



SEMI-ANNUAL REPORT 2023



*Office of Police Accountability
and Transparency*

OFFICE OF POLICE ACCOUNTABILITY AND TRANSPARENCY
2023 SEMI-ANNUAL REPORT
JULY 1, 2023 – DECEMBER 31, 2023

February 7, 2024

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1. INTRODUCTION

The Office of Police Accountability and Transparency (OPAT) is pleased to present our third Semi-Annual Report for activity from July 1, 2023, through December 31, 2023. As detailed in the Ordinance, this Semi-Annual Report (the “Report”) will provide transparent information regarding key Boston Police Department (BPD) statistical findings and a review of matters heard before the Civilian Review Board (CRB) and the Internal Affairs Oversight Panel (IAOP) during this timeframe. To date, the Semi-Annual and Annual Reports have served as introductions to OPAT by providing historical context that led to the ultimate creation and implementation of the department. In addition, these Reports provided a look into where we as a department needed to focus our initial efforts to begin the necessary work of building trust within our community, both within BPD and our department, and our commitment to transparency and accountability in this effort.

As we conclude our third full year of activity, this Report will provide greater detail into the progress achieved and will delve deeper into the data, policies, and work of fully seated boards and OPAT initiatives. This Report and future Reports, should serve as a tool for city residents and other City departments to continue to engage our community members in discussions around police reform and public safety at large. OPAT looks forward to working collectively to develop better policies within BPD and create healthy spaces that allow for increased communication, leading to better working relationships and enhanced trust.



2. KEY HIGHLIGHTS

Over the past six months, OPAT has been working through a leadership transition due to the departure of the previous Executive Director, Stephanie L. Everett, Esq., who was appointed by Governor Maura Healey to serve as the Suffolk County Registrar of Probate and Family Court. During that time, OPAT has been solidifying existing practices related to complaints, investigations, data, and policy and laying the groundwork for its new Mediation Program.

1. Continued to hold quarterly Board Meetings. OPAT held two Internal Affairs Oversight Panel (IAOP) meetings, two Civilian Review Board (CRB) meetings, and four OPAT Commission meetings. One of the four OPAT Commission meetings included a public hearing to discuss proposed regulations and receive public comment.
2. The CRB adopted a new BPD Discipline Matrix to guide their work in making discipline recommendations for sustained findings. During this time, the Board also sustained three complaints received by OPAT and submitted accompanying discipline recommendations to the BPD Commissioner. In addition, OPAT received responses from the BPD Commissioner on all three sustained cases.
3. Created a new Youth Coordinator position in the office to help oversee OPAT's three youth programs: the Youth Advisory Council, Summer SuccessLink Program, and OPAT internships. This position will also help create sustainable partnerships with youth-oriented programs across the City to help uplift and center youth voices on police reform in Boston. The Youth Advisory Council (YAC) adopted its Charter and held elections for its executive team, including the Vice-Chair, Secretary, and Parliament. OPAT also successfully completed its second summer hosting Office of Youth Employment and Opportunity Summer SuccessLink Youth Jobs participants.
4. Continued to develop relationships with similar oversight agencies in cities like Chicago, New York City, and Seattle and abroad in South Africa. Through comprehensive training and substantive conversations with agencies in Atlanta, Kansas City, and Philadelphia, OPAT has also laid the groundwork for its Community Mediation program.

OPAT continues to be proactive in identifying spaces where it is necessary for our office to be as we continue to engage the community on what they are seeking in regard to police reform.

