

**City of Worcester Human Rights Commission Minutes**  
**VIRTUAL MEETING – Monday, June 13, 2022, 6:00pm**

**Members Present:** Elizabeth O’Callahan, Edward G. Robinson, Charles Hopkins, Guillermo Creamer Jr, Ellen Shemitz, Jamaine Ortiz, LaToya Lewis,

**Members Absent:** Jacqueline Yang, Jorge Lopez-Alvarez

**Staff:** Jayna Turchek

**Guests:**

Sergeant Derek Leto  
Deputy Chief Ed McGinn  
Deputy Chief Sean Fleming  
Captain Mike McKiernan  
Captain Kevin Davenport  
William Bagley, Human Resources

**1. Call to order and Introductions**

A quorum was established, and Chairperson Yang called to order. The Chairperson welcomes members of the commission and those present and introductions of those in attendance as well as roll call were taken.

Chairperson began with an acknowledgement of the traditional, ancestral, territory of the Nipmuc, the first people of Massachusetts and those whose land we are convening on tonight. While the Nipmuc history predates written history, records from the 1600s inform us that the original inhabitants of Worcester dwelled principally in three locations: Pakachoag, Tatesset (Tatnuck), and Wigwam Hill (N. Lake Ave). It is important to make this acknowledgment and to honor the ancestors that have come before us. It is all too easy to live in a land without ever hearing the traditional names and the history of the people who first resided and prospered in these lands and continue to reside and prosper.

The Human Rights Commission was established to promote the city’s human rights policies. It is the policy of the City to assure equal access, for every individual, to and benefit from all public services, to protect every individual in the enjoyment and exercise of civil rights and to encourage and bring about mutual understanding and respect among all individuals in the city. Our work requires us to address institutional racism so that as a community we can achieve racial equity. Our work also requires us to make visible the unheard, unearned, and unquestioned privilege enjoyed by some members of our community to the detriment of others. We take time to make this acknowledgement, to educate, so a path can be cleared for healing.

The term “**institutional racism**” refers specifically to the ways in which institutional policies create difference outcomes for different racial groups. The institutional polices may

never mention any racial group, but their effect is to create advantages for whites and the oppression and disadvantage for people from groups classified as people of color.

The term “**racial equity**” is the active state in which race does not determine one’s livelihood or success. It is achieved through proactive work to address root causes of inequalities to improve outcomes for all individuals. That is, through the elimination or shifting of policies, practices, attitudes, and cultural messages that reinforce differential outcomes by race or fail to eliminate them.

The term “**privilege**” describes the unearned social power and informal institutions of society to all members of a dominant group. For example: “white privilege” and “male privilege.” Privilege is usually invisible to those who have it because we are trained to not see it but nevertheless it puts them at an advantage against those who do not have it.

## **2. A moment of silence for the victims, families, and communities of Uvalde, Texas and Buffalo, New York.**

### **3. Approval of May 2, 2022 Meeting Minutes**

Chairperson Creamer motioned to table the approval of the meeting minutes. Commissioner Lewis seconded. Motion passed unanimously on roll call.

### **4. Annual Meeting with the Worcester Police Department -Requested information to be reviewed and discussed (please note due to the volume of requested content the conversations will take part over two meetings, June 13<sup>th</sup> and July 11<sup>th</sup>. )**

**Captain McKiernan:** The detective bureau is responsible for investigating all civil rights violations in the city. We work closely with the federal offices, and state and local divisions that help with those investigations. We are a part of the U.S. Attorney’s task force on hate crimes as well as the Massachusetts’ Attorney’s task force on hate crimes. We work very closely with them and share information with them.

In 2021, we had 17 incidents in the city of Worcester that we investigated. Arrests were made in 3 of those cases and in 5 of those cases we took out criminal complaints which were filed. The types of biases that were evident in these investigations: 9 were racial, 3 were gender specific, and 5 were religious. One of the groups that we have seen activity from in the city, there has been a concern, is the National Socialist Club. We had 4 reported incidents where they had posted flyers throughout the city which we then investigated.

In comparison to the numbers from last year, there were 12 incidents and 4 arrests, so we have seen a slight increase from last year. As the numbers have gone up slightly for investigations, the criminal complaints and arrests have not gone up, which is encouraging. Overall, I think our numbers are very good compared to the rest of the state, and we share those numbers with the executive office of public of safety and security as well as NIBRS. We continue to request that people call **508-799-8606** to report any incident or any situation they believe might be attributable to some sort of bias. In every case, there will be a report filed which will be reviewed by the supervisor in the detective bureau and then may be assigned for further

investigation. We keep the reporter advised of the investigation, as much as we can, well we are bound by privacy rights, that person is not necessarily the victim, but we do our best to keep person advised. They will always have a contact person in case they have any questions, they can contact that supervisor directly to ask about the process of that investigation.

**Captain Davenport:** (reviewing his submitted report) I am the Captain of the Bureau for Professional Standards. Our office's job within the police department is to the Chief maintain professionalism and we do that through policy oversight and intake and investigation of complaints. Since I have been in the Bureau of Professional Standards, each year I have completed an annual report for the calendar year, and I have been asked to go over that with the commission and the public here.

For calendar year 2021, we had 44 complaints. The average over the past 5 years has been 53, so we are still on a downward trend. I took these complaints and compared them to a number of things including demographics, geographic location, gender, etc. I looked at the demographics of the city of Worcester having taken my information from the research bureau and census bureau of 2021. Within the city of Worcester, we have four precincts and within each of those we have five routes. The three routes with the highest amount of complaints were looked at. The highest amount of complaints was route 5 with 9 complaints. Route 5 encompasses the police department. Out of those 9 complaints, 5 came from within the police department itself, three were procedural issues meaning someone did not follow policy and that needed to be corrected. The other 4 complaints were in various areas located in that block around Belmont and Highland, places like Federal Street, the Court house, and Kelley Square.

During my tenure as Captain for the Bureau of Professional Standards, I have noticed that route 5 does tend to have the highest number of complaints due to the police department being encompassed within that area. The other two routes, route 4 and route 16, had four complaints. None of the officers were repeat officers, there was not pattern that I could identify, so there was nothing there to be alarming. Regarding the use of force stats for 2021, there were 290 uses of force out of which there were 15 (5%) allegations of unnecessary force. The changes from 2020 to 2021 were in a downward trend. I believe some of that could be attributed to Covid and the pandemic generally, but we also would like to believe that some of it has to do with our policing and training contributing to that downward trend.

(1) of the number of arrests 2481, we had 15 unnecessary force allegations, which is 0.6% of the arrest encounters;

(2) the total number of incidents, we as the police department are involved in, was 134,996 incidents, the allegations of unnecessary force were 0.01%.

Regarding race/ethnicity, the allegations of unnecessary are broken down into 11 white, 2 black, 1 Hispanic and 1 unknown. This statistic could be somewhat skewed because in some of the complaints, there will be a number of allegations. For instance, if an officer, maybe Sergeant Leto, responds to a call for an arrest warrant where he asks for an assist where two more officers show up and they make an arrest where the individual resisted arrest resulting in struggle. When he gets into the cell room, he complains about unnecessary force through the booking Sergeant and he is asks who had the unnecessary force, he could say "all of them" which generates three allegations for that one incident. So, if you were to look at the number of complaints

understanding that one incident resulted in three complaints, it is 7 white, 1 black, 1 Hispanic and 1 unknown.

The submitted excel sheet addresses all the complaints, allegations and incidents with the officers' names, the dispositions, gender, police routes, and so forth, broken down into percentages for the dispositions so you can get a better feel for where we are at. There are also disposition charts and graphs on race and ethnicity. It was not too different from the prior years.

**Commissioner O'Callahan:** Do you have to keep the route totals in some type of visual format for a longitudinal view, say for year to year, and do you compare the trends? If so, have you noticed any differences?

**Captain Davenport:** I have only been doing this for the past four years. I can start doing that. The only one that I have noticed that has a pattern was, again, route 5 and that is because the department is located within that route and that is why it generates more complaints than other routes. I did quickly review the prior years' data and there was nothing I could identify as a pattern between the routes.

**Commissioner Ortiz:** What does your department do to keep these incidents as low as possible, or these complaints lower?

**Captain Davenport:** It all goes back to our training. It first starts in the academy. We try to teach de-escalation, police reform addressed that. We always de-escalate in all situations where it is possible. Along with the training we have policies, including bias-free policing, and if there are any issues where we do start to see a pattern with an officer, or otherwise, we have the early intervention screening system that will trigger and allow us to review those incidents and determine if there needs to be any training, whether it is in handcuffing or if the prisoner is being injured all the time by a particular officer or does the officer need to learn verbal judo, if you will. Those types of things we do mostly through training.

**Commissioner Ortiz:** Are all officers wearing bodycams at this moment? How is that working right now? And how does that help with reviewing the complaints?

**Captain Davenport:** None of the officers are wearing bodycams right now, that is still going through the process of adopting a policy and through the purchase by the City Council. We are waiting on that. But once we do have them there will be a good portion of officers that will have body-worn cameras, I think over 300 officers.

**Deputy Chief Sean Fleming:** I have a couple of things I will address regarding records and requests. I have submitted a written response. One of the questions was the closure of the records service window at headquarters further burdening petitioners in their abilities to obtain public records. Anyone can request public records at the police station any time, twenty-four hours, seven days a week. We have a form they can fill out, they can leave their own requests, even if it's just on the back of an envelope. Anybody can come in at any time and request public records and we will process it. What has changed is that we now use technology, in the form of GovQA,

which is a public records intake request application. Once we receive them, all requests are processed through that. On our website we ask people to request through that, but they do not have to. It is a very efficient and effective process. They log on and put on their request. Once we get the report we can email it right back to them, or mail it to them, or they can come and get it themselves. We will work with them. Whatever is easiest for them to obtain the report. With domestic violence report requests, we keep hard copy notarization letter requests. We get about 6-8 per month. I believe in May we got 6. When we get them, we scan them, and we hold all of them.

By your request we are going to pilot a program where if people cannot get a notarized letter, they will email us and we will set up an appointment where they can come in and show valid ID to show that they are allowed to get the domestic violence, or sexual assault, report they are requesting. We just rolled that out today and it is on the website. Basically, if someone cannot get a notarized letter does have access to these documents. They would email us, and we would have them come in to verify their identity and get them the reports. We are going to try that and see how it works.

Regarding the other inquiry “have officers been trained in trauma-informed policing?” I gave to Jayna our entire training curriculum on trauma-informed policing and UMass came in and spoke with the entire police department. I also gave her the entire training curriculum on implicit bias.

