

PROPRIETARY

THE CITY OF NEW BEDFORD

Assessment of the New Bedford Police Department



PREPARED FOR

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Date: July 19, 2023

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JENSEN HUGHES

July 19, 2023

Paul Oliveira
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Dear Chief Oliveira:

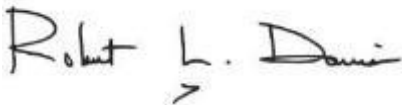
Please find attached our final report detailing the results of Jensen Hughes's independent assessment of the New Bedford Police Department. We reviewed several issues regarding police department effectiveness as well as the substantial progress made over the last two years in addressing department needs and provided recommendations for actions that can be undertaken in the next months to position the department for excellence in providing safety and security for the city and its residents.

The project team appreciates the great assistance you and the members of the department have provided during this period in understanding the department and the challenges faced given the COVID-19 pandemic, the changing economy, the declining workforce and reinforcing the commitment to community policing in the city.

This report is a proprietary work document between Jensen Hughes and the City of New Bedford. We place enormous value on the trust you have extended to us in this matter and look forward to supporting your requirements in the future.

Sincerely,

Jensen Hughes



Robert Davis
Senior Vice President and Global Service Line Leader
Law Enforcement Consulting

Table of Contents

EXECUTIVE SUMMARY.....	5
Strategic Context and Assignment	5
Methodology and Approach.....	5
Six Key Principles.....	5
An Intensive and Collaborative Approach	6
Evolving Standards for Policing	6
KEY RECOMMENDATIONS	8
OVERVIEW OF THE NEW BEDFORD POLICE DEPARTMENT	9
New Bedford + Population.....	9
Department Personnel, Management and Organization	9
Department Initiatives Over the Past Year	10
Key Issues of Concern.....	12
PROPOSED ORGANIZATIONAL STRUCTURE FOR THE NBPD.....	13
Patrol Deployment	13
Recommendations	13
Precision Policing Methodology.....	14
Recommendations	14
Police Labor Union and Command Staff	15
Recommendations	16
STAFFING ANALYSIS	17
Recommendations.....	21
SUPERVISION	22
Recommendations.....	22
CALL FOR SERVICE WORK DEMANDS.....	23
Recommendations.....	24
DRUG ENFORCEMENT	25
Recommendations.....	25
RECRUITMENT	26
Recommendations.....	26
PERFORMANCE EVALUATION.....	27
Recommendations.....	27
COMPLAINTS AGAINST OFFICERS	28
Recommendations.....	28
POLICE FACILITIES	29
Recommendation.....	29

COMMUNITY ENGAGEMENT.....	30
Recommendations.....	30
CRIME REDUCTION AND CONTROL.....	31
Recommendations.....	32
POLICE TRAINING.....	33
Recommendations.....	33
BODY WORN CAMERAS.....	34
Recommendations.....	35
HOMELESSNESS AND MENTAL ILLNESS.....	36
Recommendations.....	36
DEPARTMENT DATA REQUIREMENTS.....	37
POLICE TRANSPARENCY.....	38
Current Transparency Practices.....	38
Transparency in Policing Operations and Outcomes.....	39
Policy and Procedures Manual.....	39
Investigative Outcome Data.....	39
Annual Report.....	40
Public Reporting of Police Encounters and Accountability.....	40
Annual Use of Force Data Report.....	40
Public Annual Police Complaint Data Report.....	41
Public Annual Police Bias Data Report.....	41
Community Engagement in Crime Problem-Solving Initiatives.....	42
Enhance Public Reporting of Crime Data.....	42
Enhance Critical Incident Public Reporting.....	42
Recommendations.....	43
WORKPLACE HARASSMENT.....	44
Best Practice Policy.....	44
Training.....	45
Supervisory Oversight.....	45
Peer Support and Mentorship.....	46
Recommendations.....	46
SUMMARY.....	48

Executive Summary

STRATEGIC CONTEXT AND ASSIGNMENT

This report provides guidance to the New Bedford Police Department (NBPD) on improving the quality of policing in the city as well as improving the sense among police employees that they are a valued resource for the city and its residents. The work was undertaken through interviews with officers and managers, a review of operations, discussions with some community members, and a review of department policies and procedures, including staffing.

The City of New Bedford requested the review to determine areas that need improvement to ensure basic standards of modern policing are being followed by the department. This work was a two-part process; one was working with the chief of police to review current practices and identify areas that need improvement. The second was to make a series of recommendations detailing changes that should be made to ensure the department has adopted best practices in areas such as bias-free policing and transparency with the public.

The report was done by Jensen Hughes, a national organization that has undertaken numerous police reviews across the country. Robert Wasserman led the project and worked over the last year with the chief of police in assessing current practices and developing an initial effort to address many of the issues the department has faced over the years. The project team also included Sydney Roberts, a former law enforcement executive, and C. Daniel Wagner, a former deputy superintendent of the Cambridge Police Department.

This report provides a review of current initiatives since Chief Paul Oliveira has been in office; recommendations regarding how the department can move toward a higher level of excellence serving the New Bedford community while strengthening the trust between the police and the diverse residents of New Bedford; and recommended actions to be taken over the next several years.

The recommendations in this report reflect current progressive police community thinking about how urban police can best address communities' concerns regarding how policing is conducted against a backdrop of weaker public confidence in police and a national anti-police climate.

It is important to note most employees of the NBPD are committed to providing excellent service to the New Bedford community. Though there are issues of concern among police employees and change can be challenging, most continue to act professionally and reflect a strong commitment to serving the New Bedford community.

METHODOLOGY AND APPROACH

Six Key Principles

Emerging from our experiences as leaders in a variety of law enforcement-related fields, the Jensen Hughes methodology is based on the following six strategic principles.

- + Independent and objective analysis.
- + Solicitation of multiple perspectives and viewpoints.
- + An acute focus on collaboration and partnership.

- + An information-driven, decision-making mindset.
- + A structured and highly disciplined engagement approach.
- + Clear and open lines of communication.

An Intensive and Collaborative Approach

During this engagement, the Jensen Hughes assessment team performed the following tasks.

- + Conducted a kick-off meeting with key New Bedford officials, NBPD staff and other stakeholders.
- + Conducted one-on-one interviews with sworn members of the NBPD and hosted a focus group with members of the NBPD.
- + Developed an understanding of the NBPD's mission, vision and values, as well as its history, organization and cultural environment.
- + Designed and facilitated a staffing study.
- + Requested, received and reviewed the NBPD's policies and standard operating procedures, including those related to the investigation of internal complaints such as complaints of workplace harassment and discrimination from the NBPD.
- + Interviewed key personnel and stakeholders, including elected officials, members of the District Attorney's Office, the New Bedford chief of police, representative members of all ranks within the NBPD, and officials of the NBPD Collective Bargaining Unit.

Our team then prepared our report, which provides our recommendations for enhancing and modernizing the NBPD to ensure its practices align with the principles of 21st Century Policing.

EVOLVING STANDARDS FOR POLICING

The President's Task Force on 21st Century Policing¹ was established by the Obama administration to address issues in policing and the lack of confidence many people had in the police following the release of videos showing certain police interactions. The Task Force made a series of specific recommendations for police agencies:

- + Building trust and legitimacy with residents and businesspeople in all neighborhoods, particularly poorer marginalized communities.
- + Provide clear policy and oversight of how policing is carried out, so officers clearly understand neighborhood policing priorities and strategies.
- + Use social media and other technology effectively to provide a sense of community sentiment and provide officers access to modern technology capabilities.
- + Focus policing on community policing and crime reduction, with every officer being an integral part of community policing rather than it being a specialized assignment.

¹ <https://www.ojp.gov/ncjrs/virtual-library/abstracts/final-report-presidents-task-force-21st-century-policing>

- + Provide effective training and education for officers to maximize their skills.
- + Ensure officer safety and wellness.

These recommendations have been generally accepted as the basis for policing in the current era. They provide guidelines for policing priorities and the best ways of addressing crime and disorder in our communities.

It is common for the Department of Justice (DOJ) Civil Rights Division to undertake pattern and practice investigations of police agencies that appear to have practices that do not meet basic civil rights requirements. These investigations sometimes result in the DOJ going to court to obtain a consent decree requiring the city and police agency to implement listed reforms. An independent monitor is hence appointed with a staff to monitor whether the police agency is moving to address the pattern and practice findings.

The areas of concern in pattern and practice investigations include the following:

- + Patterns of stops and arrests in violation of the 4th Amendment of the Constitution, including the agency making pedestrian stops without reasonable suspicion and officers making pre-cursor vehicle stops where there was no violation of the law.
- + Contempt of cop arrests, seizures, and citations violating the Fourth and First Amendments
- + The disparate impact of arrests based on race and failure to track and analyze appropriate data with respect to race.
- + Officers engaging in unreasonable use of force and lack of an effective system for use of force reporting and review, including supervisory review.
- + Failure to screen candidates for assignment to specialized units, lack of integrity tests and bias in assignment of officers to special units.
- + Inadequate supervision and management to avoid violations of policy violations by officers.
- + Inadequacy of training for officers regarding stop, search and arrest policies and similar procedures that may violate constitutional requirements.

The chief has been monitoring the above areas to ensure the core standards are being met. In the last year, significant changes have been made.

Key Recommendations

The NBPD should regularly review the previously noted areas for compliance and focus on them in annual in-service training for officers, supervisors and managers to ensure they are aware of the DOJ's issues of concern. The elements of the President's Task Force should also form the basis of department improvement.

No. Recommendation

1 The department should work to ensure each of the President's Task Force recommendations is reflected in practice within the department.

2 The department should report yearly on what has been done to implement the recommendations of the Task Force.

3 We suggest annual in-service training cover the previously highlighted areas so all employees will understand the principles they must follow.

4 Employees must be informed that they are required to report any violations of these policy areas that they observe.

5 When complaints about policing activities are raised by outside groups, they must be thoroughly investigated in a transparent manner.

6 If two new superintendents are appointed, they should be thoroughly oriented to the issues that have drawn other police agencies into examination by the DOJ for civil rights violations. They should have responsibility for continuing to examine whether the New Bedford Police Department and its employees are adhering to best practices identified by the DOJ in reviews of other agencies.

Overview of the New Bedford Police Department

NEW BEDFORD + POPULATION

New Bedford is a city in the South Coast region of Massachusetts covering 24.1 square miles with a population of 101,079. It is the 9th largest city in the state. The city has a diverse population, consisting of various racial and ethnic groups. The largest racial group is White (72.2%, 66.1% non-Hispanic); other races (13.7%), Black or African American (9.7%), two or more races (3.9%), and Asian (1%). There is a very large Portuguese population in New Bedford with 34% of the population identifying as Portuguese and nearly 60,000 residents having some Portuguese ancestry.

The city is a major fishing port, one of the largest in the United States. In 2019, it was reported the city generated the highest value of any fishing port in the United States. It is currently home to the crews building a major wind farm south of Martha's Vineyard, which will eventually power much of Southern Massachusetts. New Bedford has nine historic districts on the National Register of Historic Places.

DEPARTMENT PERSONNEL, MANAGEMENT AND ORGANIZATION

The New Bedford Police Department (NBPD) is budgeted for 260 sworn officers (1 chief, 1 deputy chief, 6 captains, 11 lieutenants, 39 sergeants, and 202 police officers); the department currently has 210 positions filled (1 chief, 1 deputy chief, 5 captains, 7 lieutenants, 34 sergeants and 164 police officers). The department is also budgeted for 45 civilian positions, of which 37 are currently filled. Over the last few years, there has been substantial attrition in the department and the hiring process has been challenging, as has been the case with many police agencies across the country.

The department is divided into four major areas: Patrol, Detectives, Professional Standards, and Administrative Services. There are two non-union management employees: the chief of police and the deputy chief of police. Current Chief Paul Oliveria has been in that position for about two years. There is one union for officers, sergeants, lieutenants and captains.

