



TOO BLUE

A Vision for Non-Police Responses
to Community Incidents in Boston



Citizens
for
Juvenile
Justice

TOO BLUE

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EXECUTIVE SUMMARY

The Boston Police Department (BPD) has been tasked with responding to a wide variety of incidents and situations, many of which fall well beyond core law enforcement responsibilities. This report analyzes publicly available data from the City of Boston, with the aim of answering two questions:

- ◆ To what incidents do the Boston Police Department respond; and
- ◆ What types of incidents could be handled more efficiently and effectively by non-police alternatives to meet community needs?



The report divides these incidents into six broad categories, each of which represents a different type of community need and includes a list of specific incident descriptions:

Incident Categories (2016-2020)	
Non-Criminal Incidents	23%
Drugs/Alcohol	5%
Driving/Motor Vehicles	12%
Investigations	11%
Non-Violent Offenses	26%
Violent Offenses	22%

Figure 1: *The incident categories, and each category's percentage of total incidents between 2016-2020.*

The data show that almost one quarter (23%) of all incidents that Boston Police respond to are wholly non-criminal in nature, while 12% of all incidents are motor vehicle related, 11% are related to police investigations, and another 5% are related to drugs, alcohol, or substance abuse. In other words, violent offenses make up only 22% of all incidents that BPD responded to between 2016-2020, and non-violent offenses make up 26%.

For each category, or specific incidents within them, we offer alternative, real-world solutions that are currently in practice in other municipalities around the country, including:

- ◆ Community-based public safety system to respond to a wide range of mental-health related crises;
- ◆ Unarmed traffic enforcement and civilian response to minor traffic accidents; and
- ◆ Investment in evidence-backed, community-based strategies to reduce violence.

Recommendations

2

The primary recommendation is that the City of Boston—and other municipalities in the Commonwealth as appropriate—should research and consider piloting/instituting the alternatives to police responses highlighted in each section of this report. Boston spends a large portion of city funds—more than \$425 million dollars in 2020¹—to fund a police response to a wide array of incidents. The alternative programs cited provide opportunities to respond to community need by employing adaptive and cost-effective strategies.

Second, we encourage the city to assign an independent investigatory entity to undertake an in-depth audit and analysis of the Boston Police’s budget with a view toward decreasing bloated spending patterns, including the use of voluntary overtime. A transparent and close look at how the police’s budget is currently being spent would provide important insight into pragmatically shifting resources to community-based and non-police alternatives.

Third, we recommend further research from within and outside BPD to better understand police incidents concerning ‘investigations’ and trends over time.

Finally, while we commend the City of Boston for making the police interactions and other datasets public-facing, the city should make the following improvements to the datasets:

- ◆ Integrate the current public-facing datasets to enable analysis across the entire policing process. In other words, add a dataset that combines field interrogation observations (FIOs), 911 calls (ideally an expanded version of what is currently made public with more descriptions), police incidents and arrests/summons.
- ◆ Improve the Incident dataset by adding fields on age, race, ethnicity, and whether an incident led to an arrest or summons.
- ◆ Use consistent and detailed offense descriptions, following the categories in use prior to October 2019.

¹ City of Boston, FY2022 Budget, Public Safety Chapter, available at https://www.boston.gov/sites/default/files/file/2021/04/V3%2014-%2022%20A%20Public-Safety-Cabinet_0.pdf

INTRODUCTION | WHAT DO POLICE IN BOSTON DO, AND HOW MUCH DOES IT COST?

The Boston Police Department (BPD) has been tasked with responding to a wide variety of incidents and situations, many of which fall well beyond core law enforcement responsibilities. On an average day, Boston police officers are called upon to respond to mental health crises, find lost property, pull over drivers, resolve arguments between neighbors and handle many other types of incidents that do not necessarily require an armed officer.

One result of the police's outsized responsibilities is an equally outsized budget, with the department's stated costs pegged at \$414 million in the city's 2021 annual budget,² though projected actual spending is above \$421 million.³ The BPD is the second largest item in the entire city budget, after the public school system, and is approximately 2.7 times larger than all nine Health and Human services departments combined. The BPD budget has come under significant and well-deserved scrutiny from the ACLU of Massachusetts, Lawyers for Civil Rights-Boston, and others, who have shared analyses that reveal a bloated and largely unaccountable department.

The average Boston Police officer earned \$127,000 in 2019, nearly double the average non-BPD salary of \$69,000.⁴ An analysis of 2020 data showed that 509 BPD employees made more than \$200,000 and 30 officers made more than \$300,000.⁵ In comparison, the Boston mayoral salary is \$199,000. In total, fifteen of the top twenty highest-paid Boston employees in 2020 were BPD officers. In late 2020, more than 12% of all officers were on medical leave for either illness or injury.⁶ The stated BPD operating budget does not include the hidden costs to the city—including pension pay-ins and

² WBUR, "Despite Strong Criticism of Police Spending, Boston City Council Passes Budget" (June 24, 2020) <https://www.wbur.org/news/2020/06/24/despite-strong-criticism-of-police-spending-boston-city-council-passes-budget>

³ City of Boston, FY2022 Budget, Public Safety Chapter,

https://www.boston.gov/sites/default/files/file/2021/04/V3%2014-%2022%20A%20Public-Safety-Cabinet_0.pdf

⁴ ACLU of Massachusetts, "Unpacking the Boston Police Budget," <https://data.aclum.org/2020/06/05/unpacking-the-boston-police-budget/>; Lawyers for Civil Rights-Boston, "Boston Police Department's Budget Undermines Community Relations, Accountability and Oversight: Data and Analysis from 2010-Present" (February 25, 2021), <http://lawyersforcivilrights.org/wp-content/uploads/2021/02/BPD-Budget-Analysis-2010-Present-FINAL-Feb.-25-2021.pdf>

⁵ Boston Globe, "More than 30 Boston officers made over \$300,000 last year" (April 29, 2021)

<https://www.bostonglobe.com/2021/04/29/metro/with-spending-police-spotlight-more-than-30-boston-officers-made-more-than-300000-2020/>

⁶ WBUR, "More Than 1 In 10 Boston Police Officers Are Off the Job Because Of Illness or Injury" (November 16, 2020) <https://www.wbur.org/news/2020/11/16/boston-police-sick-injured-leave>

health insurance costs for BPD employees—which cost the city more than \$100 million annually.⁷ Recent polling shows that a near-majority (49%) of likely Boston voters support reducing the BPD budget to divert funds to anti-violence programs and social services.⁸

Furthermore, research has documented disproportionately high levels of over-policing in certain neighborhoods of Boston,⁹ especially in communities with higher proportions of Black and Latinx residents. As a result of this unequal application of policing, Boston police arrest Black people at a rate 2.7 times higher than white people. Boston’s communities of color receive the brunt of police presence, and therefore unsurprisingly have higher rates of arrest than in the City’s predominantly white communities. These disparities are not simply the result of differential crime rates by race: Black and Latinx people are vastly overrepresented at every stage of the Massachusetts criminal justice system, including, most prominently, for drug offenses¹⁰ – despite comparable levels of actual drug use and sales across race and ethnicity.¹¹

Report Purpose

In this time of deep reflection on the role of policing both locally and across the country, and amid competing budgetary priorities, this report aims to answer two questions:

1. To what incidents do the BPD respond; and
2. What types of incidents could be handled more efficiently and effectively by non-police alternatives to meet community need?

⁷ The methodology and analysis for calculating hidden costs of policing were developed by Sasha Weinstein and Madeleine Smith, graduate students at the University of Chicago and Harvard University respectively, in a forthcoming report.

