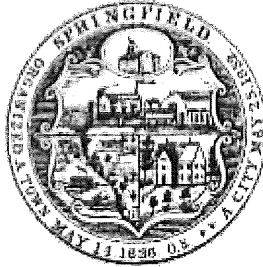


City of Springfield, Massachusetts



*Community Police Hearing Board
Report for 2017*

CHAIR

Attorney Ernesto Castillo

MEMBERS

Robert C. Jackson

Albert Traghese

Rev. Gail Hill

Paul A. Phaneuf

Linda Caron

Gary Berte

May 25, 2018

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COMMUNITY POLICE HEARING BOARD ANNUAL REPORT 2017

INTRODUCTION

This Annual Report describes the work to advance the mission of the Community Police Hearing Board (CPHB) for 2017. The current report includes spreadsheets for the data generated by the work of the CPHB during 2017 set forth in an Appendix. The spreadsheets are summarized in tables provided in this report.

In addition, the report provides statistics with regard to lawsuits involving allegations of police misconduct.

As a result of the Mayor's recent amendments in 2016 and 2017, and with the assistance of the Police Department's Crime Analysis Unit, gathering and reporting statistics on behalf of the CPHB, 2017 Quarterly reports have been posted on the City's website in accord with the Executive Order providing for improved reporting and greater transparency and more public access to information about police misconduct complaints in Springfield.

In addition, this report has included additional statistics which involve new procedures requiring for keeping track of "Calls for Service" (CFS). As such, a table has been introduced to report and reference for the years 2013 through 2017 with greater accuracy and detail. Similarly, data on "Arrests" has also been enhanced.

History and Purpose of Board.

The CPHB was created by an Executive Order of Mayor Sarno in February 2010. The CPHB was an evolution from the earlier Citizen Complaint Review Board (CCRB) established by former Mayor Ryan. The CCRB was first created in response to a study conducted by criminal justice experts Professor Jack McDevitt of Northeastern University and his Associate, Dr. Amy Farrell. The study was conducted as part of a settlement of the filing of a complaint by the Springfield Pastor's Council with the Massachusetts Commission Against Discrimination (MCAD).

Beginning in June of 2009, the former CCRB, under the coordination and guidance of the Mayor's Chief of Staff, Denise Jordan, began meeting to review the original Executive Order governing its activities and began discussing options amongst its members and legal counsel for improving the process and increasing the positive impact of the Board on the community. The former CCRB had issued a recommendation and report on December 9, 2009 and had also held a public hearing on its draft suggestions on that date.

Mayor Sarno requested that the Law Department, on January 11, 2010, expedite review of the suggestions and submit to him a proposal for an increased role for the community to play in the discipline of police officers charged with misconduct as a result of citizen complaints.

Further input was obtained on January 25, 2010 as a result of a public meeting held by the NAACP, which was attended by Mayor Sarno, then Police Commissioner Fitchet, and City Solicitor Ed Pikula, for the purpose of getting input from the community. Prior to issuing a new Executive Order, Mayor Sarno requested that past management studies conducted on the Police Department, as well as the study conducted by experts Professor Jack McDevitt and Dr. Amy Farrell, of Northeastern University, and the Mass Commission Against Discrimination settlement, be taken into consideration. The Law Department reviewed models used in cities across the country; met with the Police Commissioner; reviewed the contracts with the Police Commissioner and Police Unions; met with the Patrolmen's Union to discuss collective bargaining issues; and reviewed applicable statutes and ordinances.

As a result, in February 2010 Mayor Sarno expanded the authority of the Board to act as a hearing officer for the Police Commissioner and to make findings as to on each complaint and recommendations as to the discipline to be imposed. The Executive Order increased the role of the community in the discipline of police officers charged with misconduct as a result of citizen complaints, yet preserved the organization established by Ordinance, state law and contractual and collective bargaining obligations.

Since 2010, under Mayor Sarno's Executive Order, the CPHB has continued to sit as an independent and non-police mayoral agency providing civilian oversight over the investigation of citizen complaints by the police department, made recommendations to the Police Commissioner as to whether disciplinary charges should be issued against an officer with regard to each complaint, and has rendered hearing decisions recommendations for the Police Commissioner's consideration as required.

In 2016 the Executive Order was amended to clarify that the Open Meeting Law applies to all aspects of the CPHB work. While the 2010 revision required compliance with the Open Meeting Law, the 2016 revision clarifies that notices of all phases of the CPHB work must be posted and minutes kept in accordance with the Open Meeting Law which has also been recently amended.

While the deliberations of the CPHB involving complaints against employees may be required to be held in Executive Session, due to the need to manage personnel matters confidentially, the democratic process depends on the public having knowledge about the CPHB action. This revised Executive Order seeks to provide the proper balance of these interests. The members of the CPHB have worked hard to carry out their responsibilities, and the Open Meeting Law postings assure that the public will be aware of the work that is ongoing. As the CPHB continues to evolve, it will continue to improve upon its practices for the good of the City and its residents.

In addition to its role with regard to reviewing citizen complaints and acting as a Hearing Officer at the request of the Commissioner, the Board plays an important outreach role in educating the community of the opportunity to file a complaint, public dissemination of information as to how and where to file a complaint, and the rights of the community in dealing with the police. The Mayor's Chief of Staff, Denise Jordan, helps coordinate outreach events with the Board.

The CPHB issues this annual report to summarize its activities, and includes observations and recommendations concerning its policies and practices in relation to the Police Department.

CPHB Membership - 2017

The current chair of the CPHB is Attorney Ernesto Castillo. Attorney Castillo replaced Attorney Hector Zavalla, who left upon his appointment to serve as an Assistant Clerk Magistrate in Springfield District Court.

Attorney Cynthia Tucker, who formerly served as MCAD Commissioner, and oversaw the investigation of the original complaint filed by the Pastor's Council that led to the creation of this civilian oversight board, was the first Chair under Mayor Sarno's Executive Order.

One of the original complainants from the Pastor's Council included former Vice Chair of the CPHB, Reverend Amos Baily, who has since retired from the board, and was a party to the Pastor's Council settlement at the MCAD under Attorney Tucker when she served as MCAD Commissioner.

Members of the CPHB during 2017 included: Robert C. Jackson, the owner of a local security business, Albert P. Tranghese, a retired human resources professional, Reverend Gail Hill (who is also a retired Police Officer, Paul A. Phaneuf, who is a local small business owner of a funeral home here in the City, and Linda Caron, experienced in property management here in the city, and Gary Berte, PhD, who is a professor at Springfield College and a retired Police Officer.

The CPHB is a diverse group as far as representing different areas of the City, different racial, ethnic, gender and religious demographics - Black, Latino, White, Men and Women who represent different perspectives and backgrounds and careers, from human resources and union representation, education, security, law enforcement, the clergy, small business owners, and the chair, who is currently employed in the insurance industry.

Attorney Castillo has indicated that the CPHB will continue to review every citizen's complaint of misconduct that comes before it without fanfare, reviewing the officers' actions and determining whether such police conduct was "objectively reasonable" in light of the facts and circumstances confronting the officer at the time.

Under the Mayor's Executive Order and the law applicable to cases involving the use of force, the CPHB is tasked to judge the reasonableness of a particular use of force judged from the perspective of a reasonable officer on the scene, and with a calculus that embodies an allowance for the fact that police officers are often forced to make split-second decisions about the amount of force necessary in a particular situation, rather than with the benefit of 20/20 hindsight.

Attorney Castillo is committed to lead the CPHB to assure the proper application of Constitutional standards required by courts and which all police officers must follow.

The CPHB Review and Hearing Process.

The CPHB review starts with making sure that each complaint is fairly and thoroughly investigated. Where it is not; for example, if the Board feels that not enough effort was made to obtain evidence from a particular witness, the CPHB is empowered to send it back to the Internal Investigating Unit for further investigation.

From 2009 to date, every citizen's complaint and every IIU report has been seen and reviewed by a board made up of citizens from Springfield. Each Board has been given broad access to information about any case subject to a citizen complaint.

A copy of Mayor Sarno's Executive Order that was most recently amended in 2017 is included in Appendix 3 to this report. The revisions are intended to increase the role of the CPHB by modifying the Executive Order which they operate under in order to include the provision of recommendations, not only as to whether just cause exists to impose discipline, but where just cause is found, that a recommendation as to the nature of the discipline be included with the recommendation to the Commissioner. Under the new Executive Order, to guide the recommendation, the CPHB members receive disciplinary guidelines, in order to assure consistency with past discipline with a range of appropriate discipline in comparable situations.

Since 2016, revisions ordered by Mayor Sarno provided that the Police Department's Crime Analysis Unit will assist the CPHB by improving the database used to track matters involving citizens' complaints. The information kept in the database will be reported to the public through the City Clerk's office and the City's website on a quarterly basis. The Crime Analysis Unit has continued its efforts to improve the database of information under the direction of Commissioner Barbieri.

In 2017, Commissioner Barbieri issued a request for proposals from outside experts to examine the policies, practices and related processes within the department's Internal Investigation Unit (IIU) and to make recommendations for improvements wherever needed.

To date, Commissioner Barbieri has taken steps to increase supervision of IIU by transferring a Lieutenant for added quality assurance in reviewing IIU reports with the goal of achieving the utilization of best practices. In addition, the Police Department is

reviewing new specialized software for the purpose of tracking and analyzing police misconduct complaints.

Commissioner Barbieri has entered into a contract with the Police Executive Research Forum.

Currently, the essential responsibilities of the CPHB include:

- case reviews of all citizen's complaints, (held approximately bi-monthly), to assure that every citizens' complaint is thoroughly investigated, and to recommend whether or not disciplinary charges should be issued by the Police Commissioner against an officer involved in an incident;
- conducting periodic civil service disciplinary hearings, by designation of the Police Commissioner, to determine whether there is just cause for discipline and recommending to the Police Commissioner whether or not discipline should be imposed;
- holding public meetings throughout the year for the purpose of public outreach and education in an effort to improve relations between police officers and the community.

The Law Department will review any proposed change for the purpose of determining whether the clearly established law has changed, and if so, what procedures, practices, orders or training should potentially be changed to work with the Police Department to assist on the legal aspects.

Under the previous order applicable to 2014 and 2015, the Board was empowered to receive, hear, make findings and recommend action on complaints against Springfield police officers which allege: the use of excessive or unnecessary force, abuse of authority, discourtesy, or the use of offensive language. The CPHB does not conduct investigations. Investigations of complaints are conducted by the Springfield Police Department Internal Investigation Unit staff (IIU) under the direction of the Police Department Captain of Professional Standards.

Complaints may be made by any person whether or not that person is a victim of, or witness to, an incident. In addition, the Captain of Professional Standards reviewed all reports of injury to prisoners for the purpose of determining whether or not the department should initiate an IIU investigation and for consideration of possible disciplinary charges.

Under the revised Executive Order that was put in effect beginning in December 2017, CPHB members review complaints in a case review process with a recommendation made as to whether the Police Commissioner should initiate disciplinary charges. A form is utilized to provide standardization and consistency, and to be utilized as a record of the CPHB's activities during a review meeting. A review could involve as few as one person or as many as the entire Board. The dates of the review meetings are posted on the City's website along with the dates of Hearings providing a record for public access.

After an initial review by the CPHB, the Commissioner, as Civil Service Appointing Authority, determines whether or not to issue a charge letter, leading to a full hearing in front of the CPHB acting as hearing officer under the civil service law; Chapter 31 of the Massachusetts General Laws.

Some cases resolve prior to a hearing by an agreement being reached between the Commissioner and the Union. Overall, the willingness of the unions to accept the imposition of discipline and waive the rights of individual officers to a full hearing is an indication that the CPHB process is viewed similar to a jury and has a similar effect; prompting pleas in lieu of a hearing.

If a hearing is held on the charges, findings of fact are determined by the CPHB to determine whether "just cause" for discipline has been shown by substantial evidence and a recommendation as to whether or not just cause for discipline has been shown is included with the CPHB hearing results sent to the Police Commissioner.

Under the most recently revised system, in addition to the findings on whether or not there is "just cause" for discipline, the CPHB members receive disciplinary guidelines, in order to assure consistency with past discipline with a range of appropriate discipline in comparable situations. The CPHB utilizes these guidelines to make recommendations of a range of suggested discipline. This change by Mayor Sarno was made based on recommendation of the CPHB in the 2016 Annual Report and though it was not effective in 2017 it is currently in the process of being implemented.

In line with the original study performed by Professors McDevitt and Farrell, the process for civilian oversight of police misconduct in Springfield will continue to evolve and incorporate best practices to advance the mission of improving trust and repairing relationships between police and the communities they are sworn to serve and protect.

