

For the purposes of clear communication, the questions have been grouped into seven topic areas and directly overlapping questions have been combined. All of the original comments and questions submitted before the event and in the questions section during the event are contained in a the spreadsheet titled Community Questions.

1. Department Demographics and Personnel Policies

- What are the demographics of the Westford Police Department?

The Westford Police Department has 48 police officers, two of which are women (4%) and two of which are black (4%).

- What accounts for the relative lack of diversity? What steps are being taken to increase both racial and gender diversity?

In Westford, police officers fall under civil service rules and processes with regards to hiring. When Westford has an opening, the Police Department is provided a number of candidates that are screened based on civil service rules and under these rules certain groups, like local residents and military veterans, have preference. As a result, more than 80% of Westford police officers are or were Westford residents. When the rules allow, the WPD has welcomed the opportunity to make our police force more diverse. We would encourage POC in Westford to take the civil service exam and provide us the opportunity to hire more diverse personnel.

- What changes in current process or regulation would allow WPD to diversify the police force more quickly?

The change that would have greatest impact would be if more local POC and women from our community chose to take the civil service examination to become police officers.

- Can the police force move outside civil service rules?

Civil Service may be revoked through Special Legislation if approved by Town meeting. While this is possible, it is not a simple process. We would need to obtain a favorable vote at Town Meeting and receive acceptance for this change from the state. There are local area police departments that are not civil service agencies and they have generally experienced the same lack of diversity in applicants as we have. The impact of the decision to move outside civil service rules may be subject to bargaining with police unions.

Do your officers live in Westford? Do you make a special effort to hire officers who live in Westford and have experience with the Westford community?

Yes, see above.

- When hiring new officers for the WPD, do you have any way of knowing if there were complaints against applicants in prior departments?

Our recruiting process includes a detailed review of the personnel files of any new recruit who has served as a police officer elsewhere. The vast majority of our recruits are sent to the police academy by Westford and are serving as a police officer for the first time.

- What is the policy of the WPD if an officer is affiliated with online or other hate groups? If this were to occur, would it be made public?

If a WPD officer were identified as being affiliated with a hate group, it would be investigated and the officer would be disciplined appropriately, up to and including termination.

In terms of public information, the WPD provides information consistent with Public Records Laws. If a member of the public makes a complaint, the individual making the complaint will be briefed on the outcome. If a member of the public wishes to access records, a public records request can be made at any time. The information provided will be consistent with Massachusetts Public Records Law, which means that some sections may be redacted in compliance with the law.

- What is the department's current policy on displaying "unofficial" symbols on duty, personal, and EDC (Every day carry) items such as notebook covers? Can we the public request a policy be made and publicly distributed banning the use, possession and display of the "Punisher Skull" (a serial killing vigilante responsible for thousands of violent comic book deaths) by any and all WPD Employees?

All WPD personnel are required to adhere to a policy and procedure which dictates approved uniform and equipment specifications. This applies to the equipment regularly used in the performance of their duties. If an officer were to display any symbols like the one referenced above the officer would be directed to remove that symbol.

- How are police currently certified by the Commonwealth?

All WPD officers have graduated from a State/Municipal Police Training Committee approved police academy. There is currently no State level certification.

- How many police officers have had disciplinary actions purged from their records?

We have no officers that have had a disciplinary action purged from their personnel record.

2. Data Collected related to race

- What data is collected related to police interactions and race? What is the data?

From: 01/01/2010 Thru: 07/01/2020		
Total Citations • 38042	#	%
Arrest	954	2.5
Civil	9116	24.0
Complaint	2989	7.9
Warning	24703	64.9
Verbal	76	0.2
Void	198	0.5

Citation Action Unspecified	6	0.0
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	#	%
Black	1232	3.1
Asian or Pacific Islander	1824	4.8
Hispanic	2514	6.6
American Indian or Alaskan Native	118	0.3
Middle Eastern/East Indian/South Asian	739	2
White	31079	82.1
Missing	338	0.9

- Why is race data not collected for all police interactions (verbal warnings, no action taken)?