⁸ David Fadul, Poll Progressives, “Essaibi-George & Wu Lead Wide-Open Mayoral Race, Voters Divided on Key Issues,” <https://www.pollprogressive.com/post/essaibi-george-wu-lead-wide-open-mayoral-race-voters-divided-on-key-issues>

⁹ Vera Institute of Justice, “What Policing Costs: A Look at Spending in America’s Biggest Cities,” <https://www.vera.org/publications/what-policing-costs-in-americas-biggest-cities/boston-ma>

¹⁰ Harvard Law School, “Racial Disparities in the Massachusetts Criminal Justice System” (September 2020), <http://cjjp.law.harvard.edu/publications/racial-disparities-in-the-massachusetts-criminal-system>

¹¹ U.S. Department of Health and Human Services, “Drug Use Across Racial/Ethnic Minorities Revised,” https://archives.drugabuse.gov/sites/default/files/minorities03_1.pdf; Hamilton Project. Rates of Drug Use and Sales, by Race; Rates of Drug Related Criminal Justice Measures, by Race (2016): https://www.hamiltonproject.org/charts/rates_of_drug_use_and_sales_by_race_rates_of_drug_related_criminal_justice

The report analyzes the City of Boston’s “Crime Incident Reports” from 2016-2020, as well as “Field Interrogation and Observations (FIO)” data.¹² The report divides these incidents into six broad categories, each of which represents a different type of community need and includes a list of specific incident types. For each of the categories, the report highlights community incident trends and identifies opportunities to re-invest municipal resources into effective programs that can respond to community needs without relying on the police.

Data Sets

The report relies primarily on analysis of two public-facing datasets:

- ◆ First, the BPD “Crime Incident Reports” dataset documents the “initial details surrounding an incident to which BPD officers respond”¹³—both crimes and non-crimes—including time, date, location and a brief description. The data does *not* indicate how the incident came to the attention of the police (such as through a 911 call or field interrogation/stop-and-frisk), nor whether the incident led to an arrest. Due to ongoing inaccuracies and technical errors in the dataset,¹⁴ even after a public hearing on the matter,¹⁵ this report uses the ACLU of Massachusetts’s archive of the data¹⁶ downloaded in May of 2021.
- ◆ Second, the BPD Field Interrogation and Observation (FIO) dataset¹⁷ documents “a wide range of interactions between the Boston Police Department (BPD) and private individuals” as part of the FIO program.¹⁸ Items in the FIO dataset include traditional stop-and-frisks; when an officer “observes” but does not interact with an

¹² City of Boston, *Crime Incident Reports (August 2015 - To Date) (Source: New System)*

<https://data.boston.gov/dataset/crime-incident-reports-august-2015-to-date-source-new-system>; City of Boston “BPD Field Interrogation and Observation (FIO),” <https://data.boston.gov/dataset/boston-police-department-fio>

¹³ City of Boston, “Crime Incident Reports (August 2015 - To Date) (Source: New System),”

<https://data.boston.gov/dataset/crime-incident-reports-august-2015-to-date-source-new-system>.

¹⁴ In 2021, CfjJ engaged with the Boston City Council on this issue, and we appreciate that the City of Boston recently repaired the initial technical issue. See Boston.com, “Andrea Campbell wants information about ‘inaccuracies’ in Boston police data,” <https://www.boston.com/news/politics/2021/03/11/andrea-campbell-seeking-information-boston-police-data-discrepancies>. However, technical issues reappeared in May of 2021, so this report uses the archive of the dataset created by the ACLU of Massachusetts instead of the live version.

¹⁵ CfjJ testified on this issue at the Boston City Council Committee on Public Safety and Criminal Justice Docket #0417, April 13, 2021, <https://www.youtube.com/watch?v=NUF4g6U0yak>.

¹⁶ ACLU-MA “Tracking Boston Police Incidents,” <https://data.aclum.org/bpd-incidents>.

¹⁷ City of Boston “BPD Field Interrogation and Observation (FIO),” <https://data.boston.gov/dataset/boston-police-department-fio>

¹⁸ The Boston FIO program is dictated by the BPD policy 323, available at <https://cfjj.org/s/Boston-rule323.pdf>

individual; or when “an officer engages in a consensual encounter with an individual.”¹⁹ Unlike the incident reports, FIOs include demographic information, including race, ethnicity, and age of the individual(s) observed or interrogated.

Although the incident report and FIO datasets are not linked, they do overlap (that is, some items listed as an FIO refer to the same real-world event listed as an incident).

CATEGORIZING INCIDENTS, CONSIDERING ALTERNATIVES

From 2016-2020, Boston Police responded to roughly 100,000 incidents each year (between 98,121 and 101,198, as seen in Figure 2, below). Each incident is labeled with one of 278 short descriptions, such as “M/V [motor vehicle] Accident – Property Damage,” “Drugs – Possession,” or “Missing Person.”²⁰ The next section describes how the report authors categorized these 278 short descriptions into six broad categories; the following sections analyze these categories (or specific incidents within them), and suggest alternative non-police solutions that could respond to this type of community need more efficiently and/or effectively.

CfJJ's Classification of Incidents into Six Categories

CfJJ divided these incidents into six broad categories, each of which represents a different type of community need and includes a list of specific incident types. A full list of which incidents are in each category is available [here](#).²¹

¹⁹ BPD News, “Boston Police Commissioner Announces Field Interrogation and Observation (FIO) Study Results” (October 8, 2014), <https://bpdnews.com/news/2014/10/8/boston-police-commissioner-announces-field-interrogation-and-observation-fio-study-results>

²⁰ There were 278 total descriptions used over the five-year period. However, in September of 2019, the BPD changed a number of the descriptions, which included consolidating multiple descriptions into one. Before the changes, there were 240 incident descriptions; after the change, there were 134 descriptions. See Section 3: Recommendations, for more information.

²¹ Citizens for Juvenile Justice categorization of BPD Incidents, May 2021, available at <https://cfjj.org/s/Summary-BPD-Incident-Analysis.pdf>

Incident Category	Category Description
Non-Criminal Incidents	The non-criminal incidents category encompasses a wide range of services that the police provide, many of which are far outside the police core public safety mission. Examples of incidents in this category include missing person reports, property lost and located, sick assists, verbal disputes, and violations of city ordinances/construction permits.
Drugs/Alcohol	All drug, alcohol, or substance abuse related incidents, including offenses (such as trafficking, sale, and possession) and drug-related 'sick assists.' A portion of this category deals with incidents where people struggling with addiction need help outside the criminal justice system. Examples of incidents in this category include drunkenness, liquor law violations, drug-related sick assists, drug possession alone, and with intent to distribute.
Driving/Motor Vehicle	Incidents involving motor vehicles or traffic, such as routine traffic stops and accident investigation, but not including hit-and-runs. Examples of incidents in this category include towing motor vehicles; motor vehicle accidents with bicycles, pedestrians, or other cars; operating under the influence of drugs or alcohol; and operating without a license, insurance, or registration.
Investigations	This category includes incidents with the description "Investigation Person" or "Investigate Property," and likely cut across all other categories.
Non-Violent Offenses	Other offenses which do not involve violence or the threat of violence. Examples of incidents in this category include auto theft, disorderly conduct, larceny, trespassing, and warrant arrests. This category excludes non-violent motor vehicle offenses and drug/alcohol offenses, which have been separated into distinct categories as described above.
Violent Offenses	All incidents that include force, violence, or threats of violence. Examples of incidents in this category include assault and battery, arson, burglary, trafficking, manslaughter/murder, robbery and rape. This category includes motor vehicle incidents where the individual left the scene, as well as all firearm offenses, including possession. We acknowledge that there is debate about whether possession (and not use) of a firearm should be considered 'violent.'

The data show that violent incidents make up only 22% of all incidents that the BPD responded to between 2016-2020, and that non-violent offenses make up 26%. Incidents that are non-criminal in nature make up the second-largest category—encompassing 23% of all incidents; 12% of all incidents are motor-vehicle related, 11% are related to investigations, and another 5% are related to drugs, alcohol, or substance abuse.²²

Incident Categories	Year					Grand Total
	2016	2017	2018	2019	2020	
Non-Criminal Incidents	20,654	21,336	22,646	23,816	25,635	114,087
Drugs/Alcohol	6,144	5,592	5,635	5,729	2,604	25,704
Driving / Motor Vehicle	12,748	13,418	13,141	12,420	9,923	61,650
Investigations	9,493	11,010	9,560	10,252	14,142	54,457
Non-Violent Offenses	28,180	27,770	25,980	24,084	25,274	131,288
Violent Offenses	22,057	22,072	21,765	21,820	22,092	109,806
Grand Total	99,276	101,198	98,727	98,121	99,670	496,992

Figure 2: Breakdown of Boston Police incidents between 2016-2020.