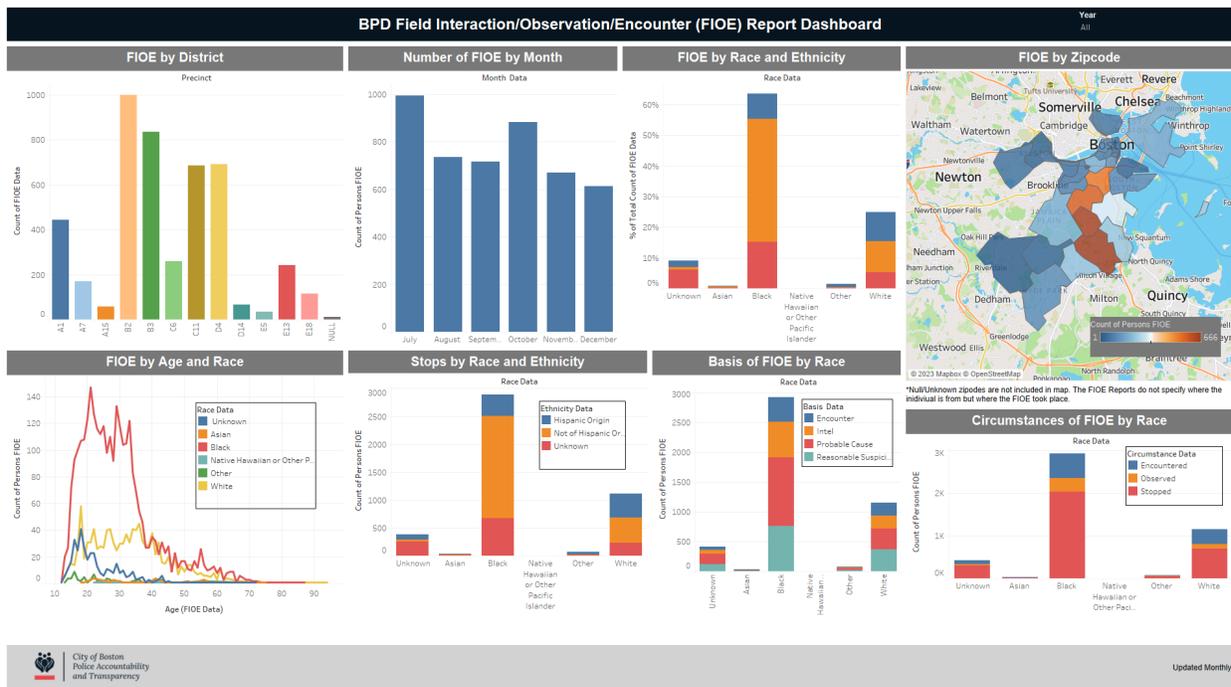


3. REVIEW AND ANALYSIS OF THE BOSTON POLICE DEPARTMENT STATISTICS

OPAT has continued to meet with the BPD for data collection, and has reduced the need for manual data entry to streamline the dashboard updating process. Furthermore the Policy and Data Team is preparing to transition the dashboards from Tableau to Power BI by attending training and transferring data.

During this period, the data revealed a continuous trend in increased activity in certain neighborhoods and categories of crimes. Furthermore, Non-Hispanic Black individuals are still significantly more likely to be FIOE'd and arrested than their White counterparts.

I. FIELD INTERACTION/OBSERVATION/ENCOUNTER (FIOE)



"Data is collected by sworn officers who must identify the basis for a stop. This must include supporting information to establish reasonable suspicion during a field interaction/stop, a frisk, or intelligence purpose when conducting an observation or encounter. Officers must also include the race of the individual and may also include ethnicity, when appropriate. Additionally, the officer shall record the time, date, and location of the FIOE before submitting



the report. Every on-duty police officer shall carry FIOE Forms. FIOE Reports must be completed in ink and submitted to a detective supervisor before the officer's tour of duty ends. Once an FIOE Report is complete and has been approved by a detective supervisor, the officer shall enter the FIOE into the FIOE database within forty-eight (48) hours of approval and forward the original to the Boston Regional Intelligence Center (BRIC)."¹

According to 2022 US Census Data, White (alone/non-Hispanic) individuals comprise 48.6% of Boston's population, and Black, African-American, and non-Hispanic individuals only comprise 22.5%. According to FIOE data collected from July 2023–December 2023,² Non-Hispanic Black individuals (61.2%) are more than twice as likely to be FIOE'd than their White counterparts (White-non Hispanic) at 27.9%.³ FIOE data shows that Districts B3 (16.1%), B4 (15.2%), and C11 (15.1%) had the highest number of FIOE reports.⁴ District B3 made up 16.1% of the FIOE from July 2023 to December 2023, with Black people of all ethnicities and genders making up 79.9% of those FIOEs in this area compared to 12.7% of their White counterparts in the same neighborhood. In this district, men were 6 times more likely to be FIOE'd than any other gender identity.

¹ [BPDNews.com Policy and Procedures- FIOE](#)

² "Field Interaction/Stop (Rule 323 of BPD's Policy and Procedures) is defined as holding an individual in custody briefly, whether on foot or in a vehicle, based on reasonable suspicion. This is to determine the individual's identity and settle the officer's suspicions. An Observation is defined as a direct viewing of an individual by an officer that does not include actual contact with the individual. Reasonable suspicion is necessary when conducting an observation of an individual. But the purpose of documenting the observation must be to gather information to justify documenting the observation. An Encounter is defined as an agreed upon interaction with an individual that does not lead to an official stop and/or frisk. If you encounter an individual with the reason for gathering information, you must document the interaction." "An FIOE Report is a mechanism to allow the Department to document and accumulate up-to-date information concerning known criminals and their associates, the clothing they may be wearing, the vehicles they use, the places they frequent, and persons suspected of unlawful design."