The State mandates collection race for citation and arrest data. Westford collects race data on written warnings as well, but not for verbal warnings or incidents where no action is taken. If Westford were to begin to collect race data on traffic stops where a verbal warning is given or no action is taken, it would require an upgrade to systems to be funded so that this information could be captured in a useful way.

- Why are the incidents involving black people higher than the percentage of black people in Westford?

As of the 2010 census, the racial makeup of the town was 76.1% White, 0.40% African American, 0.1% Native American, 22.6% Asian (10.7% Indian, 8.2% Chinese, 1.6% Korean, 0.3% Cambodian, 0.2% Vietnamese, 0.2% Japanese, 0.1% Filipino, 0.1% Pakistani, 0.1% Bangladeshi), 0.0% Pacific Islander, Hispanic or Latino of any race 1.5%, 0.30% from other races, and 1.5% from two or more races.

The state evaluates data for potential racial bias based on the driving population estimate within Westford, which includes people working in town, shopping in town and commuting through town.

The state performed a comprehensive analysis of all cities and towns in 2004, and at that time Westford's driving population estimate contained 0.6% African Americans and 1.6% of citations issued during this period in Westford were to African Americans. This disparity of 1% was below the Massachusetts state disparity median of 1.8% and Westford was one of 26 towns with no disparities identified above the state median in any of the measures tracked. This data continues to be regularly reported to the state and the state is required to notify towns if their reported data differs from their driving population estimate and Westford has received no notifications. WPD has requested the current driving population estimate from the state multiple times, but the state has not yet responded.

The driving population estimate (DPE) begins with the assumption that cities and towns close to a particular city contribute more people to the driving population of the target city. Other factors besides distance, however, influence travel. Research on transportation has long shown that people will drive further if attractive features such as shopping, employment or entertainment exists in the target city. The first step in creating the DPE is estimating the degree to which surrounding cities contribute to the driving population of the target city. To create the pool of contributing cities for each target city in Massachusetts they began with the assumption that the driving population of a jurisdiction is primarily influenced by communities that fall within a 30- minute drive time perimeter, which for Westford includes towns and cities with more diverse populations like Lowell, Fitchburg and Leominster.

- What action would be taken if an officer showed evidence of bias in their work?

Depending on the violation, the officer would receive additional training/re-training and/or discipline up to and including termination.

- Does WPD track if individuals are having interactions with the police frequently? If an individual of color were having a disproportionate number of interactions with WPD, would that be tagged and acted on? How?

It depends on the interaction. For a formal incident or motor vehicle stop, a report or citation would be generated which requires supervisory review. Each interaction requiring documentation is added to an individual's in-house history and can be viewed by WPD personnel, and is routinely reviewed by a Supervisor for any indications of bias. If any pattern were observed during this review further investigation would occur, which could lead to further training or other corrective action.

- Is the available data analyzed to see if the patterns differ during the day and night?

Calls for service and officer-initiated activity is broken down by call area, time of day, day of week and other categories.

- How often are the license plates of black individuals run relative to white individuals?

This information is not available through WPD records. A recent query to the Criminal Justice Information System indicated WPD ran over 300,000 license plates through the CJIS system in the past year. It is not tracked by race.

3. De-escalation and anti bias

- How are police officers made aware of their own biases and what training to they receive?

Our officers begin anti-bias training when they attend the police academy and receive further training at annual in service and again at WPD through policy review. (WPD is performing an analysis of hours of training performed in anti-bias, mental health and de-escalation which will be released when available.)

- What is the budget for training for WPD? How much of this goes to anti-bias training?

The budget for officers to attend training classes is \$31,500. Anti-bias training costs vary as it is built into our regular in-service training – we do not have a separate break out of this type of training at this time.

- Do you have evidence that the WPD anti-bias training is effective?

We have received no bias complaints, nor have we received any notification of any violations from the Executive Office of Public Safety, the Attorney General's Office or the Middlesex County District Attorney. We believe this training helps our officers be more mindful of bias during their work.

- Is WPD open to expanding their current anti-bias and de-escalation training?