CPHB Activities - 2017

As previously noted the CPHB reviews all complaints and investigations, conducts Hearings under Civil Service procedures, and conducts outreach activities.

During 2016 the CPHB held outreach meetings throughout the City. The locations included: Lower Liberty Heights Community Action Team, at 233 Franklin Street; Armory Quadrangle Civic Association, at the Museum Park Apartments, 140 Chestnut St. Old Hill Neighborhood Council, at 99 Eastern Avenue; East Forest Park Civic

Association, at Holy Cross Community Room, 221 Plumtree Road; Maple High Six Corners Neighborhood Council, at the Mason Square Senior Center in Emerson Hall; Pine Point Community Council, at the Pine Point Neighborhood Council Office, 335 Berkshire Ave.; Indian Orchard Community Council, at 117 Main St.

As to complaints and investigations reviewed during 2017, the summary of the data, set forth in tables in this report, shows CPHB reviewed one hundred and twenty-five (125) Complainants. These included eighty-one (81) filed by citizens and forty-four (44) generated internally by police department personnel.¹ The detailed reports show the complaint number assigned for tracking purposes, the address of the incident, the incident date, the review date by the CPHB, the hearing date (if any)², the source (citizen or internal) the gender of the complainant, race of complainant (if known), nature of the complaint, disposition of the complaint at the review level, disposition at the hearing level, the final action taken by the Police Commissioner, the CPHB members who conducted the initial review, and a brief summary of what the complaint entailed.

All meetings to review complaints or conduct hearings are posted under the Open Meeting Law. The review session is held in executive session for purposes of considering whether disciplinary charges should be issued, unless an officer requests that the meeting be opened to the public. Where the Commissioner follows the recommendation and disciplinary charges are issued, the Commissioner may order a hearing and utilize the CPHB as Hearing Officers pursuant to Chapter 31 – the Civil Service law. All hearings are also posted in accord with the Open Meeting Law, and also held in executive session at the option of the officer.

The number of “complaints” and the detailed list reflect the number of actual complainants. The charges issued and reviewed by category are linked to the number of officers involved.

DATA SUMMARY OF COMPLAINTS

1. Calls For Service, Arrests, Complaints, Reviews, Hearings And Lawsuits Involving, Police Misconduct

The CPHB gathers statistics as to the number, type and disposition of all citizen complaints. This report provides an overview of Internal Investigation Unit (IIU) and CPHB data for period covering 2017. The data has been sorted in tables regarding the number, type, and resolution of complaints against Springfield Police Department personnel, and according to whether the complaint was initiated by a citizen or by a member of the Springfield Police Department.

¹ Please note that the records contained in this report reflect a snapshot taken as of January 30, 2018. As such, the data reflects some matters involving incidents occurring prior to January 1, 2017 and actions of the CPHB after December 31, 2017. Each is noted in the detailed reports.

² Cases “Not sustained” would not have a hearing unless otherwise ordered by the Commissioner. Cases reviewed, but not yet heard are still pending. Some cases are resolved prior to hearing.

To place the data in perspective, the level and frequency of involvement that the police officers have with the public in Springfield must be considered and can be used for comparison to other communities. In this regard, the CPHB has gathered the data covering the total number of calls for service through the Police Department. (CFS) and the total number of arrests for the past several years. The data is presented in a table. The data goes back to 2013 to present a revised comparison of past data supplied in annual reports. This new report provides greater accuracy, consistency, and transparency.

Table A – Summary of Calls for Service.

Springfield Police Department					
Calls for Service by Source					
	2013	2014	2015	2016	2017
911	69,408	54,018	43,542	59,524	62,553
Telephone	42,334	57,956	71,994	59,961	60,969
Initiated	58,802	68,446	83,800	122,557	148,453
Walk In	23	16	39	4,519	4,299
Cellular	960	234	47	25	16
Radio	1,061	911	1,157	1,508	1,746
Alarm System	2,587	1,983	1,519	979	939
Other	1,715	2,653	3,850	3,175	1,747
N.A.	1	0	0	0	0
Well Being Call	6	3	2	15	31
Total	176,897	186,220	205,950	252,263	280,753

Table B – Summary of Arrests

Springfield Police Department					
Persons Arrested 2013 – 2017					
Juveniles and Adults					
	2013	2014	2015	2016	2017
Juvenile	498	548	390	334	384
Adults	3,664	3,455	3,776	4,073	4,021
Total	4,162	4,003	4,166	4,407	4,405

As officers increasingly confront violence and step up efforts to apprehend suspects in the community, the chance of alleged unjustified force or other misconduct increases.

Without a transparent accountability model in place to help ensure that all complaints are investigated thoroughly and fairly, the Department risks losing legitimacy in the community, particularly in high crime neighborhoods where trust and confidence are most critical to effective policing.

These statistics show that the number of complaints as a percentage of arrests is a small number. In 2017 the total number of arrests (combined adult and juvenile), totaling 4,405, roughly the same as 2016. The number of citizen complaints eighty-one (81) was also substantially the same compare to the number in 2016 where a total of number of complaints from citizens was eighty (80).

The above statistics show that the members of the Springfield Police Department had a total of 280,753 interactions with members of the public during 2017. According to the available data, the number of interactions or total “Calls for Service” has been on an upward trend since 2013. However, in comparison, the number of arrests has not seen as significant of an increase.

Compared with the number of calls for service, the number of arrests is small. The data would indicate that 98% of all arrests by Springfield Police Officers do not involve any complaints of misconduct by citizens.

For purposes of comparing the above data to other communities, the following table sets forth the most recent information from the United States Census Bureau website.

Table C – U.S. Census Bureau Data for Springfield³

2016 Population Estimate **154,074**

Race and Hispanic Origin

White alone, percent(a)	58.00%
Black or African American alone, percent(a)	21.00%
American Indian and Alaska Native alone, percent(a)	0.60%
Asian alone, percent(a)	2.10%
Native Hawaiian and Other Pacific Islander alone, percent(a)	0.00%
Two or More Races, percent	4.20%
Hispanic or Latino, percent(b)	43.20%
White alone, not Hispanic or Latino, percent	33.20%

(a) Includes persons reporting only one race

(b) Hispanics may be of any race, so also are included in applicable race categories

³ <https://www.census.gov/quickfacts/fact/table/springfieldcitymassachusetts>

2. Data concerning Complaints Reviewed by CPHB during 2017

Appendix 1 contains a spreadsheet showing all data for all complaints received by the Springfield Police Department during 2017. All complaints received were reviewed by the CPHB. The data contained in the spreadsheets was used to generate Tables A and B categorizing the statistics by source, Race, Gender, Nature of Complaint, whether allegations of discrimination was alleged, and by disposition. In addition, if a policy change was made, it was noted. Statistics were also provided as to whether the complaint was generated by an internal police officer or supervisor, as well as the final disposition of the case.

Each Citizens Complaint incident (CC) is listed in spreadsheets. The Springfield Police Department also designates certain incidents with a Preliminary Investigation of Employee ("PIE"). A PIE designation indicates the matter was initially investigated by an officer's Commanding Officer in the first instance. The majority of matters so designated involve allegations of "rudeness" or discourtesy.

This is not to say that discourtesy is not considered serious. As an example, what may seem simple rudeness may turn out to be more serious. A complaint of discourtesy, although designated for PIE, could result, with further investigation, to reveal facts uncovering that the "rudeness" involved the use of a racial slur or hate speech. Under such circumstances, the complaint could lead to discipline up to and including termination. The PIE designation was created as a method of allowing IIU to focus on the most important cases in the first instance. Where the Commanding Officer determines that the issue warrants further investigation after a PIE, the matter is referred back to the IIU and goes beyond a preliminary investigation.

2017 CPHB YTD REPORT
(Jan. 1 through Dec. 31)

In order to summarize the data from Appendix 1 it is organized into the following tables (D through H) which break down the complaints by source (Citizen or Internal) filed during 2017, the background of complainants – if known, the types of charges (reviewed by category), the outcome of the charges (sustained or not sustained), and the number of charges pending, both citizen or internal. As previously noted, the details of each complaint are found in Appendix 1.

Table D - Complaints by Type

Citizen	81
Internal	44
TOTAL	125

Table E - Complainant Background

Race	
American Indian	-
Asian	-
Black	27
Native Hawaiian	-
Other	19
Unknown	8
White	31
Gender	
Female	42
Male	48
Other	-
Unknown	-
Ethnicity	
Hispanic	26
Non-Hispanic	34
Unknown	24

Table F - Charge Outcomes

Disposition Type	Citizen	Internal
Sustained	11	35
Not Sustained	170	32

Table G - Charges Pending

	Citizen	Internal
Pending	62	66

Table H - Charges Reviewed by Category

Charge	Citizen	Internal
Bias/Gender	-	-
Bias/Orientation	-	-
Bias/Race	2	-
Criminal	1	1
Discourtesy	54	1
Physical/Equipment	8	5
Physical/Hands	28	34
Rules/Regulations	83	48
Search & Seizure	8	19

3. Police Misconduct Lawsuits

The CPHB wants to help ensure that independent oversight is a part of efforts to identify and resolve underlying systemic problems within law enforcement, with a primary focus on reducing and preventing misconduct and enhancing accountability, as well as promoting effective policing and developing strategies for positive organizational change. Towards that end, we have asked that data as to police misconduct lawsuits be provided to the CPHB and publically disseminated.

Appendix 2 provides a database of all police excessive force/misconduct lawsuits where the City or members of the police department were named as defendants in litigation since 2006. Table I provides a statistical summary of Appendix 2. The summary (Table I) indicates that 52 lawsuits have been filed against the City or its police officers alleging a deprivation of civil rights through police misconduct in the years from 2006 through the end of calendar year 2017. As to those lawsuits, 47 have been disposed of (4 of which were pending prior to 2006). There were 22 cases resulting in judgments entered by the court and 25 by settlement. As to the 22 judgments, only 2 resulted in liability against the City or its officers while 20 of the judgments have been entered in favor of the City and/or its officers. As of December 31, 2017 a total of 9 cases remained pending.

TABLE I – Lawsuits Alleging Police Misconduct (1/1/2006 – 12/31/2017)

Year	# Filed	# Closed *	# Jgmts **	# Judgmt Pltf v. Def ***	\$ Judgment Amount **	# Settld	Settlement Total \$ ***	\$ Total Settled and Judgmts ****
2006	1	1	0	0/0	0	1	32,500	32,500
2007	6	4	2	0/2	0	2	218,000	218,000
2008	1	5	4	0/4	0	1	13,000	13,000
2009	9	2	2	0/2	0	0	0	0
2010	3	4	1	0/1	0	3	79,000	79,000
2011	2	1	0	0/0	0	1	13,900	13,900
2012	7	5	2	0/2	0	3	605,500	605,500
2013	8	6	4	0/4	0	2	55,500	55,500
2014	4	5	3	1/2	1,000,000.00	2	47,000	1,047,000
2015	3	8	4	1/3	85,000.00	4	273,000	358,000
2016	5	4	0	0/0	0	4	63,750	63,750
2017	3	2	0	0/0	0	2	1,445,000.00	1,445,000.00
TOTAL	52	47	22	2/20	1,085,000.00	25	2,846,150.00	3,931,150.00

* includes 4 cases filed pre 2006 but disposed thereafter

** average combined settlement and judgment for 50 cases closed is \$83,641.49 per case

*** average combined settlements and judgments per year is \$ 220,218.00

**** average judgment in 22 cases is \$ 49,318.00 per case.

average settlement in 25 cases is \$ 113,846.00 per case

CBHB OBSERVATIONS

The following are some of the observations of the Board as conveyed to the Law Department. These observations (as well as the recommendations that follow) echo observations from earlier annual reports. This is important so that the institutional experience of former members of the CPHB be carried through in support of the intent that the Board reflect on the history that preceded it, and it is equally important that the Board evolve as intended.

- **Civilian Oversight of Police as a National Issue.**

During 2017, a focus on police misconduct continued as one of the top subjects of an ongoing national debate on relations between law enforcement and minority communities and remained in the forefront of news reports. The national issue was reflected in the a number of cases that have been the subject of citizen as well as administrative complaints investigated by the SPD Internal Investigating Unit. The CPHB is hopeful that it can play a positive role as the civilian oversight agency in Springfield by providing an unbiased review of complaints and the disciplinary process. Springfield is one of only about 200 communities across the country with some form of civilian oversight of the police.

