



SOMERVILLE HOUSING AUTHORITY

30 Memorial Road, Somerville, Massachusetts 02145
Telephone (617) 625-1152 Fax (617) 628-7057 TDD (617) 628-8889

May 28, 2021

Chief Charles Femino
Somerville Police Department

Dear Chief Femino,

Thank you for forwarding City Council order (ID#24862) submitted by Councilors Strezo and Clingan. You will recall we discussed initial rollout on these issues during our meeting at SPD headquarters on March 30, 2021. Herein, I'm pleased to provide our most recent progress report;

Marked Vehicles – the SHA procurement department drafted an identifying police cruiser decal with agency affiliation that has been produced and affixed to vehicles. Police vehicles display distinctive blue municipal plates.

Uniformed Officers - uniforms are subject to SHA collective bargaining agreement (CBA) with our police union, Teamsters Local 25. Agreement has been reached with the union and officers have been issued regular duty wear as well as formal dress uniforms. The casual uniform is intended not to assert authority, rather, in a non-threatening manner to convey safety and trust. Officers have been in the new uniforms for the past six months.

Body Cameras – cameras are also subject to the CBA with Teamsters Local 25. SHA purchased cameras in December 2020. Since then, we've engaged the union in extensive negotiation and instituted classroom training. Our team met with you and members of your command staff during the SPD meeting (3/30) and discussed our camera protocols to ensure no conflict with SPD procedures. We're planning to conduct more extensive field testing/training during the month of June and expect to be fully operational by July 2021.

Updated Policies for Officer Accountability – On July 8, 2020, the SHA Board of Commissioners voted unanimously to adopt item 7(k) '*Officer Professional Standard's Policy*'.

Police Accreditation – the SHA recruited SPD Deputy Chief Paul Trant (retired) in December as 'Police Accreditation and Training Manager.' Officer Trant previously directed the SPD through their successful Police Accreditation process. Upon certification, the SHA Police Department will operate under a comprehensive set of policies and procedures. Moreover, we will be the only Housing Police Department in the country to have achieved this designation.

Translation and interpretation services are available upon request by appointment only
Sevis traduksyon ak interpretasyon disponib si w bezen
Servicio de traducción e interpretación están disponibles, con cita, una vez que lo solicite
Serviço de tradução e interpretação estão disponíveis somente após agendamento



Please let me know if I can provide any further updates in response to this request, or any other matter. Your continued professional assistance and support is much appreciated.

Very best,




Joe Macaluso
Executive Director
Somerville Housing Authority

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<p>Somerville Housing Authority</p>  <p>Department of Public Safety</p>	<p>TYPE: GENERAL ORDER</p>	<p>POLICY NUMBER:</p>																																
<p>Subject: Body Worn Cameras (temporary training policy) 90 day review</p>																																		
<p>Issuing Authority:</p> <p style="text-align: center;">Daniel J. Meade Chief of Police</p>		<p>Signature:</p> <p style="text-align: center;"><i>Daniel J. Meade</i></p>																																
		<p>Effective Date:</p>																																
		<p>Number of Pages:</p> <p style="text-align: center;">Page 1 of 3</p>																																
<p>Accreditation Standards (5th Edition)</p>		<p><input type="checkbox"/> New</p> <p><input type="checkbox"/> Revised</p> <p><input type="checkbox"/> Amended</p>																																
<p>Revision & Reissued Dates:</p>	<table border="1" style="width: 100%; height: 40px;"> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </table>																																	

Purpose

This policy is intended to provide officers with instructions on when and how to use body-worn cameras so that officers may reliably audio and video record their contacts with the public in accordance with applicable Massachusetts law.

Policy

It is the policy of the Somerville Housing Authority Department of Public Safety that officers shall activate the body worn camera when such use is appropriate to the proper performance of his or her official duties, where the recordings are consistent with this policy, Massachusetts and Federal law. This policy does not govern the use of surreptitious recording devices used in undercover operations.

The use of the portable video recording system provides persuasive documentary evidence for criminal investigations, internal or administrative investigations, and civil litigation. Officers shall utilize this device in accordance with the provisions in this general order to maximize the effectiveness of the audio/video documentation to achieve operational objectives and to ensure evidence integrity.

Procedures

1. Objectives of the Body Worn Camera Program.

- A. The Somerville Housing Authority Department of Public Safety has adopted the use of body worn cameras to accomplish several objectives. The primary objectives are as follows:
 - 1. Body worn cameras allow for accurate documentation of police-public contacts, arrests, and critical incidents. They also serve to enhance the accuracy of officer reports and testimony in court. To this end, officers will be allowed access to video recordings before completing their written reports and before testifying in cases relevant to video recordings collected by the Department.

2. Audio and video recordings also enhance this agency's ability to review probable cause for arrest, officer and suspect interaction, and evidence for investigative and prosecutorial purposes and to provide additional information for training purposes.
3. The body worn camera may also be useful in documenting crime and accident scenes or other events that include the confiscation and documentation of evidence or contraband.
4. Camera use is not intended to impede an officer from exercising reasonable discretion when addressing minor offenses. SHA police will continue to seek situational de-escalation, positive intervention, and CJ system diversion whenever possible.

2. When and How to Use the Body Worn Camera

- A. Officers shall activate the body worn camera to record all contacts with citizens in the performance of official duties. It shall be the responsibility of each individual officer to test the body worn camera equipment at the beginning of each tour of duty. Officers equipped with the body worn camera will ensure that the batteries are charged prior to the beginning of their shift or special event. In the event that the equipment is found to be functioning improperly, the officer shall report the problem immediately to their immediate supervisor so that the information can be documented, and arrangements made for repair. Once the officer has made a report under this section, he/she shall be excused from using a body worn camera until the Department has supplied him/her with a properly functioning body worn camera.
- B. Whenever possible, officers should inform individuals that they are being audio and video recorded. In locations where individuals have a reasonable expectation of privacy, such as a residence, they may decline to be recorded unless the recording is being made in pursuant to an arrest or search of the residence or the individuals. In such cases, the officer(s) shall not activate the recorder or shall deactivate the recorder as the case may be. Otherwise, the body worn camera shall remain activated until the event is completed in order to ensure the integrity of the recording unless the contact moves into an area restricted by this policy.
- C. If an officer fails to activate the body worn camera, fails to record the entire contact, or interrupts the recording, the officer shall document why a recording was not made, was interrupted, or was terminated.
- D. Officers assigned body worn cameras will wear them at all times while on duty performing patrol or supervisory functions in any type of uniform. Body worn cameras will be worn according to manufacturer's specifications and/or recommendations. The Department will make those specifications and recommendations readily available to the officers required to wear the body worn cameras. Officers will make every reasonable effort to ensure that the body worn camera recording equipment is capturing events by positioning and adjusting the body worn camera to record the event.
- E. Police personnel shall use only body worn cameras issued by the Somerville Housing Authority Department of Public Safety. The body worn camera equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the Somerville Housing Authority Department of Public Safety.
- F. Police personnel who are assigned body worn cameras must complete an agency approved and/or provided training program to ensure proper use and operations. Additional training may be required at periodic intervals to ensure the continued effective use and operation of the equipment, proper