The WPD examines every opportunity to provide additional training to officers and would be open to exploring further available opportunities for anti-bias and de-escalation training.

- What is Westford Police's policy on de-escalation and what training do police officers receive in de-escalation?

The WPD's policy on de-escalation is available on the WPD website. De-escalation is introduced and emphasized when officers start at the MPTC Police Academy. Further training is provided to officers by WPD throughout their careers and practiced every day in multiple interactions with the public. De-escalation is preferred prior to any use of force when possible.

- Are there important differences between the de-escalation training received in Westford and de-escalation training in Atlanta or Minneapolis?

While we are not familiar with the details of policies or practices in place in Atlanta or Minneapolis, WPD has a practice of pursuing de-escalation and moving to use of force as a last resort.

- How much training does the WPD receive on responding to issues of mental health? How does this affect the approach to de-escalation?

Our officers begin mental health training when they attend the police academy and receive further training at annual in service and again at WPD through policy review. De-escalation is a major component of dealing with individuals experiencing a mental health crisis.

- WPD is required to provide medical assistance and intervention for physical ailments and injuries, but are they obligated to provide aid for those suffering from mental health issues?

All officers at the WPD are trained first responders and have received additional training on dealing with individuals experiencing a mental health crisis. It is often the officers who are dispatched to a call for service that first recognize a person is suffering from a mental health issue. We strive to ensure a safe resolution and outcome for anyone in crisis.

- Does response to an issue involving mental health require that the officer be armed?

All officers are armed while on duty. All officers must be prepared to address an incident involving deadly force and the full nature of a call is often not clear until an officer is on site and can fully assess the situation.

- Do mental health professionals join WPD on calls? If not, why not? Could mental health professionals respond instead of police officers for certain calls?

The WPD does not have embedded social workers or mental health professionals. We provide referrals to individuals that need assistance as well as provide information to our partners in the COIN (Community Outreach Initiative Network) initiative when appropriate. Depending on the nature of the call for service, response by a mental health professional may be appropriate.

4. Use of Force

- What is the policy on holding any officer accountable for wrongful use of force?

All use of force incidents undergo a review by a use of force Instructor, a supervisor and a member of the WPD administration. Any instance of wrongful use of force would result in discipline, up to and including termination.

- Does WPD policy allow for use of chokeholds and/or firing at a moving vehicle? Has the WPD done either of these things? Would WPD ban these?

The WPD policy on use of force only allows the use of chokeholds or firing at a moving vehicle when lethal force is authorized. Chokeholds are not part of the MPTC or WPD defensive tactics training curriculum. The WPD has no record of an officer either using a chokehold or firing at a moving vehicle.

- What data is available on WPD use of force? How is it documented when it occurs? How often does it occur?

Any use of force by an officer of the WPD must be reported. The officer is required to complete a use of force administrative report, complete a use of force form and thoroughly document the incident. Those reports are then reviewed by a supervisor, a use of force instructor and a member of the WPD administration.

- How often do officer involved shootings occur in Westford? What options must be exhausted before an officer can fire a weapon?

The Westford Police Department has not had an officer involved shooting since the early to mid- 1970's. Whenever possible, all other use of force options must be exhausted prior to utilizing lethal force.

- Regarding our use of force policy, is lethal force permitted for any felony charge, including nonviolent offenses like drug related crimes and theft?

Lethal force is authorized to protect the officer or others from what is reasonably believed to be a threat of death or serious bodily harm.

Lethal force can be used to effect an arrest for a felony only if;

- The officer reasonably believes that the force employed creates no substantial risk to innocent persons; and
 - The crime for which the arrest is to be made involves conduct including the use or threatened use of deadly force; and
 - There is a substantial risk that the person to be arrested will cause death or serious bodily harm if such person's apprehension is delayed.
- What are WPD guidelines to an officer carrying a firearm? Has WPD explored not having all officers armed or not armed in certain types of situations?

An officer is required to carry a firearm while on duty. The WPD has not explored having unarmed personnel.

- Wouldn't a police officer not being armed assist with certain de-escalation situations?

We have not explored use of unarmed personnel, nor how we could successfully predict in advance the direction an incident could go.

