of Law, and the Drug Enforcement Administration, among others. The officers we spoke with who had attended these external training programs were uniformly positive about the experience. However, they did note that the choice of who went to these training sessions was frequently political because the Department could not afford to send all the officers who could have benefited from the training.

Due to the financial constraints currently facing the Department, almost all of this external training has ceased. Nothing has been implemented at the Academy to replace it. The Committee believes that a comprehensive assessment of the training needs of the entire Department should begin immediately and that curriculum be developed and implemented in areas that are lacking, such as supervisory skills and crime scene investigations.

D. Command Level Training

Currently no training exists for upper-level management. Supervisors are promoted from mid-level management (e.g. Sergeant) to the level of Commander of a District or unit without receiving any additional training. One officer told the Committee how s/he

was a supervisor one day and promoted and placed in charge of an extremely sensitive District the next day with no training or support. This officer said "I was asked to run a District and I didn't know the first thing I was supposed to do". This officer and others characterized the situation as extremely dangerous and one that could lead to a major incident in the City.

E. Community Policing Training for Recruits

The Academy offers several courses that seem relevant to the philosophy of community policing, including: a) Crime Prevention; b) Street Gangs; c) Communications, Listening, Speaking; and d) Crisis Intervention and Conflict Resolution. Nevertheless, most instructors with whom the Committee spoke lacked a clear understanding of community policing. Some described it as a recycled "walk and talk" from years past, while others suggested that it was another in a series of short term approaches driven by political expediency. One instructor we spoke with understood the concept as a comprehensive approach to policing that puts a premium on community involvement in the Department's efforts not just to solve, but to prevent crime.

The decision to provide instruction on community policing at the Academy does not appear to have been the product of comprehensive planning. On the contrary, as some of the instructors noted, City Hall decided it would add community policing to the curriculum without consulting, let alone

explaining, the concept to the instructors. Predictably, community policing as adopted by the Department appears to be thought of by Academy staffers as just another course to squeeze into the program rather than a new strategic philosophy to be incorporated throughout the entire training regimen.

Although a Special Order, dated July 25, 1991, suggests that the Department adopted a community policing plan in March of 1991, one instructor acknowledged that not until July of 1991, during the training of the last recruit class, did Headquarters order an instructor to carve out a training block for community policing. This resulted in a five hour introduction to community policing. The small fraction of the training curriculum devoted to the new strategy of community policing validates concerns shared by several instructors (and other officers with whom we spoke) that the Department's acceptance of the concept is driven by politics and short term public relation needs rather than a genuine commitment to change.

While the recent training on community policing must be viewed as a positive development, it remains to be seen whether, as one senior Academy staffer put it, the adoption of community policing will be discarded when it loses its political appeal. Moreover, in terms of actually defining that concept and incorporating it into the overall philosophy of the Academy and the Department, it is clear that much work remains to be done.

F. Physical Plant and Equipment At the Academy

As part of the Committee's site visit, a member toured the Academy which is housed in a two story building, originally designed as a grade school, located in a residential neighborhood in Hyde Park. At the beginning of the tour, a member of the Academy staff described the Academy as the "bastard child" of the Department. Much of what the Committee saw and heard from Academy staffers is consistent with that characterization.

Despite relatively recent renovations, the building housing the Academy is clearly run-down and inadequate for its present use. The Committee was informed by Academy staffers that renovations to the building several years ago resulted in "modernizations" which are actually unsuitable to the needs of the Academy. As part of the renovations, a rest room consisting of two stalls and eight urinals was transformed into a rest room consisting of one stall and two urinals and a shatter proof mirror more suitable for a rest room in a prison. Moreover, the number of showers installed is totally inadequate for the size of typical recruit classes (the size of the most recent class started out with well over one hundred recruits). Staff members at the Academy believe that the actual needs of the Academy were not considered when the renovations were undertaken, and that the renovation contract was the result of a "sweetheart deal."

The Committee's site visit revealed that the building is not conducive to a learning environment. In fact, the temperature is not regulated, resulting in a very uncomfortable atmosphere, the class rooms are too small and the overall condition of the building is poor. The Committee was informed by several Academy staffers that much of the supplies, equipment, and furniture at the Academy has been donated, bartered for, or purchased as gifts by recent graduating classes. During the site visit, one Committee member could not help noticing that the furniture indeed consisted of an odd collection of pieces, some of which were torn and broken down. The desks in several class rooms appeared to be more suitable for grade school children than for adults training to become police officers.

The Academy staff does not use computers or word processing units extensively, partly because there are few to go around. There is no integrated computer system, and staff members who have not purchased their own personal computers continue to use old typewriters which are often in disrepair. Our site visit did not reveal any in-house ability to train officers in the use of computers. Indeed, one of the instructors indicated that the little training provided in the use of computers is done through the use of a computer in a cruiser that is brought to the Academy for that purpose. That instructor also indicated that although a

class room has been prepared for the installation of computers for training purposes, the effort has been abandoned.

The Academy appears to have extensive video producing capabilities, and reportedly has produced numerous training tapes for its own training programs, as well as for outside departments and agencies. However, because blank tapes appear to be in short supply, Academy staffers informed us that they often agree to produce a training tape for outside agencies in exchange for a supply of blank tapes.

What may be considered the Academy's most modern training equipment is also unsuitable to the training needs of the Department. The equipment in question is supposed to be a state of the art machine that simulates situations where an officer is required to make rapid judgments in connection with the use of deadly force. Critical components of the machine include a large screen which, along with actual props, is used to simulate typical scenes, and a replica of an actual weapon an officer may be called upon to use. The weapon fires blank rounds so as to simulate reality, and through a laser mechanism, the machine measures the effectiveness of an officer shooting as well as his/her judgment in the use of deadly force. The problem is that the machine is equipped with a replica of the previous standard issued revolver; for some time the Department has been in the process of changing to the Glock semi-automatic hand gun. Consequently, to the extent

that the use of the deadly force simulator is an effective training tool, its effectiveness, as an instructor noted, is necessarily reduced because it is not equipped with the weapon now carried by most officers.

G. Recent Developments at the Academy

Many of the officers we spoke with complained that the recent change in the Academy's command structure has moved the institution in the wrong direction. As compared to the previous commander who had advanced degrees in education, the new commander has little or no background in education. This commander, who has a military background, was previously a very successful commander of the Mobile Operations Unit and the Department's BPD SWAT Team. The Committee was told of a more militaristic orientation now being implemented at the Academy, including replacing pictures of police community service activities with photographs of marine recruits drilling. We were also told that one of the early changes instituted by this new Academy administration was the development of a police drill team.

Many officers told the Committee that while order and discipline have their place in police training, an orientation that is too militaristic is contrary to everything community policing is about. As one veteran officer put it, "if you prepare for war, then there has to be an enemy and the enemy will be the community."

II. Field Training

Upon completion of basic training at the Academy, recruits continue their training while employed by the Department on a probationary basis for one year. During the initial forty-five days of the probation period, rookie officers are paired with veteran officers who are responsible for providing field training. Currently, there is no training or evaluation of these field training officers, nor any measurement by the Department of the effectiveness of the teaching they provide to new officers. Indeed, Academy staffers are not involved whatsoever in field training, and there appears at present to be a philosophical clash between Academy and field training.

According to Academy staffers, field training officers often advise probationers to forget everything they have learned at the Academy. After the initial forty-five day training period, probationers can continue to be paired with veterans, but more often are paired with other probationers or work alone. This is due in part to the clash between veterans on the one hand, and probationers and the Academy on the other.

If community policing is to succeed, the apparent philosophical clash between the Academy and veteran officers who comprise the field training staff must be overcome. It is essential that new recruits be instructed in the philosophy of

community policing. It is equally important that veterans are held accountable for becoming familiar with the new philosophy.

III. Recruitment

Academy staff members and several other police officers with whom the Committee spoke expressed general dissatisfaction with the quality of some of the recent recruits. We we told that many of the recruits required supplemental and remedial training in basic reading and writing skills. Other recent recruits, by virtue of temperament or past criminal or dishonest behavior, were viewed as ill suited to be police officers. Staff members also stressed the need to de-politicize the appointment process which they claim presently results in the appointment of individuals whose greatest qualifications to be a police officer seems to be that a relative or a friend is or was on the force.

Part of the problem is that the Department's screening staff is reportedly composed of three officers. Such a modest staff seems inadequate, particularly when it is called upon to conduct background investigations in a short period of time as is typically the case. Academy staffers suggested that they should be permitted to become more involved in the recruit screening process. They also recommended that recruitment and screening be conducted on a continuous basis, thereby avoiding the need to investigate an entire incoming class in a short period of time.

As an example of the sort of unqualified individual who may not be screened out through the current review process, an Academy staffer told the Committee about a recruit who had been dismissed from his prior employment for stealing money. Apparently, the officers who conducted the screening verified the recruit's previous employment but failed to uncover the dishonest behavior that led to his termination. Some community members even alleged that they knew of new Boston police officers who had substantial criminal records. Finally, a number of officers suggested that police recruits should be selected on the basis of more rigorous criteria, including a requirement of at least two years of college.

Additionally, the Committee was told of a disturbing incident that occurred recently at the Academy. During the most recent recruit training, City Councilor David Scondras was invited by the Department to speak to the recruits about issues facing the gay community in Boston. Councilor Scondras made his presentation and then suggested that if the recruits had any questions they were nervous about asking in public, they could write them down and he would answer them at a later date.

The questions Councilor Scondras received were disgraceful. The new Boston Police recruits asked their city councilor obscene questions regarding explicit sexual practices. Equally disturbing was the fact that there were twenty to thirty such obscene

questions. Councilor Scondras was extremely disturbed by the prospect that individuals with these biases were about to be given guns and asked to protect the citizens of Boston. He issued a formal complaint with the Command Staff. To the Councilor's distress, and the distress of this Committee, no disciplinary action was taken against any of the recruits for this incident.

Boston is an increasingly multicultural city with a large minority population. It is imperative that the police force charged with protecting this population be sensitive to the City's diversity. Individuals who are biased against other individuals because of their race, religion, ethnicity, or sexual orientation should not be allowed to become Boston Police officers. The Boston Police Department should consider testing recruits to identify these biases, and should deal strongly with any incidents of prejudice and bias on the part of any officer or recruit.

IV. Recommendations

1. The Department Should Immediately Begin A Comprehensive Review Of Its Training Needs.
2. The Department Should Make A Commitment to A True Community Policing Program And This Philosophy Should Be Infused Into All Programs Presented At The Academy.
3. The Department Should Revise And Expand The Existing Curriculum For Mid-Level Supervisory Training. This New Curriculum Should Include A Major Emphasis On Supervisory Skills Training, Accountability And Management Issues.

4. The Department Must Make A Commitment To In-Service Training. Accurate Records Should Be Maintained Of Attendees And A Curriculum Which Meets Statutory Requirements And The Pressing Training Needs Of The Department's Officers Must Be Developed And Implemented.
5. The Facilities Of The Boston Police Academy Must Be Updated To More Adequately Serve The Training Needs Of The Department's Officers. Particular Emphasis Should Be Placed On Increased Computerization Of The Curriculum And Administration Of The Academy.
6. The Field Training Officer Program Should Be Placed Under The Jurisdiction Of The Training Academy And Instructors In This Program, Like All Academy Instructors, Should Be Subject To Regular Review And Evaluation Of Their Work.
7. This Committee Has Been Impressed With The Offers Of Assistance From Faculty At Various Local Academic Institutions. The Department Should Take Advantage Of These Offers Of Assistance Particularly In The Areas Of Curriculum Development And As Presenters.
8. The New Police Commissioner And Command Staff Should Consider The Reassignment Of The Former Academy Commander To His Previous Post As The Department Strives To Best Take Advantage Of The Strengths Available Within The Department.

CHAPTER 7: INFORMATION TECHNOLOGY AND MANAGEMENT INFORMATION SYSTEMS

I. Overview of Information Technology

Police and other criminal justice leaders now face a bewildering array of computer and telecommunication systems to improve their departments' performance. In spite of the complexities presented by information technology (i.e. computing and telecommunication technology), such technology provides enormous opportunities to improve the performance and efficiency of police departments. Indeed, in law enforcement agencies today, "information" is perhaps the most important tool available to extend and optimize the resources of all phases of police department operations.³⁴

Police supervisors and managers, patrol officers and detectives need information to do their jobs. They need information on crime patterns, responses to calls-for-service, vehicle locations, personnel, finances and other various aspects of departmental performance. They also need information to identify strengths and weaknesses in the department's patrol and response strategies, to support changes in policies and procedures, to identify and recognize outstanding performance by

³⁴See generally Charles A. Gruber, Jerry E. Mechling, and Glenn L. Pierce, "Information Management," Local Government Police Management (William A. Geller ed. 1991).

individuals or units, and to support budgeting requests. In addition to collecting and using various forms of information, the police have a special need to communicate it rapidly to and from citizens, units in the field, and police stations. Information technology is the key to collecting, analyzing, and communicating most of the information available in police departments.

Technology now permits departments to provide new services for victims, witnesses, and neighborhood groups. It can also support problem-solving or community-oriented policing by increasing a police department's ability to identify emerging problems. When computers and telecommunications were first introduced into police departments, they were designed primarily to help departments perform routine, ongoing tasks with more speed and precision. Today, however, information technology can, in fact, change the way police departments do their jobs; particularly the way police officers relate to citizens and other government agencies with whom they work.

