

**Chairperson**  
Ellen Shemitz

**Vice-chairperson**  
Elizabeth O'Callahan

**Clerk**  
[vacant]



## Human Rights Commission

**Members:**  
Robert Bilotta  
Guillermo Creamer Jr.  
Randy Feldman  
Charles Hopkins  
Jamaine Ortiz  
Bernard Reese  
Jacqueline Yang

### MEETING AGENDA

**Monday, March 25, 2024, 6:00pm**  
**City Hall Esther Howland Chamber, 3<sup>rd</sup> floor,**  
**455 Main Street, Worcester, MA 01608**

Virtual meeting link: [https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_YWQwZTQ3ZDUtN2EzZi00ODY1LWE1NGYtMTMyNTEwNGY0NmI1%40thread.v2/0?context=%7b%22Tid%22%3a%22f25998dd-1be6-42c6-a44c-8785f3e6deb6%22%2c%22Oid%22%3a%2202af705d-5ebe-4000-83cf-64efc45b8c33%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_YWQwZTQ3ZDUtN2EzZi00ODY1LWE1NGYtMTMyNTEwNGY0NmI1%40thread.v2/0?context=%7b%22Tid%22%3a%22f25998dd-1be6-42c6-a44c-8785f3e6deb6%22%2c%22Oid%22%3a%2202af705d-5ebe-4000-83cf-64efc45b8c33%22%7d)

Meeting number: 267 678 751 717 Password: 36fDrZ Phone: [+1 469-998-7682,694051078#](tel:+14699987682694051078)

To request a reasonable accommodation or interpretation or to submit written comments or questions in advance of the meeting, please contact the Human Rights and Accessibility Office by email at [humanrights@worcesterma.gov](mailto:humanrights@worcesterma.gov). Please note that interpretation requests must be received no later than 48 hours in advance of the meeting.

**Note: Participants on Teams may select to view closed captioning (via artificial intelligence) in a variety of languages.**

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*Para solicitar interpretación o una adaptación razonables o para enviar comentarios o preguntas por escrito antes de la reunión, comuníquese con la Oficina de Derechos Humanos y Accesibilidad por correo electrónico a [humanrights@worcesterma.gov](mailto:humanrights@worcesterma.gov). Tenga en cuenta que las solicitudes de interpretación deben recibirse a más tardar 48 horas antes de la reunión. **Nota: Los participantes en Teams pueden seleccionar ver subtítulos (a través de inteligencia artificial) en una variedad de idiomas.***

### AGENDA

- 1. Call to order, introductions, instructions for public participation: Approximately 6:00 – 6:05 p.m.**  
**Public Comment** (*Time will be allotted for each item as it is introduced or at Chairperson discretion*)
- 2. Approval of meeting minutes from February 26, 2024: Approximately 6:05 – 6:10 p.m.**
- 3. Conversation on Emergency Management with Commissioner of Emergency Communications and Management Charles Goodwin: Approximately 6:10 – 6:30 p.m.**
- 4. Updates on EODEI hiring: Approximately 6:30 – 6:35 p.m.**

**5. Review of WPD Policies: Approximately 6:35 – 7:35 p.m.**

- a. Discussion of Worcester Police Policies
  - i. Commissioner Jaqueline Yang on Language Access- See [2730767 \(powerdms.com\)](#); See also page 6 at [20240319ccm \(3\) - Laserfiche WebLink \(worcesterma.gov\)](#)
  - ii. Commissioner Randy Feldman on Juvenile Arrest Procedures – See attached; See [1515722 \(powerdms.com\)](#); see also page 12-13 at [20240319ccm \(3\) - Laserfiche WebLink \(worcesterma.gov\)](#)
  - iii. Commissioner Liz O’Callahan on Use of Force – See attached; See [1524389 \(powerdms.com\)](#)
- b. Commissioner Bernard Reese on Civil Service Exam Pass Rates
  - i. [Civil service promotional bias suit, initiated by Worcester officer, settles for \\$40 million \(telegram.com\)](#)
  - ii. [Worcester Council OKs Civil Service Exit For Chiefs After Union Outcry | Worcester, MA Patch](#)

**6. Discussion of Data Requests to the Worcester Police Department: Approximately 7:35-8:00 p.m.**

- a. See attached draft questions list.

**7. Other business**

- a. Vote regarding Board of Health call for safe injection site – See <https://www.telegram.com/story/news/local/2024/03/05/worcester-safe-injection-site-vote/72849044007/>
- b. Vote regarding sanctioned area for unhoused individuals to camp safely, free from prejudice and prosecution - See 10dd at [City of Worcester Council Journal for 03/12/2024 \(worcesterma.gov\)](#)
- c. Vote regarding April HRC meeting to review Police Racial Equity Audit – See [20240319ccm \(3\) - Laserfiche WebLink \(worcesterma.gov\)](#)

**8. Adjournment**

**Next monthly meeting of the Human Rights Commission is Monday, April 8, 2024, 6:00 pm – Completely Virtual**



# POLICY AND PROCEDURE

NO.710

## Juvenile Arrests **DRAFT 03-12-24**

|             |                |              |              |
|-------------|----------------|--------------|--------------|
| Date Issued | Date Effective | Revision No. | No. of pages |
|-------------|----------------|--------------|--------------|

### 1. PURPOSE

The Worcester Police Department while mandated for the protection of the public also recognizes the impact of its involvement with juveniles in the community. In addition to providing the same protections required in the case of adult arrests certain additional protective procedures must be employed in handling juvenile arrests. The purpose of this policy is to correctly guide members of the Worcester Police Department through the juvenile process, thereby always ensuring that the safety, rights, and privacy of the child are protected.

### 2. POLICY

It is the policy of this department, when dealing with juveniles, to employ the least coercive among reasonable alternatives consistent with public safety, order, and the rights of the child. When encountering a juvenile offender, unless required by statute, officers are encouraged to explore all reasonable alternatives to arrest whenever feasible. When the arrest of a juvenile must be made, it is the policy of this department to process and place juvenile offenders as soon as is reasonably practicable, with the goal of limiting the child's exposure to the criminal justice process as much as possible.

### 3. JUVENILE GUIDELINES

A. **Juvenile** – A child under the age of eighteen (18).

- Under the Age of 12: A juvenile under the age of twelve (12) cannot be charged with a crime.
- Age 12 to age 18: A summons is the **preferred** method for bringing all juveniles to court unless there is reason to believe the child will not appear upon a summons.
- Arrest Warrant: An arrest warrant will issue if the court has reason to believe the child will not appear upon a summons, or if the child has been summoned and did not appear, or if the juvenile violated the terms and conditions of probation.

B. **Delinquent Child** – A child between 12 years of age but less than 18 years of age who commits any offense against a law of the commonwealth; provided, however, that such offense shall not include:

- A civil infraction,
- A violation of any municipal ordinance or town by law, or
- A first offense of a misdemeanor for which the punishment is a fine, imprisonment in a jail or house of correction for not more than 6 months or both such fine and imprisonment.

#### **4. PROCEDURE**

##### **A. Arrest**

While officers should recognize the different dynamics of juvenile crime and misbehavior, the decision to arrest a juvenile incorporates the same legal considerations as the arrest of an adult. Therefore, the following still apply when placing a juvenile under arrest:

- Reasonable force may be used to take a juvenile into custody.
- Juveniles under arrest may be handcuffed during transport and processing.
- The same legal obligations apply to juveniles subject to an arrest warrant.