- What weapons does WPD have that are not legal for an individual to own? How often are these used?

The WPD patrol officers carry Electronic Control Devices (taser) for a less lethal force option that is not legal for an individual to own. A taser has been used once since they were purchased 3 years ago.

WPD also has assault-style rifles that, since 2016, cannot be purchased by the general public. The WPD also has magazines with capacity higher than that available to the general public.

- What percent of police actions in Westford require the presence of an armed person who is authorized to use lethal force at their discretion?

100% of calls that an officer is dispatched to will have an armed presence for the reasons discussed above.

- Which types of illegal activity are treated as health issues and which are treated as criminal issues?

Health issues are not illegal but accompanying actions may be criminal. Officers are trained to recognize underlying mental health issues and will take those issues and resulting behavior into account when making a criminal determination.

For issues related to substance abuse, treatment is always the first option pursued and if the amount of illegal drugs involved is consistent with personal use (as opposed to sale to others) a charge, generally, will not be filed.

- How do state and local policies related to use of force differ between those in place in Minneapolis or Atlanta?

WPD is not familiar with the details of those policies, but will pursue de-escalation and only use force if the criteria listed in the earlier question are met.

- Does WPD support the state bill to ban the use of chokeholds, tear, gas, and rubber bullets on individuals?

WPD supports reasonable use of force by officers. The WPD does not use or have tear gas or rubber bullets. *See above for information on chokeholds.

5. School Resource Officer

- Why does Westford have a School Resource Officer at WA?

The SRO at WA has been closely involved with safety assessments and training and has worked closely with the broader team involving school psychologists, guidance counselor, teachers and administrators to assist students in crisis. These services and this role have been valued by Westford Public Schools

leadership. It is also a requirement under Massachusetts legislation Section 37B. The SRO program was piloted in 1997 and has been continuously in place since the early 2000s.

- Who pays for the School Resources Officers? Who oversees them?

The majority of the SRO's salary is paid out of the School budget. In Fiscal Year 2020, the Town paid \$15,520 towards the SRO's salary, and the Schools paid \$72,000. The SRO is overseen by the Chief of Police, with input from the School Superintendent and WA Principal.

- Why is the SRO paid from the school budget?

It was a policy decision between the School Committee and the Select Board.

- Why is an SRO a better resource than a mental health worker?

An SRO has a different set of skills than a mental health provider – an SRO is not “better”, but has proven to be an important part of the team. At WA there are guidance counselors, school psychologists, nurses and teachers present, and different students have sought help through different pathways at different times. A substantial number of students have chosen to approach Officer Pavaio in the past while they or a friend are in crisis and he has worked with the other service providers to provide care and assistance.

- Why is the SRO armed?

Although many of Westford's SRO duties involve training and student support, one of the situations an SRO must be prepared for is to react to an incident where an intruder seeks to do harm.

- When student's backpacks are searched at WA, are the students informed of their rights first?

Westford Public School personnel may conduct searches on school property as specified in the student handbook and pursuant to school policies. (Information regarding search and seizure can be found on page 60 of the Student Handbook:

https://www.westfordk12.us/sites/g/files/vyhlf5181/f/uploads/wa_2019-2020_student_handbook_ii_mar10.pdf

The WPD will only search a student's personal items in emergency circumstance (for example credible belief of the presence of a firearm), when probable cause exists (in which case a warrant would be required) or with parental consent.

- What data is kept on student searches?

If the WPD were to conduct a search of a student, a full report would be generated. Any search conducted by the WPD requires a report. (Additional information on school policy in this regard may be provided by Westford Public Schools)

- How often are arrests made by the SRO?

No student has been arrested at a school by an SRO in Westford for at least the past 6 years. A summons is the preferred method for dealing with juvenile criminal issues. *A summary of summons issued is being prepared by Westford Police Department.*

- If use of force occurs between the SRO and a student, how is that documented and reviewed?

The officer is required to complete a use of Force administrative report, complete a use of force form and thoroughly document the incident. Those reports are then reviewed by a supervisor, a use of force instructor and a member of the WPD administration.