Modern Computer Aided Dispatching (CAD) Systems provide examples of some of these potential changes in police operations. When today's CAD and 9-1-1 systems are integrated with information from other sources (such as automated police record management systems, tour of duty reports, detective case management systems, citizen crime prevention groups, local businesses, and other city agencies) this information can: 1) help maintain a department's

rapid response capability by reducing the inappropriate dispatch of units to erroneous emergency service requests; 2) support problem-oriented and other forms of proactive policing by significantly improving a department's ability to identify emerging problems and maintaining sector integrity plans by creating blocks of patrol officer time for community policing; 3) enhance community-oriented policing by incorporating neighborhood-specific priorities into dispatching decisions and overall resource allocation decisions; 4) promote interdepartmental cooperation and coordination through information sharing and enhanced analysis of common problem areas and, finally, 5) promote improved city and community corroboration through information sharing and improved problem analysis.

II. Information Technology at the Boston Police Department

Despite the potential of information technology to support police services, the Boston Police Department has failed to establish any ongoing strategic planning to introduce this technology into the Department on a consistent, timely and integrated basis. Our examination revealed that the Department has been slow to adopt the emerging information technology which would have benefited the Department, and, in many areas, Boston Police are less equipped than other major urban police departments to make use of information technology.

The Department has made some progress in developing its information technology capabilities. For example, the city is about to release a request for proposals regarding a new CAD System for the Department. Also, the Department and the city's Department of Management Information Systems ("MIS Department") last month announced a new program using geographical information which should support problem-oriented policing strategies.

Nevertheless, our interviews with Boston police officers, discussions with police executives in other cities, and review of computerization and information technology in Boston and in other cities persuade us that the Boston Police Department's MIS capabilities are substantially lacking. For example, the Department currently has only approximately 30 patrol cars equipped with Mobile Digital Terminals (MDTs). In many cities, every patrol car is equipped with an MDT. Indeed, in our interviews with patrol officers, patrol supervisors, and the command staff, all agreed that an increased number of MDTs would enhance both the performance and supervision of the patrol force. In fact, we were told that the patrol cars with MDTs are the most popular vehicles in the fleet.

Another example of how the Department has lagged in comparison with other major cities is the lengthy delay in planning and implementing a new CAD system for Boston. The

current dispatching software is antiquated and not capable of supporting a new community policing strategy.

Further, there are no automated case management or records systems in the Department. Such systems are common in many departments across the country. The Department engaged in considerable research and development of such a system in 1988 (called the Comprehensive Criminal Investigative Management System) and has spent considerable time and money over the years investigating various information technology options,³⁵ however, no comprehensive new systems have been implemented.

We have been informed that after this Committee began its review of the Department, efforts began once again to develop case management and other information technology systems. While we are concerned about the Department's delay in implementing MIS and information technology (and the detrimental effect this delay has had on the ability of police officers to deal with crime in a coordinated, proactive manner), we applaud any efforts to bring the Department up to speed in this area. We were disturbed to hear that officers in several Units are forced to keep investigative and other information on note cards in shoe boxes or by similarly inefficient methods. And in the few units which have been computerized, such as the Intelligence Unit, the Command

³⁵See, e.g., Coopers & Lybrand's August 1987 Report on an Integrated Public Safety System.

Staff has unfortunately undercut their effectiveness by eliminating the support staff necessary to input data into the system.

The Department's inconsistent, disjointed, and under-aggressive approach to information technology apparently stems from several sources including:

- 1) a need for greater in-house technical expertise;
- 2) the need for a genuine ongoing commitment from the Commissioner to implement information technology;
- 3) the absence of an established planning process specifically geared to the acquisition and implementation of information technology initiatives; and
- 4) the need for more consistent funding for MIS projects.

We were pleased to see that in November, 1991 the city's MIS Department assigned for the first time a permanent MIS manager to the police department. While it is too early to determine with any certainty, this step would appear to significantly increase the Department's in-house technical expertise necessary to develop information technology projects consistent with the Department's needs. Unfortunately, other problems persist. Most troubling is the absence of a consistent commitment to implementing information technology throughout the Department. Our interviews revealed a strong desire on the part of many officers to increase the quality and extent of computerization and other information technology in many areas. Indeed, even our interviews with the Command Staff

indicated that many of them recognize the importance of information technology to policing; they articulated a variety of the Department's shortcomings and needs in this area.³⁶

Our examination suggests that the Department's lack of commitment for information technology results in part from a failure to engage in long term planning; immediate Departmental needs regularly take a higher priority than long term information technology initiatives. The time and commitment of the Department's few planners seems often diverted from information technology initiatives and other long term projects in favor of short term crisis management. Ultimately, only the Commissioner can make decisions concerning how to balance long-term investments with current operational requirements. However, it is clear to us that the present balance is skewed and must be changed.

III. Recommendations

- 1. The Department Must Commit Itself to Developing and Implementing Sophisticated Management Information Technology Throughout The Department. In Order To Accomplish This:**
 - a) The New Commissioner Must Have An Appreciation For The Potential For Information Technology To Affect Police Department Operations And Performance.**

³⁶This finding from our interviews is consistent with the finding of a study on this topic conducted in 1988 by an information technology vendor which indicated that many of the Boston Police Department's leaders supported the development and implementation of information technology in the Department.

The importance of information technology to modern organizations makes it essential for future Commissioners to have an appreciation for this technology and its potential benefits to police operations.

- b) The Department Should Form A Steering Committee To Focus on Developing Management Information Systems And Identifying Emerging Information Technology That Would Benefit The Department.**

The complexity of information technology as well as the likelihood that such initiatives will be implemented on a continuous basis through the 1990s requires the establishment of a management information steering committee to plan and oversee these projects. In addition, the committee will help insure that information technology initiatives do not become the object of bureaucratic turf wars. Finally, such a committee will help to develop a strong constituency for implementing information technology projects. This is important because information technology is often an underfunded area in public sector organizations.

Membership on the MIS Steering Committee should be comprised of the Commissioner, the Department's Director of MIS, and selected officers throughout the ranks, including police officers and Unit commanders knowledgeable about what kinds of information would be most useful in helping to implement community policing in Boston. Technological modernization efforts need the active and continuous attention of the chief executive to gain the internal

support necessary to succeed. Participation by line officers throughout the force will give voice to the views of all major units affected by the information technology initiatives. The Director of the City's MIS Department should also be a member of the steering committee because, in Boston, as well as many other cities, the City's MIS department is the primary repository of expertise and knowledge regarding information technology.

2. Police Department Information Systems Should Be Designed To Provide Measures On The Performance Of Each Unit Within The Police Department And For The Department As A Whole. These Performance Indicators Should Routinely Be Made Available To Supervisors And Administrators Within The Department, And With Proper Safeguards On Confidentiality, Indicators Should Also Be Made Available To The City Council And The Public.

A comprehensive set of performance indicators are important to develop for the entire Police Department and for each Unit within the Department. Properly designed information technology can provide many of the performance indicators needed to evaluate the Police Department. Importantly, as new information systems are implemented, performance indicators can be generated for the Department at virtually no cost.

With proper safeguards for confidentiality, these performance indicators should not only be available to the Department, but also the public and City Councilors. This will provide a more balanced view of the Department and provide a more solid foundation for evaluating the Department's overall performance. It is the hope of the Commission that performance, rather than

media sensationalism and/or political polls, will become the primary metric to evaluate the police department.

3. **The City And The Department Need To Devote More Consistent Funding To Information Technology Projects.**

Any long-term implementation plan requires consistent and reasonable fiscal support to be carried out. The City has accomplished this in the case of the Department's proposed new CAD system but has not done so for other information technology initiatives. As a Committee, it is not in our province to specify the level of financial resources to allocate to information technology projects. We can, however, outline some of the potential benefits of information technology to the Department. Potential ways information technology provides a return on investment include: 1) more efficient use of police resources-- especially police officers' time; 2) enhanced supervision and control; 3) improved problem analysis capabilities; and, 4) enhanced program evaluation and planning.

In terms of using police resources more efficiently, several examples are readily available. Outfitting the patrol force with MDTs can retrieve the equivalent of ten or more full time police officers just in terms of the time now lost by police officers checking motor vehicle licenses and registrations. Currently licenses and registrations are checked via radio communication with the Department's central communication center. This approach takes an average of ten or more minutes per check, whereas

electronic license checks via MDTs take very little time. With an estimated 150,000 license checks a year performed by the Boston Police Department, this results in saving the equivalent of more than ten full time police officers.

Information technology, if implemented, can significantly enhance the supervision and management of police officers' time, activities and performance. For example, information technology can significantly improve police department monitoring or audit trail capabilities, making it easier for supervisors to identify officers with repeated infractions and/or citizen complaints, citizens who are not receiving adequate police services, or police officers who regularly spend above-average amounts of time on calls for services. Such capabilities are difficult or impossible to achieve with the Department's current record system.

The foundation for problem oriented and proactive policing is the ability to first identify and then analyze problems. Information technology can dramatically enhance the Department's problem analysis capabilities through such systems as automated criminal case management systems and electronic directories of City and community resources. Information drawn from multiple sources such as field investigation reports, crime reports, criminal case management systems, drug case management systems, community crime prevention group reports, as well as other sources could greatly assist the Department in identifying emerging crime

problems within neighborhoods. Obtaining such information on a regular basis can only occur if these systems are automated and integrated into networked information systems.

Finally, both program evaluation and strategic planning are information intensive activities. Properly integrated, automated record systems, as well as other electronic sources of data can provide much of the information infrastructure needed to support evaluation and planning activities. In addition, computer-based applications will provide most of the effort needed to analyze and synthesize information from these diverse sources. In sum, the Committee believes that, properly implemented and planned, information technology will provide significant returns on the City's investment.

CHAPTER 8: CITIZEN COMPLAINTS AND INTERNAL AFFAIRS

Our comprehensive review of the Department's Internal Affairs Division ("IAD") revealed a wide range of problems in the handling of citizen complaints against police officers and strongly suggests the need for major changes in this area. While we fully recognize that a number of complaints filed against police officers are unfounded and some may not be brought in good faith, we nonetheless found the present system for dealing with citizen complaints unfairly skewed against Boston's citizens.

I. The Internal Affairs Process

Chart 8-1 shows the process by which the Department investigates citizen complaints of police misconduct. A brief description of the process follows.

A. Initial Complaint - The initial complaint is usually made in person at either a district station or IAD. Occasionally complaints are telephoned or mailed. When a complaint is made in person or over the phone, a Complaint Control Form (a "1920") is filled out by the officer receiving the complaint. The 1920 is a basic report that identifies the complainant, the personnel being complained against, and any witnesses that the complainant can identify. The 1920 also contains basic information about the incident (i.e., date, time, location) and a brief narrative from the complainant describing the incident. The complainant will usually sign the 1920 after the complaint is taken. Much of the

data collected for our case review of Internal Affairs was drawn from the 1920 form.

B. Initiation of Investigation - After the 1920 form is filed, it is forwarded to Internal Affairs, where an IAD investigator is assigned. The IAD investigator then sends to the District or Unit Commander of the implicated officer(s) a list of requirements (statements, reports, forms) that he/she must complete within a specified time period. At this time, the IAD investigator may attempt to contact the complainant for an interview. This is frequently done through certified mail. This letter asks the complainant to contact the IAD investigator during certain hours (i.e., 10AM-3PM) by a specified date.

C. Investigation by District Supervisor - An initial investigation is conducted by a supervisor (Sergeant for patrolmen, Lieutenant for Sergeant, etc.) of the implicated officer(s). This investigation usually involves a review of the implicated officer(s)' statements, the statements of any other officers involved (but not implicated), a statement from the complainant (obtained by the Supervisor in person or over the phone), and statements from any cooperating witnesses (although having a witness in a case is relatively rare). The Supervisor compiles this information, comes to a conclusion as to whether the allegations are founded, and presents his/her finding in a report to the District Commander. After reviewing the Supervisor's

report and finding, these materials are forwarded to IAD by the District or Unit Commander.

D. IAD Investigation - Upon receipt from the District or Unit Commander, the IAD investigator reviews the report and may conduct additional investigation. The investigator then prepares a report for the IAD Commander's review.

E. Finding of IAD Commander - The finding of the IAD Commander is sent to the Commissioner on a standardized form. The possible findings are:

- not sustained - investigation failed to prove or disprove allegations;
- exonerated - alleged conduct did occur, but was legal, proper, and reasonable;
- unfounded - investigation revealed that alleged conduct did not occur;
- sustained - investigation supports allegations; and
- filed - no finding until further evidence is discovered or complainant/victim/witness comes forward.

In addition, this IAD report for the Commissioner's review contains all previous complaints (with findings) against the implicated officer(s).

F. Commissioner's Review- If the Commissioner agrees that the case should be ruled unfounded, not sustained, or exonerated then the case is dismissed. If the Commissioner determines that the complaint should be sustained, the case is referred to the Legal Advisor's office and the Hearing Officer to prepare for a hearing.

G. Hearing and Resolution

After the hearing on the allegation(s), the Hearing Officer reports his findings to the Commissioner. The Commissioner either approves or disapproves the Hearing Officer's findings. If the Commissioner's finding is against the officer(s), the officer(s) have avenues of appeal through the civil service system and through the courts.