**Commissioner O’Callahan:** I know that we have previously discussed WPD’s requirement of a notarized letter, and the department has failed to show that this requirement is common, inline with the practices of other police departments or best practices for police departments. This creates an unnecessary burden for people who are the victim of a crime looking for their own police report. They are not looking to make a public records request. We had requested, because of that, that the records bureau be re-opened so that anyone requesting their police report can simply obtain it by appearing and showing a valid government issued ID to be able to receive a copy of their own un-redacted police report. For example, my grandmother, who doesn’t have access to email would not be able to request that way if she were a victim of a crime. We want her to be able to show up at the police department and present a photo ID to get a copy of her own un-redacted police report.

**Deputy Chief Sean Fleming:** All of these are public records requests and that is how we handle them. We cannot handle it differently based on who is requesting it. The only difference is in terms of domestic violence reports, where a victim can get their own un-redacted report and that is a process we would use. We would make arrangements for them to come in to get a report with an ID. We don’t have the ability based on who is requesting it to handle public records requests differently whether it is you requesting it, your grandmother requesting it, the law does not allow us to dive into that. We handle all public records requests exactly the same regardless of who is requesting it, the exception being domestic violence issues and we have had, per your request, an additional process where we can make arrangements for them to come in and show their valid photo ID and get an un-redacted copy of the domestic violence report. Other requests are all public records requests and the law does not allow us to differentiate on who is requesting it.

**Commissioner O’Callahan:** So if you were the victim of a crime, even if it is your own police report, it is still considered a public records request? Is there a way to get a copy of it un-redacted?

**Deputy Chief Sean Fleming:** They could work through the District Attorney’s office. Some of the victim advocates, they could work through them, perhaps, to get an un-redacted police report. But from our perspective it is a public records request and we do not differentiate. If you are a victim of a crime and there is some form of prosecution you could work with the District Attorney’s office and I am sure you would have access through them. Now, these redactions are not a lot. I looked through a bunch of them over the weekend. Basically we are redacting people’s cell phone numbers and stuff like that so when I say redactions I don’t want you to think the whole thing is blacked out. The redactions are rather limited. If you got your own report cell phone numbers, social security numbers, things like that would be blacked out but the report would be there.

**Commissioner Shemitz:** You indicated that there is a different policy with respect to requests for records in instances of domestic violence. My question is: is your different treatment of those matters a matter of law or policy?

**Deputy Chief Sean Fleming:** It is Mass. General Law. Chapter 49 section 97D.

**Commissioner O’Callahan:** For someone who does not have access to a computer, to email for example, is there a way for them to just show up with their photo ID to make the request, or do they need a notarized letter in order to do that?

**Deputy Chief Sean Fleming:** Cambridge has the best practice that we have seen, and they require an appointment. We would require some advance notice just so we would have time to get the report and look at it. A phone call would work. Just some type of advance notice so that we know they are coming and we could have what they are looking for ready and so we have the right personnel there to make sure. What cannot get lost in this is that we cannot give out someone’s domestic report inappropriately. It has to be correct, so we want to make sure we have the right person there as far as who is requesting it to make sure the report is being released appropriately. This is serious stuff, if we give out an address or a telephone number that should not be released.

**Commissioner O’Callahan:** So, if it is not one of those carved out exceptions, and is a request that would be deemed a public records request (perhaps someone was the victim of some type of property damage) they could show up to the department without a notarized letter, perhaps they don’t know that there is the requirement that they need it...

**Deputy Chief Sean Fleming:** there is no advance notice needed for anything other than domestic violence. Anyone can show up 24 hours a day 7 days a week. They wont get the document right that moment, but we will take their request and put it in the system and work

with them, whether it be by mailing, having them come back to pick it up, we will get it back to them. Anyone can drop off a request any time. By law we cannot regulate how a public records request is submitted to us.

**Commissioner Shemitz:** Can you tell us the typical turn around time for processing those requests?

**Deputy Chief Sean Fleming:** I looked today. From last June 13<sup>th</sup>, 2021 to this June 13<sup>th</sup>, 2022, we have processed 13300 requests. The average wait time was 5 days which is a little skewed because encompasses all police public records and we get some very complicated public records requests that can take, literally, months to process but even with taking that into consideration the average time is 5 days. Basically, once we get the report, we begin processing it, the turnaround could be that day. More often than not it is getting the report in and processed and then getting it back out.

**Sergeant Derek Leto:** I am the Worcester Police Department Diversity Officer. I am in charge of recruitment, retention, equity and inclusion. I have several questions that I am presenting the answers to tonight. I will go over them one by one and give you the data that I have. First I was asked for an annual report on WPD's diversity officer recruitment outreach and initiatives with feedback on the climate survey and next steps. Every officer and official are all recruiters. I do have staff that assists me, of about 40 officers, some veteran officers and some junior officers to reach all of the different communities in the city of Worcester.

The civil service exam (WPD is a civil service agency) used to be given every two years on the odd year. I have data from 2019, and starting this year the civil service exam will be given every year. Applicants age 19-31 are able to take the test. However, you cannot become a Worcester police officer until you reach the age of 21 because you must qualify to get a license to carry a handgun and that is why you cannot be a recruit in the police academy until age 21. In 2019, 414 Worcester residents took the exam. Of that 72 were female and 342 were male. Of those 414, 40% were applicants of color. In 2021, 328 Worcester residents took the exam. Of that 48 were female and 270 were male and there was an increase of 4%. As of this year, 118 Worcester residents took the exam.

The civil service exam is good for 2 years. The 2021 and 2022 exam list will be merged. You register to take the exam on mass.gov and if you go there are preparation guides and physical fitness standards for what you need to train for to be a police officer. On Mass.gov you click on Worcester and it will show you the eligibility list to be a recruit and also for promotions. This year, 53% of the 118 were candidates of color. With recent events our profession is not as sought. The responses we get at recruitment fairs at the high school and in the community is that we are thanked for our service, they shake our hands, and we get several people who want to sign up and be future police officers. We put all of the information out there.

We have fliers and we use social media. We use Worcester PD facebook and twitter. We have several summer events. I work closely with several nonprofit organizations in the city of Worcester. The caged basketball court on pleasant street, I work with TLK sports, they are running baseball, basketball and volleyball summer clinics. The YWCA summer fitness program is going on throughout the city at the Worcester common and the local parks. My team and I

participated last year and it was very successful. I work with Black Families Together, the organization, Southeast Asian Coalition, all of the faith-based leaders, Main South CDC, the crime watch groups, 508 Forever Young, which is a non-profit by the court officer Woodrow Adams over at the Worcester Courthouse, and Hope for Worcester, I just attended the red carpet event at City Hall. The climate is getting better. More students want to step up and be a part of the change. Since I have been the diversity officer (October 2020), I've been in the process of developing the Worcester PD Explorer program which is going to be a mentoring program with the Worcester Public Schools, from 7<sup>th</sup> grade to 12<sup>th</sup> grade. Last Monday we got 6 cadets, the cadet program is a-go. Today was day 6 for them. Of those 6 cadets, three are Spanish, one is middle eastern, one white female and one white male. Three females and three males.

The next question was about an update for the RITE training for the entire department and other implicit bias trainings and racial equity. As of the fall of 2021, every officer and official of the Worcester police department has received the RITE training. It is an emotional intelligence training. The point of the training is that emotional intelligence plus social intelligence equal racial intelligence. There is a book, 6 lessons to Racial Intelligence, there are also YouTube videos by Sergeant Fred Jones and Chief Ramsey. This year, spring in-service training we just had cultural competency training for the entire department. Fair and Impartial training policing and the RITE training go hand in hand when taught annually, at in-service, and also in the academy, and cadets. If you are on this job, active right now, you receive the training, and any new recruit or cadet will receive the training. We also have posters and flyers throughout the building to remind officers about the RITE training. We have a policy (on website) which has been updated as July 2021 and is now called the Bias-free Policing and Profiling Policy.

**Commissioner Shemitz:** Can you give us the same statistics for the passage rates of the civil service exam? Is there a difference? Is that something you can access for us?

**Sergeant Derek Leto:** I don't have that; I only have who passed. I will have to contact Boston for that information, if we can get it.

**Commissioner Lewis:** I also wanted to know how many had passed and how many were of different race backgrounds. Also, in regards to the emotional and social intelligence trainings, how long is the training?

**Sergeant Derek Leto:** it is a half-day training.

**Commissioner Lewis:** In taking emotional intelligence and social intelligence trainings it takes a lot longer than a half-day realistically. That is a little bit of a concern. How often, if at all, are you guys required to go these different types of trainings?

**Sergeant Derek Leto:** Every officer and official goes through the training, and we do it annually at in-service. We also mirror it with the fair and impartial police training on implicit biases. Also, Chief Sergeant has been great with the wellness program here where officers are able to work out and take care of their mental health along with their physical. We also have a stress officer and several officers who are trained. I am certified, as well, in crisis intervention training. We have to



work on ourselves first and control our own emotions when working with the public and giving them the best quality service that we can provide them.

**Commissioner Lewis:** that is definitely understandable, I just feel like, especially regarding the different complaints the officers may receive, that a half day training is just ... I took a training for myself and it was a seven month training.

**Sergeant Derek Leto:** We reiterate it on a daily basis. Every officer and official has been trained in it and we talk about it every day.

**Commissioner Lewis:** My other question is: once an officer is enrolled in the force, how soon after becoming an officer are they required to take, or go through, the training?

**Sergeant Derek Leto:** it is taught in the academy. Throughout the six-month academy they will receive implicit bias training and also the RITE training among all the other training that you need when you go through the Worcester police academy.

**Commissioner Lewis:** so, in the academy it is given for six months?

**Sergeant Derek Leto:** The RITE program is given throughout the training.

**Commissioner Lewis:** but for officers currently on the force it is taken for a half day?

**Sergeant Derek Leto:** Correct, at the moment.

**Chairperson Creamer:** From my understanding, you are trying to integrate it into the culture. Is that what you are trying to say?

**Sergeant Derek Leto:** in the fall of 2021, we had in-service, we were taught and taught again.. being a police officer for 18 years here, I have received implicit bias trainings multiple times, as well as going to other outside training to do the train the trainer programs. We were taught the RITE training program last year. This year in Spring in-service training through the MPTC guidelines we were taught the Culture Competency training which I believe was 2.5 hours. These happen annually.

**Commissioner Hopkins:** Could you explain the RITE training? I know implicit bias is a half day, the RITE training takes up a certain amount of time. How much time is involved with the annual RITE training?

**Sergeant Derek Leto:** with the RITE training and the implicit bias training the officers are getting a full day of training with both of them.

**Dzifah:** I have a list of questions. Which organization trains you and specifically is the training program in anyway linked with the Israeli army? What percentage of police officers actually live in this city? Thirdly, how does the current population of the Worcester police reflect the current

population of Worcester? What percentage of women and people who are not white men are the higher ranks of the Worcester police?