The department has three major facilities: a Police Headquarters building and two patrol stations, one in the northern area of the city and the other in the southern area.

As described on the department's website, the functions of the divisions are the following.

- + **Patrol** is considered the public face of the NBPD and is dedicated to the philosophy of "community policing" in New Bedford. It is charged with the responsibility of preventing crimes and traffic accidents by maintaining a mobile visible presence, making inquiries and inspections, identifying and discovering hazards and situations that may contribute to delinquency, and maintaining public order; responding to calls and requests for law enforcement service or assistance; investigating or initiating the investigations of crimes, offenses, incidents, and conditions and causing the arrest of offenders; providing traffic control and direction; providing emergency services; and maintaining a valuable relationship with citizens and other police agencies.
- + **The Detective Division** conducts follow-up investigations on cases initiated through the Patrol Division for those types and categories of crimes commonly referred to as Major Crimes. These crimes include robbery, homicide, felonious assault, burglary, forgery, larceny, fraud and embezzlement.

- + **Professional Standards** is responsible for investigating complaints of misconduct alleged to have been committed by members of the NBPD and ensuring members of the community are provided with an opportunity to voice their legitimate concerns regarding the type and quality of service delivered by the department. It strives to safeguard the integrity of the police department, as well as to preserve community confidence and trust.
- + **The Administrative Services Division** oversees NBPD's Facilities, Payroll, Central Records, Training, and Management Information System (MIS).
 - Central Records manages all requests for police reports, Massachusetts Criminal Offender Record Information (CORI) checks, trespass notices, stolen automobiles, missing persons and many others.
 - Training oversees recruitment, background investigation, and hiring of police officers and civilian employees. It also oversees all facets of mandated yearly training for police officers, police cadets and 911 dispatchers and maintains training records along with any certifications or qualifications for each employee.
 - MIS handles all computer, radio, video and audio equipment for the department. It maintains the day-to-day operations of more than 150 desktop computers, more than 50 mobile computers, numerous servers and more than 300 portable radios. The MIS Division builds and repairs all these systems in-house. It is also responsible for the maintenance of the 911 system.

DEPARTMENT INITIATIVES OVER THE PAST YEAR

In addition to the areas discussed previously, the department, under the guidance of the chief of police, has implemented a wide range of initiatives to address modernizing aspects of policing in New Bedford and improving support for officers in the field. The key initiatives undertaken are the following:

- + **One-Officer Cruisers:** All patrol units are now one-officer cruisers. This was done temporarily during the COVID-19 pandemic but has now been made permanent. This has allowed more police unit coverage in the city's neighborhoods.
- + **Detective Vehicles:** All detectives are now outfitted with a reliable and presentable unmarked cruiser.
- + **School Resource Officer Cruisers:** Now in the process of outfitting all School Resource Officers with brand new cruisers. The first one has arrived; a Chevy Camaro wrapped with an Autism Awareness theme. The others are in the process of being wrapped with similar themes before being added to the fleet.
- + **Elderly Outreach:** Applied and received a grant that enables officers to conduct house visits with the elderly. The grant pays for the overtime for officers to visit the elderly and check on them and their residences for safety (lights, locks) and other needs they may have.
- + **Homelessness:** Since August 2021, began conducting a proactive outreach program with the homeless. Invited social service agencies to engage this community to be sure all needed services were being offered to them.
- + **Challenge Coins:** Created a challenge coin for the department and distributed two coins to each department employee. A Chief's Coin was also created to be given to a member of the department each month for a recent accomplishment that is then highlighted in the bi-monthly internal department newsletter. Department coins are still handed out to officers volunteering for events or for doing exceptional work.

- + **Newsletter:** Started a newsletter in January 2022. The newsletter is distributed to the entire department and all retirees.
- + **Roll Calls:** The chief and deputy chief periodically attend roll calls. These meetings update members of the department on what is going on and give them an opportunity to ask questions, make suggestions and file complaints.
- + **New Cruisers:** Purchased dozens of front-line cruisers putting the NBPD in the best position it has ever been in with the condition of frontline cruisers; more are on order.
- + **ASHER training:** All officers now receive ASHER (Active Shooter and Hostile Environment Response) training. The NBPD is one of the first police departments in the state to have all personnel receive this training, which the Massachusetts Executive Office of Public Safety and Security (MA EOPPS) has adopted as the statewide standard for active shooting training. The department also implemented an ASHER policy; the department did not have an active shooter policy prior to this.
- + **ICAT training:** Three officers received ICAT instructor training. This training – Integrating Communications, Assessment, and Tactics – provides officers with the tools, skills and options they need to defuse a wide range of critical incidents successfully and safely. The department is having all officers trained under this model, which is the leading de-escalation model endorsed by the Police Executive Research Forum (PERF).
- + **Tasers:** New Tasers have been purchased for all officers to be equipped with them. All officers will soon be trained on this newest, state-of-the-art Taser device.
- + **Firearms:** The department is now in the process of purchasing new 9mm firearms for the entire department, moving away from the 40mm caliber and going to the 9mm which is the recommended firearm for law enforcement following a report issued by the FBI. The department is also equipping the new 9mm weapons with optics for the first time in the history of the department.
- + **Recruitment Officer:** A recruitment officer has been appointed, who will help address the department's manpower shortage.
- + **Renovations:** The police headquarters building is being renovated. The payroll office was renovated with grant money and a new classroom is being added in the building. This will allow officers to conduct training in the building and no longer go to 1204 Purchase Street, which is not suitable for police training.
- + **Liaison Officers:** The department established liaison officers to engage with the Central American population, who have already had great success with building trust within this community. Several successful investigations have resulted in positive and trustworthy relationships. This has been expanded, and the NBPD now has a Muslim liaison officer with the Muslim community and is in the process of introducing an officer as a liaison to the LGBTQ community. All the liaison officers are given department-issued phones and business cards.
- + **Business Cards:** All officers were offered the opportunity to have business cards purchased for them with their personal department information, of which many officers have taken advantage.
- + **Cameras:** The department has continued to expand the camera system in the city, with the newest approval to spend nearly \$200,000 on cameras that will cover areas in the south end.
- + **Software Update:** The department has been approved to update the reporting/dispatch software. This will replace the current software, which is out of date and has outgrown its capabilities. The new software will be installed in 2023.

- + **Lights On Program:** The department partnered with the “Lights On Program” and solicited the New England Patriots football team to also partner, which they did, to implement the program. Officers are now equipped with vouchers to issue to members of the community that they pull over for having a light out on their vehicle. The voucher allows them to go to a repair shop and have the light fixed at no charge. The voucher is issued instead of a civil citation. The department was fortunate enough to have a Patriots player come to New Bedford to ride along with one of the officers and issue some vouchers to introduce the program.
- + **Clinicians:** The department has expanded its access to mental health clinicians, now working with two agencies that supply these clinicians. The department also applied for and received a new grant from the Department of Mental Health that allows for a mental health clinician to accompany an officer in a cruiser that is available to respond to all mental health-related calls and follow up with previous calls that dealt with these situations. Prior to this, the department did not have a dedicated cruiser on the road to prioritize these calls for service.
- + **Gang Database Review:** The gang database policy was reviewed and updated to match current best practices.

KEY ISSUES OF CONCERN

Even though this range of improvements is impressive, there are other issues that are a serious challenge to the city and the department. The most significant of these issues are the following.

- + Declining staffing levels in the police department are a big issue. Many officers have left the department to either retire or go to another police agency. A few officers have transferred to nearby local police departments with less workload and higher pay while some have moved to the State Police. It has also been a challenge to recruit new officers from the State Civil Service police list, since most other departments do not have a residency requirement, have higher pay and have less workload demands.
- + Increasing calls for service levels means patrol units must be fully staffed to meet the need. The chief has moved to replace patrol officers who leave the department with officers from other assignments in the department. However, the staffing study completed as a part of this work indicates the current practice of having the same number of officers working patrol on all shifts does not match when the most calls for service occur.
- + Patrol shift staffing is a challenge. The department has provided overtime pay to officers to work these shifts when sufficient staffing is not available, but many officers do not want to work this amount of overtime. The situation is complicated because officers who work private details at businesses around the city can earn far more than the overtime rate for department staffing. Some of the differentials relate to the pay scales of police officers in the department.
- + There is a perception by some female officers that they are not treated fairly nor respected by other officers. These female officers feel harassed in some circumstances and powerless to do anything about it.
- + Many police officers feel city administration does not respect the police, which officers perceive is demonstrated by actions the city has taken to close one of the police stations, not recognizing good policing by officers, and the failure to provide good police facilities for officers to work. Particularly in the north end of the city, the police facility is inadequate to be a police station. These issues are discussed in a later section of this report.

Proposed Organizational Structure for the NBPD

PATROL DEPLOYMENT

The history of the city has been that police are generally well-regarded by residents, but changes in the policing environment throughout the country make recruitment difficult.

The department is faced with moving itself to the next level of excellence, reflecting the recommendations of the President's Task Force on 21st-Century Policing. The strategies used to move forward must involve the New Bedford community if stronger trust is to be created between the police department and the New Bedford community. Good policing is found when the community and police collaborate in addressing problems that come to the attention of the department.

This style of policing involves policing the neighborhoods in a manner that builds trust with residents. Neighborhood policing involves two major elements:

- + Geography accountability
- + Community engagement

Most officers on patrol need to be assigned to a specific community neighborhood as their basic assignment. They should work in the same neighborhood every time they are on duty.

The department is currently divided into two patrol precincts. For patrol purposes, those two precincts should be divided into a few sectors to which the officers are assigned. The officers should remain in the sector as much as possible. The precinct should also have one unit that is a rapid response unit, available to respond to any sector when there is a need for a backup unit or a call for service when the sector officer is on another call.

When there is a Priority 1 (high-priority) call in the sector, the officer on a lower-priority call should excuse themselves and respond to the priority call, telling the original caller they will get back to them later.

Rapid response units can also handle arrest transport or cover for a sector officer who is engaged in addressing a significant neighborhood problem.

By having officers assigned regularly to a geographic neighborhood, they will have the opportunity to really know the geographic area and its residents, as well as the issues of concern to the community. They will also have time to engage with neighborhood stakeholders in a manner that can strengthen trust between that community and the police.

Recommendations

- + Create new patrol sectors in each precinct to which officers should be assigned. Have officers generally patrol the same sector as their regular assignment.
- + When not responding to a call for service, ensure officers are engaging with the community, getting to understand the issues of concern to neighborhood residents and businesspeople.
- + Provide sector officers with business cards that can be given to community members, should they want to contact the officer.

PRECISION POLICING METHODOLOGY

Like physicians who take an oath to do no harm in addressing disease, precision policing states police must do no harm to those who are not engaged in criminal acts.

Precision policing also involves having patrol officers actively patrol area hotspots that have shown patterns of crime. Active patrolling means officers having a visible presence in the neighborhood, getting out of their vehicle to walk around the affected area and interfacing with the community and businesses.

A recent report by the Justice Department's Bureau of Justice Assistance noted after an evaluation of the predictive policing strategy that it could have a major impact on crime levels in areas that have issues of crime and disorder. Rather than simply driving through hotspot areas, sector officers need to get out of their vehicles and engage with the community. A presence in a hotspot neighborhood of only a few minutes can have a long-lasting impact on crime and disorder.

For example, when youth are congregating on a street corner, the sector officer should get out and engage with the group, beginning to establish a relationship with them. This action can dramatically reduce activities such as drug dealing at these locations. Tactical unit sweeps of neighborhoods can do serious harm to a community, where police assertively approach people who are not actually engaged in criminal acts. To address crime and disorder, police must undertake a quality analysis of where crime is occurring, who is committing the crime and the approach being taken by the offenders.