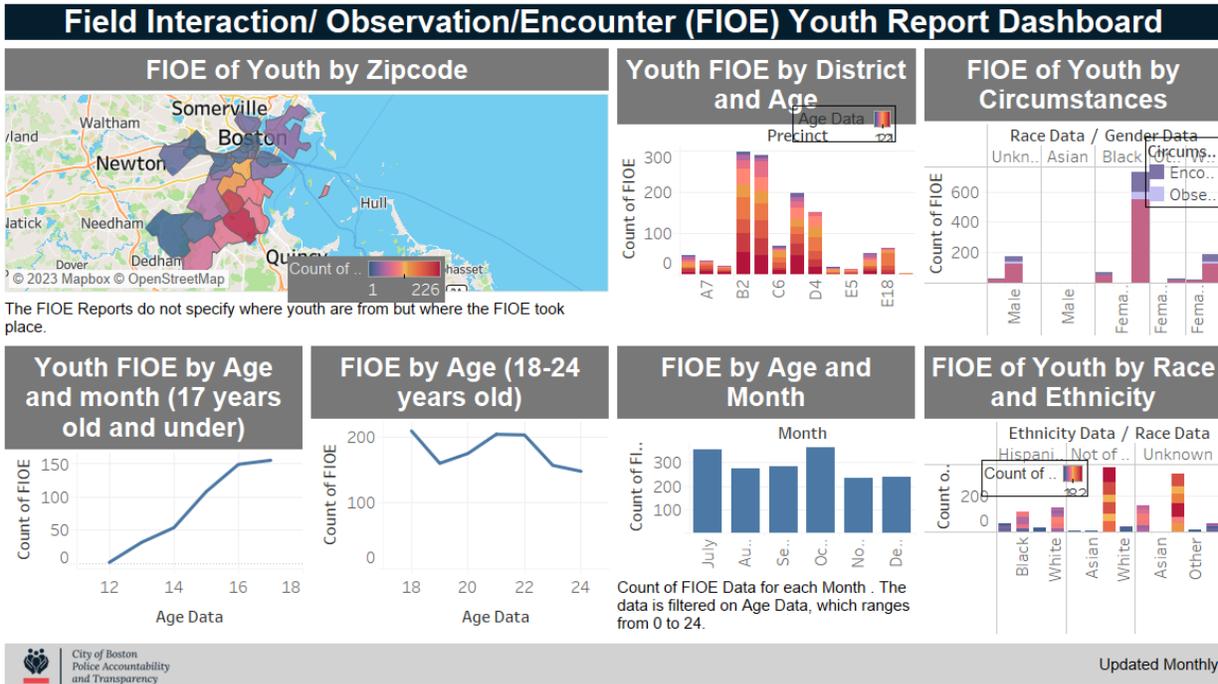
³ Sworn officers self-identify civilian ethnicity and race.

⁴ FIO reports document where the officer FIO the individual and does not report the individual's address.

<https://www.boston.gov/departments/police-accountability-and-transparency#dashboards>