**Sergeant Derek Leto:** I was trained here at the Worcester Police Department. We have our own training division. The Worcester police department is 6 months. So, I was trained here with a lot of other police officers as well. We have taken some laterals in the past, but they also have to go through a fulltime police academy fitting through the MPTC guidelines and standards. We have no affiliation with the Israeli army. I do not have the percentage of officers who live in the city but with civil service standards when it comes to the Worcester police department, you have to be a Worcester resident to become a Worcester police officer. You must live in the city one full year prior to taking the civil service exam and you have to show that residency.

**Dzifah:** So it is not like I could live in the city for two years, take the civil service exam and then move to Lester? It is not a concern for the Worcester Police?

**Sergeant Derek Leto:** That is a possibility.

**Dzifah:** so that is what I need. Right now, the current police, what percentage actually resides in the city.

**Sergeant Derek Leto:** I will get back to you with those numbers for all the active officers and officials currently employed by the city of Worcester. But as I have said, you have to live in the city and be a Worcester resident for one full year prior to taking the civil service exam. So, you can live here one full year, take the exam, and then move out of Worcester, but you have to live within 15 air miles of the city of Worcester in order to be employed as a Worcester police officer.

**Chairperson Creamer:** We will put in the official request.

**Dzifah:** where does the official request go?

**Chairperson Creamer:** the commission will put in the official request and then we will get the official response back.

**Sergeant Derek Leto:** With my job as the Diversity Officer, we are trying to get the Worcester police department to mirror the community we serve, when it comes to percentages. At this time, we do not exactly match the community, but we are trying to increase those numbers. Based on the numbers I have from January 14, 2022, which are the numbers I was given from the City Hall Human Resources. You had asked about Worcester police females, at the current moment we have 6% out of 472, and out of that 6% we have three females who are officials. The highest-ranking female official is a Lieutenant, and we have two Sergeants. We encourage everyone looking to get promoted to study and take the exam.

**Dzifah:** having been through the system, the encouragement can be very tricky. If somebody encourages me, I am not really confident because of the system. For example, if there are two females of higher ranks, they will still be white skinned with a system put in place for white males, not for minorities or people of color or black Africans just white males. The rules and regulations are set up for white men. I am concerned about this because when you have that kind of positive and productive representation because then instead of someone coming in and trying to prove how manly and in charge, they are this friendly police officer comes and they are like a guardian angel getting people to trust them and they deescalate and it becomes a peaceful situation instead of what we have right now. That is where I am coming from. Do you have that feminine energy checking that masculine energy?

**Sergeant Derek Leto:** You asked about white males. At the current moment, when it comes to officials, we have 82 white males, the Chief, three deputies, seven captains, 21 one Lieutenants, and 51 Sergeants and we have several officers who are also white males totaling 370. When it comes to black officials, we have 4, myself and Captain Davenport, and two other black Sergeants. We have two Hispanic officials at the moment, one Lieutenant and one Sergeant. As of July 1<sup>st</sup> I am going to, hopefully, get new numbers from City Hall Human Resources. We are anticipated to have in the next recruit class, 44 recruits, and we are a civil service police department and when it comes to hiring and promoting police officers and there are many variables when it comes to hiring officers.

**Commissioner O'Callahan:** I know that there are several trainings that go along with the other trainings, one being Trauma-Responsive care in Police Settings and the other being the Crisis Intervention Training (CIT). I know the whole department was trained in Trauma-Responsive Care in Police Settings in 2016 but have new officers received that training when they have been on-boarded since 2016? Is there a plan to train officers again? Also, has any progress been made in expanding the number of officers on the force who are CIT trained?

**Sergeant Derek Leto:** Our training here at WPD is always on-going. We have two in-service trainings, spring and fall and every recruit goes through a 6-month academy. When it comes to crisis intervention training I have attended the 40 hour training held at the communications center at the Airport and we partnered with OpenSky. We have several officers, throughout the department and on many shifts, and in units and divisions, that are highly trained in CIT.

**Commissioner O'Callahan:** do you know how many officers on the force have received that training?

**Sergeant Derek Leto:** I do not but I do know that at the trainings, 75% if not more of the training at the communication center, are all Worcester Police officers. I speak at the trainings; Open Sky has asked me to talk about Use of Force and Diversity. It is very similar to the Cultural Competence trainings. Sergeant Fred Jones and Chief Jones have ted talks and several YouTube videos about this. Sergeant Fred Jones has a ted talk about the RITE training. All the information that I am giving can be found on the internet and if you want to email me directly, I can talk

more about it, or you can watch the YouTube videos and the ted talks are phenomenal and I suggest everyone watch them.

**Commissioner O’Callahan:** would it be possible to share the numbers with us for the next meeting so we can discuss it further with you?

**Sergeant Derek Leto:** sure. So, you want how many officers who have had CIT training.

**Commissioner O’Callahan:** and if there is coverage for every shift and has the Trauma-Responsive Care in Police Settings been given again since 2016?

**Sergeant Derek Leto:** I believe so. We continuously train here at WPD and our training staff is phenomenal. We will double-check though. I will ask the training staff about that and I will have that information for you in July.

##### **5. Communication regarding requested status report of creation of Division of Investigation within the Human Resources Department (as set forth in the February 2021 Executive Order).**

**William Bagley:** I know that we have worked on several investigations, but I do not have the exact numbers. We are now in the process of putting together the Investigative Division together and we have been able to hire a lead investigator. It did take some time to find someone. We hired them in January and that individual came to us from the Massachusetts Commission against Discrimination. Our division consists of the lead investigator and four MCAD trained investigators in Human Resources who work with the lead investigator depending on their availability and/or the nature of the investigation we are doing. As far as the organizational structure of the division, the lead investigator reports to me as the HR Director, and I report to the City Manager. Once we get a new chief diversity officer in place, we will be looking to how we can work with them collaboratively to make sure that part of human resources is as independent as possible.

With regard to how the division works, with the bureau of professional standards, as I have mentioned, we have worked in the past. In some cases, they involve civilian members of the police department who may be interacting with sworn members of the police or perhaps not but in other cases we will work with the department on other cases at the direction of the appointing authority who for the city of Worcester is the City Manager. That is the basic structure of it. When we do investigations collaboratively with the Police Department, we work together on it and in those cases at the conclusion of the evidentiary phase of the investigation human resources will put a report would they recommendation for the appointing authority the department will also put together its own report and they will present their findings and recommendations to the appointing authority. It is ultimately the appointing authority who has the final say on what discipline should be imposed. In some cases where the conduct does not rise to the level that may require suspension or termination the appointed authority will not get involved unless that matter gets the City Manager’s attention as it warrants a second look. For example, in a case where the outcome is likely going to be a written warning or otherwise

something we would consider lower on the progressive scale it probably would not reach the city manager prior to the discipline being imposed.

Regarding the public having access to information, we are in the process of putting together an investigative policy that will apply to non-police officers well sworn officers and officials will still be subject to the standard set forth by the Bureau of professional standards. their investigation will be conducted pursuant to their policy while our investigation will be conducted pursuant to the general city policy that we are putting together for investigations. We are in the process of drafting our policy and once it is complete with the inclusion of the new chief diversity officer that is expected in the final version of the policy to ensure that it is meeting the cities DEI need as well. the division is still a work in progress. We are doing investigations but so far is putting a written policy together this is the stage we are at right now.

## **6. Adjournment**

Our next meeting will be July 11th, 2022, at 6pm in person at City Hall and over WebEx to continue the discussion with Worcester Police.

44 Complaints

11 Comments

**Demographics of Worcester**<sup>1</sup>

***2020 Population Estimates***

**206,518**

*Source: 2020 Census*

(male/female is *about* 50/50)

**City of Worcester Race/Ethnicity Population**

White – 55.2%

Asian – 7.4%

Hispanic or Latino – 21.9%

Black or African American – 12.2 %

American Indian and Alaskan Native-0.4%

Native Hawaiian and Other Pacific Islander-0.1%

Two or more races – 2.3%

Some other race – 0.6% (Middle Eastern, i.e.)

**Complainant's Race/Ethnicity:**<sup>2</sup>

White 25 = 54.35%

Unknown 9 = 19.57%

Hispanic or Latino 4 = 8.70%

Black or African American 4 = 8.70%

Asian 2 = 4.35%

n/a 2 = 4.35%

17 female complainants

24 male complainants

**2 complaints involved more than one complainant**

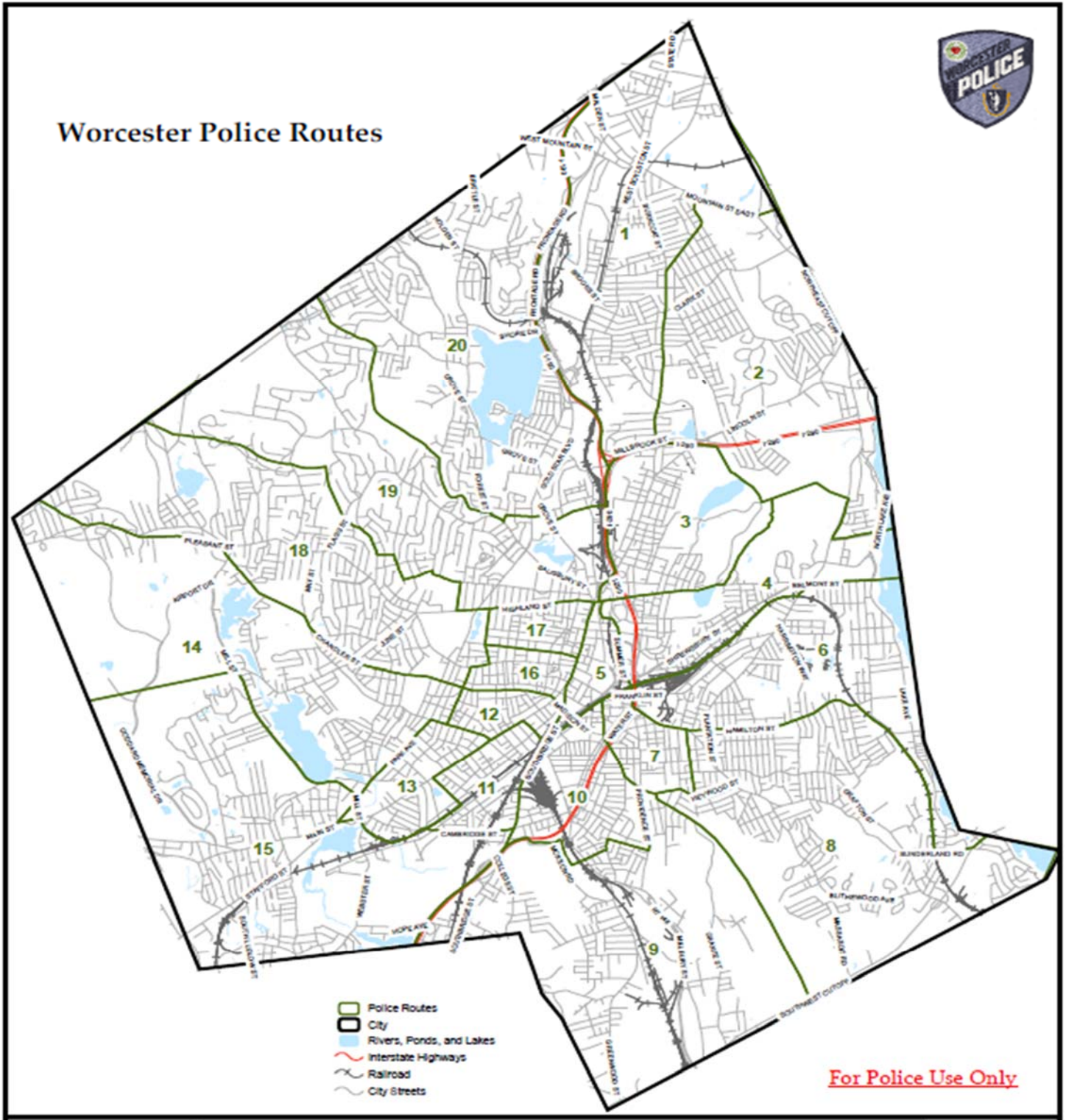
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<sup>1</sup> Information gleaned from The Research Bureau & U.S. Census Bureau 2021