Incident Categories	Year					Grand Total
	2016	2017	2018	2019	2020	
Non-Criminal Incidents	21%	21%	23%	24%	26%	23%
Drugs/Alcohol	6%	6%	6%	6%	3%	5%
Driving / Motor Vehicle	13%	13%	13%	13%	10%	12%
Investigations	10%	11%	10%	10%	14%	11%
Non-Violent Offenses	28%	27%	26%	25%	25%	26%
Violent Offenses	22%	22%	22%	22%	22%	22%
Grand Total	100%	100%	100%	100%	100%	100%

Figure 3: Each category's percentage of total incidents per year between 2016-2020.

²² The authors acknowledge that certain types of incidents require more time and resources to investigate and resolve.

Non-Criminal Incidents

Offense Description	Year				
	2016	2017	2018	2019	2020
AIRCRAFT INCIDENTS	4	22	18	19	16
ANIMAL CONTROL - DOG BITES - ETC.	112	113	99	98	
ANIMAL INCIDENTS	82	88	77	82	
ANIMAL INCIDENTS (DOG BITES, LOST DOG, ETC)				24	136
BALLISTICS EVIDENCE/FOUND	303	339	270	307	431
CHILD ABANDONMENT (NO ASSAULT)	14	14	10	9	
CHILD REQUIRING ASSISTANCE (FOMERLY CHINS)				3	21
CHINS	13	13	5	8	
DANGEROUS OR HAZARDOUS CONDITION	91	83	96	65	108
EXPLOSIVES - TURNED IN OR FOUND	3	5	3	4	22
FIRE REPORT				98	490
FIRE REPORT - CAR, BRUSH, ETC.	153	144	179	86	
FIRE REPORT - HOUSE, BUILDING, ETC.	431	396	361	277	
FIRE REPORT/ALARM - FALSE	29	49	37	48	43
GATHERING CAUSING ANNOYANCE	6	3	5		
HARBOR INCIDENT / VIOLATION	55	101	75	82	77
INJURY BICYCLE NO M/V INVOLVED	26	16	9	17	12
INVESTIGATION FOR ANOTHER AGENCY	68	63	66	49	
LANDLORD - TENANT				69	392
LANDLORD - TENANT SERVICE	295	277	351	243	
MISSING PERSON	1,266	1,121	895	1,075	1,169
MISSING PERSON - LOCATED	1,518	1,368	1,532	1,590	840
MISSING PERSON - NOT REPORTED - LOCATED	198	169	195	208	201
NOISY PARTY/RADIO-NO ARREST	234	161	120	92	68
PRISONER - SUICIDE / SUICIDE ATTEMPT	6	6	4	6	8
PROPERTY - ACCIDENTAL DAMAGE	294	287	284	251	295
PROPERTY - FOUND	1,045	1,221	1,201	1,109	928
PROPERTY - LOST	2,640	2,859	3,129	2,186	
PROPERTY - LOST THEN LOCATED	57	83	88	73	38
PROPERTY - LOST/ MISSING				741	2,069
PROTECTIVE CUSTODY / SAFEKEEPING	11	10	7	6	7
REPORT AFFECTING OTHER DEPTS.	60	38	58	39	
SERVICE TO OTHER AGENCY				98	325
SERVICE TO OTHER PD INSIDE OF MA.	807	347	1,083	837	
SERVICE TO OTHER PD OUTSIDE OF MA.	46	68	78	39	
SEXUAL ASSAULT KIT COLLECTED				19	96
SICK ASSIST				1,079	4,650
SICK/INJURED/MEDICAL - PERSON	5,495	6,278	6,811	6,266	2,575
SICK/INJURED/MEDICAL - POLICE	453	450	433	462	907
SUDDEN DEATH	410	504	442	404	560
SUICIDE / SUICIDE ATTEMPT	114	98	109	81	49
TRUANCY / RUNAWAY	14	10	4	8	6
VERBAL DISPUTE	4,100	4,437	4,423	5,374	9,026
VIOLATION - CITY ORDINANCE	173	86	74	171	70
VIOLATION - CITY ORDINANCE CONSTRUCTION PERMIT	24	5	10	1	
VIOLATION - HAWKER AND PEDDLER	4	4	5	13	
Grand Total	20,654	21,336	22,646	23,816	25,635

Figure 4: List of non-criminal incidents BPD responds to.

First, non-criminal incidents make up nearly one quarter (23%) of the incidents that Boston police respond to. These types of incidents encompass a very wide range of different categories, ranging from resolving verbal disputes, to searching for missing people or property, to responding to fires and injuries. Police in Boston are being used a catch-all solution to many problems that Boston residents may have, including several issues that could be more appropriately handled without law enforcement intervention. This section focuses on two types of incidents: sick assists and verbal disputes.

Sick Assist – Mental Health

In Boston, over 6.5% of all police incidents are for “sick assists” or “sick/injured/medical.” In 2020, officers responded to 7,225 medical incidents. This includes situations where people are physically injured and need traditional medical assistance, as well as people who are simply acting “strangely” and may be experiencing a mental health crisis. The FIO dataset details 73 FIOs between 2016 and 2019 which explicitly state that the individual was experiencing a mental health crisis, in addition to the many FIOs in which the individual was simply noted to be acting strangely.

The BPD currently operates a co-response program, which enlists trained mental health clinicians from the Boston Medical Center to ride along with officers and respond to mental health crises. The department, however, had only five clinicians for the entire city as of 2019,²³ with expansion and hiring ongoing. Additionally, the clinicians are always accompanied by an armed officer, which can at times heighten tensions, make community members around the person experiencing a crisis wary of calling 911 at all, and—as suggested by the programs below—may simply be unnecessary.

These real-world examples listed below demonstrate that non-police mental health response programs are pragmatic and workable in a city like Boston. In June of 2020, an ordinance was proposed in the Boston City Council to establish a program like the ones detailed below, though the ordinance did not come to a vote.²⁴

²³ See BPD News, “Boston Police Department’s Co-Response Program Continues to Evolve and Grow” (May 13, 2019), <https://bpdnews.com/news/2019/5/13/best-team>

²⁴ See Boston.com, “Boston city councilors propose ordinance to direct nonviolent 911 calls to health, outreach workers instead of police” (June 19, 2020), <https://www.boston.com/news/policy/2020/06/19/boston-city-council-proposal-nonviolent-911-calls>

Alternative Solutions

- ◆ **Crisis Assistance Helping Out on The Streets (CAHOOTS):** CAHOOTS²⁵ is a community-based public safety system in Eugene, Oregon, which mobilizes two-person teams, made up of a medic and an unarmed crisis worker, to respond to a wide range of mental-health related crises. In 2017, CAHOOTS responded to over twenty-four thousand calls (17% of all 911 calls in Eugene), and less than one percent ultimately required police backup. The program also saves the city an estimated \$8.5 million per year.
- ◆ **Mobile Assistance Community Responders of Oakland (MACRO) & New York City's No-Police Mental Health Response:** MACRO²⁶ is a new pilot program in Oakland, CA, modeled after CAHOOTS. Since Oakland is a significantly more diverse city than Eugene, MACRO will focus on recruiting responders from within the communities they will serve – an important model for Boston. Similarly, in May of 2021, New York City announced it will send social workers and EMTs to respond to non-violent mental health crisis calls, expanding a pilot program that was successfully tested in three Harlem and East Harlem precincts.

Verbal Disputes

Year after year, verbal disputes are one of the most common type of incidents that Boston police respond to. Between 2016 and 2020, verbal disputes were the third-most common type of incident that police responded to. In total, police responded to over 27,360 thousand disputes over five years—9,026 in 2020— or roughly fourteen different disputes a day.

