



POLICE REVIEW & ADVISORY BOARD

A Department of the City of Cambridge, Massachusetts

Minutes from the Meeting of September 27, 2023

Board Members present: Chair Alexandra Fallon, Maria Arlotto, Brendan Koscher, Gina LaRoche, Beverly Sealey

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

Chair Fallon called the meeting to order at 6:03 p.m.

Public Comment

There were no comments from members of the public.

Review and Approval of Minutes

The Board voted unanimously by roll call vote to approve the minutes of June 1, 2023, on a motion from Board Member Sealey, seconded by Board Member Koscher.

After a motion was made by Board Member LaRoche to approve the minutes of June 28, 2023 and seconded by Board Member Koscher, Exec. Dir. Corr addressed a question from Board Member Sealey about the content of the minutes, and the Board voted unanimously by roll call vote to approve the minutes of June 28, 2023.

Election of a Chair

- Exec. Dir. Corr explained the process regarding the annual election of a chair of the Board and opened the floor for nominations.
- Board Member LaRoche nominated Board Member Fallon for election as chair, seconded by Board Member Sealey. Nominations were closed on a motion from Board Member LaRoche, seconded by Board Member Koscher, with Board members voting unanimously by roll call vote.
- The Board voted unanimously by roll call vote to elect Board Member Fallon as Chair for the upcoming year.
- Chair Fallon thanked the Board for its confidence in her, stating that she was looking forward to the upcoming year, as the role of the Board is especially important at this time. Board Member LaRoche thanked Chair Fallon for her leadership, appreciating that much of the work she does is behind the scenes or unseen by the broader public and that it was important to acknowledge that.

Executive Director's Report

- Exec. Dir. Corr provided brief updates on several topics:
 - He reminded the Board that the Law Department will be providing training on the Mass. Open Meeting Law on October 4 by Zoom.
 - He reported that he has begun working with the Information Technology Dept. to create an

online form that people can use to submit complaints regarding the Cambridge Police. He is working on some changes and hopes to have the form completed by the next meeting of the Board. Board members asked if the City's daily email update could include a notification about the online complaint form once it is launched and whether that could happen before the end of the calendar year, and if there would be a way to know how many views the form receives from such a notice.

- He reminded the Board that at the October 25 meeting there will be presentations from the Cambridge Emergency Communications and Community Safety departments about their work. In response to a request from Board Member LaRoche that the session be recorded, he said that he would work to make that happen, unless there were something that stands in the way.
- In response to a question about the number of complaints received and what happens if the complaint is not reviewed before the end of the year in which it was received, he reported that there were nine complaints received so far in calendar year 2023, and that because complaints can come in at any point during the year, the end of the calendar year does not affect the status of cases.

CPD Professional Standards, Training and Certification Unit Report

- Dir. Mulcahy reported that the department has sworn in five new officers who transferred from other departments in the Greater Boston area, which is helpful for ensuring the department can have adequate staffing.
- He also reported that the Unit has begun background checks for the January 2024 cadets for the joint CPD/Northeastern University Police Academy. He noted that there are additional officers who are on the Mass. Civil Service List who are already officers working for other departments and do not attend the academy because they have already completed training approved by the Mass. Municipal Police Training Commission (MPTC).
- He explained that it will be an intensive training period for the Unit through November, with Use of Force training including recertification in the use of "less-lethal sponge rounds." All CPD officers will participate in an updated day-long training class on Integrating Communications, Assessment and Tactics (ICAT) – training police officers in how to respond to volatile situations in which subjects are behaving erratically and often dangerously but do not possess a firearm – to be followed by three scenario-based ICAT trainings. Officers will also undergo scenario-based firearms training in a specialized portable Middlesex County Sheriff's Office facility, and all officers will participate in mandatory MPTC trainings between January and April 2024.
- In response to a question about media coverage of problems with the complaint data released by the Mass. Peace Officer Standards and Training (POST) Commission, Dri. Mulcahy reported that CPD has submitted all required information, with all disciplinary records and additional information required by POST's regulations. He explained that POST acknowledged there were technical issues with the rollout and that there were missing data about substantiated complaints, as well as data released on other complaints that were not to have been released. He noted that the POST was given a very tight deadline by the legislation that created it and that appears to have been a factor.

Report from Board Chair Fallon

ICAT Training

- Chair Fallon reported that one of the most exciting things the Board had done since its last meeting was the second part of the ICAT training provided by CPD Officer Cameron Deane. She noted that Off. Deane did a great job covering both the case law governing use of force and iChat's philosophy and methods. She stated that the videos used during the training were very helpful and it demonstrates that there is a shift in how officers are approaching situations that ICAT addresses, and that will have a positive impact on the public and on the CPD.