<sup>2</sup> Facts from Worcester Police Department BOPS System

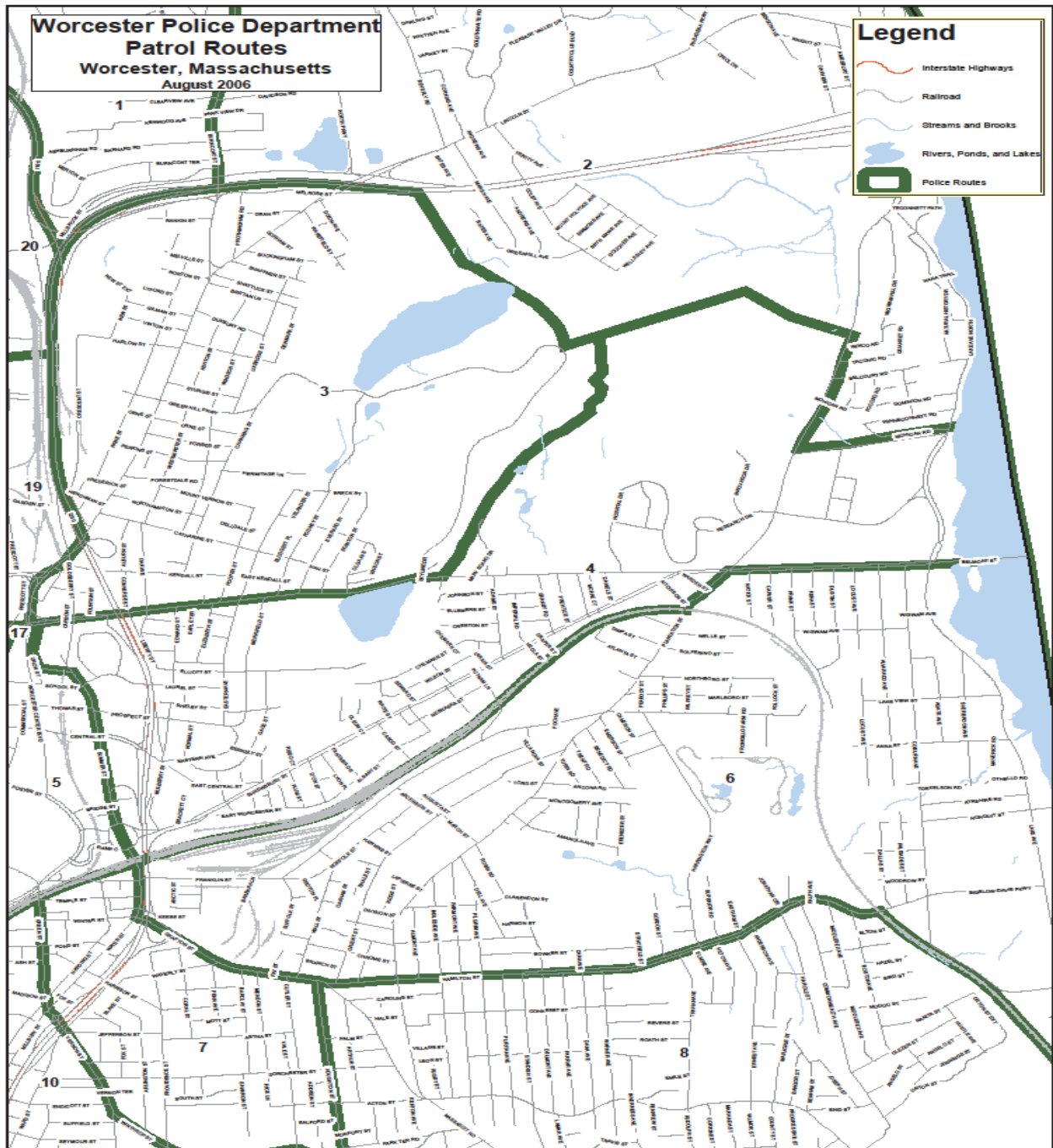
Geographic Location of Complaints

The City of Worcester is divided into 20 patrol routes. RT.'s 4, 5, & 16 had the most complaints.



RT. 4 – 4 complaints

This route travels from Lincoln Sq. to the railroad that runs parallel to Shrewsbury St., out to Quinsigamond Lake north to Mohican Rd. West on Mohican Rd then north on Plantation St. It then circles back around to Belmont St to Lincoln Sq





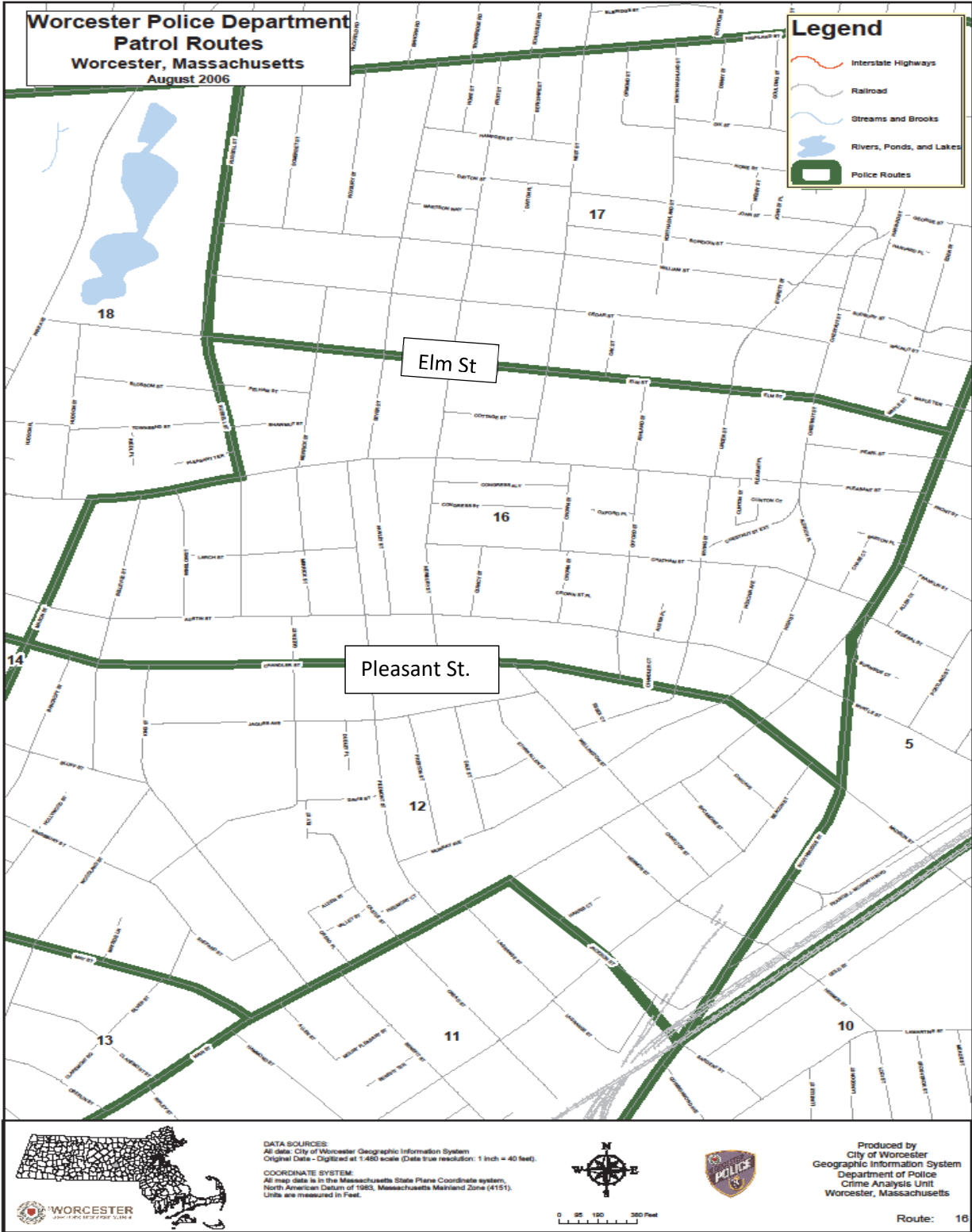
Rt. 5 – 9 Complaints

This RT. runs east on Belmont St from Highland St, south on Union St to Market St, south on Summer St to Washington Sq., southeast along the railroad to Southbridge St, north to Main St, north to Highland St.



RT 16 – 4 Complaints

This RT begins at Main St/Elm St. Travels south on Main St to Southbridge St. South on Southbridge St to Madison St. West on Madison St. to Chandler St. continuing to Mason St. North to Pleasant St. East on Pleasant St. to Russell St. North on Russell St. to Elm St. East on Elm St. back to Main St.