When faced with the decision to arrest a juvenile, officers are encouraged to follow the MPTC recommendations below:

- Inform the juvenile of your authority by identifying yourself as a police officer and notify the juvenile of the reason and charge for which the arrest is being made.
- Ascertain the name and age of juvenile.
- Search the juvenile for weapons if you believe the juvenile has a weapon, especially if the offense is one in which a weapon is usually involved.
- Follow the department's policy for handcuffing and other restraints. The best practice is to treat the juveniles in the same manner as adults regarding handcuffing.
- If the juvenile is sick or injured, inform a supervisor and request an ambulance. Monitor the subject and administer first aid where necessary. If transport to a medical facility is required, one officer should accompany the juvenile in the ambulance. The need for medical attention will be accomplished prior to processing and placement.

- The juvenile should be searched incident to arrest according to department policy and procedure.
- The time when the juvenile is taken into custody should be noted and recorded.

## **B. Transportation**

Any juvenile in police custody shall be transported by police cruiser, not by prisoner transport van. Only in cases where there exists an urgent officer safety concern, may the prisoner transport van be used. This is provided such transport is approved by a supervisor. The reason transport in the prisoner transport van shall be documented in the incident report.

Juveniles shall not be transported to any court or institution in the prisoner transport van as specified in M.G.L., C.119, s.34.

Juveniles shall not be transported in the same vehicle or compartment with adult prisoners except in emergency situations, or when the juvenile is arrested in the company of adults for complicity in the same offense.

Once a juvenile is placed in an alternative setting, the juvenile must not be transferred to another setting until brought before the court. The department is expected to transport alleged delinquent youth to the alternative setting and to court unless the youth is involved with DCF or DYS. Then it will be the responsibility of the respective agency.

## **C. Booking Process**

The juvenile booking process is the same as that for adults. This includes the inventory procedure, finger printing and booking photographs. All records for juveniles shall be maintained separate from adult offender records. All juveniles arrested will be recorded in the mandated Juvenile Docket Sheets. Only juveniles placed in a juvenile cell need be recorded in this docket, by bringing a copy of the booking sheet to the CJIS operator when the juvenile is booked and again when the juvenile is released.

## **D. Notification and Placement**

When a juvenile is placed under arrest and transported to police headquarters, the Service Division shall immediately notify at least one of the child's parents, or, if there is no parent, the guardian or custodian with whom the child resides or the Department of Children and Families (DCF) if the child is in their custody.

### **If the Juvenile Court is Open**

#### **Transport to Juvenile Court:**

If court is in session the Service Division shall complete the booking process and arrange to transport the juvenile directly to the juvenile court.

If court is not in session the Service Division is no longer required to contact Juvenile Probation. Therefore, the Service Division official will decide whether to or not detain the juvenile.

### **If the Juvenile Court is Closed**

#### **Release to Legal Custodian:**

If a juvenile has been arrested without a warrant and the Service Division official determines that the juvenile should be released, such release shall be done so upon the acceptance of a written promise from the parent, guardian, custodian or a DCF representative who will ensure the juvenile's appearance on the next predetermined recognizance date for that court.

If a parent, guardian, or custodian refuses to take custody of a juvenile who is otherwise eligible to be released, the officer shall file a 51A and notify DCF via the DCF Hotline for placement.

In accordance with Mass. Gen. Laws ch.119, s.67, a juvenile age twelve (12) or age thirteen (13) who has been arrested without a warrant is prevented from being eligible for bail, and therefore must be released to a parent, guardian, custodian or a DCF representative.

A juvenile arrested without a warrant may no longer be released to a "reputable adult."

#### **Bail Hearing:**

A juvenile may be held pending a bail hearing under the following conditions:

- The juvenile must be 14, 15, 16, or 17 years of age.
- The Service Division official requests in writing or verbally notifies the bail clerk that the child be held. This request must be included in the incident report or CAD system.
- The juvenile has been arrested on a warrant and the issuing court has directed that the juvenile be held in safekeeping pending their court appearance.

In either case the bail clerk will make the final decision whether to release or hold the juvenile pending their court appearance.

**Transport to an Overnight Arrest Program (OAP):**

Juveniles aged 12 and 13 are not eligible for placement in an OAP and must be released in accordance with the sections above. Juveniles aged 14, 15, 16, and 17 who could not be transported to the juvenile court and were not released on bail will be transported to a Department of Youth Services (DYS) designated OAP facility by WPD Officers and picked up the next court day and transported to Worcester Juvenile Court.

If placement in an OAP is necessary, the Service Division must complete the following:

- Contact DHS to arrange for placement.
- Ensure the juvenile, when sick or injured, is medically cleared prior to placement.
- Ensure any mental health concerns are addressed and cleared by a mental health technician.
- Ensure any current medications are transported with the juvenile to the OAP.
- Provide transport to the OAP facility.
- Provide the intake staff with a copy of the booking sheet, DHS referral form and any medications.
- Arrange for a Jenkens hearing if the juvenile was arrested without a warrant and is expected to be held at the OAP for more than 24 hours.

**E. Custody Restrictions**

At no time shall a delinquent juvenile be placed in an adult cell or holding area. The age of the delinquent juvenile will determine what custody restrictions must be followed.

**Non-Secure Detention (Juveniles 12 or 13 years of age)**

Non-Secure detention is mandated for all delinquent juveniles who are 12 or 13 years of age. The requirements for non-secure detention of delinquent juveniles of this age are:

- Unlocked Multi-Purpose Area – Juveniles aged 12 or 13 must be held in an unlocked multi-purpose area such as a report writing room or office. The space must not be designed in any way for residential use, such as having a bunk or toilet.
- No Handcuffing to a Stationary Object – Juveniles aged 12 or 13 charged with a crime may be handcuffed but they shall not be handcuffed to any stationary object such as a bench or cuffing rail.

- Continuous Visual Observation – The Service Division official shall designate an officer or other suitable person to maintain continuous visual supervision of the juvenile.
- Process and Transfer – The juvenile should be held long enough to complete post-arrest processing, then released to an adult, agency or the court. The goal is to remove juveniles from the station setting as quickly as possible.

**Note:**

The Executive Office of Public Safety and Security (EOPPS) guidelines allow for the secure detention of a delinquent juvenile under the age of 14 if the juvenile has ignored clear instructions to remain in a non-secure area. Additionally, it may be necessary to secure a delinquent juvenile who presents violent or dangerous behavior in a locked area or approved cell. In all such cases, the Service Division official shall document the need for secure detention.

**Secure Detention (Juveniles 14 and older)**

Secure detention is defined as being physically detained or confined in a room, set of rooms, or a cell that can lock an individual within. Secure detention can result from either being placed in such an area and/or from being physically secured to a stationary object such as a cuffing rail/bench.