SOMERVILLE HOUSING AUTHORITY
DEPARTMENT OF PUBLIC SAFETY

calibration and performance, and to incorporate changes, updates, or other revisions in policy and equipment.

G. Officers are encouraged to inform their supervisor of any recordings that may be of value for training purposes.

H. Officers shall note in the incident report, the arrest report, or related reports when recordings were made. However, body worn camera recordings are not a replacement for written reports.

3. Restrictions on the Use of Body Worn Cameras

A. Body worn cameras shall be used only in conjunction with official law enforcement activities. The body worn camera shall not generally be used to record:

1. Communications with other police personnel without the permission of the chief of police or his/her designee;
2. When on break or otherwise engaged in personal activities;
3. Encounters with undercover officers or confidential informants;
4. In any location where individuals have a reasonable expectation of privacy, such as a residence, restroom or locker room.

4. Storage

- A. All files shall be securely downloaded periodically and no later than the end of each shift. Each file shall contain information related to the date, body worn camera identifier, and assigned officer.
- B. All images and sounds recorded by the body worn camera are the exclusive property of the Somerville Housing Authority Department of Public Safety. Accessing, copying, or releasing files for non-law enforcement purposes is strictly prohibited.
- C. All access to body worn camera data (images, sounds, and metadata) must be specifically authorized by the Chief of Police or his/her designee, and all access is to be audited to ensure that only authorized users are accessing the data for legitimate and authorized purposes.
- D. Files should be securely stored in accordance with state records retention laws and no longer than useful for purposes of training or for use in an investigation or prosecution.

5. Supervisory Responsibilities

- A. Supervisory personnel shall ensure that officers equipped with body worn camera devices utilize them in accordance with policy and procedures defined herein.
- B. At least on a monthly basis, supervisors will randomly review body worn camera recordings to ensure that the equipment is operating properly and that officers are using the devices appropriately and in accordance with policy and to identify any areas in which additional training or guidance is required.

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Extract of the Minutes
of the Regular Meeting
of the Somerville Housing Authority
held July 8, 2020

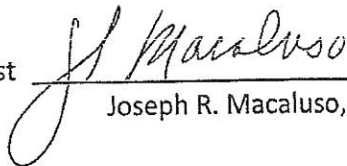
7(k) Consideration of request by the Executive Director to adopt the Somerville Housing Authority Police Complaint Policy Form.

Upon motion made by Comm. Santana, seconded by Comm. Rances, it was voted to approve Item 7(k).

SO VOTED

True Copy:

Attest



Joseph R. Macaluso, Secretary



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Purpose

A relationship of trust between the employees of the Somerville Housing Authority Police Department and the citizens of the community is essential. All police employees are expected to conduct themselves in a manner as to reflect favorably on themselves and the department.

To a large degree, the public image of the department is determined by how well it responds to allegations of misconduct against the department or its officers. To that end, the objectives of an internal affairs investigation are to protect the public, the employee and the department. In addition, internal affairs investigations can be used to correct and identify department wide training issues as well as the training, discipline, or removal of unfit personnel.

All alleged or suspected violations of laws, ordinances, by-laws, department rules, regulations, policies, procedures, and orders, both verbal and written, must be investigated according to the procedures outlined for each.

Policy

It is the policy of the Somerville Housing Authority Police Department to

Investigate all complaints, including anonymous complaints, against the department, or employees of the department, regardless of the source of the complaint, through the use of a regulated, fair, and impartial process. [52.1.1]

Procedure

1. Complaint Report Form:

- A. A standard complaint report form available from the Shift Commander or on the department's website shall be used to record all complaints of misconduct, including but not limited to, mistreatment, or unethical practices by police department personnel, whether registered by a citizen, initiated from within the police department, or forwarded by another governmental agency. [52.1.4]
- B. Every complaint report form shall be given an identifying number, so that the processing of complaints can be carefully monitored. This identifying number will be assigned by the Office of Professional Standards and securely kept in the Office of Professional Standards.
- C. The following information shall be included on the complaint report form:
1. Date and time of complaint.
 2. Name, address, and telephone number of the complainant, unless complainant has chosen to not provide such information;
 3. Name, address, and telephone numbers of any witnesses to the incident.
 4. Name, rank, badge number (or description) of the employee against whom the complaint is made.
 5. Date, time, and location of the reported incident.
 6. Complainant's description of the incident.
 7. Signature of complainant, unless complainant chooses not to sign.
 8. Signature of parent or guardian if complainant is under eighteen, unless they choose not to sign.
 9. Name, rank, and signature of department supervisor receiving the complaint.

2. Receiving and Recording Complaints:

A. General Procedures:

1. The Shift Commander or Lieutenant in charge of Professional Standards, if he/she is available at the time the complaint is made, shall be responsible for the efficient receiving and complete recording of any complaint received. All complaints, regardless of how they are received, shall be documented on a complaint report form, and forwarded to the Office of Professional Standards.
 2. The utmost courtesy and cooperation should be extended to all people registering complaints or otherwise inquiring about the complaint procedure.
 3. If the substance of the employee misconduct warrants it, the Shift Commander or the employees immediate supervisor may relieve the employee (sworn or non-sworn)
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from duty (with pay) for the remainder of employee's shift pending notification of the Professional Standards Lieutenant and the Chief of Police or his/her designee. The employee (sworn or non-sworn) shall only be relieved from duty otherwise at the direction of the Chief of Police or his/her designee. [52.2.7]

B. In-Person Station Complaints:

1. When a person comes to the Somerville Police Department or Somerville Housing Police Department, indicating a desire to make a complaint concerning a Department employee, that person shall be directed to the nearest available superior officer. The officer recording the complaint shall then complete a complaint report form, after obtaining as much information as possible from the complainant.
2. Citizens making complaints in-person should be requested to review the completed report, to make any necessary corrections or additions, and to sign the completed report.
3. If a complainant chooses to not sign a complaint report form, a notation to that effect should be made on the form.
4. The completed standard complaint report form shall be forwarded to the Office of Professional Standards.

