

Fall 2019

**Boston City Council Candidates
Public Safety Questionnaire**

Candidate: Alejandra St. Guillen

1. Immigration and Policing

Thousands of people are arrested each year in the City of Boston for minor offenses like driving without a license, drug possession, and disorderly conduct. Data obtained by the ACLU shows these minor arrests disproportionately impact Black and Latinx Bostonians. Each time the Boston Police arrest someone, there is the potential for ICE to be notified — putting our immigrant neighbors at substantially greater risk for detention and deportation. Charges for these minor arrests are often dropped, but there is collateral, and often irreparable, damage.

If elected or reelected to the City Council, what will you do to limit the number of arrests for minor offenses in Boston? Please list your policy goals related to this issue.

ST. GUILLEN: *Focus on protecting Immigrants and Black Families from Deportation and Displacement*

Boston is a city of immigrants where nearly 1 in 3 of our residents is foreign-born. Immigrants from across the world, of all faiths, races, ethnicities and legal statuses have made our city their home. The unique and invaluable contributions of immigrants continue to strengthen our city's civic, economic, and cultural life. In 2016, with the election of a President who built his campaign narrative on anti-immigrant rhetoric immigrant communities had every reason to believe that they were no longer safe. Through local action, municipal government has the power to mitigate the impacts of not only bad, but hateful, federal policy. As a city, we can show our immigrant brothers and sisters that we have the political will to do just that by focusing on protecting Immigrants and Black Families from Deportation and Displacement.

In terms of limiting minor arrests, I support a city policy that would decline to arrest people for the 15 types of offenses outlined in Suffolk County District Attorney Rachael Rollin's Do Not Prosecute List. Also, one of my key policy proposals focuses directly on the impact of over-policing on our immigrant students and students of color, in general:

Ending the School to Prison and Deportation Pipeline: *I believe that we are over-policing our students in our schools, especially young men of color. The solution lies in having representatives from BPS, BPD, BSP and the Mayor's Office of Public Safety come together to explore policy proposals that could stem the tide of overidentifying our immigrant students as gang members or gang-involved. This is a key issue for the City Council to take up as an oversight body of all the city departments involved. The gang database has a negative impact not only young immigrants, but all young men of color, including black men. Inclusion in this database leads to over-policing of certain individuals - constant stops and pat-downs. This criminalization leads to young men being disproportionately picked up for misdemeanor offenses, leading to early engagement in the criminal justice system. We need to take an active stance to make sure that student reports do not end up in the hands of homeland security. This would include implementing a policy where School Police Reports be designated as official school reports and thus protected by FERPA. We should have a higher threshold of when any reports are shared with the Boston Police Department to include reports of actual crimes. School police reports of students who may be skipping class or hanging out with the wrong crowd should trigger a referral of those students to intervention*

programs, not to the BPD and via the BRIC, potentially ICE. In the Council, I will prioritize engaging parents and young adults to participate in co-creating solutions for this problem. It's essential to community that any solution is centered on their lived experience and the professional experience from BPS, BPD, BSP and the Mayor's Office of Public Safety.

If elected or reelected to the City Council, will you encourage the police commissioner to exercise greater discretion and stop making arrests for minor offenses?

ST. GUILLEN: *Yes*

The Boston Police Department's (BPD) existing policies allow officers and intelligence analysts to collect and share information about people who are not suspected of criminal activity with the federal government. For example, the Boston Regional Intelligence Center (BRIC) is a unit of the Boston Police Department that gathers, analyzes, and shares intelligence — like the gang database — with federal law enforcement. However, the database disproportionately documents men of color, using broad identification criteria. The BRIC possesses an unknown amount of information about Boston residents, is not subject to public oversight, and has the power to put people at risk of surveillance, police stops, and deportation.¹ Data from the BRIC was recently used to deport at least one Boston Public School student, when a BPD incident report — which contained unsubstantiated allegations that the student was a gang member — was shared with ICE.² The BPD's information collection and sharing policy puts immigrants, people of color, protesters, and journalists at risk when that information is shared with federal agencies under the Trump administration.

If elected or reelected to the City Council, what will you do to create transparency and oversight of the BRIC? What will you do to address the Boston Police Department's policy of sharing information about people not suspected of criminal activity with the federal government?