II. The Committee's Interim Report on Internal Affairs

Early on in our investigation, it became clear to us that IAD's investigative process was inappropriately restricted by a misinterpretation of the applicable law. This misinterpretation often resulted in unnecessarily lengthy delays and a failure to investigate and impose sanctions against officers involved in the most serious misconduct. Specifically, we learned that IAD had a policy of not taking any action in any case involving possible allegations of criminal conduct by a police officer or officers until such allegations had been disposed of by criminal proceedings in court. As we reported previously in our August 15, 1991 letter to Mayor Flynn (attached as Appendix B to this Report), nothing in the established caselaw supported IAD's view that it was improper to investigate and, where appropriate, impose punishment for police misconduct whether or not that conduct was criminal in nature.

Following receipt of the Committee's interim report on this misinterpretation of law, Boston Corporation Counsel Joseph I. Mulligan issued an Opinion of Corporation Counsel concurring with our findings (attached as Appendix C to this Report) and ordering several changes at IAD. These changes included assigning additional city attorneys to assist IAD in investigating cases and holding disciplinary hearings and the appointment of a permanent hearing officer to conduct those hearings.

Following our interim report on IAD and its investigative process, we continued to investigate the handling of complaints of police misconduct. The information we gathered for our analysis came primarily from two sources: an intensive review of more than 250 IAD case files and from interviews with both Boston Police officers and citizens who have been involved with the IAD process. The Committee also reviewed materials regarding internal affairs units, disciplinary practices, and civilian review boards from numerous police agencies throughout the country, including visits to the New York, Houston, and Baltimore County Police Departments, and consulted with leading police executives and national experts on these issues. The balance of this chapter discusses our findings from the review of IAD cases and our recommendations for major changes in the manner the Department deals with citizen complaints of police misconduct.

III. Internal Affairs Case Review

A. Data Collection

For our case review, the Boston Police Department (BPD) provided us with a previously selected random sample of all cases filed with IAD in 1989 and 1990. Contained in these case files were official BPD forms, correspondence, notes and case memoranda from which Northeastern University criminal justice students coded the information we present below. In some cases, by mutual agreement, the names of BPD personnel and complainants were redacted for reasons of confidentiality, but otherwise all of the information contained in each file was made available for examination.

The data we report on here represents a 30% random sample of all IAD cases from 1989 and 1990. The total number of cases reviewed was 257. The random sample was drawn from the log book of cases maintained by IAD. We would like to note that the personnel of IAD and the Legal Affairs Office were very cooperative and assisted us in every manner possible.

B. Quality of IAD Files

As with any data acquisition process, the quality of the data for analysis is determined by the quality of the original records. The original records here--the case files of IAD-- were not of high quality due to the lack of adequate documentation. Although all the files we requested were located and provided to

us, the contents of each file varied considerably from one case to the next. The problems with the files included both missing forms and incomplete forms. We found many forms and case memoranda were either missing and not accounted for, or unsigned, or undated. This situation would make it unnecessarily difficult for IAD staff to efficiently conduct and/or review its investigations. For example, it would be very difficult for an IAD supervisor to assess the status of a case by simply looking at the file. Moreover, it would be nearly impossible for a new investigator to proceed with a case based on the information contained in the case file alone.

Examples of the disorganized and incomplete nature of these files is that there are no progress sheets or progress reports, there are no checklists for file contents, and there are no checklists or memoranda indicating the investigative steps taken on a case. None of the case files indicated whether the case was being monitored by a supervisor or who that supervisor was.

The files at IAD also included only minimal references to certain rudimentary types of information which would seem to be essential in judging the quality of an investigation. Particularly lacking was information regarding contact with non-BPD personnel such as citizen complainants and witnesses to alleged incidents. In most of the files reviewed, information concerning whether a witness was contacted and when, and the

nature of contacts (if any) with the complainant, were missing. In many other police agencies (and even in some specialized units in the Boston Police Department such as Community Disorders) keep detailed investigative records and checklists.

The files contained little or no indication of what happened to a case after an allegation was sustained or sent to hearing. The records on hearing results are maintained in a separate set of files in a separate office.

C. Analysis of Complaints

1. Frequency of Complaints Since 1981

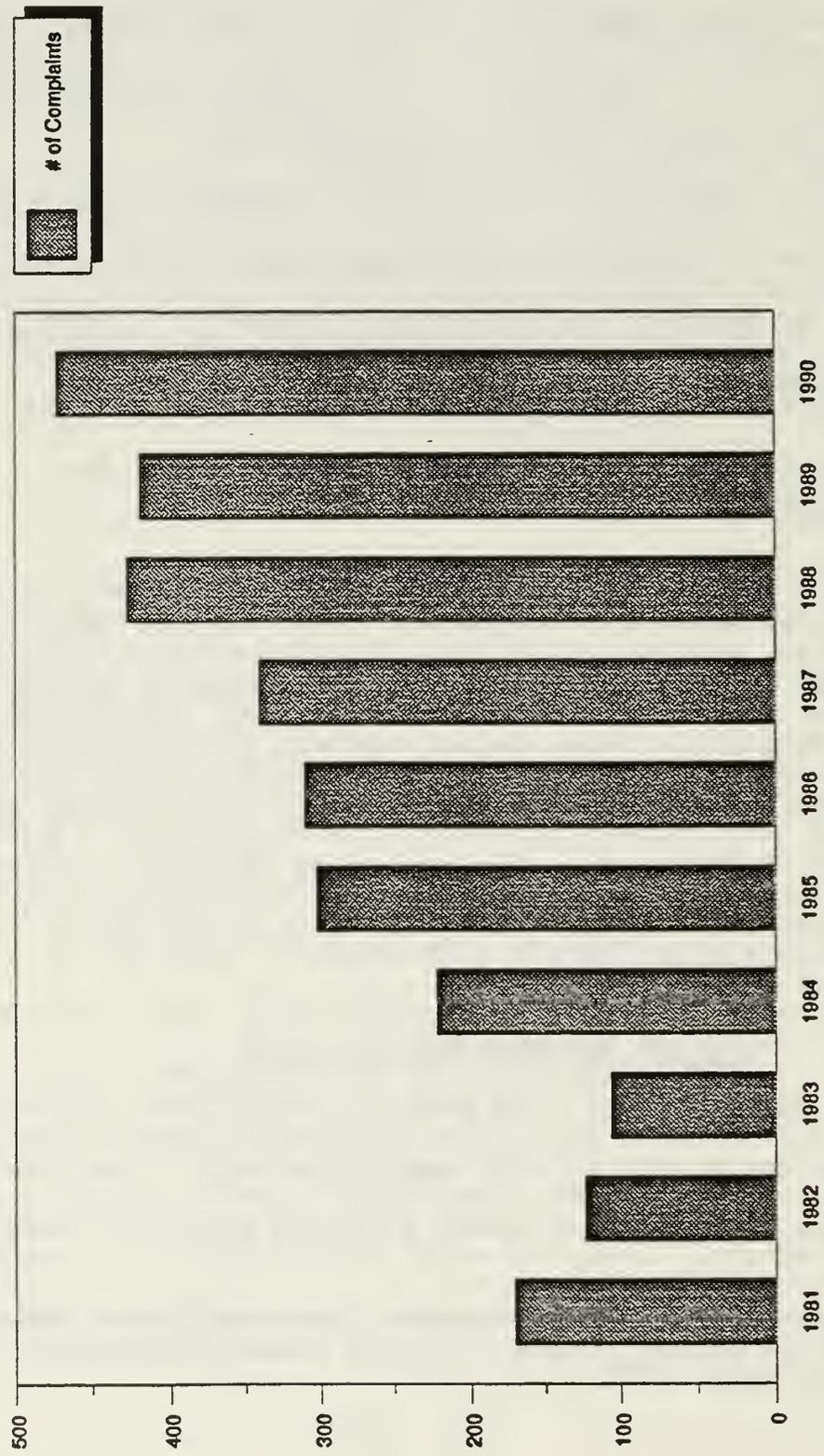
A review of all complaints filed against BPD personnel over the past 10 years revealed that the number of police misconduct complaints made against members of the Boston Police Department has increased dramatically over this 10 year period.³⁷ As indicated in Figure 8-1, the number of complaints filed has nearly tripled over the past 10 years from a low of 171 in 1981 to a high of 472 in 1990.

2. Changes between 1989 and 1990

A comparison of 1989 and 1990 cases from our sample reveals that the nature of the complaints being filed has also changed. The percentage of cases alleging physical abuse by BPD

³⁷Source: Boston Police Department. 1981-84 figures from Boston Police Internal Affairs Study, Greater Boston Lesbian/Gay Political Alliance (1991)

FIGURE 8-1
Number of Complaints BPD's Internal Affairs Division, 1981-1990



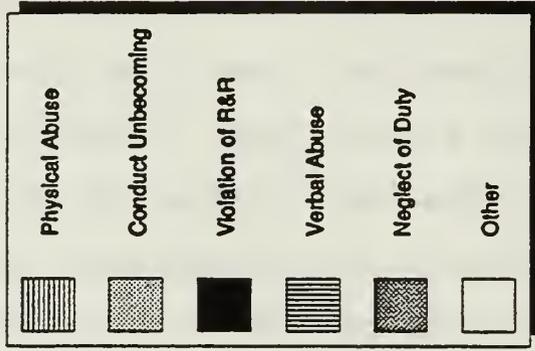
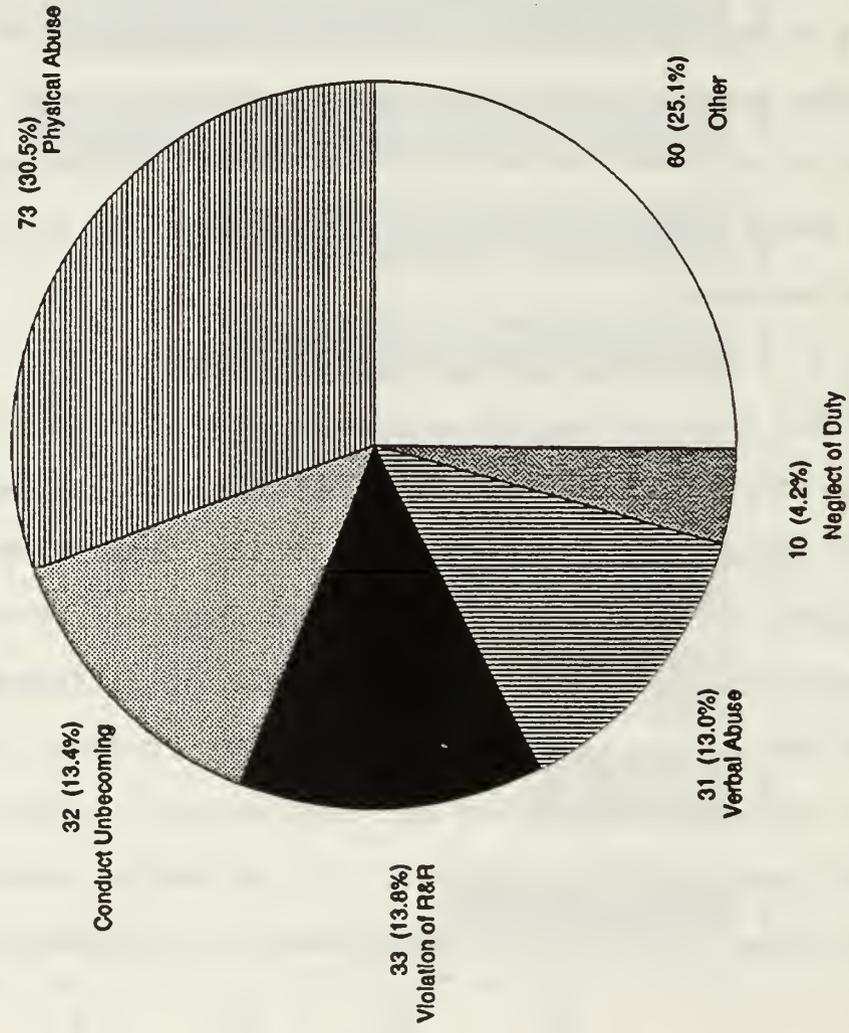
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personnel has increased from 25% in 1989 to 38% in 1990. This may indicate that BPD personnel are becoming more assaultive towards citizens, but we would need more data from a longer period of time to determine if this is a true trend. In addition, a comparison of the IAD Commander's findings reveals that the number of cases in which the charges brought by a complainant were sustained dropped from 11% in 1989 to only 3% in 1990. The number of cases in which the charges were not sustained increased, from 45% in 1989 to 70% in 1990. These figures may reflect a couple of disturbing trends. First, it appears that certain BPD personnel may be using more physical violence against citizens. Second, the Department's internal review process seems increasingly less likely to believe citizens filing complaints and find fault with their own personnel.

