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MEMORANDUM

TO: Mayor Joseph Curtatone

FROM: Scott Harshbarger, Committee Chair
Kevin P. O'Malley
Thomas Robbins
Edward F. Davis, III
Aru Manrique
Jack Connolly
Jacques A. Dessin

DATE: September 8, 2005

SUBJECT: Somerville Police Advisory Group Report

This memorandum outlines the major recommendations of the Somerville Police Department Advisory Group (hereinafter called the Advisory Group).

I. Background on Advisory Group

In April of 2005, you convened the Advisory Group and charged it with reviewing and providing an update on the status of the Somerville Police Department (hereinafter called the SPD) on several critical issues. These issues were initially outlined in a "Management Study of the Police Department" carried out by MMA Consulting Group in 2000 and released in January 2001. In the fall of 2004, former Attorney General Scott Harshbarger evaluated the SPD's status on these reform issues, and in a memorandum issued November 12th, 2004 indicated, inter alia, he found very little progress on the Management Study's recommendations. As one response to Harshbarger's findings, you appointed the Advisory Group and charged it with providing recommendations on areas of concern.

The Advisory Group members are:

- Committee Chair Scott Harshbarger, Partner in Boston Law Firm, Murphy, Hesse, Toomey & Lehane, LLP, former Massachusetts Attorney General, and former District Attorney of Middlesex County
- Kevin P. O'Malley, Attorney, Chair of Somerville Human Rights Commission, former Assistant District Attorney in Middlesex County, and former General Counsel to the State Treasurer
- Thomas Robbins, Colonel, Massachusetts State Police
- Edward F. Davis, III, Superintendent, Lowell Police Department
- Aru Manrique, Multicultural Director, Somerville Mayor's Office
- Jack Connolly, Representative, Somerville Board of Aldermen
- Jacques A. Dessin, Attorney, Dessin & Associates, and Member of SPD Gang Advisory Committee

The Advisory Group's goal was not to provide a comprehensive review of the operations of the SPD, but rather to draw on the significant collective expertise of the Advisory Group to outline broad, necessary steps the SPD must take to achieve stability and implement accepted best practices in policing. The problems, concerns, and issues facing the SPD have developed over many years. The intent of the Advisory Group was to look forward, and, based on our discussions, we decided to focus on an initial set of eight steps we believe the SPD can implement within one year. If these steps are implemented, the SPD will be positioned for significant reform, growth, and innovation in years to come.

The Advisory Group met five times between April 27th and June 20th, 2005. At the meetings, the Advisory Group reviewed the SPD's policies and procedures, financial information, personnel information, and staff survey results. Also, the Advisory Group heard presentations from the SPD's two unions. In response to suggestions by the Advisory Group, the SPD carried out analysis of the SPD's deployment and organizational structure and reported back to the Advisory Group. Also, staff from the SPD visited the Lowell Police Department, the Massachusetts State Police Headquarters, and the Boston Police Department to solicit feedback on ideas for implementing initial Advisory Group recommendations. SPD staff also sat in on a Lowell Police Department crime analysis meeting.

Supporting the Advisory Group's work were SPD Chief Robert Bradley, SPD Captain Michael Devereaux, SPD Crime Analyst Frank Bates, Head of Research and Development for Lowell Police Department Sharon Hanson, and SomerStat intern James Krenn. At the Advisory Group's request, Somerville's SomerStat Director, Stephanie Hirsch, served as reporter and drafter.

II. Summary of Highest Priority Recommendations

The Advisory Group has identified eight highest priority steps the SPD must take to achieve stability and position itself for future success.

1. Invest in current police force through updated training, equipment, vehicles, and facilities. Expressed repeatedly by unions, officers, and the SPD command staff is the urgent

need to update critical professional training and to provide safe and updated equipment and facilities throughout the SPD. We encourage the SPD to pay particular attention to the professional and support needs of the existing officers.

2. Publish updated policies and procedures and a Police Duty Manual. To ensure consistent practices throughout the Department, the SPD must update all of its written materials and ensure officers are trained on these materials. These materials should conform to state and national model policies and the SPD should continue to pursue accreditation from the Massachusetts Police Accreditation Commission.

