

Strategic Review of Police Management Study

Scott Harshbarger

November 12, 2004

Dear Mayor Curtatone:

In April of this year, you asked me to review the response of the Chief of Police to the Management Study of 2000. You also asked me to consider, based on my experience and review, strategic steps you and the Chief might take to strengthen the Department, to ensure that even with the fiscal crisis the Department is responding as aggressively as possible to the public safety priorities of the City, the citizens, and your administration.

Before I address the Police Management Study, I would like to first focus on the overall management of the department, relationships with the rank and file, and relationships with your administration.

As you know, the Chief was selected by your predecessor and is tenured by Civil Service. While you as Mayor are ultimately responsible for the management of the entire city, the Chief is legally and professionally responsible for the leadership of the Police Department. You made it clear to the Chief, wisely, that you did not want to micro-manage or usurp his powers or his responsibilities, even if you might disagree with his exercise of his implementation discretion from time to time. Further, you advised the Chief that you were expecting him to perform to the same standards as every other department head and that your efforts to establish communication, get reports, seek and establish priorities and action plans, target issues like drugs and gangs, seek departmental reforms and meet regularly were solely designed to achieve shared goals because public safety was so critical to you and your administration.

I believe, thanks to regular personal and professional discussions and ongoing communication, you and the Chief have developed a reasonable working relationship. However, I understand your frustration with the Department's inability to identify crime trends and respond quickly and decisively to those changes. I believe one of the top priorities for you and the Chief must be to find ways for the Department to succeed without you feeling you must micromanage. I am still concerned that the Chief has not developed a detailed, action-oriented response to the Management Study, or a clear plan of action going forward in several areas noted below, but I do know that you have discussed several changes that have been implemented, and I am hopeful that these first steps will yield more positive actions in the next few months.

Upon concluding the first phase of my work, I came to believe that it made sense, for a variety of reasons, including effective professional leadership and to enhance public safety through greater accountability, to recommend to you and the City a change in the Police Chief selection method, recognizing that this would not apply to the current Chief. However, even though you may have agreed in general with me, you felt that there were more immediate matters I should review, including issues raised regarding the Chief's relationships with the leaders and members of the Unions in the Department as they might relate to the Management Study. As a result, I met with the leaders of both the Superior Officers' Union and the Patrolmen's Union. Prior to that I had reviewed all of the Chiefs responses to me regarding the Management Study and the plans he had implemented or intended to implement regarding that study.

To be candid, I was surprised, if not shocked, at the perceptions about the leadership and management of the Department by the Chief. I will not elaborate here in detail, but I note that the perception that almost every action by the Chief (from promotions, to discipline, to "picks", to training, overtime, and communication) is determined more by whether you are "with him or not", and who is involved as opposed to what occurred, permeates the Department.

This perception is exacerbated by the fact that there has been no systematic effort, regardless of budget, to modernize, update or ensure the existence and awareness of, uniform policies, procedures, and protocols; staff and other meetings are viewed as purely pro forma, with no real dialogue; and this is clearly the Unions' view as to relations between the Union Leaders and the Chief. The Chief is not perceived as a leader, and he is seen as being controlled by a small core of deputies concerned with their own self-interest. It is a common refrain that the Chief has changed dramatically since he was Acting Chief or Union president and, for better or worse, it is "his way or the highway," and almost all changes in this year are a result of external pressure and are changes in form, not substance.

Now, please note this is clearly a highly subjective set of comments and perceptions. All involved acknowledge that there are lots of personal histories, interests, and jealousies playing out here and there always have been in the Department. The Chief is aware of many of these views, and feels strongly that they are really the triggers for the critiques. I am sure he feels he can explain the origin or cause for each critique.

The problem is that true or not, there is a perceived leadership void, and the reality of a lack of unity in the Department. It is not clear to me that the Chief has taken any significant actions to seek to remedy these problems and/or to build relationships based on professional as opposed to personal interests. In the short-term, the impact on public safety does not appear to be significant; in the long term, absent steps being taken to confront these issues head-on, there could be serious fall-out.

Therefore, I recommended to you that you convene at least one or two sessions with the leaders of the Unions and the Chief "off-the-record", to discuss, in your presence, the various "non-labor contract" allegations, perceptions and proposed remedies that have been shared with me, so that everyone is on the same page going forward. That session should produce a plan of action for addressing these issues professionally, among the key players - or an agreement to disagree based on common ground and understandings of the perceived problems. At a minimum, you will provide a much needed forum for all involved. Although it might yield nothing, I can see nothing worse for the Department, and its respect and pride than continuing as is, in an atmosphere governed by rumor, speculation, allegation and conflict.

I am not naive about the origins of these kinds of disputes and perceptions; they are not unique to this Chief or this department; but there are potential remedies and they can be implemented now, rather than allowing these issues to continue to fester and being avoided.