3. Type and Frequency of Charges

The data collected from 1989 and 1990 and highlighted in Figure 8-2 shows that the most common complaint alleging misconduct by members of the Boston Police Department is for physical abuse of citizens. Thirty and one-half percent (30.5%) of the complaints were for physical abuse of citizens which is more than double the second and third most frequent categories which are violations of rules and regulations (13.8%) and conduct unbecoming to an officer (13.4%). In reviewing research on police misconduct from other police departments, the Committee noted that

FIGURE 8-2
Description of Internal Affairs Complaints*



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* Obtained from sample of 1989 and 1990 cases.

it is not uncommon for physical abuse to be the most frequent allegation of misconduct by police. However, because the complaints alleging physical abuse are increasing (along with all complaints), the Committee feels that this should be an area of concern for the Department. Physical abuse of citizens by a police officer is among the most serious violation of the public trust possible.

In community focus groups, interviews with Boston residents, and in letters sent to the Committee, the Committee heard from a number of individuals who claimed they were assaulted by police in Boston. We did not attempt to validate these allegations but we did note the fear and anxiety that these incidents provoke in victims and in those around victims, including the victims' family and neighborhood. It is the opinion of this Committee that dealing with physical abuse of citizens by police officers must become a major priority of the Boston Police Department.

4. Origin of Charges

In Boston, the victim of police misconduct is the individual most likely to report the misconduct, much more so than witnesses or family members. In the vast majority of cases (85%), the person filing the complaint is the alleged victim. The next greatest source of complainants were witnesses, who originated 5% of the complaints. The Boston Police Department served as the complainant in 4% of the cases. These cases generally involved

violations of BPD Rules and Regulations, as well as a few cases of serious corruption. The fact that most complainants are victims is important since prior research indicates that victims frequently become intimidated and withdraw from the process in an effort "to get all this behind me."

5. Number of Witnesses Contacted

As discussed above, due to poor documentation and record-keeping, it is difficult to ascertain from Department files how many witnesses were actually contacted by the Department on each case. By examining the "date of contact" category in the case files, the Committee was able to determine an approximate number of witnesses contacted. The figures are not encouraging: taking into account all 257 cases reviewed, the files show a total of only 53 witnesses contacted by Department personnel at some point in the investigation process of all of these cases. Approximately 39 witnesses were contacted during District level investigations, while approximately 24 were contacted by IAD investigators (further analysis revealed that 10 of these witnesses were common to both investigations). Even more disturbing, in 79% of the cases reviewed, there was no indication that any witnesses were contacted by any Departmental personnel.

6. Race of Complainant

Most of the police misconduct complaints in our sample were filed by citizens who are members of minority groups. Black

community members were disproportionately likely to be the source of complaints filed against Departmental personnel. (see Figure 8-3). Fifty percent (50%) of the complainants were black and nine percent (9%) were non-black racial and ethnic minorities. Boston's population as a whole is comprised of approximately 26% black residents and 15% members of other minority groups.³⁸

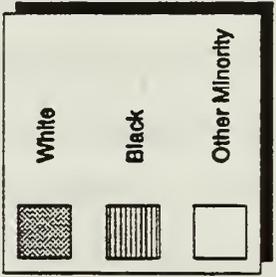
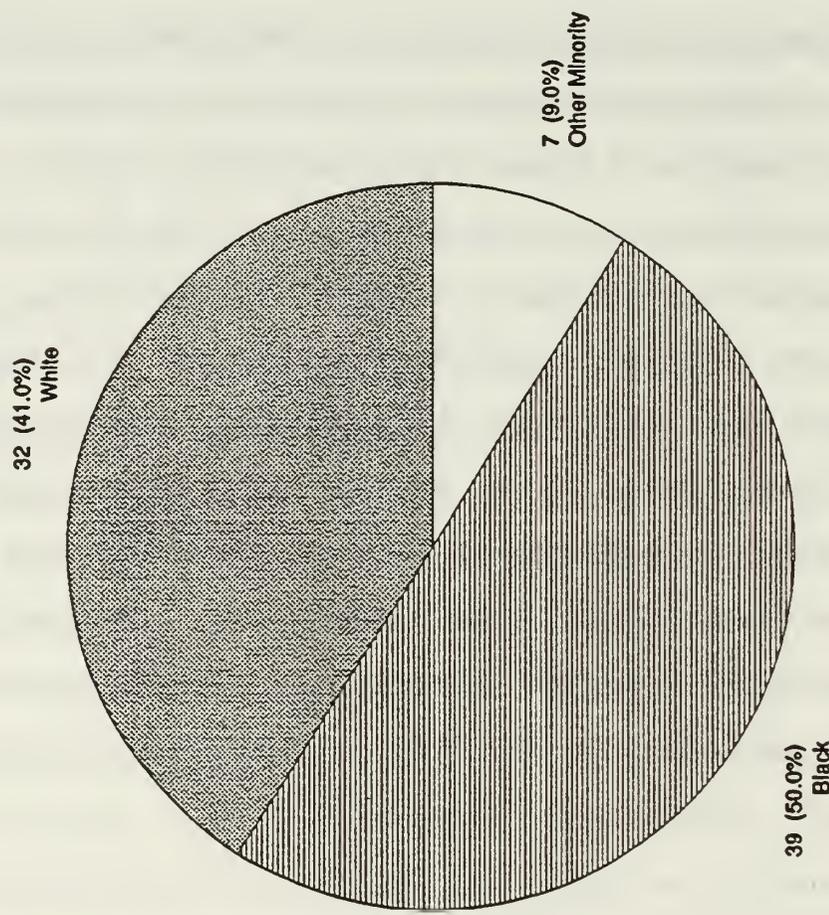
D. Analysis of Police Personnel Complained Against

1. Percent of Personnel with Prior Complaints

Our analysis of those police officers against whom complaints were filed in our sample revealed that at least half of these officers had prior complaints filed against them. Specifically, our analysis indicates that 49% of the officers had previous complaints, 17% did not have previous complaints, and 34% could not be determined. If you exclude those cases where the BPD case files did not have information on the prior history of the officer, 74% of the officers have previous complaints against them. It should be noted that this is not a sample of all BPD officers; our sample was chosen from IAD complaints filed in 1989 and 1990.

³⁸ Source: Massachusetts Institute for Social and Economic Research.

FIGURE 8-3
Race of Complainant in Allegations of Boston Police Misconduct



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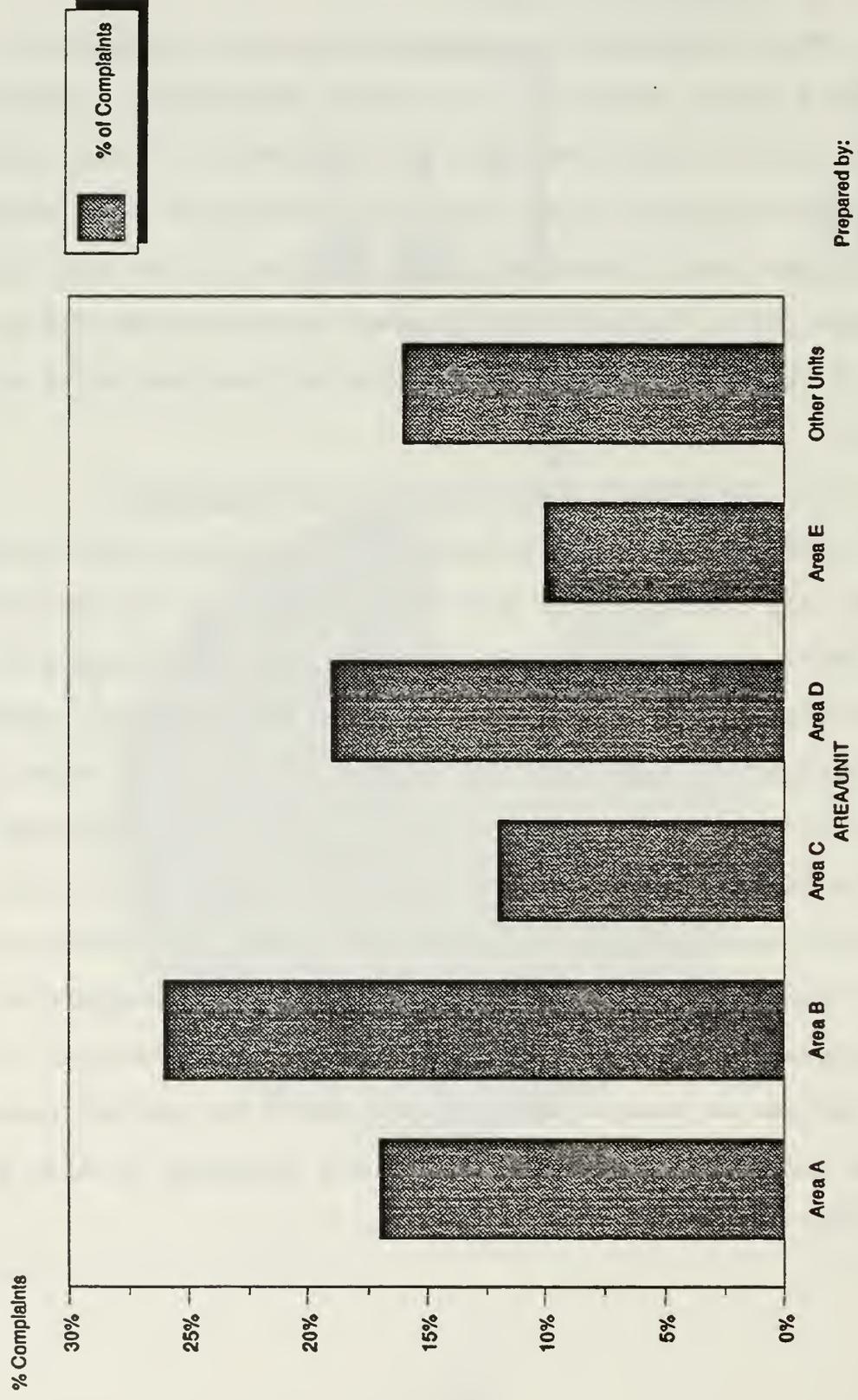
2. Rank of Personnel

The overwhelming majority of personnel complained against were patrol officers. Sergeants, Detectives, special officers, and civilians round out the remainder of this category. No Department personnel above the rank of Sergeant were complained against in the sample examined. This finding is not surprising because the patrol force is the largest Bureau of the BPD and that portion of the Department which has the most contact with Boston residents.

3. Area/Unit Where Personnel Are Assigned

Citizens from the Roxbury area of Boston were the most likely to file complaints of police misconduct in our sample (see Figure 8-4). Area B, which includes Roxbury, Mattapan, and sections of Dorchester generated 26% of the complaints. Area D, which includes the Back Bay, Allston/Brighton and the South End, produced the second most frequent number of complaints with 19%. Officers assigned to Area A, downtown, generated 17% of the complaints. Area E which includes Roslindale, West Roxbury, Hyde Park and Jamaica Plain generated only 10% of the complaints. It is not surprising that most complaints came from citizens of the Roxbury section of Boston because most calls for police assistance come from this area and more officers are assigned to Area B than to any other part of Boston.

FIGURE 8-4
Police Area From Which Complaint Was Generated



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4. Complaint Histories of "High Complaint Rate" Officers

One of the most troubling findings of the Report involves the prior histories of Boston officers against whom complaints were filed in our sample. We found a disturbing pattern of violence toward citizens by a small number of officers. Among the officers who had a previous complaint against them, the median number of previous complaints was 3. This statistic means that one-half of the officers in our sample had more than 3 prior complaints against them and one-half had fewer.

In addition, it appears that a small number of officers are involved in extensive amounts of alleged misconduct. Of the 134 officers with previous complaints in our sample, 13 (10%) had more than ten previous complaints. This small group of officers have generated an incredible total of 246 prior complaints (233 previous, 13 current). When we look at all of the prior complaints against our sample of officers, we find that this 10% of officers are responsible for 45% of all previous complaints.

From the case records provided by the Department, we determined that very few of these complaints were sustained. Of these 246 complaints, only approximately 26 were sustained and 13 were still pending. A summary of the records of some of these "high complaint rate" officers appears in Appendix D of this Report. A similar pattern of excessive misconduct by a very small

number of officers was identified in Los Angeles by the Christopher Commission.³⁹

This Committee is troubled by the level of misconduct alleged against this small segment of Boston officers, and we are even more concerned that only 11% of the allegations against these high complaint rate officers were sustained by the Department's IAD review process. By their alleged repeated acts of misconduct, this small group of problem officers tarnishes the reputation of the entire Department. The majority of Boston police officers fulfill their service to the community with skill and professionalism.

When asked about these officers with 10, 15, or 20 prior complaints, we were told by Department supervisors that prior complaints "can't be held against the officer unless they are sustained." The Department treats unsustained prior complaints similar to not guilty or dismissed criminal complaints, i.e. not relevant in deciding on the case in question. In most organizations, past behavior, whether alleged or confirmed, is used to assist the organization in identifying problem employees. Even if the Department was interested in monitoring and dealing with problem officers, however, it is currently unable to do so; because of the lack of performance appraisals of officers or any

³⁹ Report of the Independent Commission on the Los Angeles Police Department, Warren Christopher, Chairman, July 9, 1991, at 31-48.

centralized record keeping, the Department cannot even identify these problem officers. At the very least, officers who receive repeated citizen complaints of misconduct should be carefully monitored and more likely should receive counseling.

The failure to monitor and evaluate the performance of police officers--particularly those with established patterns of alleged misconduct--is a major deficiency in the management of the Department and an unnecessarily dangerous situation for the citizens of the City of Boston. No police department and no community should tolerate a situation where officers with long records of alleged misconduct, including some with histories of alleged physical abuse of citizens, remain on the street largely unidentified and unsupervised.