C. Telephone Complaints:

1. All telephone complaints should be transferred to a superior officer if immediately available, who will obtain as much information as possible and complete a complaint report form.
2. People making complaints by telephone should be informed that a signed form is requested; however, no telephone complaint should be rejected because the complainant does not want to sign a complaint form or because he/she does not want to be identified.
3. The completed standard complaint report form shall be forwarded to the Office of Professional Standards.

D. Complaints Received by Mail/Electronic Mail:

1. If a complaint of misconduct by a department employee is received by mail or e-mail, the allegations shall be incorporated in a standard complaint report form and the original communication attached and the completed documentation shall be forwarded to the Office of Professional Standards.
2. If the information received is insufficient or incomplete, the complainant shall be contacted, if possible, and informed of the department complaint procedure and any necessary additional information.

E. Complaints by Prisoners:

1. Any prisoner who alleges misconduct by a department employee shall be advised by the Shift Commander of his/her right to submit a complaint report form and all complaints shall be investigated in the same manner as every other citizen complaints.

F. Complaints from Governmental Agencies:

1. When information is received from other governmental agencies alleging specific acts of misconduct against a department employee, this information shall be recorded by completing and filing a report (pursuant to section 1 of this policy) and an investigation initiated.

G. Street Complaints:

1. If an officer is approached by a person regarding a complaint of alleged misconduct against an employee of the department, the officer shall inform the person that his/her complaint should be directed to the Shift Commander or to the Office of Professional Standards.

H. Verification of Receipt:

1. When a complaint is made in-person, the officer receiving the complaint will ensure that the complainant receives a copy of his/her complaint to serve as a written verification that the complaint has been received. [52.2.4(a)]
2. When a complaint is received by telephone, mail, or via email, the Office of Professional Standards shall be responsible to ensure that the complainant is sent a copy of his/her complaint to serve as a written verification that the complaint has been received, to the extent such contact information has been provided by the Complainant. [52.2.4(a)]

I. Periodic Status Reports:

1. In all cases of reporting, except anonymous reports, the complaining party shall periodically receive information regarding the status of the investigation. [52.2.4(b)]

3. Investigative Procedures:

A. Categories of Complaints:

1. The department has established guidelines regarding which categories of complaints will be handled and investigated by the Office of Professional Standards and which will be handled by a shift supervisor as part of his/her responsibilities.
 2. The criteria for determining the categories of complaints to be investigated by the Office of Professional Standards include, but are not limited to, allegations of: [52.2.1.(b)]
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- a) Corruption
 - b) Brutality
 - c) Use of excessive force
 - d) Violation of civil rights
 - e) Criminal misconduct
 - f) Any other matter as directed by the Chief
3. Criteria for the assignment of an investigation to a Shift Supervisor, may include, but are not limited to the following offenses: [52.2.1(a)]
- a) Alleged rudeness
 - b) Tardiness
 - c) Minor cases of insubordination
4. All reports of investigations performed by Shift Supervisors shall be forwarded to and reviewed by the Office of Professional Standards.

4. Immediate Resolution of a Complaint:

- A. In some cases, a complaint of employee misconduct can be resolved to the complainant's satisfaction at the time the complaint is made.
- B. This immediate resolution can often be accomplished if the incident is not of a serious nature, or arises from a misunderstanding or lack of knowledge of the law or of the limitation of a police officer's authority.
- C. Such complaints of employee misconduct shall be recorded on a complaint control form, with a notation the complaint was resolved, signed by the complainant if complainant is willing to do so, and then forwarded to the Office of Professional Standards.

5. Investigation of Complaints:

- A. The Lieutenant in the Office of Professional Standards shall be responsible for conducting investigations involving an employee or the department. He/she shall report to the Support Services Deputy Chief of Police who oversees the Office of Professional Standards. The Support Services Deputy Chief of Police shall report directly to the Chief of Police. [52.1.3]

1. When employees are notified that they have become the subject of an internal affairs investigation (s), the agency will issue the employee a written statement of the allegations and the employee's rights and responsibilities relative to the investigation.
[52.2.5]

2. The Office of Professional Standards shall be responsible for providing the Support Services Deputy Chief of Police with status reports on the progress of the investigation every seven (7) days. These reports shall contain all pertinent information relating to the progress of the investigation.
 3. If the substance of a complaint, against the Department or an employee, if proven, would be of grave nature, or is an accusation of a serious crime and immediate action is deemed necessary, the Chief, or his/her designee, shall be immediately notified by telephone so that an investigation can be initiated without delay. The notification shall be made by the Support Services Deputy Chief of Police [52.2.2]
 4. Before a department employee is questioned or directed to submit a report regarding a complaint, unless the Chief determines that disclosure might jeopardize the investigation, the employee shall be issued a written statement of the allegations and the employee will be advised of all of his/her applicable rights under (Miranda, Carney, Appeal, Weingarten, 5th amendment, Article 12) rights under State and Federal Statute and responsibilities relative to the investigation. [52.2.5]
- B. Any Professional Standards investigation must be commenced immediately upon receipt of the complaint and must be completed within thirty (30) days. [52.2.3]
1. If extenuating circumstances preclude completion within thirty (30) days, the Office of Professional Standards shall request an extension from the Chief in writing and provide written notification to the employee (if previously notified of the complaint and investigation) and the complainant of the delay.
 2. If the investigation is not completed within thirty (30) days, the complainant and the subject of investigation shall be provided a progress report every thirty days (30) until the completion of the investigation.
- C. An internal administrative investigation may inquire into a department employee's on-duty or off-duty conduct if the inquiry is reasonably and directly related to the employee's performance of duty, if the conduct affects the employee's fitness or ability to continue in the police service, or discredits the department.
- D. Criminal Proceedings: If an allegation could potentially lead to a criminal charge against a department employee then the accused employee must be granted all applicable constitutional and statutory rights.
1. Before being questioned regarding alleged personal involvement in criminal activity, a department employee shall be given Miranda warnings, including the right to have an attorney present during any questioning before custodial interrogation.
 2. After Miranda warnings have been given, any voluntary statement made may be admissible in a criminal proceeding, and may otherwise be used for departmental disciplinary purposes.
 3. A department employee, who is being questioned about alleged personal involvement
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in criminal activity which could result in a criminal prosecution, cannot be discharged or otherwise penalized, solely for invoking the right to remain silent as guaranteed by the Fifth Amendment or for refusing to sign a waiver of immunity. However, an employee may be compelled to answer questions narrowly drawn and related to the employee's on or off-duty conduct, and may be disciplined, including discharge, for failure to answer truthfully.