"Precision policing" was a concept that Bill Bratton, the former Police Commissioner at NYPD, articulated to reflect a commitment to avoid taking action that does not focus only on known offenders and to avoid tactics that can have unanticipated consequences for others in the community. Particularly in poor and often marginalized communities, without having developed relationships of trust, police actions can negatively impact those communities.

The NBPD must be sure all officers understand this concept as the grounding of their policing approach. It is also important that officers always recognize they may be filmed by community members when they interact with the community. This is the nature of the changing policing environment.

It is important that police begin to address the importance of creating trust with the community in a manner that does not negatively impact marginalized communities. Some strategies and tactics must change to build trust in the community. For example, pretext stops need to be eliminated as a policing tactic; many departments have now done this with little or no impact on crime levels. Officers who do make a traffic stop must be required to tell the driver their name and why they have stopped them before asking for a license and registration. The reasons for a stop must relate to an offense that has been observed.

Officers must be aware that they must avoid only targeting one or two ethnic groups for stops. With the department collecting information on the ethnicity of those drivers stopped, which in some instances officers estimate the ethnicity of the driver, the appearance of bias in stops can be addressed if it is found. Through training and good supervision, officers can be made aware of the evolving practices and how they can still be effective without being perceived as biased in their actions.

Recommendations

- + Officers must fully understand the elements of precision policing and the underlying philosophy that will avoid citizen complaints about biased policing.

- + Supervisors must carefully observe field activities to ensure officers are abiding by the principles of precision policing.
- + Problematic tactics, such as pretext stops and the use of special anti-crime task forces, must be carefully monitored and generally eliminated.

POLICE LABOR UNION AND COMMAND STAFF

The NBPD is an institution that in some ways has not caught up with current modern practices in other police agencies in the state and across the country. In New Bedford, all officers from police officers to captains are members of a single police union. Only the chief of police and the deputy chief of police are not in the union.

The responsibilities of the different ranks in the police department are very different from each other. The police officer is the lowest level and performs police or specialized activities. Sergeants are first-line supervisors, responsible for overseeing the performance of police officers. Lieutenants are first-line managers overseeing sergeants and others who may not have a sergeant assigned to the unit in which they work. Captains are senior managers, responsible for large units in the department, often overseeing lieutenants and managers in important areas of police service delivery.

Almost all larger police agencies have recognized the difference in these ranks and have separated supervisors and managers from the union for police officers. There is somewhat of a conflict of interest when the supervisors and managers who oversee police officer performance are in the same union as the police officers. When these ranks are all in the same union, there is a risk that supervisors and managers will align with union leadership that wants to protect officers, even when officers are not performing the required level of service.

Larger city police agencies have divided union representation so police officers have their own union, supervisors and first line managers have their own union and captains have their own union. Some cities only have two unions: one for police officers and another for supervisors/managers. In this regard, New Bedford is outdated from current practice. In some smaller agencies, the police union only includes police officers and sergeants, but that arrangement is slowly fading away. Through bargaining, the city should continue to insist supervisors and managers be removed from the police officer union and a different union be established for those individuals.

Captains should be in a union different from police officers, as should sergeants and lieutenants. Managers cannot be effective if the police officer union focuses on protecting officers, which is what the union is about to some degree; supervisors and managers being a part of that union are then expected to protect officers, even when improper behavior and other issues of officer performance arise.

The role of captain in the department has been confused over the last few years. Captains were sometimes assigned to a police station and would end up being the only supervisor at the station. Recently, captains assigned to one of the two stations have been assigned as commanders of the station.

Under the current organizational structure, the chief and deputy chief are the only non-union positions in the department. There is a need for stronger senior non-union management positions to ensure there is strong leadership at the higher levels of the organization.

Recommendations

- + The dated situation where all supervisors and managers aside from the chief of police and deputy chief are in the police officer union should be changed to modernize the supervision and management of the department and reflect best practices across the country.
- + The city should recommend that supervisors and managers be in a separate union from police officers. Captains should be in the management union and lieutenants could be either in the supervisor union or the management union.
- + Additionally, the non-union position of superintendent should be established for two senior management positions. One should oversee all field operations and services working from the two police stations. Another position should oversee all other support functions in the department. The deputy chief should remain in charge of internal affairs and use of force reviews. The salary for the superintendents should be sufficiently higher than the salary for captain. Individuals who are selected to fill those positions should be able to return to their former rank if they are not successful in the superintendent position. Applicants for the superintendent positions should be accepted from officers of the rank of lieutenant and above.

Staffing Analysis

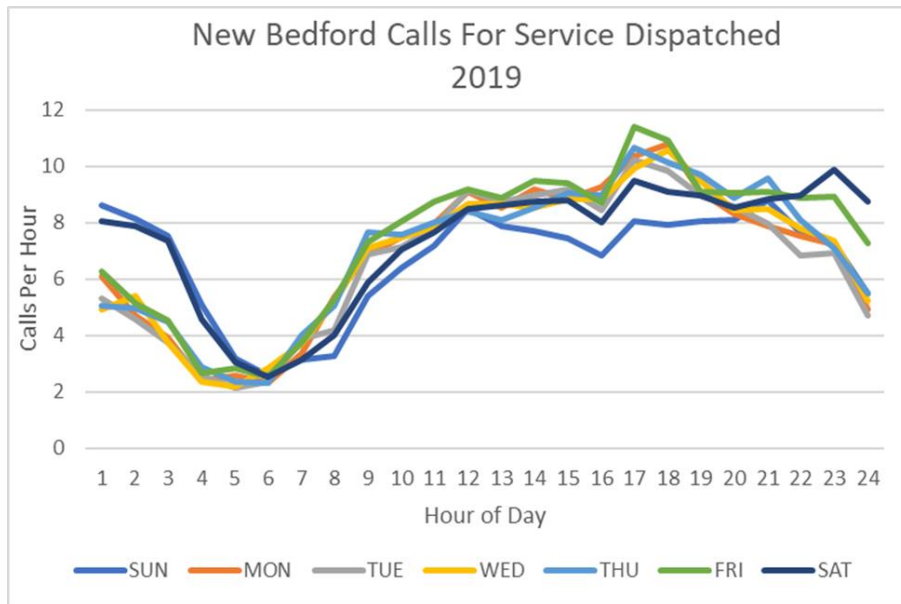
Prior to the completion of this study, the NBPD did not make use of data from its computer aided dispatch (CAD) system to measure patrol workload, performance in answering calls and patrol staffing needs. As a result, minimum staffing levels in the current police union contract were not based on actual patrol workload by time of day and day of week. This situation created several staffing and resource allocation problems.

There were some shifts for which officers were forced to work overtime when they were not really needed. The table that follows shows the largest amount of forced overtime was on day shifts starting at 0800 with Sunday being the highest at 219 hours.

2021 Patrol Officer								
Hours of Forced Overtime								
Start Time	SUN	MON	TUE	WED	THU	FRI	SAT	Total
0000	104	56	24	16	13	40	91	343
0330							4	4
0400					4		4	8
0500		9						9
0530			81					81
0600				12	9	15		36
0730	37	16	4	12	20	61	16	165
0800	219	61	24	59	54	68	130	614
0830					8			8
0930			6					6
1100		5						5
1130	20			4				24
1200	12	4	12		4	8	28	68
1300				14			7	21
1330					12			12
1400						6		6
1500					5			5
1530	14		11	8	8	20		60
1600	64	40	29	24	36	60	80	333
1630			43					43
1830						6		6
1900					4			4
2000	4	4						8
2330			8		8	17	40	73
Total	474	195	241	148	183	300	399	1,939

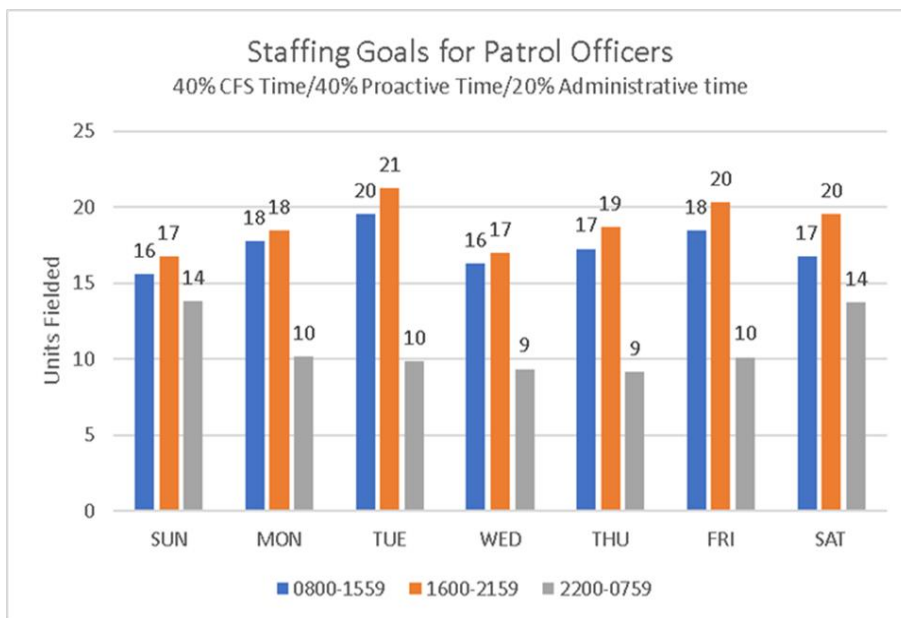
The following graph of calls for service dispatched by time of day and day of week during 2019 shows levels of forced overtime caused by current shift minimums do not correspond to patterns in calls for service per hour.

For example, Saturday and Sunday day shifts that start at 0800 hours are not high workload shifts that would require forced overtime. The same is true for shifts that start at 1600 on Saturdays.



The next graph contains results of the patrol staffing analysis based on a time allocation for patrol officers of 40% of time spent handling calls, 40% of time for proactive enforcement and prevention work, and 20% of their time for shift change, meals, breaks and servicing equipment.

The graph shows staffing levels need to vary by day of the week to provide consistent response to calls for service and adequate proactive time for neighborhood policing work. The current work schedule provides the same number of officers on each day of the week for each shift which does not fit the pattern of workload.



Study results also showed the department that changes in call handling policies could reduce calls for service dispatched but still provide good service to the public other than by dispatching patrol units. The table that follows shows that disturbance, motor vehicle accidents, burglar alarm calls and check welfare calls are among the top 25 calls dispatched in New Bedford. Evaluation and adjustment to policies in screening these calls could significantly reduce patrol workload. Some other examples of calls that should be examined are:

- + Non-injury motor vehicle accidents may require just an exchange of information and response by EMS if there is a question about injuries.
- + Burglar alarm ordinances are designed to make alarms more effective by reducing police response to false alarm calls.
- + Check on welfare calls may include unverified 911 calls that are misdialed with no noise, conversation or history at a location that would suggest a police response was needed. Call screening policies based on risk assessment will identify the types of calls that should be dispatched.

The role of police in responding to medical calls has been addressed in the past in New Bedford but those calls still represent a significant level of police workload. The safety of EMS staff is an important issue, but policies can be worked out to protect first responders based on past call patterns and the judgment of patrol supervisors.

2019 Patrol Service Times	Top 25	
Call Type	Total Minutes	Units Dispatched
Disturbance	547807	16559
Motor Vehicle Accident	170104	4921
Alarm: Burglar	164744	4587
Domestic Disturbance	146215	4373
Complaint	131782	3868
Check Auto	130516	4017
Emotionally Disturbed Person	63307	2840
Sick Person	55702	1968
Breathing Problems	49457	1612
Service/Maintenance	40599	1384
Prisoner Transport	33578	1152
Fight in Progress	33395	1105
Abandoned 911 Call	32938	1066
Unconscious/Fainting	32375	933
Suspicious Activity	30495	949
Chest Pain	28284	914
Assist other Agency	26230	813

Serve Warrant	25973	750
Overdose/Possible Overdose	23664	778
Falls with injury	22044	749
Further Investigation	22698	630
Shots Fired	19525	537
Deliver Message	18038	489
Police/EMS Involved Fire Call	17637	540

Once patrol workload was measured, data was collected on time officers were not available for duty because of various types of leave. That information was used to calculate the Shift Relief Factor (SRF) for patrol officers so that leave could be considered in calculating patrol staffing needs. The SRF for department patrol officers showed it takes 2.15 officers to put one on duty on a given shift.