3. Move to a team or geographic command based policing structure. Consistent with increasing accountability is moving the SPD to a command structure that ties both patrol and supervisors to policing work in a section of the city. With more clarity as to their responsibilities, command staff will be able to develop more effective strategies for crime prevention and community policing.

4. Develop a hiring and promotion plan. As the SPD outlines its revised deployment and command structure, it should develop a multi-year hiring and promotion plan to fill the openings created both by the plan and by regular annual attrition. As part of this plan, the SPD should develop a strategy for and make a commitment to diversifying its police force so that the demographic composition of the force reflects the composition of the City.

5. “Civilianize” positions that do not require police training. The hiring plan must include hiring qualified civilians for positions that do not require expensive, specialized police training. The City will need to work with unions to achieve this necessary step, since positions currently held by uniformed officers, but not requiring police training, will need to be eliminated from the City’s union contracts.

6. Eliminate daily seniority picks. No reform plan that includes increased responsibility and accountability for officers will work if the SPD and its unions maintain the current system of daily seniority picks. The SPD should move to annual position picks or alternate solutions that permit ongoing accountability for a distinct segment of policing work.

7. Establish internal “Stat” meetings. To support increased accountability by geographic command, the SPD should implement internal SomerStat-type meetings, providing opportunities for officers of all ranks to report on work they do and use real-time data to understand how their efforts are impacting the quality of life and crime in Somerville.

8. Remove the position of Chief of Police from Civil Service. Successful public or private sector organizations must have effective methods to support accountability and measure performance. An appointed chief will allow the Mayor to intervene to correct problems and to ensure accountability. Also, an appointed chief allows for a broad search for candidates.

III. Implementation

Before providing more details about these eight recommendations, the Advisory Group offers you three general recommendations.

First, because the Advisory Group recognizes that many of our recommendations require both financial resources and political will to implement, we urge the City Administration and Board of Aldermen to commit their financial and political support to this implementation.

Second, the Advisory Group appreciates the contributions of the Superior Officers' and Patrolmen's Unions and encourages the Chief and City Administration to include union leadership and other representatives from different ranks in the SPD in discussions on options for implementing the recommendations of this study.

Third, the SPD is already working to implement many of the recommendations of the Advisory Group, and the Advisory Group commends this effort. To the extent that the City Administration, the Chief of Police, and the Board of Aldermen endorse the Advisory Group's recommendations, we believe that very significant progress can be made in one year on all recommendations included in this memo. However, we recommend that you reconvene the Advisory Group at the end of fiscal year 2006 so that we may review progress on our recommendations and provide you with an update by August of 2006.

IV. Topic Area Recommendations

The Advisory Group reviewed information on seven topic areas. Summarized below are the current (as of late spring, 2005) status of the SPD in these areas and our recommendations.

1. Policies and Procedures

Current Status: Currently, new hires receive a 1991 Aldermen-approved Somerville Police Duty Manual that includes a code of ethics, a list of prohibited conduct, and job descriptions for all ranks and positions. They also receive a 1985 MPI Policies and Procedures Manual that refers to the law of arrest and generic policies regarding the handling of everything from dead bodies to bank robberies. Policies and procedures can be modified by the issuance of General Orders and Memos. These are bound in ring binders and placed in the Executive Officer's closet.

Since starting to update policies and procedures this past spring, orders and memos through the year 2000 have been scanned and made available on all Department computers. The Acting Chief plans to scan the orders and memos online up to the current year and place the binder version in a library area on the second floor that would include a computer, book versions of the Massachusetts General Laws, and other reference material. Officers or superiors will be able to use the library for research.

Recommendations:

- a) The SPD should immediately publish or update the most important General Orders: Use of Force and Vehicle Pursuit.
- b) Additionally, an initial review of current policies and procedures should identify any that are not consistent with the law and flag these as requiring immediate revision.
- c) Within the first six months of FY06, the SPD should publish an updated and Aldermen-approved Police Duty Manual. The SPD should update and make available General Orders and Memos. Also, the SPD should publish an explanation of the procedures by which the SPD revises policies. The Manual, General Orders, and Memos should all be reviewed by the Law Department prior to publication.
- d) All officers should be required to sign off on all of these materials, and receive training on how to apply them to their work. Additionally, front-line supervisors should have responsibility for having officers sign off on any new policies.
- e) All policies and procedures should be developed based on state or national model policies and the SPD should continue to pursue state accreditation.