- E. Departmental Disciplinary Action: If it is determined as a result of a preliminary investigation, that allegations made against a department employee could result in departmental disciplinary action, the accused employee is entitled to a fair, objective, and lawful investigation and resolution of the charges.
1. All department employees, when requested by the Chief, or by his/her designee, must respond fully and truthfully to all questions regarding the performance of official duties or on-duty or off-duty misconduct which reflects poorly on the city and the department, and shall answer completely and truthfully to inquiries and be subject to punishment by appropriate disciplinary action, including dismissal from the department for any failure to do so.
 - a) The officer conducting the interrogation must, at the time of the interrogation specify and notify the subject of the precise repercussions (i.e., suspension, discharge, or the exact form of discipline) that will result if the officer fails to respond.
 2. When a department employee, after declining to do so voluntarily, is ordered to submit a report, or to answer questions under a threat of the penalty of discipline, that employee is entitled to and shall receive transactional immunity from criminal prosecution for any offenses to which the compelled testimony relates.
 - a) The Supreme Judicial Court has held that Article 12 of the Massachusetts Declaration of Rights requires transactional immunity to supplant the privilege against self-incrimination when a public employee is being compelled to answer questions concerning possible criminal activities connected with his/her employment. Transactional immunity grants immunity from prosecution for offenses for which testimony is compelled. Transactional immunity can only be granted by the D.A.'s office for every County in the State of Massachusetts and the Attorney General's Office.
 3. If the questions specifically, directly, and narrowly relate to the employee's performance of official duties, or the employee's off-duty conduct, which affects his/her fitness or ability to remain in the police service, and if the employee receives a statewide grant of transactional immunity from criminal prosecution, he/she must answer, or face disciplinary action, including dismissal from the department, for refusing to answer these questions.
 4. The Chief, or his/her designee, shall secure a written grant of transactional immunity from the District Attorney's Office and or Attorney General's Office, if applicable,
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and in the case of a Federal offense, the U.S. Attorney general's Office. An employee may decline to answer questions in a criminal investigation until documentation is received and the employee has been afforded a reasonable opportunity to have it reviewed by counsel.

- F. Double Jeopardy: No double jeopardy exists when a department employee is found not guilty in court of criminal charges and is then found guilty of departmental charges after a disciplinary hearing, because department charges are administrative in nature and can be sustained by a preponderance of the evidence rather than the criminal court standard of beyond a reasonable doubt.
- G. In conducting internal administrative investigations, there is no legal obligation for the department to provide employees with an opportunity to consult with an attorney before being questioned on work-related matters; however, a request for an attorney, or an employee representative to be present, will be granted if the investigation is not unduly delayed.
1. Except in unusual situations, any interview or questioning should take place during the employee's regular duty hours.
 2. Any interview should not be prolonged without reasonable rest periods and the opportunity for meals and other personal necessities as are reasonably required.
 3. A department employee shall not be improperly treated or threatened during this period of questioning.
 4. Interviews must be recorded, including pre-interview discussions. The department should provide the officer with a copy of the recording. Also, the union shall be allowed to record the interview.
- H. In conducting investigations of alleged employee misconduct, all appropriate investigative techniques and methods may be employed, consistent with legal requirements and obligations, including but not limited to CBA protections, and all necessary respect for the individual rights of the accused employee.
1. An internal administrative investigation should be conducted with the same degree of professional competence as is devoted to a criminal investigation.
 2. Upon specific orders from the Chief of Police, or his/her designee, and only after consultation with the Chief of Police, an employee may be required to submit to a medical or laboratory examination pursuant to current SPSOA and SPEA collective bargaining agreements, and state and federal statute and at the department's expense. This examination must be specifically directed and narrowly focused to a particular Professional Standards investigation being conducted by the department. [52.2.6(a)]
- I. Identification: A police officer may also be required to be photographed and can be compelled to stand in a lineup for identification in connection with an administrative investigation, and a refusal can be the basis for an additional disciplinary charge of

refusal to obey a lawful order. Any lineup should be fairly constructed and not be unfairly suggestive and should not be used for an administrative investigation where criminal charges are contemplated. Somerville Police employees shall not be used as fillers in a line-up. [52.2.6(b)(c)]