The table that follows shows sick time and compensatory time are major factors that reduce the number of patrol officers who are available for duty. Higher levels of sick time can be an indicator of officer job dissatisfaction as well as wellness problems. Compensatory time can be impacted by the number of overtime hours officers are forced to work. They take time off instead of being paid for some of that overtime. Lowering forced overtime and reducing staff by more efficient scheduling of officers based on workload could both help to reduce the SRF.

Once the SRF was calculated, data on time spent on calls for service was used to determine the number of patrol officers needed so they would spend 40% of their time on calls for service, 40% of their time on proactive work and 20% of their time on administrative tasks that are necessary because of patrol duty. That analysis showed that if no changes are made to reduce the SRF, the department will need 130 officers for patrol duty.

Shifts	Patrol Officers Needed On Duty Per Day for 40/40/20 Service Level							AVG
	SUN	MON	TUE	WED	THU	FRI	SAT	
0800-1559	15.6	17.8	19.6	16.3	17.3	18.4	16.8	17.4
1600-2359	16.8	18.4	21.3	17.0	18.7	20.3	19.5	18.9
2400-0759	13.8	10.2	9.9	9.3	9.2	10.1	13.7	10.9
						Units Per Day		47.1
					Officers for 28% 2 Officer Cars			13.2
					Officers On Duty Per day			60.3
				Apply 2.15 SRF - Total Officers Needed				130

	Sergeants Needed On Duty based on Span of Control of 6 Units Per Sergeant							
Shifts	SUN	MON	TUE	WED	THU	FRI	SAT	AVG
0800-1559	3	3	3	3	3	3	3	3
1600-2159	3	3	4	3	3	3	3	3
2200-0759	2	2	2	2	2	2	2	2
							Per Day	8
						Sergeant SRF of 2.42		19

RECOMMENDATIONS

- + The department is unable to use workload data contained in its computer aided dispatch (CAD) system to measure patrol workload and staffing needs. Current minimum staffing levels need to be changed based on that information. A new CAD system was purchased and is being implemented, which will solve the current issues.
- + CAD data should be used to identify calls for service that do not require dispatching a patrol officer, such as checks on welfare, medical calls and minor property damage collisions.
- + The city’s false alarm reduction ordinance and program need to be evaluated to determine if those calls can be reduced.
- + Time saved from reducing patrol workload could be used on proactive work related to neighborhood policing.
- + The patrol work schedule does not fit staffing to the workload by day so service to the public is inconsistent. A new schedule could be developed that would make better use of patrol staff time, reduce overtime, and improve wellness and work-life balance for patrol officers.
- + Steps need to be taken to reduce the shift relief factor for patrol. By doing so, this will reduce the amount of sick time being used by officers and allow officers to take desired time off.
- + Redesign beats to promote ownership of neighborhood areas by patrol officers.
- + Patrol officers need 40% of their shift time for proactive work to implement neighborhood policing in New Bedford.

Supervision

The role of the supervisor is critical to the effectiveness of policing in New Bedford. The department has many officers who work hard and are effective in addressing crime and disorder in some of the city's neighborhoods. But there are some officers who need to improve their performance as well as develop their skills in community engagement, which is critical to establish trust with the community. Supervisors must play a major role in recognizing officers who are high performers, as well as working with officers who can improve their skills and effectiveness.

For patrol, sergeants must be available in the field; responding to some calls, reviewing officers' actions, and making note of officers who are excellent with their relationships with residents and businesspeople and those officers who could improve. Observations of excellent performance should be noted by the supervisor in the employee's performance evaluation which the supervisor must draft.

Currently, some supervisors only have a minimal presence in the field; this needs to change. The lieutenants assigned to each police station must observe supervisors' actions and ensure they have a regular presence in the field and at select calls for service.

The importance of mentoring officers in patrol, particularly officers who are newer to the department, cannot be overemphasized. The supervisor's role will somewhat change once body cameras have been provided to officers, as the supervisors will have to review body camera videos to determine the quality of officer interactions with community members. When excellent performance is observed in a video, the officer involved should be told so. When an officer can improve his or her interaction, the supervisor should engage with the officer and explain how that performance can be improved. This mentoring is not to be negative but to support officer skill development.

RECOMMENDATIONS

- + Lieutenants should ensure sergeants have a regular presence in the field, responding to some calls along with the responding officer.
- + Sergeants must develop video review skills and regularly review samples of videos of officers' interactions with the community.

Call for Service Work Demands

It is becoming common for police agencies across the country to reduce police responses to certain situations where the presence of an officer is not necessary. The types of calls police are no longer responding to vary from department to department, but not having police respond to calls where the presence of an officer is not necessary can save time for officers in the field and improve the response to emergency calls.

The department has staff 24 hours a day, seven days a week (24/7) in the Records Room who could have calls transferred to them so they can take reports over the phone. The police officer answering these calls can complete reports or another civilian person can complete the report. This strategy has often been called Differential Police Response and it can dramatically reduce the need for a field response by the police officers in the field.

For Differential Police Response to work, operational protocols must be established. For example, if the officer is on another call, the new caller should be advised that they will get a call back as soon as the officer is free. There needs to be auditing to ensure return calls are made.

One example of non-response is a minor traffic collision where there is no injury or traffic blockage. For calls relating to non-injury traffic collisions not requiring a police presence, the caller should be told by the 911 operator that they should exchange license information and go online or come to the police station to file a police report.

Before determining what calls can be subject to non-response, the department should do a review of call types to determine which are common, would not require an officer on the scene, and would be suitable for non-response. Consideration should be given to advising the patrol unit in the area of the existence of the call, but that it is being handled with non-response. In that way, sector officers would remain aware of happenings in their assigned areas for patrol.

Under a city ordinance, some cities charge for false alarm calls. It has been shown that false alarm calls are often the result of a business improperly securing its premises at the end of the day. The penalties for false alarms may run from \$25 to over \$400 for each false alarm. Some cities will respond to up to three false alarms for free, giving you time to address and fix the cause. The charging model might be:

One occurrence: Some cities offer a warning on the first false alarm. Still, many cities charge \$25 to \$50 for the first false alarm because it becomes a public safety issue when police respond to false alarms when they could be responding to other legitimate calls.

Two occurrences: Again, costs range widely for each offense, depending on local laws. A second false alarm might cost somewhere between \$50 and \$200.

After multiple false alarm calls, the police agency may refuse to make a response. If the alarm call is not false, there is no charge for the response. The types of calls to be considered for non-response include the following:

- + Hit-and-run automobile collision without injuries.
- + Misdemeanor larcenies.
- + Simple assault and battery where the suspect has left the scene.
- + Stolen automobiles or bicycles.

- + Automobile break-ins.
- + Requests to speak to an officer.
- + Third-party alarm calls.
- + 911 hang-up calls, although a callback is made.
- + Minor automobile collisions where there are no injuries or traffic blockages.
- + Found property.
- + Abandoned vehicles.
- + Non-criminal mental health calls.

RECOMMENDATIONS

- + The department needs to develop an acceptable list of call types that can be handled with non-response. Reporting online through the department website could also be an option. Citizens could be provided with a template to follow so they provide all the necessary information that police need to respond.
- + The department should ask the city for an ordinance setting up the process for handling false alarm calls. Before the ordinance goes into effect, businesses must be fully informed of the new policy.

Drug Enforcement

The use of informants is common in police agencies to build cases related to crime and drug sales. Often, informants are paid for their information. However, officers have sometimes developed questionable relationships with informants, particularly in drug enforcement efforts.

It is important that a police agency carefully monitor the use of confidential informants, the use of payments to them, and the relationship between officers and the informant. It is not unusual for informants to expect to be protected from prosecution for other crimes by becoming confidential informants for the police. Numerous issues have been created by the relationship with an informant, such as raiding a house identified by the informant where there is nothing illegal happening at the address and not gathering supporting information prior to authorization for the raid. There can be a real danger in the unmonitored use of confidential informants.

The fact that informants are confidential often means there are few records of who they are, what they are being paid for and what information is being provided. Because they are considered confidential, very few persons in the police agency have knowledge of their existence.

In response to these concerns, the department has developed a new informant policy that reflects current standards for the use of informants. The department is aware of the potential for an officer to develop a problematic relationship with informants.

RECOMMENDATIONS

- + The department should regularly review the use of confidential informants. Annually, the existing policy should be reviewed to ensure it matches best practices and all confidential informants should be audited to ensure they have not been involved in any criminal acts.
- + All department personnel who may be authorized to engage confidential informants should be oriented to the informant policy before they can move forward with the recruitment of an informant.

Recruitment

The department struggled over the last year recruiting officers to fill vacancies created by officer retirements and officers leaving to go to other police agencies where salaries are higher and work demands seemingly less. New officers are recruited from eligible candidates on a Civil Service list provided by the state based on scores candidates received on a statewide civil service examination.

Many police agencies in Massachusetts have had vacancies in recent years and there is substantial competition among police agencies to recruit candidates from the official civil service list established by the state. Potential candidates compare salaries among agencies looking to hire new officers and consider issues such as whether the agency requires new officers to reside in the local city or town.

New Bedford, in some ways, has challenges that reduce the number of officers who desire to join the department. Historically, residency in New Bedford has been required for the first 10 years of employment. Consideration is being given to reducing that requirement to four years.

There is no mandatory educational requirement for hiring to the NBPD except the candidate must have a high school diploma or an equivalent. Officers who have a college degree, in many cities and towns, become eligible for increased salaries based on local funding of the original Quinn Bill that provided a salary supplement of up to 30% based on officers' college degree level with a higher amount for having a master's degree. New Bedford does not offer that equivalency.

RECOMMENDATIONS

- + The city should direct the personnel department to share recruitment responsibility with the police department.
- + Consideration should be given to providing officers who recruit new officers who are eventually hired a cash stipend for their referral of a candidate.
- + The department should increase its engagement with the New Bedford community to identify potential candidates for the department.
- + The starting salary for new officers should be raised to a current second step and to match what surrounding communities are offering new officers. In doing this, the number of pay steps for an employee to reach a normal maximum salary should be reduced. Salary and benefits should be combined in a way to support a higher retention of officers, and consideration should be given to providing incentives to officers having 20 or more years of service to encourage remaining on the job.

Performance Evaluation

Performance evaluation is an important means of providing feedback to an employee's performance in areas in which they excel and areas in which they could show improvement. There is a strong linkage between performance evaluation and mentoring of employees who have shown a strong commitment to the department and the New Bedford community through their actions as police employees.

The best performance evaluation systems are those that provide employees with the opportunity to identify what they perceive as their major strengths and areas in which they believe they could develop new skills. Far too often performance evaluations done by supervisors simply provide a list of employee traits and performance areas and a ranking for each area by checking a box indicating the level of performance in that area. In those performance evaluation mechanisms, supervisors tend to rank employees much the same by checking higher boxes than might be justified.

There are often perceptions within an organization that individual supervisors treat some employees worse than others, sometimes because of a personality conflict between the supervisor and the employee. This builds a perception that the performance evaluation system is biased. Under a system where each supervisor rates individual employees, without regard to general perceptions about the employee held by other supervisors who have worked directly with the employee, the evaluations can end up being less than fair to the employee.

Modern performance processes start with the employee evaluating their own performance as the baseline for the evaluation. Given a set of criteria listed on an evaluation form, employees indicate their level of performance, providing a statement of why they have rated themselves at the indicated level. The form is then sent to the supervisor who reviews it and makes comments in response to the employee's self-evaluation. The employee is then given back the evaluation form to review and indicate they have reviewed it.