## BUREAU OF PROFESSIONAL STANDARDS

## USE OF FORCE 2021

MONTH	U OC(B)	D OC(A)	U BATON(F)	D BATON(E)	U TASER(H)	D TASER(G)	U FIREARM(I)	D FIREARM(J)	PW(K)	U K9(N)	D K9(M)	TOIO(L)	U Pepperball(D)	D Pepperball(C)
JAN	0	0	0	0	1	3	0	17	3	0	1	0	0	0
FEB	2	0	0	1	0	5	0	10	4	0	2	1	0	0
MAR	0	1	2	0	1	1	0	12	9	0	0	1	0	0
APR	0	0	0	0	1	5	1	15	4	1	3	0	0	0
MAY	1	0	0	0	0	5	0	5	8	0	2	0	0	0
JUN	0	1	0	1	2	5	0	3	6	0	1	0	0	0
JUL	1	1	2	1	2	4	0	23	10	0	1	1	0	0
AUG	1	0	1	0	1	5	0	17	9	0	3	0	0	0
SEPT	0	0	1	0	1	2	0	8	9	1	0	0	0	0
OCT	1	1	0	0	1	1	0	7	2	0	0	0	0	0
NOV	0	0	1	0	1	6	0	7	2	0	3	0	0	0
DEC	0	1	0	0	1	3	0	1	6	0	1	0	0	0
TOTAL	6	5	7	3	12	45	1	125	72	2	17	3	0	0

298 Uses of Force – 15 Allegations of Unnecessary Force = Only 5.03% was an allegation generated per Use of Force

U – Use

D – Display

OC – Oleoresin Capsicum (pepper spray)

PW – Personal Weapons (hands, feet, elbows, knees...)

TOIO – Tools of Immediate Opportunity

Worcester Police Department						
Use of Force Statistics						
Prepared by the Bureau of Professional Standards						
	Previous 5 Years					Change 2020 to 2021
	2017	2018	2019	2020	2021	
Incidents	139779	145038	141883	127,589	134,996	5.81%
Arrests	6084	5358	4910	2,688	2,481	-7.70%
Complaints	71	44	53	55	44	-20.00%
Unnecessary Force Allegations	25	16	24	18	15	-16.67%
Use of OC	21	17	11	9	6	-33.33%
Display of OC	1	4	5	2	5	150.00%
Use of Baton	22	12	9	5	7	40.00%
Display of Baton	16	9	10	5	3	-40.00%
Use of Electronic Control Device	19	26	26	25	12	-52.00%
Display of Electronic Control Device	60	58	49	35	45	28.57%
Use of Firearm	2	1	3	1	1	0.00%
Display of Firearm	186	204	159	133	125	-6.02%
Personal Weapons	178	110	108	88	72	-18.18%
Tool of Immediate Means	11	19	9	2	3	50.00%
Use of K9			3	5	2	-60.00%
Display of K9			7	23	17	-26.09%
Use of Pepperball				0	0	0.00%
Display of Pepperball				0	0	0.00%

**Items to Note:**

## Averages:

- 53.4 Average complaints over 5 years (Past 3 years have been trending downward from the average)
- 19.6 Average Unnecessary Force allegations over 5 years (Still trending downward from the average)

## Percentages:

- 2,481 Arrests - 15 Unnecessary Force allegations for CY 2021 = 0.60% arrest encounters resulted in an Unnecessary Force allegation
- 134,996 incidents - 15 Unnecessary Force allegations for CY 2021 = 0.01% encounters resulted in an Unnecessary Force allegation
- 134,996 incidents/44 Complaints for CY 2021 = 0.03% incident encounters w/police resulted in a complaint
- Out of the 44 complaints for 2021, 37 (84.09%) were generated by citizen complaints and 6 (13.64%) were generated within the dep. by an Official, Officer, or other employee.
- 14.29% of the allegations were sustained. (Amended)

The 15 Unnecessary Force allegations' demographics were 11 White, 2 Black, 1 Hispanic, 1 unknown. In this statistic, there may have been only one complainant that alleged unnecessary force against all officers present. Therefore, each allegation was counted against the race/ethnicity statistic in turn, it increased the total race/ethnicity count. (Total of 10 complaints that contained Unnecessary Force allegations, 7 White, 1 Black, 1 Hispanic, 1 unknown)

Each complaint may contain multiple allegations against multiple officers.



Captain Kenneth J. Davenport

**Bureau of Professional Standards  
Demographics Report 2021**

Officer Name	Case #	Date Opened	Date Closed	Incident Type	Allegation	Disposition	R/E	F	R/E	M	Police Rte.
Sgt. Jarrett Watkins	2021-0001	1/7/2021	3/17/2021	Citizen Complaint	1504.1	Resolved	W	F			5
Sgt. Ryan Maher	2021-0002	1/12/2021	8/26/2021	Citizen Complaint	1403.1	Policy Failure			W	M	11
Sgt. Ryan Maher					1503.1	Exonerated					
Lt. Michael Girouard					1403.1	Sustained					
Lt. Michael Girouard					1503.1	Exonerated					
PO Brian Piskator	2021-0003	1/11/2021	5/26/2021	Citizen Complaint	1503.1	Exonerated			H	M	11
PO Brian Piskator					1403.1	Exonerated					
PO Brian Piskator					Pol. 700	Not Sustained					
Lt. David Doherty	2021-0004	1/14/2021	8/6/2021	Citizen Complaint	1403.1	Policy Failure			W	M	13
Sgt. Shawn Barbale					1514.1	Exonerated					
Unknown	2021-0005	1/4/2021	1/19/2021	Citizen Complaint	1406.11	Resolved			B	M	1
					1406.11	Resolved					
PO Jesse Bonardi	2021-0006	2/16/2021	5/14/2021	Chief Init.	Pol. 453	Exonerated			W	M	4
PO Alex Maracallo					Pol. 453	Exonerated					
PO Devin Davenport	2021-0007	1/30/2021	2/23/2021	Citizen Complaint	1503.1	Exonerated			W	M	4
PO James Conway, Jr	2021-0008	2/16/2021	5/11/2022	Chief Init.	1611.1	Not Sustained			n/a	n/a	5
PO Anthony Correa					1611.1	Not Sustained					
PO Brandon Fleming					1611.1	Not Sustained					
PO Brian Gerardi					1611.1	Not Sustained					
PO Stephen Germain					1611.1	Not Sustained					
PO Patrick Hanlon					1611.1	Not Sustained					
PO Keith Klucznik					1611.1	Not Sustained					
PO Kevin McCarthy					1611.1	Not Sustained					
PO Diony Nunez					1611.1	Not Sustained					
PO John Power					1611.1	Not Sustained					
PO Brian Powers					1611.1	Not Sustained					
PO Marc Quitadamo					1611.1	Not Sustained					
PO Anthony Vega					1611.1	Not Sustained					
PO Stephen Germain					1406.11	Not Sustained					
Capt. John Ryder					1406.11	Not Sustained					
Capt. John Ryder					1510.1	Not Sustained					
Capt. John Ryder					1515.1	Not Sustained					
PO Scott Calhoun	2021-0009	2/22/2021	9/9/2021	Citizen Complaint	1403.1	Exonerated			B	M	13
PO Scott Calhoun					1503.1	Exonerated					
PO Michael Ryder					1403.1	Exonerated					
PO Michael Ryder					1503.1	Exonerated					
PO Michael McGrath					1504.1	Exonerated					
PO Kyle Cortis					Pol. 410	Sustained					
PO Kyle Cortis					1403.1	Sustained					
Sgt. Eric Boss	2021-0010	3/19/2021	2/11/2022	Citizen Complaint	1504.1	Not Sustained	W	F			5
Sgt. Daniel Lopopolo	2021-0011	3/19/2021	8/9/2021	Citizen Complaint	1403.1	Exonerated	W	F	W	M	11
Sgt. Daniel Lopopolo					1503.1	Exonerated					
PO Nathan LaFleche					1403.1	Exonerated					
PO Nathan LaFleche					1503.1	Exonerated					
PO William Donahue	2021-0012	3/30/2021	5/21/2021	Citizen Complaint	1407.1	Exonerated	W	F			9
					1504.1	Exonerated					
PO Jeffrey Dunn	2021-0013	4/13/2021	8/19/2021	Citizen Complaint	1508.1	Sustained			W	M	4
PO Steven Pignataro	2021-0014	4/15/2021	8/8/2021	Citizen Complaint	1504.1	Not Sustained			W	M	19
					1504.1	Not Sustained					
					1406.11	Exonerated					
					1406.11	Exonerated					

