

Fall 2019

**Boston City Council Candidates  
Public Safety Questionnaire**

Candidate: Montez Haywood

## 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.

**HAYWOOD:** *The police department should ensure that all residents of our City are treated equally under the law. I propose that we need additional data collection to quantify what the disproportionate affect is, and whether or not that affect is specific to people of color or people that are struggling financially. This study should also take into account whether or not the disparity is caused by neighborhoods having an increased police presence, and whether or not those individuals were summonsed into court or arrested. Police officers are human beings and we all have our own implicit bias's and this study should also seek to identify, and educate us all as to what role that bias plays in any decision to arrest or summons a resident of our City to court. In my experience in the City of Boston our police officers in recent years have been attempting to walk the line between public safety, and ensuring that all residents are treated equally under that law. In addition I will encourage the police commissioner to direct his officers to summons civilians for minor infractions of law instead of making arrest. However police officer's need the flexibility to address public safety needs where appropriate. It is an exercise of discretion that police officers need to do their jobs appropriately.*

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?

**HAYWOOD:** *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?

**HAYWOOD:** *I would support the formation of a sub-committee on public safety within the City Council to review what information is being shared with the federal government, why that information was shared with the federal government, and how much information is being shared with the federal government. The sub-committee would be required to produce a report to the full City Council with all sensitive material being redacted as agreed upon by all affected State, Federal, and local agencies. However, I believe that the Boston police department shares information with the federal government where appropriate. I support the police department sharing information with the other state, local, and federal authorities in order to ensure the safety and security of our City. I would support and encourage the police commissioner to release the criteria that is used that qualifies people being placed into the gang database.*

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

**HAYWOOD:** *No*

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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?

***HAYWOOD:** Social services for all residents of District 8 are important. In my capacity as a City Councilor I will advocate for services that include outreach through schools, and grant programs from the City. These programs can be administered through local non-profit organizations.*

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?

***HAYWOOD:** Of course I would not support an outreach program that credits false theories or otherwise does harm to an immigrant community however we have real threats in this world and the police department needs the tools to address those threats. Attempting to win the hearts and minds of immigrant communities with law enforcement outreach programs that are designed to interact with all of our neighbors including the immigrant community, and earn trust is a laudable goal. The execution of that goal needs work, but it remains a goal that the police department should continue.*

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

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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>.

<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>.

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?

**HAYWOOD:** *As a local official I would have no authority to curtail a federal investigation. I will make it abundantly clear to the police department that they should not be involved in any investigation that does not treat all residents of our City equally under the law.*

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?

**HAYWOOD:** *No, our City faces real dangers. The terrorist attack that occurred on district 8 remains in the forefront of my mind. The government should pro-actively take steps to ensure the safety and security of our City. I will also advocate that the Boston police department push the federal government to expand this program and investigate the White Supremacist groups which make up the vast majority of our nations domestic terrorism problem.*

### 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?

**HAYWOOD:** *I support data collection that requires the police to document all interactions that rise to the level of a threshold inquiry. Those interactions subject to privacy redactions for the individual that was the target of the inquiry should be documented, and cataloged and publicly available. I will also advocate for implicit bias testing and training to become an integral part of a police officer's ability to carry a firearm. I would advocate that when the police officer receives firearm range certification, that they also receive testing and training on implicit bias.*

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?

**HAYWOOD:** *Yes*

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<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?

**HAYWOOD:** *I will advocate for additional funding from the State and Federal government to bolster Boston's capacity to handle individuals battling addiction. It is clear that a large number of the individuals that are using Boston's treatment facilities are coming from far and wide to get help that is not otherwise available to them. I will propose that as a City we rise to meet that need. We need to re-build the bridge to Long Island. Once the bridge is re-built we need to insure that we have enough resources on the island to address those that are in the grips of addiction and those that need that last helping hand to change their lives for the better. In the short term Boston needs our surrounding Cities and Towns to answer the call of our neighbors, family members, friends, co-workers and build additional facilities to combat our substance abuse crisis.*

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?

**HAYWOOD:** *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?

**HAYWOOD:** *Until the technology has been vetted and the legislature has set clear guidelines for the scope of its use, I would oppose the purchasing of any such technology.*

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?

**HAYWOOD:** *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?

**HAYWOOD:** *All surveillance technology is the government spending taxpayer's money. Any new technology purchase that infringes on our right to privacy will require a hearing before the City Council, and a public comment period will be allotted to allow the residents of the City to be heard.*

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?

**HAYWOOD:** *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?

***HAYWOOD:** The units enumerated earlier are all units that play an integral role in the safety and security of our City. I would advocate that data collection for any involvement that arises to the level of a Threshold inquiry be documented, and made publicly available. I would also agree that the budget and complaints associated with these specialized units should also be readily available to the public subject to redactions as to not endanger the lives and safety of the community or the police officers. I would not advocate that the number of officers or equipment be made publicly available as those disclosures would make an already dangerous job more dangerous.*

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

***HAYWOOD:** No*

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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?

**HAYWOOD:** *The City actually charges the construction companies more per hour than the officer is paid. The City is currently using police details at construction sites as a means of revenue generation. I would not curtail that practice. I would support an audit of all overtime spending. If there is graft or theft it should be prosecuted. I support an expansion of social services in District specifically; I am advocating that the three historic buildings in the West End on the MGH campus be converted into a school, and a community center with programming for the young and elderly.*

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?

**HAYWOOD:** *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?

**HAYWOOD:** *I will request an audit of the Field Interrogation Observation data, Regional Intelligence Center, and Mobile Data Terminal data mixed the COMPSTAT data to evaluate the job that our officers are doing.*

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?

**HAYWOOD:** *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?

**HAYWOOD:** *I would seek to expand the ombudsman panel to not exceed 5 people, and advocate that the panel is fully staffed with at least three members at all times. I would suggest that the Mayor appoint two members of the panel, and that the City Council appoint the other three.*

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?

**HAYWOOD:** *No*

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.

**HAYWOOD:** *I believe the cameras are great, and will become an integral part of policing in the future, and will help our City get rid of any officer that is abusing her/his discretion.*

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?

**HAYWOOD:** *No*

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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).