There is often an issue with individual supervisors having an opinion about an employee that is not shared by other supervisors who have had interactions with the employee. One strategy for addressing that issue is to have all the supervisors who have observed the employee's performance meet to jointly discuss projected ratings, thus making it difficult for a single supervisor to rank an employee in a manner that does not match what the other supervisors have seen. The lieutenant who oversees the group of sergeants doing the rating should attend the meeting and observe how supervisors address the performance issues raised, thus providing additional information useful in the first-line manager's evaluation of the sergeants.

All this can be time-consuming but if done once a year it is a feasible strategy and will get far better performance evaluations than possible otherwise.

RECOMMENDATIONS

- + Key performance factors for the evaluation of officers should include timeliness, sensitivity to civilians, problem-solving capabilities, general outlook about the job, community connectivity and demeanor.
- + Performance factors for sergeants should include, for field supervisors, time spent on the street interacting with officers, quality of guidance provided to officers, manner of engagement with officers, quality of mentoring and understanding the importance of community engagement.
- + The new evaluation forms should be developed with the participation of those who will be evaluated.

Complaints Against Officers

The current practice of investigating complaints filed against officers, whether from inside the department or outside, often takes a long time to complete. In these cases, those filing complaints are unsure of the status of the complaint and often believe the department is not doing anything about their complaint. Police officers who are the object of the complaint are left hanging for long periods of time without knowing the status of the investigation. This situation is both problematic for those who file complaints and the officers involved.

It is important these investigations be completed in a reasonable time frame. There is a need for a monthly review of the status of each complaint to ensure progress is being made. Time standards for the complaint investigation should be established and followed in the investigation process. There are two types of complaints; one is for a non-criminal offense and the other is for a criminal offense. The handling of those different offenses is different, with the latter involving the participation of the District Attorney's Office.

When a complaint investigation is completed, it should be classified as: founded, the complaint described occurred (some agencies use the term "sustained"); exoneration, the officer did nothing wrong; inconclusive, the complaint occurrence cannot be proven one way or the other; and unfounded, the complaint situation did not occur.

Regarding discipline, there is a sense in the department that when officers are found to have committed an offense, the discipline provided depends on whom the officer knows in the department, particularly the command staff. This is not an unusual perception within police agencies. Developing a disciplinary matrix can establish penalties for categories of offenses that must be followed unless there is a strong reason not to do so in a particular case, and the use of such a written matrix helps ensure disciplinary actions are fair and consistent for everyone.

RECOMMENDATIONS

- + Standards should be developed in policy regarding the time frames required for internal investigations, including monthly reviews of the status of complaints.
- + The policy should include when an officer should be notified of the filing of a complaint.
- + A disciplinary matrix should be developed, with substantial employee involvement, in determining the content of the matrix. Eventually, the chief of police will determine what the matrix will be, taking into consideration employee suggestions.

Police Facilities

As noted previously, the department maintains three major facilities related to its operations. One of these is the headquarters facility. The other two are facilities for patrol officers where they have lockers, space for roll calls and related areas needed for internal police functions. These two facilities are technically police stations out of which patrol officers work. The department used to have three district police stations.

When the city decided to close the downtown station, the union was concerned because, with the station being open 24/7, a desk officer was assigned to greet the public and handle the service needs of those civilians who came into the station. This meant there were three full-time officers assigned to this duty plus at least several other officers drawn off street duty to cover the desk when the full-time assigned officers were not on duty. Closing the station also impacted the distribution of supervisory personnel, since there was always a supervisor required in the station. Sometimes, even a captain was assigned that duty.

For some time, the priority for the department has been maximizing the number of officers available for patrol duty in the city's neighborhoods. Relatively few persons came to the station; if persons needed to talk with an officer, they could call and have an officer from the field meet them. The other two stations remained open 24/7.

The closed station was planned to be converted into office space. Being downtown, it was suggested that when the renovation was undertaken, a side entrance, small room and a toilet facility be available to officers working the downtown area so they would not need to leave the critical downtown area during their assignment. This was viewed as important to the downtown business community.

The closing of the station was not only viewed negatively by some officers, but the city did not address the overall space needs of the department. The headquarters facility is getting older and more cramped. The Northside station does not have the space needed to serve the officers assigned to that area of the city. At the time of the closure, the city did not inform the department that they were sensitive to the need for better space in the Northside station area.

For many officers, this was seen as a move to reduce the size of the department. It is important to note any police facility open 24/7 has substantial back-office needs that are expensive to maintain. If the former facilities can be combined into just a few facilities, it can increase the number of officers available for field assignments and provide all officers with better space to prepare for going out on patrol.

RECOMMENDATION

- + The city should develop plans to replace the Northside station with a new facility that can have the needed space for precinct officers working in that area. The plan should provide for the sale of the headquarters building, with the new station also providing space for headquarters units. This would be a far larger facility, but it would reduce the physical buildings from the original four to two, a size appropriate for a city the size of New Bedford. Many other police agencies with populations the size of New Bedford operate with only one or two facilities for the entire city. For example, the city of Cambridge, Massachusetts, has a single headquarters building that is the only overall facility for the entire city.

Community Engagement

As noted, the policing strategy for New Bedford must be based on extensive community engagement with residents to build trust between police and the community. Such engagement is one of the most important actions the department can take as it addresses crime prevention, neighborhood public safety problem-solving, and improving the quality of life in the city's neighborhoods.

If there is full engagement with the community, the issue of residency for police officers will not be necessary, as the community will know the police officers working in their neighborhood and they will come to trust those officers, regardless of whether they reside in the city. When police officers do not engage effectively with the community, residents come to believe that having officers living in the city somehow increases their effectiveness. In our experience, this has not been shown to be accurate. Community residents want to know the police officers assigned to their neighborhood. If those officers engage with that community in a positive manner, the issue of residency will no longer be important.

Community engagement has several elements. As noted above, establishing meaningful community engagement requires that patrol officers generally need to work in the same neighborhood area on a regular basis. Such an assignment pattern lays the foundation by which effective engagement with the community can occur. Officers must interact with residents and businesspeople on a regular basis. When the officers are out of their vehicles, they need to engage with those they pass on the street. In this sense, it means a nod and hello to those the officer passes or a conversation with them. It means stopping into businesses to engage with the workers and ask if there are issues related to public safety that concern them.

Precinct commanders need to have citizen advisory groups with whom they meet each month to discuss public safety issues in the precinct area. The advisory group must have representatives from all parts of the precinct geography and include individuals who are not strong supporters of the police. It is critical that marginalized communities be included.

Officers assigned to precinct neighborhoods should remain assigned to that area for at least a year, if possible. If an officer moves to another assignment, the new officer should be introduced by the departing officer to key neighborhood leaders with whom a relationship has been established. It is problematic when an officer who has been effective in developing neighborhood relationships suddenly disappears from that assignment.

We observed several officers have excellent relationships with members of the public and businesses in the area to which they are assigned while others do not. Even though much of an officer's time on patrol is spent in a police vehicle, time outside the vehicle engaging with the community makes engagement real and effective.

RECOMMENDATIONS

- + Officers should receive roll call training on community engagement strategies that will help them create positive reactions in their patrol areas.
- + The two precinct commanders should establish a precinct Advisory Committee made up of representatives of the precinct geographic area. Membership should reflect the diversity of the area.
- + Precinct commanders should regularly brief City Council members representing the precinct area about the status of public safety issues in the precinct area.

Crime Reduction and Control

Over the last few years, crime in New Bedford has substantially declined. Only during the recent COVID-19 pandemic environment has there been crime increases but the department is well placed to address this increase successfully. A challenge in the recent increase in crime has been the declining resources of the department, as it has been important to maintain as many officers in patrol assignments as possible, and the investigative function has been impacted as well. Additionally, with the COVID-19 pandemic environment, there is somewhat more group activity on the streets of the city, which has been found in most cities across the country. Overall, while the staffing level of the department has declined, the overall budget for policing has increased.

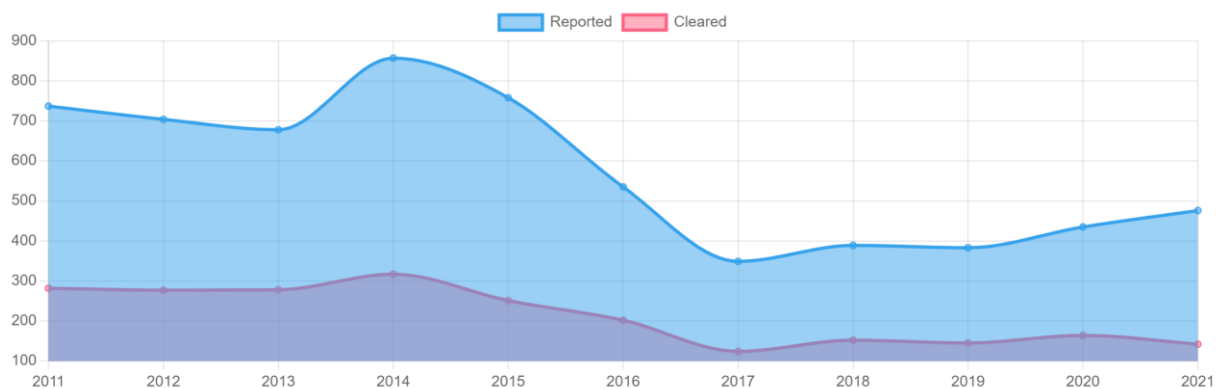
There appears to be an increasing amount of aggressiveness among younger people, which has made contact with police by potential violators more complex. With several groups wanting to abolish the police or reduce funding for police agencies, support for policing has been challenging among some members of the community.

While New Bedford was considered a crime hotspot some years ago, it is no longer viewed that way. With issues such as urban graffiti well controlled in New Bedford, the city is increasingly becoming a pleasant landscape; however, many of the crime challenges remain.

City	Year	Pop	Violent crime	Murder	Rape	Robbery	Agg Assault	Property crime	Burglary	Larceny-theft	MV Theft	Arson	Vio Rate	Prop Rate
New Bedford	2021	96,346	615	4	51	84	476	1,658	254	1,228	176	10	63.83	172.09
New Bedford	2020	94,886	596	4	51	106	435	1,684	285	1,223	176	12	62.81	177.48
New Bedford	2019	94,613	628	3	66	176	383	2,127	465	1,513	149	5	66.38	224.81
New Bedford	2018	95,106	603	3	45	166	389	2,425	491	1,753	181	18	63.40	254.98
New Bedford	2017	95,107	633	8	37	241	347	2,717	570	1,971	176	35	66.56	285.68
New Bedford	2016	94,524	819	3	31	238	547	2,924	615	2,035	274	22	86.64	309.34
New Bedford	2014	95,366	1,199	3	86	254	856	3,363	866	2,253	244	19	125.73	352.64

New Bedford Summary Crime 2016 – 2021 Federal Bureau of Investigation

Summary Crime Reported by the New Bedford Police Department 2011-2021



Federal Bureau of Investigation Crime Data Explorer: Aggravated Assault

Crime reduction and crime control involve several elements that must come together in a coordinated effort. The department adopted a version of the CompStat (Computerized Statistics) strategy developed by Bill Bratton and his team many years ago at the New York City Police Department; this strategy reduced homicides from

thousands a year to under 300 a year recently. Policing response to crime has also dramatically changed as well during the last 20 years. Old practices, such as Stop, Question, and Frisk, regardless of whether there was a defined threat present, have largely been eliminated in larger cities in this country after being challenged by the Department of Justice Pattern and Practice investigations which have led to Federal Consent Decrees against several police agencies.

Establishing strong relationships with community members has shown the community is far more willing to provide information about crimes in their neighborhood to police they may know. The use of ShotSpotter to identify ballistics from gunfire events has been helpful to track the use of firearms. Importantly, the growth of crime analysis to identify crime patterns has had a strong impact on crime levels.