Additionally, the school would be notified per the conditions of the memorandum of understanding between the WPD, WPS and the Middlesex District Attorney's office. The memorandum of understanding outlining the working relationship between these groups can be found at: https://www.westfordk12.us/sites/g/files/vyhlf5181/f/uploads/westford_mou.pdf

- How are citations and arrests of minors different from those of adults? How does an arrest made by the SRO differ from an arrest made outside the school walls?

Arrest of minors is procedurally different according to Massachusetts Juvenile Law and is in accordance with Westford Police Department's Policy and Procedure 1.15- Handling Juveniles. A criminal summons is the preferred response to a juvenile criminal offense.

As discussed above, there have been no arrests of students by an SRO for at least the past six years.

- Do you allow minors unaccompanied by their parents and/or a lawyer to speak to you?

The police can speak with a juvenile during a criminal investigation only with a parent, guardian, lawyer or interested adult present.

- What is the ratio of social workers to students in Westford Public Schools?

This question will be answered by Westford Public Schools.

- Have WA students ever been surveyed on how they feel about police presence and involvement at WA?

This question will be answered by Westford Public Schools.

- The town spent \$200k to do a safety and security study that included both Town and Schools. What was Guidepost's (the consultant's) recommendation on SRO's?

The Guidepost recommendation was to add 3 additional SRO's. How and when additional SROs would be added is a topic under discussion in the Town and School Safety Task Force, which will be making recommendations to the Select Board and School Committee. Any decision on this topic would be made by the School Committee, with input from the Select Board, and then become part of the annual budgeting process.

- Many studies suggest that SRO's do not prevent school shootings – how do we justify an SRO given the risks of developing a school to prison pipeline?

The school to prison pipeline was addressed in the Massachusetts Criminal Justice Reform Act of 2018 by establishing the necessity of a Memorandum of Understanding that clearly outlined the duties and responsibilities of the SRO program within a community. An SRO is required under M.G.L. c.71, 37P in each school district in Massachusetts. The Secret Service has provided guidance on school safety that

recommends a balanced approach between the police and schools to address situations before they develop into serious incidents.

6. Accountability

- What is the procedure for making a complaint against the WPD?

A citizen complaint form can be found on the WPD web page <https://westfordma.gov/308/Police-Department-Forms>

When complete this form can be submitted to the Chief of Police or Town Manager at the email addresses listed on the town web site. A Superior officer will review the complaint with the individual before being provided a receipt to the individual recording the time that the complaint was filed. For an informal complaint that a citizen would like the WPD to be aware of, the individual may call the police station and speak with the Officer in Charge to pass along information. An anonymous tip line is also available at 978-399-2072 where a message can be left for follow up.

- Can these records of complaints (anonymized as necessary) and resulting findings be made available to the public?

As discussed above, a public records request can be made and the WPD will provide information consistent with Public Records Laws.

- Does an individual making a complaint have a right to read any findings or final report?

Upon completion of an investigation, the complaining party is advised of the outcome.

- Is there any appeal available for a complaint outside of the WPD?

By charter, the Town Manager is the appointing authority for the Westford Police Department and is involved in discipline decisions. A complaint may also be filed with the Attorney General's Office of Public Integrity.

- What form of oversight is in place for the WPD?

By charter, the Town Manager is the appointing authority for the Westford Police Department and is advised of all complaints against the Department and its officers. The Town Manager determines what information to forward to the Select Board.

- How many complaints (of any type) have been made against the WPD in the last 5 years? Who reviews these complaints?

Over the past 5 years, the WPD has received 10 complaints against officers, mostly for rudeness. The Deputy Chief of Police oversees Investigations of these complaints. The Chief of Police is advised of all investigations and is in charge of the final review. The Chief of Police will then advise the Town Manager.

7. Other *(To be answered in a future release)*

- Why do we pay for police officers to be in attendance at Town Meeting and elections?
- How can the Westford community better support our police officers and their families?

