



City of Boston Police Accountability and Transparency Final Recommendations

Project to Evaluate Hiring, Retention, and Promotion for Black, Indigenous, and People of Color Employees in the Boston Police Department: Interim Findings and Recommendations

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Introduction

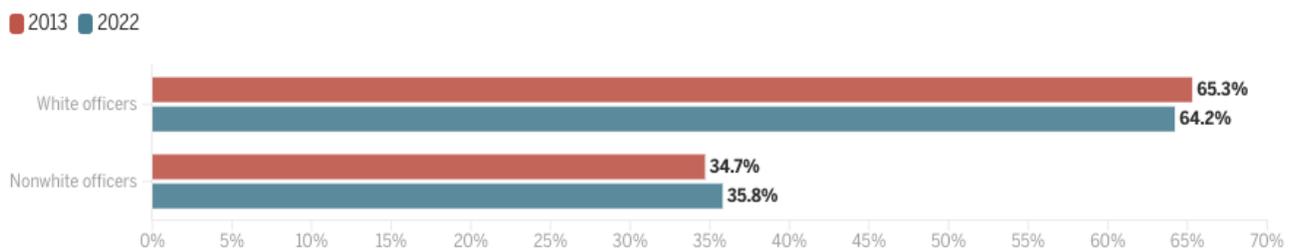
The Office of Police Accountability and Transparency (OPAT)¹ is a partner with the City of Boston's public safety administration in ensuring that the Boston Police Department is operating at the highest standards of fairness.

In support of this mission, OPAT commissioned a report to review hiring, retention, and promotion of Black, Indigenous, and People of Color (BIPOC) employees within the Boston Police Department (BPD) and to identify areas in which Departmental commitments to diversity, equity and inclusion may be undermined by outdated policy and practice.

This report offers an overview of feedback, recommendations, insights, and recommendations from the consultant team, grounded in best practices, emerging innovations, and community voice.

One important contextual factor is the disparity between the race/ethnicity of the Boston Police and the neighborhoods in which they work. Boston's residents are approximately 55% people of color (POC), as compared to 36% of the BPD. Perhaps as important as the disparity in the representation of POC in the BPD is the sluggish pace of change in the composition of the sworn workforce at BPD. See below, from a recent [Boston Globe](#) analysis:

Race/ethnicity of Boston Police Department sworn officers 2013 vs 2022



Source: Boston Police Department
CHRISTINA PRIGNANO/GLOBE STAFF

It is an important part of the work ahead to identify the obstacles to diversity in the Department, and to tailor solutions to overcome these specific challenges. We know that the BPD has prioritized diversity for many years. Why have the efforts to date shown so little impact?

The report assesses the impact of the Department's policies and practices on both recruitment and retention at BPD as a partial solution to the question of why increasing diversity has proven so challenging for the BPD. The report also includes concrete policy recommendations which the

¹ The Office of Police Accountability and Transparency (OPAT) exists to investigate complaints of police misconduct. Our office ensures that the Boston Police Department's internal affairs review process is fair and thorough. OPAT also reviews existing and proposed Boston Police policies and procedures.

consulting team believes can help to improve BIPOC hiring, retention and promotional processes and outcomes.

Recommendations

Promotions

The promotional process at BPD is an important area for focus. The current promotion process has many variables and decision points, all of which contribute to concerns that it can perpetuate racial inequities within the Department, even if only through failing to correct for the risk of implicit bias. The racial disparities present in both the pool of registrants for exams, and those passing each exam suggest that there may be structural barriers to success in accessing and passing these tests. These were high priority concerns for stakeholders (police, community members) and are clearly substantiated through a [recent class action lawsuit](#) in which officers passed over for promotion successfully argued that the process is clearly discriminatory against Black and Latinx officers.

