



DANIEL C. O'LEARY  
CHIEF OF POLICE

# BROOKLINE POLICE DEPARTMENT

*Brookline Massachusetts*

November 30, 2016

To: Melvin Kleckner, Town Administrator

From: Daniel C. O'Leary, Chief of Police

Subject: Culture Survey Response

The Brookline Police Department is appreciative of the findings of Dr. Gerard Cox's work and of the constructive suggestions he has made for improvement. Fairness is a core value of effective police work, including fairness to our own employees. Dr. Cox's survey shows that even as we take fairness as a given in our day to day work, we can do better in communicating that commitment. This response will discuss Dr. Cox's report, his recommendations, and the Brookline Police Department's ongoing and planned efforts to implement improvements.

## **Origins of the Report**

In December 2015, a meeting was held to discuss several topics of concern to the members of the Police Department. The discussion concerned in particular the findings of a report the Town recently released concerning the culture of the Fire and Police Departments. In addition, two members of the Department had recently made allegations concerning the atmosphere inside the organization. Joining me at this meeting were Superintendent Mark Morgan, Deputy Superintendent Andrew Lipson and Dr. Gerard Cox.

Dr. Cox has been a management consultant for over thirty years. He received his PhD from Harvard University in Clinical Organizational Psychology and earned his BA at Boston University. His practice focuses on organizational improvement, including culture change, leadership and management development. He is also a former teacher at Devotion School and previously resided in Brookline.



Based on the discussions in that meeting, the Department hired Dr. Cox to conduct a survey of the culture within the Department. In order to gain insight into attitudes and experiences, all of our African-American, Hispanic, Latino, Asian and female Police Officers, as well as several white male officers were expected to be asked to participate as part of this review. Eventually, Dr. Cox was able to interview 40 members of our Department, including two retired officers, which represents more than 35% of our sworn staff.

### **Composition of the Police Force**

We have an authorized staff of 136 Police Officers. We currently have seven vacant positions, so today our number is 129 officers. Because of efforts in past years to add diversity to the force, of these 129 officers we have 17 women, 8 African-Americans, 8 Hispanics/Latinos (includes one female), and 9 Asian-Americans, representing about 32% of our officers. In early November of this year, we graduated our most diverse class of recruits that was comprised of 4 white women, 1 African-American male, 2 Asian-American males, 1 Hispanic/Latino male and two white males. This is a highly diverse class of recent officers of which 80% of its members are non-white males. We have recently promoted our first Asian-American officer to the rank of Sergeant.

### **Working with Civil Service**

We are a Civil Service Department. As such, our hiring and promotional opportunities are governed by the rules of Civil Service. We are also a “resident preference community”. This distinction governs our hiring process and requires a candidate to live in Brookline for one year prior to taking the entrance examination. This is beneficial to us because people who grew up in Town and were educated in Brookline Schools have hiring preference based on their exam scores. We select our officers from this pool of candidates. According to the 2010 U.S. Census, Brookline’s demographics revealed the population was 77% white, 3.4% African American, 15.6% Asian American, 5% Hispanic/Latino and 0.1% American Indian. The current demographics of the Police Department are 81% white (87% male, 13% female), 6% African American, 6% Hispanic/Latino (includes one Hispanic Female) and 7% Asian American.

Even though we have made significant progress in diversifying our Department we would like to do much better. Our efforts have been challenging for several reasons: We have attempted to obtain race specific lists, but have been unsuccessful because the current percentage of officers in the Brookline Police Department exceeds that of Brookline’s population in the U.S. census. Furthermore, within the past several years the State has rejected a home rule petition we sought that would have given hiring preference to graduates of Brookline High School for period of ten years after graduation. If this legislation passed, we would have a larger pool of candidates from which to select our Police Officers than we have today.



In order to promote diversity effectively within the Civil Service system, years ago we initiated a robust recruitment process that involves efforts such as the use of social media, attendance at job fairs at schools and area colleges, a High School Police Academy, outreach to our residents through information sessions and attendance at Town events, a Co-op program and Internship program with schools and colleges, and one on one recruiting. The diversity of our upcoming class of recruits is a result of our recruitment efforts over the years.