II. YOUTH FIELD INTERACTION/OBSERVATION/ENCOUNTER

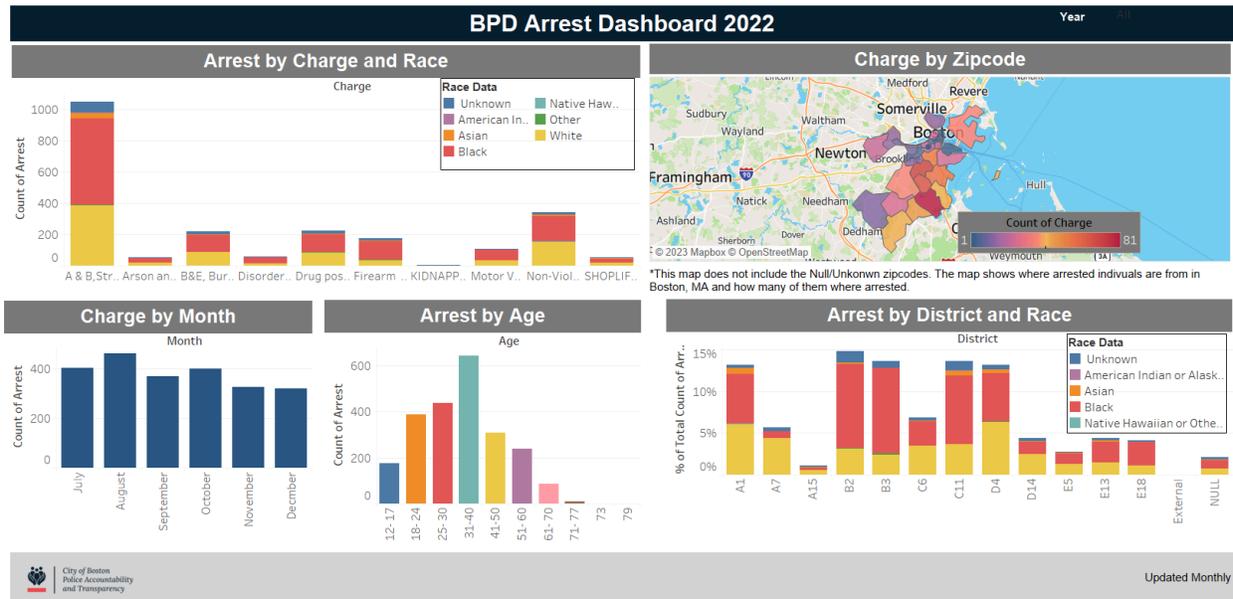


According to Youth FIOE data collected from July 2023 to December 2023,⁵ there were 1,656 FIOE cases for individuals ages 12-24. Black Youth were FIOEs more than 3 times as much as their White counterparts and were 66.9% of the total cases. Youth individuals of Hispanic origin were FIOE'd 28.7% of the cases, while Youth not of Hispanic origin were FIOE'd 37.1%. Male Youth comprised 88% of the cases, making Black Males the most targeted demographic. District B2 had the most cases, with 21%, followed by C11 with 17.1%, and B2 with 14.8%.

⁵ FIO reports document where the officer FIO the individual and does not report the individual's address. <https://www.boston.gov/departments/police-accountability-and-transparency#dashboards>



III. ARREST DATA



According to Arrest data collected from July 2023–December 2023,⁶ there were 2,951 arrests of Boston residents, with Black individuals making up 58% of the cases, and White individuals making up 39.7%. Most arrests were for violent crimes ranging from murder and manslaughter to assault and battery. District A1 had the most cases, with 17.7%, followed by District B2 with 14.3%, and District C11 with 12.2%.

IV. SETTLEMENT DATA

From July 2023 to December 2023, Civilian–filed civil rights lawsuits brought against BPD amounted to \$2,779,961.43. The most common ref type was Ch. 258 – Property Damage, which made up 61.5% of the lawsuits.

Civil rights violations of an Employee was the highest settlement paid by the city on behalf of BPD, reaching \$2,825,000. In 2021 and 2022, the Ch. 258 Property Damage cases were the most frequent type of cases being managed by the City of Boston on BPD’s behalf and made up 57% of BPD’s cases with the Law Department, of which 35% were settled, making the total payout \$182,842 between both years.

⁶ Demographic data and descriptions of the arrest area are recorded by sworn officers. All departmental reports by BPD employees are required to be submitted on time and in accordance with established Departmental procedures



4. SUMMARY AND RESULTS OF REVIEWS OF BPD POLICIES AND PROCEDURES

I. RULE 204, PROCEDURES TO FOLLOW IN SEXUAL ASSAULT CASES

On July 10, 2023, the BPD issued a revised policy on BPD Rules and Procedures, Rule 204, Procedures to Follow in Sexual Assault Cases. The updated Rule 204 language is meant to “codify current practices and to include language that mirrors Rule 327A: Domestic Violence Involving Department Employees”. Specifically, the revisions center around strengthening investigation and reporting requirements for BPD employees and other law enforcement personnel who have been involved in a sexual assault, including:

- Immediate placement of the employee alleged to have been involved in a sexual assault as a suspect on administrative leave during the investigation;
- Notification to OPAT and the POST Commission if a sworn BPD member is charged with violation of M.G.L. c. 265, Section 13a-29;
- If a law enforcement executive is involved, notification to a supervisory executive official (i.e. Commissioner, Police Chief, Sheriff);
- Notification to other jurisdictions if one of their employees is involved in the incident in Boston.

