



CITY OF SOMERVILLE, MASSACHUSETTS

CLERK OF COMMITTEES

January 29, 2020

REPORT OF THE PUBLIC HEALTH AND PUBLIC SAFETY COMMITTEE

| Attendee Name | Title | Status | Arrived |
|--------------------|-------------------------|---------|---------|
| Lance L. Davis | Chair | Present | |
| Jesse Clingan | Vice Chair | Present | |
| Matthew McLaughlin | Ward One City Councilor | Present | |

The meeting was held in the Committee Room and was called to order by Chair Davis at 6:03pm and adjourned at 7:04pm.

Others present: Chief Fallon - Police; Sergeant Schneider - Police; Meredith Willis - Police; Kushbu Webber - Mayor's Office; Kimberly Wells - Assistant Clerk of Committees

Approval of the May 29, 2019 Minutes

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| RESULT: | ACCEPTED |
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Approval of the September 18, 2019 Minutes

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| RESULT: | ACCEPTED |
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207730: That the Chief of Police create a restorative justice program similar to that used in Cambridge, Arlington and Boston.

Chief Fallon shared that several months ago, the Department began a collaboration with Cambridge and has worked on three cases, or circles. An announcement on this initiative is forthcoming.

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| RESULT: | WORK COMPLETED |
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208360: That the Chief of Police, the Director of Health and Human Services, the Director of Parks and Recreation and other relevant groups appear before the Public Health and Public Safety Committee to discuss strategies to prevent youth violence and gun possession.

The City continues to focus on prevention, though there are still illegal firearms (approximately 11-12 per year in recent years have been confiscated). Ms. Willis noted that there are concerns about the rounds discharged and the types of firearms, and she will look into more historical data. The prevention efforts are supported by programming such as the cadet program, working with High School students, a

basketball program at Mystic Ave, and the Shannon grant to work with youth which has shifted to support the Youth Academy rather than solely enforcement. Sergeant Schneider also works to target young adults who are not considered juveniles, particularly those with mental health issues, to find avenues to help them remain outside of the criminal justice system. The Department also works closely with ROCA and Teen Empowerment to develop positive relationships. The Chief is trying to get even more training for the officers in the STEPS program, who work with school classes and mentor them through their school careers.

Ms. Willis noted that positive interactions with young people are critical, as the first interaction is often as a witness to a crime. The Chief added that there are also often repeat offenders with firearm incidents. It is a concern that surrounding states have gun laws that are more lax than those in Massachusetts, and many of the firearms can be traced back to other states. Councilor McLaughlin asked what training could be helpful and the Chief shared that the Department does a lot of training, and translating it from the classroom to the job can be a challenge. The Department uses a high-tech simulator to focus on potential bias and de-escalation. Councilor McLaughlin also confirmed that 15 offenders were arrested for the 11 confiscated firearms in the previous year. It was unknown whether any of these led to convictions. Sgt. Schneider also added that repeat offenders may pass a firearm off to a juvenile when approached by the police in order to avoid additional charges, which is why there are often instances of first offenders who have not had previous interaction with the Department.

Councilor McLaughlin shared that there was a Supreme Judicial Court decision announced today that reasonable suspicion, not just public safety, is needed in order to stop and frisk someone. The Department was unaware of this particular ruling, but it sounds similar to existing case law that they are familiar with.

Councilor Clingan asked for more information about how well the Department knows the bad actors among the youth population. Mr. Schneider shared that he has been in this role since September and is still working to build contacts, as collaboration is a key component. Chief Fallon added that there are group texts with the School Department to share information, particularly when incidents occur. The collaboration with the Schools is excellent. The Chief and Superintendent have also discussed hiring an outreach worker to focus on students who may be at-risk. Mr. Schneider also works closely, almost daily, with the Housing Authority Police. Councilor Clingan wondered if they could take advantage of the Department's training as well. The Department is considered a first responder and takes ownership around both enforcement and community engagement at the Housing Authority buildings.

RESULT:

KEPT IN COMMITTEE

208681: That the Chief of Police update this Council quarterly on high risk domestic violence and sexual assault cases.

Chief Fallon shared that there is a full-time Victim Witness Advocate who focuses solely on domestic violence victims. There are often repeat offenders and the Department is aware that these cases have the potential for escalation.

Ms. Willis noted that incidents that are domestic in nature are tracked, even when not specifically reported as domestic violence. In 2019 there were 189 incidents that were either aggravated assault, simple assault, or intimidation. The Department is seeing an increase in simple assault, though a decrease in the other types of incidents. There are also a number of cases where the incidents overlap. This data is used within the Department to track where services should be focused. The Department cannot discuss any specific cases, though the Sergeant in the Domestic Violence Bureau works with the District Attorneys on high-risk cases.

