



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

Internal Affairs Oversight Panel (IAOP) Public Meeting

Minutes

Thursday, June 16, 2022 | Scheduled for 11:00 a.m.

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

Call to order at 11:02 a.m

IAOP Panelists Present: Chair Leslie Harris; Allison Cartwright; Christina Miller; Julien Mundele; Jassie Senwah. Also present: OPAT Executive Director Stephanie Everett.

Chair Leslie Harris opened the meeting by welcoming attendees. Chair Harris introduced himself as the IAOP Chair and provided brief introductions of the IAOP panelists.

The Mayor's Office of Language and Communication Access facilitated language services for this meeting. The verbal language interpretation services were provided in Spanish, Haitian Creole, Mandarin, Vietnamese, and Cantonese. American Sign Language services were also provided.

All attendees were informed that during the meeting: automatic closed captioning could be turned on through Zoom; there were 5 spoken language channels that members of the public could use; this meeting was public and was being recorded.

Approval of April 28, 2022 Meeting Minutes

Chair Harris introduced the draft minutes from the IAOP's April 28, 2022 meeting. The minutes were accepted and approved with 3 votes and 1 abstention.

Panel Discussion on Case Review

Chair Harris moved the meeting into the Panel Discussion on Case Review. Director Everett provided context that this time had been set aside for IAOP members to ask questions about and determine the procedures for case review. Chair Harris reminded the panelists that the IAOP would not discuss any cases unless included in the agenda.



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

Panelist Mundele asked when the first meeting to discuss cases would take place. Director Everett stated that this meeting would take place on July 21st, 2022 and prior to the meeting, IAOP panelists would receive the public meeting notice, which would include the case numbers to be heard at the upcoming meeting. On the date of the meeting, cases would be presented to the IAOP by OPAT Staff. Cases are presented publicly only with the case number and the IAOP would receive a packet of case information once in an executive session, including the names of the complainant and BPD personnel involved.

Panelist Senwah asked if there was an expected number of cases that would be reviewed at the next IAOP meeting on July 21st. Director Everett answered that this information could not be provided at this time.

Panelist Miller asked what the process would look like after the IAOP receives case information at its next meeting. Director Everett answered that after the IAOP receives their case packets and reviews the provided information, the IAOP would deliberate and vote on one of three options: a) agree with internal affairs findings; b) disagree with internal affairs findings, or; c) refer the case back to the Internal Affairs Division (IAD) for further investigation or action.

Chair Harris asked if the IAOP was allowed to request more information from IAD if the IAOP finds that they do not have enough information to make a decision. Director Everett answered that the IAOP is able to refer the case back to IAD for investigation or action.

Panelist Cartwright asked if the IAOP was to send a case back for more action, would the IAOP be allowed to identify and request information that was missing and necessary to make a decision. Director Everett answered that, according to the OPAT ordinance section 12.16-15 (c)(i), if the IAOP disagrees with the internal affairs findings, the decision would be referred to the Boston Police Department (BPD) Commissioner. The BPD Commissioner can determine if they feel that the investigation was completed fairly and thoroughly and is required by ordinance to notify the IAOP of their decision.

Panelist Miller asked if the only option to request additional information was through IAD and what avenues were available to make these requests. Director Everett responded that



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

the ordinance names IAD as the primary source of additional information. The ordinance does allow the IAOP to ask OPAT Staff to investigate further. Director Everett explained that the IAOP serves as an advanced form of a quality check and that when a case is received, OPAT investigators thoroughly investigate and submit a summary to be seen by the IAOP. Director Everett explained that when appeals are submitted to OPAT, intake staff will contact the appellant for contact information and an interview. OPAT Staff evaluate the case details and make their own determination about the case, compare this determination with IAD's decision, and identify any discrepancies between OPAT's investigation and IAD's investigation. Director Everett explained that this information will be provided to the IAOP in OPAT's summary of the case file, along with the original IAD decision.