The revised language of Rule 204 also emphasizes a victim-centered investigation, prioritizing the protection of the victim’s privacy and confidentiality and connection with appropriate services and supports.

II. RULE 329, STOLEN MOTORIZED VEHICLES REPORTING AND RELEASE FROM CUSTODY PROCEDURES

On July 10, 2023, the BPD issued a revised policy on BPD Rules and Procedures, Rule 329, Stolen Motorized Vehicles Reporting and Release from Custody Procedures. The updated language codifies the procedure for releasing motorized vehicles. This includes differentiating between different types of care or custody (safekeeping, evidence, and impound) and the forms of identification that must be presented to verify the identity of the individual seeking release of their vehicle.

III. RULE 101, ORGANIZATIONAL STRUCTURE



On July 21, 2023, the BPD issued a revised policy on BPD Rules and Procedures, Rule 101, Organizational Structure. The updated language establishes Zone Commanders and Zones, stating that the City is divided into 3 Zones as follows:

- Zone 1 is made up of Areas A and D;
- Zone 2 is made up of Areas B and C;
- Zone 3 is made up of Area E.

Zone Commanders report directly to the Chief of Field Services. The revisions to Rule 101 also include edits to the Bureau of Community Engagement section. Specifically, the updated version states that the Bureau of Community Engagement “will offer direction and assistance to every District” and “[support] their efforts on building relationships and trust within their communities.” The revised Rule 101 also changes the Bureau of Community Engagement units. The original language stated that the Bureau included the School Police Unit, Neighborhood Watch Unit, and Crime Stoppers Unit. The revised language states that the Bureau includes the Citywide Community Initiative Unit, the School Engagement Unit, the Community Collaboration and Engagement Unit, and the Crime Stoppers Unit:

- Citywide Community Initiatives Unit aims to provide support to the District Community Service Offices, as well as direct their own engagement programs and events.
- The School Engagement Unit aims to partner with Boston Public Schools to ensure communication and collaboration between the School Department’s Safety Services Department and the BPD, promote trust, and ensure a safe and secure learning environment for students and staff.
- The Community Collaboration and Engagement Unit aims to partner with the BPD’s Community Service Offices to support engagement and quality of life issues and coordinate events such as National Night Out, Coffee with a Cop, and Flashlight Walks.
- The Crime Stoppers Unit is responsible for the anonymous Crime Tip hotline and Text-a-Tip line.

IV. RULE 103A, POLICE OFFICERS ASSIGNED TO DEPARTMENT MOTOR VEHICLES

On September 29, 2023, the BPD issued a revised policy on BPD Rules and Procedures, Rule 103A, Police Officers Assigned to Department Motor Vehicles. The revisions include gender-neutral language, updated titles of supervisors, and references to Rule 302, Emergency Driving.

While not all of these policies underwent the review process, which includes OPAT, we are confident that through continued engagement and commitment between OPAT and the BPD, this process will be successful and ultimately lead to better outcomes for all involved. All of the BPD Rules and Procedures may be reviewed on their website.



5. BOSTON POLICE DEPARTMENT BIPOC HIRING PRACTICES REVIEW

In 2022, OPAT selected a joint submission from Conan Harris & Associates and Strategy Matters to evaluate the hiring, retention, and promotion for Black, Indigenous, and People of Color (BIPOC) employees within the Boston Police Department. The consultants were responsible for data collection and analysis of demographic trends within BPD to assess the impact of the department's policies on BIPOC employees. The consultants produced regular reports analyzing the status and impact of BPD policies related to the hiring, promotion, and retention of BIPOC personnel. They included concrete policy recommendations to improve BIPOC hiring and retention and codify promotion and termination procedures to increase transparency. Throughout this project, OPAT worked alongside the City's Equity and Inclusion Cabinet and members of the Boston Police Department. Our department looks forward to working with all partners to implement the recommendations of the BIPOC consultant work.

On August 15, 2023, OPAT published the "City of Boston Police Accountability and Transparency Final Recommendations" report. The Report was shared with the Boston Police Commissioner, the Mayor, and the Boston City Council. The Report outlined the state of diversity within the Police Department and reviewed current BPD practices and procedures to identify concrete policy recommendations to improve BIPOC hiring, retention, and promotional processes and outcomes.

