



City of Boston, Massachusetts  
Office of Police Accountability and Transparency

## OPAT Commission Public Meeting

### Minutes

Thursday, December 21, 2023 | 9:30 a.m. to 11:00 p.m.  
Virtual via Zoom

**Call to order at 9:33 a.m.**

**OPAT Commission Members Present:** Internal Affairs Oversight Panel (IAOP) Chair Leslie Harris; Civilian Review Board (CRB) Chair Peter Alvarez.

### **Introduction**

OPAT Commissioner Peter Alvarez opened the meeting by welcoming members of the public and introduced OPAT Commissioner Honorable Judge Leslie Harris (retired).

Commissioner Alvarez explained that he would function as the Commission Chair *Pro Tempore* due to the absence of an OPAT Executive Director.

### **Approval of Previous Meeting Minutes**

Commissioner Alvarez introduced the Commission's September 21, October 26, and December 14 meeting minutes for consideration. The minutes were approved as presented by a unanimous vote of the OPAT Commission. No corrections were made.

### **BPD Commissioner Response to Case #175 and Case #190**

Commissioner Alvarez noted for the public that the Civilian Review Board approved a Sustained ruling in the matter of Case #175 and Case #190 on September 19, 2023. Commissioner Cox submitted responses to the CRB, rejecting the Sustained ruling for Case #175 and accepting the Sustained ruling for Case #190.

Commissioner Alvarez provided a summary of Case #175: an officer had written some disparaging comments on Facebook regarding a female officer in another police department. The Civilian Review Board (CRB) sustained the complaint and recommended that the officer receive an oral reprimand based on the Discipline Matrix. The Boston Police



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Department (BPD) Commissioner chose not to accept the CRB's finding and not to implement discipline. Commissioner Alvarez stated that because the comments were public and involved gendered disparaging comments, the recommendation should have been accepted. Commissioner Harris stated that after reviewing the case summary, he did not disagree with the BPD Commissioner and did not believe that the comments were sexist, but did acknowledge that the officer should not have been commenting publicly on another police department. Commissioner Alvarez stated that the Board considered that the post was made during Women's History Month and carried implications.

Commissioner Alvarez provided a summary of Case #190: an officer cursed at the complainant when telling the complainant to move the vehicle. The CRB sustained the complaint and recommended that the officer receive an oral reprimand. The BPD Commissioner accepted the CRB's finding and implemented the recommended discipline. Commissioner Alvarez encouraged members of the public to submit complaints to the CRB if they experience disrespectful treatment from a Boston Police Department employee. Commissioner Harris stated that this case indicated to the public that these issues are taken seriously.

### **Proposed Regulations - OPAT 1.00**

The Commissioners reviewed the proposed OPAT Regulations 1.00. The following changes were made:

- In Section 1.03: change from "OPAT Staff will consider" to "OPAT Staff may consider"
- In Section 1.03: addition of "video, audio, photographs, social media posts" as identifiable information that can be used to identify an officer in a complaint
- In Section 1.03: change from "OPAT Staff shall send a certified letter to the complainant" to "OPAT Staff shall make best efforts via phone, email, and/or mail to notify the complainant"
- In Section 1.03: change from "within 7 days of receipt of the letter" to "within 7 days of receipt of such notification"
- In Section 1.04: change from "fail to achieve quorum for three (3) consecutive meetings" to "fail to achieve quorum for one (1) meeting"
- Section 1.06: stricken in its entirety



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Commissioner Alvarez asked that a regulation be created regarding investigating complaints where the officer is not specifically identified in the complaint. Commissioner Alvarez asked if any public comments had been received on the regulations. No comments had been received.

Commissioner Harris motioned to adopt the regulations as amended. Commissioner Alvarez seconded the motion. The OPAT Regulations 1.00 were unanimously adopted as amended by a 2-0 vote.

#### **2024 Proposed OPAT Board Meeting Calendar**

The Commission reviewed the proposed 2024 OPAT board meetings calendar. Commissioner Alvarez stated that the CRB may have diverse timing for meetings to accommodate members of the public who would like to attend. Commissioner Alvarez requested that the CRB meeting proposed for Tuesday, April 23, 2024 be moved to Thursday, April 25, 2024 and that the OPAT Commission meeting proposed for Thursday, April 25, 2024 be moved to Tuesday, April 30, 2024.

Commissioner Alvarez motioned to adopt the 2024 calendar, Commissioner Alvarez seconded the motion. The 2024 Board Meetings Calendar was unanimously adopted by a 2-0 vote.

#### **Other Business**

The Commission discussed the addition of another OPAT Commission regulation around complaints that do not identify a specific Boston Police Department employee. Commissioner Alvarez requested that the following language be considered by the Commission at their next meeting:

“OPAT may conduct an investigation with respect to, and the CRB may make findings regarding, unnamed officers to the extent other identifiable information is provided, including, but not limited to, witness testimony as to the officer's identity, audio, photos, video, voicemail, and social media profiles.”

#### **Public Comment**



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The Commission opened the public comment period. No members of the public were present in the meeting

Commissioner Alvarez motioned to adjourn the meeting, the motion was seconded by Commissioner Harris. The meeting was unanimously adjourned by all members present.

**Meeting adjourned at 10:38 a.m.**

DRAFT