- **Police misconduct lawsuits.**

The data collected by the CPHB in appendix 2 and summarized in the Table H, shows that the amount of money expended by the City to pay settlements and judgments on cases claiming a violation of civil rights as a result of police misconduct has continued to increase, consistent with national trends in median jury awards. However, the overall number of lawsuits seems to be decreasing. It is hoped that as the CPHB evolves, its impact will be to improve trust between police and the community, and as a result, future misconduct will decrease as will the legal costs related to lawsuits claiming police misconduct.

- **Videotaping.**

Videotaping continues to be an important issue of concern by the CPHB. There are two components: Videotape evidence made by suspects or bystanders, and dashboard and body camera use by the police. As with last year, the City has faced lawsuits which have involved the issue of suspects and bystanders videotaping police officers. Springfield Police Officers do receive training in this area through handout materials at roll call, or through annual in-service training.

- **Cooperation of Witnesses.**

There continues to be a large number of complaints which are unfounded or where police officers are exonerated where the non-cooperation of witnesses appears to play a role. While the board can only speculate as to the reasons for non-cooperation, there continues to be a general concern by the CPHB that complainants and witnesses may fear retribution or they have a sense that "nothing will be done" as a result of their complaints. The data indicates that, where the CPHB held hearings and did have cooperation of witnesses, findings against officers were sustained and discipline was imposed, without any retribution against the witnesses. The Police Commissioner has repeatedly demonstrated his support for the CPHB and this process. In order to provide greater assurances to witnesses as to the integrity of the existing process, the CPHB process would benefit by an increased show of support by other City Officials.

- **Public Outreach. In 2017**

There is a need for more outreach and public education as to the role and duties of the CPHB to dispel any perceptions about coming forward and voicing complaints and participating in the citizen complaint process. Attendance at public meetings has been sparse and a greater understanding and increased public participation would increase public confidence in the Springfield Police Department. The CPHB seeks greater public input for ideas on the best way to reach out to the public.

- **Complaints of Rudeness.**

As with past years, complaints reviewed involving “rudeness” by officers were prominent. Such incidents have the potential to escalate into a volatile situation. In addition, such complaints tend to discourage participation in the citizen complaint process and erode the community trust of the police department.

There were no instances of complaints for rudeness being brought to the CPHB by SPD internal administrators. This is to be expected as it is hoped that supervisors are able to handle such complaints without the need for intervention by the CPHB. However, greater efforts should be made to address rudeness complaints brought by citizens in an alternative dispute resolution setting.

The Board continues to support the development of a voluntary mediation process which emphasizes dialogue between parties and provides a safe environment where parties can air their views about events or issues leading to the dispute. The process would be intended to develop mutual understanding between the parties in the course of resolving the dispute. Mediation could potentially be resolved by providing both parties with an opportunity to express themselves freely and work toward a mutually agreed-upon resolution of a dispute.

The Citizen’s Police Academy provides a useful bridge to help understand the workings of the police department and has helpful education materials.

The IIU has been very professional in their dealings with the Board and very accommodating in their schedule to provide information to the Board.

- **Assignment of Additional Case Presentation Resources.**

Mayor Sarno’s assignment of Attorney Alesia Day to present cases at hearing for the Board under the direction of the Labor Relations Director has added valuable experience and skills to the roster of Attorneys utilized to present evidence on behalf of the Police Department’s management team. Attorney Days unique relationship as Director of Licensing, which does not involve the representation of police or the City in any civil actions involving the police department, provides an internal yet independent perspective on the presentation of evidence to the CPHB. As a former Hamden County prosecutor, Attorney Days, acting under the Director of Labor Relations, she is a much appreciated addition to the process.

CPHB RECOMMENDATIONS

The CPHB believes it can help make constitutional policing and transparency core values of policing in Springfield, as well as helping to build systems of accountability that include independent oversight.

The CPHB will support the many police officers who uphold their oaths, engendering greater public trust.

Based on CPHB observations, as well as a review of some of the recommendations by national civilian oversight of law enforcement organizations brought to the CPHB's attention, the following are recommendations of the CPHB in regard to the policies and practices of the Police Department. As to police conduct and training, and the structure of the work of the CPHB, many of them the same or similar to prior years, are in line with the recommendations and goals of national oversight organizations. The CPHB believes that adoption of these recommendations will help improve the quality and integrity of police disciplinary systems.

- **Video Cameras**

Once again, the CPHB recommends that the Police Department expand the use of video cameras by placement on the dash of all cruisers, and supports the consideration of their use of body cameras, as well as increased use within the police headquarters.

The CPHB understands there are legal and logistical issues that need to be addressed in order to implement a policy that expands the use of video, but the CPHB contends the cameras would assist the City in protecting the patrol officers from assaults and unfounded allegations of police misconduct.

The video cameras may also provide protection to civilians from police misconduct. As stated in the past, according to a report of The International Association of Chiefs of Police (IACP) studying the use of in-car cameras, 97 percent of the citizens polled across the U.S. support the use of in-car cameras for law enforcement. While law enforcement views the acquisition of camera technology as a means to demonstrate their professionalism and increase officer safety, the public views cameras as a means to guard against abuse. Despite the difference in opinions, both the public and the police have shown support to use the technology, making the acquisition and implementation of an in-car camera program a win/win proposition for all. According to the IACP report, in 93% of the time a complaint is filed regarding police conduct and there is video evidence available, the officer is exonerated. See IACP's *Report on In-Car Cameras*, 2004.

The CPHB has previously suggested that dashboard cameras be introduced as soon as practicable in a scaled version that can be expanded as legal and contractual issues are addressed. Similarly, the CPHB would support a similar approach with regard to body cameras as a pilot program.

- **Outreach on Training and Policies**

The CPHB wants to help ensure that police officers continue to have the proper tools, guidance, training, and supervision to carry out their law enforcement responsibilities safely and in accordance with individuals' constitutional rights. In this regard, the CPHB recommends the following:

Tasers

The CPHB has been informed that the Springfield Police Department has initiated a program of issuing new equipment and has been training employees on the use of new technology, specifically, electronic weapons, or "Tasers". The CPHB recommends that the policies and procedures involving the use of such weapons be shared with the public at one of the CPHB's quarterly meetings for public awareness as well as information for the CPHB to utilize for its own training in the event that any complaints are reviewed which involve such weapons.

Building Community Trust through CPHB Outreach

The CPHB should coordinate with the Springfield Police Department to conduct outreach with regard to upcoming changes in policy. We are mindful that the Police Commissioner has engaged experts to review police policies, in particular, policies and procedures with regard to the IIU. The CPHB recommends that outreach through the CPHB is utilized to engage neighborhoods in the policymaking process. The Justice Collaboratory at Yale Law School, in its report "Principles of Procedurally Just Policing" (January 2018) has stated that engaging the public in the process of policymaking on matters which directly impact the public will pay dividends: "it has the potential to substantially increase the community's belief in the department's legitimacy. The changes departments make in this regard stand to generate public support for police reforms". Similarly, the CPHB Outreach should be utilized to involve the Community in any Body-Worn and Vehicle-Mounted Camera Policymaking that occurs.

- **Citizen's Police Academy**

The Citizen's Police Academy should be more widely publicized and its materials more widely distributed. While the ten week commitment to complete the program can be daunting, the Citizen Police Academy should consider the presentation of some shorter programs to be held in conjunction with CPHB outreach efforts.

- **CPHB and Police Academy**

The CPHB Board members should all attend one of the Police Academy classes to be introduced to new recruits and explain their role. It may also be appropriate for the CPHB to receive training through a nationally recognized association that brings together individuals and agencies working to establish or improve oversight of police officers in the United States.

- **Access to IIU materials**

The CPHB has full access to all IIU materials. However, during a recent training session, members requested offsite—remote access to materials prior to case reviews and hearings. At this time, in accordance with practices dating back to the Police Commission, no IIU files are allowed to leave the Police Department. Each CPHB member is required to visit the Police Department to review the file on each matter. The Board has requested that the Commissioner consider a process to increase their access, yet maintain cyber security standards, through a remote access system. The issue will be submitted to the Labor Relations Department and the Commissioner for review and consideration.

The above observations and recommendations will be shared with the Captain of the IIU as well as the Police Commissioner for discussion, potential revision and feasibility of implementation. In addition, the Board is planning a public hearing to review the data and observations and seek public input.

APPENDIX 1
2017 CPHB Detailed Data

Copy Attached

CPHB YTD DETAIL REPORT: 2017 QUARTER 4

January 01 To December 31

Complaint Number	Address	Incident Date	Review Date	Hearing Date	Citizen or Internal	Gender	Race	Nature of Complaint	Review Disposition	Hearing Disposition	Final Action	Board Member	Summary
SO-17-233	128 Elijah St	11/6/2017	1/26/2018	N/A	Admin			Rules/Regulations	Not Sustained	N/A		Linda Caron	Investigation into Police Response at 128 Elijah St
SO-17-268	Walnut St	12/7/2017	1/26/2018	N/A	17-079	Female	Black	Rules/Regulations	Not Sustained	N/A		Linda Caron Paul A. Phaneuf	Complainant states when in the cruiser the officer slammed on the breaks and she hurt her neck and right side, had to go to the hospital
SO-17-270	91 Park St East	12/9/2017	1/26/2018	N/A	17-080	Female	Other	Physical/Hands	Not Sustained	N/A		Linda Caron Paul A. Phaneuf	Complainant states he was arrested for the way he looks and where he lives they think he is a drug dealer. Pushed him to the ground upon arrest
PH-17-045	135 Sanderson St	11/6/2017	1/12/2018	N/A	70-071	Female	Other	Rules/Regulations	Not Sustained	N/A		Linda Caron Paul A. Phaneuf	Complainants feel that officer was not compassionate and left out details from report
SO-17-231	189 Morton St	11/1/2017	1/12/2018	N/A	Admin			Physical/Hands	Not Sustained	N/A		Linda Caron Paul A. Phaneuf	Investigation into report authored by Sgt John Wadlegger
SO-17-234	Dearborn St	11/3/2017	1/12/2018	N/A	17-065	Female	Other	Physical/Hands	Hearing	N/A		Linda Caron Paul A. Phaneuf	Complainant states officer hit her two times in the chest and pepper sprayed her
SO-17-244	Berkshire Ave	11/14/2017	1/12/2018	N/A	17-069	Male	Black	Rules/Regulations	Hearing	N/A		Linda Caron Paul A. Phaneuf	Complainant believes he was wrongfully pulled over
SO-17-258	Princeton St	11/29/2017	1/12/2018	N/A	17-075	Male	Black	Physical/Hands	Not Sustained	N/A		Linda Caron Paul A. Phaneuf	Complainant states officer used excessive foul language and shoved him

Complaint Number	Address	Incident Date	Review Date	Hearing Date	Citizen or Internal	Gender	Race	Nature of Complaint	Review Disposition	Hearing Disposition	Final Action	Board Member	Summary
SO-17-266	Kibbe Ave @ Taylor St	12/11/2017	1/12/2018	N/A	Admin	Female	Black	Physical/Equipment	Hearing	N/A		Linda Caron	Traffic stop by officer Basovsky #17-4888-AC
PI-17-042	21 Mooreland St	11/7/2017	1/2/2018	N/A	17-066	Female	Other	Discourtesy	Not Sustained	N/A	None	Linda Caron	Complainant states officer said to her son that he was going to shoot his dog
PI-17-043	798 Carew St	11/8/2017	12/18/2017	N/A	17-067	Male	White	Rules/Regulations	Not Sustained	N/A	None	Linda Caron	Complainant states officer told him to shut up and called him a loser
PI-17-044	Rte 291	10/24/2017	12/18/2017	N/A	17-068	Female	Black	Rules/Regulations	Not Sustained	N/A	None	Linda Caron	Complainant feels the officers were very aggressive upon pulling her over
PI-17-046	Ashmun at Central St	10/16/2017	12/18/2017	N/A	17-072	Female	White	Rules/Regulations	Not Sustained	N/A	None	Linda Caron	Complainant states officer was very verbally aggressive and disrespectful
SO-17-219	44 Byers St	3/25/2017	12/18/2017	N/A	17-059	Male	White	Physical/Hands	Not Sustained	N/A	None	Linda Caron	Complainant states officers violently hurled him into cruiser and he suffered injuries when he was in an altered state
SO-17-229	86 Rittenhouse Ter	10/26/2017	12/18/2017	N/A	17-063	Male		Physical/Equipment	Not Sustained	N/A	None	Linda Caron	Complainant states officer changed him with Billy Cobb and shoved him down
PI-17-039	Boston Rd	10/7/2017	12/7/2017	N/A	17-060	Female	Black	Rules/Regulations	Not Sustained	N/A	None	Gary Berte	Complainant states officer over used his authority upon given her a m/a violation ticket
PI-17-040	Woodmont at Denton	10/6/2017	12/7/2017	N/A	17-061	Female	White	Rules/Regulations	Not Sustained	N/A	None	Gary Berte	Complainant states still waiting for report of MVA
PI-17-041	99 Savoy Ave	11/6/2017	12/7/2017	N/A	17-064	Female	Other	Rules/Regulations	Not Sustained	N/A	None	Paul A. Phaneuf	Complainant states officer has it out for her, lives on her street
PI-17-047	377 Stapleton Rd	10/30/2017	12/7/2017	N/A	17-073	Female	White	Rules/Regulations	Not Sustained	N/A	None	Gary Berte	Complainant feels the officer is doing nothing about her residential and noise complaint