It is important that there are sufficient detectives to investigate crimes so the caseload carried by investigators is reasonable. New Bedford has the general capacity to effectively address criminal events, but there will need to be additional investigative personnel made available for this function. The District Attorney's Office must ensure that when charges are made to the DA's staff, if they do not support prosecution the department must be notified and shown why that is the case.

RECOMMENDATIONS

- + As staffing increases, additional detectives need to be appointed for the investigation of crime.
- + The department's recent purchase of new software will improve the case management of crime investigations by investigators, which the current software is unable to do.
- + Several additional crime analysts should be hired. There should be crime analysts in four areas: one for each precinct, one for overall city-wide analysis of crime patterns and one assigned to detectives to examine the nature of various crime types across the city, such as aggravated assault, robbery and burglary to better understand the nature of those events and ways that future such events can be prevented.

Police Training

Recruit training is done at a state-authorized police academy, either at the state police or a larger police agency that has its own police academy. Mandated in-service training for sworn officers is provided by the department on an annual basis. Roll call training for officers is not well organized and there is an opportunity to extend training throughout the department; however, staffing the training function is a challenge. With the shortage of officers given the number of officers who have retired or moved to other police agencies, many officers in specialized areas have been moved to staff field patrol functions. Eventually, once the training function is fully staffed, regular roll call training can be developed.

The department has taken advantage of several outside courses run by other institutions or organizations, such as the Federal Bureau of Investigation, and has been quite supportive of officers attending special courses when they have requested such attendance.

Once an officer has completed state-mandated police recruit training, they receive some orientation from the department and then are assigned to a field training officer for a period. The field training regime is not very sophisticated and field training officers do not receive a stipend for their extra activity. Having field training officers receive a stipend for their work has become common in many police agencies.

The department has provided specialized training to officers in de-escalation to mitigate a potential use of force occurrence. However, there is generally little involvement of the New Bedford community in orienting new officers to the New Bedford city environment. There is a substantial opportunity to bring the community into the orientation of new officers.

RECOMMENDATIONS

- + To improve officer interactions with youth, the course on Policing the Teen Brain, run by the Boston non-profit Strategies for Youth, greatly improves police effectiveness in dealing with youth. All officers should receive this training, but internal instructors can be trained to carry on the course with the assistance of a local psychologist.
- + Training on bias and harassment protocols should be a yearly part of the in-service curriculum to reinforce existing policies and expectations.
- + One senior manager should attend the Senior Management Institute run by the Police Executive Research Forum each year. The session is held in the Boston area and is highly regarded.
- + Outside training available for officers should be advertised to employees, allowing interested members to apply to attend.
- + Officers attending outside training should brief the department on what they learned during the training and how it might be applied.

Body Worn Cameras

Body cameras have been rolled out in many police agencies across the country and in Massachusetts. The rationale for body cameras has often been related to the perspective on policing held by the advocates. For substantial sectors of the community, having officers wear body cameras is viewed as important to document officer actions in citizen contacts. This view is related to several instances across the country where officers have been filmed by citizens treating persons with extreme violence. For police advocates for body cameras, officers have been concerned about complaints made against police where the officer believes that he or she did nothing wrong and thus the body camera could show what the contact was.

There are numerous examples documented where following a person's complaint about an officer's interaction with the person, the body camera video showed either the officer did nothing wrong or the complaining person behaved in a manner that was problematic and aggressive toward the officer.

It has become very common for members of the public to use their cell phones to film police-citizen interactions. For some years, officers would tell people filming police interactions to stop the filming, but it has been clearly established that it is not illegal to film. What police officers can do is tell persons who are filming an interaction that they may not intervene with the police-citizen interaction; they can film but must not interfere with the police action. It is becoming common that a person filming an officer-citizen interaction moves right into the activity; the officer states clearly to the person filming that they have the right to film but must stand back while the police interaction is occurring. By making that statement, captured on film, the officer is confirming the right to film but that the person filming must remain outside the police-citizen interaction. This prevents allegations that officers are trying to stop the filming.

New Bedford previously applied for state funding to support the implementation of body cameras throughout the department but the funding available was very small and the cost of body cameras was quite high.

Given the current policing environment in cities across the country, it is important that New Bedford move forward with obtaining body cameras for all officers. The city understands the importance of executing this, but it must be negotiated with the union. It is important for the city and union to have that discussion quickly.

The price of body cameras is quite expensive, as is the cost of body camera video storage, but the city has indicated it is willing to make that commitment.

There are important issues related to the use of body cameras. The most complex issue is when officers can view the videos of a situation in which they have been involved. Officers generally want to view the video before they write their reports; however, some prosecutors want the officers not to view the video until they have written their initial report. Not allowing the officer to view the video prior to writing the report allows the prosecutor to better understand the officer's frame of mind about the situation. Officers feel that seeing the video will make the report they produce more accurate. The Police Executive Research Forum in Washington, D.C., will shortly be holding a national discussion session to explore options to address these policy issues. The department policy also needs to set the time frame for which body camera videos will be stored.

RECOMMENDATIONS

- + The city and police department recognizes the importance of body cameras both to build public trust and support officers. The city is attempting to negotiate issues concerning body worn cameras through collective bargaining.
- + The department should develop a policy on body camera usage, including detailing when a body camera is to be turned on and may be turned off. The role of sergeants in reviewing footage and how to use video footage to improve officer effectiveness must be determined. The policy must also address public access to body camera footage.
- + A location for body camera storage and charging needs to be established in each police facility.
- + A system must be developed to monitor the assignment of body cameras and ensure body cameras are fully charged before they are used by an officer.
- + Sergeants and lieutenants must be trained regarding how and when to review body camera footage.

Homelessness and Mental Illness

Increasingly, police find that many individuals with whom they engage – either on calls for service, crime reports, or domestic abuse situations – have psychological or mental health challenges. Police officers are not trained to professionally engage with such persons but, given the increasing number of situations involving such persons, the department must have a linkage to community mental health professionals.

In recent months, the department has established some relationships with organizations and individuals who have such capabilities, but over time that interface must be expanded. Additionally, officers must receive annual training in de-escalation techniques that can help a challenging interaction be successfully resolved.

It is not necessary for officers to take immediate action when confronting a situation where a person with apparent mental health crises is present. The de-escalation strategy suggests that the officer(s) responding might move back for immediate contact until a professional can arrive on the scene. If a person has a knife or other weapon, simply yelling over and over at the person to “drop that knife” will not necessarily resolve the situation. Asking the person how they can be helped can start to establish a relationship with the individual, but officers must be trained in these approaches.

When a person is acting in a threatening manner, the use of firearms needs to be the last resort. Too often, officers use firearms to deal with a person who has a weapon but is not overly aggressive. Calling for assistance is the first step for officers to take. Backing off, trying to find out from the person what has made them angry or aggressive can begin to de-escalate the situation. Strategic but careful use of the taser can be of assistance in these situations as well.

RECOMMENDATIONS

- + Ensure all officers continue to be trained in de-escalation techniques, including courses with situational role play. The department adopted the Police Executive Research Forum’s ICAT training.
- + The ICAT training should be reinforced through yearly in-service training.
- + Strengthen the working relationship with professionals, allocating funds from the city to pay for their involvement.
- + Ensure officers have been trained on how to identify individuals who are looking for “suicide by cop” and the steps they can use to avoid taking a life.

Department Data Requirements

The department uses data in several different ways. Crime data is reviewed and analyzed by a crime analyst and findings are shared with officers in the field and investigators. However, there is a need for additional crime analysts if full advantage is to be made from the analytical function. Effective crime reduction strategies must be based on an analysis of crime patterns.

Good crime analysis is more than identifying where crime patterns have existed; it must also involve an examination of the nature of crime patterns to better understand the nature of these events. Since there are several addresses in New Bedford that generate many calls to the police for assistance, analyzing the nature of those situations will make it easier to take actions that can reduce those repeat calls for service.

Maintaining intelligence linkages to other communities in Massachusetts regarding localized crime patterns can also be very beneficial in identifying patterns of crime that are not totally local but involve other communities.

Police Transparency

Transparency is at the core of law enforcement's ability to build trust among those they serve, establish effective policing strategies and assess officer performance. Widely recognized as best practice is the public release of a law enforcement agency's policy and procedures manual. Public disclosure of an agency's policy manual underscores the department's commitment to adhere to ethical and constitutional policing practices and its willingness to engage its community in an open and transparent manner.

Increasingly, law enforcement agencies throughout the country are collecting, analyzing and making publicly available data involving encounters with the public, particularly as it relates to biased policing concerns, use of force incident data and police complaint data. Proactively releasing police data promotes legitimacy in officer performance, supervisory oversight and accountability. Law enforcement analysis of this data can inform enforcement strategy and identify training opportunities and policy enhancements. It also provides the community greater insight and context about crime and police activities thereby creating a platform in which to collaborate with law enforcement in crime prevention and detection strategies.

As stated in *Law Enforcement Best Practices: Lessons Learned from the Field*, "[t]o the extent feasible, agencies should regularly share data, policies, investigative outcomes and other information about the organization with the community."²

The department's leadership and its members acknowledged the value of being transparent in their activities and outcomes and expressed willingness to align with best practices.

CURRENT TRANSPARENCY PRACTICES

In accordance with state law, the department makes publicly available on the department's website daily arrest and incident data. While arrest data includes the arrest report number, date and location of the arrest, offense(s), and suspect(s) name, address, and date(s) of birth, the incident data releasable to the public contains similar information but does not include arrest or suspect information. For a period, the department was proactively releasing crime statistical data on its website, showing year-to-year comparisons by offense type. In July 2022, following the resignation of the person responsible for compiling this data, the department stopped releasing this information.

The department asserts a positive relationship with the local media. The Public Information Officer (PIO) is responsive and cooperates with requests for information from the media, albeit in their experience media requests for information are infrequent and rarely involve participation in a press conference. A recent change in the department's practice positively received by the media and community occurred when the department's PIO began responding on the scene of critical incidents/matters of high public concern and providing an on-scene press response. The department also proactively issues press releases following high-profile arrests, particularly narcotics-related arrests. NBPD General Order 7-02, Release of Information to the Media, provides guidance for the release of information to the media, by whom, and the nature of engagements with media personnel. The General Order aptly permits the delegation of authority to release information to the media to the PIO or other designee at the discretion of the chief.

The department's current transparency practices relative to the release of crime statistic data comply with state mandates. The department's commitment to be timely and responsive to requests for information from the

² *Law Enforcement Best Practices: Lessons Learned from the Field* (2019), 13

media has resulted in positive media relations and provides the opportunity to provide greater transparency into the activities of the department. While these efforts have a positive influence on building public trust and increasing transparency around police activity, significant opportunity exists for the department to increase awareness of its enforcement activity and investigative outcomes as well as enhance public reporting of civilian encounters, oversight and accountability in a manner that will bring their transparency efforts into alignment with best and promising practices.

TRANSPARENCY IN POLICING OPERATIONS AND OUTCOMES

Policy and Procedures Manual

The public disclosure of the methods and procedures by which law enforcement performs its duties and responsibilities provides the community insight into an officer's decision-making process and authorized police tactics, as well as provide transparency into the department's oversight and accountability process. This level of awareness builds community trust and garners public legitimacy into an agency's policing practices.

Noted as an action item in the Final Report of the President's Task Force on 21st Century Policing, public disclosure of an agency's policy manual underscores the department's commitment to adhere to ethical and constitutional policing practices and its willingness to engage their community in an open and transparent manner.³ The NBPB should make its policies and procedures available on the department's public website. However, the department should delay public posting until they have completed the revision to its policy manual.

