



STAY AT HOME – SOCIAL DISTANCING SAVES LIVES. Face Coverings Mandatory in All Indoor and Outdoor Public Spaces. Somerville Phased Re-Opening in Effect (Differs from State's). Schools Closed Through End of Academic Year. More Info at somervillema.gov/COVID19



Somerville to Officially Declare Systemic Racism a Public Safety and Health Emergency Mayor Curtatone Announces Next Steps in Ongoing Efforts to Provide Just, Unbiased, and Compassionate Community Policing

Wednesday, June 03, 2020

"These initiatives are neither the beginning nor the end of this vital effort. They are an intensification, one that every city, town, and state--as well as our nation--must commit to." –Mayor Joseph A. Curtatone

Mayor Joseph A. Curtatone announced today that the City of Somerville will continue ongoing efforts to deliver just, unbiased, and compassionate policing to the community via a number of new initiatives and efforts that draw from policy platforms developed by [Campaign Zero](#) and the 10-point plan released yesterday by Congresswoman Ayanna Pressley and other elected officials of color in Massachusetts:

- 01** Declaration of a local state of emergency officially deeming systemic racism a threat to public health and safety.

- 02** Establishment of an independent, civilian oversight structure of the Somerville Police Department with membership representative of the community's diversity.
- 03** Launch of immediate efforts to eliminate the inherent conflicts of interest arising from police officers internally investigating allegations of misconduct by fellow officers: City has filed a petition to remove the internal investigation oversight position from Somerville Police Superior Officers Association (one of two police unions).
- 04** A call for the creation of an independent special prosecutor at the state level to review and where appropriate to prosecute cases of potentially criminal police misconduct rather than leaving this authority with county district attorneys.
- 05** Submission of a resolution to the City Council reiterating the critical need to implement body-worn cameras in the Police Department, an initiative the City has been pursuing with police union leadership since 2015.
- 06** Instituting asset forfeiture funding policies that limit the use of these monies to two purposes: a) to provide prevention and substance use recovery, mental and behavioral health, and other services and resources -- primarily through the City's Community Outreach, Health and Recovery (COHR) Office -- to support residents and divert them from the criminal justice system; and
- 07** b) implicit bias, de-escalation, crisis intervention, health and mental wellness, and other similar training for Somerville police officers.

08 A call for statewide action to address the gaping deficiencies of the Civil Service system combined with local civilian review of whether the Somerville Police Department (SPD) should pursue legislative action to depart from the Civil Service system in order to ease the City's ability to hire and promote officers who reflect the community's values and diversity and who have the skills necessary for policing in the 21st century.

09 A commitment to further demilitarization and an end to Somerville's participation in federal military weaponry distribution to local police departments, which the Somerville Police Department already significantly curtailed in recent years.

10 A commitment to diligently and persistently pursue further reforms.

"No one should fear for their lives because of the color of their skin. No one should have to grieve the loss of a loved one, friend, or stranger who died because they were black. No one should have to fear those who are sworn to protect and serve," said Mayor Joseph A. Curtatone. "We have long been striving to develop and uphold the highest standards of fair, safe, just, and compassionate community policing in Somerville. These initiatives are neither the beginning nor the end of this vital effort. They are an intensification, one that every city, town, and state—as well as our nation—must commit to."

"We have been systematically transforming our approach to policing from an outdated model focused on arrests to one that acknowledges and responds to the needs of the community and is focused on compassion, de-escalation, and crisis intervention. I'm proud that our officers are committed to continually evolving how we protect the health and welfare of our community. But we have more work to do," said Somerville Police Chief David Fallon. "These steps will help us continue on that path so that we can not only fairly and safely protect and serve but so that we can also continue to strive to earn and maintain community trust daily in our every action."

Civilian Oversight Structure

City of Somerville
The Mayor's Office will include in its proposed fiscal year 2021 budget funding to hire an independent facilitator to help establish and lead a task force charged with developing actionable recommendations for the purview, composition, and implementation of a civilian oversight and advisory structure for the SPD.

Responsibilities of the civilian oversight committee may include but are not limited to evaluating and recommending changes to the Department's use of force policies; investigating alleged officer misconduct; evaluating the hiring, promotion, internal investigation, and discipline policies of the Department; and recommending changes necessary to the associated regulatory, legal, and policy structures.

In addition, the civilian oversight committee will be asked to provide recommendations on whether the SPD should remain in the state Civil Service system, which interferes with the City's ability to hire and promote diverse, well-rounded candidates who would contribute community-minded skills and aptitudes to the Somerville Police Department that aren't measured by a paper and pencil test.

"We need to bring new voices and perspectives into the oversight and rank and file of the police department. This committee will play a critical role in establishing and maintaining trust between the community and the police. It will also provide independent guidance on critical policy questions, like how to best address the state's outdated civil service law, which has interfered with some of our efforts to achieve greater diversity in our police force and command staff," said Mayor Curtatone. "If we're serious about advancing compassionate and unbiased policing, everything has to be on the table."

The funding, subject to City Council approval, would be available in July. In order for work to begin as soon as possible, the City will issue a Request for Qualifications (RFQ) for an independent facilitator in June; both individuals and organizations are invited to submit their qualifications. Once selected, the facilitator will be responsible for constituting a task force that is representative of the community and developing a timeline that allows for meaningful deliberation while also avoiding unnecessary delays.