E. Resolution of Cases by IAD

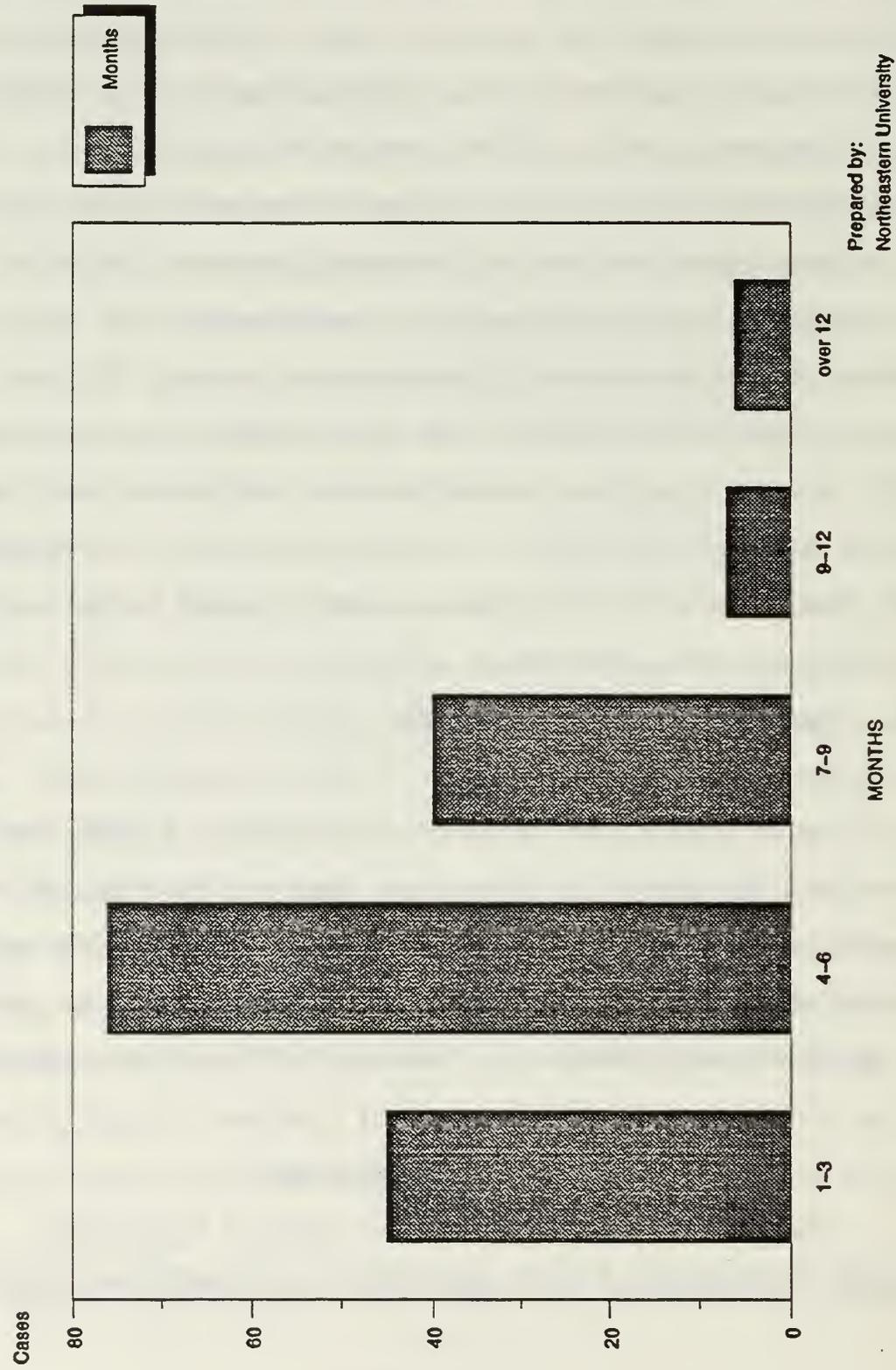
1. Duration of Case

In an attempt to measure the duration of each case, we have examined the length of time that elapses from initiation of the complaint to the final recommendation of the IAD Commander. Figure 8-5 shows that 44 cases or 26% lasted 3 months or less, 70% of the cases lasted 6 months or less, and 93% lasted 9 months or less.

2. Rate of Sustained Complaints

When we reviewed the overall rate of sustained complaints, (those where the Department found that the officer had

FIGURE 8-5
Duration of Internal Affairs Investigations



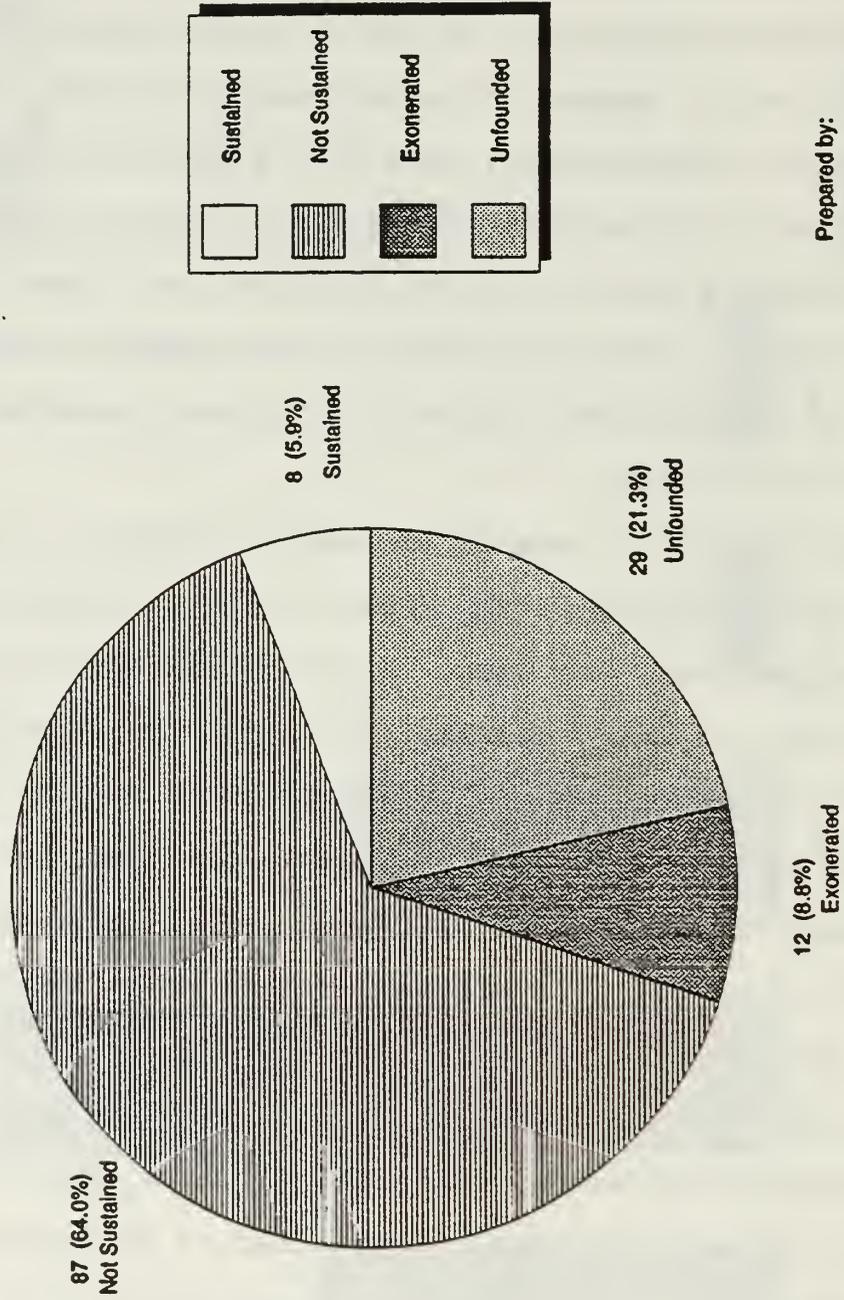
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done what the citizen alleged), we found that very few of the complaints were sustained. As indicated in Figure 8-6, of the 136 allegations in our sample which had come to a final resolution (a finding by the Commissioner) only 8 or 5.9% were sustained. This indicates that, in the view of the Boston Police Department, 94% of the citizens alleging police misconduct were incorrect. This statistic strains the imagination; it assumes that more than 9 out of every 10 citizens who complain of police misconduct are mistaken or are lying.

We then looked to see if the review process is changing, possibly as a reaction to the recent negative publicity concerning IAD investigations. We found, in fact, that the process has not changed in any dramatic fashion. In 1989, the Department sustained 6.6% of the complaints it resolved and in 1990 the Department sustained 4.4% of the complaints resolved by the time we conducted this research. It appears that the Department seldom, if ever, believes allegations of police misconduct by Boston's citizens.

In addition, our research supports previous findings by the Greater Boston Lesbian/Gay Political Alliance that, of those small number of allegations that are sustained, a disproportionate share are allegations brought by the Department itself for violation of Departmental rules.

FIGURE 8-6
Disposition of BPD Internal Affairs Cases



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IV. Problems With Current IAD Process

A. The District Investigation

As outlined above, the initial investigation of a complaint of police misconduct is currently conducted by the supervisor of the officer(s) in question, generally a Sergeant, at the District level. This procedure appears to have certain benefits because the supervisor can get to the officer in question quickly and knows the officer's background and work history. This District level investigation, however, was frequently identified in our community meetings and police interviews as a problem area within the IAD process. During our interviews, a number of officers and supervisors explained that being asked to do an investigation on a fellow officer with whom they work closely on a day-to-day basis was difficult and interfered with their ability to do their normal job; the supervisors described the present process as "awkward" because they will almost always still be working with the officer after the investigation. Moreover, numerous community residents--some of whom had filed complaints against Boston police officers--expressed their view that the current process of District level investigations results in supervisors working to protect "their own [officers]".

A second problem frequently cited regarding the District level investigation was that the investigating officer is not asked to recommend punishment. Punishment is decided by the

District Commander, IAD Commander and/or the Commissioner. The current process again puts the investigating officer in a difficult position because his/her report will be the basis for punishment which will be determined by someone else.

When we looked at the number of complaints sustained by the District Commander and compared that to the number of complaints ultimately sustained by the Commissioner, we found a slightly higher rate of sustained complaints at the District level. As mentioned above, in our sample, the Commissioner sustained 5.8% of the allegations. At the District Level, the District Commanders recommended that 9.9% of the allegations be sustained. During our interviews, a couple of District Commanders explained this difference: they do not want a troublemaker under their command and they hope that, by sustaining the allegation, they can move the officer to another Area. This practice may help the individual police commander who no longer has to deal with the troublemaker, but it does nothing to help the officer who may have a problem or the citizens of Boston who have to deal with him in another section of Boston.

This difference in the rate of sustained complaints may also reflect the skewed approach to IAD investigations applied by Department personnel; as a complaint finds its way through the system, there are numerous opportunities to dispose of it in favor

of the officer and, presently, no opportunity for a complainant to appeal such a decision.

As with many other policies of the Boston Police Department, there are no incentives for a good investigation and no sanctions if the investigation is done poorly. If an investigation is inadequate at the District level the IAD investigator is supposed to do a more thorough investigation when the case reaches IAD. As discussed below, however, the IAD investigation only infrequently expands on the District level investigation.

B. Review by Internal Affairs

Once the District investigation has been completed, the case is returned to the assigned IAD investigator. We were told that the theory behind this step of an additional investigation was to serve as a check on the problems mentioned above which could have occurred at the District level. We found that, while this additional review stage seems appropriate in theory, in practice it leaves much to be desired. In the vast majority of cases we reviewed, the IAD investigator added little additional information to the original District investigation. We did not find more than a handful of cases where IAD investigators contacted victims or witnesses not already contacted in the course of the original investigation. Therefore, this step is serving as little more than a rubber stamp and another cause for delay.

One reason for this situation may be a lack of training. We were told during the interviews that there is no additional training for officers assigned to Internal Affairs; the officers we spoke with, including a number who are presently assigned to IAD, felt that additional training is necessary. The training, it was suggested, could cover among other topics techniques for dealing with the awkward situation of investigating one's peers.

C. Departmental Hearing

In a case where an officer does not agree with the findings of the IAD investigation or the recommended disciplinary action, s/he may request a hearing. The hearing process gives the officer due process rights to confront his accusers. Although this is not a criminal trial, the officer is given counsel (generally the counsel for the patrol officers union) and is allowed to question witnesses.

During our interviews with Boston Police officers, a number of problems were identified with the current hearing process. The most frequent complaint was delay: complainants and officers often must wait for up to one year from the date of the original incident before a hearing is held. As one officer put it, "IAD tries to outlast the victim, to continue it and continue it until the victim gets fed up and no longer comes to the hearings". This perception was borne out by our research: in many of the cases we

reviewed the complaint was eventually declared unsustainable due to a lack of witnesses.⁴⁰

A general complaint voiced about the entire IAD process was a lack of feedback. Both victims and officers told the Committee of their frustration in wondering about the status of investigations. Indeed, the Committee was told that there was no formal process to notify the officer as to the status of the complaint against him or her; consequently the officer is never sure whether they are about to be disciplined or exonerated. On the victim's part also, the Committee was told that no notice is given of the status of a complaint. For example, the Committee was told of a meeting where a group representing alleged victims of police misconduct were told that they could not receive status reports on complaints filed by their members at 6 month intervals (as they requested) because of the typing and mailing costs of such a notice process.