### **Civil Service and Promotions**

Civil service procedures have also contributed to the slow progress in diversification among our supervisory staff. We recently promoted our first Asian-American officer to the position of Police Sergeant, and we have two females in Supervisory roles, a Lieutenant and a Sergeant. Over the past several years, we have seen a decline in the number of officers who have taken a promotional exam; for example, during our October 2016 promotional examination, thirteen officers out of approximately 100 eligible Patrol Officers participated in the Sergeant's promotional exam. This decline has negatively affected our ability to have a diverse supervisor staff. Furthermore, out of these 13 officers, 6 white males, 5 women, 1 African American male and 1 Asian male took the exam. Civil Service rules require us to select one Sergeant from the top three names on the list. If there are no officers of color among the top three, we are left without options. In 2014 we eliminated our Captain's rank and created the positions of Deputy Superintendent, an appointment by the Chief that is not a civil service rank or union position. However, the person to be appointed must be from the rank of Brookline Police Department Lieutenants. While this will allow for appointments outside of some civil service constraints in the future, eligible officers must first go through the Civil Service promotional process and be promoted to Lieutenant.

### **Cultural Survey**

When we initially discussed the survey, we made it clear to Dr. Cox that even though we constantly work to make our Department the best it can be, we realize that we are human and not a perfect organization. Issues arise that need to be dealt with and, over time, practices and behaviors need to be updated and improved. Knowing that, it was our hope that Dr. Cox would be able to identify specific areas we needed to work on and provide specific recommendations that will allow us to improve as an organization.

### **Findings**

The findings of Dr. Cox have been reviewed by members of the Command Staff. Our approach to these findings is that the statements and opinions in the report are from our members and reflect their honest perceptions. Our role was, and is, not to contest those perceptions, but it is instead our responsibility to ensure the reality and perception of a safe, respectful, and fair work environment. With that approach, set out below are Dr. Cox's recommendations and steps we are taking or planning to take to implement these recommendations and make them part of our organization.



## **Short Term Recommendations**

### **1. Develop programs that eliminate bantering by teaching officers to effectively communicate with others.**

In March of this year, we provided a training session for all of our Officers. This training was designed and presented by Officers from Brookline and Cambridge Police Department. The design of the curriculum was based upon the experiences of members of our Department. Set out below, in a synopsis of part of this training:

### **Procedural Justice/ Police Legitimacy/Fair & Impartial Policing Training Review**

The two week training proved very successful, and the feedback was very positive. The key to PJ/PL/FAIP is respectful and fair treatment couple with active listening. We reviewed, discussed, and applied all of the key points of Tyler's Procedural Justice Model: Voice; Respect; Neutrality; Understanding. The class exercises involved scenarios designed to elicit deeper understanding of the importance of respectful communications. One of the most effective exercises was recalling the experiences attendees had with other police officers while they were off duty. As is often the case, the negative experiences were most vividly recalled, and this allowed the class to more thoroughly examines the importance of proper communication. Every officer who shared a negative experience indicated that it led them to have negative perceptions of the officer, the department, and even the profession. The learning objective of the exercise was to emphasize that fair, respectful, and proper communication is one of the most critical components of law enforcement.

We reviewed in detail the arrest of Harvard University Professor Henry Louis Gates. The discussion was led by CPD Deputy Superintendent Christine Elow, the IAD Investigator who oversaw the entire incident. We also reviewed and discussed several thought provoking videos including two that address micro-aggressions. These videos were chosen to emphasize that communications based on misperceptions and biases is unsuitable, inappropriate, and unacceptable.

The core principles reiterated in the training through hours of review, discussion, and application were respect, empathy, integrity, understanding, and fairness. These principles are part of our core value system; a system that requires every officer to treat others with the utmost respect for human dignity. Implicit/unconscious bias was also discussed at length.

In March of 2016, all of our Officers went through this eight hour training segment. Our ten new recruits underwent the first half of this training in November and will be completing the second half of this training in December of this year.