2. Use of Crime Data for Decision Making

Current Status: At present, the Somerville Police Department Crime Analysis Unit has one analyst who is a civilian mayoral appointee. The analyst prepares the following: Daily and weekly bulletins in electronic format distributed to all SPD personnel; Periodic reports, patrol notices, special advisories, and area crime maps on crime patterns and trends identified; Daily Manifold reports distributed by e-mail; Weekly summaries on incident reports by ward, category, date, and street; Bi-weekly reports on Part I and quality of life crimes for SomerStat meetings; and Crime reports in response to public inquiries. The Crime Analyst also spends significant time working to ensure the integrity of data, such as checking for accurate coding of incidents or calls for service. There are no structured meetings that support using data to problem solving.

Recommendations:

- a) The SPD should establish regular meetings with commanders that use data analysis to set priorities and determine strategy. At meetings, command staff should report on strategies they pursued to address identified problems, so that meetings function as internal SomerStat meetings.
- b) In addition to command staff meetings, the SPD should ensure officers are updated on their problem-oriented policing training and should hold data-oriented meetings with patrol.
- c) Analysis should include quality of life indicators and the SPD should develop strategies to maintain or improve quality of life in Somerville.
- d) The SPD should regularly identify hotspots and develop policing strategies to address enduring patterns of crime, including the temporary allocation of resources to areas.

3. Training and Professional Standards

Current Status: Only eight officers, those that participated in NEMLEC, are in compliance with state and national training and certification standards.

Recommendations:

- a) The SPD should immediately provide firearm and first responder training for officers.
- b) The SPD should plan training using a “train-the-trainer” model.
- c) The SPD should evaluate the value of participating in NEMLEC, relative to cost.
- d) The SPD should do some training related to civil rights, possibly at roll calls.
- e) Training should include training on e-mail and computer use to ensure that there is a system by which command staff can disseminate information to officers, knowing it will reach them.

4. Community Relationships and Outreach

Current Status: The SPD currently has little capacity to carry out much community outreach. One person works full time as a community-policing sergeant and two officers work full time in the schools. In FY05, the SPD carried out approximately 100 meetings at senior centers, attended about 150 community events, and provided contact with school personnel and students. Committee member Aru Manrique met with a number of community organizations that serve Somerville’s Latino and Haitian communities and reported that residents have a perception that there is little or no outreach and poor community relations. Some individual officers have a good rapport with some people within their communities, but there is no or little organized effort from the police force and a feeling of “them and us” results from not knowing what goes on in the Department, besides the negative anecdotes and articles.

Recommendations:

- a) The SPD needs to do active recruitment of officers who represent the demographics of the community, but also carry out training for current officers and implement better community policing deployment.
- b) The SPD should develop a plan for recruiting a diversified staff based on best practices proven successful elsewhere.
- c) The SPD should establish walking beats and establish goals related to having current patrol carry out some walking patrol.
- d) The SPD should set expectations for officers, both those working regular patrol and any working in community policing related functions, for how much time they should spend out of their car and how many/what types of contacts they should make during a shift.
- e) The SPD should “scrub” the whole department once again to determine if there is anyone carrying out administrative or in-station duties who could be redeployed. Additionally, The SPD should review other cities’ models for staffing of crossing guard duties.
- f) The SPD should hold regular meetings with representatives of the community to discuss policies and solicit feedback, perhaps using the structures of the Multi-Cultural and Human Rights Commissions to facilitate meetings. Periodic meetings should be open to the general public and should have interpreters and agendas. SomerStat should ask

citizens in a citizen survey about their attitudes towards the SPD and their feelings of safety.

- g) The SPD should publicize the method by which citizens should submit complaints about police actions to the SPD. Also, the SPD should ensure that officers' names and badge numbers are displayed on their uniforms.

5. Organizational Structure and Accountability

Current Status: As of January 2005, the SPD had two civil service captains (with an additional captain serving as interim head of Traffic and Parking) and a civil service chief. In patrol, 15 officers were assigned to the Day Division, 18 to Division 1, and 17 to Division 2. In March, 2005, after impact bargaining the change, additional officers were shifted from specialized units to patrol.