ST. GUILLEN: *First we must update the current Trust Act to include strict policies regarding the sharing of information, limiting the information to actual criminal activity. Currently the Trust Act only covers detainer requests which was the tool most utilized by ICE at the time of its writing passage (under President Obama). Under this federal administration, ICE has increased its activity exponentially and thus the protections need to be put in place to counter that activity. There are a couple areas where we need to focus as it relates to information sharing. First, the over-policing of our students in our schools, especially young men of color, is leading to a direct pathway to the juvenile and adult detention system and for some undocumented youth, deportation. Our schools should be a haven for all our young people. We should implement a policy restricting the sharing of information about students and student behavior unless a criminal activity is involved. In addition, we should have policies put in place as to when police should share information at all. A recent incident in which an*

¹ Dooling, S. (2019, July 26). Here's What We Know About Boston Police's Gang Database. Retrieved from <https://www.wbur.org/news/2019/07/26/boston-police-gang-database-immigration>.

² Dooling, S. (2018, December 13). What A Boston Student's Deportation Reveals About School Police And Gang Intelligence. Retrieved from <https://www.wbur.org/news/2018/12/13/east-boston-student-discipline-to-deportation>.

undocumented worker was reported to ICE via the Boston Police Department out of retaliation from his employer is an example of why we need such policy. I was very pleased to see the Mayor and Councilor Zakim propose a strengthened Trust Act and believe the City Council should have strong oversight on its implementation.

If elected or reelected to the City Council, will you support ending the gang database?

ST. GUILLEN: Yes

2. Surveillance of Muslims

Boston was named a pilot city for a federal "countering violent extremism" (CVE) campaign in 2014. Since then, a number of Boston institutions, including the Boston Police Department, have been involved with programs funded by CVE grants. One such program, the Youth and Police Initiative Plus, focuses on Somali youth who are deemed a potential threat due to the social and economic trauma that they experience as immigrants and refugees. CVE programs across the country have NOT made communities safer, but instead have deterred political participation and access to social services for Muslims.³

If elected or reelected to the City Council, what will you do to ensure funding is available to support social services for immigrant communities, and that this funding is not tied to law enforcement?

If elected or reelected to the City Council, will you support ending BPD's involvement in any community outreach programs that credit false and stigmatizing theories about predispositions toward violence or "extremism," including Youth and Police Initiative Plus?

***ST. GUILLEN:** First, I would hold a hearing to review all City of Boston programming that receives funding from the Department of Homeland Security, how much funding is given and analyze the role of law enforcement in the grant. It would be very important to bring a broad sector of stakeholders to testify on the benefits and concerns with the program. I would also write an ordinance that no City dollars to any programming be tied to law enforcement activity as part of the program.*

I also support increased public funding for Greater Boston Immigrant Defense Fund: Not immune to the increased immigration action at the federal level, in Boston, nearly 500 US-born children lose a parent to deportation each year. When immigrants face deportation proceedings they are not guaranteed legal counsel resulting in the vast majority of defendants going unrepresented and thus less likely to apply for relief and/or receive that relief. When first established the fund was created with and support by private dollars. The City now supports with fund with public dollars and should increase the funding to fully fund all Boston residents at risk of being torn apart from their family and community. These dollars should not be tied to any law enforcement body.*

Law enforcement should not investigate people unless officers have reasonable, articulable suspicion of involvement in criminal activity. The FBI does not require a criminal predicate for Joint Terrorism Task Force (JTTF) investigations, which often have no connection to anything ordinary people would recognize as terrorist activity; in fact, current federal policy allows the FBI to investigate anyone based on no suspicion of criminality whatsoever. The problematic relationship between local law enforcement and the Joint Terrorism Task Force has been recognized by San Francisco, CA and Portland, OR. As a result, both cities have

³ Fact Sheet: Countering Violent Extremism: Myths and Facts: Brennan Center for Justice. (2015, November 02). Retrieved from <https://www.brennancenter.org/analysis/countering-violent-extremism-myths-and-facts>.

formally cut ties with the Joint Terrorism Task Force.^{4/5} BPD collaboration with the FBI, which has historically targeted Muslims for improper surveillance and entrapment operations, puts Muslim Bostonians at risk of federal harassment.

