

Fall 2019

**Boston City Council Candidates
Public Safety Questionnaire**

Candidate: Brandon Bowser

Questionnaire written by the ACLU of Massachusetts, Boston Users' Union, Cosecha, Council on American-Islamic Relations-Massachusetts (CAIR), Digital Fourth, Families for Justice as Healing, and Student Immigrant Movement (SIM).

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.

BOWSER: *I would look into ways to work with the Boston Police Department to limit the number of arrests for minor offenses. This is a moral imperative, and a first step toward reconciling the long-term effects of racism and discrimination faced by communities of color. We are fortunate that District Attorney Rachael Rollins has made it a priority to limit the prosecution of minor offenses.*

We should be working towards legislation that limits the connection between the Boston Police Department and ICE. Many undocumented Bostonians avoid contacting the police out of fear of deportation. I am in support of passing the Family Mobility Act, which would allow undocumented immigrants the ability to obtain drivers licenses. There must be a prohibition on information-sharing between the RMV and ICE.

We need to take the rhetoric coming from the White House seriously and work to protect Boston's undocumented community. Despite Mayor Walsh declaring Boston to be a sanctuary city, many reports have been made of ICE operating in various communities around Boston.

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?

BOWSER: *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?

BOWSER: *What happened in 2018 to the undocumented East Boston student should never have happened. Truancy rates will go up if our students are afraid that those that are supposed to be giving them educational resources and opportunity are putting their lives in danger.*

I am aware of BRIC's information gathering on those being part of civil discourse. I will call for full transparency of BRIC's methods, including who they choose to include in their gang database.

Going further, how many of those entries are disproportionately people of color? How many of those entries have never been guilty of a crime as long as they've been in the database? How can we put our neighbors on a watchlist and think that's protecting our communities?

It is, in my opinion, counter-productive for a police force to carry out surveillance on non-violent activists when their primary purpose should be to build a safe and lawful community. If Boston police feel that there is credible evidence that an individual plans to commit a violent crime then they can, and must, file for a warrant from a judge and carry out surveillance in a legal manner.

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

BOWSER: *Yes*

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?

BOWSER: *As a Boston Public School teacher, I have first hand experience working with immigrant families. These Bostonians live their lives in fear of institutions like Immigration and Customs Enforcement and law enforcement. Passing the Family Mobility Act and providing drivers licenses is only the first step to fighting for our undocumented neighbors. We need a broad base movement and a cultural shift to dismantle systems of xenophobia and racism. I commit to diverting funding that becomes available through governmental and philanthropic sources towards legal aid, economic and public assistance, and cultural cohesion.*

When the community comes together and lays out common sense demands, such as the one in the 2017 letter, it is the responsibility of elected officials to work to support the message. No one is guilty because of who they are and to profile entire groups of people is not protecting the community. A lot of these young people have already experienced trauma at a young age. We need to allow them to be comfortable here, lessen their anxieties, and give them the opportunities every child needs to succeed.

We should be working intentionally to heal and build trust between the city and marginalized communities, not distrust and separation. If elected I will have an open door to community organizations working toward social justice and reconciliation. I want to work to amplify the voices of communities that face unjust obstacles and that are being muffled by systems of oppression. Activists, organizers, and other community members fight everyday to be heard, and I believe that it is time to listen.

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?

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>.

BOWSER: 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.

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

BOWSER: *If the Federal government or Boston Police believe that there is a need to gather information on an individual they should acquire a warrant to do so. Muslims in the city of Boston should not have to fear discrimination from their own government, and I will work with community members and civic leaders to build a city that challenges racism and xenophobia.*

I have taught many Muslim students and worked with their families. I plan to continue working closely with the Muslim community as a member of Boston City Council. Boston has fought back against Trump's hate mongering. We will continue to do so. These scare tactics are meant to build distrust and division within our society.

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?

BOWSER: Yes

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

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

3. Racial Profiling

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

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

BOWSER: *The Boston Police Department focuses more energy on sections of our city with higher concentrations of non-white citizens. According to the ACLU, black citizens are 14 times more likely to be arrested for low-level felonies or misdemeanors in District 9. This is why Rachael Rollins' "Decline to Prosecute" list is an example of a bold, progressive reform that challenges these disparities in policing head on.*

If elected, I would push for reconciliation from our police force for the war on drugs and the trauma has caused the Black and Latinx communities. Officers should be culturally competent, understand and acknowledge the experiences of those with different backgrounds, and be able to speak and understand multiple languages that are represented by Boston's residents.

While I believe that having police officers that reflect the community is a good start, it is not enough. We need to be funding social services that center public health and safety outcomes. It should be standard for every person on the Boston Police force to take part in sensitivity and trauma training.

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?

BOWSER: *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.

Candidate: Brandon Bowser

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?