Director Everett explained that OPAT Staff are required to maintain all case files received from BPD. These files do include CORI information and all investigatory staff, including the Deputy Director and Executive Director, have been CORI-certified. This CORI information cannot be shared with members of the Panel or the public. Director Everett explained that CORI protected information would be redacted. The police officer or other BPD personnel named in a complaint would also be notified prior to the meeting. OPAT makes every effort to post public meeting notices at least two (2) weeks in advance. The IAOP and members of the public will be made aware of the number of cases to be reviewed when the public meeting notice is posted. OPAT will try to limit the number of cases reviewed each meeting to less than ten (10), but this is dependent on the complexity of cases, the overall number of cases prepared for review, and the time required to review cases.

Panelist Mundele asked about the existing backlog of cases and how many newer cases the IAOP would review each meeting. Director Everett explained that older and newer cases would be presented to the IAOP at each meeting. Director Everett noted that there are a number of older cases that are random, not direct appeals. These cases were randomly pulled as part of the mandate given to the CO-OP, which IAOP replaced.

Director Everett noted that the POST Commission passed a regulation imposing a 90-day limit to complete all investigations. OPAT is not a law enforcement body but does hold itself accountable to the same standards as the Boston Police Department with respect to investigation timeframes.



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

Chair Harris asked if there was a time limit for how far back OPAT is able to go with older cases. Director Everett explained that these older cases can still be looked at because the appellants filed their appeal within the fourteen (14) day window for appeals. OPAT will look into these older cases in the interest of thoroughness and fairness. . Director Everett noted that there are different standards in place now compared to when these older cases were filed, citing one of the biggest differences between the CO-OP and IAOP is that the IAOP panelists do not receive boxes of cases to review and resolve individually. IAD policies and personnel may have changed since the cases were filed.

Panelist Senwah asked whether the IAOP would be able to schedule another panel meeting to revisit the case once they received additional, requested information, rather than waiting for the next scheduled quarterly meeting. Director Everett confirmed that there is a board meeting every month across all three OPAT boards, and that additional meetings can be added as the schedule allows.

Panelist Mundele asked about the process regarding executive sessions and whether the IAOP would come out of the executive session for any votes on cases. Director Everett clarified that the public meeting would close prior to entering the executive session.

Panelist Mundele inquired as to the status of the state provisions around open meeting law allowing for a virtual format. Director Everett stated that at the moment, the state has not extended the provisions that allow for virtual meetings.

Panelist Cartwright asked how the IAOP members would receive their packets if they continued to meet virtually. Director Everett stated that the OPAT Ordinance specifically states that no duplication of IAOP case files is allowed, so the details around accessing case files still need to be finalized. The ordinance does specify that OPAT Staff will maintain case files for the IAOP; these are confidential and can only be reviewed by OPAT Staff and the IAOP. Chair Harris stated that he would prefer to have IAOP members review case files ahead of time in order to be efficient during IAOP meetings. Director Everett stated that the logistics around reading case files ahead of time are constrained by other Board meetings, other work at OPAT's office, and availability of authorized personnel to supervise



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

case file review by IAOP panelists. Director Everett assured the IAOP that the workload for the meeting would be taken into consideration when determining the number and complexity of cases to be reviewed by the Panel. Director Everett stated that IAOP members will receive redacted case packets that include a summary compiled by the OPAT Investigators. Director Everett reiterated that OPAT would not be including numerous complex, large cases on a single agenda and that the initial IAOP meetings will consist of reviewing simpler, shorter cases.

Panelist Miller inquired about how the IAOP would be evaluating cases before it and findings from IAD. Director Everett stated that the legal standard of proof is not defined in the ordinance and in the absence of language about the standards, the definition of the standard could follow BPD's IAD's standards or the IAOP can create its own definition. Panelist Mundele stated he believed that BPD's legal standard of proof was clear and convincing.

Chair Harris inquired whether the IAOP could be uniformly CJIS certified. Director Everett stated that she fought against CJIS certification for all the IAOP members in order to continue to be inclusive of community members and residents that may not qualify to be certified. This was an effort to maintain the inclusiveness of the IAOP now and in the future. Chair Harris agreed with Director Everett's conclusion to not have the Panelists CJIS certified.

Chair Harris thanked the IAOP Panelists and audience for attending the meeting and noted that the next IAOP meeting will take place on July 21st, 2022, at 11:00 AM.

Meeting Adjourned at 12:04pm