- No juvenile between fourteen 14 and seventeen 17 years of age, shall be placed in a cell, unless the cell has been certified by the Department of Youth Services.
- A juvenile may not be held in secure detention for more than six (6) hours. Within six (6) hours the juvenile must be either transported to the juvenile court, released to a parent/guardian/custodian, or transferred to the custody of the OAP. The best practice is for the six (6) hour clock to start when the juvenile is placed in police custody and ends when custody is transferred to the juvenile court, the juvenile is released to a parent/guardian/custodian or custody is transferred to the OAP.
- The requirement not to release a defendant for six (6) hours when arrested for a violation of Mass Gen Laws Ch. 209A or Mass Gen. Laws Ch. 265, sec. 13M (Domestic Assault or Domestic Assault and Battery) or sec. 15D (Strangulation or Suffocation), **DOES NOT APPLY TO JUVENILES.**
- Juveniles that are securely detained in police custody must be separated by sight and sound from adults in custody.
- A juvenile should only be held long enough for officers to complete the identification and booking process. Once completed, the juvenile should be



transported to the juvenile court, released to his/her parent /guardian/custodian, or transported to the OAP.

## **F. Jenkins Hearing**

If a juvenile is arrested without a warrant and held in custody for more than twenty-four (24) hours, they are entitled to a Jenkins Hearing to determine whether there was probable cause to make the arrest, and to continue to hold the juvenile.

The bail magistrate that set bail on the juvenile CANNOT be the same magistrate who conducts the Jenkins Hearing.

Service Division personnel must call a magistrate, if the juvenile will be held over twenty-four (24) hours, to facilitate a Jenkin's hearing determination of probable cause to continue to hold the juvenile.

Juvenile unable to make bail/ unable to be released.

- A. When a juvenile has been charged with a delinquency or youthful offender offense and is unable to make bail or is unable to be released and court is closed, police must contact DYS.
- B. DYS will speak with the officer regarding the juvenile's arrest and complete the Statewide Awaiting Arrangement/Overnight Arrest Referral Form. Officers will need to specify the bail amount as it relates to the Bail Fee and Bail.  
-Bail Fee Only: If a juvenile is being held on a Bail Fee only, DYS has no authority to hold the juvenile in their custody. The Service Division official shall inform the Bail Magistrate of this, and arrangements will be made to release the juvenile without imposing a bail fee.

: If the juvenile is in the custody of DCF, DCF shall be notified via the DCF hotline to take custody of the juvenile.

## **5. PROTECTIVE CUSTODY**

At times officers may be required to take a juvenile into protective custody to ensure the wellbeing and safety of the child.

- A juvenile of any age placed in protective custody for alcohol intoxication, shall not be securely detained for any amount of time.

- A juvenile of any age placed in protective custody for controlled substances/toxic vapors, shall be immediately transported to an emergency medical treatment facility.
- A juvenile placed in custody in accordance with Child Requiring Assistance (CRA) cannot be brought back to the police station.

## **6. CHILD REQUIRING ASSISTANCE (CRA)**

Officers must PC a child named in a CRA Protective Custody warrant (WPC) only after they confirm with the juvenile court that the WPC is still active and they can present the child to a juvenile court judge by 4:30pm. If unable to present the child to a juvenile court judge by 4:30pm that day, officers have the following options:

- PC the child if they have probable cause that the child is a runaway, or
- Notify a parent or guardian of the WPC, have them sign a release form, and bring the child to court on the next available date, or
- Wait until the next day to serve the WPC during court hours.

## **7. JUVENILE INTEROGATION CONSIDERATIONS:**

A juvenile between the ages of fourteen 14 and seventeen 17 years of age may waive the right to remain silent and to have counsel present during any interrogation. However, such consent will be closely scrutinized by courts to ensure that the consent was knowingly, voluntarily and intelligently made, with an awareness of the circumstances and possible consequences. The court will examine all the circumstances surrounding such consent and waiver to determine voluntariness.

Of all the factors a court may consider the most important factor to the court is parental presence. By law it is impossible for a juvenile under the age of fourteen (14) to give valid consent without the advice of the juvenile's parent or legal guardian. Another close relative or an attorney may be a sufficient substitute.

Due to the nuances and legal issues involved in the interrogating of juveniles, officers are advised to seek the counsel of their immediate supervisor or commanding officer prior to conducting any interrogations involving juvenile offenders.

### **A. Valid Miranda Waiver:**

- Rights must be properly communicated and
- Parent or Interested Adult must be present, and
- Only exception is "Highly sophisticated youth at least age 14.

- Proper consultation must be afforded prior to waiver:
- Age 12 or 13 “Actual Opportunity” which is defined as failure to have a parent or interested adult present to assist child age 13 or under will invalidate any waiver of Miranda rights. Police actively encourage consultation.
- Age 14, 15, 16, or 17: “Meaningful Opportunity” Police provide chance to consult.

## **8. PRIVACY PROTECTION:**

No officer or employee shall disclose the identity of an arrested juvenile to the public. Also, they shall not disclose information about the arrest, the investigation, or the disposition except in exigent circumstances and with the approval of the Chief of Police or his designee. The Service Division shall not enter a juvenile’s identifying information on the daily arrest log.

Per:

Chief of Police

# POLICY AND PROCEDURE

# NO.400



## Use of Force – **DRAFT 02/01/2024**

| Date Issued | Date Effective | Revision No. | No. of pages |
|-------------|----------------|--------------|--------------|
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### 1. PURPOSE:

The purpose of this policy is to guide members of the Worcester Police Department (Department) in the proper use of force, including less lethal force and deadly force, in accordance with the training set forth by the Massachusetts Municipal Police Training Committee (MPTC) and the policies and procedures of the Department.

### 2. POLICY:

It is the policy of the Department that an officer's force response be objectively reasonable and account for the officer's perception of the risk/threat presented by a subject, as well as the officer's perception of the subject's action(s). Officer's use of force shall also take into consideration the totality of the circumstances.

The use of force by members of the Department is a matter of critical concern to both the public and the law enforcement community. It is recognized that some individuals will not comply with the law or submit to control unless compelled to do so by using the appropriate level of force, therefore, officers will be called upon to use force in the performance of their duties.

The decision to use force requires careful attention to the totality of the circumstances of each incident to include the severity of the crime, if the subject poses an immediate/imminent threat to the safety of the officer or others and, if the subject is actively resisting. Whenever tactically feasible, members of the of the Department shall use de-escalation tactics to prevent or reduce the need to use force.

### 3. TRAINING AND QUALIFICATIONS:

An officer shall carry only authorized tools. Authorized tools are those with which the officer has been trained and with which the officer has qualified in accordance with the standards established by the Department, the MPTC, Massachusetts Peace Officer Standards and Training Commission (POST), and all applicable state and federal laws.

Trained qualified officers are the only personnel authorized to use less lethal systems beyond individual issued items. The decision to deploy these weapons will be based on the totality of the circumstances and the use of force guidelines (See "Use of Force Model" Sec 9). The officer has the right and an obligation to decline orders to use force in an improper, illegal, or in an excessively dangerous manner.

