

Fall 2019

**Boston City Council Candidates
Public Safety Questionnaire**

Candidate: Kristen Mobilia

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.

MOBILIA:

#1: Local Community Police Reflects Population – We need our local community police to mirror our resident population. It was great news when we learned that this year’s cadets are half female and the most diverse group yet. I will work to promote city initiatives and take part in community outreach programs to help ensure that the Boston Police Department mirrors the diverse population it serves. I will work to publicly highlight success stories that can help to diminish negative stereotyping. Additionally, I am in support of the recent push for criminal justice reform in Massachusetts, a goal of which is to reduce the incarceration rate for minor offenses, often a disproportionate rate due to unjust racial profiling.

#2: Provide Community Resources - We have an opportunity to provide choices for our residents, especially younger ones. I recently met a resident at a community event, and he said that he and a number of other males in his neighborhood decided to provide a mentoring group for local boys. They regularly mentor them and take the boys on fieldtrips outside their community to show them how small and limiting joining a gang can be. We can create structured city programs, but we can also commit to regularly funding small neighborhood groups who have on-the-ground direct relationships with those who need the support most.

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?

MOBILIA: There is a difference between a first-time offender and a recurring offender. I am in favor of using discretion when it is for a one-time minor offense as the alternative would be to arrest and potentially put a person on a long-term path of crime. However, if a person is a recurring offender and/or consistently robbing other residents of their right to a safe environment, the window of discretion should close.

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?

***MOBILIA:** If someone is not suspected of criminal activity, especially if there is no history of criminal activity, we should not be sharing that regularly with the federal government. That's called a Police State and that is not okay. I would request regular oversight and transparency of shared information and evidence as to the presence of criminal activity. We need to be sure that there is no racial targeting involved and that innocent residents are not put at risk for deportation.*

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

***MOBILIA:** I am in support of tracking gang activities, but it appears that currently BRIC's rules and procedures for determining gang classification includes many incorrect assessments. Per WBUR, the database shows 160 Boston gangs compared to 60 in Chicago, which is a city four times the size of ours. Those numbers just don't add up. A database can be useful, but it needs to be fact based and cannot wrongly classify someone as a gang member.*

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>.

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?

MOBILIA: *Social services should be provided in a safe environment. Residents should feel comfortable seeking help and not feel that there is the possibility of arrest or deportation. Schools and community centers are perfect locations for individuals and families to reach out for help and services. I would push for funding within those types of networks.*

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?

MOBILIA: *I would support ending any program that credits false and stigmatizing theories. We need to make our community support decisions based on facts.*

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.

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

MOBILIA: *Harassment is illegal – end of story. I would fight for legal support for*

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>.

anyone on the receiving end of unwarranted federal harassment and surveillance.

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?

MOBILIA: *While in theory it makes sense for various law enforcement agencies to share information in order to combat terrorism, there have been instances when peaceful protesters have been labeled as criminal extremists. There needs to be transparency in what the JTTF's involvement is within the local community and oversight as to how they determine if an individual or individuals are committing or planning to commit crimes. There is a danger of innocent people being linked to activities and/or crimes that they were not involved in.*

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?

***MOBILIA:** I would request the regular review of crime data to identify racial bias. We need to base decisions on facts. Any skewed data should be further researched and analyzed by a diverse committee of vetted officials and then shared with the public. By keeping the public informed of current situations and inviting them to participate in plans for change, we'll have a greater chance to make improvements to the system. When those most negatively affected by the current policing structure are not involved in the solutions, we won't be able to make long-term positive change.*

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?

***MOBILIA:** Yes, this is essential.*

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?

MOBILIA: *The number one goal that we should have is creating more short-term and longterm recovery programs. Currently we do not have enough recovery beds in Boston or Massachusetts to provide opportunities for opioid addicts to make significant life changes. Until we get that solved we'll be spinning our wheels. Incarcerating an addict pretty much guarantees that she/he will continue abusing drugs. We need to provide another path that will be better for her/him and in turn will be better for our shared community.*

The opioid crisis touches all families and all neighborhoods in our city. It has taken some time, but more are beginning to see this crisis as a serious public health issue as opposed to a strictly criminal issue. Currently, we do not have enough health professionals to address the volume of opioid cases. We need to increase opportunities and training for short-term and long-term treatment programs versus filling more prison cells. I am in support of channeling more upfront dollars into health services programs instead of paying the price for increased incarcerations.

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?

MOBILIA: *I support a public health response to the overall opioid crisis. However, depending on the situation, a dealer or user acting in a dangerous manner and a clear threat to residents, may need to be arrested for public safety reasons.*

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?

