

Offered by Councilors Kenzie Bok and Andrea Campbell, Edwards, O'Malley, Wu, Breadon, Essaibi-George, Flynn, Arroyo, Mejia, Flaherty, and Janey



CITY OF BOSTON IN CITY COUNCIL

ORDER FOR A HEARING REGARDING POLICE CONTRACTS AS POLICY DOCUMENTS

- WHEREAS:** Nationwide, there are renewed and intensified calls to reform and defund the police, including in Boston where activists have called for major change to the Boston Police Department's (BPD) operations and a minimum 10% reduction in its budget; *and*
- WHEREAS:** On June 12, 2020 Mayor Walsh announced the creation of a task force, led by Wayne Budd, that will make recommendations on use of force policies, rigorous implicit bias training, an improved body camera program, and how to best strengthen the Boston Community Ombudsman Oversight Panel (CO-OP), including the possibility of transforming it or replacing it with a Civilian Review Board with subpoena power, *and*
- WHEREAS:** Mayor Walsh announced his endorsement of the Massachusetts Electeds of Color's 10-Point Plan for Dismantling Systemic Racism, policies put forth by the 8 Can't Wait Campaign, and the Obama Foundation's Mayor's Pledge, as well as the BPD's adoption of the Ethical Policing is Courageous (EPIC) training program, and a commitment that the BPD would no longer utilize the "hair test" for drug testing; *and*
- WHEREAS:** Many such reforms and their implementation are subject to bargaining, and may require alterations or adjustments in the new contracts set to be negotiated this year with the various police units, as successors to the agreements that expired on June 30, 2020; *and*
- WHEREAS:** In the wake of the murder of George Floyd and so many others, which has cast heightened scrutiny on the capacity of local departments to discipline and terminate police officers for abuses of power, there are grave concerns about the frequent inability of the Boston Police Department to successfully terminate officers in many cases going back years and under a number of different Police Commissioners; *and*
- WHEREAS:** Contract provisions that have frustrated the due-process termination powers of Police Commissioners would also frustrate an empowered Civilian Review Board or any other change in potential disciplinary review procedures, without an accompanying adjustment in the relevant contracts; *and*
- WHEREAS:** This is a time for both the Administration and the police unions to prioritize changes that enhance police accountability and build public trust in policing; *and*
- WHEREAS:** Especially given the economic crisis brought on by COVID-19, and the resulting decline in government revenues, this is also a time in which the City must weigh important issues of proportionality in budgeting, and relevant resource allocation to policing as opposed to other important community and public safety priorities, including those laid out in the

Black and Brown Agenda for Boston authored by Boston City Council President Kim Janey; *and*

WHEREAS: A Boston Globe review of the city's personnel costs found that BPD's payroll has increased 43% (\$125 million) since 2011, exceeding personnel cost increases in civilian departments, in a rise driven by contract provisions either agreed at the bargaining table or in some cases imposed by a decision of the Commonwealth's Joint Labor Management Committee (JLMC); *and*

WHEREAS: A February 2016 letter signed by all 13 Boston City Councilors called for future negotiations in regard to police contracts to be conducted in a spirit of parity with cost increases in other civilian departments, taking into consideration the important need to fund all of the City's priorities on a sustainable basis, and furthermore declared the Council's intent to look very critically at future arbitration awards; *and*

WHEREAS: The Council has a duty to represent the public interest in regard to all agreements that come before it, including through the promotion of transparency, accountability, fiscal responsibility, and an awareness of the broader public policy impacts of such agreements; *and*

WHEREAS: The Council strongly endorses the right to collective bargaining, and does not sit at the bargaining table, but can play an important role by helping to educate the public about police contracts as public policy documents and by setting key public policy expectations in light of which all parties should negotiate, much as all parties negotiate in light of the broader economic context; *NOW THEREFORE BE IT*

ORDERED: That the appropriate committee of the Boston City Council hold a hearing to discuss the City of Boston's police contracts as policy documents, including their relevance to desired improvements in police accountability and transparency and an overall shift in departmental resource allocations, and that representatives from the Mayor's Administration, including the Office of Administration and Finance, the Office of Labor Relations, and the Boston Police Department, should be invited to testify to the extent consistent with their good-faith bargaining obligations, and that other experts and advocates and members of the public should be invited to testify on aspects of the contracts that particularly impact important public policy concerns.

Filed on: July 2, 2020