A-Asian, B-Black or African American  
I-American Indian Alaskan Native

W-White, H-Hispanic or Latino  
P-Pacific Islander or Native Hawaiian

TM- Two or more  
SR-Some other race

**Bureau of Professional Standards  
Demographics Report 2021**

Officer Name	Case #	Date Opened	Date Closed	Incident Type	Allegation	Disposition	R/E	F.	R/E	M.	Police Rte.
PO Joseph Mitchell	2021-0015	5/10/2021	7/9/2021	Citizen Complaint	1406.11	Exonerated	W	F			10
PO Patrick Hanlon	2021-0016	5/10/2021	5/18/2021	Citizen Complaint	n/a	Resolved	A	F			15
PO Matthew Anderson	2021-0017	5/18/2021	10/14/2021	Citizen Complaint	1503.1	Exonerated			W	M	7
n/a	2021-0018	5/20/2021	10/4/2021	Citizen Complaint	n/a	Resolved			B	M	16
PO John Power	2021-0019	5/28/2021	9/13/2021	Citizen Complaint	1406.11	Exonerated			W	M	18
Sgt. Stephen Roche	2021-0020	6/21/2021	10/4/2021	Citizen Complaint	1504.1	Not Sustained			W	M	5
PO Rodrigo Oliveira	2021-0021	6/25/2021	1/27/2022	Chief Init.	1514.1	Sustained			n/a	n/a	n/a
PO Santo Dell'Aquila					1514.1	Sustained					
PO Peter Bissonnette	2021-0022	7/1/2021	10/16/2021	Citizen Complaint	1503.1	Exonerated	W	F			5
					1410.1	Exonerated					
PO Kofi Twumasi	2021-0023	8/14/2021	11/29/2021	Citizen Complaint	1503.1	Exonerated			W	M	1
PO Domenic Sacco					1503.1	Exonerated					
PO Brandon Fleming					1503.1	Exonerated					
PO Matthew Cantwell	2021-0024	8/5/2021	9/14/2021	Citizen Complaint	1406.11	Exonerated	H	F			16
PO Jacqueline Lapierre	2021-0025	8/13/2021	9/14/2021	Citizen Complaint	1403.1	Exonerated	B	F			6
Capt. John Ryder	2021-0026	8/16/2021	2/15/2022	Citizen Complaint	1406.11	Sustained			Unk	Unk	5
Capt. John Ryder					1504.1	Exonerated					
Lt. Michael Girouard					1406.11	Sustained					
Lt. Michael Girouard					1504.1	Exonerated					
Sgt. Jarrett Watkins					1504.1	Exonerated					
Sgt. Jarrett Watkins					1406.11	Exonerated					
PO Patrick Moran					1503.1	Exonerated					
PO David Rutherford	2021-0027	8/17/2021	10/7/2021	Citizen Complaint	1504.1	Sustained			W	M	10
Sgt. Peter Towler	2021-0028	8/19/2021	9/13/2021	Citizen Complaint	1504.1	Not Sustained	Unk	F			19
Sgt. Shane Marcotte	2021-0029	9/3/2021	11/5/2021	Citizen Complaint	1403.1	Exonerated			Unk	Unk	14
Sgt. Shane Marcotte					1516.1	Exceptionally Cleared					
PO David Roche	2021-0030	8/26/2021	12/21/2021	Citizen Complaint	1502.1	Exonerated			H	M	outside city
PO Paul Cyr	2021-0031	4/20/2021	9/1/2021	Chief Init.	MR	Justified			A	M	6
Capt. Matthew D'Andrea	2021-0032	9/16/2021	10/4/2021	Anonymous	0.1	Exonerated			Unk	Unk	5
Capt. Matthew D'Andrea					1505.1	Exonerated					
PO Brandon Fleming	2021-0033	9/28/2021	1/27/2022	Citizen Complaint	1504.1	Exonerated	W	F			4
PO Brandon Fleming					1406.11	Exonerated					
PO Rodrigo Oliveira					1406.11	Exonerated					
PO Rodrigo Oliveira					1504.1	Exonerated					
PO Paul Lawrence	2021-0034	9/29/2021	12/1/2021	Citizen Complaint	1514.1	Sustained			W	M	Outside city
					Pol. 905	Sustained					
PO Brian Foley	2021-0035	9/1/2021	12/23/2021	Citizen Complaint	1406.11	Exonerated			Unk	M	15
					Pol. 444	Sustained					
PO Joseph Tolson	2021-0036	10/5/2021	11/5/2021	Citizen Complaint	1516.1	Sustained			Unk	M	2
PO Nicholas DeProspro	2021-0037	10/19/2021	12/21/2021	Chief Init.	1504.1	Exonerated	W	F	W	M	6
PO Matthew Troiano	2021-0038	10/20/2021	2/10/2022	DC Init.	1503.1	Exonerated	W	F			5
PO Alexander Maracallo	2021-0039	10/15/2021	1/6/2022	Citizen Complaint	1406.11	Exonerated	H	F			16
PO Michael Holder	2021-0040	10/19/2021	12/23/2021	Citizen Complaint	1403.1	Sustained	Unk	F			16
PO Matthew Troiano	2021-0041	10/13/2021	2/1/2022	Citizen Complaint	1504.1	Exonerated			W	M	7
PO Thomas Naughton	2021-0042	11/29/2021	1/20/2022	Citizen Complaint	1514.1	Not Sustained	Unk	F			15
PO Robert Turgeon	2021-0043	11/30/2021	1/27/2022	Citizen Complaint	1514.1	Exonerated	W	F			outside city
PO Kenneth Carville	2021-0044	12/8/2021	3/9/2022	Citizen Complaint	1504.1	Exonerated			Unk	M	5
					1516.1	Unfounded					

**Allegations**

**Route Totals**

A-Asian, B-Black or African American  
I-American Indian Alaskan Native

W-White, H-Hispanic or Latino  
P-Pacific Islander or Native Hawaiian

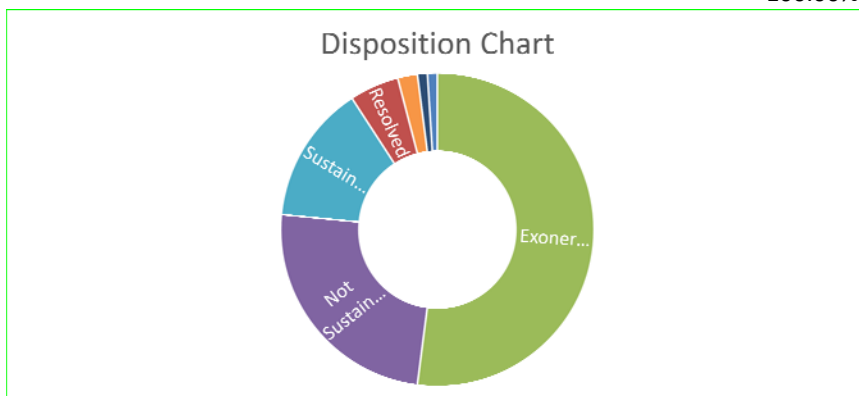
TM- Two or more  
SR-Some other race

## Bureau of Professional Standards Demographics Report 2021

0.1	Other (City of Worcester Sick Time Use Pol.)	1
1403.1	Submitting Reports	12
1406.11	Awareness of Activities: Knowledge of Laws, Rules, and Regulations, etc....	16
1407.1	Action to be Taken on Requests for Services	1
1410.1	Giving Identification	1
1502.1	Criminal Conduct	1
1503.1	Unnecessary Force	15
1504.1	Discourtesy	17
1505.1	Conducting Personal Business While on Duty	1
1508.1	Improper Dissemination of Information	1
1510.1	Detrimental Criticism	1
1514.1	Conduct Unbecoming	6
1515.1	Insubordination	1
1516.1	Neglect of Duty	3
1517.1	Incompetence	0
1611.1	Labor Activities	13
Pol. 400	Use of Force	0
Pol. 401	K9 Guidelines	0
Pol. 410	Handling Evidence and Property	1
Pol. 444	Priority Level Dispatching	1
Pol. 451	Domestic Violence	0
Pol. 453	Domestic Violence Handling for Employees	2
Pol. 601	Racial Profiling	0
Pol. 700	Handling of Prisoners	1
Pol. 905	Computer Usage Policy	1
n/a	not applicable - resolved	2
MR	Mandated Review	1
<b>Total</b>		<b>99</b>

RT.	Comp.	Totals
1	2	4.55%
2	1	2.27%
3	0	0.00%
4	4	9.09%
5	9	20.45%
6	3	6.82%
7	2	4.55%
8	0	0.00%
9	1	2.27%
10	2	4.55%
11	3	6.82%
12	0	0.00%
13	2	4.55%
14	1	2.27%
15	3	6.82%
16	4	9.09%
17	0	0.00%
18	1	2.27%
19	2	4.55%
20	0	0.00%
OC	3	6.82%
n/a	1	2.27%
<b>Total</b>	<b>44</b>	<b>100.00%</b>

Dispositions	Percentage	98 Total Allegations*
Unfounded	1.02%	1
Resolved	5.10%	5
Exonerated	52.04%	51
Not Sustained	24.49%	24
Sustained	14.29%	14
Policy Failure	2.04%	2
Exceptionally Cleared	1.02%	1
<b>100.00%</b>		<b>98</b>



\*The Total Allegations number is reduced by 1 due to the Mandated Review for an Officer Involved Shooting.

### Gender Totals

A-Asian, B-Black or African American  
I-American Indian Alaskan Native

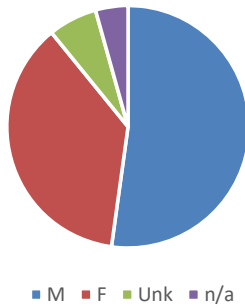
W-White, H-Hispanic or Latino  
P-Pacific Islander or Native Hawaiian

TM- Two or more  
SR-Some other race

## Bureau of Professional Standards Demographics Report 2021

M	F	Unk	n/a	Total*
24	17	3	2	46
52.17%	36.96%	6.52%	4.35%	100.00%

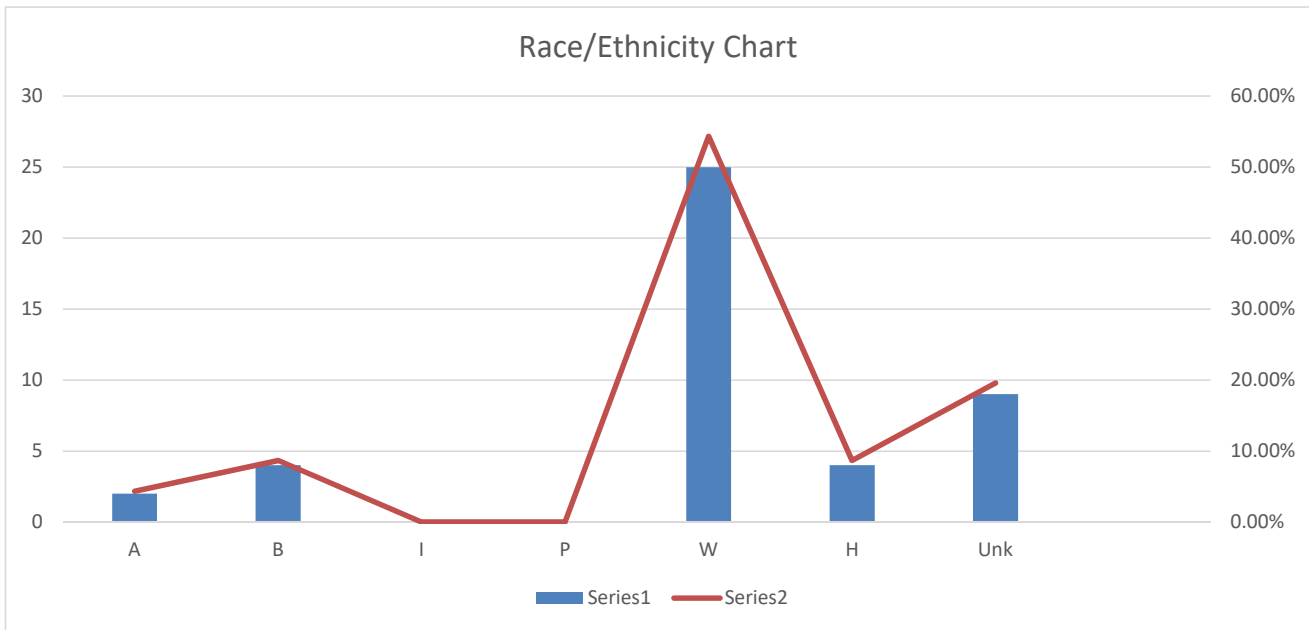
Gender Chart



Race/Ethnicity Totals

A	B	I	P	W	H	Unk	n/a	Total*
2	4	0	0	25	4	9	2	46
4.35%	8.70%	0.00%	0.00%	54.35%	8.70%	19.57%	4.35%	100.00%

Race/Ethnicity Chart



Citizen Complaint	37
Police Initiated Comp.	6
Anonymous	1

\*Total # of complainants are 44+2 due to 2 complaints with both a male and female complainant

A-Asian, B-Black or African American  
I-American Indian Alaskan Native

W-White, H-Hispanic or Latino  
P-Pacific Islander or Native Hawaiian

TM- Two or more  
SR-Some other race



# **Worcester Police Department**

## **2021 Hate Crime Report**

The Worcester Police Department is committed to implementing the best practices for combating hate crimes and supporting our citizens that are the victims of these crimes. We have implemented many of the recommendations made by the Governor's Task Force on Hate Crimes and continue to work with all local, State and Federal law enforcement partners to enhance prosecutions and prevent victimization. We have a designated a Civil Rights officer who is responsible for reviewing incident reports for potential hate crimes and conducting further investigation when appropriate. The W.P.D. is committed to providing timely, accurate and accessible data to ensure public confidence in our response to hate crime reports. Data is reported to the Executive Office of Public Safety and Security (EOPPS) and then sent to the National Incident Based Reporting System (NIBRS).