BOWSER: *We need to employ both preventative measures as well as interventions. We need to get beyond stigmatizing, and work to create opportunities for transformative recovery. This starts with demystifying substance use disorder. It also means working with community organizations and the city of Boston, to work with the police to reconsider how people who experience addiction are dealt with when their life is in crisis.*

Safe Injection Sites (SIS) can decrease the spread of disease and lower the number of deaths by overdose. I support creating Safe Injection Sites in the City of Boston. It gets needles off our sidewalks and out of our parks and schoolyards. I would advocate against Boston Police staging themselves outside because that would discourage use of safe facilities.

We need to meet people where they are at, not where we think they should be. This is a public health crisis and such a crisis demands solutions, not stigmatization and criminalization. Opiate abuse touches most, if not all of us. In order to fully address this crisis, we need to take drastic steps in how we prosecute, punish, and heal our community members living in addiction.

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?

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

BOWSER: *Yes*

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?

BOWSER: *I am skeptical of facial recognition software, and was disturbed by DigBoston's 2014 report on Boston Calling being the initial testing grounds for this technology. I would follow Somerville's lead and work to ban not only the use of this technology, but ban the use of data from these technologies in criminal cases. Research has falsely identified people of color because of the methods used to feed it information. The use of a biased system can put innocent lives at risk.*

This software is an invasion of privacy that we shouldn't have to give up, particularly when its use has not evidenced public safety and when there is sufficient evidence to support the claim that its use will exacerbate racial injustice.

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?

BOWSER: *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?

BOWSER: *It is important for the general population to have a conceptual framework of the technology being used by government agencies and police forces. When the public is kept in the dark with regard to surveillance it does not make us safer. Rather, it makes us more vulnerable or distrustful of one another.*

If the City of Boston, or a governing agency therein, wishes to use surveillance technology to watch our streets, our cell data, or our emails, the community should know that these technologies are being exercised in the city limits. The City of Boston should be working to build trust with citizens, and being open with the surveillance apparatus we use is part of that.

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?

BOWSER: 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?

BOWSER: *It should be the intention of police to build bridges with the community, and not operate under a veil of secrecy. It is important for communities most affected by police action to be able to not worry about feeling misled by individuals they do not know are police. I feel that this sends the wrong message to the greater community that are not engaging in alleged criminal activity. The reality is that plain-clothed officers operate under the understanding that the traditional police tactics would not be effective in a given situation.*

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

BOWSER: Yes

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?

BOWSER: *It is important to define the role of police officers in our city. Police officers are civil servants who work to provide general safety to citizens of the City of Boston. As Bostonians, we collectively pay for the wages of officers, and as such, we need to take a serious look at how taxpayer money is spent. I feel that it makes sense for individual officers to reach a cap for overtime. I do not think that it is healthy for an officer to work excessive hours. Being on duty for hours beyond the typical shift may create a stress that is not necessary for an individual to experience on the job. This is particularly true when it comes to a workforce of civil servants in charge of protecting the community. As a City Councilor, I would be interested in discussing with the Boston Police Department how overtime affects the functionality, and the efficiency of police.*

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?

BOWSER: *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?

BOWSER: *I am interested to see what differences reveal themselves in crime statistics between before DA Rollins took office and now. I want increased transparency when it comes to the arrest data, including reports on the racial disparities. Even if it requires more time entering information, data must be counted so that it can then inform how we go about reforming the policies of our Police Department to further eliminate racial profiling. I believe that police performance should be linked to community engagement, cultural competency, and physical health. Cultural competency is especially important when working communities which police officers are not familiar with.*

According to a 2019 report released by the National Center for Transgender Equality, while the Boston Police Department's nondiscrimination policy covers race and sexual orientation, it does not take into account gender identity. Part of attaining equitable justice must include police trainings and policy regarding gender identity, non-binary gender identity, and the use of appropriate language. Cooperation comes with respect. The report goes on to say that there is no policy regarding the use of bathrooms consistent with ones' gender identity. All of our community members deserve the decency of being identified by who they are.

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?

BOWSER: *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?

BOWSER: *We need a community oversight panel that has the power to hold officers accountable, not just reports and recommendations. The power, in these instances, must be with the people. I would assure the CO-OP is an independent body with the adequate resources it needs to conduct oversight.*

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?

BOWSER: *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.

BOWSER: *All police officers in Boston should be equipped with body cameras. Body cameras provide an unbiased third party perspective to interactions between law enforcement and civilians. They create a living document which tells its own truth. Footage from body cameras have the power to paint a more clear picture of what transpired during a routine traffic stop or an escalated police encounter. They have the potential to exonerate the innocent and keep people out of jail. It is important that body cameras are rolling from the beginning of an interaction all the way until the person is out of that officers custody. If more arrests were video recorded, I believe that many court cases would have different outcomes.*

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.

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?

BOWSER: Yes