Some of the challenges that came up in the course of discussion with stakeholders included the following:

1. Scheduling: the civil service exams and promotional processes are scheduled with an eye toward meeting multiple requirements, not all of them consistent with the BPD's need to give potential testers/applicants sufficient notice or awareness of the next opportunity. The irregularity and unpredictability of these exams, coupled with the use of a list for an indeterminate amount of time, results in both mistrust of the process and potentially, missed opportunities for preparedness for those seeking promotion.
2. A significant portion of the exam is oral, requiring very subjective judgment and no objective criteria to support fair decision making by the exam administrators. The test administrators are all white.
3. The perception of misuse of discretion within hiring practices, and the concern that this discretion can result in advancement for 'insider' candidates within the official process, but without transparency or fairness (source: interviews, legal advisor).
4. There is a perception on the part of some stakeholders that some prospective exam candidates have inside access to the content of the exam and advanced notification of exam dates. If true, this would clearly create an unfair advantage. If untrue, steps need to be taken to be visibly fair in ways that don't perpetuate this rumor.

Some of these challenges are easily independently verifiable (e.g., the exam schedule), others are based on the perceptions of stakeholders (e.g., patronage hiring, unfair exam access). The consulting team suggests that even the perception of unfairness is worthy of attention, as these rumors, perceptions, or misconceptions are still factors in the decision landscape for BIPOC who are considering joining or staying at the BPD.

Some of the potential harms to recruitment, retention, and promotional practices caused by the perceptions of unfairness in the process may be fruitfully - and easily - addressed by some of the measures outlined below. These transparency initiatives are ways to show the fairness in the system where it exists but is not understood, or perhaps, to highlight where changes are needed if substantiated.

To address these challenges, and invest in a more transparent and equitable promotional process, the CHA team recommends that the BPD promotional process be more formalized and standardized.

Specific implementation ideas include:

1. Diversify the test administration committee for both the oral and written components of the exams. Increased diversity should include diversity of race, ethnicity, gender, sexual orientation, and language.
2. Engage an outside auditor to conduct a detailed assessment of the exam to mitigate potential racial, ethnic, and gender biases.
3. Schedule the exam for every other year to provide ongoing and predictable opportunities for those seeking promotion. (So, for example, if the exam is given in Spring of 2023, ensure that the next exam is given in Spring of 2025).
4. Consider providing the exam on the same day/date each exam year to enable those seeking promotion to properly prepare and take the test. The rationale for this is to ensure that exams are given in a way that is routine and predictable given the benefits of that approach in terms of transparency and enabling preparedness for currently underrepresented populations.
5. Invest in building a more level playing field for the exam by doing four things:
 - a. First, take steps to prevent specific upcoming exam questions from becoming available to prospective exam takers (Department personal have shared, anecdotally, that exam materials were available to some prospective exam takers prior to the exam in the past) and/or release all materials publicly to all;
 - b. Second, the Department could consider developing and sponsoring an exam preparation class available, free of cost, to anyone wishing to take the exam;
 - c. Third, supervisors should be encouraged to take measures to support prospective exam takers, e.g. by scheduling hours and shifts to enable them to attend exam preparation classes, and ensuring that personnel that wish to take the exam are able to attend the class
 - d. Finally, units with high rates of participation in promotional exams by BIPOC and female candidates should be recognized for their contributions to the future diversity of the Department. This is a crucial indicator of progress for the Department and all who are contributing to success should be seen as strong team players.
6. Examine the possibility of developing an interview process which shields the race/ethnicity of the candidate to mitigate bias on the part of exam administrators.

Recruitment and Hiring

The BPD's Diversity, Equity, and Inclusion Committee recently developed a report that explains why the BPD's commitment to diversity, equity, and inclusion is vital to both ensuring a fair work environment and to providing excellent public safety services to Boston communities:

"Having a workforce comprised of individuals with varying backgrounds, skills, experiences and knowledge will increase innovative and creative ideas in community policing. This will improve [the BPD's] delivery of services and energize and enhance the Department's connection with the diverse communities across Boston [...] The goal of the Boston Police Department is to have a workforce that reflects the diversity of the City of Boston. The diversity within the Department must extend throughout the Department from leadership roles to specialized units, and throughout the neighborhood police stations. This will serve to increase trust as well as foster and improve positive relationships between the community and the Department²."