²⁵ See White Bird Clinic, "What is CAHOOTS?" (October 29, 2020), <https://whitebirdclinic.org/what-is-cahoots>

²⁶ See The Oaklandside, "Call 911 for a counselor? Oakland will pilot one alternative to police" (June 29, 2020), <https://oaklandside.org/2020/06/29/call-911-for-a-counselor-oakland-will-pilot-an-alternative-to-police>

Most Common Incidents 2019

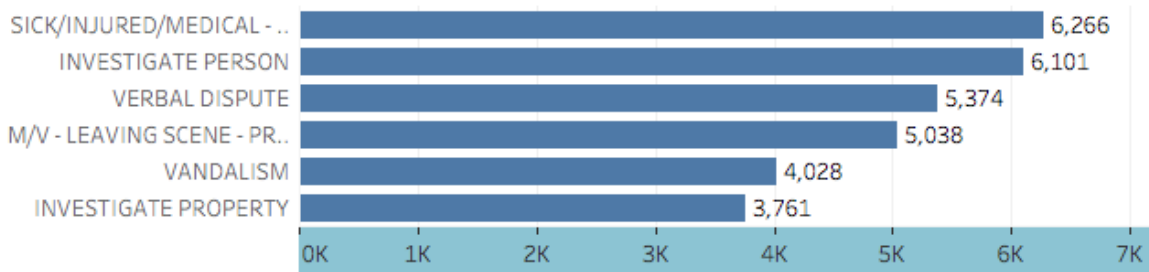


Figure 5: Verbal incidents are the third most common incident police respond to in 2019.

While Boston police officers do receive some level of training on conflict resolution and de-escalation²⁷, this training is inadequate.²⁸ Furthermore, the presence of armed law enforcement often makes an already tense situation *more* volatile, escalating rather than calming down the confrontation.

Alternative Solutions

- ◆ **Trained Mediators:** Trained mediators, whose sole training and focus is on conflict resolution and de-escalation, are almost always more equipped to handle and deescalate verbal disputes than normal police officers.²⁹ Community Mediation Centers were highlighted as an option to build upon in a recent report entitled *Rethinking Boston’s Public Safety System*.³⁰
- ◆ **Peacemakers & Violence Disrupters:** In the United States, organizations such as Advance Peace and Cure Violence Global (CVG) work with communities in over 25 cities to resolve conflicts before they escalate into violence. Studies have shown that these programs clearly work: the rate of interpersonal disputes escalating into violence decreased dramatically—over 50% in some areas³¹—after Advance Peace and CVG³² were started in Sacramento, CA

²⁷ Office of the Massachusetts State Auditor, “Statutory Training Requirements for Municipal Police,” <https://www.mass.gov/info-details/appendix-e-statutory-training-requirements-for-municipal-police>

²⁸ WBUR, “Mass. Police Officers May Not Receive Required Training From State, Auditor’s Report Says” (November 18, 2019), <https://www.wbur.org/news/2019/11/18/massachusetts-report-police-training>

²⁹ Mediate.com, “Use Mediators and Police as Conflict Resolution Partners” (July 2020), <https://www.mediate.com/articles/mosten-police.cfm>

³⁰ Anna Vande Velde and William Roberts, “Rethinking Boston’s Public Safety System,” December 2020, <https://www.harvardmagazine.com/2021/03/law-school-report-on-alternatives-to-policing-in-boston>. This report offers many pertinent recommendations, and only came to the attention of CfJJ toward the finalization of the current analysis.

³¹ UC Berkley Institute of Urban and Regional Development, “Outcome Evaluation of Advance Peace Sacramento, 2018-19” (March 2020), <https://www.advancepeace.org/wp-content/uploads/2020/04/Corburn-and-F-Lopez-Advance-Peace-Sacramento-2-Year-Evaluation-03-2020.pdf>

and New York City. These programs are significantly less expensive than police: by one estimate, Advance Peace saved Sacramento between \$25 and \$58 million dollars over a two-year period.³³

- ◆ Boston already boasts both a city-run violence interrupter program called Street Outreach, Advocacy and Response (S.O.A.R.), as well as the Boston Uncornered Project, run out of College Bound Dorchester.³⁴

Drugs/Alcohol

Between 2016 and 2020, 5.2% of the Boston Police Departments' incidents were drug or alcohol related, or about 5,000 per year. Of those, nearly 30% were incidents wherein an individual possessed drugs for personal use without the intent to sell or distribute it. Many of these individuals were likely suffering from addiction, including those caught up amid the opioid crisis. National research indicates that as many as 43% of those who sell drugs are also users.³⁵ Over 2,000 people in Massachusetts died from an opioid overdose in each year from 2016 through 2019, and the data was on track toward 2,000 in 2020 as well.³⁶ In Massachusetts, some individuals arrested for possessing small amounts of illegal drugs are eligible to be sent to so-called "drug courts"³⁷ that have non-carceral options. These specialized courts work to provide treatment to people struggling with substance abuse. However, while specialized drug courts can provide alternatives to imprisonment for people suffering from addiction, they still force individuals to engage with the criminal justice system (and some require a guilty plea), with an accompanying criminal record and risk of incarceration if they fail to meet court-set rehabilitation goals.

³² John Jay College of Criminal Justice, "The Effects of Cure Violence in the South Bronx and East New York, Brooklyn" (October 2, 2017), <https://johnjayrec.nyc/2017/10/02/cvinsobronxeastny>

³³ UC Berkley Institute of Urban and Regional Development, "Outcome Evaluation of Advance Peace Sacramento, 2018-19" (March 2020), <https://www.advancepeace.org/wp-content/uploads/2020/04/Corburn-and-F-Lopez-Advance-Peace-Sacramento-2-Year-Evaluation-03-2020.pdf>

³⁴ Boston Uncornered: A Solution, College Bound Dorchester, <https://uncornered.org/what-we-do/boston-uncornered/>

³⁵ Drug Policy Alliance, "Rethinking the Drug Dealer," December 2019, <https://drugpolicy.org/drugsellers>

³⁶ Massachusetts Department of Public Health, "Data Brief: Opioid-Related Overdose Deaths among Massachusetts Residents" (November 2020), <https://www.mass.gov/doc/opioid-related-overdose-deaths-among-ma-residents-november-2020/download>

³⁷ Massachusetts Specialty Courts, <https://www.mass.gov/info-details/drug-courts>

Offense Categories	Offense Description	2016	2017	2018	2019
Grand Total		6,144	5,592	5,635	5,729
Drugs/Alcohol	DRUGS - CLASS A TRAFFICKING OVER 18 GRAMS	51	45	49	73
	DRUGS - CLASS B TRAFFICKING OVER 18 GRAMS	40	71	95	60
	DRUGS - CLASS D TRAFFICKING OVER 50 GRAMS	1	1	5	6
	DRUGS - CONSP TO VIOL CONTROLLED SUBSTANCE	17	36	12	24
	DRUGS - GLUE INHALATION	1			
	DRUGS - OTHER	409	329	233	158
	DRUGS - POSS CLASS A - HEROIN, ETC.	450	481	469	372
	DRUGS - POSS CLASS A - INTENT TO MFR DIST DISP	370	397	448	297
	DRUGS - POSS CLASS B - COCAINE, ETC.	786	814	846	718
	DRUGS - POSS CLASS B - INTENT TO MFR DIST DISP	559	641	808	764
	DRUGS - POSS CLASS C	146	158	123	109
	DRUGS - POSS CLASS C - INTENT TO MFR DIST DISP	63	99	60	80
	DRUGS - POSS CLASS D	432	126	135	90
	DRUGS - POSS CLASS D - INTENT MFR DIST DISP			1	
	DRUGS - POSS CLASS D - INTENT TO MFR DIST DISP	359	259	313	274
	DRUGS - POSS CLASS E	181	185	134	90
	DRUGS - POSS CLASS E - INTENT TO MFR DIST DISP	54	68	41	26
	DRUGS - POSSESSION	60	43	13	11
	DRUGS - POSSESSION OF DRUG PARAPHANALIA	17	16	14	32
	DRUGS - POSSESSION/ SALE/ MANUFACTURING/ USE				572
	DRUGS - SALE / MANUFACTURING	655	470	445	488
	DRUGS - SICK ASSIST - HEROIN	379	362	353	171
	DRUGS - SICK ASSIST - OTHER HARMFUL DRUG	153	57	59	31
	DRUGS - SICK ASSIST - OTHER NARCOTIC	98	75	96	25
	DRUNKENNESS				7
	LICENSE PREMISE VIOLATION	585	501	525	619
	LIQUOR - DRINKING IN PUBLIC	192	285	305	370
	LIQUOR LAW VIOLATION	86	73	53	24
	LIQUOR/ALCOHOL - DRINKING IN PUBLIC				52
	SICK ASSIST - DRUG RELATED ILLNESS				186

Figure 6: The frequency of drug-related incidents. Note that the BPD combined multiple data categories late in 2019 and 2020, which reduces the specificity of analysis possible. The final recommendation in this report responds to this combination of data categories.

