



City of Boston, Massachusetts
Office of Police Accountability and Transparency
Stephanie Everett, Executive Director

Office of Police Accountability and Transparency (OPAT) Commission Public Meeting

Minutes

Thursday, July 21, 2022 | Scheduled for 12:30 p.m.

Virtual Meeting held remotely via Zoom due to COVID-19 Pandemic

Call to order at 12:37 p.m

OPAT Commissioners Present: Commission Chair & OPAT Executive Director Stephanie Everett; Internal Affairs Oversight Panel (IAOP) Chair Leslie Harris; Civilian Review Board (CRB) Chair Peter Alvarez.

Director Everett opened the meeting introducing herself and provided brief introductions of the other OPAT Commissioners.

All attendees were informed that during the meeting, automatic closed captioning could be turned on through Zoom; this meeting was public and was being recorded.

Open Meeting Law Discussion

Director Everett provided context regarding the recent legislative extension of the Open Meeting Law (OML) that was created at the beginning of the COVID-19 pandemic to allow public bodies to hold remote meetings and allowed for voting by the public body so long as quorum was met. The legislation extended the remote meeting option until March 31, 2023.

Director Everett explained that the OML provisions also state that public bodies need to provide “adequate, alternative” means of access to remote meetings. Director Everett explained that there are some challenges in having remote and/or hybrid CRB or IAOP board meetings as the Ordinance prohibits duplication of Boston Police Department (BPD) files.

Director Everett explained that there is concern about how to appropriately handle BPD files and other confidential information in hybrid settings; OPAT Staff would not be able to



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share documents with any OPAT board member participating remotely. BPD files cannot be sent to remote OPAT board members. If a board member is participating remotely, they would not have access to case summaries because they cannot be shared digitally.

Director Everett opened the discussion to the Commission and explained that the preference is that OPAT board members should attend meetings in person to be able to fully participate. Members of the public would be able to participate remotely at OPAT Commission Community Meetings, where public comment is taken.

Commissioner Alvarez asked if the CRB meeting scheduled for August 9, 2022 would be held in person. Director Everett answered yes - the CRB meeting on August 9 will be in person. Director Everett explained that the first CRB meeting held on May 10th, 2022, was different from future CRB meetings because the CRB did not have to enter an executive session. Director Everett recommended that all board members attend meetings in person to participate in a board meeting.

Director Everett stated that the main concern was allowing board members to access case information at the same time, in order to facilitate the board's ability to make informed decisions without violating any BPD sworn and civilian personnel's rights. Commissioner Alvarez agreed with Director Everett's recommendation that board members would be asked to attend all board meetings in person due to the logistical difficulties involved in a hybrid set-up for board members.

Commissioner Alvarez asked if transcripts or recordings of in-person meetings would be available. Director Everett responded that OPAT Staff are still determining the answer to this question and that OPAT intends to make meetings as accessible as possible. Director Everett explained that neither the Ordinance nor the OML require the CRB or IAOP to accept public comments during their meetings. While CRB and IAOP chairs have previously chosen to accept some public comments during their meetings, only the OPAT Commission community meetings are required to include a public comment period. Director Everett stated that OPAT Staff could record the public meeting portion of board meetings and post the recordings and transcripts online. Members of the public would be able to watch the recordings and contact OPAT Staff with any comments in the days or weeks following the



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meeting. Director Everett noted that another challenge to creating a fully hybrid option is limited staff availability.

Commissioner Alvarez asked if OPAT Staff would reach out to board members notifying them that their future meetings would be held in person. Director Everett responded yes, board members would be notified of the in-person requirement.

Commissioners Alvarez and Harris were in favor of an in-person requirement for OPAT board members.

Commissioner Harris expressed support for a remote option for members of the public. Commissioner Alvarez asked if members of the public would be able to attend meetings in-person, in addition to a virtual option. Director Everett answered that by law, the OPAT Office is open to the public during board meetings. Director Everett noted that OPAT follows the direction of the City of Boston in COVID-19 safety protocols - there is no mask mandate, although masks and testing are encouraged. Director Everett also stated that the OPAT Office is a community provider of free COVID-19 rapid testing kits that are available to any member of the public.

Director Everett stated to the commissioners that OPAT Staff would send out meeting dates and times for the remainder of the calendar year to board members and will adjust meeting times as needed.

Director Everett noted that the OPAT Commission had received a question and comment from a member of the public. A member of the public asked whether they would only be able to participate in OPAT meetings in person under the proposed framework. Director Everett answered that OPAT Staff are working to provide an option for remote participation from the public and that the public will be able to view the recording of the meeting within one (1) business day of the meeting. Director Everett noted that staffing availability limits the remote and hybrid options that OPAT is able to provide at this time. The community member expressed concern about the inequity of the proposed framework and Director Everett agreed with this concern, stating that OPAT Staff are still working to determine the best solution.



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Director Everett outlined the typical structure of OPAT board meetings prior to executive sessions and the differences in procedure for each board. The IAOP will close its public meeting for the day and will enter executive session, whereas the CRB is required to hold a public roll-call vote; they will need to pause the public meeting, enter the executive session, and return from executive session to vote. Executive sessions, due to their confidential nature, will not be recorded.

Director Everett noted that OPAT Commission Community Meetings are the meetings in which members of the public can submit comments or questions. CRB, IAOP, and OPAT Commission Public Meetings do not have a public comment period, although the board chair may choose to recognize questions from the public if time allows.

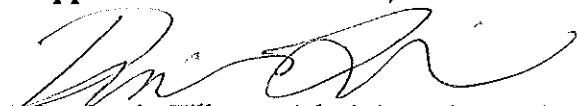
Director Everett stated that the OPAT Commission Community Meeting scheduled for September 21, 2022 will be held in a hybrid format and will include a public comment period.

Commissioner Alvarez asked if there was a way that the three (3) commissioners could communicate directly about logistics outside of OPAT Commission meetings. Director Everett answered that she had asked the City of Boston's Legal Department and was awaiting an informed answer. The current guidance is to call an OPAT Commission Public Meeting whenever conversations between the commissioners need to take place - an executive session can be called if the subject matter is confidential.

Director Everett noted that the IAOP will be meeting next on August 17, 2022 at 1:30pm. This meeting will be held in person and a recording will be posted shortly after the IAOP enters executive session and closes its public meeting.

Meeting Adjourned at 1:15pm

Approved on December 6, 2022



Benjamin Tillman, Administrative Assistant