Recommendations:

- a) The SPD should establish geographic command, dividing the city into about three sectors, with a Captain, Lieutenant, or Sergeant in charge of each sector. These should be based on calls for service and consistent with commonly-identified neighborhoods or sections of the cities.
- b) As it considers plans for redeployment, the SPD should ensure any plan accomplishes the following: Takes into account recommended supervisory ratios (1:7 is optimal); Builds in geographic or other explicitly defined accountability for commanders of all ranks; Includes options and recommendations for civilianization of positions, including some leadership positions; Projects financial impact of implementation; and Reviews best practices on appointed command staff, including who can be appointed.
- c) When the SPD and City are prepared to move to a geographic command structure, they should carefully consider how to roll out substations to the public, looking at models of how this has been carried out in other cities.
- d) The SPD should look for opportunities to develop management capabilities amongst superior officers. An organizational structure that increases accountability at all levels should promote this goal by giving superior officers increased management responsibility.

6. Civil Service Status of Chief

Current Status: The Chief of Police is appointed under the State's Civil Service program. While the Civil Service program was established to ensure a measure of isolation of the Chief from an elected mayor, the program very significantly limits the ability of the City to find the best candidate to lead the department and then hold him or her accountable.

Recommendations:

- a) Somerville should remove the Chief's position from Civil Service to increase accountability and permit broad searches for the strongest leadership.

- b) The City should conduct broad and competitive searches to fill the Chief's position, including evaluation of potential talent from within the Police Department, from throughout the region, and from a nationwide pool of candidates.
- c) The City should appoint a chief with a three-to-five year contract that includes performance goals.
- d) For the same reasons having an appointed Chief is critical to reform, the SPD's organizational structure should allow for the Chief's appointment of one or more exempt deputies, so that managers can be selected on merit and be held accountable for their performance.

7. Department Morale and Relationships

Current Status: In a staff survey issued by the SomerStat office in March of 2005, 38 SPD staff responded. These respondents provided, in general, feedback that indicated high levels of dissatisfaction with work conditions at the SPD. The lowest levels of satisfaction were with the SPD facility (5% satisfied), and with training (19% satisfied). Only 27 percent of staff were satisfied with overall working conditions. Respondents were also quite negative about the administration of the City as a whole (only 26% agreeing the City is doing all it can to make Somerville a better place to live and work, 27% agreeing the city spends taxpayer dollars wisely, and 34% agreeing their impression of the City has improved in the past year).

Respondents provided a more positive response to their impression of their supervisor (74% responding that their immediate supervisor treats everyone fairly) and with coworkers (74% responding that they trust their coworkers to do their job right), and with their job (64% are satisfied with their jobs). A survey that repeats these questions will be conducted again in March 2006, so that the City may compare responses.

One concrete way to facilitate an upgrade in professional morale in the SPD, we believe, is to continue to encourage the dialogue between the Chief and the Union leadership. We were impressed by the fact that there seem to be major areas of agreement and consensus on both sides about the nature of the problems the SPD faces and the potential for remedies, as well as a common desire to work together to restore the SPD to the position of leadership and innovation for which it had been regularly recognized. The recommendations we make here reflect and hopefully will further that dialogue and partnership.

Recommendations:

- a) The SPD should prioritize the professional and support needs of existing staff, rather than focusing primarily on increasing staffing, which is very expensive. This includes updating guns, radios, and cars, which are key parts of an officers' work life. If current staff are satisfied with their work, the SPD will be able to achieve many goals.
- b) The SPD should create a strategy that includes public recognition ceremonies as a method of raising standards and providing incentives.
- c) The SPD should work with the Superior Officers' and the Patrolmen's Unions to address the large number of concerns, which they have in common with the Chief, most of which are also mentioned in other sections of this memo. Their priorities include taking steps to:

Ensure that the span of control matches accepted standards for safe and appropriate levels; Provide safe and up-to-date equipment, vehicles, and buildings; Provide mandated and elective training for all officers; Restore key specialized units, such as domestic violence; Employ a grant-writer; and Develop a plan to replace retiring officers and increase staffing levels over time. In addition, the Superior Officers indicated a need for a stable rank structure and advancement opportunities. While understanding the need for SPD to make promotions, the SPD should do so in the context of a proposed new organization that allows for geographic accountability.

- d) While the SPD and City Administration should work together with the Unions to address these concerns, they should also prioritize the shift to annual position picks and other changes to contracts that will be required to implement other recommendations of this report.