Alternative Solutions

- ◆ **Law Enforcement Assisted Diversion/Let Everyone Advance with Dignity (LEAD)³⁸**: Massachusetts's drug courts only become involved once a person has already been arrested, booked and, at times, already been held in jail for weeks. In some Massachusetts courts, drug court (sometimes called

³⁸ See LEAD National Support Bureau, <https://www.leadbureau.org>

'recovery court') is only available for probation violations after a drug conviction. The LEAD diversion program, which operates in over fifty cities and Indigenous tribes, allows officers to send individuals arrested for low-level drug offenses directly to treatment and support services. In Seattle, LEAD participants were 58% less likely to be arrested again, compared to those who were sent through the traditional criminal justice system. The program is currently developing new standards which decenter law enforcement as gatekeepers to LEAD services.

- ◆ **Decriminalization, and re-investment in treatment and non-coercive rehabilitation:** In the United States, some states have begun to decriminalize possession of certain drugs, mainly marijuana, moving away from the legacy of the failed war on drugs. Indeed, Massachusetts decriminalized marijuana possession through a ballot initiative in 2016 (it is still illegal to possess over one ounce in public, which may explain those remaining incidents). Recently, Oregon became the first state to decriminalize possession of all drugs. Internationally, there is strong evidence that decriminalizing possession of drugs works to curb drug use: Portugal, which decriminalized all drugs in 2001, saw drug use, overdose deaths, and drug-related crime plummet.³⁹ Importantly, Portugal's decriminalization was accompanied by a large investment in treatment and non-coercive rehabilitation.
- ◆ **Safe Injections Sites (SISs):** The Massachusetts Legislature is currently considering a bill which would allow centers where people struggling with drug addictions could safely use those drugs under medical supervision.⁴⁰ These sites save lives by preventing overdoses and infections, reduce crime stemming from drug addiction, and enable those struggling with addiction to more easily access treatment, according to a 2014 review of seventy-five studies of SISs around the world.⁴¹

³⁹ See Time Magazine, "Want to Win the War on Drugs? Portugal Might Have the Answer" (August 1, 2018), <https://time.com/longform/portugal-drug-use-decriminalization>

⁴⁰ See Massachusetts Bill S.1272, <https://malegislature.gov/Bills/192/S1272>

⁴¹ Chloé Potierab, et al., "Supervised injection services: What has been demonstrated? A systematic literature review," *Drug and Alcohol Dependence*, 2014, <https://doi.org/10.1016/j.drugalcdep.2014.10.012>

Driving/Motor Vehicle

In Boston, 12% of all events logged in the police incident database concern motor vehicles, including traffic stops, responding to car accidents, and towing cars. Traffic stops occur overwhelmingly in neighborhoods of color, as the map below shows. Five out of the six zip codes with the highest per-capita rate of traffic-stop incidents which are often the result of pretextual traffic-stops⁴² are also five of the six zip codes with the highest proportion of Black residents (see figure 8).⁴³ Additionally, the FIO dataset reveals that approximately 75% of people who were subject to field interrogation in traffic stops in 2018 were Black, far higher than their proportion of the population (24.5% from 2018 census estimates).⁴⁴

This mirrors the pattern across the United States, in which Black drivers are stopped, pulled over and searched by police officers at higher rates—and based on less evidence—than white drivers,⁴⁵ often as a result of pretextual stops. Pretextual stops occur when an officer wants to pull over a driver in connection to some other crime – which is often based on racial profiling – and uses minor vehicle infractions, like hanging air fresheners or not coming to a complete stop at a stop sign, to do so.

⁴² Specifically, these four areas: operating after a revoked/suspended license, operating an unregistered/uninsured car, operating without authorization, and operating without a license.

⁴³ The five out of the six zip codes with the highest per-capita rate of traffic stops are: 02126, 02124, 02125, 02121, and 02119.

⁴⁴ U.S. Census Bureau American Community Survey Table B02001, 2018 1-year estimate for Boston City, Massachusetts: <https://data.census.gov/cedsci/table?q=b02001&g=1600000US2507000&tid=ACSDT1Y2018.B02001>

⁴⁵ Nature Human Behavior, “A large-scale analysis of racial disparities in police stops across the United States” (May 4, 2020), <https://www.nature.com/articles/s41562-020-0858-1>

Offense Categories	Offense Description	2016	2017	2018	2019	2020
Grand Total		12,748	13,418	13,141	12,420	9,923
Driving / Motor Vehicle	M/V ACCIDENT - INVOLVING BICYCLE - INJURY	305	271	246	233	160
	M/V ACCIDENT - INVOLVING BICYCLE - NO INJURY	145	96	112	111	78
	M/V ACCIDENT - INVOLVING PEDESTRIAN - INJURY				194	379
	M/V ACCIDENT - INVOLVING PEDESTRIAN - NO INJURY	138	115	149	149	99
	M/V ACCIDENT - OTHER	796	1,213	1,076	1,084	1,112
	M/V ACCIDENT - OTHER CITY VEHICLE	234	223	236	240	178
	M/V ACCIDENT - PERSONAL INJURY	1,591	1,681	1,500	1,395	969
	M/V ACCIDENT - POLICE VEHICLE	240	254	231	268	217
	M/V ACCIDENT - PROPERTY DAMAGE	2,054	2,075	2,181	2,154	1,855
	M/V ACCIDENT INVOLVING PEDESTRIAN - INJURY	572	490	485	305	
	M/V PLATES - LOST	130	173	167	151	174
	OPERATING UNDER THE INFLUENCE (OUI) ALCOHOL				38	91
	OPERATING UNDER THE INFLUENCE (OUI) DRUGS				5	19
	OPERATING UNDER THE INFLUENCE ALCOHOL	157	140	127	96	
	OPERATING UNDER THE INFLUENCE DRUGS	32	26	22	16	
	RECOVERED - MV RECOVERED IN BOSTON (STOLEN IN BOSTON) MUST ..				6	36
	RECOVERED - MV RECOVERED IN BOSTON (STOLEN OUTSIDE BOSTON)	313	371	347	264	207
	RECOVERED STOLEN PLATE	15	26	24	14	
	TOWED MOTOR VEHICLE	3,225	3,953	3,712	3,290	2,688
	VAL - OPERATING AFTER REV/SUSP.	834	707	734	782	474
	VAL - OPERATING UNREG/UNINS CAR	302	269	333	260	
	VAL - OPERATING W/O AUTHORIZATION LAWFUL	154	128	116	128	107
	VAL - OPERATING WITHOUT LICENSE	634	510	522	468	
VAL - VIOLATION OF AUTO LAW				207	1,080	
VAL - VIOLATION OF AUTO LAW - OTHER	877	697	821	562		

Figure 7: Breakdown of driving and motor vehicle related incidents.