The Report identifies current promotional processes as contributors to the perpetuation of racial inequalities within the Department. The consultants recommended that the Department formalize and standardize its promotional process and outlined the following implementation ideas:

- Diversification of the test administration committee, including diversity of race, ethnicity, gender, sexual orientation, and language.
- Engagement of an external auditor to assess the exam for racial, ethnic, and gender biases.
- Scheduling the promotional exam at two-year intervals on the same day or date to provide predictable opportunities for officers seeking promotion.
- Ensure that exam materials are not shared before the exam date, sponsorship of a Department-led preparation class, accommodations for prospective exam takers, and recognition of units with high participation rates in promotional exams by BIPOC and female candidates.
- Creation of an interview process that shields the race and ethnicity of the candidate.



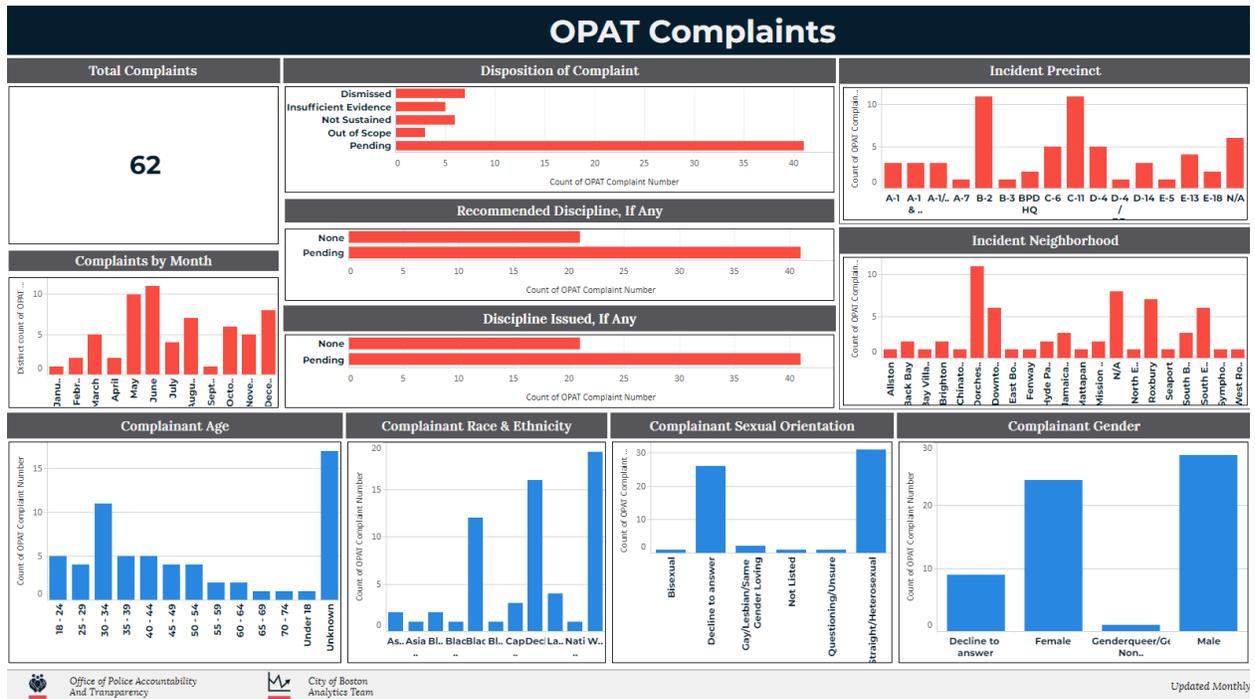
The report also identifies a link between racial, ethnic, and gender diversity and effective community policing. To have a police force that is reflective of the community and attractive to BIPOC candidates, the Report recommends increased efforts on building trusting and respectful relationships with communities across the City and commitment to ensuring that candidate pools and hiring decisions reflect the diversity of the City. Specifically, the consultants recommended that the Department create a Diversity Recruitment Officer and engage in community policing by reducing community participation barriers. The report also recommends that the Department look for demographic patterns to determine why cadets do not complete the BPD Academy program.

Finally, the Report identifies some recommendations for retention of BPD employees, including equitable access to benefits such as educational reimbursements and highly prized assignments, policies that ensure job physical safety, inclusive, welcoming environments for all, and disciplinary action that reflects fairness and equitable treatment.

OPAT looks forward to building on these initial recommendations and working with the Boston Police Department to implement attainable and effective policy changes to ensure equitable hiring, promotion, and retention practices within the department.