Investigative Outcome Data

The ability to collect, analyze and share publicly investigative outcomes bolsters community trust, police legitimacy, officer morale and performance. For instance, notice to the victim of a crime following court disposition is an excellent method for building and maintaining public trust. Similarly, direct feedback from the district attorney on how the sufficiency of the evidence submitted in an investigative case file impacted prosecutorial decisions made could impact further performance significantly. The department's ability to improve officer performance will be optimized through knowledge and awareness of prosecutorial decisions that were predicated, in whole or in part, by the evidence contained within the investigative record. Engaging in thoughtful deliberation and discussion with key stakeholders from the Office of the District Attorney, NBPB leadership can learn firsthand in what manner superior investigative tactics impacted its decisions relative to charges, to seek a plea or proceed to trial. This also presents the ideal opportunity to identify training opportunities and policy gaps. Integration of a case debriefing meeting cadence of this nature aligns with NBPB and the Bristol County District Attorney's shared goal of improving public safety within Bristol County and New Bedford, and it creates a meaningful platform in which to assess and improve officer performance.

The department should collaborate with the Bristol County District Attorney and create a framework in which the department can discuss prosecutorial decisions as it relates to evidence presented in support of criminal cases presented for prosecution.

The department's existing case management system (IMC) has the capacity to report outcome data relative to court disposition, specifically guilty, not guilty, dismissal and continuance outcomes. There is also a text box in which narrative information can supplement disposition data or record other dispositions such as bail and/or

³ Final Report of the President's Task Force on 21st Century Policing, 2015

grand jury. The IMC, however, is not without its challenges and the dedication of NBPD personnel would be necessary to build the technological infrastructure to support the upload and extraction of this new data. Additionally, vacancies within the Court Liaison's office should be backfilled to ensure timely collection, entry and reporting of this data.

Annual Report

The NBPD shares on the department website a significant amount of information traditionally captured within an annual report. For instance, "Meet the Department" provides an excellent individualized touch whereby members of the department are videotaped speaking directly to the viewer about the operations of various department units, provided in both English and Portuguese. Contained within the "News" tab, NBPD highlights agency goals, new training, technological advancements, personnel updates, crime statistics and significant crime events. We commend the department for its commitment to transparency and the timely release of this information. To bolster the information currently provided on the department's website, the NBPD should issue an annual report.

The NBPD annual report provides another opportunity to speak directly to the community they serve, to reiterate the department's mission and values, and synthesize their progress on agency goals and objectives, crime statistical data, citizen enforcement engagements and outcomes. It provides the opportunity to provide a thorough picture of the department's highlights relative to its personnel, critical training, community policing initiatives and significant investigations. Moreover, it is an opportunity to highlight the department's oversight and accountability strategies as they relate to use of force, biased policing mitigation efforts and the police complaint system.

PUBLIC REPORTING OF POLICE ENCOUNTERS AND ACCOUNTABILITY

Annual Use of Force Data Report

General Order 12-01 requires the Division of Professional Standards to produce an annual report on use of force incidents and to make this report available to the chief of police and to the public upon request. As noted in the General Order, the purpose of this report is to analyze the use of force data to identify patterns or trends that could indicate training needs, equipment upgrades and/or policy revisions. Increasingly, however, law enforcement agencies are taking the initiative to make their use of force data publicly available. Proactively disclosing this data for public inspection and analysis provides law enforcement the opportunity to be open and transparent about its police encounters involving force. It also provides the community perspective into an agency's use of force incidents, insight into any trends identified, and awareness of accountability measures taken. The release of this information aligns with best practices and fosters community trust, police legitimacy, and confidence that law enforcement will hold officers accountable.

The Police Executive Research Forum makes clear, "[T]o build understanding and trust, agencies should issue regular reports to the public on the use of force."⁴

The department should release publicly on the department's website an annual use of force data report. This report would provide aggregate use of force incident data by type, including officer-involved shootings, canines, deployment of less-lethal force options, use of force by an officer and involved civilian demographics, use of

⁴ Guiding Principles on Use of Force, Police Executive Research Forum, 2016

force review outcomes (i.e., consistent with policy, outside of policy), training, analysis of the use of force incidents year over year and any police complaints associated with the use of force incidents.

The department case management system, LEA, used by the department to collect, report and analyze its use of force data, is capable of aggregating use of force data to produce a public-facing report. However, additional training and staff support are critical to ensure consistency in reporting, data integrity and the subsequent extraction of the data necessary to produce the annual report.

Public Annual Police Complaint Data Report

Pursuant to General Order 3-03, the Division of Professional Standards is responsible for compiling an annual statistical data report that records the receipt, investigation and final disposition of complaints filed against department members. However, the annual complaints report completed by the department is not public. Complaint processes conducted in secrecy may undermine public trust and confidence that law enforcement officials will hold themselves accountable thereby jeopardizing an agency's ability to procure the public's participation in crime-fighting strategies. However, law enforcement agencies across the country are increasingly making police complaint data publicly available. To the extent permissible by law and in compliance with its collective bargaining organization, the department should be as transparent as possible in reporting its police misconduct complaint data.

The NBPD should publicly release on the department's website an annual report of police misconduct complaint data. This report should include, but not be limited to, data relative to the nature and type of complaint and the demographics information of the civilian complainant and officer. It should also distinguish between internal and external complaints, specifically identifying complaints filed relative to use of force and any bias-based policing, results of the investigation and any associated corrective action and/or disciplinary outcomes.

LEA, currently used by the Division of Professional Standards, is capable of aggregating misconduct data to produce a public-facing police misconduct complaint report. However, additional training and staff support is critical to ensure consistency in reporting, data integrity and the subsequent extraction of the data necessary for production of the annual report.

Public Annual Police Bias Data Report

Collection, analysis and transparency of police stop data evinces a law enforcement agency's commitment to ensuring its enforcement practices and officer actions are fair and bias free. As noted in the Final Report of the President's Task Force on 21st Century Policing, law enforcement should report regularly on its website stop, arrest and other law enforcement data aggregated by demographics.⁵ The department should make public aggregate arrest and traffic stop data, including the race, age and gender of the involved officer(s) and civilian(s). While the IACP makes clear measuring bias is not simple and disparity in numbers is not the equivalent of bias,⁶ collecting this data can assist an agency in assessing operational efficiency, strategically deploy staff resources, and identify gaps in training and policy.

The department maintains officer demographic information in both the LEA and IMC databases while civilian arrest and traffic stop demographic information is collected and stored in IMC. While department policy requires members capture certain demographic information during traffic stops and arrest, because officers are

⁵ Final Report of the President's Task Force on 21st Century Policing, 2015

⁶ Bias-Free Policing, IACP, January 2020

uncomfortable asking individuals to provide their race and/or ethnicity and are unable to distinguish this at times, there may be an over reliance on selecting race/ethnicity as unknown thereby adversely impacting the reliability of the demographic information. The department should consider amending this policy to require the officer to make a best guess with respect to the person's race and/or ethnicity; this practice has been put into effect in several states, including Virginia and California, as it is the officer's belief of the race/ethnicity of an individual that is often at the heart of any bias-based policing.

Given the requisite interface between the two databases, the department should devote sufficient staff resources to develop the technological infrastructure to support the upload and extraction of data necessary to produce this annual report.

COMMUNITY ENGAGEMENT IN CRIME PROBLEM-SOLVING INITIATIVES

Enhance Public Reporting of Crime Data

Engaging the community in partnership with law enforcement to address the underlying issues that trigger and impact crime and disorder is a key element of community policing.

“At the most basic level, the community provides police with invaluable information on both the problems of concern to them and the nature of those problems.”⁷

The department shares crime data with the New Bedford Shannon Program to support its community-based violence intervention efforts. Through the exchange of this crime data information, the Shannon Program provides prevention and intervention services and support to at-risk youth.⁸ Another valuable opportunity to partner with the community to problem solve for crime reduction strategies is to create a public-facing CompStat report, void of sensitive/confidential information, for New Bedford neighborhoods/communities experiencing higher rates of crime, changes in crime patterns, type of crime, etc.⁹

As noted in the Final Report of the President's Task Force on 21st Century Policing, “Community Policing is not just about the behavior and tactics of police; it is also about the civic engagement and capacity of communities to improve their own neighborhood, their quality of life, and their sense of safety and well-being. Members of the communities are key partners in creating public safety...”¹⁰

The department should enhance current efforts to problem solve with the community and co-identify solutions to crime and quality of life issues impacting the New Bedford community.

Enhance Critical Incident Public Reporting

Transparency following a critical incident, such as an officer-involved shooting, in-custody death or serious police misconduct, has never been more critical to garnering public trust and confidence.

⁷ Problem-Solving Tips – A Guide to Reducing Crime and Disorder Through Problem-Solving Partnership, COPS Office, US Department of Justice, 2011

⁸ <https://unitedwayofgnb.org/new-bedford-shannon>

⁹ Law Enforcement Best Practices: Lesson Learned from the Field, US DOJ, 2015

¹⁰ Final Report of the President's Task Force on 21st Century Policing

“[W]hen serious incidents occur, including those involving alleged police misconduct, agencies should communicate with citizens and the media swiftly, openly, and neutrally, respecting areas where the laws require confidentiality.”¹¹

The department has made significant improvements in the public release of information following critical incidents and matters of high public concern. Creating a transparency policy is an active way to ensure openness and transparency is rooted within department culture. The transparency policy should clearly articulate what information will be released, to whom, in what form, and when. The policy should espouse that relevant and related information should be released as quickly as possible, acknowledging that the investigation is ongoing and preliminary information is subject to change, followed by a summary of the incident, an investigative update and an overview of the administrative investigative process, if applicable, including what information will be provided at the conclusion of the criminal and administrative investigation. While the preceding is not an exhaustive list, it aptly aligns with the recommendation put forth by the Final Report of the President’s Task Force on 21st Century Policing, that “[l]aw enforcement agencies should establish a culture of transparency and accountability in order to build public trust and legitimacy.”¹²

RECOMMENDATIONS

- + It is important the department be transparent regarding complaints that have been filed and are being investigated, as well as how cases are being handled.
- + The department should make its policies and procedures available on the NBPD’s public website. However, the department should delay public posting until they have completed the revision to its policy manual.
- + The department should collaborate with the Bristol County District Attorney and create a framework in which the department can analyze and discuss investigative outcomes and prosecutorial decisions as it relates to evidence collected during an investigation.
- + The department should issue an annual report and make it publicly available on the department’s website.
- + The department should release publicly on the department’s website an annual use of force data report.
- + The department should release publicly on the department’s website an annual report of police misconduct complaint data.
- + The department should make public NBPD’s aggregate arrest and traffic stop data, including the race, age and gender of the involved officer(s) and civilian(s).
- + The department should enhance current efforts to problem-solve with the community and co-identify solutions to crime and quality of life issues impacting the New Bedford community.
- + The department should create an updated Transparency Policy.

¹¹ Ibid.

¹² Ibid

Workplace Harassment

Harassment and bias in the workplace have serious negative consequences to the impacted person(s), the law enforcement agency itself and the communities they serve. The aggrieved department member may feel isolated, unsupported and humiliated. The law enforcement agency is at an increased risk of civil litigation and lower retention rates, particularly among women, persons of color and members of other marginalized communities. In fact, women cite sexual and gender harassment as the top two reasons for ending their law enforcement careers.¹³ The absence of internal procedural justice may be perpetuated in community engagements thereby undermining public trust. In other words, the absence of a respectful, inclusive and professional workplace may cause officers to treat community members in the same manner. At its worst, aggrieved members are permanently scarred, careers are lost and community trust is broken. Diversity in law enforcement is a key element to police reform, building community trust and improving relations with the communities they serve.¹⁴ Discriminatory and harassing behavior based upon another's gender, race, ethnicity, etc., is unprofessional, unacceptable and against the law. Law enforcement agencies have a duty to prevent, detect and hold accountable their members for hostile behavior, bias and discriminatory practices in the workplace.