Ms. Willis cautioned that there is likely to be a significant fluctuation in the data, and noted that no conclusions should be drawn from several months of data. She will continue to share data with the Committee going forward.

RESULT:

WORK COMPLETED

208886: That the Chief of Police report to this Council on the state of gang activity in the City.

The Chief shared that there are some area gangs, though the numbers seem to be getting smaller. Sgt. Schneider added that it is an ongoing issue that ROCA and other diversion programs are also trying to combat. There have been some successes in the City, and the Department continues to work to protect those individuals from retaliation. They also work with the ADAs to identify potential situations for intervention before trial.

Councilor Clingan asked for more specifics and Ms. Willis noted that it is often cliques of youths, not rising to the level of something like MS-13. The Chief shared a desire to not legitimize the groups as gangs by calling them out by name. Mr. Schneider noted that the public safety issues most often stem from organizations outside of Somerville.

Councilor McLaughlin wondered whether the gang unit still exists, and it is not specific to Somerville but there is a North Shore Gang Intelligence Unit that Somerville works with. He confirmed that there is no known MS-13 presence in the City currently. The anti-gang ordinance has never been used and Councilor McLaughlin asked whether it is needed. The Chief will look at it more closely, but does not think it has ever been utilized.

RESULT:

WORK COMPLETED

208989: That the Chief of Police report to this Council on any enforcement actions undertaken under Ordinance 9-97, especially with regard to disturbances of the peace in the vicinity of Tufts College.

Chief Fallon shared that the Department is focused on collaborating with Tufts and the University has also funded two officers to patrol the area for Friday and Saturday evenings. He noted that 38 citations were issued for noise complaints in 2019, along with 13 written warnings, and 53 advisements. Ms. Willis added that many cases are also reported but unfounded on arrival. The focus of the new policy is problem properties, who may be unlikely to respond to a fine but will respond to consequences from the University. Chair Davis asked for more clarification about the specific counts of each type of enforcement action, and Ms. Willis will provide that to the Committee in writing.

RESULT:

KEPT IN COMMITTEE

209368: That the Police Chief inform this Council how enforcement of the new hands-free driving law will be implemented.

Chief Fallon explained that the fine is \$100 for a first offence, \$250 for a second, and \$500 for a subsequent occurrence. Habitual offenders may also be subject to auto insurance surcharges and driver training. The Department plans to enforce this law aggressively with multiple patrols, including using spotters. Bicycle officers will also be used for enforcement. The Major City Chiefs have been supportive of this and believe that it will have a significant impact on public safety. Chair Davis asked if demographics would be tracked, and the Chief noted that it was mandated as part of the law to ensure

equity is maintained in enforcement. The data will be made available to the public through the RMV citation information. The Chief noted that this is specific to hand-held devices, but there are other laws relative to distracted driving that are related. Councilor Clingan wondered whether this would lead to more court time for officers and it may, as any monetary fine comes with a right to appeal.

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| RESULT: | WORK COMPLETED |
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Items Considered for Closing

207441: That the Director of Health and Human Services report to this Board on the feasibility of situating a Safe Injection Facility here.

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| RESULT: | PLACED ON FILE |
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208162: That the Administration advise the City Council in writing not later than May 23, what specifically is being studied and what specifically is preventing installation of port-a-potties in City parks and playgrounds.

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| RESULT: | PLACED ON FILE |
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208683: That the Director of SPCD facilitate a community meeting about airplane noise and include information about how flight path decisions get made, what (if any) local leverage we have, and how different neighborhoods are currently or potentially affected by noise.

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| RESULT: | PLACED ON FILE |
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208906: That the Licensing Commission investigate the serving of alcohol to inebriated customers from liquor stores along East Broadway and propose solutions to address overserving and littering.

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| RESULT: | PLACED ON FILE |
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209098: Police Sgt. responding to #208906 re: overserving alcohol to inebriated customers along East Broadway.

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| RESULT: | PLACED ON FILE |
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208922: That the City Solicitor and Chief of Police report to this Council on how civil asset forfeiture funds have been received and spent over the past 5 years, and how they can be directed to the General Fund.

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| RESULT: | KEPT IN COMMITTEE |
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209097: Assistant City Solicitor responding to #208922 re: civil asset forfeiture funds.

RESULT:

KEPT IN COMMITTEE

208956: That the Director of Health and Human Services discuss with this Council, any implications for Somerville as a result of the Governor's newly announced four-month ban on the sale of vaping products.

RESULT:

PLACED ON FILE

209021: Director of Health and Human Services responding to #208956 with information on the implications for Somerville of the statewide vaping ban.

RESULT:

PLACED ON FILE