6. OPAT BOARD DETERMINATIONS



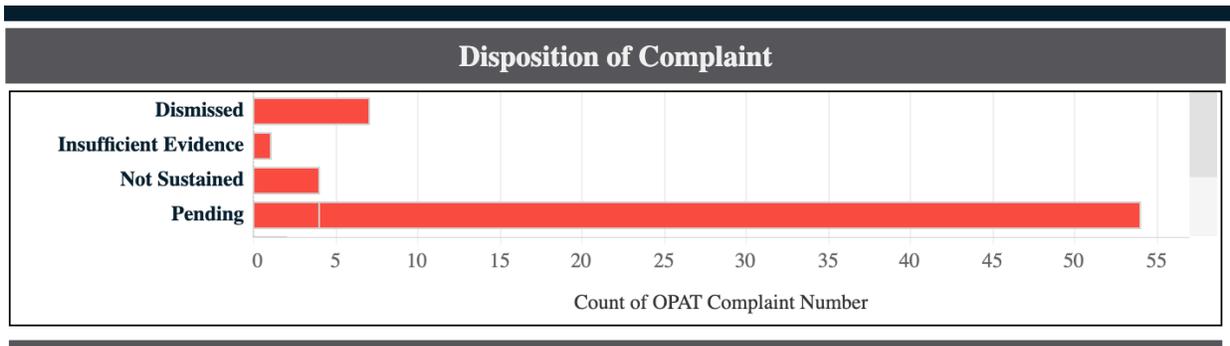
I. CIVILIAN REVIEW BOARD (CRB)

Since the publication of our Annual Report in August 2023, the CRB convened on September 12 to review and vote on the disposition of eight (8) cases. Of these 8 cases, the CRB voted to determine two (2) as Sustained, three (3) as Not Sustained, one (1) as Insufficient Evidence to Make a Finding, one (1) as Exonerated, and one (1) as Unfounded.

Included in the complaints decided upon by the boards is that OPAT has received 40 complaints for the period covered in this report. Per Section 12-16.7 b. in the Ordinance establishing OPAT, OPAT Staff review and may classify certain complaints as dismissed at intake before reaching the investigative step in our office. Cases that receive this designation include those whose allegations are out of the scope of what our office investigates (such as an allegation naming an officer in a department outside of Boston) and those that have insufficient evidence to establish an allegation of police misconduct.

OPAT has continued to build on its investigative capacity by engaging with BPD on receiving access to critical information and establishing key relationships within the department for the purposes of our investigations.





II. INTERNAL AFFAIRS OVERSIGHT PANEL (IAOP)

From July 2023 to December 2023, the IAOP convened on July 20 and October 12 to review and vote on the disposition of twelve (12) cases. On eleven (11) cases reviewed, the IAOP voted unanimously to agree with the Boston Police Department’s Internal Affairs Division’s findings. One (1) appeal was referred to the OPAT Commission due to a conflict of interest.



7. CHALLENGES

Much of the work of OPAT during this period has centered around a smooth leadership transition, and ensuring that established processes and procedures are reinforced. The office hopes to take on new challenges and initiatives and expand the scope of OPAT's work in the City of Boston when a new Executive Director is appointed. This includes expanding community outreach efforts and ensuring that OPAT is visible.

With the CRB's first three sustained findings, OPAT has been working with the BPD to establish procedures around receipt of and responses to sustained findings. Of the three sustained cases the CRB voted on, the BPD Commissioner has accepted one finding and associated discipline recommendation and rejected two sustained findings with associated discipline recommendations. Going forward, OPAT hopes to work with the BPD to establish a timeline by which responses to recommendations from the CRB should be received. OPAT also hopes that with the new Discipline Matrix and new sustained findings from the CRB, the BPD will continue to carefully consider investigations conducted by OPAT and recommendations made by the CRB.

Another set of challenges that OPAT has been working to address with the Mayor's Office are board vacancies. As of the date of this report, both the CRB and the IAOP have two vacancies each (four total vacancies) due to resignations; this includes a vacancy in the designated CRB designated youth seat. Because a quorum of the board is required for any voting matters, these vacancies have significantly impacted the ability of both boards to conduct their business. In addition, several CRB and IAOP positions have members serving past their term end date and upcoming term expirations. Our office will continue to work with the Mayor's Office and with the Boston City Council to appoint and reappoint board members to ensure the operations of both OPAT boards.