- J. Searches: A police officer's personal property, including his/her home, car, and other property, is protected from unreasonable search and seizure under the constitution, and it is possible that any evidence illegally obtained may be barred as evidence in a criminal or administrative proceeding. Department property furnished to an officer, like desks, lockers, cell phones, cameras and any other electronic devices or vehicles, in which it is clearly understood in advance that an officer has no expectation of privacy, may be searched without a warrant.
- K. Financial Disclosure: A police officer may be compelled, subject to a warrant or subpoena to submit a financial disclosure statement as part of a Professional Standards investigation provided the statement is narrowly focused and material to the investigation being conducted to an alleged violation within the scope of the officer's employment. [52.2.6(d)]
- L. Under the provisions of M.G.L. Chapter 149, Sec. 19B, police officers may be required to submit to a polygraph and an officer may face disciplinary action for refusal. [52.2.6(e)]
- M. Recording Interviews: If appropriate, the complete interview with an employee in all internal administrative investigations should be recorded in compliance with collective bargaining agreements. A department employee shall not be improperly treated or threatened during this process.
- N. Withdrawn Complaints: If during the progress of an internal investigation, the complainant indicates a desire to withdraw the complaint, efforts should be made to ensure that this decision is made voluntarily, and a signed statement to this effect should be obtained from the complainant.
1. Even though a complaint is withdrawn, a full-report of the investigation should be prepared for the Chief and his/her approval obtained for the suspension or termination of the investigation.
 2. Any attempt, directly or indirectly, on the part of a department employee to obstruct any internal investigation or to threaten or persuade any complainant to withdraw or abandon his/her complaint, is prohibited and shall result in disciplinary action.
6. Report of Investigation:
- A. As soon as practical, though not at the expense of a thorough investigation, the investigating officer shall bring the investigation to a close and prepare an investigative report. The report shall provide, but not be limited to, a summary of all evidence gathered and reviewed during the course of the investigation, a summary of witness interviews, and contain the investigating officers recommended findings. The report shall include the following:
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1. The original standard complaint control form;
 2. Any additional statements taken from the complainant or statements obtained from witnesses;
 3. Any statements made or reports submitted by the department employee under investigation;
 4. A summary of all evidence gathered;
 5. Any mitigating circumstances;
 6. An evaluation of the complaint, a conclusion of facts, and a definitive statement as to whether the charges made by the complainant should be: [52.2.8]
 - a) **Sustained:** The complaint was valid and supported by sufficient evidence;
 - b) **Not Sustained:** There was inadequate or insufficient evidence to either prove or disprove the allegations;
 - c) **Unfounded:** The allegations were without foundation; or
 - d) **Exonerated:** The complaint was unjustified or unwarranted as the actions of the accused department employee were in compliance with law or in accordance with department policy and procedure.
 - e) **No Finding:** The investigation cannot proceed, because the complainant failed to disclose promised information to further the investigation, the complainant wishes to withdraw the complaint, or the complainant is no longer available for clarification. This finding may also be used when the information provided is not sufficient to determine the identity of the employee involved.
 - f) **Mediation:** By mutual agreement with all involved parties the case was mediated by a designee of the Chief of Police and the complaint withdrawn.
 - g) **Complaint Withdrawn:** The complainant affirmatively indicates the desire to withdraw his/her complaint.
- B. Upon receipt of the report of investigation, the Chief should take further action as is necessary based upon findings in the particular case.
- C. An investigation is not complete/ "closed" until the Chief approves the recommended findings of the investigation.
- D. In all cases, the subject of the investigation shall be promptly notified (in writing) of the final results of the investigation. If the department employee is cleared of the charges made, the employee shall be exonerated in writing.
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E. Every person who has filed a complaint against an employee shall be promptly notified as to the final results of the investigation, personally—if possible—or otherwise by mail. [52.2.4(c)]

1. If a disciplinary hearing is deemed necessary, the complainant shall be notified that his/her testimony will be required.

7. Confidentiality of Professional Standards:

A. In order to ensure that the individual rights of an officer are protected, all materials relevant to a complaint investigation, whether against an individual employee or the Department, shall be maintained and kept confidential in accordance with applicable laws.

These records shall be maintained in a secure location within the Office of Professional Standards. [52.1.2]

B. A complete file of records on the investigation of all citizen and internal complaints against the agency, and/or the employees, shall be kept in the Office of Professional Standards. These files shall contain supporting investigative information, as well as notes taken during the investigation. These files shall be treated as confidential investigative files and kept in a locked cabinet secure area with limited access. [26.1.8]

C. Professional Standards investigators should note in their reports any instances where a witness refused or was reluctant to speak.

D. No statement regarding an investigation will be made by a P.I.O. to the public, or media, unless the charges have been sustained and action has been taken against the employee.

E. Materials related to all Professional Standards Investigations are subject to the applicable Public Records Laws, may be subject to subpoena, as well as disclosure as a result of litigation.

8. Liaison with District Attorney

A. Any Professional Standards investigation which may, or does, result in criminal charges being brought against an officer shall require the District Attorney's, Attorney General's office, or U.S. Attorney's Office to be apprised of the case for the purpose of advising on legal issues and ultimate prosecution, if necessary. Contact shall be made through the Office of Professional Standards.

9. Employee Protections

A. Nothing in this policy should be deemed to supersede employee and union protections under collective bargaining agreements, state and federal statutory law, constitutional law, and state and federal employee rights and or management rights.



SOMERVILLE HOUSING AUTHORITY
 30 Memorial Road, Somerville, Massachusetts 02145
 Telephone (617) 625-1152 Fax (617) 628-7057 TDD (617) 628-8889

**Somerville Housing Public Safety Department
 COMPLAINT FORM**

Instructions:

1. Complete with as many details as possible
2. Deliver to: Somerville Housing Authority
 30 Memorial Road, Somerville, MA 02143

Officer(s) Involved:			Description if Officer's Name is Unknown:		
Officer Name	Badge #	Height:	Glasses:	Car #	Build:
			Yes No		
Officer Name	Badge #	Hair:	Race:	Car #	Accent:

Witness Information:			
Last Name:	First Name:	M.I.:	Phone:
Address:	City:	State:	Zip:
Last Name:	First Name:	M.I.:	Phone:
Address:	City:	State:	Zip:

Your Information:		
Last Name:	First Name:	Date of Birth:
Address:	City:	State & Zip:
Phone:	Email:	

Incident Details:		
Date of Incident:	Time of Incident:	Incident Location:
Date of Report:	Police Report # (if known):	Signature:

Translation and interpretation services are available upon request by appointment only
 Sevis tradiksyon ak interpretasyon disponib si w bezen
 Servicio de traducción e interpretación están disponibles, con cita, una vez que lo solicite
 Serviço de tradução e interpretação estão disponíveis somente após agendamento



Nature of Complaint:

[Empty box for reporting the nature of the complaint]

Signature of Reporting Party: _____ Date: _____

Officer Receiving Report: _____ Date: _____

Signature of Parent/Guardian of Minor: _____ Date: _____

Translation and Interpretation services are available upon request by appointment only
Sevis traduksyon ak interpretasyon disponib si w bezen
Servicio de traducción e interpretación están disponibles, con cita, una vez que lo solicite
Serviço de tradução e interpretação estão disponíveis somente após agendamento



5

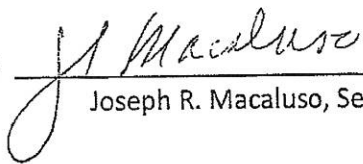
Extract of the Minutes
of the Regular Meeting
of the Somerville Housing Authority
held May 12, 2021

4(a) Massachusetts Police Accreditation Program Pamphlet and SHA Public Safety Standards Checklist from Accreditation and Training Manager, Paul Trant.