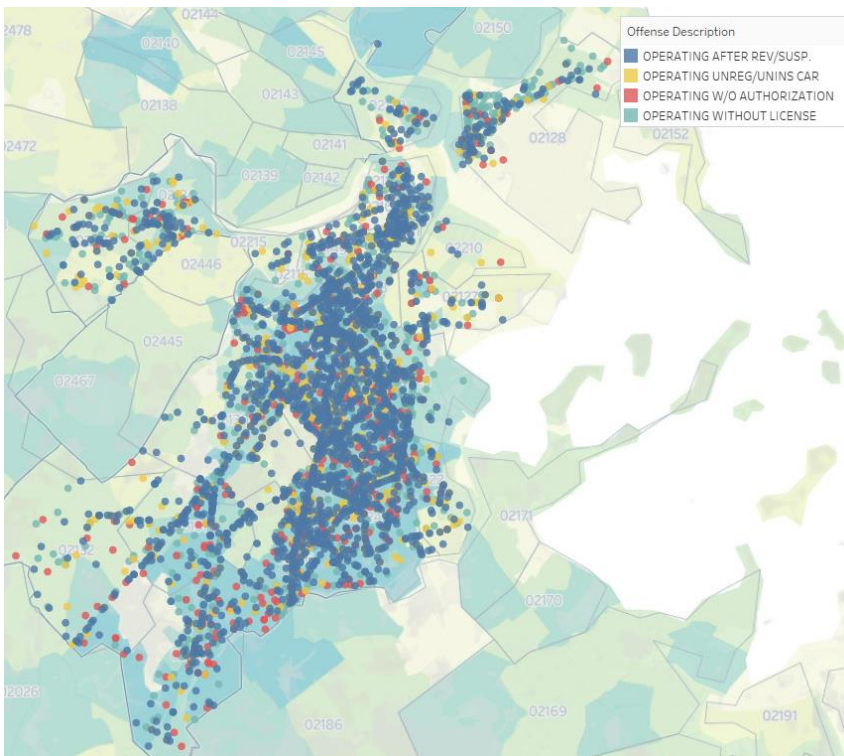


Figure 8: Map of 2019 incidents which are often the result of pretextual traffic stops, specifically operating after a revoked/suspended license, operating an unregistered/uninsured car, operating without authorization, and operating without a license. The darker blue background color corresponds to higher Black population in that census block. A high concentration of these incidents in Dorchester and Roxbury, neighborhoods with a relatively large proportion of Black residents.

Alternative Solutions

- ◆ **Unarmed traffic enforcement:** In July of 2020, **Berkeley, California** voted to become the first city in the United States to shift traffic enforcement away from the police and onto unarmed, non-police traffic enforcement officials.⁴⁶ These traffic enforcement officials will be able to pull cars over for any traffic-related offense and can write tickets for speeding, driving without a license, or any other traffic violation. However, they would be unable to search the car, or to detain or arrest individuals. Further, the **Northampton, Massachusetts** Policing Review Commission report from March 2021 recommended changes across a range of issues, including non-police responses to traffic stops and data-driven staffing levels.⁴⁷ Lastly, in response to the unnecessary killing of Daunte Wright at a traffic stop, the **Brooklyn Center, Minnesota** City Council passed a resolution overhauling how it handles traffic stops, among other limits to police practice.⁴⁸
- ◆ **Civilian response to minor accidents:** New Orleans will soon dispatch unarmed civilians to minor accidents to collect information and file a police report.⁴⁹ In Boston, roughly 50% of all motor vehicle related incidents are accidents (6,123 in 2019), a significant number of which are relatively minor (think fender benders) and could be handled by unarmed civil servants.

These proposals enjoy popular support. According to a survey by Data for Progress and the Justice Collaborative, Americans nationwide support proposals to move away from armed traffic enforcement by a 24-percentage-point margin (54 percent support, 30 percent oppose).⁵⁰

⁴⁶ Forbes, "Berkeley Will Become 1st U.S. City To Remove Police From Traffic Stops" (July 15, 2020), <https://www.forbes.com/sites/rachelsandler/2020/07/14/berkeley-may-become-1st-us-city-to-remove-police-from-traffic-stops>

⁴⁷ Northampton Policing Review Commission, Reimagining Safety, March 2021, available at: <https://www.northamptonma.gov/DocumentCenter/View/16810/Reimagining-Safety---Northampton-Policing-Review-Commission-Report>

⁴⁸ Details outlined at this Twitter thread: <https://twitter.com/UdiACLU/status/1391220697150676994?s=03>. A copy of the draft city council resolution can be found here: <https://www.cfj.org/s/Brooklyn-Community-Safety-Act.pdf>

⁴⁹ See NOLA.com, "Civilians could investigate your next fender-bender, after city green-lights plan" (September 13, 2017), https://www.nola.com/news/traffic/article_8df201da-d3b4-5e64-b8fb-a373e7de8c87.html

⁵⁰ See The Justice Collaborative, "REPORT: The Public Wants Non-Law Enforcement Emergency First Responders" (June 22, 2020), <https://thejusticecollaborative.com/2020/06/report-the-public-wants-non-law-enforcement-emergency-first-responders/>

Investigations

Between 2016-2020, investigations made up 11% of all incidents, or 13,519 in 2020. Investigations were filed under one of three incident descriptions: “investigate person,” “investigate property,” or “death investigation.” Investigations might include stop-and-frisks, talking to suspects or witnesses, or simply observing from a distance. Additionally, officers can take these investigative actions related to violent offenses, nonviolent offenses, or drug offenses.

We therefore separated these investigation incidents from other categories, since these incident types encompass a significant variety of actual events that fall across all the other categories. Without more detail as to the nature of these investigatory incidents, we are unable to offer alternative solutions.

Nonviolent Offenses

In Boston, nonviolent offenses make up about 26% of all incidents that police respond to, or 25,274 in 2020. The most common types of nonviolent incidents include vandalism, warrant arrests and various types of fraud. BPD’s data around these types of incidents are shaped by the intensive surveillance of communities of color and directly tie into the deep racial disparities that permeate Massachusetts’ criminal justice system. For non-violent, minor offenses, Black people in Boston were arrested at a rate 2.87 higher⁵¹ than white people in 2018, which is an even larger disparity than for arrests overall.

Alternative Solutions

- ◆ **Utilize citations or summons instead of arrests:** Currently, Boston police officers have the discretion to either arrest or issue court summons for most offenses. For the most vulnerable members of the community, particularly those who are low-income, a single arrest can cause significant damage to a person’s life, even if they are later released on bail, including their ability to keep their job. The BPD can set internal policies to mark certain nonviolent offenses as non-arrestable and maximize the use of court summons instead of relying on arrests as a default.

⁵¹ See Vera Institute of Justice, “What Policing Costs: A Look at Spending in America’s Biggest Cities,” <https://www.vera.org/publications/what-policing-costs-in-americas-biggest-cities/boston-ma>

Research⁵² and resources for state legislatures⁵³ provide insight on implementing citation in lieu of arrest. The authors recognize that some arrest warrants are issued only after a failure to appear in court after a summons. Research has shown that text message reminders decrease rates of failure to appear,⁵⁴ and we are pleased to see that this service is newly available in Massachusetts.⁵⁵

- ◆ **Expand non-prosecution of certain misdemeanors and pre-arraignment diversion:**⁵⁶ Since 2017, the Suffolk County District Attorney has operated the “Juvenile Alternative Resolution” (JAR) program to provide individualized, community-based services to young people charged with crimes (including certain violent crimes), instead of prosecuting them. In 2020, over 60% of juveniles were diverted to JAR, and participants showed significant drops in further criminal activity compared to those who were prosecuted. Simultaneously, in 2019, the newly elected Suffolk County District Attorney, Rachel Rollins, announced that her office would, by default, no longer prosecute certain low-level offenses.⁵⁷ Instead, the charges would either be dismissed, or reduced to community service or other diversion programs. Research from Suffolk County has found that adults arrested but not prosecuted for low-level misdemeanors were also significantly less likely to engage in further criminal activity.⁵⁸ The District Attorney can expand this program to include more types of adult offenders, who would benefit more from these services than from incarceration. Furthermore, expanded use of pre-arraignment diversion would prevent these incidents from going on a person’s criminal record (CORI) and avoid the many collateral consequences of a criminal record.