Complaint Number	Address	Incident Date	Review Date	Hearing Date	Citizen or Internal	Gender	Race	Nature of Complaint	Review Disposition	Hearing Disposition	Final Action	Board Member	Summary
SO-17-226	59 Fort Pleasant Ave	9/20/2017	12/7/2017	N/A	17-062	Male	Black	Rules/Regulations	Not Sustained	N/A	None	Gary Berte	Complainant states they are charging him with drug possession
SO-17-247	Magazine Park	9/12/2017	12/7/2017	N/A	17-074	Male	Other	Physical/Hands	Hearing	N/A	None	Paul A. Phaneuf	Complainant states officers assaulted him
SO-17-285	252 Hillside Rd	9/9/2017	11/20/2017	N/A	17-052	Female	White	Rules/Regulations	Not Sustained	N/A	None	Linda Caron	Complainant reported domestic issues involving officer
SO-17-212	Allen St @ Plumtree Rd	10/4/2017	11/20/2017	N/A	Admin			Rules/Regulations	Hearing	N/A	None	Paul A. Phaneuf	
PI-17-029	80 East St	7/6/2017	11/8/2017	N/A	17-048	Female	Black	Rules/Regulations	Not Sustained	N/A	None	Pastor Gail Hill	Complainant states officer wouldn't take her statement of a car accident
PI-17-032	Prentice and Jenness Sts	9/16/2017	11/8/2017	N/A	Admin			Rules/Regulations	Not Sustained	N/A	None	Pastor Gail Hill	Investigation into email from Bill Baker (City Hall) regarding Prentice and Jenness Streets
PI-17-033	Oak St (I.O.)	9/18/2017	11/8/2017	N/A	17-053	Female	Other	Rules/Regulations	Not Sustained	N/A	None	Paul A. Phaneuf	Complainant states officer was swearing when they were pulled over
PI-17-034	91 Ames Rd	9/21/2017	11/8/2017	N/A	17-054	Male		Rules/Regulations	Not Sustained	N/A	None	Pastor Gail Hill	Complainant states he is being targeted by police since Sam's incident
PI-17-036	Facebook Post	9/25/2017	11/8/2017	1/24/2017	17-055	Female		Discourtesy	Hearing	N/A	Retraining	Paul A. Phaneuf	Complainant states officer made slanderous comments on Facebook
PI-17-037	Union St near Williams St	9/28/2017	11/8/2017	N/A	17-056	Female	Other	Discourtesy	Not Sustained	N/A	None	Pastor Gail Hill	Complainant feels the officer was disrespectful

Complaint Number	Address	Incident Date	Review Date	Hearing Date	Citizen or Internal	Gender	Race	Nature of Complaint	Review Disposition	Hearing Disposition	Final Action	Board Member	Summary
PI-17-038	70 Pinevale St	10/3/2017	11/8/2017	N/A	17-058	Male	Other	Rules/Regulations	Not Sustained	N/A	None	Paul A. Phaneuf	Complainant feels officers is inconsistent with parking on treebelt
SO-17-213	271 Carew St	9/8/2017	11/8/2017	N/A	17-057	Female		Rules/Regulations	Not Sustained	N/A	Written Reprimand	Paul A. Phaneuf	Head of security at MMC requesting officer not be assigned to extra detail at hospital due to an employee be uncomfortable working near officer
SO-17-166	1655 Boston Rd	8/20/2017	10/24/2017	N/A	Admin			Criminal	Hearing	N/A		Gary Berte Paul A. Phaneuf	Invest report by Sgt Butler regarding possible impersonation of Police Officer at Eastfield Mall
PI-17-025	1277 Liberty St	8/10/2017	10/13/2017	N/A	17-042	Male	White	Discourtesy	Not Sustained	N/A	None	Albert Trangese Linda Caron	Complainant states officer was aggressive on his approach of him
PI-17-031	Hancock at King St	9/11/2017	10/13/2017	N/A	17-051	Male	Other	Discourtesy	Not Sustained	N/A	None	Albert Trangese Linda Caron	Complainant states officer harasses him
SO-17-162	Oak Grove Ave	7/17/2017	10/13/2017	N/A	17-048	Female	Black	Physical/Hands	Not Sustained	N/A	None	Albert Trangese Linda Caron	complainant states officer pushed her to the ground for no reason
SO-17-157	668 Liberty St	8/2/2017	10/3/2017	N/A	17-043	Male	Other	Physical/Hands	Not Sustained	N/A	None	Albert Trangese Linda Caron	States that officer struck him in the face because he did not like the way complainant was driving.
PI-17-026	Boston Rd	8/8/2017	9/28/2017	N/A	17-046	Female	Black	Rules/Regulations	Not Sustained	N/A	None	Albert Trangese Linda Caron	Complainant says officer gave her a citation for speeding when she was not and searched her car
PI-17-027	11 Merwin St	8/14/2017	9/28/2017	N/A	17-047	Female	Other	Rules/Regulations	Not Sustained	N/A	None	Albert Trangese Linda Caron	Complainant states officers pushed their way into her house looking for a person
SO-17-156	1666 Main St	8/1/2017	9/28/2017	N/A	17-042	Male	Black	Physical/Hands	Not Sustained	N/A	None	Albert Trangese Linda Caron	Officer harasses him, grabbed him roughly and squeezed handcuffs tightly

Complaint Number	Address	Incident Date	Review Date	Hearing Date	Citizen or Internal	Gender	Race	Nature of Complaint	Review Disposition	Hearing Disposition	Final Action	Board Member	Summary
SO-17-161	130 Pearl St	8/15/2017	9/28/2017	N/A	Admin	Male	White	Rules/Regulations	Not Sustained	N/A	None	Albert Trangese Linda Caron	Complainant wanted the Police Department to look into an inappropriate comment made on Facebook by Sergeant McBride
SO-17-168	23 Delaware Ave	6/4/2017	9/28/2017	N/A	17-049	Male	White	Physical/Hands	Not Sustained	N/A	None	Albert Trangese Linda Caron	Complainant states he was beat on arrest
SO-17-140	130 Pearl St	6/29/2017	9/23/2017	1/16/2018	Admin			Physical/Hands	Hearing	Not Sustained	None	Albert Trangese	Invest report by Cpt Kent made by Jerry Bellamy on 6/29/17 Re: missing money and officers causing injury to his wrist and being rude
								Physical/Hands	Hearing	Not Sustained	None	Gary Berte	
								Physical/Hands	Hearing	Not Sustained	None	Linda Caron	
								Physical/Hands	Hearing	Not Sustained	None	Paul A. Phaneuf	
								Physical/Hands	Hearing	Not Sustained	None	Robert C. Jackson	
SO-17-159	FaceBook Post	8/12/2017	9/23/2017	11/21/2017	17-044	Male	Unknown	Rules/Regulations	Hearing	Sustained	Terminated	Albert Trangese	Officer posted disturbing comment on Facebook
												Gary Berte	
												Linda Caron	
												Paul A. Phaneuf	
												Robert C. Jackson	
SO-17-128	130 Pearl St	7/1/2017	9/15/2017	N/A	17-038	Female	Black	Rules/Regulations	Not Sustained	N/A	None	Pastor Gail Hill	Complainant states officer never took her report to help her retrieve her child
												Paul A. Phaneuf	
SO-17-139	Dwight St / Calhoun	7/15/2017	9/15/2017	N/A	17-040	Male	White	Physical/Hands	Not Sustained	N/A	None	Pastor Gail Hill	Complainant states officers assaulted him.
												Paul A. Phaneuf	
SO-17-175	29 Foster St	9/5/2017	8/29/2017	N/A	17-050	Male	Black	Physical/Hands	Not Sustained	N/A	None	Linda Caron	Complainant states no reason why he was arrested
								Rules/Regulations	Hearing	N/A		Paul A. Phaneuf	
								Rules/Regulations	Not Sustained	N/A			
								Rules/Regulations	Not Sustained	N/A			

Complaint Number	Address	Incident Date	Review Date	Hearing Date	Citizen or Internal	Gender	Race	Nature of Complaint	Review Disposition	Hearing Disposition	Final Action	Board Member	Summary
PI-17-022	44 Bruce St	7/11/2017	8/28/2017	N/A	17-040	Male	Other	Discourtesy	Not Sustained	N/A	None	Albert Trangese Linda Caron	Complainant states officer only comes to her home about cars in driveway
SO-17-123	127 Catherine St	5/29/2017	8/28/2017	N/A	17-037	Female	White	Rules/Regulations	Not Sustained	N/A	None	Albert Trangese Linda Caron	Complainant feels no officers followed up with her and did not inform her of why pictures were being taken in her home
SO-17-129	98 Wellington St	4/5/2017	8/28/2017	N/A	17-039	Female	Black	Discourtesy	Not Sustained	N/A	None	Albert Trangese	Complainant feels officer was inappropriate and unprofessional to her circumstances
SO-17-134	1000 Hall of Fame Ave	7/2/2017	8/28/2017	N/A	Admin	Male	Unknown	Physical/Hands	Not Sustained	N/A	None	Albert Trangese Linda Caron	Investigation into Firearm arrest by off duty officer 17-2410-AR
SO-17-120	Redfern Dr	5/21/2017	8/2/2017	10/17/2017	17-034	Male	White	Rules/Regulations	Hearing	Sustained	Retraining	Gary Berte Linda Caron Pastor Gail Hill Paul A. Phaneuf	
SO-17-121	52 Weir St	6/17/2017	8/2/2017	N/A	17-035	Male	Black	Rules/Regulations	Not Sustained	N/A	None	Gary Berte Linda Caron Pastor Gail Hill Paul A. Phaneuf	Complainant states the officers used excessive force when arresting him and failed to provide timely medical care
SO-17-122	1374 Allen St	6/21/2017	8/2/2017	N/A	17-036	Male	Other	Rules/Regulations	Not Sustained	N/A	None	Gary Berte Linda Caron Pastor Gail Hill Paul A. Phaneuf	Invst email to the Mayors office regarding robbery of Turkish restaurant

Complaint Number	Address	Incident Date	Review Date	Hearing Date	Citizen or Internal	Gender	Race	Nature of Complaint	Review Disposition	Hearing Disposition	Final Action	Board Member	Summary
SO-17-133	37 Longhill St	7/2/2017	8/2/2017	N/A	Admin	Female		Rules/Regulations	Not Sustained	N/A	None	Linda Caron	Investigation into a domestic report #17-7611
SO-17-097	480 Canon Cir	4/13/2017	7/14/2017	N/A	17-030	Male	Black	Physical/Hands	Not Sustained	N/A	None	Albert Trangese Linda Caron	Complainant states he was punched in the head, pushed to the ground and put in a headlock which resulted in a fractured arm
PI-17-018	Burr St	5/18/2017	6/30/2017	N/A	17-031	Female	Other	Discourtesy	Not Sustained	N/A	None	Gary Berte Linda Caron	Complainant states officer was rude and used foul language towards her son
PI-17-019	224 Centre St	6/5/2017	6/30/2017	N/A	17-032	Female	Unknown	Rules/Regulations	Not Sustained	N/A	None	Gary Berte Linda Caron	Complainant states officers were rude while looking for a man in her home
PI-17-020	130 Pearl St	6/6/2017	6/30/2017	N/A	17-033	Male	White	Discourtesy	Not Sustained	N/A	None	Gary Berte Linda Caron	Complainant feels employee was disrespectful and rude
SO-17-085	State St/Oak St	4/14/2017	6/30/2017	N/A	17-028	Male	Black	Discourtesy	Not Sustained	N/A	None	Gary Berte Linda Caron	Complainant states officer didn't have a reason to pull him over and racial profited him
SO-17-086	132 Grover St	5/8/2017	6/30/2017	N/A	17-029	Female	Unknown	Discourtesy	Not Sustained	N/A	None	Gary Berte Linda Caron	Complainant feels officer is putting fear into her and her children. Various Date
PI-17-017	125 Alderman St	4/5/2017	6/13/2017	N/A	17-023	Female	Other	Rules/Regulations	Not Sustained	N/A	None	Gary Berte	Complainant doesn't feel officers helped with the situation with her daughter
SO-17-063	23 Greene St	3/15/2017	6/13/2017	N/A	Admin			Physical/Hands	Hearing	N/A	None	Gary Berte	States that the 2 officers had nonconsensual sex upon leaving with her from a bar
SO-17-049	Oakland St/Beimont	3/5/2017	5/26/2017	N/A	17-018	Female	Black	Discourtesy	Not Sustained	N/A	None	Robert C. Jackson Albert Trangese Linda Caron	Complainant says they were racially profited, stopped based on an officer believing they were suspicious