Furthermore, we designed a program that specifically addressed our policies pertaining to discrimination, sexual harassment and retaliation and workplace safety. This training also included a large segment concerning workplace bantering. Our entire Department went through this training in June 2016. In November of this year, our ten new recruits participated in this training as well. The training module is set out below and was followed in both the June and November sessions.

Agenda:

- Chief O’Leary /Superintendent Mark Morgan - Opening Remarks
- Human Resources Director Sandra DeBow-Huang and Leslea Noble. Town of Brookline’s Policy against Discrimination, Sexual Harassment and Retaliation and the Town of Brookline Workplace Safety Policy. Discussion on both policies with particular emphasis on supervisory as well as individual officer responsibilities.
- Dr. Gerard Cox presentation:
  - Impacts of workplace bantering on co-workers
  - Steps to eliminate/reduce bantering
  - How to intervene as a third party who just hears bantering between two other officers
  - Discussion on ways to improve interpersonal communications within the workplace

**2. Provide Executive coaching to senior officers**

- The Superintendent has completed the FBI National Academy as well as the Law Enforcement Executive Development Program held at the FBI Academy in Quantico Virginia.
- All current Deputy Superintendents have completed a three week Senior Management Institute for Police that is designed by the Police Executive Research Forum and held at Boston University. Furthermore, a Deputy who has a Doctorate in Education completed the FBI LEEDA Trilogy Program. He also commands our Training Division.
- While current senior officers have all had executive training over their careers, we plan on exploring this recommendation more.
- Currently, the members of our Command Staff are in the middle of an executive coaching process that is being led by Dr Cox. This process involves understanding individual and group decisions as well as our organization’s responses to issues that arise in the workplace and their impacts on the organization.
- In January 2017, two of our Deputy Superintendents will be attending a Command Leadership Academy program being presented at Endicott College.



**3. Display pictures and other artifacts of people of color and women in the Roll Call Room, throughout the station, and on the department's website. Those pictures should include the first African-American and female hired: celebrate the occasion by inviting them to participate if possible.**

- This has been done and many pictures are displayed on our guardroom walls. These pictures include most of the Academy classes that make up our Department today. Also featured are our first female Officer, first African American Officer, first African American Lieutenant, first Asian Officer, and several of our specialized units within our Department. This is considered a work in progress and will be updated from time to time.
- Recently, our Community Service Division expanded its social media outreach to include YouTube. Our initial YouTube broadcast is complete and has been displayed on YouTube for several months. This broadcast showcases our entire Department as well as the diversity of the community we serve.
- We have updated our website and more clearly informed people who view our website that its contents are available to be viewed in large variety of languages.

**4. Clarify, make transparent, and publish the criteria for selection to special units, including detective positions**

- Several months ago, we completed this recommendation. Today, Officers who are interested in applying for a specialty position can access the job description and selection criteria through our Sharepoint computer program. These have been done for all positions in our Department. By internally distributing these standards, officers can plan for their future careers in the Brookline Police Department.

**5. Create a forum in which officers learn about the cultures of the diverse populations that make up the force: include a module in the history of Irish-Americans in America and the Boston/Brookline area given their unique contributions to the Brookline Police Department**

- We have established a Diversity Committee made up of members of our Department. This is a volunteer committee that is involved in leading these discussions and formulating a plan to educate the members of the Brookline Police Department in our history. This committee is involved planning a training session that will be done together with the African American Museum in Boston. This training will be for all members of our Department and will take place over the upcoming winter.

**6. Provide leadership training for supervisors in general as well as multicultural workforce management skills in particular**



- Our Department has consistently provided training to our supervisors. In a number of courses, leadership and supervisory skills and responsibilities are part of the curriculum. In fact, three Sergeants enrolled in a training program conducted by the FBI-LEEDA, Inc. They attended the first training in their Trilogy program in May 2016.

These are the three courses in the Trilogy:

1. Supervisor Leadership Institute
2. Command Leadership Institute
3. Executive Leadership

Each of these courses discusses leadership, ethics, trust, and credibility. The Executive Leadership course includes topics such as diversity, procedural justice and fair and impartial policing segment. Our entire Department recently completed training on these three topics as well as Police Legitimacy. This course involved matters both internal and external to the Police Department.