Executive Director, Joe Macaluso, stated that the SHA Public Safety Department is currently going through an extensive accreditation process with the assistance of former Somerville Police Department (SPD) Training Manger, Paul Trant. SHAPS will be the first housing authority police department to complete this process. Joe also discussed the upcoming rollout of body cameras for SHA officers in alignment with SPD's policies.

True Copy:

Attest



Joseph R. Macaluso, Secretary

The MASSACHUSETTS POLICE ACCREDITATION PROGRAM

What is it and Why Participate?



Law Enforcement Accreditation is a "Badge of Honor"
in the Law Enforcement Profession.



It is one of the *Best Measures* of a Police Department's Compliance
with *Professional Standards*.

Accreditation is a self-initiated, voluntary process by which agencies strive to meet and maintain the body of standards that have been established for their profession, by their profession.

Being *Certified or Accredited* is symbolic of an agency's commitment to professional excellence in the workplace.

It means that the agency has agreed to adopt Program standards as a way of doing business -- and those standards are considered *best practices*, administratively and operationally.

Achieving Certification or Accreditation status means:

- The agency is committed to meeting professional standards.
- The agency is willing to be assessed on a regularly scheduled basis by Commission-appointed assessors to confirm compliance with professional standards; and
- The agency agrees to correct any deficiencies discovered during the assessment process to establish or re-establish compliance with standards.

About the Massachusetts Police Accreditation Program

- Massachusetts is proud to be one of 33 states that offer an accreditation program for its law enforcement community.
- Massachusetts offers two program awards: Certification and Accreditation, and *Accreditation* is the higher of the two awards.
- Participation in the program is strictly **voluntary**. CEO's understand that enrolling in the program may generate some constructive criticism, *but* the process is not designed or intended to embarrass the agency's CEO or its personnel.
- The Program establishes standards for police departments to adopt. Standards generally dictate *which* topical areas an agency must have policies and procedures on leaving the *development* and the *enforcement* of *agency-specific* policies and procedures up to the agency's CEO and supervisory staff.
- The vast majority of the Commission's standards require agencies to commit their often *unwritten* policies and procedures to writing; the remaining standards are equipment and facility related.

Cost to Enroll in the Program

The annual fee is based on agency-size and on the number of full-time police officers in the agency, only.

There are four agency-size categories.

Full-time Police Officers	FY2021's Annual Fee
<10	\$975
10-25	\$1,800
26-75	\$2,300
75 >	\$2,900

For partial year enrollment, agencies pay a pro-rated fee per month.

MIIA Members

For information on MIIA's Rewards Program, contact:
MIIA's Loss Control Department
617-426-7272.

The MASSACHUSETTS POLICE ACCREDITATION PROGRAM

What is it and Why Participate?

.....the Massachusetts Police Accreditation Program (continued)

- The *process* begins with a thorough examination of the agency *by the agency* to determine compliance with program standards. This “self-assessment” (or *internal evaluation*) that is initiated by the agency's CEO is then followed by an **external, peer review** by Commission-appointed assessors. Assessors are typically Chiefs of Police and Accreditation Managers from other participating agencies that have been specially trained to conduct “on-site assessments” on behalf of the Commission.
- Assessments for Certification are conducted in two days by two assessors (assessing 159 standards). Assessments for Accreditation are conducted in three days by three assessors (assessing 300+ standards).
- The Commission fully expects *functional* compliance with program standards (i.e. compliance in practice), not only at the time of the agency's assessment but following it.
- Assessments for Certification and Accreditation are not much different than *line and staff inspections* in that they both serve to acknowledge what's right and identify and correct deficiencies. That said, Certification and Accreditation awards do not necessarily imply total or continual compliance with program standards. Participating agencies are however expected to monitor and evaluate their compliance with standards during their three-year award period and take all necessary steps to re-establish standards compliance when non-compliance is discovered.

Nature of the On-site Assessment

- The on-site assessment is audit in nature and limited in scope by design. It is not a management study. The Commission's standards establish specific evaluation measures for determining compliance with each standard and are provided to agencies upon enrollment in the program.
- *Initial* assessments for Certification and Accreditation are *system-based*; *Re-assessments* for Certification and Accreditation are more *performance-based*.
- Quote from MBTA Police Chief William J. Bratton introducing the concept of accreditation to department personnel in a department-wide memo: “*The standards used for accreditation deal with the Police Department, not individuals within the Department. Accreditation is not a performance evaluation of individuals. It is a national measure of procedures and policies for police agencies. These standards most often deal with whether the department has a written guideline - a policy, rule or procedure - covering particular aspects of its operation.*”
- Certification and Accreditation Programs do not certify or accredit Police Chiefs, Accreditation Managers or any other individuals in the agency; they certify and accredit *police departments as a whole*.

For More Information about the Massachusetts Police Accreditation Program:

Visit the Massachusetts Police Accreditation Commission's Website:
www.masspoliceaccred.net

