

Fall 2019

**Boston City Council Candidates  
Public Safety Questionnaire**

**Candidate: H el ene Vincent**

## 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.

**VINCENT:** *I would support DA Rollins's push to not prosecute non-violent crimes. Prosecuting these crimes ties up our court system and uses taxpayers' resources to fund jails. Instead, we should create diversion programs and treatment options that address the root causes of most of these low-level offenses. Specifically, I would like to see the city invest in more treatment beds for people with substance abuse disorder, more shelter beds for our residents experiencing homelessness, and greater investment in youth programs, especially jobs programs, to give our kids options and help them develop skills for their future.*

*Additionally, I am glad to see that the City Council passed the Trust Act, which dismantles the city's obligation to take part in the federal government's Secure Communities program (giving ICE the authority to ask officers to hold people in custody for up to 48 hours after they have posted bail, so the agency can investigate their immigration status). I would further push to look closely at the Boston Regional Intelligence Center and the information they share with federal authorities, especially from our Boston Public Schools.*

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?

**VINCENT:** *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.<sup>1</sup> 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

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<sup>1</sup> 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>.

that the student was a gang member — was shared with ICE.<sup>2</sup> 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?

**VINCENT:** *Everyone deserves to be able to depend on our public safety agencies, and BRIC's activities stand in sharp contrast to that ideal. If immigrants fear deportation, they won't call law enforcement when it is needed. This creates a public safety hazard—not only for immigrants but for our greater community. We need to ensure that no City agency collaborates with ICE. Our municipality should be a safe haven for immigrants and refugees. And it's not just the BPD that has access to BRIC—according to WBUR, several other agencies have access, including:*

*1 person with MBTA transit police*

*1 person with the Bureau of Alcohol, Tobacco, Firearms and Explosives*

*1 person with the U.S. Department of Homeland Security*

*1 person with Boston Housing Authority police*

*1 person with Suffolk County Sheriff's Department 2 people with Boston School Police*

*I want Boston to officially adopt a sanctuary city policy that puts protective measures in place for our immigrant families. And I want us to address the BRIC's practices and the types of information it shares, with an eye to limiting participation with BRIC. The Council should, at a minimum, hold hearings on this topic and discuss the ways in which current practices affect our residents.*

*I am in favor of ending the gang database. This database tracks the associations and activities of thousands of Boston residents, yet 98% of the people on the gang database are Black or Brown (approximately 50% of Boston's residents are white). The criteria for inclusion in the database are hard to verify and include self-admitted gang membership (eight points), possession of gang paraphernalia (four points), or becoming a victim or target of gang violence (three to eight points). According to the BPD, Boston has approximately 160 "documented gangs" and 100 "active" gangs, with about 30 gangs "actively driving violence." This is a markedly high number for a city Boston's size. For comparison, a 2018 Chicago Crime Commission report documented 59 active street gangs in Chicago, despite a population four times larger than Boston's. All this calls into question the usefulness of the criteria chosen and the database itself.*

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

**VINCENT:** *Yes*

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<sup>2</sup> 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>.

## 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.<sup>3</sup>

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?

**VINCENT:** *Law enforcement status does not have a place in the allocation of social services funding. One of the key ways to make sure that we have sufficient funding for services is to make sure that everyone is counted in the federal census.*

*Boston has the largest number of residents living in what are called Hard to Count tracts: nearly 63% of Boston's population. For every resident not counted, the City loses \$2372 in funding, so an accurate and full count is absolutely vital to providing Boston's citizens with appropriate services. We should use summer youth workers, set up public computer options, and enlist community organizations and grant money, and I would push the city council to investigate all of them—and quickly. Boston should be sure to use its public libraries, public schools, and Centers for Youth & Families as spaces both for outreach as to the importance of filling out the census and to provide access to the technology required to do so. Social services may also provide an opportunity to reach out to frequently undercounted populations; for example, California previously contracted with counselors in the Women, Infant, and Children (WIC) program to discuss the Census with their clients. Additionally, I would like to see the Council coordinate with Boston's Complete Count Committee to support their efforts.*

*Outreach to immigrant communities will be of special importance in this census, as many immigrants have had concerns about the potential inclusion in 2020 of a census question about immigration status. While the courts have struck down that potential question, immigrant communities remain apprehensive about the census as a means of tracking and identifying undocumented residents, especially as targets for ICE. As District 8's councilor, it will be imperative to reach out to our residents who have these concerns and help them participate in the census in ways that keep them safe.*

*This article from Governing.com (<https://www.governing.com/topics/mgmt/gov-2020-census-count.html>) discusses many of the community-based efforts being tested throughout the U.S. A coordinated, comprehensive effort that includes both governmental entities and our community groups will be central to making sure that our residents are properly counted and our city receives the funds vital to supporting them.*

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<sup>3</sup> 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>.

