

# LeadBoston

2021

September  
8th 2021

Crime & Punishment Part 1: Arrest  
& Prosecution

WELCOME

@LeadBoston  
#LeadBoston

A program of YW Boston





# *Netiquette*

Rename yourself with your pronouns, if you'd like

Mute microphone – use space bar to unmute

Video on, if you're comfortable with that

Hand raise feature: use to communicate with facilitators and to ask questions during panel

Chat feature: use to communicate with each other

Take breaks as needed – don't bring your device/headphones to your break

Kids/pets welcome in screen

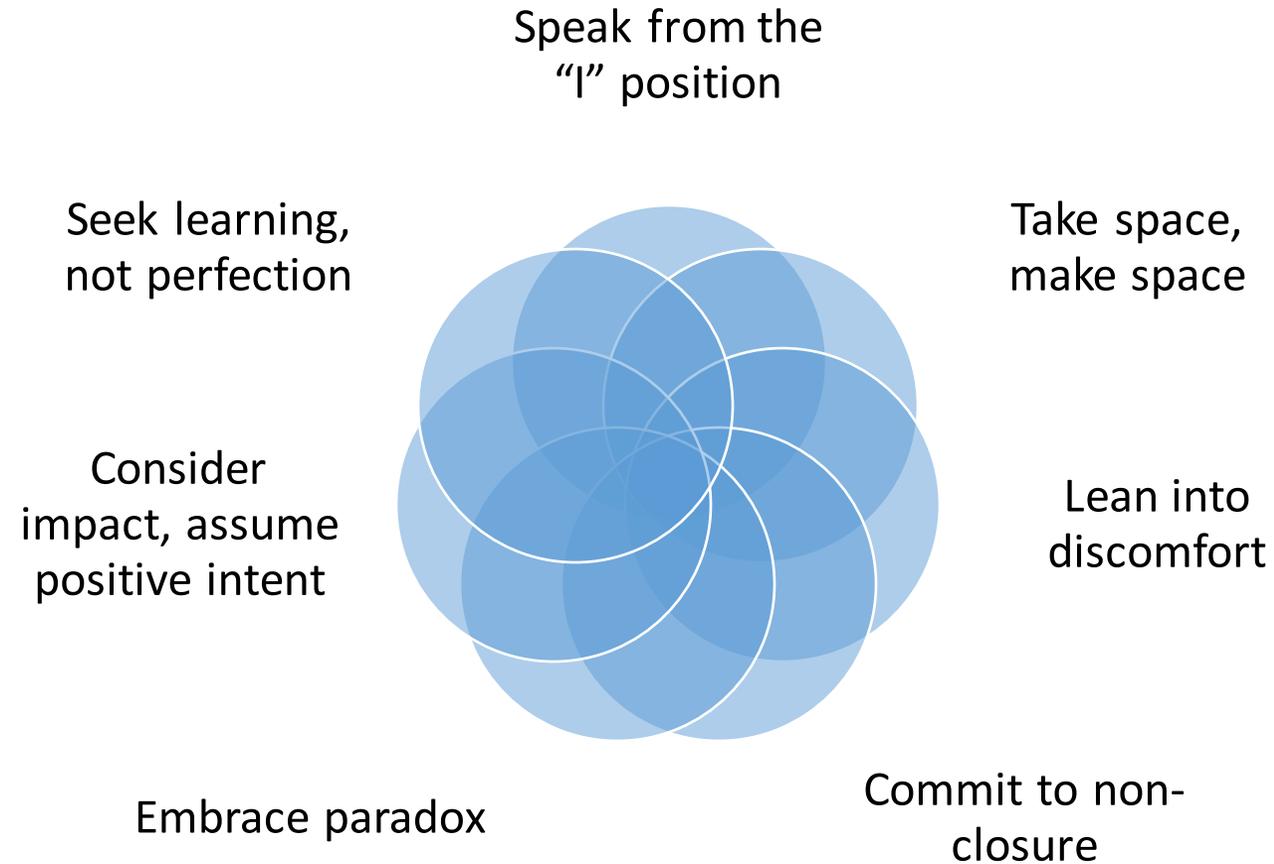
Session will be recorded

"Hide self view" by clicking in the corner of your picture

# Agenda

- 9:00: Welcome & opening
- 9:30: Expert Speaker: Suffolk County District Attorney Rachael Rollins
- \*break\*
- 10:40: Fact Share & Small Groups
- 11:10: BPD Expert Panel: Detective Jeffrey Lopes & Michael Gaskins
- \*break\*
- 12:00: Dialogue
- 1:00: Closing & Survey