BEST PRACTICE POLICY

In many ways, General Order 3.20, Anti-Discriminatory Harassment Policy, aligns with best practice. It affirms that harassment of any type will not be tolerated, and a harassment-free workplace is everyone's responsibility. The policy aptly defines harassment, including sexual harassment; provides easy-to-understand examples of prohibitive behaviors and makes clear that retaliation is both prohibited and against the law. The policy also sets forth the process for making a complaint, the subsequent investigative process and the affirmation that persons who violate the policy will be subject to discipline, up to and including termination. Finally, a list of other resources and avenues to file a complaint is provided. However, the department should make several amendments to this policy to enhance its ability to prevent, detect and respond to complaints of this nature.

The department should affirm in policy that every complaint of conduct in violation of the department's sexual harassment policy will be fully investigated. Complaints should not be summarily dismissed without investigation based upon the notion that it is a "he said/she said complaint." Investigators must commence a full investigation that reaches a conclusion based on evidence. All employees should be mandated to immediately report either direct or indirect knowledge of conduct that violates the department's sexual harassment policy, misconduct or other related prohibited conduct and that the failure to report may be cause for discipline.¹⁵ The policy should also make clear that supervisors, managers and department leaders have a duty to detect, report and enforce this policy and will be held accountable for failing to act in accordance with the requirements of this policy. The policy should also identify other methods for filing a complaint, including online, in writing and/or through a third-party advocate. The department should also prominently post its Anti-Discriminatory Harassment Policy throughout the department, including spaces where members of the public and those who do business with the department can view the policy.

¹³ Recruiting and Retaining Women: A Self-Assessment Guide for Law Enforcement, National Center for Women and Policing, Bureau of Justice Assistance, 2015

¹⁴ Law Enforcement Best Practices: Lessons from the Field, DOJ

¹⁵ Model Policy Resource: Law Enforcement Sexual Misconduct Prevention and Accountability, End Violence Against Women International, 2021

TRAINING

A sound policy alone is insufficient to prevent, detect and ensure complaints of harassment are appropriately resolved. While the department requires each department member to annually read and sign an acknowledgment of understanding of its Anti-Discriminatory Harassment Policy, department members are not subject to regular training on General Order 3.20 nor receive other related training. To instill a department culture free of bias and harassment and to ensure aberrant behavior is appropriately investigated and resolved, an agency must devote sufficient time and resources to training related to sexual harassment¹⁶ and other bias and discriminatory practices. The harms caused by harassment in the workplace are too significant to not provide regular and meaningful training. Moreover, the absence of training has the potential to convey a less than full commitment to a harassment-free work environment. The department should develop and/or ensure its members receive meaningful training in sexual harassment and misconduct that is supported by annual refresher training.

Training in sexual harassment should include, but not be limited to, the dynamics of sexual harassment and differing perceptions, attitudes, and behaviors based on gender and sexual orientation. Supervisors and command staff should receive supplemental training that addresses new case law, reporting requirements, and how to maintain a workplace environment that is free of harassment. Most importantly, this training should be prominently endorsed by the chief.

To underscore the importance of this training, the chief should consider making a statement at the beginning of every training and/or issuing a video-recorded statement affirming that sexual harassment is prohibited, illegal and unprofessional and that failure to adhere to department policy may result in discipline.¹⁷ Finally, while the chief may not be able to participate throughout the duration of each training session, a member of the command staff should be a participant in every session. After this training, the department should provide annual classroom-based refresher training that also includes the presence (in person or virtual) of the chief providing an opening statement demonstrating his or her commitment to a bias and harassment-free workplace.

SUPERVISORY OVERSIGHT

The role of a supervisor in the prevention, detection and response to conduct that violates the department's sexual harassment policy and other bias-related misconduct cannot be underscored. The failure to acknowledge, act and respond to observed or reported behavior that is inconsistent with NBPD policy can be viewed as tacit approval of the offending behavior causing significant harm to the aggrieved department member and subjecting the department to civil liability. An anti-discrimination or other policy prohibiting sexual harassment or misconduct will not shield a department from liability if department practice ignores and fails to meaningfully address these complaints. In addition to stating expressly within policy a supervisor's duty to detect, report and enforce the policy and that the failure to act may be grounds for discipline, the department must also provide clear direction and training on how the supervisor is to respond. The department should supplement General Order 3.20 by specifying the steps a supervisor should take after observing and/or receiving a report of conduct in violation of the department's sexual harassment policy, sexual misconduct or related complaint. Awareness and enforcement of these protocols should be supported by annual training.

¹⁶ Recruiting and Retaining Women: A Self Assessment Guide for Law Enforcement, National Center for Women and Policing, Bureau of Justice Assistance, 2015

¹⁷ Id

PEER SUPPORT AND MENTORSHIP

Policing is a stressful job and takes its toll on all members of a law enforcement agency. Female officers, however, experience additional stress that their male counterparts do not. According to the International Journal of Police Science and Management, female officers experience gender bias, sexual harassment and isolation.¹⁸ To provide the requisite support to its female officers, the department should institute a mentorship program and leadership training for both men and women to enhance career success and advancement. In addition, the department should create and/or identify a liaison to support persons seeking to file complaints, provide support during the complaint and investigation process, and provide information about sexual harassment to the department at large.

RECOMMENDATIONS

- + Amend General Order 3.20, Anti-Discriminatory Harassment Policy to enhance its ability to prevent, detect and respond to complaints of this nature. Amendments should include:
 - Affirmation that every complaint of conduct in violation of the department's sexual harassment policy will be subject to a thorough investigation and conclusion.
 - A mandate that all employees must immediately report any direct or indirect knowledge of conduct in violation of the department's sexual harassment policy, misconduct or other related prohibited conduct and that the failure to report may be cause for discipline.
 - Affirmation that supervisors, managers and department leaders have a duty to detect, report and enforce this policy and will be held accountable for failing to act in accordance with the requirements of this policy.
 - Additional methods for making a complaint, including submission online, in writing and/or through a third-party advocate.
 - Prominently post its Anti-Discriminatory Harassment Policy throughout the department, including spaces where members of the public and those who do business with the department can view the policy.
- + Create a training program to mitigate, prevent, detect and respond to complaints of conduct in violation of the department's sexual harassment policy and sexual misconduct, bias, discrimination and any infractions of General Order 3.20.
 - The department should provide annual refresher training.
 - Department supervisors and leadership staff should receive supplemental training to address oversight, response and accountability.
 - Training should be supported strongly by the chief, including a personal commitment statement supporting a harassment-free workplace.
- + Issue a supplemental directive that provides guidance and direction to supervisors on reporting requirements associated with the identification and/or awareness of conduct in violation of the department's sexual harassment policy or misconduct. This directive should be subject to annual review for any necessary updates.

¹⁸ <https://journals.sagepub.com/doi/10.1350/ijps.2008.10.2.81>

- + Develop a retention strategy that includes but is not limited to:
 - A mentorship program and leadership training providing all officers with the support, guidance and resources they need to succeed on the job, advance their careers and enjoy a harassment-free work environment.
 - Create a workplace anti-bias coordinator/diversity, equity and inclusion liaison.

Summary

Adopting the recommendations in this report can move the NBPD to a new level of excellence. Employee morale can be improved. Transfers to other police agencies can be reduced. The trust between the New Bedford communities and its police department can be greatly enhanced.

The interface between the District Attorney's Office and the department can be enhanced with improvements in the quality of investigative cases submitted for prosecution.

Most importantly, the quality of policing in the city's neighborhoods can be enhanced with effective actions being taken by police and the community to address concerns related to public safety in the community.

Appendix A: Project Team



ROBERT L. DAVIS, SENIOR VICE PRESIDENT AND PRACTICE LEAD, LAW ENFORCEMENT CONSULTING

Internal Project Oversight

Rob is a highly regarded and innovative national leader in policing and public safety with extensive experience assessing federal, state and local law enforcement agencies across the U.S. Rob served in a variety of capacities during his 30 years' career with the San Jose Police Department, including as the Chief of Police for seven years. During his time as chief, Rob also served as the President of the Major Cities Chiefs Association. He provided consulting services for the U.S. State Department, traveling on numerous occasions to Central and South America to provide training in community policing methods addressing gang prevention, intervention and suppression. Since retiring from San Jose, Rob has been involved in numerous assessments of police departments across the nation, including serving as the Project Director for Jensen Hughes's Department of Justice Collaborative Reform Initiative for Technical Assistance contract.



SYDNEY ROBERTS, JD, MS, VICE PRESIDENT, LAW ENFORCEMENT CONSULTING

Project Manager

A proven leader in police accountability, Sydney has provided insight and guidance on civil and human rights matters impacting law enforcement, including illegal search and seizure, denial of counsel and officer-involved shootings. Sydney's law enforcement experience spans 20 years, the last four of which she served as the chief executive of the Illinois Secretary of State Police. In addition to her career in law enforcement and police reform, as Inspector General, Sydney has led public integrity compliance investigations involving corruption, abuse of power, fraud and waste and mismanagement. Sydney has also worked as an advocate for victims' rights and persons with mental and developmental disabilities.

**ROBERT WASSERMAN, INDEPENDENT CONSULTANT***Subject Matter Expert, Onsite Lead*

Robert (Bob) is one of the most trusted and experienced senior experts in policing in the world today. Over more than five decades, he has been a strong advocate of Constitutional policing and has worked with many police agencies to address issues that impact the legitimacy of police in the eyes of the community. Bob has had an extensive career in law enforcement. He has served as a senior executive in several large American police agencies, including Boston and Houston. He was the Director of Public Safety for the Massachusetts Port Authority. Bob served as Chief of Staff of the White House Office of National Drug Control Policy and was tasked to Bosnia following the war, as both Deputy Commissioner/Operations and Commissioner of the United Nations International Police Task Force where he oversaw the restructuring of that country's police.

**JOSEPH REPPUCCI, STAFF CONSULTANT***Subject Matter Expert*

Joseph is an emergency management specialist with Jensen Hughes. He joined Jensen Hughes in January 2020 and served clients out of the New England Region office. Prior to joining our team, Joseph was the Hospital Preparedness Program Coordinator (HPP) and Healthcare Emergency Management Director for the Center for Emergency Preparedness and Response at the Rhode Island Department of Health from 2009 to 2020 and the co-chair for the Healthcare Coalition of Rhode Island, RI's only statewide coalition. He has dual degrees from Northeastern University in Criminal Justice (MS) and Environmental Studies (BA) and a master's degree in Emergency Management from Massachusetts Maritime Academy. Joseph is a Certified Emergency Manager for the International Association of Emergency Managers (IAEM) and has completed the National Emergency Management Advanced Academy, through the Federal Emergency Management Agency Emergency Management Institute.

**DANIEL WAGNER, INDEPENDENT CONSULTANT***Subject Matter Expert*

Daniel Wagner has served the City of Cambridge, MA as a police officer since 1998. He currently holds the rank of Deputy Superintendent and is the Commanding Officer of the Procedural Justice Section where he leads the Crime Analysis Unit and the Office of Rights and Liberties. Superintendent Wagner has excelled in a wide range of assignments during his 25-year career in policing, including patrol operations commander; head of the crime control strategy; community policing liaison; commander of an 80-officer Tactical Patrol Force; and project manager for the design and construction of a \$62 million police headquarters.



PETER BELLMIO, INDEPENDENT CONSULTANT

Subject Matter Expert

Peter's engagements for law enforcement agencies include assessing the criminal investigations function of the Charlotte Mecklenburg Police Department and Delta Police Department in British Columbia; evaluating the schedules and workload of detention officers for the Polk County Sheriff's Office in Des Moines, Iowa; assessing the Winnipeg Police Service Crime Analysis function to help strengthen the linkage to crime management strategies; conducting staffing studies of emergency communications centers in Newport News and Suffolk, Virginia; and assessing non-emergency call handling by City of Calgary Public Safety Communications to identify opportunities to refer those calls to community services and reduce the need to dispatch officers.



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