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?

**VINCENT:** *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.<sup>4/5</sup> 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?

**VINCENT:** *First, I would advocate for the passage of a Safe Communities at the State House. It's embarrassing that we don't already have such legislation in place, given the public support available for these types of protections. I also would work on the city council to make Boston a true sanctuary city, with codified protections in place. Additionally, I would work to stop CVE grants/programs as they are unwarranted targeting and almost always are aimed at already-marginalized communities, primarily communities of color. On the national level, the FBI has admitted in internal memos that CVE programs were used to strengthen their investigative and intelligence-gathering abilities. Critics argue, and I agree, that CVE programs violate the idea of government having no role in the free exercise of religion. The American Federation of Teachers has protested against FBI CVE programs, calling them "ideological profiling and surveillance" and saying they would have "a chilling effect on our schools and immigrant communities, jeopardizing children's sense of safety and well-being and threatening the security and sense of trust of entire communities."*

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?

**VINCENT:** *Yes*

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<sup>4</sup> 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](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).

<sup>5</sup> 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.<sup>6</sup> 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.<sup>7</sup> Similar disparities encouraged the City of Providence to require data collection of any police stops or searches through the Community-Police Relations Safety Act.<sup>8</sup>

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?

**VINCENT:** *We should be aware of how Black and Brown people are arrested at disproportionate rates across the country and here in Boston, as awareness is the first step towards fixing a broken system. Without such awareness and knowledge we won't be able to fully eliminate bias in an institution founded on racist principles—early police departments were often founded in order to control a “dangerous underclass” that included Black people, immigrants, and the poor ( <https://plsonline.eku.edu/sites/plsonline.eku.edu/files/the-history-of-policing-in-us.pdf> ). Hiring more officers of color isn't enough, as research has shown that even officers of color react more strongly to and arrest people of color at rates above that of white people. And it's not clear that implicit bias training, despite its popularity in departments across the country, has a lasting effect on officers' behavior and outlook.*

*All this means that it's difficult to determine what the best course of action is to change this system. Bias training needs to happen early in criminal justice training and be repeated and woven into an entire career so that its effects are sustained over time. We should do the same with training around the use of force, emphasizing that police should always respond in violent situations with the lowest level of force possible in that scenario. Creating protocols and checklists for various law-enforcement situations can also help remove bias from the equation, according to Tom Tyler, PhD, a professor of law and psychology at Yale Law School. Such a script or checklist can help an officer make objective decisions about how to proceed rather than responding from ingrained biases ( <https://www.apa.org/monitor/2016/12/cover-policing> ).*

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?

**VINCENT:** *Yes*

<sup>6</sup> 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>.

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

<sup>8</sup> Providence Community-Police Relations Act. (n.d.). Retrieved from [https://providenceri.iqm2.com/Citizens/Detail\\_Legifile.aspx?MeetingID=6206&ID=3786](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.<sup>9</sup> 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?

**VINCENT:** *This is a personal issue for me. Six people with whom I attended high school have already died from drug overdoses. We absolutely need to increase the accessibility and mobility of our needle exchange programs and create safe injection sites. We must improve conditions at shelters so that we are treating those experiencing homelessness humanely and create more low-threshold day and night drop-in spaces. I will also work to stop any “clean sweeps” in the future. In the long term, I will continue Councillor Zakim’s City Rent Subsidy Bill to protect low-income tenants from eviction. I will work with shelters to increase the supply of long-term recovery beds and programs. I will also study the City of Cambridge’s public restroom program to construct clean and safe facilities for all. In addition to policies, we need to change the dialogue around these issues: we should reduce punitive responses, which don’t work, and recognize the individual liberties and motivations of people experiencing substance abuse disorder and homelessness.*

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?