If elected or reelected to the City Council, what will you do to protect Muslim Bostonians and activists from unwarranted federal harassment and surveillance?

ST. GUILLEN: *First, I would support the withdrawal of City of Boston departments and employees from any Countering Violent Extremism (CVE) programs. Although the stated goal of CVE programs was aimed at rooting out all violent extremism, they have stigmatized Muslims as suspects. These programs have further promoted flawed theories of terrorist radicalization which lead to unnecessary fear, discrimination, and unjustified reporting to law enforcement. I would also work with the local police department to see if there have been any dips or peaks in the reporting of hate crimes and work with Muslim leaders to make sure these are aligned with the reality on the ground. I believe all municipal building should have signage that prominently displays messages of welcome of all people.*

If elected or reelected to the City Council, will you support efforts to end BPD collaboration with the Joint Terrorism Task Force, as the City of San Francisco has done?

ST. GUILLEN: *Yes*

⁴ Nakashima, E. (2017, March 10). San Francisco Police Department pulls out of FBI anti-terrorism task force. Retrieved from https://www.washingtonpost.com/world/national-security/san-francisco-police-department-pulls-out-of-fbi-anti-terrorism-task-force/2017/03/10/62e05bcc-fd09-11e6-8f41-ea6ed597e4ca_story.html.

⁵ FAQ on withdrawing from the Joint Terrorism Task Force. (2019, February 12). Retrieved from <https://www.portlandoregon.gov/hardesty/article/712320>.

3. Racial Profiling

According to data from the Boston Police Department, as analyzed and reported by The Boston Globe, 70 percent of the nearly 15,000 individuals that police observed, interrogated, or searched in 2016 were Black. Meanwhile, Black people make up 25 percent of the population in Boston.⁶ Black and Brown people are also punished more harshly than white people for drug offenses. Although people of color in Boston make up less than 28 percent of people convicted of drug possession, they are roughly 55 percent of those convicted of drug distribution and 75 percent of those convicted of mandatory minimum drug offenses.⁷ Similar disparities encouraged the City of Providence to require data collection of any police stops or searches through the Community-Police Relations Safety Act.⁸

If elected or reelected to the City Council, what will you do to eliminate racial bias in policing, besides previously proposed plans of hiring more officers of color?

ST. GUILLEN: *I support a city policy that would decline to arrest people for the 15 types of offenses outlined in Suffolk County District Attorney Rachael Rollin's Do Not Prosecute List and I also believe in getting rid of the Boston Police Gang Database. In addition, I want to end the Boston Police's information sharing with ICE. I also believe that we need to have regular reporting on this police data with specific goals to reduce the targeting of Black and Brown people and have the BPD testify as to how they are meeting those goals and, if they are not meeting those goals, what changes they are putting in place to do so. I also believe the City should be investing in a robust training for all police officers about racial bias and how it is reflected in the BPD activities.*

If elected or reelected to the City Council, will you work to make the Boston Police Department conduct an audit of their arrest data, to include racial disparities in arrest rates for drug offenses?

ST. GUILLEN: *Yes*

⁶ Ransom, J. (2017, August 29). Blacks remain focus of Boston police investigations, searches. Retrieved from <https://www.bostonglobe.com/metro/2017/08/28/blacks-remain-focus-boston-police-investigations-searches/PDbFr2QZexCEi3zJTO9mOJ/story.html>.

⁷ Surveys of Massachusetts sentencing practices. (n.d.). Retrieved from <https://www.mass.gov/lists/surveys-of-massachusetts-sentencing-practices>.

⁸ Providence Community-Police Relations Act. (n.d.). Retrieved from https://providenceri.iqm2.com/Citizens/Detail_LegiFile.aspx?MeetingID=6206&ID=3786.

4. Drug Arrests

According to the Massachusetts Department of Public Health, the opioid overdose death rate is 120 times higher for those recently released from incarceration compared to the rest of the adult population.⁹ While the overdose and drug contamination crises have moved some politicians to discuss the importance of harm reduction services and a public health response, our local and statewide laws and budgets still prioritize punishment rather than a public health response to drug use. For over 50 years, the criminalization of drugs and of people who use and sell drugs has failed to curtail drug use and substance use disorder; the policy has also led to the arrest, punishment, and imprisonment of hundreds of thousands of people — a majority of whom are people of color — and limited resources for education, treatment, economic empowerment, housing, and other social services outside the criminal legal system.