The Worcester Police Department policy refers to a hate crime as defined by Ma. General Law Chapter 22 Section 32:

“Any criminal act coupled with overt actions motivated by bigotry, and bias including, but not limited to, a threatened, attempted, or completed overt act motivated at least in part by racial, religious, ethnic, handicap, gender or sexual orientation prejudice”

Hate crimes are not a stand-alone offense but rather a part of a separate criminal violation. Criminal violations that are motivated by bias are most often prosecuted by the District Attorney's Office. The Ma. State Attorney General's Office prosecutes civil cases of violations of the Massachusetts Civil Rights Act.

## 2021 Hate Crime Data

- There have been 17 incidents that were investigated
- Arrests were made in 3 cases and criminal complaints were sought in 5
- Bias Type:   Racial       9  
                  Gender       3  
                  Religious     5
- There were 4 reports of material posted on public property that advocate for participation in the Nationalist Social Club

## 2020 Hate Crime data:

- There were 12 incidents that were investigate.
- Arrests were made in 4 cases
- Bias Type:   Racial       5  
                  Gender       5  
                  Religious     2
- There were 6 reports of material posted on public property that advocate for participation in the Nationalist Social Club

## **Reporting a Crime:**

The most efficient method for reporting a crime is to call **508-799-8606** and request to speak to a police officer. Our department policy mandates an incident report must be completed upon any actual or suspected report of a hate/ bias crime. A patrol officer may develop probable cause based on the initial interview and be able to apply for criminal charges or they may request further investigation by the Detective Bureau. It is essential that the behavior be reported to police so that we may properly track and respond to prevent further criminal activity. Members of the public are encouraged to report any incident they feel may be attributable to bias. These incidents can be reported anonymously. All reports will be investigated and if the caller files a report with a police officer they can expect to be advised of the outcome of the investigation if they choose. The police are bound by public records laws and will release as much information as possible to any requestor.

Once the case is assigned for investigation, a detective will contact the victim and attempt to locate and interview possible witnesses and suspects. We strive to keep victims informed of the progress of the case but in some instances we are not able to fully disclose the contents of the investigation. We coordinate with the District Attorney's Office and they will assign an advocate from the Victims/ Witness Program to guide the victim and provide services if the case proceeds to a prosecution. Any questions or concerns can be directed to Captain Michael A. McKiernan at [mckiernanma@worcesterma.gov](mailto:mckiernanma@worcesterma.gov).



## Turchek, Jayna

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**From:** Fleming, Sean J.  
**Sent:** Thursday, June 2, 2022 2:26 PM  
**To:** Turchek, Jayna  
**Subject:** FW: HRC Request for information from WPD  
**Attachments:** Law Enforcement Training 3.14.16. GKH.ppt

Hi Jayna –

Just to make sure you have it – please see below and attached concerning my areas:

**Inquiry:**

*The closure of the Records Bureau service window at WPD headquarters has further burdened petitioners' ability to obtain such access to these and other records. The Commission recommends it's re-opening as soon as possible.*

**Response:**

The Worcester Police Department accepts requests for police reports, in person, online, or by mail on a 24 hour 7 day a week basis. ALL requests are tracked and responded to as required by Massachusetts Public Record General Law.

As stated on our website which can be easily accessed by any key word search:

“We encourage you to submit your requests for incident reports ONLINE through our Public Records Portal. This should only be used to request a copy of an existing police report concerning a past incident. To file a new report, or to request police assistance in Worcester, please call 508-799-8606, or in an emergency dial 9-1-1.

Alternatively, you may continue to submit requests through USPS to the below address or dropped off at any time at the PD, and these will be fulfilled within the required PRL timeframe.”

<https://www.worcesterma.gov/police/public-records/police-reports>

Responding to Public Records Request via the Service Window was an outdated, ineffective, and frustrating process for clerk and citizen and has been vastly improved by technology with the public records intake and response software (GOVQA) which ensures our responses fall within MGL requirements as well as explicitly details, in writing, the reason for denials and or redactions explaining and facilitating the appeals process. It should be noted, that even with the service window open, request for documents will be received and entered into the GOVQA and responded to accordingly. Requested documents would not be provided immediately given the required time to search, segregate, and redact if necessary. Please note that any individual who wishes to submit a request in person may still do so by dropping off their request at the service window, and this is noted on the website.

**Inquiry:**

*Amended to keep the hard copy notarized letter if authorized requestor is requesting by mail/dropping off request at station. Add an option for victims to be able to present in person to make their request with a valid government issued photo identification.*

**Response:**

Hard copy notarized letters are kept. The valid government issued photo identification presented in person was deemed in the past, by the commission, as unduly restrictive and an obstacle. It is important to emphasize that DV and SA records are highly restricted documents, and for the safety of victims, not intended to be easily accessible.

**Inquiry:**

*“Have officers been trained on trauma informed policing? Please reference number of officers (by division) and include name of training program and copy of curriculum”*

**Response:**

See attached; Entire Department Spring 2016



Eric D. Batista  
Acting City Manager

CITY OF WORCESTER

cm2022jun10103515

Attachment for Item # 8.11 A

June 14, 2022

TO THE WORCESTER CITY COUNCIL

COUNCILORS:

The attached report regarding a final proposal to initiate an Unmanned Aircraft System Program as received from Chief Steven M. Sargent is forwarded for the information of your honorable body.

Chief Sargent has submitted a revised Unmanned Aircraft System (UAS) policy draft which is attached. The policy was revised after a meeting that took place with Emiliano Falcon-Morano, of the ACLU of Massachusetts. In attendance of this meeting was myself; Assistant City Manager, Nicole Valentine; Chief Steven M. Sargent and Deputy Chief Paul Saucier. There were seven changes made to the policy which included:

1. Section 6 removed intentional
2. Section 6 # 1. Removed court order
3. Supplied definition of exigent circumstances to the definition section on page 2
4. Section 8 #3 added will be submitted to the city manager quarterly
5. Section 9 # 4 removed solely
6. Section 9 # 5 removed solely
7. Section 9 # 5 added- Nor harass, intimidate, or discriminate against any individual or group.

These changes were initiated by Mr. Falcon-Morano and resulted in constructive dialog during the meeting. The UAS would be utilized in a responsible and transparent manner in order to maintain the public's privacy and trust. My office would receive quarterly reports documenting the deployment and use of the UAS device. These reports would be made available to the public.

Chief Sargent also outlines the community engagement process in which the department attended nearly a dozen public meetings to discuss the potential benefits and use of the UAS.

Chief Sargent further addressed a concern that transpired from these meetings surrounding the use of UAS to track unsheltered individuals. The department does not intend to utilize the technology for this purpose. The equipment would only be authorized in emergency situations to gain an aerial perspective.

Chief Sargent sees a clear need for the technology and currently borrows an UAS from a surrounding agency when the City requires a use for one. Transporting the UAS from a surrounding town is time consuming during an emergency and our officers must follow the policy and procedures of the assisting town.

In conclusion, the UAS can be a potent public safety tool. The technology has numerous benefits that would enhance the safety of our residents and officers.

Respectfully submitted,



Eric D. Batista  
Acting City Manager





**DEPARTMENT OF POLICE  
CITY OF WORCESTER**

MASSACHUSETTS 01608 -1172

508-799-8600

STEVEN M. SARGENT  
Chief of Police



**To: Eric Batista, City Manager**  
**From: Steven M. Sargent, Chief of Police**  
**Date: June 9, 2022**  
**Re: Final Report on Unmanned Air Craft Proposal**

Relative to your request for a final update on the proposal for implementing an Unmanned Aircraft System (UAS) Program, the following information is respectfully submitted.

As the second largest city in New England, there is a clear need for an Unmanned Aircraft System (UAS) to assist with police operations. Our hope is that a UAS program would allow us to do our job more effectively, efficiently and ultimately allow our officers to be even more responsive to the citizens we serve.

Currently, if the department needs to use a UAS we must rely on one of the surrounding towns to provide us with the equipment. When we borrow a UAS from another agency, we must follow their policies and procedures surrounding its use. Furthermore, when our department requests a UAS from an outside agency it takes a considerable amount of time to transport the equipment into the City. We all know that time is of the essence when it comes to many police related emergency calls.

Our Command Staff has worked hard to research this technology and has attended many public meetings to discuss the use and benefits of adopting a UAS program. The topic of a potential UAS program was discussed at City Council meetings on April 5<sup>th</sup>, April 12<sup>th</sup>, 26<sup>th</sup>, May 3<sup>rd</sup>, May 10<sup>th</sup>, and June 7<sup>th</sup>. In addition, the use of UAS was discussed extensively at Public Safety Committee meetings on April 20<sup>th</sup>, May 2<sup>nd</sup>, and June 1<sup>st</sup>. Deputy Chief Paul Saucier also attended a meeting called "Get Together to Discuss Homelessness" via zoom.

These collective measures not only display our commitment to public safety but our ongoing efforts to build upon the trusting relationships that we have with the citizens we serve. The Worcester Police Department realizes that the development of new technology, significant improvements of a current technology, or the new application of an existing technology often results in concerns about the impact on citizen's privacy, civil rights and civil liberties. I can assure you that our police department has been dedicated to operating transparently while attempting to adopt this program. Myself, and Deputy Paul Saucier along with yourself and Assistant City Manager, Nicole Valentine met with Mr. Emiliano Falcon-Morano of the ACLU Massachusetts in

order to discuss the drafted policy. The meeting was productive and resulted in seven changes to the language in our policy draft. Overall, most of these changes were based on different interpretations of words used within the first draft of the policy. Moreover, the proposed changes created more clarification. I have submitted the revised policy (attached) with the suggested changes made.

Our Command Staff developed the policy draft by using policies created by the International Association of Police Chiefs (IACP), Massachusetts State Police and Central Massachusetts Law Enforcement Council as a guide. These policies have been through a thorough review process.

The policy along with WPD's General Policy allows us to strike the balance of utilizing the technology without infringing on civil rights.

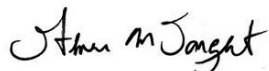
We are keenly aware of concerns that have been raised regarding unsheltered individuals. Our department does not intend on using the technology to identify or locate unsheltered individuals. Every use of the UAS would need to be specifically authorized and used to provide an aerial perspective in emergency situations.