#### 4. DEFINITIONS:

- A. **Actively Resistant:** A subject's non-compliance is increased in scope and or intensity. The subject's non-compliance now includes energy enhanced physical or mechanical defiance.
- B. **Assaultive Subject (Bodily Harm):** An individual who attempts to injure an officer or another person or who engages in conduct that has the potential to injure an officer or another person. The assault could be taking place or perceived to be imminent.
- C. **Assaultive Subject (Serious Bodily Harm/Death):** An individual who engages in conduct that is likely to produce death or serious bodily harm to an officer or another person.
- D. **Chokehold (Prohibited):** The use of a lateral vascular neck restraint, carotid restraint or other action that involves the placement of any part of law enforcement officer's body on or around a person's neck in a manner that limits the person's breathing or blood flow with the intent of or with the result of causing bodily injury, unconsciousness, or death (MGL 6E §1). Chokeholds are strictly prohibited by statute and the Department does not train its officers in the use of these techniques.
- E. **Compliant Subject:** A subject who submits to the officer's authority and direction through either words or actions.
- F. **Critical Incident:** An incident during which an officer's use of force tactic causes death or serious physical injury; an officer discharges a firearm during duty or off duty in an official capacity. The incident is a significant emotional event that breaks through an individual's normal coping mechanisms and may cause extreme psychological distress.
- G. **Display:** The presentation of any tool with the intent to compel compliance from a subject and the subject is likely aware of the display and the officer's intent.
- H. **Deadly Force:** Any use of force that is reasonably likely to cause death or serious bodily injury.
- I. **De-Escalation:** A process which results in a decrease in intensity or magnitude of a stressful and potentially violent encounter, the outcome of which reduces the possibility of increased officer use of force or subject injury.
- J. **De-escalation Tactics:** Proactive actions and approaches used by an officer to stabilize a law enforcement situation so that more time, options and resources are available to gain a person's voluntary compliance and to reduce or eliminate the need to use force including, but not limited to, verbal persuasion, warnings, slowing down the pace of an incident, waiting out a person, and requesting additional resources to resolve the incident including, but not limited to, calling in medical or licensed mental health professionals, as defined in M.G.L. c. 111, § 51½(a), to address a potential medical or mental health crisis.
- K. **Distraction Technique:** In accordance with MPTC use of force training guidelines, a distraction technique is a very low-level technique that does not amount to a strike. Intent and intensity are key differences between distraction techniques and strikes. Distraction techniques are primarily used when an individual, who would classify as an Active Resistant Subject, has already begun

some type of physical resistance. The use of a distraction technique that results in the ability to control and restrain a subject may allow officers to stay at a lower level of force. This could avoid escalating to a higher level of force and increasing the risk of injury occurring to the subject. Distraction techniques are not stand-alone tactics. They are designed and trained to be used in conjunction with or to facilitate other controlling or compliance techniques.

- L. **Feasible:** Reasonably capable of being done or carried out under the totality of the circumstances to successfully achieve the police action being undertaken, without increasing the risk to officers, innocent civilians, or subject.
- M. **Force:** The amount of physical effort required by an officer to compel compliance from a person. This includes any use of force by an officer occurring in an official law enforcement capacity whether on-duty or off-duty. Force may be necessary to compel, repel or restrain an unwilling subject.
- N. **Force Model:** Force options that are divided into five (5) levels to guide the officer during the use of force situation.
- O. **Imminent:** A threat is imminent when based on the totality of the circumstances, a reasonable officer in the same situation would believe that a person has the present ability, opportunity, and apparent intent to cause injury to an officer or others.
- P. **Involved Officers:** Unless otherwise indicated, refers to those sworn personnel in on-duty or off-duty status who discharge their firearm in an incident intentionally (not to include euthanizing an animal) or unintentionally; arrest or are in the process of arresting an individual who subsequently dies; engages in the use of force that results in serious bodily injury; or are present and participate in a critical incident in a meaningful degree. Meaningful Degree -The officer was able to view the action that caused the individual to have serious bodily injury; the officer was able to view the action that caused the individual to become deceased; or a supervisor determines that the officer was present and in significant proximity to the event that could break through an individual's normal coping mechanism that could in turn cause extreme psychological distress.
- Q. **Non-Deadly/Less-Lethal Force:** Force which is not intended to cause death or serious physical injury. However, it may have the potential to do so.
- R. **Objectively Reasonable:** The legal standard used to determine the lawfulness of a use of force grounded in the Fourth Amendment to the United States Constitution. See *Graham v. Connor*, 490 U.S. 386 (1989.) *Graham* states in part, "The reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with 20/20 vision of hindsight. The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split second decisions in circumstances that are tense, uncertain, and rapidly evolving. The test of reasonableness is not capable of precise definition or mechanical application." Force must be reasonable under the totality of the circumstances known to or reasonably believed by the officer at the time force was used.
- S. **Passive Resistant:** An individual who is uncooperative/non-compliant but does not use physical strength, body movement or energy-based resistance against officers.

- T. **Perceived Circumstances:** Are the reasonable officer’s perspective of the severity of any crime, the existence of all safety threats to the officer or others, and the degree of compliance and/or non-compliance from the subject at the time of the encounter.
- U. **Perceived Subject Action:** The subject’s actions as perceived objectively by the reasonable officer, and which indicate the subject to be at one or more of the Use of Force Model’s compliant and/or non-compliant categories.
- V. **Personal Weapons:** A part of the human body that is used as an instrument to strike.
- W. **Serious Physical Injury:** An injury that creates a substantial risk of death, causes serious permanent disfigurement, requires the subject to be admitted into a hospital, and/or results in extended loss or impairment of the function of any bodily appendage or organ.
- X. **Strike:** To impact forcefully and suddenly utilizing approved tools, personal weapons, or tools of immediate means or opportunity.
- Y. **Tools of Immediate Means or Opportunity:** In the event an officer is faced with a situation where there is a substantial/imminent risk of physical injury or death to themselves or another, and access to approved tools and weapons are not available or tactically feasible, they may resort to using a tool of immediate means or opportunity (See Section 9, “Use of Force Model,” Level Four, Below).

## 5. DE-ESCALATION:

De-Escalation training shall be conducted initially at the student officer level and annually thereafter. All officers shall participate in De-Escalation training. Officers shall be instructed on; related definitions, including a working definition of De-Escalation, appropriate verbal and non-verbal techniques to De-Escalate subject behavior, apply the principles of time, distance and cover as they relate to de-escalation, and properly document in detail the subject’s behavior and attempts to De-Escalate the subject’s behavior.

## 6. USE OF NON-DEADLY FORCE:

Officers shall not use physical force upon another unless: De-Escalation tactics have been attempted and failed or De-Escalation tactics are not feasible based on the totality of the circumstances.

- A. An officer may use that level of non-deadly force that is objectively reasonable to bring an incident and/or subject under control.
- B. An officer is authorized to use non-deadly force to:
  1. Affect a lawful arrest or detention,
  2. Protect the officer or another person(s) from physical harm,
  3. Restrain or subdue a resistant subject, and prevent escape,
  4. To bring an unlawful situation safely and effectively under control.

## **7. USE OF DEADLY FORCE:**

Officers shall not use deadly force upon a person unless: De-Escalation tactics have been attempted and failed or are not feasible based on the totality of the circumstances, and such force is necessary to prevent imminent serious bodily harm or death to a person. The amount of force used must be proportionate to the threat of serious bodily harm or death.

It should be noted that deadly force is not “tool” or weapon specific. An officer who is faced with the imminent risk of serious bodily harm or death may not have the opportunity to utilize an approved department issued force option and as such may be required to deploy a tool or technique which does not fall within department issued options.