If elected or reelected to the City Council, what are your policy proposals to increase access to long-term treatment, limit arrests for drugs, and implement evidence-based harm reduction services, such as safe consumption spaces?

ST. GUILLEN: *We must focus on treatment, as well as the harm reduction for those residents suffering from addiction. The goal is two-fold: dramatically boost addiction treatment and implement policies to reduce overdose deaths. In terms of treatment, we need to invest in both treatment and post-treatment programs so that people are able to stay clean which they are more likely to do with consistent mental and physical health care, family reunification services and access to affordable housing and jobs with a livable wage. In addition, to promote harm reduction, we should open safe-injection sites to make sure our residents suffering from addiction are in a safe and clean environment where they can have access to resources and care to help them on the road to recovery.*

If elected or reelected to the City Council, will you support curtailing law enforcement responses to drug use, ending arrests for personal possession and small sales of all drugs, and instead implementing a public health referral response based on human rights?

ST. GUILLEN: *Yes*

⁹ Chapter 55 Data Visualization. (n.d.). Retrieved from <https://chapter55.digital.mass.gov/>.

5. Electronic and Digital Privacy

In June, the City of Somerville became the first East Coast city to ban municipal use of facial recognition technology. This technology is replete with racial and gender bias. Private companies are aggressively pushing its use on police departments across Massachusetts, endangering people's civil rights and civil liberties. There are currently no statutory protections in place to guard against abuse or misuse of this flawed and biased surveillance technology.

If elected or reelected to the City Council, what will you do to ensure Bostonians' privacy rights aren't being invaded by face surveillance technology?

ST. GUILLEN: *First and foremost, I support a moratorium on the use of facial recognition technology for policing. In the meantime, I would hold a hearing to thoroughly review the use of technology by the BPD and require that all new technology implemented by BPD be pre-approved by the Boston City Council.*

If elected or reelected to the City Council, will you vote in favor of an ordinance to ban the municipal government from using face surveillance technology, as Somerville, San Francisco, and Oakland have done?

ST. GUILLEN: *Yes*

Cities and counties across the country, including Cambridge and Lawrence, Massachusetts, have enacted policies to require transparency and City Council approval of surveillance technology acquisitions by city agencies.

If elected or reelected to the City Council, what will you do to ensure transparency and democratic accountability around new surveillance technology acquisitions?

ST. GUILLEN: *As mentioned above, I would hold a hearing to thoroughly review the use of technology by the BPD and require that all new technology implemented by BPD be pre-approved by the Boston City Council.*

If elected or reelected to the City Council, will you vote in favor of an ordinance to require City Council approval before city agencies use or acquire surveillance technologies?

ST. GUILLEN: *Yes*

6. Plainclothes Policing

Several tactical units of the Boston Police Department patrol in plainclothes. They often drive unmarked vehicles while wearing street clothes. We lack crucial public information about the Youth Violence Strike Force, the Drug Control Unit, or the Anti-Crime units. This missing information includes: number of officers, budget, equipment used, complaints received, stops made, and arrest data. In New York City, plainclothes police officers are involved disproportionately in fatal shootings.¹⁰

If elected or reelected to the City Council, what will you do to ensure transparency and assess the impact of tactical units on community wellbeing?

***ST. GUILLEN:** I would hold a hearing and require the BPD and the Mayor's Office of Public Safety to produce the missing information listed above: number of officers, budget, equipment used, complaints received, stops made, and arrest data. I would hold a robust discussion or discussions in the community about the benefits and negative consequences of plainclothes policing.*

If elected or reelected to the City Council, will you support the abolition of plainclothes policing?

***ST. GUILLEN:** I can't commit one way or the other, as I would really need further information that could be produced by the hearing and the community meeting(s) mentioned above before making that determination.*

¹⁰ The Intercept. (2018, May 09). Plainclothes NYPD Cops Are Involved in a Staggering Number of Killings. Retrieved from <https://theintercept.com/2018/05/09/saheed-vassell-nypd-plain-clothes/>.