- What proportion of overtime hours come from officers who made an arrest within the last hour of their shift and are working overtime for the primary purpose of processing that arrest?
- How can Westford residents be sure that our department doesn't contain any "bad apples"?
- What are the unions that represent Westford police officers?
- Is there language in existing contracts that allow police unions to challenge disciplinary actions?
- How often do police unions in Westford challenge disciplinary actions against police officers?
- Are there any individuals in the Westford Police Department with a history of domestic abuse or sexual harassment?
- What opportunities do you see to leverage Greater Lowell Health Alliance member town resources of Billerica, Chelmsford, Dracut, Dunstable, Lowell, Tewksbury, and Tyngsborough to improve public health and safety delivery? Are there any current alliance-wide efforts to review police/health/social service delivery?
- Does the WPD display the American Flag version of the Thin Blue Line flag on uniforms, official town vehicles, town offices, or town property?
- How much money does the police department collect through civil asset forfeiture?
- Is WPD open to participating in a national and local conversation about reimagining how we, as a society, do policing, and in implementing the suggestions that come out of this conversation, or playing a role in the vanguard of this movement?
- When a community member makes contacts the WPD about some people that "don't belong" what actions do officers take to help the person who made the call be more aware of potential bias?
- In your q+a with the financial committee, you explicitly say that higher crime rates are a result of a higher number of patrol officers. How do you justify this statement?
- Are your officers required to wear masks and other PPE to prevent the spread of COVID when interacting with the public?
- Why shouldn't Westford defund the police?
- Why doesn't WPD use restorative justice techniques? Will you commit to using restorative justice techniques in your practice going forward?
- What is your relationship with ICE? Will you publicly commit to not reporting anyone without a specific warrant from ICE?
- What is Westford's response to the actions identified in the 8 Can't Wait campaign?
- To take some of the burden off of WPD are there other resources (eg Westford Coalition for Nonviolence) that can be made use of to increase community safety and equity?
- Is sexual orientation covered under Westford's gender and racial profiling policy? Are religious faiths afforded protection under this policy?
- Does WPD translate important public information into other languages spoken in town?
- What is WPD doing to address and prevent domestic violence in our community?
- What is WPD doing to address the crime of bullying in our community?
- How has the WPD budget changed over the past 10 years? How much is paid in overtime?
- What is the most frequent type of 911 call received?
- Has Westford explored the option of having different types of officers responding to different kinds of calls? Example having a mental health specialist or domestic dispute specialist tending to those types of situations.

- In Westford we make it the responsibility of WPD officers to direct traffic and work large events. Is this something that we have explored moving the responsibility to others either public or private workers? This would save money for the town and time of our officers.
- How many officers does Westford have per capita? What is the recommended? How does that compare to other towns like Westford?
- When was the last community open house held at a police station in Westford?
- Why don't Westford Police use body cameras?
- Are there aspects of Westford's approach that you think could be valuable to other communities?
- How has the recent national strife affected police officer morale? What would you ask the community to do to better support both your work and racial justice?
- Does WPD have a continuous improvement and/or customer satisfaction process in place?
- What steps can the WPD take to improve and strengthen the trust between the community and police?
- What does WPD perceive as its own weaknesses and what actions is it taking with regard to these?
- How is Dave Grossman's "Bulletproof Mind" training used in the Westford Police Department?
- What is WPD's relationship with NEMLEC? What oversight does Westford have of NEMLEC activities, especially SWAT team activities?
- What percentage of Westford officers' traffic stops occur in the last half hour of their scheduled shift?
- Are police internships paid?
- Are police in Westford expected to fill ticket quotas?
- Who performs the WPD accreditation assessment?
- In the situation described in the conversation on July 7th, a community member called the police to report people on the beach looking "out of place." Why was the Town Manager sent to "de-escalate" the racist white people in Westford making these kinds of calls while an armed police officer was sent to deal with the POC who were reported for doing nothing on the beach?
- Has WPD explored more foot patrols in Westford, in particular in public spaces, to encourage community interaction?

Questions to the Select Board:

- Have you considered establishing an additional route of making a complaint that goes outside the police department?
- What changes in roles and responsibilities are being considered to dismantle our country's systemic racism?
- Could you share diversity data for all of town employees?