The commitments expressed in the report are echoed by recent research demonstrating the link between racial, ethnic, and gender diversity and improved relationships between communities and police³ as well as improved public safety outcomes.⁴

To achieve these community-level outcomes – better relationships and trust, increased safety – the Department must diversify its sworn and civilian workforce. Consequently, the recommendations here should be understood as inextricably linked to the Department's highest goals and responsibilities.

While there are many challenges related to recruitment and hiring, one of the largest and most pervasive challenges has to do with perceptions of law enforcement agencies, especially within BIPOC communities. Several comments from community stakeholders illustrate the negative perception of police and the fraught nature of community-police relations.

"...when I see BOD react to Black folk, it's with hostility."

"It's a mentality, there is no Black or white. It's all blue. As if blue is a race. It's us vs. them and they protect each other."

To address these challenges, the CHA team recommends that the BPD do two things:

² The Boston Police Department's Diversity, Equity, Inclusion Committee. (2021). *Addressing Diversity and Inclusion. Going beyond the calling: Leading through transparency and accountability*. 3.

³ See, for example, Bocar et al. (2021). "The role of officer race and gender in police-civilian interactions in Chicago" *Science*, 371(6530), 696-702, DOI: 10.1126/science.abd8694.

⁴ See, for example, Hong, S. (2017). Does Increasing Ethnic Representativeness Reduce Police Misconduct?. *Public Administration Review*, 77(2), 195-205.

1. **focus efforts on building trusting and respectful relationships with communities across the City, and**
2. **commit to ensuring that both its candidate pools and its hiring decisions on the whole reflect the racial, ethnic, and gender diversity of the City.**

There are, of course, unlimited ways to meet these objectives. Specific implementation suggestions include:

Hiring a Diversity Recruitment Officer (DRO). The BPD has been proactive in addressing this need. The DRO heads up a special unit within the City’s Human Resources Department, and has a direct line to the Mayor’s Equity Office. These are important and valuable ways in which the DRO has autonomy and independence from the BPD, and some authority to monitor and advocate for change. The consulting team suggests keeping this structure in place, and ensuring that the “direct line” to the Mayor’s Equity Office be both sustained and robust.

The consulting team recommends that all BPD leaders (from Sgts. through the top team) be encouraged to continue and expand engagement and dialogue with communities, both through ‘general’ outreach (community meetings) and more importantly, through tailored outreach and investment in relationships with groups representing marginalized populations of residents within the City.⁵

While dialogue topics or the purpose of convenings may vary depending on community and Department needs and interests, there are some important guidelines that can contribute to ongoing success. These guidelines are tools that make policing strategies more culturally responsive.

1. **Go to where the people already are.** BPD leadership can join community members in places where they already gather, like community centers, houses of worship, or parks, rather than extending invitations that place the burden of attendance on community members to show up somewhere outside of their communities.
2. **Make it easy for everyone to participate.** Consider and address the barriers to participation that community members might face. For example, time of day, day of week, and location will have implications for peoples’ work, transportation, and childcare responsibilities. So planning days and times and/or providing free food and childcare may help to make participation easier for community members.

⁵ The value of community-police dialogue is widely understood. For recent discussion and analysis, see Perez et al “*Community–Police Dialogues: Evaluating the Effects on Adult, Youth, and Police Participants*”, *Policing: A Journal of Policy and Practice*, Volume 15, Issue 2, June 2021, Pages 1232–1244, <https://doi.org/10.1093/police/paaa034>

3. **Overcome the language barriers**, specifically. Nearly 10% of Boston residents are Spanish speaking. The Boston Public Schools serve students with over 70 first languages. Translation support both in advertising for a community event and for the event itself will be important.

Cadet Retention at the BPD Academy. BPD fitness standards for completion of the recruit police academy are higher than required by the MPTC. BPD should review where in the course of the training process candidates are dropping out, what their reasons are. Then BPD should look for demographic patterns regarding candidates that are not making it through the Academy.

A Note on the Question of the Optional Civil Service System

Invariably the question of civil service comes into the conversation when public agencies are considering ways to diversify. In fact, a growing number of municipalities across the Commonwealth are opting out of this system⁶.