7. Overtime Spending

Within a budget of more than \$414 million for FY2020, the Boston Police Department budget allocated over \$58 million for overtime.¹¹ Police overtime spending exceeds spending on youth jobs and community centers.¹² Current overtime policies allow for excessive spending, including a mandate that officers testifying in court are paid for a minimum of four hours even if they're in court for less than an hour. Boston Police officers also collect pay for thousands of hours for construction details, while civilians flaggers work those sites in other cities and states.

If elected or reelected to the City Council what will you do to curb excessive overtime spending and invest in community social services?

***ST. GUILLEN:** I would support an ordinance shifting the way officers are paid for court testimony to include only travel and the actual time in court. I would also recommend we shift to civilian flaggers for some construction details.*

If elected or reelected to the City Council, will you work to impose stricter limitations on police overtime spending and invest cost savings in housing, education, youth jobs, and drug treatment?

***ST. GUILLEN:** Yes*

¹¹ City of Boston. (2019, June 13). Budget. Retrieved from <https://www.boston.gov/departments/budget>.

¹² "Budget | Boston.gov." <https://www.boston.gov/departments/budget>. Accessed 2 Jul. 2019.

8. Transparency and Public Accountability

The Boston Police Department has made some progress in terms of opening its data to the public. But currently, arrest data and stop-and-frisk data are not available to the public on an ongoing basis via the city's data portal. These data can be posted online without compromising the privacy of Boston residents. Stop-and-frisk and arrest data are critical to understanding the impact of policing in Boston.

If elected or reelected to the City Council, what data will you use to evaluate police performance?

***ST. GUILLEN:** Arrest data, stop and frisk data, total homicides, total stabbings and shootings (fatal and non-fatal), diversity data about the officers and the number of homicide cases that are solved*

If elected or reelected to the City Council, will you work to make Boston Police arrest data and stop-and-frisk data, including race information, available to the public in real time?

***ST. GUILLEN:** Yes*

9. Community Oversight

While Boston has taken steps to allow for community review of civilian complaints against police officers, in the form of the Community Ombudsman Oversight Panel (CO-OP), the panel has limited power to hold officers accountable. The current CO-OP is made up of a former judge, and a former city employee. In their 2018 report, the members found that only 25 percent of cases that they reviewed were found to be not fair, not thorough, or both.¹³

If elected or reelected to the City Council, what steps will you take to increase accountability and community oversight over policing in our neighborhoods?

ST. GUILLEN: *I believe the greatest opportunity to increase accountability and community oversight is the immediate implementation of a community-based complaint review body with the powers and funding to adequately investigate and make determinations. Absent that body, the City Council will have to regularly review the cases that are filed and ruled on and question any decision they find to be erroneous.*

If elected or reelected to the City Council, will you support replacing the CO-OP with a well-funded, independent, community-based complaint review body with the power to subpoena, investigate, discipline, and fire police officers?

ST. GUILLEN: *Yes*

In response to input from Boston community members, the Boston Police Department is in the process of implementing a limited body-worn camera program. Unfortunately, the program includes a dangerous provision allowing officers to review body camera footage before writing incident reports. Criminal defendants, on the other hand, do not have the same right to view incident footage before giving statements to police.

Please describe the role you think body cameras should play at the Boston Police Department.

ST. GUILLEN: *I believe that the role that body cameras should play is to significantly improve transparency and accountability, specifically in communities most impacted by police brutality. If elected I would ensure that police administrators comply with departmental policies regarding camera activation and use as well as mandating that BPD release body camera footage from high profile incidents and other incidents upon requests. To fully achieve transparency it requires balancing these needs with the ability to consistently release footage within a reasonable time frame.*

If elected or reelected to the City Council, will you work to change the body-worn camera policy to prohibit officers from viewing footage prior to writing incident reports?

ST. GUILLEN: *Yes*

¹³ City of Boston. (2018, July). Community Ombudsman Oversight Panel. Retrieved from https://www.boston.gov/sites/default/files/document-file-07-2018/annual_report_2017_2016.pdf.