Complaint Number	Address	Incident Date	Review Date	Hearing Date	Citizen or Internal	Gender	Race	Nature of Complaint	Review Disposition	Hearing Disposition	Final Action	Board Member	Summary
SO-17-054	134 Wachusett	3/8/2017	5/26/2017	N/A	17-020	Male	White	Criminal	Hearing	N/A		Albert Trangese Linda Caron	Complainant states Officer Goffe physically disciplined his 2 children when they were with his ex wife.
SO-17-080	Fremont St	2/18/2017	5/26/2017	N/A	17-025	Male	Black	Rules/Regulations	Not Sustained	N/A	None	Albert Trangese Linda Caron	Complainant states officers damaged his car during search.
SO-17-082	108 School St	4/15/2017	5/26/2017	N/A	17-027	Male	Black	Bias/Race	Not Sustained	N/A	None	Albert Trangese Linda Caron	Officers accused complainant of buying drugs
PI-17-016	104 Greene St	3/15/2017	5/5/2017	N/A	17-021	Female	Other	Discourtesy	Not Sustained	N/A	Retraining	Albert Trangese Linda Caron	Officer walked into home without knocking
SO-17-048	59 Lakeville Ave	12/15/2016	5/5/2017	N/A	17-017	Male	White	Rules/Regulations	Not Sustained	N/A	None	Albert Trangese Linda Caron	Officer towed his car from his driveway, cited him improperly.
SO-17-058	51 Reed St	2/16/2017	5/5/2017	N/A	17-022	Male	Black	Discourtesy	Not Sustained	N/A	None	Albert Trangese Linda Caron	Mr. Jackson states that his rights were violated during his arrest
								Physical//Hands	Not Sustained	N/A	None		
								Rules/Regulations	Not Sustained	N/A	None		
								Discourtesy	Not Sustained	N/A	None		
								Physical//Hands	Not Sustained	N/A	None		
								Rules/Regulations	Not Sustained	N/A	None		
								Discourtesy	Not Sustained	N/A	None		
								Physical//Hands	Not Sustained	N/A	None		
								Rules/Regulations	Not Sustained	N/A	None		
								Discourtesy	Not Sustained	N/A	None		
								Physical//Hands	Not Sustained	N/A	None		

Complaint Number	Address	Incident Date	Review Date	Hearing Date	Citizen or Internal	Gender	Race	Nature of Complaint	Review Disposition	Hearing Disposition	Final Action	Board Member	Summary
PI-17-008	Pearl St	11/9/2016	4/10/2017	N/A	17-012	Female	Unknown	Rules/Regulations	Not Sustained	N/A	None	Pastor Gail Hill	Off. Did not make arrests and filed incomplete reports
								Rules/Regulations	Not Sustained	N/A	None	Paul A. Phaneuf	
								Rules/Regulations	Not Sustained	N/A	None		
								Rules/Regulations	Not Sustained	N/A	None		
PI-17-009	1020 Boston Rd	1/29/2017	4/10/2017	N/A	17-013	Male	White	Discourtesy	Not Sustained	N/A	None	Pastor Gail Hill	complained that the fire department didn't launch their boat where he suggested and the officer refused to give him names of officers or use of a pen.
								Discourtesy	Not Sustained	N/A	None	Paul A. Phaneuf	
								Discourtesy	Not Sustained	N/A	None		
								Rules/Regulations	Not Sustained	N/A	None		
PI-17-010	1170 Carew St	11/9/2016	4/10/2017	N/A	17-014	Female	Black	Discourtesy	Not Sustained	N/A	None	Pastor Gail Hill	Off. Threatened to arrest her and refused to give badge.
								Rules/Regulations	Not Sustained	N/A	None	Paul A. Phaneuf	
								Discourtesy	Not Sustained	N/A	None		
PI-17-012	98 Wellington St	11/9/2016	4/10/2017	N/A	17-016	Female	Unknown	Discourtesy	Not Sustained	N/A	None	Pastor Gail Hill	Off. Did not take a report.
								Discourtesy	Not Sustained	N/A	None	Paul A. Phaneuf	
								Physical//Hands	Not Sustained	N/A	None		
SO-17-014	1395 Allen St	11/22/2016	3/31/2017	N/A	17-004	Male	White	Physical//Hands	Not Sustained	N/A	None	Gary Berte	Ms Murphy entered the Talmadge School and walked to her son's classroom without the school staffs permission. Officers responded and placed Ms Murphy into custody.
								Physical//Hands	Not Sustained	N/A	None	Robert C. Jackson	
								Physical//Hands	Not Sustained	N/A	None		
SO-17-030	28 Drexel St	4/26/2014	3/31/2017	N/A	17-010	Male	White	Physical//Equipment	Not Sustained	N/A	None	Gary Berte	Compl states that Officer struck him in the head for no reason with his baton causing severe injury.
								Rules/Regulations	Not Sustained	N/A	None	Robert C. Jackson	
PI-16-029	1500 Main St	5/4/2016	3/22/2017	N/A	16-022	Male	Unknown	Discourtesy	Not Sustained	N/A	Pending	Albert Trangese	Off. Scared him while questioning him while he was riding his bicycle on the sidewalk.
								Discourtesy	Not Sustained	N/A	Pending	Paul A. Phaneuf	
PI-16-030	428 Berkshire St	4/19/2016	3/22/2017	N/A	16-023	Male	White	Discourtesy	Not Sustained	N/A	Pending	Albert Trangese	Off. Yelled at him ant took a report from another subject regarding complaint when it was not necessary.
								Discourtesy	Not Sustained	N/A	Pending	Paul A. Phaneuf	

Complaint Number	Address	Incident Date	Review Date	Hearing Date	Citizen or Internal	Gender	Race	Nature of Complaint	Review Disposition	Hearing Disposition	Final Action	Board Member	Summary
PI-17-011	Tavistock and Boston Rd	11/18/2016	3/22/2017	N/A	17-017	Male	White	Discourtesy	Not Sustained	N/A	None	Albert Tringese Paul A. Phaneuf	Compl. felt he was discriminated against because he has multiple sclerosis, officers made false crash report and had his lic taken away.
PI-17-006	162 Maple St	1/19/2017	3/9/2017	N/A	17-009	Male	Black	Discourtesy	Not Sustained	N/A	None	Pastor Gail Hill Paul A. Phaneuf	Officers illegally searched him and his car for weapons
SO-16-233	928 Berkshire Ave	11/14/2016	3/9/2017	N/A	16-109	Female	Unknown	Rules/Regulations	Not Sustained	N/A	None	Pastor Gail Hill Paul A. Phaneuf	Comp stated that her neighbor violated harr prevention order and the officers did not enforce it.
SO-17-009	650 Union St	5/16/2016	3/3/2017	N/A	17-003	Male	White	Discourtesy	Not Sustained	N/A	None	Gary Berte Robert C. Jackson	Comp stated that Officer was rude to him and used profanities.
SO-17-010	140 Bellevue Ave	12/14/2016	3/3/2017	N/A	Admin	Male	White	Rules/Regulations	Not Sustained	N/A	None	Gary Berte Robert C. Jackson	No complaint against the Springfield police department. Off duty firemen came to his home to complain about the American flag being flown upside down. US attorneys office contacted Comm.
SO-17-011	54 Bither St	1/9/2017	3/3/2017	N/A	Admin	Male	White	Rules/Regulations	Not Sustained	N/A	None	Gary Berte Robert C. Jackson	Restraining order issued against Officer
PI-16-095	25 Laurelwood La	1/18/2017	2/24/2017	N/A	16-093	Male	White	Discourtesy	Not Sustained	N/A	None	Albert Tringese Paul A. Phaneuf	Off. Stopped his m/v issued him a citation and serched his vehicle.
PI-17-003	66 Crystal Ave	1/18/2017	2/24/2017	N/A	17-005	Male	White	Search & Seizure	Not Sustained	N/A	None	Albert Tringese Paul A. Phaneuf	Comp feels Officer has it out for her dog.

Complaint Number	Address	Incident Date	Review Date	Hearing Date	Citizen or Internal	Gender	Race	Nature of Complaint	Review Disposition	Hearing Disposition	Final Action	Board Member	Summary
								Rules/Regulations	Hearing	Pending	Pending		
								Search & Seizure	Hearing	Pending	Pending		
								Physical/Hands	Hearing	Pending	Pending		
								Rules/Regulations	Hearing	Pending	Pending		
								Search & Seizure	Hearing	Pending	Pending		
								Physical/Hands	Hearing	Pending	Pending		
								Rules/Regulations	Hearing	Pending	Pending		
								Search & Seizure	Hearing	Pending	Pending		
								Physical/Hands	Hearing	Pending	Pending		
								Rules/Regulations	Hearing	Pending	Pending		
								Search & Seizure	Hearing	Pending	Pending		
								Physical/Hands	Hearing	Pending	Pending		
								Rules/Regulations	Hearing	Pending	Pending		
								Search & Seizure	Hearing	Pending	Pending		
								Physical/Hands	Hearing	Pending	Pending		
								Rules/Regulations	Hearing	Pending	Pending		
								Search & Seizure	Hearing	Pending	Pending		
								Physical/Hands	Hearing	Pending	Pending		
								Rules/Regulations	Hearing	Pending	Pending		
								Search & Seizure	Hearing	Pending	Pending		

Complaint Number	Address	Incident Date	Review Date	Hearing Date	Citizen or Internal	Gender	Race	Nature of Complaint	Review Disposition	Hearing Disposition	Final Action	Board Member	Summary
SO-17-007	17 Kenyon	1/1/2017	2/24/2017	N/A	17-002	Female	White	Discourtesy	Not Sustained	N/A	None	Albert Trangese	Officers threw her down during arrest causing her to hit her head.
								Physical/Hands	Not Sustained	N/A	None	Paul A. Phaneuf	
								Discourtesy	Not Sustained	N/A	None		
								Physical/Hands	Not Sustained	N/A	None		
								Discourtesy	Not Sustained	N/A	None		
								Physical/Hands	Not Sustained	N/A	None		
								Discourtesy	Not Sustained	N/A	None		
								Physical/Hands	Not Sustained	N/A	None		
								Discourtesy	Not Sustained	N/A	None		
								Physical/Hands	Not Sustained	N/A	None		
SO-16-218	73 Achusmett Ave	11/19/2016	2/2/2017	N/A	16-106	Female	White	Search & Seizure	Sustained	N/A	Retraining	Pastor Gail Hill	Officers kicked her door down as they were chasing a drug suspect. Officers kicked the wrong door
SO-16-221	91 Taylor St	11/19/2016	2/2/2017	N/A	Admin	Male	White	Search & Seizure	Sustained	N/A	Retraining	Paul A. Phaneuf	Internal investigation after cop reviewed photos and injury reports. Arrestee suffered facial injuries.
SO-16-210	91 Taylor St	1/25/2017	1/26/2017	N/A	Admin	Female	White	Rules/Regulations	Not Sustained	Pending	Pending	Gary Berte	Complainant stated officers were drinking on duty
								Rules/Regulations	Not Sustained	Pending	Pending	Robert C. Jackson	
SO-16-217	91 Taylor St	12/6/2016	1/26/2017	N/A	Admin	Female	White	Physical/Hands	Hearing	Sustained	Retraining	Gary Berte	Officers involved in an off duty fight with a known gang member.
								Rules/Regulations	Hearing	Sustained	Retraining	Robert C. Jackson	
								Physical/Hands	Hearing	Sustained	Retraining		
								Rules/Regulations	Hearing	Sustained	Retraining		
								Physical/Hands	Hearing	Sustained	Retraining		
								Rules/Regulations	Hearing	Sustained	Retraining		
								Physical/Hands	Hearing	Sustained	Retraining		