### **An officer is authorized to use Deadly Force to:**

- A. Protect the officer and/or another person(s) from an unlawful attack, which the officer reasonably perceives as an imminent threat of death or serious physical injury. Under no circumstances may deadly force be used for the sole purpose of protecting or preserving property.
- B. Fleeing Felon: Can only use deadly force if the officer is presented with a deadly threat to themselves or another. Whenever it is both practical and reasonable, a clear warning to the fleeing felon is required prior to the use of deadly force. Deadly force may never be used to stop or apprehend a fleeing misdemeanor (*Tennessee v. Garner*).
- C. Render harmless an animal which presents a clear and immediate danger of death or serious injury to a human being, or an animal which is so severely injured that humanity requires its removal from further suffering.

## **8. PROGRESSION OF FORCE:**

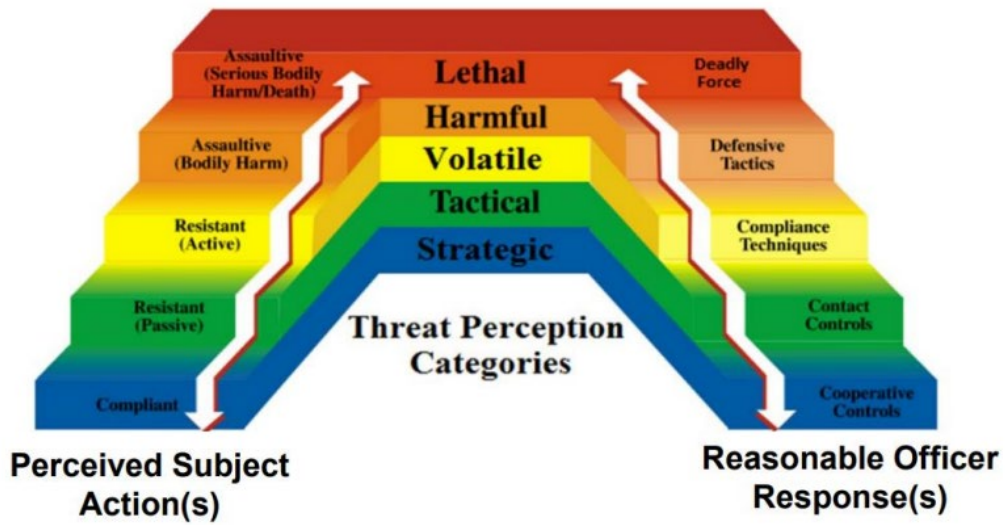
The officer’s response options within each of the five force levels identified in the Use of Force Model (See Section 9) are not necessarily listed in the order of use and/or need. The officer may de-escalate, stabilize, or escalate their response based upon their risk assessment and their perception of the subject’s degree of compliance or non-compliance.

The force tactics listed in each of the five force levels identified in the Use of Force Model are those tactics that officers are trained in. The Department recognizes that there are other methods and tactics that can be used at each of the levels of authority. If a tactic is used that is not listed, it must be objectively reasonable as it relates to the officer’s perception and the subject’s action.

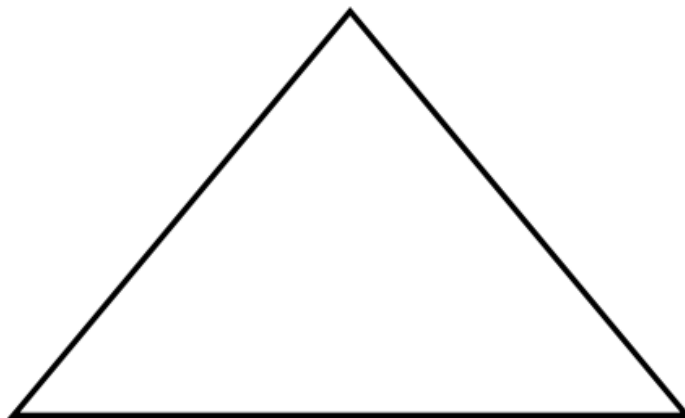


9. USE OF FORCE MODEL:

MPTC USE OF FORCE MODEL ©



Perceived Circumstance



Perceived Subject Action(s)

Reasonable Officer(s) Response

## Level One: The Compliant Subject:

1. The perceived subject actions: The officer perceives the subject's actions as cooperative and control is maintained via public acceptance, officer presence, verbalization skills, etc.
2. The perceived circumstances are strategic: The officer must maintain a minimum level of awareness and preparedness to enhance the overall and ongoing status of officer safety anytime he/she is working.
3. The reasonable officer responses are cooperative controls: The cooperative controls would include, but not be limited to those force tactics listed below.

| Cooperative Controls (Compliant Subjects) |  |
|---|--|
| Police Strategy                           | Police Tactics   |
| Officer Presence:                         | Appearance   |
| Approach Techniques:                      | Dialogue, Verbal Commands  |
| Frisk Techniques:                         | Confrontation Equation Relative Positioning<br>Contact/Cover Officer Tactics               |
| Searching Techniques:                     | 1 Officer on 1 Subject<br>2 Officers on 1 Subject  |
| Restraining Techniques:                   | Handcuffing Flex-Cuffs Leg Restraints<br>1 Officer on 1 Subject<br>2 Officers on 1 Subject |
| Transporting Techniques:                  | Two Officer Unit<br>One Officer Unit<br>Patrol Wagon                                       |

## Level Two: The Resistant (Passive) Subject:

1. The perceived subject actions: This is the preliminary level of subject non-compliance. The subject offers no physical or mechanical energy enhancement toward the resistant effort. The subject has not directed his or her physical strength and/or maintaining a posture of resistance. Rather, the subject merely fails to respond to any of the cooperative controls listed in the previous section.
2. The perceived circumstances are tactical: The officer perceives an increase in the threat potential within the confrontational environment, which would initiate the process where specific tactics and procedures would now be deployed.
3. The reasonable officer responses are contact techniques: The contact controls would include, but not be limited to those force tactics listed below.

| Contact Controls (Passive Resistant Subjects) |   |
|---|---|
| Police Strategy                               | Police Tactics                                  |
| Restraint Techniques:                         | Elbow Grasp                                     |
| Contact Controls:                             | Escort Position<br>Handcuffing Control Position |

### **Level Three: The Resistant (Active) Subject:**

1. The perceived subject actions: The subject’s non-compliance has increased in scope and intensity and now includes energy enhanced physical or mechanical defiance. The individual has directed his or her physical strength and energy in establishing, achieving and/or maintaining a posture of resistance.
2. The perceived circumstances are volatile: The officer is now confronted with the presence and/or potential of an increase in the threat intensity, severity, etc. The officer recognizes the increase in the threat potential and must deploy techniques and tactics that would overcome and/or control this increased risk.
3. The reasonable officer responses are compliance techniques: These compliance techniques would include, but not be limited to those force tactics listed below.