MOBILIA: *If facial recognition cameras are placed across Boston, we'll effectively be living in a Police State. We all have a right to move freely within our city without being tracked. Surveillance technology has been instrumental in solving many crimes, including the marathon bombing. However, there is a line when personal privacy for the average resident is lost. We need to safeguard a reasonable amount of personal privacy. Boston City Council should be alerted as to all camera locations, the level of data tracked, who has access to the information, and where it is stored. We need to be sure that it cannot be used for unintended applications. The United States is built on freedoms that would be severely compromised by unwarranted surveillance.*

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?

MOBILIA: *Currently, the technology is not close to 100% accurate in determining gender and skin tone, so the technology should not be used for crime surveillance. Additionally, there may be small applications such as airports that make sense for this type of technology (when it actually works correctly). It should not be used regularly within the city limits as that would infringe too much on personal privacy.*

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?

MOBILIA: *All requests for City of Boston surveillance technology acquisitions should occur at a public hearing run by 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?

MOBILIA: *Yes, definitely.*

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?

***MOBILIA:** I would request a regular presentation by the Police Commissioner on any data related to arrests, fatalities, injuries, etc. that would reveal any potential biases. While plainclothes officers allow the BPD to monitor and solve many crimes, there needs to be transparency to determine if there are unfair consequences to their approach.*

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

***MOBILIA:** I don't believe that it should be abolished. However, a significant review of that portion of the BPD is warranted if there are disproportionate instances of biased interactions. Police statistics should be made public to determine the effectiveness of plain clothes police officers and to evaluate if there are any systemic discriminatory practices.*

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?

***MOBILIA:** Currently, the Boston Police Department is understaffed. We have many officers reaching retirement age, and we have shrinking application numbers. This is not only a budgeting problem but one of safety as well, given that increased overtime can lead to fatigue. Many overtime situations come from the increase in large public events within city limits and the amount of construction projects we now have. I would advocate that major event hosts pay more of their share and that we have any underutilized city employees cross-trained to cover 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?

***MOBILIA:** If our communities require a particular level of police on duty and there are not enough to staff the needs, we will need to require overtime (this happens quite a bit in District 8 as I regularly speak with the officers when they are on duty). However, once we fill more positions, the overtime rate will go down and the base salary total will go up, so the savings may not be sufficient to meet the needs of housing, education, youth jobs, and drug treatment. We need to push for other funding sources to cover those costs.*

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?

***MOBILIA:** I will review police data from current and prior years to identify short-term and long-term trends related to incident reports in order to better inform policy and resource allocation in our communities. It is important to understand if there are any systemic issues such as racial profiling and gender discrimination, just as it is important to pinpoint positive trends and replicate them. Day-to-day data collection raises concerns about privacy and potential for misuse. The Boston Police Department somewhat recently converted to a new 911 dispatch system. As a longtime neighborhood and parks advocate, I often meet with police officers regarding community safety. In this capacity I have spoken with officers about the new 911 software and have reviewed information on it as well. Reports are that the system is cumbersome, data entry takes more time than previously, and the search functionality often results in errors. This all needs to be reviewed and improved upon before I would support online automated postings of potentially private information.*

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?

***MOBILIA:** I do not support sharing personal details regarding arrest and stop-and-frisk data. However, making real-time summary information available would be appropriate for transparency reasons.*

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?

MOBILIA: *The current CO-OP is not working as well as intended. It consists of 3 civilians with experience in law and criminal justice, and they are all appointed by the Mayor. There is a history of long review times for cases, and with currently only 2 appointees active that could be even longer. An appeal must be filed within 14 days of getting a Notice of Finding which is too short as most don't even know this is an option. A larger panel of diverse appointees is needed and more community outreach is essential to be sure that residents are aware of this resource. The process for nominating appointees should be an open and transparent one to ensure that there is fair public representation.*

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?

MOBILIA: *The current powers of the current CO-OP is very limited. There should be the ability to subpoena and investigate police officers. However, the responsibility of disciplining and/or firing police officers should be handled by the Police Commissioner's office.*

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.

MOBILIA: *The intent of body cameras worn by police officers is to increase trust and transparency and lead to a reduction in use of force. There are still some questions as to privacy protections and determination as to when and if recordings should be made public. While body cameras have the potential to provide very valuable evidence, we need to make sure that they do not compromise privacy rights.*

As with all of the issues raised in this candidate survey, there are many points to

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.

consider in order to evaluate the full range of policy implications as well as identify opportunities for strengthening our shared community goals. I look forward to discussing these and other issues with residents of District 8.

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?

MOBILIA: *A police officer should produce an initial written report to provide an independent recollection of an event before reviewing the video footage from a body-worn camera. The footage should then be reviewed and a clarification report can then be added to the file. This is a “clean reporting” process that many civil rights advocates agree would provide a fair accounting of a police involved event. I support this process.*