The problems point to a major flaw in the current IAD process. Under the Department's present system, the officer against whom the misconduct is alleged is given full due process rights including the right to appeal a finding of misconduct up to three times. The alleged victim, on the other hand, must pursue his/her complaint through a lengthy series of investigative steps and multiple opportunities to lose the case, and has no right

⁴⁰It should be noted that these observations were made about IAD hearings under the former procedures; the new process with a full time hearing officer may reduce delay but it is too early to tell.

whatsoever to any appeal. If, for example the victim doesn't respond to the letter from IAD to "contact our office" the case will most often be filed as not sustained. Our review revealed that in only a handful of cases did the police follow-up with a trip to a victim's home when they did not respond to the initial letter. If the victim does respond but cannot meet with the investigating officer at the appointed time, investigations are frequently ruled unsustained.

Similarly, we found that if the victim cannot make the Departmental hearing, the complaint is commonly ruled unsustained. Once a complaint is determined to be unsustained by IAD, the complainant has no recourse under the present system. The Committee believes that the victims of police misconduct in Boston must have a right to appeal and this appeal must be to a group made up of, at least in part, community members.

V. Recommendations For Improving The IAD Process

1. The Department Should Establish A New Centralized Process For Investigating Citizen Complaints

We recommend that the Department revamp its method of investigating citizen complaints against police officers so that a thorough and timely investigation becomes standard practice at IAD. The present investigative process of District level investigations followed by IAD investigations, as described above, has many flaws and results in delay and duplication. Also, the

current fragmented approach allows IAD to deflect accountability for ensuring quality investigations.

We suggest that all complaints by citizens of serious police misconduct be investigated from the beginning by IAD investigators. While District Commanders and local supervisors should remain involved in resolving allegations of minor rule infractions and in providing support to the IAD investigation, all serious citizen complaints (such as excessive force, wrongful arrest, illegal search, criminal behavior, abusive treatment, etc.) should be handled from the outset by IAD without delay. In this way, there will be one investigation and IAD will be held accountable for its quality and thoroughness. As described later in this chapter, citizens should have an opportunity to request a review of the IAD investigation by a Community Appeals Board.

2. Once The Reorganization Of The Citizen Complaint Process Is Completed, The Department Should Develop Written Guidebooks In Several Languages That Explain The New Process And Complainants' Rights When Dealing With The Boston Police Department

Many community members, fearing harassment or other mistreatment, expressed reluctance to go to the police station to file a complaint against an officer. We were told by some community members that when they went to the station to file a complaint they were discouraged from doing so and others were told that the station "was out of the forms." In addition, it was

apparent from our discussions that some members of the public are unaware of their rights in dealing with the Boston Police Department. Therefore, we recommend that guidebooks and complaint forms be made available not only at the City's police stations but also at City Hall, neighborhood community centers, and other locations throughout Boston. We recommend that the Department take advantage of the skills of the Community Disorders Unit, which has experience in developing such guidebooks. Further, citizens should be allowed to file a complaint by mail, either to the Department or to the new Community Appeals Board.

3. IAD Needs An Infusion Of Talented, Experienced Investigators And Improved Supervisory Practices To Ensure Thorough, High Quality Investigations

It was readily apparent from our interviews with Boston police officers that they believe that the present IAD investigators are of uneven quality and that there is little, if any, supervision or oversight to ensure thorough investigations by the unit. Our own review of a large number of IAD files confirmed the officers' perception. IAD should be staffed by experienced investigators and these officers should receive additional specialized training upon entering IAD. Moreover, IAD investigators should receive pay equal to that of an average detective in other divisions and units, including overtime pay.

4. To Attract, Reward And Protect Officers Who Work In The New IAD, These Officers Should Be Given Choice Of Their Next Assignment If They Request A Transfer After Working Three Or More Years In IAD.

The police officers we spoke with, some of whom had spent time working in IAD, told the Committee that if the goal was to attract top personnel to the IAD staff then those officers who spend time in the unit should be allowed to choose their next assignment. There was a widespread belief that, without this protection, experienced investigators will not volunteer for the IAD because they fear retribution once they leave the unit. Allowing IAD veterans to choose their subsequent assignment--and avoid would-be adversaries--should diminish this concern about retribution and allow the Department to attract the best possible investigators for the new IAD.

5. A Deadline of 90 Days Should Be Imposed For The Investigation And Resolution Of All Citizen Complaints Of Police Misconduct

As discussed above, the current IAD investigative process is frequently plagued by lengthy delays. These delays are unnecessary and are detrimental to finding out the facts of alleged incidents; memories fade, evidence disappears, witnesses move. Moreover, it is unfair to both the alleged victim and the police officer(s) in question to needlessly delay a resolution of a case. Veteran officers we consulted as well as police officials of many other urban police departments with whom we spoke agreed

that a deadline of 90 days was a good idea for all concerned and would provide ample time for a thorough investigation. The 90 day period would commence when the complaint is filed; the case will be considered closed after the Departmental hearing.

A prominent example of the Department's current practice of inaction and delay is its handling of allegations of police conduct arising out of the Stuart homicide investigation. On July 10, 1991 the United States Attorney issued a sharply critical report outlining serious misconduct by Boston Police detectives involved in the Stuart investigation. The U.S. Attorney's investigation "disclosed evidence of police misconduct directed against civilian witnesses, and individuals who were targets of the homicide investigation," including "coercion and intimidation of civilian witnesses by investigating police officers through the use of actual or implied threats of arrest, imprisonment, and physical beatings;" forcing witnesses to give false statements incriminating Willie Bennett and relying upon such false evidence to obtain search warrants; and "apparent attempts to 'plant' controlled substances in the home of witnesses."⁴¹ While the U.S. Attorney concluded that his office lacked the requisite admissible evidence to prosecute the officers under the narrowly defined federal criminal civil rights statutes, he urged Commissioner

⁴¹Press Release, United States Attorney District of Massachusetts, July 10, 1991.

Roache to review the evidence of police misconduct for possible disciplinary action.

Today, more than two years after the alleged misconduct and more than six months after the U.S. Attorney issued his report, there have been no hearings or any discipline in connection with this matter. This delay and inaction is inexcusable. We urge the Department to thoroughly investigate the documented allegations of police misconduct related to the Stuart case and, if warranted, discipline any police officers guilty of wrongdoing.

6. The New IAD Must Improve Its Documentation And Record-Keeping

As discussed above, the Committee's review of IAD files revealed an appalling lack of documentation and record-keeping by IAD investigators. The new IAD must require investigators to keep track of contacts with complainants and witnesses and the progress of each investigation. Although IAD investigators may keep notes on their own, there should be some formal documentation of contacts made and investigative steps taken on each case. This will enable subsequent investigators and the IAD Commander to more easily determine the status of cases.

Particularly because we recommend below the creation of a Community Appeals Board to review IAD investigations, it is imperative that case files accurately reflect the investigative steps taken and a provide a detailed description of the alleged

incident. Further, IAD should develop a monthly status report to be presented to the Community Appeals Board which discloses the number of cases resolved and the findings; the number of new cases; the number of active cases; and the length of time each active case has been under investigation.

7. The Department Should Develop And Implement An "Early Warning System" To Identify Officers With Many Complaints And Provide Counseling And Retraining When Appropriate

Currently, the Department has no formal system in place to identify officers with repeated complaints filed against them or any ability to identify troublesome patterns of behavior. We learned that various personnel records were kept at the District level, others were kept at IAD or at the Legal Advisor's office, while others were kept by the Bureau of Administrative Services. This diffused record-keeping makes it difficult for anyone to assess the performance or work history of any particular officer. We strongly recommend that the Department centralize in one location its records regarding officers' histories of citizen complaints and discipline. This will enable supervisors to identify officers who may be experiencing problems early on when counseling or additional training might resolve the problem.

VI. Community Appeals Board

After a comprehensive review of the Department's handling of citizen complaints against police officers, the Committee has concluded that a limited Community Appeals Board must be created to oversee the investigation of IAD cases to ensure that they are thorough and timely and that the Department's conclusion is consistent with the facts presented. As we have discussed above, the present IAD process is unfairly skewed against those bringing a complaint. Virtually no one the Committee spoke with, inside or outside the Department (with the exception of those presently working in IAD), has confidence in IAD's ability, if left alone without any oversight, to conduct reliable investigations.

It is the Committee's belief that a Community Appeals Board composed of both community members and police officers charged with the task of reviewing the investigations conducted by IAD and, where appropriate, returning cases for further investigation will help restore the public's confidence that their complaints against police officers will be taken seriously and result in fairer, more complete investigations.

In considering this issue, the Committee first reviewed the various recent proposals for civilian review boards by City Councilors and Mayor Flynn. Next, as we discuss more fully below, we reviewed the current research on the efficacy of various types

of civilian review boards and police discipline, consulted with many leading police executives, law enforcement officials, and recognized policing scholars, and visited police departments in Houston, Baltimore, and New York City to explore this issue. We fully recognize that civilian review boards are no panacea for police misconduct and that in some cities they have proven to be ineffective. However, we believe that the Community Review Board we describe below, with an important yet narrowly tailored duty to provide community members a mechanism to initiate a review of the Department's handling of their complaints, will lead to better IAD investigations and begin to rebuild the public's confidence that the police can and will investigate and discipline fellow officers when it is appropriate to do so.

A very recent national survey found that 60% of the nation's 50 largest cities have procedures for civilian review of citizen complaints of police misconduct.⁴² The study revealed that "[c]ivilian review procedures have spread rapidly in recent years. Ten have been established since 1988. Fifteen, or half the current total, have been established since 1986. Three new

⁴²Samuel Walker, "Civilian Review Of The Police: A National Survey Of The Fifty Largest Cities, 1991," April 1991 (advance copy).

[civilian review] procedures began operations in 1991..."⁴³

The study concludes that "spread of civilian review represents a new national consensus on civilian review as an appropriate method of handling citizen complaints about police misconduct."⁴⁴ No two civilian review boards are alike; they vary from city to city on such issues as the makeup of the board, whether police officers or independent investigators conduct the investigation into alleged misconduct on behalf of the board, and the scope of the remedy available to the board.⁴⁵

Fundamentally, we believe that the burden of holding officers accountable for their behavior as police officers should remain primarily with the Boston Police Department. Indeed, in an ideal world with genuine accountability throughout the Department regarding the investigation and disposition of alleged police misconduct, there would be no need for public oversight. Given the disturbing results of our IAD case study and the profound lack of confidence and trust the community (and many Boston police officers) expressed in the Department's current methods of handling citizen complaints, however, we believe that the public must be given access into the system for it to work properly.

⁴³Id. at 2.

⁴⁴Id.

⁴⁵Id. at 2-3. See also "Nationwide Survey of Civilian Complaint Systems," New York City Police Department Civilian Complaint Review Board, January 1986.

We call for a Community Appeals Board to be established which will serve as a type of appeals court for citizens dissatisfied with the handling of their complaints of police misconduct. At least four other major cities have established this "appeals court" model of civilian oversight,⁴⁶ and several other cities have variations on it. Unlike civilian review boards in some cities, we do not believe the Board in Boston should have its own investigators or subpoena power; the duty to investigate allegations of misconduct will remain with the Department's IAD investigators. Given this limited role for the Board, there will be no need to create the large staffs and bureaucracies which we found characterized some civilian review boards. Moreover, given its limited task, it is less likely that long delays will develop as they have in other cities.

The major change will be that community members will now have an opportunity to have IAD investigations reviewed for fairness and completeness. If, after reviewing the case file outlining the investigation undertaken by IAD, the Community Appeals Board believes the investigation was not thorough or the disposition not consistent with the evidence presented, it will return the case for further investigation and review by IAD. Given this new process, IAD will have every incentive to conduct a thorough investigation.

⁴⁶See Walker, Table 1.

Under the existing system, the Department's Legal Advisor is charged with the responsibility of conducting the same review that we envision for the Community Appeals Board. Unfortunately, our review of IAD cases and our discussions with both police officers and community members convince us that review is insufficient to ensure fairness and completeness in resolving citizen complaints. Only by bringing community members into the process can IAD hope to regain credibility and restore the public's confidence that the Boston Police can be trusted to investigate themselves.

The inability of complainants to receive a thorough investigation under the present system was made clear to the Committee by the many citizens who came to us complaining about the manner in which IAD had conducted the investigation and resolution of their complaints. These people presently have nowhere and nobody to turn to for an impartial assessment of an IAD investigation; for them, this Committee became an avenue of appeal similar to the function that will be served by the new Community Appeals Board. Several complainants were actually referred to the Committee by Boston Police officers.

We did not attempt to confirm or deny the allegations we were told regarding a variety of alleged incidents of police misconduct. However, we did refer these persons to the Boston Police Department or other agencies where appropriate.

The Committee further recommends that the Community Appeals Board consist of both Boston Police officers and non-police affiliated community members. The community members should comprise a majority of the Board. Police membership on the panel is important because of the experience and insights these officers will contribute and because we believe police-community cooperation in addressing problems should become the cornerstone of Boston's new policing strategy for the 1990s.