| <b>Compliance Techniques (Active Resistant Subjects)</b>   |   |                                 |                 |  |           |  |                 |   |  |
|--|---|---------------------------------|-----------------|--|-----------|--|-----------------|---|--|
| <b>Police Strategy</b>   | <b>Police Tactics</b>   |                                 |                 |  |           |  |                 |   |  |
| Compliance Techniques:   | <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Front Wrist Lock</td> <td style="width: 50%;">Bent Wrist Lock</td> </tr> <tr> <td>Finger Grasp</td> <td>Take Down</td> </tr> <tr> <td>Rear Wrist Lock</td> <td>Pressure Points</td> </tr> <tr> <td>Arm Bar</td> <td></td> </tr> </table>  | Front Wrist Lock                | Bent Wrist Lock | Finger Grasp   | Take Down | Rear Wrist Lock                                | Pressure Points | Arm Bar   |  |
| Front Wrist Lock   | Bent Wrist Lock   |                                 |                 |  |           |  |                 |   |  |
| Finger Grasp   | Take Down   |                                 |                 |  |           |  |                 |   |  |
| Rear Wrist Lock  | Pressure Points   |                                 |                 |  |           |  |                 |   |  |
| Arm Bar  |   |                                 |                 |  |           |  |                 |   |  |
| Baton Control Techniques:  | <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Strong Side Arm Lock</td> <td style="width: 50%;"></td> </tr> <tr> <td>Support Side Arm Lock</td> <td></td> </tr> <tr> <td>Strong Side Wrist Drag</td> <td></td> </tr> <tr> <td>Support Side Wrist Drag</td> <td></td> </tr> </table>   | Strong Side Arm Lock            |                 | Support Side Arm Lock  |           | Strong Side Wrist Drag                         |                 | Support Side Wrist Drag   |  |
| Strong Side Arm Lock   |   |                                 |                 |  |           |  |                 |   |  |
| Support Side Arm Lock  |   |                                 |                 |  |           |  |                 |   |  |
| Strong Side Wrist Drag   |   |                                 |                 |  |           |  |                 |   |  |
| Support Side Wrist Drag  |   |                                 |                 |  |           |  |                 |   |  |
| Distraction Techniques:<br><i>*Only to be used in conjunction with approved Compliance/Control Techniques.</i> | <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Triceps Pinch</td> <td style="width: 50%;">Side of Thigh</td> </tr> <tr> <td>Radial Nerve</td> <td>Shin</td> </tr> <tr> <td>Median Nerve</td> <td>Top of Foot</td> </tr> <tr> <td>Hip Push</td> <td></td> </tr> </table>  | Triceps Pinch                   | Side of Thigh   | Radial Nerve   | Shin      | Median Nerve                                   | Top of Foot     | Hip Push  |  |
| Triceps Pinch  | Side of Thigh   |                                 |                 |  |           |  |                 |   |  |
| Radial Nerve   | Shin  |                                 |                 |  |           |  |                 |   |  |
| Median Nerve   | Top of Foot   |                                 |                 |  |           |  |                 |   |  |
| Hip Push   |   |                                 |                 |  |           |  |                 |   |  |
| Non-Chemical Agents:   | <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Oleoresin Capsicum (O.C.) Spray</td> <td style="width: 50%;"></td> </tr> <tr> <td>Pepperball Saturation Techniques <b>(Certification Required)</b></td> <td></td> </tr> <tr> <td>O.C. Munitions <b>(Certification Required)</b></td> <td></td> </tr> <tr> <td>ECW Sparks Display/ECW Drive Stun Mode/ <b>(Certification Required)</b></td> <td></td> </tr> </table> | Oleoresin Capsicum (O.C.) Spray |                 | Pepperball Saturation Techniques <b>(Certification Required)</b> |           | O.C. Munitions <b>(Certification Required)</b> |                 | ECW Sparks Display/ECW Drive Stun Mode/ <b>(Certification Required)</b> |  |
| Oleoresin Capsicum (O.C.) Spray  |   |                                 |                 |  |           |  |                 |   |  |
| Pepperball Saturation Techniques <b>(Certification Required)</b>   |   |                                 |                 |  |           |  |                 |   |  |
| O.C. Munitions <b>(Certification Required)</b>   |   |                                 |                 |  |           |  |                 |   |  |
| ECW Sparks Display/ECW Drive Stun Mode/ <b>(Certification Required)</b>  |   |                                 |                 |  |           |  |                 |   |  |

### **Level Four: The Assaultive (Bodily Harm) Subject:**

1. The perceived subject actions: The officer’s attempt to gain lawful compliance concluded in a perceived or actual attack on the officer or another person(s). The officer makes the reasonable assessment that such actions by the subject would result in his/her or another’s bodily harm.
2. The perceived circumstances are harmful: The officer perceives an accelerated assessment of danger. This situation has reached the degree where the physical wellbeing of the officer or another person is in jeopardy if the subject is not stopped and controlled.
3. The reasonable officer responses are defensive tactics: These defensive tactics would include, but not be limited to those tactics listed below.

| <b>Defensive Tactics (Assaultive Bodily Harm Subjects)</b> |   |
|--|---|
| <b>Police Strategy</b>                                     | <b>Police Tactics</b>   |
| Impact Weapon Techniques:                                  | Expandable Straight Baton<br>Less Lethal Shotgun (Certification required)<br>40 mm Launcher (Certification required)<br>ECW Probe Deployment (Certification required)<br>K-9<br>Tools of Immediate Means or Opportunity<br>(See Section 6 Above, "Use Of Non-Deadly Force") |
| Assault Defenses:  | Personal Weapons:<br>Head<br>Hands i.e., Punches, Palm Heel Strikes, Edged Fist Strikes<br>Elbows<br>Knees<br>Feet  |
| Non-Chemical Agents:                                       | Pepperball Impact Technique (Certification required)<br>40 mm Launcher (Certification required)   |

**Level Five: The Assaultive (Serious Bodily Harm, Death) Subject:**

1. The perceived subject actions: The officer is now confronted by an assaultive act that reaches the ultimate degree of danger. The officer perceives that if these actions are followed through with, that the officer or others would be subject to death or serious physical harm.
2. The perceived circumstances are lethal: The officer perceives the highest degree of threat towards his/her or another's safety. The officer's reasonable assessment would be that if this situation were allowed to continue that he/she or another could be seriously injured or killed. A maximized system of defense must be initiated.
3. The reasonable officer responses are deadly force: These deadly force tactics would include, but not be limited to those force tactics listed below.

| <b>Deadly Force: Assaultive (Serious Bodily Harm, Death) Subject</b> |   |
|--|---|
| <b>Police Strategy</b>   | <b>Police Tactics</b>   |
| Service Weapons:   | Department Issued Handgun<br>Department Authorized Special Weapons<br>Tools of Immediate Means or Opportunity |

**10. DUTY TO PROVIDE MEDICAL AID:**

After any level of force is used, the officer involved or any officer aware of a visible injury, complaint of injury, signs of medical distress, or when medical attention is requested by any person, shall immediately evaluate the need for medical attention, render aid consistent with their training, and activate the Emergency Medical Services (EMS) system as soon as the situation safely allows.

When it is the officer's belief that an individual in custody has swallowed a controlled substance EMS shall be requested. The individual shall be monitored until relieved by EMS. If the individual is not under arrest, they should be encouraged to be evaluated by EMS.

## **11. CHOKEHOLDS PROHIBITED:**

Chokeholds are strictly prohibited by statute and the Department does not train its officers in the use of these techniques.