- Our recently promoted Sergeant will be attending a two week Supervisory program designed for new Sergeants and sponsored by the Massachusetts Criminal Justice Training Council.
- As we have always done, we will continually re-asses the training we provide our officers in order to ensure the training meets our needs. Please refer to recommendation #1 which briefly describes our recent training involving implicit bias, procedural justice, police legitimacy and fair and impartial policing. This course was designed and presented by a combination of Brookline and Cambridge Police Officers.
- Furthermore, we will work to identify a course specifically dealing with supervising/leading a multi-cultural, multi- generational workforce we will provide that training to our Department.
- We have involved more officers in training that takes place across the country that Will enable them to come back to our Department and train their peers in state of the art thinking in critical areas. Examples of this:
  - a. Multiple officers have been trained in handling the mentally ill
  - b. Three officers are travelling to Louisiana to be trained in use of force tactics that specializes in de-escalation
  - c. A Lieutenant is travelling to Washington DC to receive updates in the area of domestic violence.
  - d. Several Officers who are also Veterans of the US Military have received training in the Homebase program which specialized in dealing with veterans.In all of the above examples, the officers sent to the training have developed a curriculum (or will develop a curriculum) that they will teach to our Department.



## **7. Develop an overall strategy for creating and maintaining a diverse and inclusive workforce**

In March 2016, we held a training dealing with implicit bias, procedural justice, police legitimacy, fair and impartial policing. Out of the discussions that took place during and after these sessions, some officers offered suggestions on ways we can improve the delivery of police services to our community. In order to tap into this knowledge and allow for more input from our officers, we have set up a professional development committee. This committee has looked at various aspects of our Department and has made proposals to improve both the abilities of our newer officers (for example, by developing a field training officer program) as well as the people we serve (recommended a change in the manner we handle certain traffic stops). We have updated our Recruitment process for new officers and we will begin using this strategy for the March 2017 entrance examination. This new strategy will include increased outreach to our community, a professionally made video highlighting our officers and various community members and exploring a grant funding source to assist in payment of exam fees based on need.

### **Long Term Recommendations**

- Revisit the Home-rule strategy that could give Brookline more freedom from civil service constraints in hiring and promoting police officers**

Agreed. As part of this effort, it would make sense to have a discussion about the Civil Service process overall. This would need to be a discussion beyond the Brookline Police Department to include weighing the positives and negatives of civil service as well as the costs associated with managing a hiring and promotional process specific to Brookline.

- Offer training for all officers to prepare for the civil service promotion exams**

In order to prepare for the promotional exams that were held in October 2016, many Officers were already studying, at their own expense, through private vendors. While subsidizing private classes may create fairness issues, our promotional exams do have a Brookline-specific component involving our policies and procedures. We did provide classes on the relevant policies and procedures at no cost to all our officers. These classes were held in September.

- Develop a town-wide initiative, including public officials, leading clergy, social organizations, and citizens in general to discuss and reflect on diversity and inclusion in Brookline. The result would be a Compact for moving forward with specific plans and actions in this important area of intercultural relations.**

We have begun conversation about developing a similar type group in Brookline. In February, Rabbi William Hamilton (Temple Kehillath Israel) spoke to me about this



concept. He heard about a similar type program underway in Cambridge and felt Brookline could benefit by having our own program. Cambridge Police Commissioner Robert Haas spoke very highly of their clergy group and has told me it has been a very good resource for the Cambridge Community and, in particular, the Cambridge Police Department. Town Administrator Melvin Kleckner spoke with Rabbi Hamilton and me and supports this initiative as well. There is already a clergy group in Brookline that I have previously met with prior to this study. We plan on asking the clergy group for their ideas and guidance in developing and growing this initiative.

We are considering the findings of this study to be a work in progress that should be looked at as a long-term strategy for moving the Brookline Police Department forward. If we ensure the recommendations in this report are put in place and built upon, we will have the basics of a strategy to maintain a diverse and inclusive culture.

Daniel C. O'Leary  
Chief of Police