With regard to the Police Management Study, for reasons of time, resources, and expertise, I focused on the eight general findings listed below:

1. Resources: The Police Department does not make effective use of existing resources. The Department is not organized or managed in a manner that ensures the efficient deliver of police services.
2. Strategy: The Department exists and operates exclusively in a reactive mode. There is no proactive planning.
3. Personnel: Many Police Department personnel are demoralized and frustrated, resulting in low productivity.
4. Community: The Department does not engage in effective or systematic community outreach.
5. Community Policing: Community policing as a philosophy has not been integrated into the fabric of the Police Department. The current Community Policing Program involves one unit of officers, while the rest of the Department continues to practice traditional policing.
6. Communications: Internal communications in the Department are not adequate.
7. Professional Training: Training is not adequate.
8. Accountability: The Department lacks systematic accountability methods.

It is my view that the Department has not adequately responded to any of these general findings. While some steps have been taken, and some responses provided, I believe that in general, little real progress has been made.

For instance, as to #1 and #2, while the Department it has suffered its share of cutbacks in recent years and nearly everyone in city leadership positions - including you - would like to put more officers on the streets, the Department still does not give priority to evaluating shifting trends in criminal activity, and, therefore fails to target its resources wisely and effectively to address these trends. You and others have pointed out the Department's slow response to what clearly seems to be escalating gang, drug abuse and dealing, and breaking and entering problems. The Department still tends to "operate exclusively in a reactive mode" and seems to lack proactive planning. The recent hiring of a crime analyst could help to address this problem, giving the Department the ability to identify shifting trends and opportunities to target resources, if there were an active evaluation and planning process.

With regard to #3, I have noted the troubling degree of low morale and mistrust that seems to exist in the department, and I have recommended the immediate, simple step of meetings to try to clear the air and build cooperative relationships. In general, the Department should do a better job of setting clear operating procedures, communicating broad and specific goals and objectives, and fostering strong cooperation between the command staff and the detectives and officers on the street.

The Department has improved its outreach to the community. Nonetheless, an enhanced systematic approach to the community, particularly given the increased diversity in the city and the language and cultural barriers that exist, is crucial to trust and confidence. More important is the law enforcement benefit: when hot issues emerge, e.g. the gang and drug problems, having convened community meetings as a matter of course fosters cooperation and credibility with the community, but also can provide invaluable information and assistance to police.

Most notably, there seems to be a lack of systemic accountability in the Department. Instituting a Comstat-like system, now used in many of the country's largest cities, would be an obvious and major step forward in dealing with crime trends. Establishing geographic commands would give clear authority and responsibility to commanders for certain areas of the city. Clear operating procedures and departmental goals would give everyone, from the Chief to patrolmen, standards by which their superiors can judge and enforce them. (For example, recent leaks to the press about an ongoing investigation are not only unprofessional but indicate that SOP's either haven't been communicated or are not being enforced.)

While the Police Management Study is now almost four years old, I believe its general findings remain highly relevant today. Since, for whatever reason, the leadership response has not been adequate from the beginning and prior to the current Chief's tenure, I believe you must take action to require the Department to address these findings and recommendations, and begin pressing for better performance, higher morale, and improved relationships with the community. To ensure that this is done in an independent, non-political way, I suggest you consider appointing a small, independent, expert, and community public safety advisory group of City residents to review my observations and recommendations and to oversee the next phase of implementation with you and the Chief.

To summarize, I believe:

1. The Department should immediately update and publish a list of standard operating procedures, and communicate those procedures clearly to the rank and file through meetings and training.
2. The Department should develop ways, whether by regular *meaningful* meetings or otherwise, to promote better internal communications and understanding.
3. The Department should work actively with you in partnership on public information functions - to avoid confusion and ensure clarity about public safety issues.
4. The Department should actively consider shifting to the "best practices" urban model of geographic command systems that give clear responsibility to commanders for designated areas of the city and allows the command staff to shift officers from one area to another when necessary to target criminal activity.
5. The Department should immediately begin a systematic use of crime analysis data and "Comstat" to determine its strategic and tactical objectives, and that data should be the basis for your biweekly discussions with the Chief.
6. The Department should immediately begin working with the Somerstat staff to develop a "Comstat" capacity to target crime and ensure public safety.

7. The Department's crime analysis data should be integrated into the Somerstat system in order to facilitate the free-flow of crime information between the administration and the department and to facilitate better public safety policy development.
8. In addition to these and other short and longer term recommendations for action, the City should pursue a change in the police chief selection process for the future, moving to an appointed-position model, as is now used in most of the nation's large cities, including Boston and Cambridge, to ensure clear public and management accountability for public safety and law enforcement.

I welcome any comments or further conversation you would like to have on this issue. I remain interested in and concerned about the professional law enforcement and public safety functions in Somerville, a community and Department with which I was privileged and proud to be associated as District Attorney and Attorney General for 16 years. I look forward to helping you and the Department in any way I can.

Sincerely,

Scott Harshbarger

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