Resolution in Support of Body Cameras

At the City Council's next meeting, on Thursday, June 11, Mayor Curtatone will submit a resolution reiterating the critical need for officers to wear and use body cameras and reaffirm the City's commitment to push for body cameras with the City's police unions. The Mayor will seek City Council and School Committee support of the resolution.

“For more than five years, the City has been fighting to get body cameras for our officers, but State laws, arbitrators, and union leadership have stood in the way despite the vital need for this reform and indications that it is supported by rank and file officers,” said Mayor Curtatone. “So we are going to get back to the table, we are going back zealously, and we expect union leadership to put the public safety of the community we all serve first and do the right thing. Body cameras are an absolute. They must become a standard part of police work.”

Changes in How Police Misconduct Cases are Handled

Mayor Curtatone calls on the Commonwealth to appoint an independent special prosecutor to investigate and, if necessary, prosecute potentially criminal cases of misconduct by officers. Currently, Massachusetts District Attorneys serve this function despite their close working relationship with local police in the investigation of crimes and the delivery of testimony. Mayor Curtatone applauds state and federal lawmakers and elected officials of color for taking the lead on advocacy efforts at the state level and are committed to supporting that work to achieve this critical change.

“Just as independent oversight is needed at the local level, we need independence when it comes to prosecutions of police officers to remove any real or perceived conflicts of interest. Like many of these reforms, there will be strong pushback by those entrenched in a system that no longer holds the public’s trust, but we must summon our courage as a society to institute this needed change,” said Mayor Curtatone.

The City has also filed a Petition at the Massachusetts Department of Labor Relations (DLR) to remove the SPD’s internal investigation oversight Lieutenant position from the Somerville Police Superior Officers Association so that investigations into allegations of police misconduct can be conducted by an individual with no potential conflict of interest due to their membership in the police union. The City is subject to the DLR’s process and disposition of its Petition before it can effect this change.

“Having reports of police misconduct investigated by a fellow union member can create the appearance of a conflict of interest. Even when investigations are conducted correctly and without bias, it’s understandable that the public might not trust the process,” said Chief Fallon. “We want full transparency. I want our residents to have the level of faith in Somerville police officers that I do. I want them to know they have the highest caliber of officer serving them and dedicating themselves to public safety.”

City of Somerville “We want to set up a system to investigate allegations of misconduct that is fair to both the accused and the accuser,” said Mayor Curtatone. “This step is an action we can pursue right now as we work toward the longer-term solution of civilian oversight.”

Asset Forfeiture Policy Changes

One outcome of the Community-Police Dialogue earlier this year was a call for changes to the City’s policies on asset forfeiture funds. Asset forfeiture is when assets - often money and other property - allegedly gained by criminal activity are confiscated by the government. The stated purpose of asset forfeiture is to disrupt criminal activity by confiscating assets that potentially could have been beneficial to the individual or organization.

As a result of the Dialogue, the City raised concerns with the Middlesex District Attorney’s Office (MDAO) regarding the fact that some funds are derived from cases where the owner of the seized property was ultimately not convicted. After these inquiries, not only did Somerville end its own policy of accepting funds derived from state-level asset forfeitures in cases without convictions, the MDAO independently changed their own policy, so no police department in Middlesex County will receive such funding.

The Somerville Police also participate in the Department of Justice Equitable Sharing Program, the federal asset forfeiture program, which in Somerville has primarily involved forfeitures from cartel-level drug enforcement actions vital to protecting the safety and health of our community and combating the opioid epidemic. Currently, the City uses these funds for various police expenses ranging from vehicles and equipment to overtime and training. As of July 1, 2020, the start of the City’s fiscal year, these funds will be solely dedicated to two purposes: 1) to provide substance use prevention and recovery, mental and behavioral health, and other services and resources designed to support residents and divert them from the criminal justice system, primarily through the City’s Community Outreach, Health and Recovery (COHR) Office; and 2) de-escalation, crisis intervention, health and mental wellness, implicit bias, and other similar training for officers and associated expenses.

Continued Demilitarization of the SPD

After already scaling back their participation in a Department of Defense program that provides military weaponry to local police departments, the SPD will formally withdraw from the program.

City of Somerville
“Our officers are not soldiers on a battlefield, and they should not be equipped with military-grade gear and weapons. Militarizing the police makes it difficult for residents to feel safe approaching and interacting with officers, increases risk, and sets an overall hostile, confrontational tone.” said Mayor Curtatone. “Community policing, not high-powered guns or armored vehicles, has been the most effective tool in promoting public safety in Somerville. The only war to be fought here is against racism, and we don’t need military-grade gear and weapons to do that.”

Commitment to Further Reforms

“We’ve undertaken numerous reforms, actions, and initiatives over the years to provide our community with values-based policing that is compassionate and just, but now is not the time to run through that list. It’s time for sustained and responsive action,” said Mayor Curtatone. “We are listening. We are learning. We too are grieving. And we are committed to continuing this work. The fact that something is missing on today’s list of new steps doesn’t mean we aren’t looking at it. We’re looking at everything. There is more to come.”