Report on Community Outreach

- Chair Fallon reported that she and Board Member Sealey staffed a table to conduct outreach on one of the two days of the Cambridge Jazz Festival in July.
 - She noted that despite the rainy weather, they spoke to several people from Cambridge (as well as neighboring communities) and distributed brochures and answered questions, and that it was exciting to be out in the community and share the work of the Board.
 - She explained that she learned there were numerous logistics involved in this sort of outreach, such as having the banner, chairs and a table, a tent., etc. She also noted that having something to give away attracted people to many of the tables at the event.
 - Board members mentioned other events that take place in and around Cambridge, and noted that CPD often has a presence, so that they might be a good resource for ideas of places to conduct outreach.

CPD Transparency Portal

- Chair Fallon noted that she, Board Member Sealey, and Ex. Dir. Corr attended a virtual community briefing about CPD's new Procedural Justice Dashboard, which is part of its Transparency Portal. She stated that the dashboard has great information which she believes will be updated quarterly, and that the Center for Policing Equity will be doing an analysis of the data and issuing a report.

Status of 2023 Board Goals

- Chair Fallon reviewed progress on the Board's goals for 2023, noting that the Board has completed two trainings, has met twice with Police Commissioner Elow, and work has begun on the online complaint form.
- She noted that there needs to be more work on considering changing the deadline for filing of complaints that is in the Board's Rules and Regulations, noting that this came up when the Board received a request for a late filing, and did not accept the late filing it may allow a late filing only if the complainant overcomes the presumption against late filing by showing in the written request good cause for the late filing. That then led to a discussion of whether the 60-day limit was still believed to be the right amount of time for a filing deadline.
 - Board members discussed the process for making changes to the Rules and Regulations, and Ex. Dir. Corr explained that generally the Board consulted with the Law Department before adopting changes so that they conformed with the law and with best practices, and that the Board could ask the Law Department to propose a change to address the Board's concern, or the Board could discuss a proposed change and ask the Law Dept. to advise the Board on that proposed change.
 - Board members discussed suggesting a longer timeline of perhaps 90 to 180 days, noting that previous requests came in well after 180 days and would still not be considered timely, but that a longer timeline could accommodate more complaints.
 - In response to questions about the process. Ex. Dir. Corr explained that the technical piece of adoption of the rules is that the board votes on them, while the full process involves staff working with the Law Dept. to draft the proposed changes, and that the last time the rules were revised, someone from Law Dept. attended a meeting of the Board to review and discuss proposed changes with the Board, which were then voted on and adopted.
 - After a discussion about timing, the potential impact of implementing an online complaint form, other Board goals, and whether there might be other changes that could be made, Board members discussed reviewing the Rules and Regulations in a general way in January 2024, and based on that discussion following up appropriately with the Law Department.

Next Steps for Review of CPD Policies and Reports

- Chair Fallon discussed the status of the reviews, noting that the Board has been unable to conduct a review of the proposed Policy on Body-worn Cameras as that remains under discussion as part of mandatory bargaining between CPD and the Cambridge police unions.
- Noting that Board members had received four draft CPD policies on mental health issues, use of force, internal affairs investigations, and the code of conduct, Dir. Mulcahy stated that as

part of the accreditation process being conducted by the Commission on Accreditation for Law Enforcement Agencies (CALEA), those policies have been reviewed and proofs of compliance have been submitted to that agency.

- Board members discussed how to move forward with reviewing those four policies, and in response to a question from Chair Fallon, individual Board members agreed to review a specific policy and then present any questions, comments, or requests for additional context to the full Board at its December 6, 2023 meeting. Chair Fallon stated that she would assign policies to individuals who indicated their ability to do that initial review and presentation to the Board.

Other Items

- Chair Fallon encouraged Board members to find opportunities to conduct community outreach activities, and Board members discussed things such as distribution of brochures at community locations and community events.
- In response to a question about providing Board members with a list of the commitments that individuals have made to help them keep track of what they have said that they would and that is separate from the Board's minutes, Chair Fallon mentioned that it could possibly be something that she and Ex. Dir. Corr could take up.

Consideration of Complaints before the Board

- Board Member LaRoche moved that the Board enter executive session pursuant to Section 21(a)(1) of the Mass. Open Meeting Law to discuss complaint PR-2023-001, pending before the Board. The motion was seconded by Board Member Koscher and approved by a unanimous roll call vote. The Board entered executive session at 7:29 p.m.

Adjournment

At the end of the executive session, the Board voted unanimously by roll call vote to adjourn the meeting at 9:05 p.m., on a motion from Board Member LaRoche, seconded by Board Member Koscher.

Documents Used During the Meeting

- Police Review & Advisory Board Meeting Minutes of June 1 and June 28, 2023
- Board Goals for 2023