⁵² The International Association of Chiefs of Police, “Citation in Lieu of Arrest: Examining Law Enforcement’s Use of Citation Across the United States,” 2016,

<https://www.theiacp.org/sites/default/files/all/c/Citation%20in%20Lieu%20of%20Arrest%20Literature%20Review.pdf>

⁵³ National Center for State Legislatures, Citation in Lieu of Arrest resource page, <https://www.ncsl.org/research/civil-and-criminal-justice/citation-in-lieu-of-arrest.aspx>

⁵⁴ Brice Cook, et al. UChicago Urban Crime Lab, Ideas42, “Using Behavioral Science to Improve Criminal Justice Outcomes Preventing Failures to Appear in Court,” January 2018, <https://www.povertyactionlab.org/evaluation/text-message-reminders-decreased-failure-appear-court-new-york-city>

⁵⁵ Massachusetts Probation Service, “New Text Messaging reminder system for court users is now available across the Commonwealth,” May 6, 2021, <https://www.mass.gov/news/new-text-messaging-reminder-system-for-court-users-is-now-available-across-the-commonwealth>

⁵⁶ See Suffolk County District Attorney, “Early Intervention and Prevention,”

<https://www.suffolkdistrictattorney.com/in-the-community/early-intervention-and-prevention>

⁵⁷ See Rachel Rollins for District Attorney, “Charges to be Declined,” <https://rollins4da.com/policy/charges-to-be-declined>

⁵⁸ See Amanda Agan, Jennifer L. Doleac, and Anna Harvey, “Misdemeanor Prosecution,” March 22, 2021, available at <https://d279m997dpfwgl.cloudfront.net/wp/2021/03/SCDAO-Misdemeanor-Prosecution-Report-1.pdf>

Sex Work

Police incidents from this dataset involving sex work are relatively rare in Boston, with a yearly average of only 50 sex work-related incidents (though only 22 in 2020), mostly involving solicitation.⁵⁹ While this represents incident data, and does not necessarily indicate arrests made, the data do not distinguish between consensual sex for a fee between adults, and more exploitative relationships including trafficking. Arresting sex workers or individuals who solicit sex workers creates a culture of fear which ultimately silences victims of sexual exploitation and can lead to both increased harm and less safe communities. Sex workers have a high likelihood of experiencing sexual violence⁶⁰ at work, especially transgender sex workers and sex workers of color. However, over 30% of sex workers nationwide have reported being afraid to call the police out of fear that they themselves will be arrested, ignored, or abused.⁶¹ Whatever policy solutions are adopted, CfJJ supports maintaining criminalization of trafficking, rape, and sexual exploitation of both minors and adults.

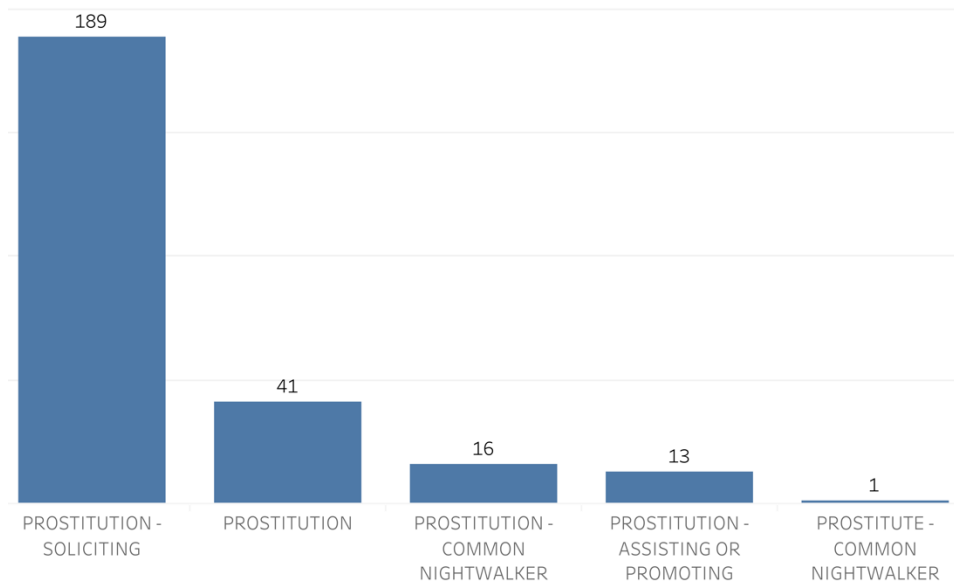


Figure 9: Incidents involving sex work between 2016-2020.

⁵⁹ While CfJJ prefers the term ‘sex work’ to ‘prostitution,’ this section sometimes uses the language in the BPD incident descriptions.

⁶⁰ See Urban Justice Center Sex Workers Project, “Sexual Violence Against Sex Workers,” <https://swp.urbanjustice.org/wp-content/uploads/sites/14/2020/08/Fact-Sheet-Sexual-Violence-Against-Sex-Workers-1-1-1.pdf>

⁶¹ See Global News, “30% of sex workers don’t call 911 because of fear of police: study” (January 26, 2021), <https://globalnews.ca/news/7601116/sex-workers-911-fear-of-police-study>

Alternative Solution

- ◆ **Decriminalize Sex Work:** Currently, it is a crime in Massachusetts both to solicit and engage in sex work,⁶² which serves as a disincentive for sex workers to report when they have been a victim of a crime while working. Legalizing and regulating sex work improves the health, safety, and working conditions of sex workers. In Rhode Island, when sex work was temporarily legal between 2003-2009, rates of sexual assault and certain sexually transmitted diseases dropped significantly.⁶³ A similar drop in sexual assault happened after the Netherlands legalized sex work in 2001.⁶⁴ One bill before the Massachusetts Legislature would decriminalize⁶⁵ the selling and purchasing of consensual sex for a fee as well as common night walking. Another bill would decriminalize common night walking and provide amnesty for sex workers reporting a crime during commission of sex work.⁶⁶ While these are both state-wide legislative solutions, the Boston City Council or police leadership could independently set municipal policy in this area even without state-wide legislation

Larceny

In Boston, larceny (sometimes referred to as ‘theft’) of makes up roughly 11% of police incidents, or about 11,000 incidents per year. If charged, larceny would be categorized as a criminal offense—a misdemeanor if the value of the item taken is under \$1,200 (or under \$250 until mid-2018), or a felony if the value is above that amount. However, this report distinguishes unarmed larceny from other non-violent offenses in recognition of the fact that many minor larceny incidents can be acts of desperation. One reason that people steal is to get items that they need to survive like food, baby formula, or medicine. Unlike other minor offenses—such as vandalism or trespassing—larceny can be driven by survival, and there is an argument to be made that it should be treated differently by both the criminal justice system and the police.

⁶² See State of Massachusetts, “Massachusetts law about sex,” <https://www.mass.gov/info-details/massachusetts-law-about-sex#prostitution->

⁶³ See National Bureau of Economic Research, “Decriminalizing Indoor Prostitution: Implications for Sexual Violence and Public Health” (July 2014), <https://www.nber.org/papers/w20281>

⁶⁴ See American Economic Association, “Street Prostitution and Crime” (November 2017), <https://www.aeaweb.org/articles?id=10.1257/pol.20150299>

⁶⁵ See Massachusetts Bill H.1867, <https://malegislature.gov/Bills/192/H1867>

⁶⁶ See Massachusetts Bill H.1800, <https://malegislature.gov/Bills/192/H1800>

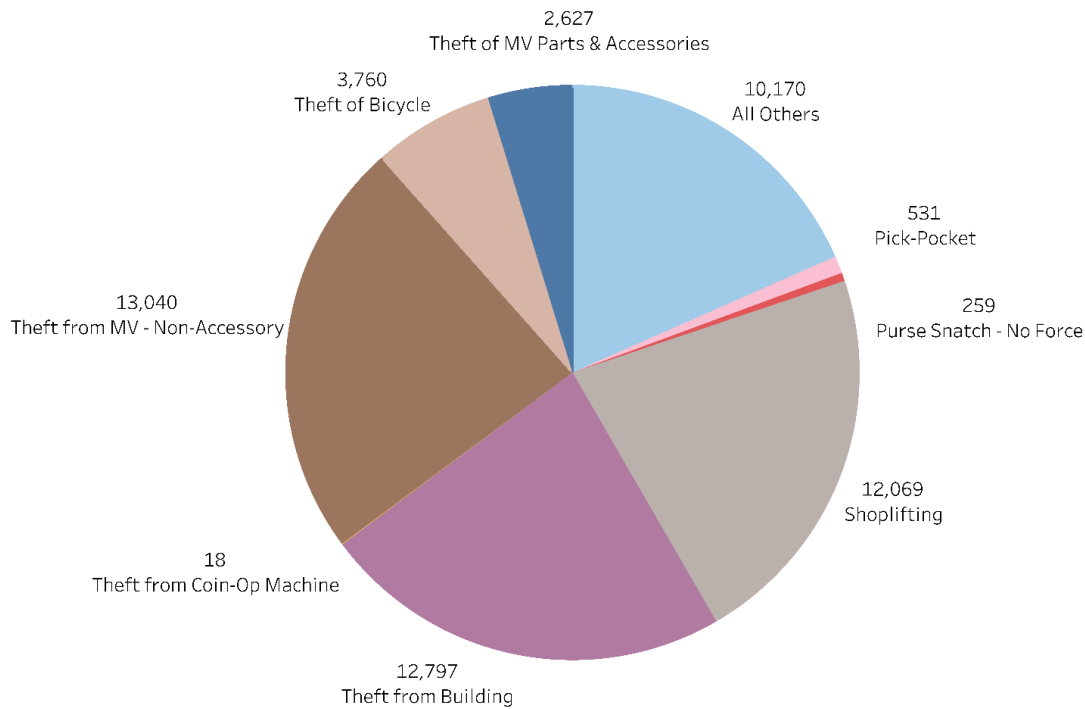


Figure 12: Most common larceny incidents; data show total number of incidents from 2016-2020. Eight other incident descriptions, with fewer than three incidents each, have been excluded.