# Dialogue Practices



# Objectives

- Objective #1: Understand where public safety, crime, and race intersect
- Objective #2: Discuss impact of high profile issues and public opinion trends on day-to-day efforts of police, district attorneys and court system
- Objective #3: Identify action steps contributing to racial justice, equity, and inclusion

# Announcements

For today's class:

- Trigger warning – practice self-care as needed

# LB 2021 Announcements

- Changes to cohort
- Upcoming Sessions:
  - 9/15: Continuing the Conversation
    - September Leadership Commitment Prep Group: Refreeze/Sustaining Change: Tom, Megan, Elizabeth, Anne, Liza
    - Structured time to connect/network ahead of leadership commitments
  - 9/23: In-person 5:05! Open to suggestions for location in Boston accessible by MBTA & parking
  - 9/29: Leadership Commitment Office Hours
- Next Month: October 13 Crime & Punishment Part 2: Incarceration & Re-entry
  - Reach out if you have expertise and want to be included
- 10/20: CTC
  - October Leadership Commitment Prep Group: Effective Project Management (Rachel, Nick, Ladi, Christina, Amy)
  - Structured time to connect/network ahead of leadership commitments
- November: 11/10 Leadership Commitment Presentations & Alumni Panel
- Graduation: 11/17

# BPD Quick Facts

- 2,139 officers
- Jurisdiction:
  - 89 square miles
  - 665,258 city residents
- Today, police data show about 65 percent of the department's sworn officers are white, compared to about 52 percent of the city's population. About 21 percent of the officers are Black; 11 percent Hispanic; and 2 percent Asian.
- The command staff — the deputy superintendents and superintendents appointed by the commissioner — is made up of 56 percent minority or female officers.
- 70 percent of all street interrogations involve people of color.

# BPD Quick Facts

- 2021 Annual budget: \$404.18 million
  - 2nd largest line item in city budget
  - BPD has seen a 46 percent increase in funding in the past decade.
- In FY20, Boston police employees were still paid almost \$58,000 more than non-BPD City employees – averaging \$132,000 in yearly earnings – and 519 BPD employees still made more than Boston’s Mayor
- Budget for the newly-created Office of Police Accountability and Transparency: \$1.9million
- 2022 Proposed overtime budget cut: \$21.9 million cut,
  - actually only \$4.9 million – from \$48.8 million allocated last year to \$43.9 million allocated this year. The \$22 million figure is not the budgetary difference, but rather the difference from the FY21 projected spending (\$65.8 million, according to the BPD).
- FY21 spending show police overtime was estimated to go \$20 million over budget by the end of June.
- Additionally, Janey’s budget recommendations earmark \$1.75 million for the Office of Health and Human Services to work with police, the public, and other stakeholders to develop a plan for bringing “alternative policing” models to Boston and to start training once a plan is formed.
- The pending budget calls for increasing the department’s sworn force by 30 officers — boosting the ranks to a total of 2,288 — while also increasing the number of cadet recruits by 20 cadets, or 50 percent
- Other law enforcement-related allotments in the budget include \$1 million for racial equity training for Boston police and \$2 million for additional Boston Emergency Service Team clinicians to help people experiencing mental health crises.

# BPD Quick Facts

- Our analysis shows many of Boston's specialized units are still largely white. Not counting officers out injured, Boston's homicide unit is 66 percent white; bomb squad is 69 percent white; and the Youth Violence Strike Force is 67 percent white.
- In other units, we found there is progress. Boston's human trafficking unit is 20 percent white. Internal affairs is 46 percent white.
- Sixteen years ago, the Boston Police Department reached a milestone — for the first time in modern history, the force resembled the community it served.
- With Hispanic and Black officers representing about 40 percent of the department, a federal judge lifted a consent decree that mandated hiring one minority candidate for every white candidate, capping a 30-year push for racial parity with the city's population.