Contact the Commission's Executive Director: Donna Taylor Mooers

Office: 978-834-5665

E-mail: donna@masspoliceaccred.net

Somerville Housing Authority Department Public Safety

Certification Standards

	16.3.1	41.1.2	46.1.8	70.3.2	72.5.1
	16.3.2	41.1.4	46.2.1	70.4.1	72.5.2
	16.3.3	41.2.1	46.2.3	70.4.2	72.5.3
1.2.2	16.3.5	41.2.2	46.3.1	70.5.1	72.5.4
1.2.3	16.3.6	41.2.3	46.3.2	71.1.1	72.5.7
1.2.4	16.3.7	41.2.5	52.1.1	71.2.1	72.6.1
1.2.5	16.3.9	41.2.6	52.1.2	71.3.1	72.6.2
1.2.8	16.4.1	41.3.1	52.1.3	71.3.2	72.6.3
1.3.1	16.4.2	41.3.3	52.2.1	71.3.3	72.6.5
1.3.2	16.4.3	41.3.4	52.2.2	71.4.1	72.7.1
1.3.3	17.4.2	41.3.5	52.2.5	71.4.2	72.8.1
1.3.4		41.3.6	52.2.6	71.4.3	72.8.3
1.3.5		42.2.7	52.2.7	71.5.1	72.8.4
1.3.6	26.1.3	42.2.10	52.2.8	72.1.1	72.8.5
1.3.7	32.2.1	42.2.11	55.2.2	72.1.2	81.2.2
1.3.8	32.2.2	42.2.12	55.2.6	72.2.1	81.2.8
1.3.9	32.2.7	44.2.1	61.1.2	72.3.1	81.3.2
1.3.10	32.2.8	44.2.2	61.1.7	72.3.2	82.1.1
1.3.11	33.1.6	44.2.3	61.1.11	72.4.1	82.1.2
1.3.12	33.1.7	46.1.1	70.1.1	72.4.2	82.1.7
1.3.13	33.2.4	46.1.2	70.1.2	72.4.3	83.2.1
	33.4.1	46.1.3	70.1.3	72.4.5	84.1.1
	33.5.1	46.1.4	70.1.4	72.4.7	84.1.2
	33.5.4	46.1.5	70.1.6	72.4.8	84.1.3
	33.6.2	46.1.6	70.1.7	72.4.9	84.1.4
	33.8.2	46.1.7	70.2.1	72.4.10	84.1.5
			70.3.1	72.4.11	84.1.6

Mandatory Standards (159)

10 - Completed
 19 - In-Progress
 0 - Waived
 130 - Remaining

As of April 2021

This document identifies the "national" standards in CALEA's 5th Edition Standards Manual that have been adopted for state certification and accreditation.

Total Standards
159

Completed Standards - **GREEN**
 In-Progress Standards - **YELLOW**
 Remaining Standards - **CLEAR**
 Waiver of Policy - **RED**

PROGRAM BENEFITS

The benefits of Certification and Accreditation are many and will vary among participating agencies based on the state of the agency when it enters the process. In other words, the benefits will be more fully known when the agency quantifies the changes that were made to meet program standards. Generally, these changes involve policy writing, minor facility improvements, and in some cases, equipment purchases.

Below are some of the more common benefits of Certification and Accreditation. They:

- Provide a norm for an agency to judge its performance.
- Provide a basis to correct deficiencies in an agency's operations before they become public problems.
- Require agencies to commit policies and procedures to writing.
- Promote accountability among agency personnel and the evenhanded application of policies.
- Provide a means of independent evaluation of agency operations.
- Provide a quality assurance review of the agency.
- Enhance the reputation of the agency and promote public confidence in it.

They are also effective risk management tools for preventing and reducing loss in professional liability claims.

CERTIFICATION AND ACCREDITATION

*Accomplishments
highly regarded
by the law enforcement
community.*



10/26/2020

MASSACHUSETTS POLICE ACCREDITATION COMMISSION, INC.

Per the by-laws, the Commission consists of an eleven member Board of Directors. Six members are appointed by the Massachusetts Chiefs of Police Association, one by the Massachusetts Municipal Association, and one by the Massachusetts Police Association. Three members are elected by the Board; all must have demonstrated expertise in law enforcement and public safety initiatives, and one must be affiliated with an academic institution.

BOARD OF DIRECTORS 2020

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Chief of Police, Hamilton Police Department

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Jonathon P. O'Leary
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Scott Showstead
Lieutenant, Wellesley Police Department

Donna Taylor Mooers, Executive Director

*Massachusetts Police Accreditation Program
The prestigious status of..*

Law Enforcement Accreditation A Badge of Honor

Recognizing Professional Excellence



*Police Departments striving to meet and maintain
standards that have been established for the profession*

Program Overview

- The Commission
- Program Awards
- The Standards
- The Process
- The Application and Fee
- Program Benefits

Massachusetts Police Accreditation Commission
110 Haverhill Road - Suite 397
Amesbury, Massachusetts 01913

M: 978-834-5665 F: 617-904-1919
www.masspoliceaccred.net

THE COMMISSION

ORIGIN

The Massachusetts Police Accreditation Program originated in October of 1996 through the combined efforts of the Massachusetts Chiefs of Police Association, the Massachusetts Police Accreditation Coalition and the Executive Office of Public Safety. Through Executive Order No. 392, a new state agency within the Executive Office of Public Safety had been established to oversee *police accreditation*. That agency was the Massachusetts Police Accreditation Commission.

In February of 2004, the Massachusetts Police Accreditation Commission transitioned from a state agency to a private, non-profit organization. With the Articles of Organization for the new Massachusetts Police Accreditation Commission, Inc. having been accepted by the Secretary of the Commonwealth, today, the Commission is a non-profit corporation organized under Chapter 180 of the Massachusetts General Laws and is an organization described in 501(c)(3) of the Internal Revenue Code.

ABOUT THE COMMISSION

The Commission offers an accreditation process for police departments in Massachusetts. Like other accreditation programs, the process consists of two major components: (1) establishing professional standards for police departments to meet; and (2) administering a voluntary assessment process by which police departments can be publicly recognized for meeting best practices.

MISSION STATEMENT

To ensure that the delivery of police services within the Commonwealth is at the highest level of professionalism and integrity.

PROGRAM AWARDS

The Commission offers two professional credentialing programs: **Certification and Accreditation**.

Accreditation is the higher of the two program awards consisting of 382 standards; 257 are mandatory; 125 are optional. Mandatory standards that do not apply to the agency are waived. Only a *percentage* of the optional standards must be met; the percentage is based on agency size.

The Certification Program consists of 159 standards, all of which are mandatory. Since these 159 standards are part of the 257 mandatory standards for Accreditation, Certification is a significant milestone towards Accreditation. It is the policy of the Commission that agencies must successfully achieve Certification before being assessed for Accreditation.

THE STANDARDS

National standards and best practices for the law enforcement profession provide the framework for the standards in the Massachusetts Police Accreditation Program. Typically, they address police management, administration, operations, and support services. Standards generally prescribe "what" agencies should be doing but not "how" they should be doing it. Those decisions are left up to each agency to make.