Boston, like so many other towns, periodically revisits this question as it is clear that Civil Service can offer both benefits and barriers to efforts to increase diversity in our public agencies. The consulting team recommends that the Department keep this conversation open, aiming to eliminate barriers presented by participation in Civil Service, and in the event that these cannot be overcome, re-assessment of whether or not the sacrifice of the benefits of the system is warranted in the effort to develop innovative strategies.

Benefits of the system that would need to be considered prior to leaving include the access to larger pools of preferred candidates from specific language groups or of female candidates. On the other hand, the veterans preference is an impediment to diversity efforts in that the majority of Suffolk county's veterans are white males (an estimated 66.9%)⁷.

Retention

Many aspects of strong retention programs are out of the control of the BPD, including the cost of living in Boston, the availability of excellent school options for parents and families, etc. In fact, salaries and benefits are set through collective bargaining and are not easily adjusted through Department

⁶ Municipalities no longer in state civil service system: Acton, Adams, Burlington, Easthampton, Framingham, Franklin, Grafton, Halifax, Hudson, Lee, Lexington, Manchester-by-the-Sea, Mansfield, Marlborough, Maynard, Milford, Millis, Northbridge, North Adams, North Andover, North Attleboro, North Reading, Norwood, Orange, Plainville, Provincetown, Reading, Rockport, Sharon, South Hadley, Sudbury, Swampscott, Uxbridge, Walpole, Wayland, Webster, Wellesley, Westwood, Williamstown (source: Mass.gov)

⁷ 2016–2020 5-year American Community Survey Data Breakdown by Region; [Suffolk County](http://SuffolkCounty.gov); 2016-2020.

wide or Department level initiatives. However, within the realm of what is possible to change and affect, the BPD's diversity efforts can consider:

- A. Equitable access to benefits like educational reimbursements, professional development opportunities, details and overtime assignments.
- B. Ensuring that disciplinary action is undertaken in ways which confirm fairness and equitable treatment across race, gender, ethnicity, etc.
- C. Equitable access to highly prized assignments
- D. Policies and practices to ensure job physical safety, and
- E. An inclusive, welcoming working environment for all.

The five elements of retention outlined above will contribute or detract from BPD's long term success in diversifying the Department. The following guidelines are intended to help shape policy and practice to achieve the best outcomes from these investments in change.

Scope the problem. The current climate of mistrust in the Department's management of personnel is high. There is a pressing need for data that can be reliably reviewed and determined to be 'neutral' in its point of view. The consultants recommend that an independent consultant be retained to undertake a retrospective analysis of discipline measures over the last five years to look for disparities in the application of discipline measures by race, ethnicity, gender, sexual orientation, etc.

Clarity serves all. To the extent that the Department has very clear and detailed goals for officer conduct and for its organizational culture, officers can comply and supervisors can correct when things go awry.

Diverse participation improved decision making. The Department might benefit from considering convening a committee to oversee rewards, recognition, and discipline. The committee's task will be to develop guidelines for rewards/recognition and discipline to fulfill the Department's goals vis-a-vis officer conduct and organizational culture. To ensure goals are met, this committee should be diverse in terms of professional experience within the Department (rank, sworn/civilian), race, gender, sexual orientation, etc.

Mitigate the risk of accidental inequity. Supervisors vary in their approaches to rewards, recognition and discipline. To offset the risk of true inequity as a result, the committee might create a system or matrix of rewards and discipline measures that are designed to incentivize aspects of organizational culture and behavior that the Department seeks (rewards/recognition) and to discourage behavior and aspects of organizational culture the Department wishes to avoid (discipline). Using this across units, bureaus, Districts will ensure fairness, transparency, and increase trust.