The UAS can have many benefits to the public and improve community and officer safety, while decreasing the cost of improved operations. An UAS will provide officers serving the community with an added visual perspective when responding to emergency situations. While using the UAS for deployment of a support nature officers will gain a unique perspective and enhanced situational awareness. When officers are equipped with real-time information, this makes their job safer and increases the efficiency of crime-solving and documentation tasks. Overall, it is a safe, efficient and effective way to increase mission capabilities. In sum, it is another tool in the toolbox that can provide many advantages at an affordable level.

I believe that we have created a solid foundation for a successful program. Our research, background work, and outside input has been instrumental in shaping this potential launch. Our goal with this program is to achieve the greatest public safety benefits for our community.

Thank you for your consideration. We appreciate your time and attention to this matter.

Respectfully submitted,

A handwritten signature in black ink that reads "Steven M. Sargent". The signature is written in a cursive, slightly slanted style.

Steven M. Sargent  
Chief of Police



# POLICY AND PROCEDURE

# NO.

1.

## Small Unmanned Aircraft System

Date Issued 06/09/2022	Date Effective DRAFT	Revision No. 2	No. of pages 8
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### I. Purpose

This policy is intended to provide authorized officers assigned responsibilities associated with the deployment and use of small unmanned aircraft systems (sUAS) with instructions on when and how this technology and the information it provides may be used for law enforcement and public safety purposes in accordance with law.

### II. Policy

It is the policy of this department that duly trained and authorized agency personnel may deploy the sUAS when such use is appropriate in the performance of their official duties, and where deployment use, the collection, and use of any audio/video recordings or other data originating from or generated by the sUAS, comport with the policy provisions provided herein and applicable law.

### III. Definitions

1. Digital Multimedia Evidence (DME): Digital recording of images, sounds, and associated data.
2. Unmanned Aircraft (UA) or Unmanned Aerial Vehicle (UAV): An aircraft that is intended to navigate in the air without an on-board pilot. Also alternatively called Remotely Piloted Aircraft (RPA), Remotely Operated Vehicle (ROV), or Drone.
3. Unmanned Aircraft System (UAS): A system that includes the necessary equipment, network, and personnel to control an unmanned aircraft.
4. Small Unmanned Aircraft Systems (sUAS): An unmanned aircraft and its associated elements, including communication links and the components that control the aircraft that are required for safe and efficient operation.

5. UAS Flight Crewmember: A pilot, visual observer, payload operator, maintenance technician or the person assigned duties for a UAS for the purpose of flight training exercises.
6. Unmanned Aircraft Pilot: A person who exercises control over a UA/UA/VG/UAS during flight.
7. COA: Certificate of Authorization as issued by the Federal Aviation Administration (FAA) pursuant to 14 CFR 107.
8. Remote Pilot In Command: The pilot of the sUAS which is responsible for all activities and safety in regards to the operation of the sUAS flight. The Remote Pilot in Command is the final authority as to the operation of the sUAS regardless of rank.
9. NOTAMS: A Notice To Airmen or NOTAMS is a notice containing information (not known sufficiently in advance to publicize by other means) concerning the establishment, condition, or change in any component (facility, service, or procedure of, or hazard in the National Airspace System) the timely knowledge of which is essential to personnel concerned with flight operations.
10. Exigent Circumstances Legal Definition - Merriam-Webster: circumstances that are of such urgency as to justify a warrantless entry, search, or seizure by police when a warrant would ordinarily be required.

### **III. Procedures**

All deployments of sUAS must be specifically authorized by the OIC or sUAS Supervisor. The Worcester Police Department has adopted the uses of sUAS to provide an aerial visual perspective in responding to emergency situation and exigent circumstances, and for the following objectives:

1. Situational Awareness: To assist Incident Command in understanding the nature, scale, and scope of an incident and/or for planning and coordinating an effective response.
2. Search and Rescue: To assist missing person investigations, Amber alerts, and other search and rescue missions.

3. **Tactical Deployment:** To support the tactical deployment of officers and equipment in emergency situations (e.g., Incident involving hostages and barricades, support for large tactical operations, and temporary perimeter security situations).
4. **Visual Perspective:** To provide an aerial visual perspective to assist officers in providing direction for crowd control, traffic incident management, and temporary perimeter security.
5. **Scene Documentation:** To document a crime scene, accident scene, or other major scene (e.g., disaster managing, incident response, large scale forensic investigation).

#### **V. Procedures of sUAS USE:**

The Worcester Police Department must obtain applicable authorizations, permits, or certificates required by the Federal Aviation Administration prior to deploying or operating the sUAS, and these authorizations, permits, and certifications shall be maintained and current.

1. The sUAS will be operated only by personnel (pilots and crewmembers) who have been trained and certified in the operation of the system.
2. The sUAS pilot in command shall follow flight notification procedures in accordance with the FAA waiver assigned to the department.
3. All sUAS certified personnel shall inspect and test sUAS equipment prior to deployment to verify the proper functioning of all equipment and airworthiness of the devices.
4. The Remote Pilot in Command shall check weather reports and NOTAMS prior to launch.
5. The sUAS equipment is the responsibility of the assigned officer(s) and will be used with reasonable care to ensure proper functioning. Equipment malfunctions shall be brought to the attention of the sUAS Supervisor.
6. The sUAS equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the Worcester Police Department.

7. All flights will be documented on a form or database designed for that purpose, and all flight time shall be accurately recorded. In addition, each deployment of the sUAS shall include information regarding the reason for the flight; time, date, and location of the flight; the name of the supervisor approving the deployment and the staff assigned; and a summary of the activities covered, actions taken, or outcomes from the deployment.
8. Except for those instances where officer safety or investigation could be jeopardized and where reasonably possible and practical, agencies should consider notifying the public.

## **VI Privacy**

A UAS shall not be used for viewing, recording or transmitting images and/or video in a criminal investigation at any location or property where a person has a reasonable expectation of privacy unless:

1. A warrant has been approved for the search of the property;
2. Consent by the owner or person responsible for the property is obtained
3. Exigent circumstances exist, including but not limited to: search and rescue missions, tactical missions, crash scenes, crime scenes, fire scenes, hazmat scenes and natural disasters.

## **VII. Evidence Retention and Management:**

1. All DME (Digital Multimedia Evidence) shall be handled in accordance with existing policy on data and records retention. All evidentiary data collected shall be held in compliance with the current Massachusetts Statewide Records Retention Schedule.
2. All DME shall be securely downloaded at the completion of each mission. The sUAS certified operators will record information on the file that shall include the date, time, location, and case reference numbers or other identifiers and identity of the sUAS personnel involved in the mission.

3. Officers shall not edit, alter, erase, duplicate, share, or otherwise distribute any sUAS DME without prior authorization and approval of the sUAS Supervisor.
4. All access to the sUAS DME must be specifically authorized by the sUAS Supervisor 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.
5. Files shall be securely stored in accordance with department policy and retention laws. The Worcester Police Department utilizes the Massachusetts state records retention schedule as a guide. For non-evidentiary video, the data is stored for a period of 30 days. However, video footage for open investigations may be kept longer pending the investigation and/or criminal prosecution.

#### **VIII. Supervision and Reporting**

1. The sUAS supervisor shall manage all deployments and uses of the sUAS to ensure that officer(s) equipped with sUAS devices utilize them in accordance with policy and procedure defined herein.
2. An authorized sUAS supervisor or administrator will audit flight documentation at regular intervals. The results of the audit will be documented.
3. The sUAS supervisor or his/ her designee shall publish a quarterly report documenting the agency's deployment and use of the sUAS device which shall be distributed to the City Manager.
4. The sUAS Pilot in Command shall be responsible for immediately reporting to the FAA in compliance with the FFA, COA and Part 107, any crashes or collisions involving the aircraft and shall also immediately notify the OIC who shall notify the sUAS supervisor. The Pilot in Command and any sUAS crew member(s) present during the crash shall complete an incident report and forward it to the sUAS supervisor.
5. Any complaints regarding the sUAS shall be forwarded to the Chief of Police to be handled in compliance with The Bureau of Professional Standards protocols.

## **IX. Restrictions using the sUAS:**

1. The sUAS shall not be operated in an unsafe manner or in violation of Federal Aviation Administration (FAA) regulations.
2. The sUAS shall not be equipped with any weapons.
3. The sUAS shall not be utilized in any effort which would violate any applicable civil rights and or civil liberties. The Worcester Police Department will comply with all statutes, rules, regulations, and case law regarding these issues. It shall be the responsibility of the sUAS unit leader to ensure this effort.
4. UAS-recorded data will not be collected, disseminated or retained for the purpose of monitoring activities protected by the U.S. Constitution, such as the First Amendment's protections of religion, speech, press, assembly, and redress of grievances (e.g., protests, demonstrations).
5. Collection, use, dissemination, or retention of UAS-recorded data shall not be based on individual characteristics (e.g., race, ethnicity, national origin, sexual orientation, gender identity, religion, age, or gender), nor to harass, intimidate or discriminate against any individual or group.
6. The Worcester Police Department does not own or possess any facial recognition surveillance technology or equipment and the sUAS would not include facial surveillance technology.

## **X. Qualifications and Training**

1. Police personnel who are assigned to deploy the sUAS must complete an agency approved training program to ensure proper use and operation.
2. Additional training may be required at periodic intervals to ensure the continued effective use, operation, proper calibration, and performance of the equipment to incorporate changes.
3. All agency personnel with sUAS responsibility, including command, shall also be trained in local and federal laws and regulations, as well and this policy governing the use of sUAS. All personnel assigned with the sUAS shall be certified with the FAA under 14 CFR 107 as a licensed remote pilot.



4. sUAS Flight Crew Member selection will be performed by the Chief of Police or his designee.

**XI: Maintenance**

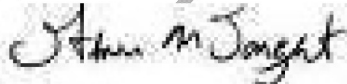
1. The sUAS shall have a regular maintenance schedule in place that is in accordance with the recommendations set forth by the sUAS manufacturer for the specific aircraft, payload, intelligent batteries, and firmware. Maintenance to the sUAS and accessories shall be recorded in a digital maintenance log with restricted access to sUAS personnel and the Chief or her/his designee.
2. The sUAS supervisor shall oversee the maintenance of the sUAS and conduct monthly audits of maintenance records. The sUAS supervisor shall assign a Maintenance Technician within the sUAS special assignment to conduct all maintenance associated with the sUAS and record keeping of maintenance conducted on the sUAS.

**Disclaimer-**

This policy is subject to change based on the selection of a manufacturer and will be in compliance with those standards of use for the particular aircraft selected. At this time the capabilities of the Worcester Police Department's sUAS are not known due to not having a vendor or particular model sUAS.

PER:

Per:



*Steven M. Sargent*  
Chief of Police