# BPD Quick Facts

- In 2019 Black people, who made up one-quarter of the city's population in 2019, accounted for 69 percent of the stops. White people, though 44.5 percent of the city's population, accounted for 25 percent of stops.
- Data on whether the person stopped was Hispanic — collected in a different category than the race data — showed about 15 percent of encounters were with a Hispanic person, though the information was missing in about one-third of encounters.
- Officers documented just 111 stops of people they listed as Asian, Native, or other — less than 1 percent of all encounters.
- More than half of stops were of people between the ages of 18 and 34. About 6 percent were of people who were 17 or younger.
- The data show similar disparities to what has been released in the past: In a study of encounters between 2011 and 2015, researchers found the biggest predictors for whether a person of any race would be stopped more than once were gang affiliation and criminal history. And police have long maintained that the racial data alone is misleading, because police focus their attention on people they already know to be criminal offenders. But the earlier research, after controlling for criminal history, showed Black people were 8.8 percent more likely than white people to be stopped repeatedly and 12 percent more likely to be frisked or searched.

# BPD Reform

- Diversifying BPD force
  - Hiring preferences for BPS graduates
  - Reside in city for 3 prior years
- Accountability – OPAT
- Restrictions on use of force – rubber bullets, tear gas, crowd control projectiles
- Of the 32 items contained in the police reform package adopted last year, while many recommendations are in progress, fewer than a quarter of them are complete.

# BPD Crime Highlights

- During an unprecedented year of pandemic and social unrest, Boston saw a double-digit rise in homicides in 2020.
  - Boston police recorded 57 homicides in 2020, reminiscent of the 56 that occurred in 2018. The 37 killings in Boston in 2019 was a 20-year-low
- Overall, the city's most serious crimes, including rape, home break-ins, and robberies were down by nearly 1,000 cases
- Even as the number of shootings rose, the number of guns Boston police removed from the streets also increased in 2020 — to 444 compared with 393 in 2019

# Headlines

- 54 BPD officers on Rollins' list of officers with credibility issues
- Budget & Overtime
- Inequitable stops
- Data transparency
- Commissioner changes –
  - Commissioner Gross resigned, Commissioner White placed on leave within 3 days after assault allegations were uncovered; subsequently fired in June by Mayor Janey after investigation
- Patrick Rose
  - Remained on police force for 22 years after being accused of child rape
  - Rose was allowed to return to duty after the criminal charges were dismissed when Rose's victim recanted, even though an internal investigation sustained the allegations. Rose subsequently rose to lead the patrolmen's union before retiring in 2018. He went on to allegedly abuse at least five more children before prosecutors filed new criminal charges against him last August.

# DA Rollins' Do-Not-Prosecute List

- Trespassing
- Shoplifting (including offenses that are essentially shoplifting but charged as larceny)
- Larceny under \$250
- Disorderly conduct
- Disturbing the peace
- Receiving stolen property
- Minor driving offenses, including operating with a suspend or revoked license
- Breaking and entering — where it is into a vacant property or where it is for the purpose of sleeping or seeking refuge from the cold and there is no actual damage to property
- Wanton or malicious destruction of property
- Threats – excluding domestic violence
- Minor in possession of alcohol
- Drug possession
- Drug possession with intent to distribute
- A stand alone resisting arrest charge, i.e. cases where a person is charged with resisting arrest and that is the only charge
- A resisting arrest charge combined with only charges that all fall under the list of charges to decline to prosecute, e.g. resisting arrest charge combined only with a trespassing charge

Instead of prosecuting, these cases should be (1) outright dismissed prior to arraignment or (2) where appropriate, diverted and treated as a civil infraction for which community service is satisfactory, restitution is satisfactory or engagement with appropriate community-based no-cost programming, job training or schooling is satisfactory. In the exceptional circumstances where prosecution of one of these charges is warranted, the line DA must first seek permission from his or her supervisor. If necessary, arraignment will be continued to allow for consultation with supervisor. Thus, there will be an avenue for prosecuting these misdemeanors when necessary but it will be appropriately overseen by experienced prosecutors.

## Current Boston Police Department sworn officers by race/ethnicity and gender.

Asian Female:

0.3%

Asian/Male:

2%

Hispanic/Female:

1.7%

Hispanic/Male:

9%

Black/Female:

5%

Black/Male:

16.5%

White/Female:

6.7%

White/Male:

58%