Chokeholds are defined as the use of a lateral vascular neck restraints, carotid restraints or other actions that involve the placement of any part of law enforcement officer's body on or around a person's neck in a manner that limits the person's breathing or blood flow with the intent of or with the result of causing bodily injury, unconsciousness or death are strictly prohibited.

In addition, officers are prohibited from utilizing restraint techniques that include compressing or squeezing the nose, trachea, windpipe, or throat area to stop a subject from ingesting what is believed to be a controlled substance. If an individual has already placed what is believed to be a controlled substance in their mouth, force should not be used to remove said substance. Force in accordance with the Use of Force Model may still be used to affect the arrest.

## **12. REPORTING USE OF FORCE INCIDENTS:**

### **A. Any Official Police Interaction:**

Whenever a sworn member of this department uses force in the performance of their duties, whether that involved an actual arrest or not, and that force is at a Level Three or higher (See Section 9, Use of Force Model), an incident report articulating that force shall be entered into the Police Server Records Management System (RMS). The display of any authorized police tool, will constitutes a "use of force" and as such, must be reported. As with all reports entered in the RMS system, the report shall be signed by the officer and reviewed and signed by a police supervisor.

### **B. Initial Verbal Report to Supervisor:**

Whenever a sworn member of this department has a display of force or a use of force at level three or higher, in the performance of their duties, a verbal report of the incident shall be made to the officer's supervisor once the scene is safe and before clearing the location. Additionally, a verbal report of any injury to an individual taken into custody that was caused by a use of force shall be made to the officer's supervisor once the scene is safe and before clearing the location.

### **C. Written Reporting:**

Pursuant to paragraphs A and B above, reports of the use of force must be entered into the RMS under the incident number as an arrest or supplementary report.

All use of force reports shall be reviewed, signed, and submitted prior to the end of the officer's tour of duty absent extenuating circumstances. Those extenuating circumstances shall be brought to the attention of the immediate supervisor who will inform the officer's commander.

Pursuant to paragraphs A and B above, where the level of force is perceived to be lethal in nature, reports by involved officers shall be submitted to and reviewed by a police supervisor no later than 72 hours after the incident occurred unless medical reasons or other extenuating circumstances exist. Those extenuating circumstances shall be brought to the attention of the commander who shall submit a written report to the Chief of Police delineating the extenuating circumstances.

Supervisors notified of any display of force or a use of force incident relative to force levels three or higher, are to generate a use of force notification email indicating the incident number, the type of force used, and the officer(s) that used force. This email shall be forwarded to the following:

- Commanding Officer
- Appropriate Deputy Chief
- Training Division
- Bureau of Professional Standards

#### **D. Body Worn Camera Report Writing:**

To help ensure accuracy and consistency, BWC officers may review the BWC recording prior to preparing reports in all cases EXCEPT when officers used force, not a display, at Levels four or five of the Use of Force Model. In those cases, the BWC officer is required to write their initial report first and then review their recording (See Policy 403, Body Worn Cameras, Section 2, and Section 4).

The supervisor responsible for signing officers' reports shall review BWC recordings when an officer has any display of force or utilizes a level of force classified as level three or higher. The precinct/unit commander or their designee (the designee cannot be the reviewing sergeant) will review every use of force incident (videos and reports) that are classified as level four or higher.

### **13. DUTY TO INTERVENE/DUTY TO REPORT**

M.G.L. Ch. 6E, § 15 Duty to Intervene/ Duty to Report (Excerpt)

- (a) An officer present and observing another officer using physical force, including deadly force beyond that which is necessary or objectively reasonable based on the totality of the circumstances, shall intervene to prevent the use of unreasonable force unless intervening would result in imminent harm to the officer or another identifiable individual.
- (b) An officer who observes another officer using physical force, including deadly force, beyond that which is necessary or objectively reasonable based on the totality of the circumstances shall report the incident.

#### **Procedure:**

The officer who observes another officer using physical force, including deadly force, as described

in section 13 above, shall immediately make a verbal notification to their immediate supervisor once the scene is safe and before clearing the scene. The officer will submit a report as soon as reasonably possible but no later than the end of the officer's shift. The supervisor will then submit a report through their chain of command to the officer's commanding officer as soon as reasonably possible but no later than the end of the supervisor's shift. The supervisor's report shall list all persons present that may have witnessed visually or audibly the incident involving the use of force. After the report has been reviewed by the officer's commanding officer, the commanding officer shall notify the appropriate deputy chief and the Bureau of Professional Standards (BOPS) through department email. When administrative action is deemed necessary, BOPS shall perform an investigation into the use of force. Whenever it becomes apparent that the investigation involves the bona fide possibility of one or more criminal charges being filed against an employee, a separate, parallel investigation will be initiated and conducted under the command of the Deputy Chief of the Investigative Bureau.

#### **14. OFFICER MEDICAL EVALUATIONS:**

After an officer's deployment of lethal/deadly force or when serious physical injury or death occurs, protocols under Policy No. 501, Officer Involved Shootings, In-Custody Deaths, and Serious Uses of Force, shall be followed. Said officer shall be sent to a medical facility for evaluation.

In instances where a member of law enforcement causes or incurs serious physical injury or death, other involved officers may be required by a supervisor to be evaluated by EMS or be sent to a medical facility forthwith for medical evaluation. The officers may not opt out of this medical evaluation except directly by professional medical staff at the medical facility.

#### **15. DEBRIEFING MEETING AFTER CRITICAL INCIDENT:**

Debriefing meeting will take place when the following occurs:

- An officer meets the criteria defined in Section 4F, Critical Incident.
- An officer discharges a firearm during duty (or off-duty in an official capacity) except when the firearm is used on an animal.
- A commander requests to review an incident.

The following personnel may be notified to attend:

- Chief of Police or his designee
- Deputy Chiefs or command staff designated by the Chief of Police
- Involved Officer(s) Commander
- Professional Standards for policy review (if applicable)
- Detective Bureau Official (if applicable)
- Training Division Official
- Department Use of Force Instructor

Per:

Paul B. Saucier  
Chief of Police



- April 13, 2007: Policy # 400 Use of Force, September 1, 1993 was revised.
- May 6, 2008: “Injured prisoner IDC report” wording added to section XI, Medical Aid, and Revised
- October 30, 2008: Use-of-Force/Training division review added.
- September 13, 2010: “Brachial Stun” added to section IV “Definitions” and section VIII “Use of Force Model”, Level Four.
- October 2011: Section XI revised.
- October 12, 2014: reporting Use of Force Procedures Revised, Written Reports Mode of Reporting Revised, and Officer Medical Evaluation added.
- August 31, 2015: Section 10 (c) added: Personal Weapons, i.e. hands, feet, head, etc.
- July 05, 2018: 2<sup>nd</sup> paragraph in Section 9 concerning restraint techniques that include compressing or squeezing the nose, trachea, windpipe, or throat added.
- August 10, 2018: “Force in accordance with the Use of Force Model may still be used to affect the arrest.”

- July 9, 2021:

Amended “Purpose” section.

Amended “Policy” section.

Amended “Force” under Definition Section.

Amended “Objectively Reasonable” under Definition Section.

Removed “Brachial Stun”

Added letters “J-U” under Definition Section.