VII. Deadly Force And Non-Fatal Police Shooting Cases

As part of our investigation, the Committee met on several occasions with United States Attorney Wayne Budd, Suffolk County District Attorney Newman Flanagan, and Massachusetts Attorney General Scott Harshbarger (and their respective top assistants). We discussed a variety of issues with these prosecutors. One idea they all agreed on was a need to change the protocol for handling investigations of deadly force cases and non-fatal shootings involving police officers in Boston. Because we are persuaded that the prosecutors' proposal makes sense and should be implemented, we describe and endorse it below.

Under current law, District Attorney ("D.A.") Flanagan has automatic jurisdiction when a body is found in Suffolk County. When a fatal shooting by a police officer occurs in Chelsea or Revere, the D.A. utilizes State Police officers to do the

investigation. Traditionally, however, the D.A. has designated the BPD Homicide Unit as his primary investigator of deadly force cases occurring in Boston. By law, the state Attorney General ("A.G.") has the right to take any case--including deadly force cases--from any of the state's district attorneys, though traditionally the A.G. has done so only rarely. The United States Attorney has jurisdiction over deadly force cases to the extent they constitute federal criminal civil rights violations under 18 U.S.C. §§ 241, 242. The D.A. and A.G., through the state civil rights statutes, have concurrent jurisdiction over civil rights violations both criminally and civilly.

Over the years, D.A. Flanagan has informally kept the U.S. Attorney and the A.G. advised of the progress and findings of his investigations into Boston deadly force cases. Increasingly, however, persons unhappy with the D.A.'s investigation have engaged in forum-shopping and insisted on duplicative and successive investigations of the same incident. Aside from the drain on limited resources, this process causes delay and sometimes creates the false perception that Boston has many police shootings; on a comparative basis, Boston has relatively few.

As a result, the three prosecutors have decided to formalize their previously informal protocol. We were told that D.A. Flanagan will remain the primary investigator on Boston deadly force cases but his office will convene an early meeting with

representatives from the A.G. and U.S. Attorney's offices to review the case. The D.A. will continue to utilize BPD Homicide detectives to conduct investigations in these cases. Rather than the current practice of three separate investigations, there now will be one joint investigation and report on each deadly force case. The goal is to provide a thorough, high quality investigation in a more timely fashion.

One major change in these investigations is that all forensic physical evidence will be turned over to an independent laboratory such as the State Police for analysis (past practice was to have the Boston Police complete the forensic analysis). This change will remove any appearance of a conflict of interest on the analysis of evidence. After the investigation, if the findings and conclusions of the three prosecutors are unanimous, they may issue a joint report. If these findings are not unanimous, the prosecutors may issue separate reports.

The prosecutors plan to adopt this new procedure if and when a new deadly force case occurs in Boston. They already have the legal authority to implement this new approach in cases where fatalities occur. However, the prosecutors would like to extend this new protocol to cover all cases where a person is wounded by a Boston police officer. All of the prosecutors believe that prosecutorial coordination in non-death cases and the use of an independent lab for analysis would be beneficial because it would

allow thorough, timely investigations by detached professionals. Under the current practice, the BPD does not always immediately notify the D.A. and other prosecutors concerning police shootings where death does not result. In cases where the victim dies days or weeks after an incident, the crime scene and forensic evidence is therefore no longer secure. Thus, it makes sense to extend the new deadly force protocol to cover all cases of police shootings.

VIII. Recommendations

1. **The New Proposed Joint Investigation Of Deadly Force Cases In Boston Utilizing Boston Police Detectives But An Independent Lab For The Analysis Of Forensic Evidence Makes Sense And Should Be Implemented.**
2. **This New Joint Approach Should Be Extended To Cases Involving Non-Fatal Shootings By Boston Police Officers By Way Of Changes In The BPD's Internal Rules And Regulations.**

CHAPTER 9: IMPLEMENTATION

We believe that if implemented, the Recommendations contained herein, which were informed by our comprehensive review of the Boston Police Department, will improve the leadership, management, and performance of the Department and enhance its accountability to City residents. We recognize that some of our Recommendations will be controversial and that perhaps none of them will be universally applauded.

As is evident from this Report, however, we believe that the Department requires major changes. We fear that if substantial changes are not made, the deep schism we observed between the Department and some segments of the community will worsen and the Department will lose an opportunity to work with the public to develop and implement a new community-oriented policing strategy for Boston in the 1990s. For those changes to happen, the Mayor, the City Council, the Department, the police unions, and the public must work together.

Many of our findings and recommendations evolved from our interviews with Boston Police officers and employees. The candor and deep concern with which officers throughout the ranks expressed their views impressed the Committee and allowed the Committee a close look at how the Department operates. Many of our recommendations echo those made by members of the Department.

Given the significant leadership and management problems and low morale in the Department, it is a tribute to the force that despite these problems most officers have continued to provide quality policing on a daily basis to Boston residents. We urge adoption of our recommendations because they will lead to a better Boston Police Department and a better relationship between the Department and the citizens it serves.

It has come to our attention that there may be efforts to punish those police officers who spoke to the Committee. We certainly hope and expect that no such efforts will be made. Most of the Boston Police officers we interviewed were selected by the Department. We believe that these officers and the others with whom we met shared their views with the Committee out of a sincere desire to improve the Boston Police Department. Their commitment to improvement should be applauded, not punished.

A large number of Boston Police officers suggested that this Committee reconvene six months after this Report is issued to examine the Department's progress in implementing our recommendations. These officers believe, as we do, that the Department needs to undertake major changes in many areas, and fear that, without continued outside oversight, the necessary changes will not occur.

Therefore, we recommend that this Committee, or a similar Committee comprised of persons not employed by the City, be

reconvened in six months to assess the progress of the Department. A number of members of this Committee and its staff have volunteered to remain involved to assist any future implementation group. We believe that the knowledge acquired through our research and investigation would be helpful to any group seeking to make changes in the Department.

APPENDIX A



CITY OF BOSTON • MASSACHUSETTS

OFFICE OF THE MAYOR
RAYMOND L. FLYNN

May 3, 1991

James St. Clair, Senior Partner
Hale & Dorr
60 State Street
Boston, MA 02109

Dear Mr. St. Clair:

Thank you for agreeing to chair the commission to review management and supervisory issues in the Boston Police Department. The commission will consist of individuals drawn from the fields of criminal justice, business management, law and government

As a starting point, I am asking that the commission begin its task by reviewing the recent Boston Globe series on police procedures and the Police Department's forthcoming point-by-point response. In the series, there were a number of criticisms of the Police Department's procedures focusing attention on management and supervision within the Department. Police Commissioner Roache has raised questions about the accuracy of the information contained in the article and the conclusions drawn by the reporter.

In addition, I am asking that the commission review the basic management and supervision systems and practices of the Boston Police Department to ensure that they are consistent with the accepted standards for a modern, urban police department.

Building on the work done by the commissions headed by Dean William Schwartz of Boston University Law School and former Chief Justice Edward F. Hennessey and the Police Department's positive response to their recommendations, I am confident that this matter will become a catalyst for reform which will serve the people of this city.

Sincerely,

Raymond L. Flynn
Mayor of Boston

APPENDIX B

Boston Police Department Management Review Committee

August 15, 1991

CHAIR:

James D. St. Clair
Hale and Dorr
60 State Street
Boston, MA 02109

MEMBERS:

Apolo J. Catala
Sherin & Lodgen
100 Summer Street
Boston, MA 02110

William Coughlin
Executive Director
Artery Business Committee
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Special Advisor
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Dean
College of Criminal Justice
Northeastern University
400 Churchill Hall
Boston, MA 02115

Barbara Salisbury
Administrative Dean
John F. Kennedy
School of Government
79 John F. Kennedy Street
Cambridge, MA 02138

The Honorable Raymond L. Flynn
Mayor of the City of Boston
City Hall
Boston, Massachusetts 02201

Dear Mayor Flynn:

In further response to your letter of July 31, 1991, wherein you requested that we report to you as soon as possible the results of our investigation of the Boston Police Department Internal Affairs Division ("IAD").

Our investigation so far has disclosed that the IAD has a policy of not taking any action with respect to allegations of police misconduct in any case involving allegations of criminal conduct of a police officer or officers until such allegations have been disposed of by criminal proceedings in court. This policy apparently is followed in the mistaken belief that it would be improper to investigate and impose sanctions for such misconduct, relying on cases such as Silverio, Gardner and Carney. None of these cases hold that it would be improper to investigate and impose punishment for such misconduct promptly upon receipt of notice of a claim whether or not such conduct is criminal in nature.

These cases do hold that any officer cannot be forced to testify before the IAD without being immunized with respect to such testimony in any court prosecution. IAD investigation of such conduct does not, however, bar the IAD from taking action even if the officer declines to testify in such IAD proceedings. Indeed, in many criminal proceedings the defendant declines to testify in his own behalf. In all cases the IAD may interview the complainant, any witnesses, and any police officers who might have relevant information.

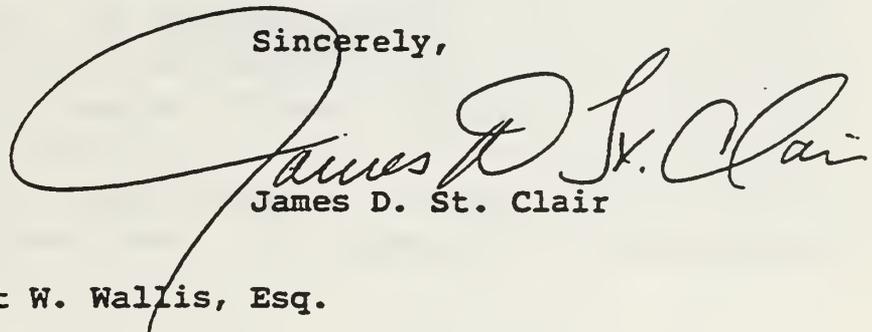
The Honorable Raymond L. Flynn
August 15, 1991
Page 2

The result of this misinterpretation of the applicable law pertaining to proceedings before the IAD has resulted in long delays before administrative action is taken by the IAD. The result of such delays often results in failure to impose sanctions against officers involved in misconduct.

In light of the foregoing view that the IAD has misinterpreted the applicable law, you may wish to consult with Corporation Counsel for his opinion on this issue.

The Committee intends to continue to investigate the IAD and will keep you informed of the results thereof.

Sincerely,

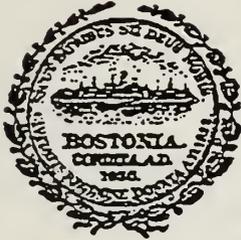
A large, stylized handwritten signature in black ink, reading "James D. St. Clair". The signature is written in a cursive style with a large initial "J".

James D. St. Clair

JDS/dc
cc: Albert W. Wallis, Esq.

APPENDIX C

OPINION OF THE CORPORATION COUNSEL



August 16, 1991

City of Boston
Law Department

Honorable Mayor Raymond L. Flynn
City Hall
Boston, MA. 02201

Room 515
Boston City Hall
Boston, Massachusetts 02201
617/725-4034
FAX 617/725-3199

RE: PERMISSIBLE SCOPE OF BOSTON POLICE DEPARTMENT
INTERNAL AFFAIRS INVESTIGATIONS

Joseph I. Mulligan, Jr.
Corporation Counsel

Dear Mayor Flynn:

You have requested my legal opinion, on an expedited basis, regarding the permissible scope of investigations conducted by the Boston Police Department's Internal Affairs Division ("IAD"). More specifically, in instances where there has been a complaint made to the Department of serious misconduct by a Boston police officer ("officer"), where such allegations could also result in criminal prosecution against the subject officer, you ask whether IAD may lawfully investigate and pursue the administrative complaint.

I conclude that despite the fact that an officer's alleged impropriety may rise to the level of criminal activity warranting prosecution, the IAD is not legally barred from pursuing to conclusion its own independent administrative investigation. Such investigation must, however, be restricted to sources of information which do not involve the compelled statement of the subject officer in violation of his Fifth Amendment right against self-incrimination.

FACTUAL BACKGROUND

Your request is prompted by a letter from attorney James D. St. Clair. Mr. St. Clair chairs the "Boston Police Department Management Review Committee" ("St. Clair Committee") which you recently appointed to review management and supervision practices and systems of the Department to help ensure that they are consistent with accepted standards for a modern, urban police department. As part of its mission, you have asked the St. Clair Committee to give its highest priority attention to the management practices and systems of IAD and to provide you with an interim report on their findings as soon as possible.

The St. Clair Committee has now undertaken its review of IAD. Mr. St. Clair has written to you regarding one aspect of its initial findings. He informs you that "[o]ur investigation so far has disclosed that the IAD has a policy of not taking any action with respect to allegations of police misconduct in any case involving allegations of criminal conduct of a police officer or officers until such allegations have been disposed of by criminal proceedings in court." St. Clair letter, 8/15/91 (copy attached). Mr. St. Clair believes that IAD's policy in this regard may proceed from an erroneous understanding of case law on this subject and he recommends that you seek a legal opinion from the City's Corporation Counsel.