Complaint Number	Address	Incident Date	Review Date	Hearing Date	Citizen or Internal	Gender	Race	Nature of Complaint	Review Disposition	Hearing Disposition	Final Action	Board Member	Summary
SO-16-223	22 Hudson St	10/14/2016	1/26/2017	11/16/2017	16-107	Female	White	Rules/Regulations	Hearing	Sustained	Retraining	Gary Berte	Officers didn't make arrest or make report. Also falsified report
PI-16-085	83 Federal St	9/9/2016	1/13/2017	N/A	16-082	Female	White	Discourtesy	Hearing	Not Sustained	None	Robert C. Jackson	
PI-16-096	45 Eddy St	10/22/2016	1/13/2017	N/A	16-094	Female	White	Discourtesy	Hearing	Sustained	Retraining		
PI-16-101	514 Belmont Av	10/2/2016	1/13/2017	N/A	16-098	Male	Unknown	Rules/Regulations	Hearing	Not Sustained	None	Albert Tringese	Complainant stated that officer came into house without permission
SO-16-198	130 Pearl St	2/27/2016	1/13/2017	N/A	Admin	Male	White	Rules/Regulations	Hearing	Not Sustained	None	Albert Tringese	Complainant stated that officer was harrasing her son
SO-16-211	Allen/Plumtree	11/23/2016	1/13/2017	8/1/2017	16-103	Male	Black	Rules/Regulations	Hearing	Not Sustained	None	Albert Tringese	Officers drank in office while on duty

Complaint Number	Address	Incident Date	Review Date	Hearing Date	Citizen or Internal	Gender	Race	Nature of Complaint	Review Disposition	Hearing Disposition	Final Action	Board Member	Summary
50-16-216	Main / Boland Way	11/1/2016	1/13/2017	N/A	Admin	Male	White	Physical/Hands	Not Sustained	N/A	Retraining	Albert Tringese	Officers involved shooting
PI-16-093	145 Longhill Rd	10/7/2016	12/29/2016	N/A	Admin	Female	Black	Rules/Regulations	Not Sustained	N/A	None	Linda Caron	Complainant stated that officer was slow to respond to her b and e investigation.
PI-16-102	82 Mattoon	11/12/2016	12/29/2016	N/A	16-100	Male	Unknown	Discourtesy	Sustained	N/A	Retraining	Linda Caron	Complainant stated that officer was rude.
PI-16-103	50 Foster	11/12/2016	12/29/2016	N/A	16-101	Male	Other	Discourtesy	Not Sustained	N/A	None	Paul A. Phaneuf	Complainant stated that officer did not take a report.
PI-16-105	143 Main St	12/12/2016	12/29/2016	N/A	16-104	Female	White	Discourtesy	Not Sustained	N/A	None	Linda Caron	Complainant stated that officer harassed her while walking to rehab
50-16-206	691 State St	11/15/2016	12/29/2016	N/A	Admin	Female	White	Physical/Hands	Not Sustained	N/A	None	Linda Caron	Officers K-9 bit 2 yr old on leg
PI-16-088	16 Newland	9/17/2016	11/27/2016	N/A	16-085	Female	White	Discourtesy	Not Sustained	N/A	None	Pastor Gail Hill	Officer was harassing Complainant.
												Paul A. Phaneuf	

Complaint Number	Address	Incident Date	Review Date	Hearing Date	Citizen or Internal	Gender	Race	Nature of Complaint	Review Disposition	Hearing Disposition	Final Action	Board Member	Summary
PI-16-076	State St	5/28/2016	11/25/2016	N/A	16-076	Female	White	Bias/Race	Not Sustained	N/A	None	Albert Trangese Paul A. Phaneuf	Complainant stated that she suspected profiling by officers during vehicle stop.
PI-16-087	130 Pearl St	10/17/2016	11/25/2016	12/9/2016	Admin	Unknown	Unknown	Rules/Regulations	Hearing	Sustained	Written Reprimand	Albert Trangese Paul A. Phaneuf	Complainant stated that did not take a report and told him to go back to scene of the crime and call police.
SO-16-482	130 Pearl St	10/2/2016	11/25/2016	N/A	Admin	Male	Black	Physical/Hands	Not Sustained	N/A	None	Albert Trangese Paul A. Phaneuf	Complainant stated that officer punched him the the face while he was in his cell.
PI-16-080	20 Worthington	9/3/2016	11/4/2016	N/A	16-078	Unknown	Unknown	Discourtesy	Not Sustained	N/A	None	Albert Trangese Linda Caron	Complainant stated that officers did nothing after they were assaulted.
PI-16-086	58 Albemarle St	9/7/2016	11/4/2016	N/A	16-083	Male	White	Rules/Regulations	Not Sustained	N/A	None	Albert Trangese Linda Caron	Complainant stated that officers entered his house w/o casue.
PI-16-090	Nassau Dr	9/3/2016	11/4/2016	N/A	16-089	Male	White	Search & Seizure	Not Sustained	N/A	None	Albert Trangese Linda Caron	Complainant stated that officers spoken to him like he was a criminal.
SO-16-153	364 Belmont Ave	8/12/2016	11/4/2016	N/A	16-062	Male	White	Rules/Regulations	Sustained	N/A	Retraining	Albert Trangese	Complainant stated that officers allowed her drunk boyfriend to drive.

Complaint Number	Address	Incident Date	Review Date	Hearing Date	Citizen or Internal	Gender	Race	Nature of Complaint	Review Disposition	Hearing Disposition	Final Action	Board Member	Summary
PI-16-067	10 Bloomfield	8/10/2016	10/18/2016	N/A	16-061	Male	White	Rules/Regulations	Not Sustained	N/A	None	Linda Caron	Officers wouldn't allow complainant to tow vehicle to a tow yard of her choice. Felt it was a racist decision.
PI-16-073	104 Beaver	8/23/2016	10/18/2016	N/A	16-073	Female	Unknown	Rules/Regulations	Not Sustained	N/A	None	Richard Muise Robert C. Jackson	Officers mishandled a situation in which a woman was threatening her.
PI-16-074	200 Union St	8/23/2016	10/18/2016	N/A	16-074	Unknown	Unknown	Discourtesy	Not Sustained	N/A	None	Richard Muise Robert C. Jackson	Officer was rude, scared his 10 year old son during traffic stop
SO-16-158	Guacher/State St	8/27/2016	10/18/2016	N/A	16-077	Male	White	Discourtesy	Not Sustained	N/A	Retraining	Richard Muise Robert C. Jackson	Improper use of non-contract towing company.
SO-16-129	130 Pearl St	6/28/2016	10/10/2016	N/A	16-047	Male	White	Discourtesy	Not Sustained	N/A	None	Albert Trangese Linda Caron	Complainant stated that he had jewelry missing upon his release from police custody.
PI-16-061	Walnut / Pine	7/21/2016	9/30/2016	N/A	16-053	Female	White	Rules/Regulations	Not Sustained	N/A	None	Pastor Gail Hill Paul A. Phaneuf	Complainant stated that officer did not control violent woman who hit her car at accident scene.
PI-16-072	867 Boston Rd	7/16/2016	9/30/2016	N/A	16-072	Male	Black	Rules/Regulations	Not Sustained	N/A	None	Pastor Gail Hill Paul A. Phaneuf	Complainant stated that officer improperly put an abandoned sticker on car.
SO-16-138	291 W / Exit 5	8/2/2016	9/30/2016	N/A	16-057	Male	Unknown	Criminal	Not Sustained	N/A	None	Pastor Gail Hill	Complainant stated that off duty officer hit his vehicle and left scene and officer was discourteous to him.

Complaint Number	Address	Incident Date	Review Date	Hearing Date	Citizen or Internal	Gender	Race	Nature of Complaint	Review Disposition	Hearing Disposition	Final Action	Board Member	Summary
PI-16-071	74 Michigan St	8/8/2016	9/25/2016	N/A	16-071	Male	White	Discourtesy	Not Sustained	N/A	None	Paul A. Phaneuf	Complainant stated that officer was rude.
SO-16-131	130 Pearl St	6/6/2016	9/26/2016	N/A	16-049	Female	White	Rules/Regulations	Not Sustained	N/A	None	Richard Muise Robert C. Jackson	Complainant stated that traffic officer did poor job investigating her hit and run accident.
SO-16-102	360 Cooley St	6/4/2016	8/5/2016	10/5/2016	16-035	Male	White	Physical/Hands	Hearing	Not Sustained	None	Linda Caron	Complainant stated that two off duty officers and a friend of the officers assaulted him in parking lot of Christophers Sports Bar, possible used a hockey stick.
								Physical/Hands	Hearing	Not Sustained	None		

APPENDIX 2 – Police Misconduct Litigation Data (2006 -2017)

	NAME	MATTER #	COURT	CASE #	Disposal of case	Closed	Paid
1	Charvis	03-00011	Superior	3:03-CV-30204	Settled	2006	\$32,500
2	Sheppard	06-00856	Federal	3:07-CV-30166	dismissed on City Motion	2007	0
3	Alexander	07-00177	Federal	3:07-CV-30085	dismissed on City Motion	2007	0
4	Greer	04-00311	Federal	3:05-cv-30001	Settled	2007	\$180,000
5	Mc Creary	98-00003	Superior	3:98-CV-30101	Settled	2007	\$38,000
6	James	07-00273	Federal	3:07-CV-40169	dismissed on City Motion	2008	\$0
7	Baldwin	08-00001	Federal	3:07-CV-30167	dismissed on City Motion	2008	\$0
8	Jones, Lucy	07-00127	Federal	3:09-CV-30003	dismissed on City Motion	2008	0
9	Williams	07-00128	Federal	3:07-CV-30087	Defense verdict at trial	2008	0
10	Pinkney	07-00231	Federal	3:07-CV-30165	Settled	2008	\$13,000
11	Self	10-00109	Superior	HDCV 2009-00280	dismissed on City Motion	2009	0
12	Schubert	06-00933	Federal	3:06-CV-30033	Defense verdict at trial	2009	0
13	Caraballo	10-00909	Federal	3:09-CV-30155	Defense verdict at trial	2010	0
14	Hill	09-30042	Federal	3:08-CV-30175	Settled	2010	\$1,000
15	Jiles	09-00038	Federal	3:09-CV-30064	Settled	2010	\$38,000
16	Skroback	08-00190	Federal	3:09-CV-30063	Settled	2010	\$40,000
17	Henriquez	10-01654	Federal	3:09-CV-30232	Settled	2011	\$13,900
18	Malik	12-04435	Federal	09-00394	dismissed on City Motion	2012	0
19	Bessette	11-02541	Federal	3:10-CV-30190	Settled	2012	\$7,500
20	Thomas	10-01965	Federal	3:10-CV-30090	Defense verdict at trial	2012	0
21	Jones, Melvin	10-01340	Federal	3:10-CV-30244	settled	2012	\$575,000
22	Bakath	08-00156	Federal	3:09-CV-30229	settled	2012	\$23,000
23	Ayyub	13-05555	MCAD	13SPA01180	lack of probable cause	2013	0
24	Blakeslee	12-05216	Federal	3:12-CV-30001	settled	2013	\$28,000
25	Bari	12-04215	Federal	3:11-CV-30157	dismissed on City Motion	2013	0
26	Sein	12-03581	Federal	3:12-CV-30015	settled	2013	\$27,500
27	Larkins	11-02828	Federal	3:11-CV-30001	Defense jury verdict	2013	0
28	Holmes	10-01310	Federal	3:09-CV-11219	Dismissed - by Motion	2013	0
29	Donovan	15-06530	Superior	HDCV2-1400622	dismissed by Motion	2014	0