Added “De-Escalation” section.

Amended “Use of Non-Deadly Force” section.

Amended “Use of Deadly Force” section.

Added “i.e., punches, palm heel strikes, edged fist strikes” next to Assault Defenses under Level Four: The Assaultive (Bodily Harm) Subject Section.

Amended “Personal Weapons” under Initial Verbal Report to Supervisor Section.

Added Section 9 Level 3 “MPTC distraction techniques that require strikes are prohibited at Level Three”.

Added Section 10 Subsection C. verbal report for injury.

Amended Section 11 Subsection D, Written Reporting

Amended “Officer Medical Evaluations” Section

- June 2, 2022:

Added Tool of Immediate Means or Opportunity definition

Added Section 11, Subsection C, “K9”

Amended Section 11, Subsection E procedure

Amended Section 11, Subsection F, 2 “Sub” removed from Sub-Committee

Amended Section 13, Subsection A

February 1, 2024: Reviewed and revised through the Policy Review Committee.

- i. Annual Requests to the WPD for Reports to the Commission
  1. Annual hate crime statistics and full investigation reports for each incident;
  2. Annual bureau of professional standards report for 2023
    - a. With cross check against POST Commission listing of sustained allegations and disciplinary actions and explanation of any discrepancy between BOPS and POST listings
    - b. With copy of investigation reports for all complaints (regardless of sustained/exonerated/unfounded/not sustained) for all complaints involving criminal conduct, unnecessary force, discourtesy, improper dissemination of information, improper associations and dealings, conduct unbecoming, bias free policing, use of force, handcuffs and restraints, K9 guidelines, handling evidence/property, racial profiling, handling of prisoners. For each sustained complaint, please detail every disciplinary action against any policy and indicate for each case whether criminal prosecution against the officer(s) ensued and the result of any such prosecution
    - c. Please provide copy of all Early Intervention System (EIS) trigger reports from last two years (3 or more citizen complaints against officer triggers EIS report)
  3. Annual report on WPD Diversity Officers recruitment, outreach, and initiatives
- ii. Additional Requests
  1. Updated report on WPD officers fluent in languages not including English, by language
  2. State whether all WPD officers will be issued City cell phones and if so, please discuss the relevant timeline.
  3. What options are available to an officer to access the Language Line in the absence of a department issued cell phone (including options available to assist residents with ASL)?
  4. Report on number of times language line was accessed by police officer on a call and the languages needed/accessed during that call.
  5. Identify the passing rate for 2023 Police Civil Service Exam, broken down by race/color and gender.
  6. Identify the results of the background check conducted on police recruits who pass civil service exams, with passage of background check rate by gender, race and ethnicity.
  7. Share data on motor vehicle stops of city residents with a focus on the breakdown of stops/citations/vehicle searches/arrests by race/gender/ethnicity, by department, by location (zip code or specific intersections), and the highest number of stops and citations by a particular officer verses the average.
  8. Please provide copies of any policies that address display of “blue lives matter” flag or logo or statement on WPD uniforms, undercover clothing, police cars or police facilities.
  9. Please provide minutes of weekly staff meeting on emerging crime trends and/or all reports on emerging crime trends.
  10. Please provide statement on how the WPD uses predictive policing.
  11. Please indicate how many civil rights lawsuits has the WPD settled since January 2023.
    - a. How many of these settlements involved claims of use of excessive force?
    - b. How many of these settlements involved claims of unconstitutional stops or detentions?
    - c. How many of these settlements involved claims of unlawful arrest?
    - d. How many of these settlements involved claims of differential treatment based on race and/or national origin?
    - e. How much money has been paid out per lawsuit and in the aggregate?
    - f. What policy and /or practice changes have been implemented in the wake of these settlements in order to prevent any further charges of civil rights violations?
  12. Regarding the WPD Tactical Patrol Force Project 6 (henceforth Patrol Force):
    - a. How many arrests has that patrol force made since January 2023?
    - b. Please break down those arrests by category.

- c. What percentage of those arrests involved POC?
  - d. What percentage of those arrests resulted in convictions?
  - e. What percentage of those convictions involved POC?
  - f. Have any actions of the Patrol Force been challenged in civil rights lawsuits?
  - g. Have any of those lawsuits resulted in settlements?
13. Please provide detailed inventory of any incident since January 2023 in which any member of the WPD utilized a Safari-Smoke Grenade, including:
  - a. the event at which the grenade was deployed,
  - b. the number of grenades deployed,
  - c. the police officer(s) who deployed the grenade(s), and
  - d. any report(s) filed of injuries sustained by police officers and/or civilians as a result of the use of such grenade(s).
14. Please provide detailed inventory of any incident since January 2023 in which any member of the WPD utilized stinger grenades, sponge X-act impact rounds, triple chaser OC canisters, and/or 40mm eXact impact rounds (henceforth "devices"), including:
  - a. the event at which the device(s) was/were deployed,
  - b. the number of device(s) deployed,
  - c. the policy officer(s) who deployed the device(s), and
  - d. any report(s) filed of injuries sustained by police officers and/or civilians as a result of the use of such device(s).
15. Please detail the number of uses of tasers since January 2023 (providing the state electronic control weapons use reporting form for each such use) and, for each such use please indicate:
  - a. the stated rationale for the use of said taser(s)
  - b. whether the incident resulted in an arrest,
  - c. whether the arrest resulted in charges and the ultimate disposition of such charges, and
  - d. whether the incident involved a person of color.
16. Please list the number of incident reports filed since January 2023 reporting the use of force at a Level Three or higher? For each report please indicate:
  - a. if the subject was a POC,
  - b. if an actual arrest was made,
  - c. if charges were filed and the disposition of those charges, and
  - d. please indicate the name(s) of the police officers involved.
17. Have there been any complaints since January 2023 for violations of civil and/or constitutional rights related to WPD drone usage? How many? How have they been handled?
18. Has WPD shared drone footage/data with any other local, state or federal departments/agencies? What is the process for sharing drone footage with another local/state/federal agency when requested as a part of an ongoing investigation? Is there a record kept of such requests? Please share.
19. Please identify the number of encounters between the Quality of Life Team and homeless encampments that resulted in the displacement of said encampments in 2023, and identify any reasons for such action.
20. How many times in 2023 did WPD respond to data from shot spotter? How many instances led to arrests and convictions?
21. How many individuals were arrested for prostitution and/or solicitation since January 1, 2023? Please breakdown data by race/gender/ethnicity.
22. In 2021, the WPD informed the HRC that they were aware of the Cambridge Police Department's policy on Trauma Informed Policing and agreed to look into the

relevant policy and the possibility of implementing aspects of their policy with the WPD. Was this something that the WPD was able to implement?

23. Do you have any reference to the guiding principles or best practices provided by the AG's Human Trafficking Task Force or other information we can look at about those best practices?
24. In 2021, the HRC and WPD discussed how the later would ask the training division to include information on procedures about handling domestic violence situations in light of relevant laws. Please described whether/ how this was implemented and/or what relevant trainings the WPD already offers.
25. Please provide an update on Power DMS software and the extent to which it is being used by the WPD.
26. What, if any, training is offered particularly in reference to Chapter 209C regarding custody of children of unmarried parents and the issue of parental kidnapping?