**VINCENT:** *Yes*

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<sup>9</sup> 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?

**VINCENT:** *I support a moratorium on the use of face surveillance technology at least until the state legislature passes comprehensive protections for racial justice, due process, civil rights, and civil liberties (S.1385/H.1538 are currently in committee). Artificial intelligence and machine learning systems, like facial recognition, often uphold and codify biases and discrimination and are also much less accurate for people of color, leading to false identifications.*

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?

**VINCENT:** *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?

**VINCENT:** *Cambridge took an important step when it moved to be the first city in Massachusetts to require transparency around facial recognition tech. City departments will now have to get approval from the city council before they can implement any new surveillance technology. Boston should have similar guidelines that make it mandatory for the city council to approve any surveillance technology before it may be used.*

*We should also conduct a review of existing surveillance technology and require council approval before making any changes on how those technologies are used.*

*Included technologies would include those already monitored in Cambridge: "automatic license plate readers, video surveillance, biometric surveillance technology including facial and voice recognition software and databases, social media monitoring software, police body-worn cameras and predictive policing software."*

*(<https://www.govtech.com/policy/Cambridge-Mass-PD-Need-Council-Approval-to-Use-Surveillance-Tech.html>)*

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?

**VINCENT:** *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.<sup>10</sup>

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?

***VINCENT:** While we need to increase police accountability and the data we have around their activities, I don't think we need to entirely get rid of plainclothes officers. I recently did a ride-along with the Youth Violence Strike Force and saw the proactive outreach they do to at-risk youth, many of whom they know on a first-name basis. By listening to the needs of these youth, they help guide them towards the appropriate job training or other education programs. Being in plain clothes allowed the officers to form connections with youth who would likely have been intimidated by their uniforms.*

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

***VINCENT:** No, for the reasons outlined above.*

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<sup>10</sup> 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.<sup>11</sup> Police overtime spending exceeds spending on youth jobs and community centers.<sup>12</sup> 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?

***VINCENT:** We need to change the rules around detail work and relax these requirements. By restricting the activities that require uniformed police supervision, we will free up resources and money that could be used in more useful ways, particularly around community 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?

***VINCENT:** Yes*

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

<sup>12</sup> "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?

***VINCENT:** In July 2014, the Boston Police Department (BPD) reportedly pledged to release stop-and-frisk data every year. We must hold the BPD to this, as this information is an indicator of potential bias within our police force. Information on other types of policing/arrests is also required, also including racial breakdowns. According to the Washington Post, among major US cities, Boston had the widest gap in arrest rates for white and black homicide victims. That's a metric I think we should be monitoring as a performance indicator. I'd also like to see an increase in the solve rate for non-fatal shootings, which in 2017 hovered around 4%.*

*I would be interested in community surveying to see how Boston's residents feel about the BPD and its effectiveness and how the BPD's performance is regarded in our communities.*

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?

***VINCENT:** 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.<sup>13</sup>

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

**VINCENT:** *We need true civilian review boards in order to increase accountability, with at least some members who are not part of the criminal justice system and including no family members of current or former police officers. I would push for the creation of such boards and for sufficient funding for their timely operation. I'd also like to see some barriers to reporting police misconduct removed. For example, Campaign Zero calls for requiring officers to give civilians their name, badge number, reason for the stop and a card with instructions for filing a complaint to the civilian oversight structure at every single police stop.*

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?

**VINCENT:** *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.

**VINCENT:** *I am in favor of body cameras, and believe we should be moving more quickly as a city to implement them. The slow roll-out seems unnecessary for an already-tested practice. I would also support the creation of a Civilian Review Board, which would provide increased accountability and an open connection between all public safety agencies and city residents.*

*The point of body cameras is to provide greater accountability and transparency and help us find the truth about what happens in incidents involving law enforcement. If officers can view the footage before writing the incident reports, they will be able to change their statement, so I think a crucial component of body camera policy should be*

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<sup>13</sup> 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](https://www.boston.gov/sites/default/files/document-file-07-2018/annual_report_2017_2016.pdf).

*a restriction on officers reviewing footage beforehand.*

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?

**VINCENT:** *Yes*