30	Palacio	13-05573	Federal	3:13-CV-30149	Settled	2014	\$32,000
31	Charlemagne	13-05468	Federal	3:12-CV-30090	Settled	2014	\$15,000
32	Vasquez	10-01311	Federal	12-1665	Defense jury verdict	2014	0
33	Walker	10-00062	Federal	3:12-CV-30119	Pltf jdgmt/settld after	2014	\$1,000,000
34	Hall	13-05169	Federal	3:13-CV-30002	dismissed -City Motn	2015	0
35	Ridley	13-05613	MCAD	13SPA01504	lack of probable cause	2015	0
36	Stanek	13-05154	MCAD	12SPA03338	lack of probable cause	2015	0
37	Ververis	12-04334	Federal	3:13-CV-30175	Settled	2015	\$175,000
38	Cayo	12-04216	Federal	3:13-CV-30113	Settled	2015	\$53,000
39	Rennex	13-05069	Federal	3:13-CV-30185	Settled	2015	\$35,000
40	Gasperini	14-05949	Federal	3:15-CV-30028	Settled	2015	\$10,000
41	Jones, Lucy	03-00008	Superior	HDCV 03-00604	P's Hear. on Dam.	2015	\$85,003
42	Cabrera	13-04794	MCAD	MCAD 12SPA01934	lack of probable cause	2016	0
43	Jamison	13-05232	Federal	3:13-CV-30161	Settled	2016	\$9,000
44	Iglesias	13-05379	Federal	3:14-CV-30067	settled	2016	\$18,500
45	Cruz	14-06242	Federal	3:15-CV-30058	settled	2016	\$36,250
46	Wilhite	14-06105	Federal	3:14-CV-30023	settled	2017	\$1,400,000
47	Douglas	15-06778	Federal	3:14-CV-30210	settled	2017	\$45,000
PENDING CASES (as of 12/31/2017)							
1	Schand	15-06817	Federal	3:15-CV-30148	pending	pending	
2	Hutchins	16-07218	Federal	3:16-CV-30008	pending	pending	
3	Cartagena, J	16-07028	Federal	3:16-CV-30134	pending	pending	
4	Cartagena, E	17-07605	Federal	3:16-CV-30133	pending	pending	
5	Montel	14-05687	Federal	3:16-CV-30135	pending	pending	
6	Gunter	17-07805	Federal	3:16-CV-30183	pending	pending	
7	Ramos	17-08351	Federal	3:17-CV-30050	pending	pending	
8	Brown, L	17-08391	Federal	3:17-CV-3003	pending	pending	
9	Rivera, Jose	18-08601	Federal	3:17-CV-30083	pending	pending	
					TOTAL		\$3,931,153.00

APPENDIX 3
Executive Order
Effective April 1, 2016

Copy attached



THE CITY OF SPRINGFIELD, MASSACHUSETTS

MAYOR DOMENIC J. SARNO

HOME OF THE BASKETBALL HALL OF FAME

THE CITY OF SPRINGFIELD, MASSACHUSETTS

MAYOR DOMENIC J. SARNO

EXECUTIVE ORDER

Revised March 2, 2016

Community Police Hearing Board For Springfield Police Department

I, Domenic J. Sarno, by authority vested in me as Mayor of the City of Springfield, Massachusetts, do hereby order that the Community Police Hearing Board (CPHB or "Board"), originally created by Executive Order, February 2010, shall operate as follows under the following revised order:

1. Selection of Board Members

The Mayor shall appoint the members of the Board. In doing so he may give consideration to recommendations made from a broad array of groups across the City.

The Board shall consist of 7 members who are residents of the City. Members shall participate in all training and preparatory meetings and act without conflict of interest on the part of any member thereof.

The Board will be chaired by an Attorney with experience in administrative procedures. The chairperson will lead quarterly full Board meetings and work with the Board to determine the full Board meeting schedules and agendas and administration of the Board.

The term of appointment of members shall be three years, however, the initial appointments shall include 1 member who shall serve an initial one year appointment, and two members who shall serve two years in order to stagger the terms for future appointments.

2. Qualifications for Board

The members of the CPHB do not need to have had investigatory experience. However, they must be persons of integrity with diverse backgrounds. Potential Board members should recognize the significant commitment of time that Board membership requires and be willing to commit sufficient time to the effort. In addition to approximately two (2) monthly case review meetings, and periodic civil service hearings where Board members are designated by the Police Commissioner as the Hearing Officer, Board members will be occasionally asked to participate in community outreach and education activities.

The members of the Board must agree to keep information on specific complaints or investigations confidential as is the present practice within the IIU. This is a fundamental responsibility and failure to keep private information confidential will be grounds for removal from the Board.

3. Training for Board Members

The Personnel Department and the Law Department shall develop a training program for all new Board members. This training shall include:

- The current procedures for filing and investigating a complaint.
- The elements of a thorough investigation including a review of a number of actual case files from closed investigations.
- The Policies of the SPD regarding respectful treatment of civilians.
- The Policies of the SPD regarding appropriate use of force.
- The Role of Civilian Oversight Boards in other jurisdictions.
- Legal Requirements for protection and confidentiality of private governmental documents.
- Hearing procedures and requirements under the provisions of Civil Service Laws and collective bargaining agreements for the conduct of administrative disciplinary hearings.
- The Massachusetts Open Meeting Law.

As part of this training a set of reference materials should be provided to each Board member. These materials should include copies of all relevant Massachusetts statutes, all SPD policies and procedures regarding officer misconduct and use of force, and a copy of this Executive Order. This training should be repeated annually or when new members are appointed to the Board.

4. Responsibility of Board Members

It shall be the responsibility of the Board to:

A. Accept civilian complaints otherwise filed with the Springfield Police Department (SPD) or any other city or state agency regarding the activities of the SPD (The Police Commissioner may take appropriate actions to maintain the security of police documents, reports or files examined by the Board).

B. In light of the significant commitment of time that Board membership requires, initial case reviews may be conducted individually or as a group as to the sufficiency of internal investigations completed by the Springfield Police Department, and as to recommendations to the police commissioner for further investigation.

C. In light of the significant commitment of time that Board membership requires, completed internal investigations that have been sufficiently investigated, initial case reviews may be conducted individually or as a group for the purpose of recommending to the Commissioner whether or not to issue a letter to an officer alleging that there is reasonable cause to believe the officer violated the Policies and Procedures of the Police Department. Where a complaint involves a minor instance of alleged misconduct by an officer, such as rude or discourteous behavior, and the complaint does not involve repeated instances of such behavior by the officer involved, or any other evidence that such rudeness involved a racial slur, any threat, or other incident that compromises an officer's effectiveness to continue employment with the SPD, the recommendation to the Commissioner may include an alternative to formal disciplinary charges..

D. A notice of any review meetings where determinations of the sufficiency of an IIU investigation or whether reasonable cause exists to believe the officer violated the Policies and Procedures of the Police Department shall be posted in compliance with the Open Meeting Law.

E. The CPHB is authorized to act, individually or as a group, as Hearing Officers, designated by the Police Commissioner as the appointing authority pursuant to Chapter 31 of the General Laws, in complaints under jurisdiction of the Board, taking into account the need for the training and qualifications required for a hearing officer. Although Chapter 31 authorizes determinations by an individual Hearing Officer, where the CPHB is designated to act as the Hearing Officer on determining the merits of the disciplinary charges issued by the Police Commissioner alleging a violation, at least three members of the CPHB shall review and vote on the recommendation prior to filing with the Police Commissioner. A notice of any hearing under this paragraph shall be posted in compliance with the Open Meeting Law.

F. A Hearing Officer who cannot consider a case in a fair and impartial manner because of personal prejudice or bias, shall not consider a particular case and shall so inform the Board. Examples of personal bias include, but are not limited to:

- (a) Familial relationship or friendship with parties to the complaint;
- (b) Being a party to the complaint;
- (c) Witnessing material events relevant to the complaint;
- (d) Having a financial interest in the outcome of the case;
- (e) Holding a bias for or against a party that is sufficient to impair the examiner's impartiality.

G. A Hearing Officer shall avoid making public comment on all pending complaints, investigations and matters, whether or not they are serving on particular cases.

H. After issuance of a letter from the Police Commissioner alleging charges against an employee for violation of Department rules, policies or procedures, and when designated by the Police Commissioner, in his capacity as the appointing authority as the designated Hearing Officer pursuant to Chapter 31 of the General Laws, the CPHB shall consider the complaint in a fair and impartial manner, ensure that facts are fully elicited, adjudicate all issues and avoid undue delay and shall be conducted in accordance with the applicable provisions of state and federal law, including but not limited to M.G.L. c. 31, pertaining to Civil Service, as well as any applicable provisions of a collective bargaining agreement.

I. The Hearing Officer is also authorized, pursuant to the provisions of Chapter 31 of the General Laws, in the case of any unresolved complaint where a hearing is held, to subpoena witnesses, compel their attendance, administer oaths, take the testimony of any person under oath and to require the production of any evidence relating to any matter in question before the Board.

J. At the conclusion of a hearing, the CPHB shall determine whether there is substantial evidence of just cause to impose discipline.

K. If the Hearing Officer determines at the conclusion of a hearing that one or more allegations in the complaint are supported by substantial evidence the Hearing Officer shall: a) make written findings of fact relating to the merits of the complaint; and b) make a recommendation as to whether any discipline is warranted.

L. Prior to making such determinations, the CPHB shall provide the employee with an opportunity to speak personally or through a representative. In considering whether to recommend that discipline is appropriate, the CPHB shall take into account the employee's work history, including but not limited to any commendations or other exemplary acts of service to the community. If discipline is recommended, the CPHB shall also take into account the officers disciplinary history

M. In the merits determination, the Hearing Officer may make one of the following decisions about each allegation in the complaint:

- (a) "Unfounded," where the hearing determines no facts exist to support that the incident complained of actually occurred;
- (b) "Sustained," where the complainant's allegation is supported by sufficient evidence to determine that the incident occurred and the actions of the officer were improper;
- (c) "Not Sustained" or "Insufficient facts," where there are insufficient facts to decide whether the alleged misconduct occurred;
- (d) "Exonerated," where a preponderance of the evidence shows that the alleged conduct did occur but did not violate the policies, procedures, practices, orders or training of the SPD.

L. The Hearing Officer's findings and recommendation shall be filed with the Police Commissioner in accordance with the provisions of G.L. Chapter 31, section 41. Within seven days after the filing of the report of the CPHB with the Police Commissioner, the Commissioner shall issue a written decision and provide a copy to the employee, which shall state fully and specifically the reasons therefore, and shall be subject to the present means of review by civil service appeal or arbitration as provided by the applicable collective bargaining agreement.

M. Whenever charges arising from a citizen's complaint are resolved prior to a hearing through mediation between the Police Department and the Union, the Police Commissioner shall advise the CPHB and keep a record of any comments received from the CPHB in response to such notice.

N. The Board shall utilize staff of the Personnel, Labor Relations, SPD Crime Analysis Unit (in so far as authorized by the Commissioner), City Clerk and Law Department of the City, subject to appropriation, and such other staff, as are necessary to carry out its duties pursuant to this ordinance. The City Solicitor or his designee shall be responsible for the administrative operation of the Board. The Director of Labor Relations shall arrange for presentation of cases at hearing. The Law Department shall provide legal advice to the Board.

O. The Law Department shall consider each matter reviewed by the CPHB to determine whether a structured after action review or de-brief process is required to analyze what happened, why it happened, and whether it recommends any proposed changes in Police Department policies or procedures and shall work with the Police Department to implement any such changes required by the Police Commissioner.

P. The Board shall receive notice of the final outcome of each matter it has reviewed and shall review the final outcome of each matter to determine: 1) the Commissioner adopted the recommendation of the Board; 2) the discipline imposed, if any, prior to or after a hearing; 3) whether retraining occurred; 4) whether the Law Department recommended any after action review of SPD policies or procedures; and 5) the outcome of any such after action review.

5. Removal from Board

The Mayor may remove a member from the Board, before their term expires in accordance with provisions of the City Charter.

6. Public Outreach and Communication

A. To help increase the open access to the complaint process the department will need to educate the public about the complaint reporting process, including information about when and how to file a complaint. Presentations to community groups, schools, community organizations and religious groups about the complaint reporting process may be necessary as part of a broader effort to help people increase trust and confidence in the complaint investigation process. This communication process should involve both members of the IIU and members of the Board. Joint presentations will help reflect the openness of the department. Such presentations should

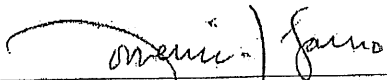
be made in the neighborhoods of Springfield and should be done in conjunction with existing community organizations whenever possible.

B. In addition to general education and outreach, the Board shall communicate with complainants about the status of investigations, and (where appropriate) the public. With the assistance of the Police Department, the Board shall keep track of all Citizen Complaints, hearings, and findings, and identify each with an incident number, date of incident, location of incident, the nature of the alleged misconduct, the name of the complainant and name of officer or officers alleged to have committed the misconduct. The CPHB shall disseminate notice of the review of any such incidents on a quarterly basis to the City Clerk, and the City Clerk shall post the information on the City website, but shall not disseminate the names of any participants or disciplinary action imposed in any incident without the consent of such party.

C. The data gathered by the Board as well as any reports or recommendations voted by the Board with regard to the interaction of police officers and members of the community shall be reviewed by the Police Commissioner when considering disciplinary actions, promotions, assignments, training or adoption or amendments of the policies and procedures of the Springfield Police Department.