Unfortunately, the dataset provides only limited detail about what types of items were stolen, and from where, with most larceny incidents being grouped together under a few broad categories. While there are more specific incident descriptions, such as “Bicycle \$200 and Over,” those descriptions have only one or two incidents logged under them. These limitations make it difficult to determine from the data just how many larceny incidents were committed in order to survive.

Alternative Solution

- ◆ **Seattle’s Proposed “Poverty Defense”:** In December 2020, the Seattle City Council considered a so-called “poverty defense,”⁶⁷ which would be an affirmative defense to most misdemeanor offenses if they are found to be linked to poverty, a mental health crisis, or addiction. This type of affirmative defense would not excuse all people who steal items but would be a significant step away from punishing the most desperate members of our community who are simply trying to survive. This effort in Seattle has not progressed beyond proposal phase.

⁶⁷ Seattle City Council, “Proposal for a new defense against prosecution of misdemeanors,” December 7, 2020, <https://seattle.legistar.com/View.ashx?M=F&ID=8996660&GUID=014145D6-69F4-417E-A39C-D8CA87728FDF>

Violent Offenses

Finally, violent offenses made up only 22% of all incidents that Boston police respond to. In other words, more than three quarters of all incidents that police respond to are non-violent.

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These incidents—which range from simple assault to murder, rape, and kidnapping—are the type of incidents that the public traditionally expects the police to respond to. While much of the public expects police to have a role to play in combating violent crime, police response to violent incidents is often reactive: it begins after a violent crime has occurred, and after a victim and a community has already suffered. Alternative crime-prevention solutions explore community-building ways to prevent crime and lower rates of community violence, rather than simply reacting to it after it occurs.

Furthermore, most violent crimes are simply never reported to the police: according to the Department of Justice, approximately 59% of violent crimes are never reported nationwide.⁶⁸

There are numerous causes to this, including that many individuals chose to engage in alternative, community-based methods to resolve the dispute, without involving the criminal justice system; and that many communities, especially communities of color, simply decline to call the police due to a significant lack of trust, even if the incident is never resolved. Then, when violent crimes are reported, the police often never find the perpetrator: in 2017, the BPD logged an arrest in only 46% of homicide cases.⁶⁹ In sum, even regarding the types of incidents that the public traditionally expects the police to handle, current policing practice has not proven to be consistently effective.

Alternative Solutions

In 2020, Researchers at the John Jay College of Criminal Justice studied non-police, community-based strategies to reduce violence, and issues a detailed

⁶⁸ See United States Department of Justice, “Criminal Victimization, 2019,” https://www.bjs.gov/content/pub/pdf/cv19_sum.pdf

⁶⁹ See WGBH, “Boston Police Closed Fewer Cases Even As Homicide Rates Rose Last Year” (July 23, 2018), <https://www.wgbh.org/news/local-news/2018/07/23/with-homicides-on-the-rise-boston-police-clearance-rate-dropped>

report outlining seven evidence-backed strategies.⁷⁰ Their recommendations include:

- ◆ Improving the physical environment
- ◆ Engaging and supporting youth
- ◆ Mitigating financial stress
- ◆ Confronting the gun problem

Many of their recommendations can, and should, be explored as alternative violence reduction strategies in Boston. They provide opportunities for the city to invest in ways to solve problems before they escalate into violence, instead of simply funneling resources into mitigation and incarceration after the fact. Additionally, these recommendations, particularly around mitigating financial stress, have also been shown to prevent non-violent crime.

RECOMMENDATIONS

The primary recommendation is that the City of Boston—and other municipalities in the Commonwealth as appropriate—should research and consider piloting/instituting the alternatives to police responses highlighted in each section of this report. Boston spends a large portion of city funds—equaling hundreds of millions of dollars per year—to fund a police response to a wide array of incidents. The alternative programs cited above provide opportunities to respond to community need by employing adaptive and cost-effective strategies. Such investments could allow BPD to focus on a core public safety mandate and increase investigation of unsolved homicides.

Second, given concerns identified in police spending, we encourage the city assign an appropriate independent investigatory agency to undertake a third-party in-depth audit/analysis of the Boston Police's budget with a view toward decreasing bloated spending patterns. A transparent and close look at how the police's budget is currently being spent—including how staffing level and overtime decisions are made—would provide important insight into pragmatically shifting resources to community-based and non-police alternatives.

⁷⁰ See John Jay College of Criminal Justice, "Reducing Violence Without Police: A Review of Research Evidence" (November 9, 2020), <https://johnjayrec.nyc/2020/11/09/av2020/#recommendations>

Third, we recommend additional research undertaken by advocacy and academic institutions to better understand incidents around police investigations, and more generally, to analyze trends over time.

Fourth, while we commend the City of Boston for making the police datasets public-facing, two data-related recommendations could enhance public understanding of the policing function in the city:

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- ◆ Integrate the current public-facing datasets to enable analysis across the entire policing process. In other words, consider adding a new, combined dataset that indicates where police incidents came from (FIOs, 911 calls, etc.), and whether the interaction with police led to an arrest or summons.
- ◆ Concerning the Incident dataset, there are four areas where the dataset can be improved to enable a more detailed analysis and a more nuanced understanding of both community need and police activity in the city:
 - **Add age data fields:** There is no age data linked to these incidents, so it is impossible to know the impact of police practices on certain age-based sub-populations such as children under 18, or older teenagers between the ages 18-20.
 - **Add race and ethnicity data fields:** There is no data about race or ethnicity linked to these incidents, so it is impossible to definitively know to what extent police practices disproportionately affect people of color.
 - **Indicate whether the incident led to an arrest or summons:** This dataset does not indicate which of these incidents led to an arrest or summons.
 - **Use consistent offense categories:** In late 2019, the BPD reorganized its offense descriptions, mainly by consolidating multiple offenses into one, which makes fine-grained analysis impossible. For instance, the BPD combined twenty-two different drug-related offenses, which were broken down by the class of drug and the type of offense (e.g., Drugs-Poss Class A), into a single offense. The city should return to using the more detailed categorization of incidents.

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Citizens for Juvenile Justice

Founded in 1994, Citizens for Juvenile Justice (CfJJ) is the only independent, non-profit, statewide organization working to improve the juvenile justice system in Massachusetts. As an independent research and policy organization, we are uniquely positioned to understand and advocate for the whole system – Juvenile Justice and the other child- and youth-serving systems that often feed into juvenile justice. We don't represent individual juvenile clients. Instead, we try to change the way the entire system operates. We advocate for smart policies that prevent crime, help youth develop into responsible adults, and use resources wisely. Our work includes advocacy with the legislature and the executive agencies, research, convening and coalition building, public education and media outreach.

CfJJ's mission is to advocate for statewide systemic reform that achieves equitable youth justice. This includes fair and effective systems that promote positive development and successful outcomes for young people. CfJJ works to ensure that Massachusetts includes kids in the juvenile system who are currently consigned to the adult system, keeps kids out of the juvenile system who don't belong there, and treats youth who are in the system fairly and effectively. Our goal is to ensure not just a fair and effective juvenile justice system, but fair and developmentally appropriate child-serving systems that prevent vulnerable youth from entering the juvenile justice system.



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