DISCUSSION

Police Officers cannot be discharged simply because they properly invoke their privilege against self-incrimination in refusing to answer questions posed by their employer.¹ Statements from the police officer which are compelled at a disciplinary hearing under a present threat of termination thus cannot be used in a later criminal prosecution. See: Garrity v. New Jersey, 385 U.S. 493, 500 (1967). An "informal immunity" can also arise where the officer is compelled to answer any questions even if narrowly drawn and fact specific, addressing his ability to perform his job.

The recent case of Carney v. Springfield, et al., 403 Mass. 604, 610 (1988) states that Article 12 of the Massachusetts Declaration of Rights requires that "transactional immunity" must be given to the subject officer in order to overcome his privilege

¹ The Supreme Court of the United States in Gardner v. Broderick, 392 U.S. 273, 278, held that it was improper to discharge a police officer for refusal to waive immunity and answer police department questions following his being told that he would be discharged if he did not do so. There are some narrow circumstances where a police officer can be discharged for refusing to answer internal questions, however. The Massachusetts Supreme Judicial Court has ruled that if the police officer "had refused to answer questions specifically, directly, and narrowly relating to the performance of his official duties, without being required to waive his immunity with respect to the use of his answers or the fruits thereof in a criminal prosecution...the privilege against self-incrimination would not have been a bar to his dismissal." Silverio v. Municipal Court of the City of Boston, 355 Mass. 623 628.

against self-incrimination². The practical effect of this is that an officer may be immunized from subsequent prosecution concerning the matters to which he testifies before the IAD.³

An investigator may seek testimony from the subject officer without endangering a criminal prosecution, but only if the investigator advises the officer before his statement of his right against self-incrimination under the Constitution of the United States. A statement by a police officer subject to an IAD investigation, voluntarily made by the subject officer after he has been advised of his so-called "Miranda rights", is not "compelled testimony". If, having been advised of these rights, the officer gives evidence against his own self interest, that evidence would not rise to the level of informal immunity or transactional immunity, and the statement could be used against him in any subsequent prosecution.

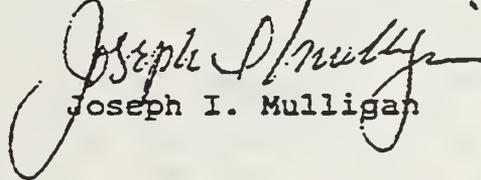
²The United States Supreme Court defines transactional immunity as absolute immunity which precludes prosecution for the offense(s) to which the compelled testimony relates. Under Massachusetts law this type of grant of immunity (in Grand Jury proceedings) may only be given by a single justice of the Supreme Judicial Court. See: Mass. General Laws c.233 sec. 20C-20I (1986 ed.). The Supreme Judicial Court has also allowed this immunity to be given to a defendant who relied on the promise of a District Attorney because the sovereign must adhere to the highest degree of ethics.

³ References throughout this opinion to potential criminal prosecution encompass prosecution at the state or local level only. I express no view as to whether an officer's compelled statement would provide a basis for immunity from prosecution for federal crimes.

CONCLUSION

There exists no legal prohibition of IAD's simultaneous administrative investigation of alleged police misconduct which may also warrant criminal prosecution. However, in order to avoid prejudice to possible subsequent criminal prosecution, such investigation should not involve the compelled testimony of the subject officer, but should instead focus on the testimony of other witnesses and other physical evidence. Statements voluntarily made by the subject officer after appropriate "Miranda warnings" have been given may also be included in the investigation.

Very truly yours,



Joseph I. Mulligan

JIM/AWW/WW/0463L
cc: Patrick McDonough, City Clerk

APPENDIX D



September 13, 1991

City of Boston
Law Department

James St. Clair, Chairperson
Boston Police Department
Management Review Committee
c/o Hale & Dorr
60 State Street
Boston, MA. 02109

Room 615
Boston City Hall
Boston, Massachusetts 02201
617/725-4034
FAX 617/725-3199

Joseph I. Mulligan, Jr.
Corporation Counsel

Dear Mr. St. Clair:

As you are aware, in response to your August 15th letter to the Mayor regarding certain practices of the Boston Police Department's Internal Affairs Division ("IAD"), the Mayor, the Police Commissioner and the Corporation Counsel directed that a review be made of pending cases before IAD and that a number of operational changes be made immediately. These changes included the assignment of a Law Department attorney to review IAD investigations; the appointment of a permanent hearing officer at the Police Department to hear all cases in which IAD's investigation "sustained" the allegations which had been made by the complainant against a police officer; and assignment of legal counsel to advise the permanent hearing officer. Further, steps have been taken to upgrade the quality of hearings, and appeals from those hearings, and to clarify the role of the Special Assistant Corporation Counsel in the Police Department's Legal Advisors Office in relation to such hearings and appeals.

Enclosed for your information, please find a copy of the Corporation Counsel's recent memorandum to the Mayor containing an Interim Report on the status of the IAD review. I would appreciate your calling me if a discussion of this Interim Report would be useful to you or to the Management Review Committee.

Sincerely,

Albert W. Wallis
First Assistant Corporation Counsel

Recd 9/13/91

APPENDIX E

CASE NO. xxx-89

Date of 1920: September 12, 1989

CURRENT COMPLAINT: Conduct unbecoming

FINDING IN THIS CASE: Unfounded

PREVIOUS COMPLAINTS (TOTAL NO.:16):

DISPOSITION

1. Excessive force (1989)	Pending
2. Conduct unbecoming (1989)	Not sustained
3. Conduct unbecoming (1989)	Unfounded
4. Verbal threats (1988)	Unfounded
5. Conduct (1987)	Exonerated
6. Physical and verbal abuse (1985)	Not sustained
7. Verbal abuse (1983)	Unfounded
8. Physical abuse (1982)	Exonerated
9. Verbal abuse (1982)	Filed
10. Physical abuse (1982)	Not sustained
11. Larceny (1981)	Unfounded
12. Physical abuse (1981)	Not sustained
13. Lost property (1981)	Not sustained
14. Illegal search and seizure (1981)	Unfounded

CASE No. xxx-89

Date of 1920: July 5, 1989

CURRENT COMPLAINT: Physical and verbal abuse

FINDING IN THIS CASE: Unfounded

<u>PREVIOUS COMPLAINTS (TOTAL NO.: 17):</u>	<u>DISPOSITION</u>
1. Misconduct (1981)	Unfounded
2. Physical and verbal abuse (1981)	Not sustained
3. Physical and verbal abuse (1982)	Not sustained
4. Physical abuse (1982)	Not sustained
5. Physical abuse (1982)	Not sustained
6. Physical abuse (1982)	Unfounded
7. Discharge of firearm (1982)	Unknown
8. Harassment (1982)	Unfounded
9. Physical and verbal abuse (1984)	Complaint withdrawn
10. Using unreasonable judgment (1984)	*16 hours punishment duty
11. Physical abuse (1984)	*Sustained
12. Assault and battery (1985)	Exonerated
13. Verbal and physical abuse (1985)	Unfounded
14. Verbal abuse (1986)	Not sustained
15. Violation of rules and regulations (1987)	*Sustained
16. Verbal abuse (1988)	Unfounded
17. Verbal abuse (1988)	Unfounded

CASE No. xxx-89

Date of 1920: May 26, 1989

CURRENT COMPLAINT: Police corruption

FINDING IN THIS CASE: Sustained/Disciplinary System*

<u>PREVIOUS COMPLAINTS (TOTAL NO.: 16):</u>	<u>DISPOSITION</u>
1. Failure to appear in court	*40 hours punishment duty
2. Larceny (1987)	Unfounded
3. Abuse of sick time	*1-day suspension
4. Larceny (1987)	Unfounded
5. Violation of Rule 302, Section 2	*Verbal reprimand
6. Conduct (1987)	Not sustained
7. Assault and battery (1987)	Not sustained
8. Excessive force (1987)	Unfounded
9. Abuse (1987)	Exonerated
10. Physical abuse (1986)	Not sustained
11. Missing Property (1988)	Not sustained
12. Physical abuse (1988)	Unfounded
13. Physical abuse (1988)	Resolved
14. Conduct (1988)	*Sustained
15. Did not comply with order (1988)	*Sustained
16. Violation of rules and regulations (1989)	*Sustained

CASE NO. xxx-89

Date of 1920: May 15, 1989

CURRENT COMPLAINT: Conduct

FINDING IN THIS CASE: Not sustained

PREVIOUS COMPLAINTS (TOTAL NO.: 12):

DISPOSITION

1. Conduct, insubordination (1984)	*Oral reprimand
2. Physical and verbal abuse (1981)	Exonerated
3. Illegal arrest (1982)	Filed
4. Physical abuse (1984)	Filed
5. Physical abuse (1984)	Complaint withdrawn
6. Physical abuse (1984)	Unfounded
7. Conduct (198)	Unfounded
8. Improper police procedure (1985)	Unfounded
9. Excessive force (1985)	Exonerated
10. Physical abuse (1988)	*Sustained
11. Conduct (1986)	Unfounded
12. Conduct unbecoming (1988)	Withdrawn

CASE NO. xxx-90

Date of 1920: July 6, 1990

CURRENT COMPLAINT: Departmental Investigation

FINDING IN THIS CASE: Not sustained

<u>PREVIOUS COMPLAINTS (TOTAL NO.: 10):</u>	<u>DISPOSITION</u>
1. Assault and battery (1980)	Filed
2. Physical and verbal abuse (1982)	Unfounded
3. Conduct (1984)	Not sustained
4. Physical abuse (1985)	*Formal reprimand
5. Verbal abuse (1985)	Unfounded
6. Verbal abuse (1985)	Not sustained
7. Missing property (1989)	Filed
8. False police report (1989)	Unfounded
9. Illegal search (1990)	Not sustained
10. Verbal abuse (1990)	Pending

CASE NO. xxx-90

Date of 1920: August 7, 1990

CURRENT COMPLAINT: Physical abuse

FINDING IN THIS CASE: Not sustained

PREVIOUS COMPLAINTS (TOTAL NO.: 10):

DISPOSITION

- | | |
|---|------------------------|
| 1. Physical abuse (1983) | Unfounded |
| 2. Physical abuse (1984) | Exonerated |
| 3. Excessive force (1984) | Unfounded |
| 4. Verbal abuse, excessive force (1988) | Unfounded |
| 5. Conduct (1988) | Unfounded |
| 6. Physical abuse (1988) | Filed |
| 7. Assault and battery (1989) | Unfounded |
| 8. Assault and battery (1989) | *Sustained |
| 9. Assault and battery (1989) | Not sustained |
| 10. Physical and verbal abuse (1990) | Complaint
withdrawn |

CASE NO. xxx-90

Date of 1920: May 8, 1990

CURRENT COMPLAINT: Physical abuse

FINDING IN THIS CASE: Not sustained

<u>PREVIOUS COMPLAINTS (TOTAL NO.: 10):</u>	<u>DISPOSITION</u>
1. Physical abuse (1987)	Exonerated
2. Excessive force (1987)	Filed
3. Conduct (1988)	Not sustained
4. Conduct (1988)	Unfounded
5. Conduct (1988)	Not sustained
6. Assault and battery (1989)	Not sustained
7. Conduct (1989)	Unfounded
8. Excessive force (1989)	Unfounded
9. Physical abuse (1989)	Not sustained
10. Physical abuse (1990)	Pending

CASE NO. xxx-90

Date of 1920: July 10, 1990

CURRENT COMPLAINT: Conduct unbecoming

FINDING IN THIS CASE: Unfounded

<u>PREVIOUS COMPLAINTS (TOTAL NO.: 20):</u>	<u>DISPOSITION</u>
1. Verbal abuse (1981)	Not sustained
2. Physical abuse (1981)	Exonerated
3. Physical abuse (1981)	Exonerated
4. Improper conduct (1982)	Filed
5. Conduct (1984)	Exonerated
6. Larceny (1984)	Exonerated
7. Physical abuse (1985)	Filed
8. Conduct unbecoming (1985)	Unfounded
9. Harassment and abuse (1985)	Unknown
10. False arrest (1986)	Exonerated
11. Verbal and physical abuse (1987)	Unfounded
12. Conduct (1987)	*Sustained
13. Conduct (1988)	Not sustained
14. Conduct (1988)	*Sustained
15. Harassment (1989)	Not sustained
16. Physical abuse (1989)	Unfounded
17. Violation of rights (1990)	Pending
18. Physical abuse (1990)	Not sustained
19. Verbal abuse (1990)	Pending
20. Excessive force (1990)	Pending

CASE NO. xxx-90

Date of 1920: No date recorded

CURRENT COMPLAINT: Unknown

FINDING IN THIS CASE: Filed

PREVIOUS COMPLAINTS (TOTAL NO.: 13):

DISPOSITION

1. Physical abuse (1980)	Not sustained
2. Discourteous conduct (1981)	Filed
3. Assault and battery (1982)	Referred to SI
4. Misconduct (1982)	Not sustained
5. Failed to keep in radio contact (1983)	*8 hours punishment duty
6. Failed to patrol beat (1983)	*2 day suspension
7. Physical abuse (1984)	Unfounded
8. Damage to property (1985)	Exonerated
9. Violation of rules and regulations (1985)	Unknown
10. Conduct (1986)	Exonerated
11. Larceny (1986)	Filed
12. Conduct (1986)	Unfounded
13. Larceny (1987)	Unfounded