D. After a complaint is closed the Board shall promptly notify the complainant of the findings and may provide copies of any portions of the internal affairs file which are a public record. Any actual order of disciplinary action addressed to an officer is not a public record, and shall not be disclosed by the Board. For the complainant, correspondence shall be sent by certified mail to help ensure they receive notice of the outcome. The Board may send satisfaction surveys, similar to those used by the Cambridge Police Department, to both complainant and officers when each complaint is closed.

This Executive order, as amended, shall take effect on April 1, of, 2016.



Domenic J. Sarno, Mayor
City of Springfield

A TRUE COPY

CITY CLERK

APPENDIX 4
Executive Order
Effective January 1, 2018

RECEIVED

2017 DEC 29 P 3:25

SPRINGFIELD POLICE
SPRINGFIELD, MA

**THE CITY OF SPRINGFIELD, MASSACHUSETTS
MAYOR DOMENIC J. SARNO
EXECUTIVE ORDER
Revised December 29, 2017
Effective January 1, 2018**

**Community Police Hearing Board
For Springfield Police Department**

I, Domenic J. Sarno, by authority vested in me as Mayor of the City of Springfield, Massachusetts, do hereby order that the Community Police Hearing Board (CPHB or "Board"), originally created by Executive Order, February 2010, and as revised March 2, 2016, is further revised and shall operate as follows under the following revised order:

1. Selection of Board Members

The Mayor shall appoint the members of the Board. In doing so he may give consideration to recommendations made from a broad array of groups across the City.

The Board shall consist of 7 members who are residents of the City. Members shall participate in all training and preparatory meetings and act without conflict of interest on the part of any member thereof.

The Board will be chaired by an Attorney with experience in administrative procedures. The chairperson will lead quarterly full Board meetings and work with the Board to determine the full Board meeting schedules and agendas and administration of the Board. However, in the event of a vacancy in opening in the chairperson, an Acting Chair need not be an Attorney so long as all other qualification and requirements are met.

The term of appointment of members shall be three-years, however, the initial appointments shall include 1 member who shall serve an initial one year appointment, and two members who shall serve two years in order to stagger the terms for future appointments.

2. Qualifications for Board

The members of the CPHB do not need to have had investigatory experience. However, they must be persons of integrity with diverse backgrounds. Potential Board members should recognize the significant commitment of time that Board membership requires and be willing to commit sufficient time to the effort. In addition to bi-weekly Board meetings to conduct reviews of reports conducted by the Internal Investigation Unit of all citizen complaints, and such internally generated complaints as determined by the Police Commissioner, Board members are required to participate in Hearings conducted pursuant to M.G.L. c. 31, and will be occasionally asked to participate in community outreach and education activities.

The members of the Board must agree to keep information on specific complaints or investigations confidential as is the present practice within the IIU. This is a fundamental responsibility and failure to keep private information confidential will be grounds for removal from the Board.

3. Training for Board Members

The Personnel Department and the Law Department shall develop a training program for all new Board members. This training shall include:

- The current procedures for filing and investigating a complaint.
- The elements of a thorough investigation including a review of a number of actual case files from closed investigations.
- The Policies of the SPD regarding respectful treatment of civilians.
- The Policies of the SPD regarding appropriate use of force.
- The Role of Civilian Oversight Boards in this and other jurisdictions.
- Legal Requirements for protection and confidentiality of private governmental documents.
- Hearing procedures and requirements under the provisions of Civil Service Laws and collective bargaining agreements for the conduct of administrative disciplinary hearings.
- The Massachusetts Open Meeting Law.

As part of this training a set of reference materials should be provided to each Board member. These materials should include copies of all relevant Massachusetts statutes, all SPD policies and procedures regarding officer misconduct and use of force, and a copy of this Executive Order. This training should be repeated annually or when new members are appointed to the Board.

4. Responsibility of Board Members

It shall be the responsibility of the Board to:

A. Authorized to Receive Complaints. Accept civilian complaints otherwise filed with the Springfield Police Department (SPD) or any other city or state agency regarding the activities of the SPD (The Police Commissioner may take appropriate actions to maintain the security of police documents, reports or files examined by the Board).

B. Perform Case Reviews to Determine Sufficiency of Investigation and Whether Reasonable Cause to Discipline. In light of the significant commitment of time that Board membership requires, completed internal investigations that have been sufficiently investigated, initial case reviews may be conducted individually or as a group for the purpose of recommending to the Commissioner whether or not to issue a letter to an officer alleging that that there is reasonable cause to believe the officer violated the Policies and Procedures of the Police Department. Where a complaint involves a minor instance of alleged misconduct by an officer, such as rude or discourteous behavior, and the complaint does not involve repeated instances of such behavior by the officer involved, or any other evidence that such rudeness involved a racial slur, any threat, or other incident that compromises an officer's effectiveness to continue employment with the SPD, the recommendation to the Commissioner may include an alternative to formal disciplinary charges.

C. Comply with Open Meeting Law while Conducting Case Reviews. A notice of any review meetings where determinations of the sufficiency of an IIU investigation or whether reasonable cause exists to believe the officer violated the Policies and Procedures of the Police Department shall be posted in compliance with the Open Meeting Law.

D. Act as Hearing Officers. The CPHB is authorized to act, individually or as a group, as Hearing Officers, designated by the Police Commissioner as the appointing authority pursuant to Chapter 31 of the General Laws, in complaints under jurisdiction of the Board, taking into account the need for the training and qualifications required for a hearing officer. Although Chapter 31 authorizes determinations by an individual Hearing Officer, where the CPHB is designated to act as the Hearing Officer on determining the merits of the disciplinary charges issued by the Police Commissioner alleging a violation, at least three members of the CPHB shall review and vote on the recommendation prior to filing with the Police Commissioner. A notice of any hearing under this paragraph shall be posted in compliance with the Open Meeting Law.

E. Perform Duties Fair and Impartially. A Hearing Officer who cannot consider a case in a fair and impartial manner because of personal prejudice or bias, shall not consider a particular case and shall so inform the Board. Examples of personal bias include, but are not limited to:

- (a) Familial relationship or friendship with parties to the complaint;
- (b) Being a party to the complaint;
- (c) Witnessing material events relevant to the complaint;
- (d) Having a financial interest in the outcome of the case;
- (e) Holding a bias for or against a party that is sufficient to impair the examiner's impartiality.

F. Avoid Public Comment on Complaints. A Hearing Officer shall avoid making public comment on all pending complaints, investigations and matters, whether or not they are serving on particular cases.

G. Follow All Applicable Laws. After issuance of a letter from the Police Commissioner alleging charges against an employee for violation of Department rules, policies or procedures, and when designated by the Police Commissioner, in his capacity as the appointing authority as the designated Hearing Officer pursuant to Chapter 31 of the General

Laws, the CPHB shall consider the complaint in a fair and impartial manner, ensure that facts are fully elicited, adjudicate all issues and avoid undue delay and shall be conducted in accordance with the applicable provisions of state and federal law, including but not limited to M.G.L. c. 31, pertaining to Civil Service, as well as any applicable provisions of a collective bargaining agreement.

H. Take Evidence through Sworn Testimony. Action to The Hearing Officer is also authorized, pursuant to the provisions of Chapter 31 of the General Laws, in the case of any unresolved complaint where a hearing is held, to subpoena witnesses, compel their attendance, administer oaths, take the testimony of any person under oath and to require the production of any evidence relating to any matter in question before the Board.

I. Determine Whether Substantial Evidence of Just Cause to Discipline Exists Based on the Record of a Hearing. At the conclusion of a hearing, the CPHB shall determine whether there is substantial evidence of just cause to impose discipline.

J. Make Findings of Fact, Make a Recommendation as to Whether Discipline is Warranted, Recommend a Range of Discipline to the Police Commissioner. If the Hearing Officer determines at the conclusion of a hearing that one or more allegations in the complaint are supported by substantial evidence the Hearing Officer shall: a) make written findings of fact relating to the merits of the complaint; b) make a recommendation as to whether any discipline is warranted, c) make a recommendation as to a range of discipline to the Police Commissioner, after receiving disciplinary guidance, on a cases by case basis, from the City's Department of Labor Relations, that takes into account any mitigating or aggravating circumstances, consistency with past discipline, and the Police Department's progressive discipline policy.

K. Opportunity for Officer to be Heard. Prior to making such determinations, the CPHB shall provide the employee with an opportunity to speak personally or through a representative. In considering whether to recommend that discipline is appropriate, and any recommended range of discipline, the CPHB shall take into account the employee's work history, including but not limited to any commendations or other exemplary acts of service to the community. If discipline is recommended, the CPHB shall also take into account the officers disciplinary history.

L. Filing of Findings and Recommendations. The Hearing findings and recommendation shall be filed with the Police Commissioner in accordance with the provisions of G.L. Chapter 31, section 41. Within seven days after the filing of the report of the CPHB with the Police Commissioner, the Commissioner shall issue a written decision and provide a copy to the employee, which shall state fully and specifically the reasons therefore, and shall be subject to the present means of review by civil service appeal or arbitration as provided by the applicable collective bargaining agreement.

M. Obtain Follow Up Information on Complaints Where Hearing Recommended but Resolved Without Hearing. Whenever charges arising from a citizen's complaint are resolved prior to a hearing through mediation between the Police Department and the Union, the Police Commissioner shall advise the CPHB and keep a record of any comments received from the CPHB in response to such notice.

N. Utilize City Resources. The Board shall utilize staff of the Personnel, Labor Relations, SPD Crime Analysis Unit (in so far as authorized by the Commissioner), City Clerk and Law Department of the City, subject to appropriation, and such other staff, as are necessary to carry out its duties pursuant to this ordinance. The City Solicitor or his designee shall be responsible for the administrative operation of the Board and providing legal advice to the Board. The Director of Labor Relations shall arrange for presentation of cases at hearing.

O. After Action Review. The Law Department shall consider each matter reviewed by the CPHB to determine whether a structured after action review or de-brief process is required to analyze what happened, why it happened, and whether it recommends any proposed changes in Police Department policies or procedures and shall work with the Police Department to implement any such changes required by the Police Commissioner.

P. Obtain Follow Up Information on Outcomes. The Board shall receive notice of the final outcome of each matter it has reviewed and shall review the final outcome of each matter to determine: 1) whether the Commissioner adopted the recommendation of the Board; 2) the discipline imposed, if any, prior to or after a hearing; 3) whether retraining occurred; 4) whether the Law Department recommended any after action review of SPD policies or procedures; and 5) the outcome of any such after action review.

5. Removal from Board

The Mayor may remove a member from the Board, before their term expires in accordance with provisions of the City Charter.

6. Public Outreach and Communication

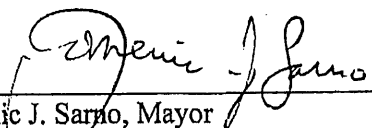
A. To help increase the open access to the complaint process the department will need to educate the public about the complaint reporting process, including information about when and how to file a complaint. Presentations to community groups, schools, community organizations and religious groups about the complaint reporting process may be necessary as part of a broader effort to help people increase trust and confidence in the complaint investigation process. This communication process should involve both members of the IIU and members of the Board. Joint presentations will help reflect the openness of the department. Such presentations should be made in the neighborhoods of Springfield and should be done in conjunction with existing community organizations whenever possible.

B. In addition to general education and outreach, the Board shall communicate with complainants about the status of investigations, and (where appropriate) the public. With the assistance of the Police Department, the Board shall keep track of all Citizen Complaints, hearings, and findings, and identify each with an incident number, date of incident, location of incident, the nature of the alleged misconduct, the name of the complainant and name of officer or officers alleged to have committed the misconduct. The CPHB shall disseminate notice of the review of any such incidents on a quarterly basis to the City Clerk, and the City Clerk shall post the information on the City website, but the Board shall not disseminate the names of any participants or disciplinary action imposed on a named individual in any incident without the consent of such party.

C. The data gathered by the Board as well as any reports or recommendations voted by the Board with regard to the interaction of police officers and members of the community shall be reviewed by the Police Commissioner when considering disciplinary actions, promotions, assignments, training or adoption or amendments of the policies and procedures of the Springfield Police Department.

D. After a complaint is closed the Board shall promptly notify the complainant of the findings and may provide copies of any portions of the internal affairs file which are a public record. Any actual order of disciplinary action addressed to an officer is not a public record, and shall not be disclosed by the Board. For the complainant, correspondence shall be sent by certified mail to help ensure they receive notice of the outcome. The Board may send satisfaction surveys, similar to those used by the Cambridge Police Department, to both complainant and officers when each complaint is closed.

This Executive order, as amended, shall take effect on January 1, of, 2018.



Domenic J. Sarno, Mayor
City of Springfield