Lastly, both OPAT and BPD have continued the necessary work to minimize distractions and interruptions to data collection and sharing. It is a priority and goal of OPAT that we will continue to work with BPD to effectively and efficiently publicize the data to the public in a timely manner.



8. GETTING CITY HALL OUT OF CITY HALL

A critical part of OPAT doing its part to get City Hall out of City Hall is our Youth Advisory Council (YAC). The Mission Statement for the Youth Advisory Council created by our 2022 OYEO SuccessLink participants is below:

“The OPAT Youth Advisory Council aims to be a forum where youth around Boston can talk and advocate for police reform. Our overall objective is to give youth a space to be heard where they can discuss issues in our communities. We strive to build positive connections to eliminate the disconnect between youth and the police.”

To achieve this mission statement, OPAT has continued soliciting applications from youth around the city. OPAT continues to accept new applications for the Council and invites Boston residents between the ages of 14 and 19 to apply at boston.gov/opat.

At its September 2023 meeting, the Council voted to adopt a charter to guide its activities. In October 2023, the members of the Council ran for executive-level positions, including vice-chair, secretary, and parliament. OPAT Staff also selected a chair for the Council. In December 2023, the members adopted a calendar for 2024 and will continue to meet to discuss issues around police reform and building trust between youth and the police.



While OPAT has been in a period of leadership transition, we have continued to look for opportunities to engage with the community. The OPAT Commission continued to accept public comments at its community meetings and held a public comment period during its public hearing on OPAT Regulations 1.00 in October.

Adding the Community Mediator role earlier this year and the more recent Youth Coordinator position has allowed us to engage more sustainably and proactively with community-based organizations and other public-facing departments. On November 4, OPAT Staff attended a Resource Fair hosted by Union Capital Boston at the Bruce C. Bolling Building. It was able to share more information about OPAT's role, youth programming, and opportunities for feedback from the community. Our office has also attended several Networking Partnership meetings held by the Office of Youth Engagement and Advancement (OYEA) throughout the City, which has continued to allow us to spread the word about OPAT, especially among youth-serving organizations in Boston.



OPAT Youth Coordinator (left) and Community Mediator (right) attended the Union Capital Boston Resource Fair at the Bruce C. Bolling Building on November 4, 2023.

OPAT also regularly attends monthly training and discussion forums hosted by the National Association for Civilian Oversight in Law Enforcement (NACOLE). These have centered on the



investigative processes and on ways to engage the community in meaningful police reform successfully.

OPAT continues to engage with the community via social media. Community members can engage with OPAT on our X (@BostonOPAT) and Facebook (Office of Police Accountability and Transparency - City of Boston) accounts that are monitored by our staff. These accounts help get the word out about upcoming public meetings, data, and statistics we think may be helpful for the public to see, as well as provide another point of contact for anyone looking to file a complaint with our office.



9. CONCLUSION

In conclusion, this semi-annual report reflects the unwavering commitment OPAT has to uphold the highest standards of accountability, fairness, and community trust. Over the past two years, our dedicated team has worked diligently to address concerns, foster transparency, and promote positive relationships between law enforcement and the communities we serve.

We are proud to report significant strides, such as in aiding in the revision of outdated BPD policies, the hiring of our Youth Coordinator, the adoption of a discipline matrix, developing blossoming relationships with other oversight agencies, and convening board meetings, which underscore our dedication to continuous improvement and responsiveness to the evolving needs of our community. Through collaborative efforts with various stakeholders, including community leaders, law enforcement agencies, and the public, we have made meaningful progress in enhancing transparency and accountability within our jurisdiction.

While celebrating our successes, we acknowledge the challenges and remain committed to addressing them head-on. We recognize the importance of ongoing dialogue and engagement with the community to build trust and ensure that our efforts reflect their concerns and expectations.

Looking ahead, OPAT remains focused on mending the relationship with Boston's most marginalized community members and BPD and further strengthening our ability to promote transparency and accountability. We will continue to refine our processes, collaborate with community partners, and leverage technology to enhance the effectiveness of our oversight and investigative functions.

As we navigate the path forward, we thank the dedicated professionals at OPAT, the law enforcement agencies we collaborate with, and the community members who actively contribute to our mission. Together, we are building a more transparent, accountable, and equitable law enforcement environment for the residents of Boston.

Their feedback and input are invaluable to our ongoing efforts, and we encourage continued collaboration as we work towards a safer and more just community for all.

We thank them for their trust and support.



CITY *of* **BOSTON**



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