Understanding and Tracking Changes in Department Culture Over Time

The focus on rewards/recognition and discipline is part of a larger effort to ensure that the BPD has a diverse, equitable, and inclusive organizational culture. However, it will take more than increased

clarity and intentionality regarding rewards/recognition and discipline to create and sustain this kind of culture. In order to ensure the continued evolution of this sort of culture within the BPD, the consulting team recommends focusing on more deeply understanding the experiences of BPD personnel over time. To this end, the consulting team suggests the following:

1. **Culture Survey** Work in partnership with an independent contractor to develop and administer an annual (or semi-annual) Department-wide survey to all personnel concerning BPD's internal culture (this would include questions regarding fairness, job satisfaction, thoughts related to race, gender, ethnicity, sexuality, religion, etc.). Track the results over time, looking for areas in most urgent need of improvement.
2. **Interviews** Create and administer entrance and exit interviews for sworn and civilian employees in order to better understand reasons for long-term retention as well as turnover rates (Are there differences between race or gender? Are there differences in different civilian Departments?)

Public Accountability

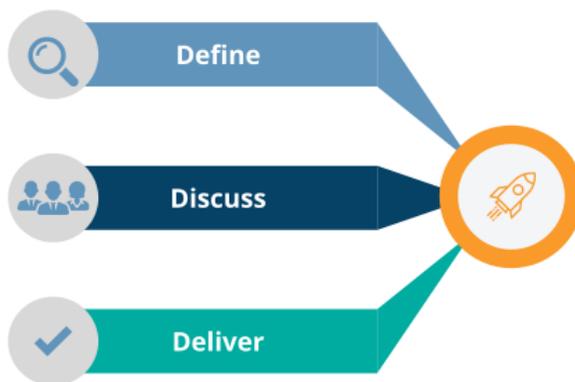
To extend the BPD's commitment to transparency, the Department should develop a Public Diversity Dashboard that displays the Department's goals regarding diversity and indicates progress on those goals over time. Some examples of public diversity dashboards can be accessed by clicking on the links below:

- [Commonwealth of Massachusetts](#)
- [The City of Dallas, Texas](#)
- [The Police Department of Aurora, IL](#)

Methods

In October of 2022, the Conan Harris and Associates consulting team began a process with OPAT. The process has involved extensive outreach and engagement with members of the BPD, other City of Boston personnel, and community members, in the form of interviews and focus groups. The consulting team has also drawn on Department and OPAT documents and data, as well as sector-specific research.

The Process



Goals

What will this process accomplish?

- ✓ Develop a set of actionable recommendations for the BPD to improve diversity in recruitment, hiring, retention, promotion (RHRP)
- ✓ Set targets for change that are both aspirational and realistic.
- ✓ Set up a monitoring plan to ensure that the goals and corresponding action plans can be tracked over time and that the plan is delivering the intended impacts.

Appendix

Appendix A: Recommendations

Promotions

Recruitment and Hiring

Focus efforts on building trusting and respectful relationships with communities across the City and commit to ensuring that both its candidate pools and its hiring decisions on the whole reflect the racial, ethnic, and gender diversity of the City.

1. Diversity Recruitment Officer (DRO). Keep this structure in place, and ensure that the “direct line” to the Mayor’s Equity Office be both sustained and robust.
2. Encourage BPD leaders (from Sgts. through the top team) to continue and expand engagement and dialogue with communities, both through ‘general’ outreach (community meetings) and more importantly, through tailored outreach and investment in relationships with groups representing marginalized populations of residents within the City.
3. Go to where the people already are. BPD leadership can join community members in places where they already gather, like community centers, houses of worship, or parks, rather than extending invitations that place the burden of attendance on community members to show up somewhere outside of their communities.
4. Make it easy for everyone to participate. Consider and address the barriers to participation that community members might face.
5. Overcome the language barriers. Ensure translation support both in advertising for a community event and for the event itself.
6. Cadet Retention at the BPD Academy. Review where in the course of the training process candidates are dropping out, what their reasons are. Then BPD should look for demographic patterns regarding candidates that are not making it through the Academy.

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culture (this would include questions regarding fairness, job satisfaction, thoughts related to race, gender, ethnicity, sexuality, religion, etc.). Track the results over time, looking for areas in most urgent need of improvement.

2. Create and administer entrance and exit interviews for sworn and civilian employees in order to better understand reasons for long-term retention as well as turnover rates.

Public Accountability

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