Standards address areas such as:

- Agency Authority, Jurisdiction and Use of Force
- Recruitment, Selection, and Promotion of Personnel
- Training, Discipline, and Internal Affairs
- Patrol, Traffic Operations and Criminal Investigations
- Victim/Witness Assistance
- Emergency Response Planning
- Detainee Transportation and Holding Facilities
- Records and Communications
- Collection and Preservation of Evidence
- Property and Evidence Control

THE PROCESS

Participation in the Massachusetts Police Accreditation Program is strictly voluntary. Program participants may withdraw from the process at any time without prejudice.

The process consists of six phases:

- Information, Application, Self-Assessment
- Pre-Assessment, On-site Assessment
- Commission Review

Information Phase: Agencies usually begin the process with a simple request for information about Certification and Accreditation. The information generally includes an overview of the six phases, the costs (actual and potential), the standards, the benefits and the availability of support services from the Commission.

Application Phase: Once the agency decides to participate in the program, it completes the Program Application. Upon receipt of the Application and fee, instructional material and mentoring are provided to prepare the agency for the next phase of the process: Self-Assessment.

Self-Assessment Phase: This phase involves a thorough examination of the agency, by the agency. It is the most labor-intensive and time-consuming phase of the process because the activities in this phase initially begin with a comprehensive review of the standards and include activities associated with preparing for the agency's on-site assessment.

The activities in this phase include: (1) analyzing each standard to determine agency compliance; (2) achieving agency compliance where noncompliance is determined and (3) documenting and centralizing agency compliance for the on-site assessors to review.

Pre-Assessment Phase: This phase of the process involves two preliminary reviews: one by the agency's peers, the other by Commission staff. Both pre-assessments give the applicant agency an indication of its readiness for an on-site assessment by Commission-appointed assessors.

On-Site Assessment Phase: The evaluation process for Certification consists of a two-day assessment in the agency's facility verifying compliance with all applicable standards. Compliance is verified by reviewing written directives and documentation, interviewing employees, and observing various aspects of the agency's facility. The assessment for *Accreditation* is conducted in three days by three assessors and includes some assessment notification requirements.

Commission Review Phase: Based on the findings and recommendations of the Assessment Team, the Commission grants Certification or Accreditation for a three-year period. Upon achieving initial Certification, agencies work towards re-Certification or pursue Accreditation. Accredited agencies work towards re-Accreditation. Mid-point contact with the agency's Accreditation Manager monitors ongoing compliance with program standards between assessments.

THE APPLICATION AND FEE

The Program Application and Invoice consists of three parts. Part I requests some information about the agency, Part II deals with the agency's eligibility to participate in the program, and Part III is the Invoice for the annual fee.

The fee is based on agency-size and on the number of full-time police officers in the agency, only. There are four agency-size categories. For partial year enrollment, annual fees are pro-rated per month.

Full-time Police Officers	FY2021's Annual Fee
<10	\$975
10-25	\$1,800
26-75	\$2,500
75 >	\$2,900

FOR MORE INFORMATION

Visit: www.masspoliceaccred.net

Contact the Commission: 978-834-5665

E-mail: domna@masspoliceaccred.net

ACCREDITED (97)

Abington
Acton
Amesbury
Amherst
Andover
Arlington
Assumption University
Babson College
Bedford
Belchertown
Bentley University
Boston College
Boston University
Boxborough
Bridgewater
Brookline
Burlington
Canton
Chelmsford
Chelsea
Danvers
Dartmouth
Dedham
Dennis
Douglas
Duxbury
Easton
Edgartown
Essex
Fairhaven
Fall River
Framingham
Freetown
Georgetown
Great Barrington
Greenfield
Hamilton
Haverhill
Holliston
Hopkinton
Lexington
Littleton
Longmeadow
Manchester-by-the-Sea
Marblehead
Marion
Marlborough
Maynard
MBTA Transit
Merrimack College
Mount Holyoke College
Newburyport
North Andover
North Attleborough
North Reading
Northampton
Northborough
Norton
Norwood

Orleans
Peabody
Plymouth
Quinsigamond
Community College
Randolph
Reading
Rockport
Rowley
Salem
Salisbury
Saugus
Somerset
Somerville
Southborough
Stoughton
Sturbridge
Swampscott
Swansea
Topsfield
Tufts University
UMass Amherst
UMass Boston
UMass Dartmouth
Upton
Waltham
Watertown
Wellesley
Wenham
West Bridgewater
West Newbury
West Tisbury
Western N.E. University
Westford
Weymouth
Wilmington
Winchester
Woburn
Worcester Polytechnic Institute

CERTIFIED (13)

Brewster
Dunstable
Eastham
Framingham State University
Holliston
Holden
Lowell
Ludlow
Mashpee
Middleborough
Oak Bluffs
Wakefield
Wayland

SELF-ASSESSMENT (117)

ABCC
Acushnet
Amherst College

Aquinnah
Ashburnham
Ashby
Ashland
Ayer
Barnstable
Becker College
Belmont
Berkley
Beverly
Billerica
Boxford
Braintree
Bristol Community College
Bunker Hill Community College
Cambridge
Carlisle
Carver
Chatham
Chicopee
Chilmark
Cohasset
Concord
Dracut
East Bridgewater
Emerson College
Endicott College
Everett
Falmouth
Fitchburg
Foxborough
Franklin
Gloucester
Grafton
Groton
Groveland
Hadley
Halifax
Hampden
Hanson
Harwich
Hingham
Hinsdale
Hudson
Hull
Ipswich
Lakeville
Lawrence
Lenox
Leominster
Lincoln
Lunenburg
Lynn
Lynnfield
MA State Police
Malden
Mansfield
MASS-PORT
Medfield

Melrose
Merrimack
Methuen
Middleton
Millis
Milton
MIT
Nantucket
Natick
Newbury
Norwell
Pepperell
Pittsfield
Plympton
Provincetown
Regis College
Revere
Rochester
Salem State University
Sandwich
Saratuate
Sharon
Somerville Housing Authority
Smith College
South Hadley
Southbridge
Springfield
Springfield College
Stockbridge
Stoneham
Stonehill College
Sudbury
Suffolk University
Taunton
Tewksbury
Tisbury
Townsend
Truro
Tyngsborough
UMass Lowell
UMass Worcester
Uxbridge
Walpole
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Weston
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Wheaton College
Whitman
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Winthrop
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Wrentham
Yarmouth

Agency Participants
April 7, 2021
227