

Fall 2019

**Boston City Council Candidates
Public Safety Questionnaire**

Candidate: Cecily Graham

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.

GRAHAM: *I would promote more preventative measures to address poverty and its aftereffects, eg. job opportunities through development; more funding for community programs that would engage those who are misguided but also advocate to foster a better relationship between the police and the community.*

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?

GRAHAM: *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?

GRAHAM: *Our police officers are not ICE agents. As a city councilor I would create 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>.

oversight committee of BRIC that would focus on transparency and accountability. The committee members would be Boston residents appointed by the council who have experience working with law enforcement. I would support making it a mandate that BRIC communicates regularly with the committee about the intelligence it gathers on a 90 day quarterly basis to ensure that the surveillance of our neighborhood is done fairly to prevent disproportionate monitoring of men of color. This would include supporting the elimination of sharing information of people who are not suspected of criminal activity.

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

GRAHAM: 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?

GRAHAM: *I would advocate to fund more programs that help immigrants with social services for example: language services, healthcare, education and job opportunities. To ensure this funding is not tied to law enforcement, I would not support legislation that promotes surveillance over aide for immigrants. My reason for this is all persons arriving at a port-of-entry to the United States are subject to inspection by U.S. Customs and Border Protection (CBP) officers. Migrants that seek to lawfully enter the United States must establish their admissibility to the satisfaction of the CBP officer. If there is no evidence of criminal activity and/or history, there is no need to go beyond this. Instead I would support safer communities, The Trust Act and will not engage in discriminating against a group of people due to their religion.*

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?

GRAHAM: *Yes*

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 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.

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>.

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>.

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

GRAHAM: *I would protect Muslim Bostonians and activists by reinforcing that everyone regardless of their race or religious beliefs should be treated with respect and no officer should go over their legal limits.*

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?

GRAHAM: *Yes*

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?

GRAHAM: *To eliminate racial bias in policing I would enforce more training for our officers in that area regularly. I would also advocate to update the training resources when necessary to ensure that it is current for effectiveness in addressing the disparities. This should include policies around stop and frisk, body cameras and allowing more upward mobility so that officers of color are not only hired but given higher positions on the force, as well.*

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?

GRAHAM: *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?

GRAHAM: *As a city councilor I would support policies that prioritize treatment over incarceration. Evidence proves that drug abuse is a self-medicating mechanism that if not properly treated as an illness, will lead to destruction for users. I would advocate for more funding around mental health resources and building awareness in the community of where to receive them. I would focus on making healthcare more affordable and accessible to all so that people would not resort to street drugs as a means to treat their mental health challenges. I haven't taken a stand on safe consumption spaces but I will review more information to make a decision in the future.*

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?

GRAHAM: *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?

GRAHAM: *Face surveillance technology is an invasion of privacy, especially when it is unwarranted. As a city councilor I would oppose policies that support implementing this technology without valid evidence and a reason as to why it is needed beyond what our BPD currently has for resources to monitor and track criminals.*

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?

GRAHAM: *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?

GRAHAM: *I do not support implementing surveillance technology because it invades the privacy of innocent people. Our residents should not be subjected to this if they have not committed a crime and with surveillance technology, it is inevitable that that will be the result. Please see answer 1a. of this section.*

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?

GRAHAM: *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?

***GRAHAM:** While I understand it is sometimes necessary to go undercover, it is worth reviewing how effective plainclothes policing really is. In some cases residents can tell when a police officer is undercover, which creates/adds to distrust from residents. I am more focused on restoring the relationship between our community and the police department, building more mutual trust and a safe community for all.*

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

***GRAHAM:** No response.*

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?

***GRAHAM:** Officers are working overtime because we need to hire more officers. I would advocate to fund the BPD so that they can fill the need and adequately serve our communities without doing excessive overtime. Over time, this should allow more room to invest in social services.*

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?

***GRAHAM:** 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?

***GRAHAM:** If elected, I would focus more on the results of resolutions rather than a quota of arrests and/or violations. I think it is important to focus on data from the community's response to BPD's efforts to serve and protect and not the excessive surveillance of, and unhealthy interactions with the community that arrests for some minor offenses can create due to the effect it has on one's record and life.*

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?

***GRAHAM:** 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?

GRAHAM: *I would increase accountability by not supporting officers being able to review body camera footage before providing a report. I would prioritize having diversity on the force so that we have officers who know and relate to the communities they are serving. In order to make these processes fair, we have to choose to appoint people to the panel who do not have close relationships with officers to prevent a bias or lack of accountability.*

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?

GRAHAM: *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.

GRAHAM: *Body cameras should serve as a means to see the unfiltered interactions between police officers and residents. They should be used for accountability and transparency to prevent police brutality but to also protect our officers, as well.*

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?

GRAHAM: *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.